

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Education Act (Northern Ireland) 2014, SCHEDULE 3. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

Section 5.

#### Amendments

#### *The Education Orders - general amendment of references to education and library boards*

- 1.—(1) In the Education Orders—
  - (a) for “a board”, “the board”, “that board”, “the boards”, “each board” and “every board” (wherever occurring) substitute “the Authority”;
  - (b) for “the board's” (wherever occurring) substitute “the Authority's”.
- (2) Sub-paragraph (1)—
  - (a) applies only in relation to references to an education and library board, or such boards; and
  - (b) does not apply in relation to any reference which is subject to specific amendment or repeal by this Act.

#### Commencement Information

**I1** Sch. 3 para. 1 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

#### *The School Sites Act (Northern Ireland) 1928 (c. 8)*

2. In section 1(1) and (2) for “an education authority” substitute “ the Education Authority ”.

#### Commencement Information

**I2** Sch. 3 para. 2 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

#### *The Exchequer and Financial Provisions Act (Northern Ireland) 1950 (c. 3)*

3. In section 33(1) for “boards under Article 114 of the 1986 Order” substitute “ the Education Authority under paragraph 13 of Schedule 1 to the Education Act (Northern Ireland) 2014 ”.

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**Commencement Information**

**I3** Sch. 3 para. 3 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Superannuation (Northern Ireland) Order 1972 (NI 10)*

4. In Article 11(5) for “representatives of local education authorities and” substitute “ the Education Authority and with representatives ”.

**Commencement Information**

**I4** Sch. 3 para. 4 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14)*

5. In Article 67 for “Education and Library Boards” substitute “ the Education Authority ”.

**Commencement Information**

**I5** Sch. 3 para. 5 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Solicitors (Northern Ireland) Order 1976 (NI 12)*

6. In Article 3(2) in the definition of “local authority” for “an Education and Library Board established under the Education and Libraries (Northern Ireland) Order 1972” substitute “ the Education Authority ”.

**Commencement Information**

**I6** Sch. 3 para. 6 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Sex Discrimination (Northern Ireland) Order 1976 (NI 15)*

7.—(1) In Article 24(1), in the Table, for “Education and Library Board” substitute “ Education Authority ”.

(2) In Article 25—

(a) in the title for “Education and Library Boards” substitute “ the Education Authority ”;

(b) for “an Education and Library Board” substitute “ the Education Authority ”.

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(3) In Article 26(2) and (4)(a) for “an Education and Library Board” substitute “the Education Authority”.

**Commencement Information**

**I7** Sch. 3 para. 7 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Rates (Northern Ireland) Order 1977 (NI 28)*

8. In Schedule 13 for the entry relating to an education and library board substitute— “The Education Authority.”.

**Commencement Information**

**I8** Sch. 3 para. 8 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education and Libraries (Northern Ireland) Order 1986 (NI 3)*

9.—(1) In Article 2(2) at the appropriate places in alphabetical order insert the following definition—

““the Authority” means the Education Authority;”.

(2) In Article 2(2) for the definition of “the funding departments” substitute— ““the funding departments” has the meaning given by section 6(1) of the Education Act (Northern Ireland) 2014;”.

(3) In Article 5(2) for “of its area” substitute “ of the community ”.

(4) In Article 9C(7) for “the Catholic maintained schools maintained by that board” substitute “ Catholic maintained schools ”.

(5) In Article 13(3AA) for the words from the beginning to “hospital” substitute “ Where, in relation to a school established in a hospital, the Authority is of the opinion that ”.

(6) In Article 16(1) for “by a board” substitute “ by the Authority or by a board ”.

(7) In Article 17(1), (3) and (6) for “the appropriate board” substitute “ the Authority ”.

(8) In Article 17(1) for “the relevant board” substitute “ the Authority ”.

(9) In Article 18(2)(a) for “responsible for the management of” substitute “ in the case of ”.

(10) In Article 46A(6)(b) for “the relevant board” substitute “ the Authority ”.

(11) In Article 49(1) for “schools under its management” substitute “ controlled schools ”.

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(12) In Article 79(1) for “member of the board or of a committee of the board or a sub-committee thereof” substitute “ person to whom this paragraph applies ”.

