

STATUTORY INSTRUMENTS

1986 No. 594

The Education and Libraries (Northern Ireland) Order 1986

PART III

PROVISION OF EDUCATION

Powers and duties of boards in relation to primary and secondary education

Duty of boards to secure provision of primary and secondary education

6.—(1) Subject to paragraph (2), [^{F1}the Authority] shall secure that there are available ^{F2}... sufficient schools for providing primary and secondary education and the schools available ^{F2}... shall not be deemed to be sufficient unless they are sufficient in number, character and equipment to afford for all pupils opportunity for education offering such variety of instruction and training as may be desirable in view of their different ages, abilities and aptitudes, and of the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their respective needs and, without prejudice to the generality of the foregoing provisions of this Article, [^{F1}the Authority] in fulfilling its duties under this Article shall in particular have regard to—

- (a) the need for securing that special educational provision is made for pupils who have special educational needs;
- (b) the expediency of securing the provision of boarding accommodation, either in boarding schools or otherwise, for pupils for whom education as boarders is considered by their parents and by [^{F1}the Authority] to be desirable.

[^{F3}1A] In fulfilling its duty under this Article to secure that there are available ^{F4}... sufficient schools for providing secondary education [^{F1}the Authority] shall have regard to any facilities for full time education which are—

- (a) provided for senior pupils in an institution of further education; ^{F5}...

^{F5}(b)

(2) Each board may provide nursery schools or nursery classes in other controlled schools; and Article 7 shall apply to any provision made by [^{F1}the Authority] under this paragraph.

Para. (3) rep. by 1998 NI 13

Para. (4) rep. by 1996 NI 1

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| F1 | Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 3 para. 1(1)(a) (with Sch. 2 para. 4(3) , Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b) |
| F2 | Words in art. 6(1) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 4 (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b) |
| F3 | 1989 NI 20 |
| F4 | Words in art. 6(1A) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12) , Sch. 4 (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b) |

Changes to legislation: *The Education and Libraries (Northern Ireland) Order 1986, Section 6 is up to date with all changes known to be in force on or before 01 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

F5 Art. 6(1A)(b) and preceding word repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014](#) (c. 12), [Sch. 4](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 18 repealed in part by [S.I. 2003/435 \(N.I.\) art. 49\(2\)Sch. 2](#)
- [art.77\(3\)](#) revoked by [S.I. 1996/2967 reg.11\(7\)](#)