
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 384

The Education (Special Educational Needs)
Regulations (Northern Ireland) 2005

PART I
GENERAL

Citation and commencement

1. These Regulations may be cited as the Education (Special Educational Needs) Regulations (Northern Ireland) 2005 and shall come into operation on 1st September 2005.

Interpretation

2.—(1) In these Regulations—

“assessment” means an assessment of a child’s educational needs under Article 15 of the 1996 Order;

“board” means an education and library board;

“Northern Ireland curriculum” means the curriculum for every grant-aided school as described in Articles 5, 6 and 8 of and Schedules 1 and 2 to the Education Reform (Northern Ireland) Order 1989(1);

“registered medical practitioner” means a fully registered person within the meaning of the Medical Act 1983(2);

“principal” includes any person to whom the duties or functions of a principal under these Regulations have been delegated by the principal in accordance with regulation 3;

“qualified teacher” means a person who is eligible to be employed as a teacher in a grant-aided school;

“the responsible body” has the meaning as given by Article 20A(11);

“statement” means a statement of a child’s special educational needs made under Article 16 of the 1996 Order;

“target” means the knowledge, skills and understanding which a child is expected to have by the end of a particular period;

“transition plan” means a document prepared which sets out the arrangements which a board considers appropriate for a young person during the period when he is aged 14 to 19 years, including arrangements for special education provision and for any other necessary provision, for suitable employment and accommodation and for leisure activities, and which will facilitate a satisfactory transition from childhood to adulthood;

(1) S.I.1989/2406 (N.I. 20) as amended by S.I. 1996/274 (N.I.) Article 35 and Schedule 3

(2) 1983 c. 54

“the Tribunal” means the Special Educational Needs and Disability Tribunal for Northern Ireland having the jurisdiction conferred on it by Part II of the 1996 Order and Chapter I of Part III of the 2005 Order⁽³⁾;

“the 1996 Order” means the Education (Northern Ireland) Order 1996;

“the 1997 Regulations” means the Education (Special Educational Needs) Regulations (Northern Ireland) 1997⁽⁴⁾;

“the 2005 Order” means the Special Educational Needs and Disability (Northern Ireland) Order 2005.

(2) In these Regulations any reference to a numbered Article is a reference to the Article of the 1996 Order bearing that number.

(3) In these Regulations any reference to the health and social services authority is, in relation to a particular child, a reference to the health and social services authority in whose area the child lives.

Delegation of functions or duties of a principal

3. Where a principal has any functions or duties under these Regulations he may delegate those functions or duties—

- (a) generally to a member of staff of the school who is a qualified teacher; or
- (b) in a particular case to a member of staff of the school who teaches the child in question.

Notices

4. Any notice required to be given by these Regulations shall be in writing.

(3) S.I. 2005/1117 (N.I. 6) Article 21(1) and (3)

(4) S.R. 1997 No. 327 as amended by S.R. 1998 No. 217