(13) In Article 107(1) for the words from “transferred to it” to the end substitute “ to which it is for the time being entitled or subject to for the purposes of the Education Orders ”.

(14) In Article 119A(1)(a) and (b) for “the responsible board” substitute “ the Authority ”.

(15) In Schedule 4—

- (a) in paragraph 5(1)(c) for “area of the board responsible for the management of the school” substitute “ locality served by the school ”;
- (b) in paragraph 5(1)(d) for “area of the board responsible for the management of the school” substitute “ Roman Catholic diocese in which the school is situated (or in so much of that diocese as lies within Northern Ireland) ”;
- (c) in paragraph 7 in the definition of “superseded managers” for “schools under the management of boards” substitute “ controlled schools ”.

(16) In Schedule 6—

- (a) in paragraph 2(1) for “one or more than one board conferring on the board or boards concerned” substitute “ the Authority conferring on the Authority ”;
- (b) in paragraph 4(2)(b)(i) for “the board or boards concerned” (in each place) substitute “ the Authority ”;
- (c) in paragraph 5(2)(b)(i) for “the board or boards concerned” (in each place) substitute “ the Authority ”.

#### Commencement Information

**I9** Sch. 3 para. 9 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

#### *The Disabled Persons (Northern Ireland) Act 1989 (c. 10)*

**10.—(1)** In section 2(7) for “education and library boards” substitute “ the Authority ”.

(2) In section 5(1)—

- (a) for “an education and library board” substitute “ the Authority ”;
- (b) for “the education and library board” (wherever occurring) substitute “ the Authority ”.

(3) In section 5(2)—

- (a) for “an education and library board” (twice) substitute “ the Authority ”;

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- (b) for “the education and library board” (wherever occurring) substitute “ the Authority ”;
- (c) for “the board” substitute “ the Authority ”.
- (4) In section 5(3) for “the responsible education and library board” (twice) substitute “ the Authority ”.
- (5) In section 5(4)—
  - (a) for “an education and library board” substitute “ the Authority ”;
  - (b) for the words from “that or any other” to “for the time being)” substitute “ the Authority ”;
  - (c) for “the education and library board” and “that education and library board” substitute “ the Authority ”.
- (6) In section 5(6) for “an education and library board” and “the education and library board” substitute “ the Authority ”.
- (7) In section 6(1) for “An education and library board” substitute “ The Authority ”.
- (8) In section 7(4) for the words from “the education and library board” to the end substitute “ the Authority ”.
- (9) In section 11 after the definition of “Board” insert—  
““the Authority” means the Education Authority;”.

#### **Commencement Information**

**I10** Sch. 3 para. 10 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

#### *The Education Reform (Northern Ireland) Order 1989 (NI 20)*

- 11.—**(1) In Article 69(4)(b)(i) for “relevant board” substitute “ Authority ”.
- (2) In Article 71 for “relevant board” (wherever occurring) substitute “ Authority ”.
- (3) In Article 73(3) for “relevant board” substitute “ Authority ”.
- (4) In Article 75 for “relevant board” (wherever occurring) substitute “ Authority ”.
- (5) In Article 76 for “relevant board” (wherever occurring) substitute “ Authority ”.
- (6) In Article 80(3) for “a board” substitute “ the Authority or a board ”.
- (7) In Article 83—

