
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 256

EDUCATION

**Schools (Expulsion of Pupils) (Appeal Tribunals)
(Amendment) Regulations (Northern Ireland) 1998**

Made - - - - *21st July 1998*

Coming into operation *1st September 1998*

The Department of Education in exercise of the powers conferred on it by Articles 49(10)(1) and 134(1)(2) of the Education and Libraries (Northern Ireland) Order 1986(3) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Schools (Expulsion of Pupils) (Appeal Tribunals) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 1st September 1998.

Amendment of the Schools (Expulsion of Pupils) (Appeal Tribunals) Regulations (Northern Ireland) 1994

2. The Schools (Expulsion of Pupils) (Appeal Tribunals) Regulations (Northern Ireland) 1994(4) shall be amended as follows:—

(a) in regulation 2 after the definition of “board” there shall be inserted the following:

““expelling authority” has the same meaning as in Article 49(5) of the Education and Libraries (Northern Ireland) Order 1986;”;

(b) in Schedule 2, for paragraph 5 there shall be substituted the following:

“5. An appeal tribunal shall give to the expelling authority and, in the case of a controlled school, the Board of Governors of the school, an opportunity to make written representations and shall give to a representative of the expelling authority and, in the case of a controlled school, a representative of the Board of Governors, an opportunity of appearing and making oral representations.”; and

(c) in Schedule 2, for paragraph 7 there shall be substituted the following:

(1) As substituted by S.I.1993/2810 (N.I. 12) Article 39
(2) As amended by S.I. 1993/2810 (N.I. 12) Article 50(1) and Schedule 4 Part II
(3) S.I. 1986/594 (N.I. 3)
(4) S.R. 1994 No. 13

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- “7. In considering the appeal, the appeal tribunal shall have regard in particular to—
- (a) any representations made to it under paragraph 4 or 5;
 - (b) whether the procedures in relation to the expulsion of pupils from the school were properly followed; and
 - (c) the interests of other pupils and teachers in the school.”.

Sealed with the Official Seal of the Department of Education on

L.S.

21st July 1998.

C. Jendoubi
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Schools (Expulsion of Pupils) (Appeal Tribunals) Regulations (Northern Ireland) 1994.

The Regulations make the following changes—

Regulation 2(b) extends to the Board of Governors of a controlled school, the rights of the expelling authority to make written representations to an appeal tribunal and to send a representative to make oral representations to a tribunal. The expelling authority in the case of a controlled school is the relevant education and library board but in the case of a grant-aided school, other than a controlled school, the expelling authority is the Board of Governors of the school.

Regulation 2(c) requires that in making its decision, the appeal tribunal shall have regard to the interests of other pupils and teachers in the school, as well as any representations made to it by the expelling authority, and in the case of a controlled school, the Board of Governors of the school.