

SCHEDULES

SCHEDULE 9

TRANSFER OF VOLUNTARY SCHOOLS TO DEPARTMENT

1. An arrangement for transferring a school to the Department under Article 17 may, subject to the following provisions of this Schedule, be made by the trustees who, in making such an arrangement, may act by resolution or otherwise as follows—

- (a) where the trust deed provides any manner in which or any assent with which a resolution or act binding the trustees is to be passed or done, then in accordance with the provisions of the trust deed;
- (b) where the trust deed contains no such provision—
 - (i) then in the manner and with the assent, if any, in and with which it may be shown to the Department to have been usual for a resolution or act binding the trustees to be passed or done; or
 - (ii) if no manner or assent can be shown to have been usual, then by a resolution passed by a majority of not less than two-thirds of those members of their body who are present at a meeting of the body summoned for the purpose and vote on the question and with the assent of any other person whose assent under the circumstances appears to the Department to be requisite.

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.

[View outstanding changes](#)

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- Sch. 18 repealed in part by [S.I. 2003/435 \(N.I.\) art. 49\(2\)](#)Sch. 2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\(7\)](#)