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- (a) in paragraph (3) for “any board or person” substitute “ the Authority or any other person ” and for “that board or person” substitute “ the Authority or that person ”;
- (b) in paragraph (5) for “person” substitute “ a person ”;
- (c) in paragraph (6) for “person to which or” substitute “ the person ”.
- (8) In Article 84(2) for “or person” substitute “ or that person ”.
- (9) In Article 92(1) and (9)(b) for “relevant board” substitute “ Authority ”.
- (10) In Article 93(3) for “relevant board” substitute “ Authority ”.
- (11) In Article 95(1) for “relevant board” substitute “ Authority ”.
- (12) In Article 96(5) and (6)(a) for “relevant board” substitute “ Authority ”.
- (13) In Article 127(5) for “The board for the area in which a grammar school is situated” substitute “ In relation to a grammar school, the Authority ”.
- (14) In Article 135(1) for “that board or” substitute “ the Authority or the ”.
- (15) In Articles 137(1) and 139(4)(a) for “any board” substitute “ the Authority ”.
- (16) In Article 139(4)(b) for “any such board” substitute “ the Authority and any such ”.
- (17) In Article 140 for the words from “Article 62” to “1993” substitute “ Article 72 of the Education (Northern Ireland) Order 1998 ”.
- (18) In Article 153 for paragraphs (2) to (4) substitute—
  - “(2) A scheme under paragraph (1) may provide—
    - (a) for any specified functions of the Authority under the scheme to be exercised by committees of the Authority (“teaching appointments committees”);
    - (b) for a teaching appointments committee to include persons who are not members of the Authority; and
    - (c) for a teaching appointments committee to exercise functions on behalf of, and in the name of, the Authority.
  - (3) Before preparing or revising a scheme under paragraph (1) the Authority shall consult the Board of Governors of every controlled school.
  - (4) A scheme prepared or revised under paragraph (1) does not come into force unless approved by the Department.
  - (5) It shall be the duty of the Authority to give effect to a scheme or revised scheme for the time being in force under paragraph (1).”.

#### Commencement Information

**III** Sch. 3 para. 11 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

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*The Youth Service (Northern Ireland) Order 1989 (NI 22)*

12.—(1) In Article 4(1)(a) for “education and library boards” substitute “ the Education Authority ”.

(2) In the Schedule in paragraph 2(1) for “education and library boards” substitute “ the Education Authority ”.

**Commencement Information**

I12 Sch. 3 para. 12 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Disability Discrimination Act 1995 (c. 50)*

13. In section 19(6) for paragraph (a) substitute—

“(a) the Education Authority”.

**Commencement Information**

I13 Sch. 3 para. 13 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Children (Northern Ireland) Order 1995 (NI 2)*

14.—(1) In Article 19(7) for “an education and library board” substitute “ the Education Authority ”.

(2) In Article 20(2)(a) for “the appropriate education and library board” substitute “ the Education Authority ”.

(3) In Article 35(2)(d)(i) for “an education and library board” substitute “ the Education Authority ”.

(4) In Article 46(3)(b) for “any education and library board” substitute “ the Education Authority ”.

(5) In Article 47 in the title for “education and library boards” substitute “ the Education Authority ” and in paragraphs (1), (2) and (3) for “the appropriate education and library board” substitute “ the Education Authority ”.

(6) In Article 55—

(a) in paragraph (1) for “any education and library board” substitute “ the Education Authority ” and for “a designated education and library board” substitute “ the Education Authority ”;

(b) in paragraph (7) for “an education and library board” substitute “ the Education Authority ”.

(7) In Article 66—

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- (a) in paragraph (5) for “the relevant education and library board” substitute “ the Education Authority ”;
  - (b) in paragraph (11)(b) for “any education and library board” substitute “ the Education Authority ”.
- (8) In Article 135(3) for “any education and library board” substitute “ the Education Authority ”.
- (9) In Article 137(3)(b) for “the education and library board in whose area the performance takes place” substitute “ the Education Authority ”.
- (10) In Article 138(1) for “The appropriate education and library board” substitute “ The Education Authority ”.
- (11) In Article 138—
- (a) in paragraph (3) for “the education and library board” substitute “ the Education Authority ” and for “the board” substitute “ the Education Authority ”;
  - (b) in paragraph (4) for “The education and library board” substitute “ The Education Authority ”;
  - (c) in paragraph (5) for “the education and library board” (twice), “an education and library board” and “the board” substitute “the Education Authority”.
- (12) In Article 139(1) for “the appropriate education and library board” substitute “ the Education Authority ”.
- (13) In Article 139(2)—
- (a) for “The appropriate education and library board” substitute “ The Education Authority ”;
  - (b) for “the board” (wherever occurring) substitute “ the Education Authority ”;
  - (c) for “the board's” substitute “the Education Authority's”.
- (14) In Article 140(2) for “the education and library board which granted, or any education and library board which varied, the licence” substitute “ the Education Authority ”.
- (15) In Article 143(1) for “The appropriate education and library board” substitute “ The Education Authority ”.
- (16) In Article 143(3)—
- (a) for “The education and library board” substitute “ The Education Authority ”;
  - (b) for “the board” substitute “ the Education Authority ”.
- (17) In Article 143(4)(b) for “the education and library board” substitute “ the Education Authority ”.



