
STATUTORY INSTRUMENTS

2005 No. 1963

The Colleges of Education (Northern Ireland) Order 2005

PART II

THE COLLEGE

Management of the college

Making and amendment of instrument of government and articles of government

5.—(1) The initial instrument of government and articles of government of the college shall be made by order of the Department after consultation with such persons as appear to it to be appropriate.

(2) The Department may—

- (a) if the governing body submits a draft of an instrument of government or articles of government to have effect in place of the existing instrument or articles, by order make a new instrument of government or articles of government in terms of the draft or in such terms as it thinks fit;
- (b) if that body submits draft amendments of the existing instrument of government or articles of government, by order amend the existing instrument or articles in terms of the draft or in such terms as it thinks fit.

(3) The Department shall not—

- (a) make a new instrument of government or articles of government otherwise than in terms of a draft submitted under paragraph (2)(a), or
- (b) amend an existing instrument of government or articles of government otherwise than in terms of a draft submitted under paragraph (2)(b),

unless it has consulted the governing body.

(4) The Department may direct the governing body to submit—

- (a) a draft under paragraph (2)(a) making such provision as is specified in the direction; or
- (b) a draft under paragraph (2)(b) making such amendments as are so specified.

(5) Before giving any direction under paragraph (4) to the governing body the Department shall consult that body.

(6) In this Article—

- (a) references to the initial instrument of government and articles of government of the college are to the instrument and articles which are to have effect as from the transfer date;
- (b) references to the existing instrument of government or articles of government of the college are references to the instrument of government or articles of government for the time being having effect in relation to the college under this Article.