

SCHEDULES

SCHEDULE 1

Article 3(2).

NAMES AND AREAS OF EDUCATION AND LIBRARY BOARDS

<i>1</i> <i>Name of Board</i>	<i>2</i> <i>Name of Local Government District</i>
The Belfast Education and Library Board.	Belfast.
The South-Eastern Education and Library Board.	Ards. Castlereagh. Down. Lisburn. North Down.
The Southern Education and Library Board.	Armagh. Banbridge. Cookstown. Craigavon. Dungannon. Newry and Mourne.
The Western Education and Library Board.	Fermanagh. Limavady. Derry. Omagh. Strabane.
The North-Eastern Education and Library Board.	Antrim. Ballymena. Ballymoney. Carrickfergus. Coleraine. Larne. Magherafelt. Moyle.

Status: Point in time view as at 01/04/2009.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)

Newtownabbey.

SCHEDULE 2

Article 3(4), (5).

EDUCATION AND LIBRARY BOARDS

PART I

CONSTITUTION OF BOARDS

Appointment of members

1.—(1) The maximum number of members to be appointed to a board shall from time to time be determined by the Department.

(2) The Head of the Department shall appoint to a board—

- (a) persons nominated in accordance with paragraph 2 by each district council in the area of the board from amongst members of that council;
- (b) persons appearing to the Head of the Department—
 - (i) to represent the interests of transferors of schools in the area of the board;
 - (ii) to represent the interests of trustees of maintained schools in the area of the board;
 - (iii) to be suitable for appointment by reason of their interest in the services for which the board is responsible.

(3) Appointments under sub-paragraph (2)(b)(i) and (ii) shall be made after consultation (to such extent as may seem to the Head of the Department practicable and expedient) with interests appearing to the Head of the Department—

- (a) in the case of appointments under sub-paragraph (2)(b)(i), to represent the transferors of schools in the area of the board; and
- (b) in the case of appointments under sub-paragraph (2)(b)(ii), to represent the trustees of maintained schools in the area of the board.

(4) The members of a board shall be appointed in the year 1973 and in every fourth year thereafter and—

- (a) persons appointed to a board shall become members of the board from such date (being a date as soon as possible after members of district councils are nominated to the board under sub-paragraph (2)(a)) as shall be specified in their appointment;
- (b) the appointment shall cease to have effect after the day preceding that from which the next subsequent appointments made under this sub-paragraph are effective.

(5) A member of a board on the expiry of his term of office shall, unless he is disqualified under paragraph 6(1), be eligible for re-appointment to the board.

(6) A vacancy occurring in the membership of a board shall be filled by a person appointed by the Head of the Department being a person of that category specified in sub-paragraph (2)(a) or (2)(b)(i) or (2)(b)(ii) or (2)(b)(iii) to which the member being replaced belonged and that person shall hold office for the residue of the term of office of that member.

Members nominated by district councils

2.—(1) The Department shall from time to time determine the total number of members to be nominated to a board by district councils in the area of the board and the number to be nominated by each such district council and, in determining that total number, the Department shall ensure that—

- (a) the total number is as nearly as possible equal to two-fifths of the maximum number of members of the board; and
- (b) each district council in the area of the board may nominate at least one member;

and, in determining the number of members to be nominated by a district council, the Department shall have regard to the population in the area of that district council.

(2) As soon as possible after the date on which a district council is elected in accordance with section 11(2) of the Electoral Law Act (Northern Ireland) 1962 and in any event within one month of that date, the council shall select the members of the council to be nominated by it to a board and shall send to the Head of the Department the names and addresses of the persons so nominated.

(3) If a district council fails to nominate members to a board in accordance with sub-paragraph (2) or fails to nominate the requisite number of such members, the Head of the Department may, on behalf of that council, make such nominations or such additional nominations of persons who are members of that council as may be necessary by reason of such failure and such nominations shall be deemed for all purposes to be nominations by the council.

[^{F1}(4) As soon as possible after the date on which a vacancy occurs among the members of a board appointed under paragraph 1(2)(a) and in any event within two months of that date, the appropriate council shall select a member of that council to be nominated by it to the board to fill that vacancy and shall send to the Head of the Department the name and address of the person so nominated.

(5) If the appropriate council fails to nominate a member to a board in accordance with sub-paragraph (4), the Head of the Department may, on behalf of that council, nominate a person who is a member of that council and that nomination shall be deemed for all purposes to be a nomination by that council.

(6) Sub-paragraphs (4) and (5) do not apply where the Head of the Department fills the vacancy in question by re-appointing a person under paragraph 6(5) and notifies the appropriate council of that re-appointment.

(7) In subparagraphs (4) to (6) “the appropriate council” in relation to a vacancy means the council by which the member being replaced was nominated.]

F1 1989 NI 20

Other members

3. The Department shall from time to time determine the total number of persons to be appointed to a board as representing the interests of transferors of schools and trustees of maintained schools in the area of the board and the number of such persons to be appointed—

- (a) to represent the interests of transferors of schools shall as nearly as possible bear the same proportion to one-quarter of the maximum number of members of the board as the number of pupils enrolled in controlled primary schools in the area of the board bears to the total number of pupils enrolled in all primary schools in that area;
- (b) to represent the trustees of maintained schools shall as nearly as possible bear the same proportion to three-sixteenths of the maximum number of members of the board as the number of pupils enrolled in maintained primary schools in the area of the board bears to the total number of pupils enrolled in all primary schools in that area.