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- (18) In Article 143(5)—
- (a) for “The education and library board by which a licence under this Article is granted” substitute “ The Education Authority ”;
  - (b) for “the board” (wherever occurring) substitute “ the Education Authority ”;
  - (c) for “the board's” substitute “the Education Authority's”.
- (19) In Article 144(1) for “an education and library board” substitute “ the Education Authority ”.
- (20) In Article 144(2)—
- (a) for “the education and library board” substitute “ the Education Authority ”;
  - (b) in sub-paragraph (a) for “the board's” substitute “the Education Authority's”.
- (21) In Article 146(1) and (2) for “an education and library board” substitute “ the Education Authority ”.
- (22) In Article 147(9) for “an education and library board” substitute “ the Education Authority ”.
- (23) In Article 149(1)(c) and (5)(e) and (g) for “an education and library board” substitute “ the Education Authority ”.
- (24) In Article 149(5)(f) for “any education and library board” substitute “ the Education Authority if it is ”.
- (25) In Article 154(1) and (2) for “education and library boards” substitute “ the Education Authority ”.
- (26) In Article 177(1)—
- (a) for “an education and library board” and “the education and library board” substitute “ the Education Authority ”;
  - (b) for “the board” substitute “ the Education Authority ”.
- (27) In Article 177(3), (4) and (5) for “the education and library board” (wherever occurring) substitute “ the Education Authority ”.
- (28) In Schedule 2, in paragraph 2A(3) for paragraph (b) substitute—
- “(b) the Education Authority”.
- (29) In Schedule 4—
- (a) in paragraph 5(2) for “the education and library board in whose favour the order was made” substitute “ the Education Authority ”;
  - (b) in paragraphs 7(1)(c) and 9(1) for “the education and library board concerned” substitute “ the Education Authority ”.

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**Commencement Information**

**I14** Sch. 3 para. 14 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education (Northern Ireland) Order 1996 (NI 1)*

- 15.—(1) In Article 14(1)(b) for “the appropriate board” substitute “ the Authority ”.
- (2) In Article 18A(5) for the words from the beginning to “Article 16” substitute “ Where the Authority is required by paragraph (4)(a) to make a statement under Article 16, the Authority ”.
- (3) In Article 23A for “the board concerned” substitute “ the Authority ”.

**Commencement Information**

**I15** Sch. 3 para. 15 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Employment Rights (Northern Ireland) Order 1996 (NI 16)*

16. In Article 78(7) for sub-paragraph (a) substitute—
- “(a) the Education Authority;”.

**Commencement Information**

**I16** Sch. 3 para. 16 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Race Relations (Northern Ireland) Order 1997 (NI 6)*

- 17.—(1) In Article 18(1), in the Table, for “Education and library board” substitute “ Education Authority ”.
- (2) In Article 19—
- (a) in the title for “education and library boards” substitute “ the Education Authority ”;
- (b) in paragraph (a) for “an education and library board” substitute “ the Education Authority ”.
- (3) In Article 20(2) and (4)(a) for “an education and library board” substitute “ the Education Authority ”.

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**Commencement Information**

**I17** Sch. 3 para. 17 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Further Education (Northern Ireland) Order 1997 (NI 15)*

**18.**—(1) In Article 6(2) for sub-paragraph (a) substitute—

“(a) the Authority; and”.

(2) In Article 7(2) for sub-paragraph (b) substitute—

“(b) the Authority; and”.

(3) In Article 8(3) for sub-paragraph (a) substitute—

“(a) the Authority;”.

(4) In Article 9(2) for sub-paragraph (b) substitute—

“(b) the Authority; and”.

(5) In Article 21(1) for sub-paragraph (b) substitute—

“(b) the Education Authority, as the Education Authority may reasonably require for the purpose of its functions under any statutory provision.”.

(6) In Article 23(4) for “the board for the area in which the student is ordinarily resident” substitute “the Authority”.

(7) In Schedule 3, in paragraph 2(1)(e) for “the board for the area in which the institution is situated” substitute “the Authority”.

