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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 96**

**EDUCATION**

**The Further Education Teachers' (Eligibility)  
(Amendment) Regulations (Northern Ireland) 1998**

*Made* - - - - *11th March 1998*

*Coming into operation* *10th April 1998*

The Department of Education, in exercise of the powers conferred on it by Articles 70(1) and (2)(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 Further Education Teachers' (Eligibility) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 10th April 1998.

**Amendment of the Further Education Teachers' (Eligibility) Regulations (Northern Ireland) 1997**

2.—(1) The Further Education Teachers' (Eligibility) Regulations(4) shall be amended in accordance with paragraphs (2) to (4).

(2) For the word “board” wherever it occurs there shall be substituted “governing body”.

(3) In regulation 3, before the definition of “medical practitioner” there shall be inserted the following definition—

““governing body” has the same meaning as in the Further Education (Northern Ireland) Order 1997(5);”.

(4) For regulation 8 (Employment of unqualified teachers) there shall be substituted—

“8.—(1) Subject to paragraph (2), where a governing body is unable to secure the services of a qualified teacher it may temporarily appoint a person who is not a qualified teacher.

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(1) Article 70 was substituted by Article 8 of S.I. [1987/167 \(N.I. 2\)](#) and Article 70(1) was amended by Article 42(2) of S.I. [1993/2810 \(N.I. 12\)](#)  
(2) As amended by Article 50(1) and Part II of Schedule 4 to S.I. [1993/2810 \(N.I. 12\)](#)  
(3) S.I. [1986/594 \(N.I. 3\)](#)  
(4) S.R. 1997 No. 388  
(5) S.I. [1997/1772 \(N.I. 15\)](#)

(2) A governing body shall not appoint to employment under paragraph (1) any person whose employment is for the time being—

- (a) suspended by a governing body under regulation 7(4); or
- (b) suspended by an employing authority under regulation 7(4) of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997<sup>(6)</sup>; or
- (c) prohibited or restricted by the Department under regulation 9(1)(a) or (b); or
- (d) prohibited or restricted by the Department under regulation 9(1)(a) or (b) of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997.”.

Sealed with the Official Seal of the Department of Education on

L.S.

11th March 1998.

*R. S. Davison*  
Assistant Secretary

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## EXPLANATORY NOTE

*(This note is not part of the Order.)*

These Regulations amend the Further Education Teachers' (Eligibility) Regulations (Northern Ireland) 1997 which deal with the eligibility of teachers to teach in institutions of further education.

The principal amendments substitute references to governing bodies of institutions of further education for the references to education and library boards in the principal Regulations.

The amendments are required as a consequence of the Further Education (Northern Ireland) Order 1997 (S.I.1997/1772 (N.I. 15)) which provides for the transfer of responsibility for the management of institutions of further education from education and library boards to incorporated governing bodies established in relation to each institution.