

SCHEDULES

^{F1}SCHEDULE 13

ENFORCEMENT OF DUTY IMPOSED BY ARTICLE 45 AS TO EDUCATION OF CHILDREN OF COMPULSORY SCHOOL AGE

F1 mod. by 1986 NI 3 sch. 13 para. 1B(3A) as inserted by 2005 NI 6

PART I

SCHOOL ATTENDANCE ORDERS

^{F1}1.—(1) If it appears to [^{F2}the Authority] that a parent of a child of compulsory school age ^{F3}... is failing to perform the duty imposed on him by Article 45, it shall serve a notice in writing on the parent requiring him to satisfy [^{F2}the Authority], within such period (not being less than fourteen days beginning with the day on which the notice is served) as is specified in the notice, that the child is, by regular attendance at school or otherwise, receiving suitable education.

(2) If—

(a) a parent on whom a notice has been served under sub-paragraph (1) fails to satisfy [^{F2}the Authority], within the period specified in the notice, that the child is receiving suitable education, and

(b) in the opinion of [^{F2}the Authority] it is expedient that the child should attend school,

[^{F2}the Authority] shall serve in the prescribed manner on the parent an order (referred to in this Order as a “school attendance order”), in the prescribed form, requiring him to cause the child to become a registered pupil at a school named in the order.

(3) Unless it is revoked by [^{F2}the Authority] or a direction is made in respect of it by a court under paragraph 6, a school attendance order shall (subject to any amendment made by [^{F2}the Authority]) continue in force—

(a) where the school named in the order provides education for pupils up to the upper limit of compulsory school age or beyond, for so long as the child is of compulsory school age;

(b) where the school does not provide education up to or beyond that age, until the pupil has reached the age at which he would normally leave that school.

(4) Where a grant-aided school is named in a school attendance order the Board of Governors of the school shall admit the child to the school.

(5) Sub-paragraph (4) does not affect any power to suspend or expel from a school a pupil who is already a registered pupil there.

(6) In this Part “suitable education”, in relation to a child, means efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.]

F1 1996 NI 1

Changes to legislation: *The Education and Libraries (Northern Ireland) Order 1986, Paragraph 1 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*

- F2** 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)
- F3** Words in Sch. 13 para. 1(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)

Modifications etc. (not altering text)

- C1** Sch. 13 para. 1(4) power to disapply or modify conferred (temp.) (25.3.2020) by Coronavirus Act 2020 (c. 7), s. 87(1), **Sch. 17 para. 17** (with ss. 88-90)
- C2** Sch. 13 para. 1(4) expiry of earlier affecting provision 2020 c. 7, Sch. 16 para. 17 (25.3.2022) by Coronavirus Act 2020 (c. 7), **s. 89** (with s. 90)

Changes to legislation:

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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\(7\)](#)