**Commencement Information**

**I18** Sch. 3 para. 18 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Museums and Galleries (Northern Ireland) Order 1998 (NI 2)*

**19.** In Article 4(8)(b) for “education and library boards” substitute “the Education Authority”.

**Commencement Information**

**I19** Sch. 3 para. 19 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education (Northern Ireland) Order 1998 (NI 13)*

**20.**—(1) In Article 16(7) for “boards to exercise their” substitute “the Authority to exercise its”.

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(2) In Articles 56(1) and 59(1)(b) for “the board concerned” substitute “ the Authority ”.

(3) In Article 60(5) for “all the boards” substitute “ the Authority ”.

(4) In Article 60(12) for “the board concerned” substitute “ the Authority ”.

(5) In Articles 62 and 64 for “the relevant board” (wherever occurring) substitute “ the Authority ”.

(6) In Article 70(1) for “for the area in which a maintained school is situated shall” substitute “ shall, in relation to a maintained school, ”.

(7) In Schedule 2, in paragraph 7 for “relevant board” (wherever occurring) substitute “ Authority ”.

**Commencement Information**

**I20** Sch. 3 para. 20 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education (Student Support) (Northern Ireland) Order 1998 (NI 14)*

**21.** In Article 4(1) for sub-paragraph (a) substitute—

“(a) the Education Authority; or”.

**Commencement Information**

**I21** Sch. 3 para. 21 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education and Libraries (Northern Ireland) Order 2003 (NI 12)*

**22.** In Article 37(5) for “A body to which this paragraph applies” substitute “ The Authority ”.

**Commencement Information**

**I22** Sch. 3 para. 22 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Higher Education (Northern Ireland) Order 2005 (NI 5)*

**23.** In Article 13(7) in the definition of “student support authority” for “any board or” substitute “ the Education Authority or any ”.

**Commencement Information**

**I23** Sch. 3 para. 23 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

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*The Special Educational Needs and Disability (Northern Ireland) 2005 (NI 6)*

**24.**—(1) Paragraph 1 above applies in relation to the Order as it applies in relation to the Education Orders.

(2) In Article 19 (1) at the end add—

“(h) the Education Act (Northern Ireland) 2014.”.

**Commencement Information**

**I24** Sch. 3 para. 24 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Education (Northern Ireland) Order 2006 (NI 11)*

**25.**—(1) In Article 12(4)(a)(ii) and (8)(a) for “the relevant board” substitute “the Authority”.

(2) In Article 14(3)(c) and (4) for “the relevant board” substitute “the Authority”.

(3) In Article 22(2)(a) for “relevant board” substitute “Authority”.

(4) In Article 22(3) for “relevant board” substitute “the Authority”.

(5) In Article 31(2)(a)(i) and (3)(a) for “the relevant board” substitute “the Authority”.

(6) In Article 32(1) and (7)(d) for “the relevant board” substitute “the Authority”.

**Commencement Information**

**I25** Sch. 3 para. 25 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (NI 11)*

**26.**—(1) In Article 41—

(a) in the title, for “Education and Library Boards” substitute “The Education Authority”;

(b) in paragraph (1) for “An Education and Library Board (“a board”)” substitute “The Education Authority”;

(c) in paragraphs (2), (4), (5)(a) and (6) for “the board or” substitute “the Education Authority or the”;

(d) in paragraph (5) for “A board” substitute “The Education Authority”.

(2) In Article 42—

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- (a) in the title, for “Education and Library Boards” substitute “ The Education Authority ”;
  - (b) in paragraph (2)—
    - (i) for “an education and library board” substitute “ the Education Authority ”;
    - (ii) for “that board or” substitute “ the Authority or that ”;
  - (c) in paragraph (3) for “The board or” substitute “ The Education Authority or the ”.
- (3) In Schedule 2 in paragraph 3(1)(bb) for “an education and library board” substitute “ the Education Authority ”.

**Commencement Information**

**I26** Sch. 3 para. 26 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

*The Safeguarding Board Act (Northern Ireland) 2011 (c. 7)*

- 27.—**(1) In section 1(3)(g) for “education and library boards” substitute “ the Education Authority ”.
- (2) In section 12(1)(g) for “education and library boards” substitute “ the Education Authority ”.

**Commencement Information**

**I27** Sch. 3 para. 27 in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

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Point in time view as at 01/04/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Education Act (Northern Ireland) 2014, SCHEDULE 3.