

SCHEDULES

SCHEDULE 16

Articles 105(4), 106(2).

MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE PURPOSES OF ARTICLES 105(4) AND 106(2)

PART I

MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE PURPOSES OF ARTICLE 105(4)

1. References to the Ministry concerned or to the council shall be construed as references to the Department within the meaning of this Order.
2. References to the said Schedule 6 shall be construed as references to that Schedule as modified by this Part.
3. Paragraph 1 shall be omitted.
4. In paragraph 2—
 - (a) for the words from the beginning to “directs” there shall be substituted “ Where the Department proposes to acquire land under Article 105(4) otherwise than by agreement, it shall give public notice of its intention to do so and such notice ”;
 - (b) in sub-paragraph (c) for the words “as may be prescribed” there shall be substituted the words “ as the Department considers fit ”.
5. For paragraph 3(1)(ii) there shall be substituted “ decide not to make the order ”.
6. In paragraph 4 the words from “and may provide” to the end of the paragraph shall be omitted.
7. In paragraph 5—
 - (a) in sub-paragraph (1)(a) the words “in the prescribed form and manner” shall be omitted;
 - (b) in sub-paragraph (1)(b) the two references to the said Act of 1972 shall be construed as references to this Order;
 - (c) in sub-paragraph (1)(d) the words “in the prescribed form” shall be omitted;
 - (d) in sub-paragraph (2) for the words “ as may be prescribed” there shall be substituted the words “ as the Department considers fit ”.
8. In paragraph 6(2) for the words “fund out of which the expenses of the council in acquiring the land are to be defrayed” there shall be substituted the words “ Consolidated Fund ” and for the words “out of the compensation fund” there shall be substituted the words “ made by the Department ”.
9. In paragraph 11(3) the words “in the prescribed form” shall be omitted.
10. In paragraph 12 in sub-paragraph (1) the words “such” and “as may be prescribed” shall be omitted and in sub-paragraph (2) for the words from “clerk” to “directs” there shall be substituted the words “ Department as correct, and shall publish ”.
11. In paragraph 14(1), the words “in the prescribed form” shall be omitted.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986, SCHEDULE 16 is up to date with all changes known to be in force on or before 08 July 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

12. In paragraph 15(1) for the words “in the prescribed form” there shall be substituted the words “in such form as may be approved by the Department”.

13. Paragraph 19 shall be omitted.

14. In paragraph 20, sub-paragraph (2) shall be omitted.

PART II

MODIFICATIONS OF SCHEDULE 6 TO THE LOCAL GOVERNMENT ACT (NORTHERN IRELAND) 1972 FOR THE PURPOSES OF ARTICLE 106(2)

1. For any reference to a council or the council or the clerk of the council there shall be substituted a reference to [F1the Authority]^{F2}... or the[F3 chief executive] of [F1the Authority] respectively.

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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 Sch. 16 Pt. II para. 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 |

2. For any reference to the Ministry concerned there shall be substituted a reference to the Department.

3. For any reference to that Act there shall be substituted a reference to this Order.

4. Any references to that Schedule shall be construed as references to that Schedule as modified by this Part.

5. For any reference to a matter prescribed by regulations made by the Department of the Environment there shall be substituted a reference to a matter prescribed by regulations made by the Department of Education.

6. In paragraphs 2(c) and 5(2) for the words “as may be prescribed” there shall be substituted the words “as appear to [F1the Authority] to have an interest in the matter”.

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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) |
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7. Paragraph 19 shall be omitted.

Changes to legislation:

The Education and Libraries (Northern Ireland) Order 1986, SCHEDULE 16 is up to date with all changes known to be in force on or before 08 July 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\(7\)](#)