

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), [<sup>F1</sup>the Authority] shall secure that there are available <sup>F2</sup>... sufficient schools for providing primary and secondary education and the schools available <sup>F2</sup>... 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, [<sup>F1</sup>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 [<sup>F1</sup>the Authority] to be desirable.

[<sup>F3</sup>1A) In fulfilling its duty under this Article to secure that there are available <sup>F4</sup>... sufficient schools for providing secondary education [<sup>F1</sup>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; <sup>F5</sup>...

<sup>F5</sup>(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 [<sup>F1</sup>the Authority] under this paragraph.

*Para. (3) rep. by 1998 NI 13*

*Para. (4) rep. by 1996 NI 1*

**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**F2** Words in art. 6(1) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), **Sch. 4** (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)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, Cross Heading: Powers and duties of boards in relation to primary and secondary education is up to date with all changes known to be in force on or before 11 May 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)

**Provision, maintenance and management of controlled schools by boards**

7. For the purposes of fulfilling its duties under<sup>F6</sup> the Education Orders], [<sup>F1</sup>the Authority] may provide primary, secondary and special schools<sup>F7</sup>... and shall maintain and manage any such school provided by it or transferred to its management<sup>F7</sup>....

**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)  
**F6** 1989 NI 20  
**F7** Words in art. 7 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)

**Duties of boards in relation to certain voluntary schools**

8.<sup>F8</sup> .....

**F8** Art. 8 repealed (31.5.2009) by [Education \(Northern Ireland\) Order 1998 \(S.I. 1998/1759 \(N.I. 13\)\)](#), arts. 1(3)(h), 91(2)(3), [Sch. 6 Pt. II](#); S.R. 2009/183, [art. 3\(e\)\(i\)](#)

**<sup>F9</sup>Power of boards to assist voluntary grammar schools and direct grant voluntary intermediate schools**

9.—<sup>F10</sup>(1) A board, with the approval of the Department, may—  
 (a) give assistance, other than financial assistance, to the trustees or Board of Governors of a voluntary grammar school<sup>F10</sup>. . . ; and  
 (b) give financial assistance to the trustees or Board of Governors of a voluntary grammar school,<sup>F11</sup> in relation to which an agreement with [<sup>F1</sup>the Authority] is in force under paragraph 2 of Schedule 6.]

<sup>F10</sup>(2) A board, with the approval of the Department, may give financial or other assistance to the Board of Governors of a grant#maintained integrated school on such terms and conditions as may be arranged between [<sup>F1</sup>the Authority] and the Board of Governors of the school.]

**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)  
**F9** prosp. rep. by 1998 NI 13  
**F10** 1989 NI 20  
**F11** 1993 NI 12

**Changes to legislation:**

The Education and Libraries (Northern Ireland) Order 1986, Cross Heading: Powers and duties of boards in relation to primary and secondary education is up to date with all changes known to be in force on or before 11 May 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.

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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\(7\)](#)