Status: Point in time view as at 01/04/2009.

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4.—(1) The maximum number of persons appointed to a board under paragraph 1(2)(b)(iii) shall be as nearly as possible seven-twentieths of the maximum number of members of that board.

(2) Three of the persons so appointed shall be appointed by reason of their being teachers serving at the time of their appointment in grant-aided schools^{F2}. . . in the area of the board^{F3}. . . .

F2 1997 NI 15

F3 Words in Sch. 2 para. 4(2) repealed (1.4.2009) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10(2), 12(2), Sch. 4; S.R. 2009/123, art. 2(g)

Resignation and disqualification of members

5. A member of a board may resign therefrom by giving notice in writing to the Head of the Department and, in the case of a person nominated by a district council, to that council but such a notice given by a member nominated by a district council shall not take effect until after the then next following meeting of the district council by which he was nominated.

6.—(1) A person shall be disqualified for being a member of a board or of a committee or sub-committee thereof if—

- (a) he is employed by that board or any other board as a paid officer; or
- (b) he has been adjudged bankrupt or has made a composition with his creditors; or
- (c) he has within the five years immediately preceding the day of his appointment or at any time thereafter—
 - (i) been convicted by a court in Northern Ireland or elsewhere in the British Islands of any offence and ordered to be imprisoned for a period of not less than three months without the option of a fine; or
 - (ii) been guilty of any conduct which the High Court, by order under section 31(3) of the Local Government Act (Northern Ireland) 1972 or by order under that section as applied by paragraph 8, has declared to be reprehensible;

but section 5 of the Local Government Act (Northern Ireland) 1972 shall apply to a disqualification under head (b) of this sub-paragraph and such a disqualification shall cease in accordance with the provisions of that section.

(2) A member of a district council who is appointed under paragraph 1(2)(a) to a board on the nomination of that district council shall cease to be a member of the board if he ceases to be a member of that district council and a person appointed to a board under paragraph 1(2)(b)(iii) by reason of his being a teacher serving in a grant-aided school^{F4}. . . in the area of that board shall cease to be a member of that board if he ceases to be such a teacher.

(3) Where a member of a board becomes disqualified under sub-paragraph (1) or is absent from meetings of the board for more than six months consecutively, or a person ceases to be a member of a board under sub-paragraph (2), the board shall forthwith notify the fact to the Head of the Department and, if that member was nominated by a district council, to that council and thereupon the office shall become vacant.

(4) Attendance as a member of a board at any meeting of a committee of the board^{F5}. . . shall for the purposes of sub-paragraph (3) be regarded as an attendance at a meeting of the board.

(5) The Head of the Department when notified under sub-paragraph (3) that an office has become vacant because of the absence of a member of board from meetings of the board, having considered the reason for his absence, may, if he thinks it desirable in the circumstances, re-appoint that person as a member of that board.

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(6) Section 6(1) to (3) of the Local Government Act (Northern Ireland) 1972 (penalties for acting while disqualified) shall apply to a board and a committee or sub-committee thereof and to a member of a board or of a committee or sub-committee thereof in like manner as it applies to a district council and to a member of a district council respectively.

F4 1997 NI 15
F5 1989 NI 20

Disclosure of pecuniary interest and relevant family relationships.

7. Sections 28 and 29 (disclosure of pecuniary interests and disability from voting on account thereof), section 30 (disclosure of relevant family relationships), section 33 (time limit for proceedings) and section 146 (interpretation; pecuniary interests) of the Local Government Act (Northern Ireland) 1972 shall apply to a board and to a committee thereof to which Article 4(5) applies and to a member of a board and of such a committee in like manner as they apply to a district council and to a member of a district council respectively but with the substitution for references to the clerk of the council of references to the^{F6} chief executive] of the board and for references to that Act of references to this Order and with the substitution for the words “by any local elector for the district of the council” in section 28(4) of the words “by and other person ”.

F6 1989 NI 20

Recovery of wrongful gains and remedies against member guilty of reprehensible conduct.

8. Sections 31 to 33 of the Local Government Act (Northern Ireland) 1972 (recovery of wrongful gains and remedies in respect of reprehensible conduct) shall apply to a board and to a committee thereof to which Article 4(5) applies and to a member of a board and of such a committee in like manner as they apply to a district council and to a member of a district council respectively and for the reference to that Act in section 31 as so applied there shall be substituted a reference to this Order.

PART II

PROCEEDINGS OF BOARDS

9.—(1) A board shall, at its first meeting after its appointment, elect one of its members to be chairman and one of its members to be vice-chairman who, unless the board otherwise determines, shall hold office until the next subsequent appointment of members of the board under paragraph 1(4) becomes effective.

(2) Where, at any meeting of the board, the chairman is absent, the vice-chairman, if present, shall be chairman at that meeting and where, at any such meeting, both the chairman and vice-chairman are absent, the chairman at that meeting shall be such member of the board present as the members attending the meeting shall appoint.

(3) The chairman at any meeting of the board shall, in addition to his right to vote as a member of the board, have a casting vote.

10.—(1) The quorum of the board shall be one-third of the total number of members of the board.

(2) The proceedings of a board shall not be invalidated by any vacancy among its members or by any defect in the appointment or qualification of any of its members.

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11. The seal of the board shall be authenticated by the signatures of the chairman or other member of the board authorised by it to act in that behalf and of the^{F7} chief executive] or some other officer of the board authorised as aforesaid.

F7 1989 NI 20

12.—(1) The Department may make regulations regulating the procedure to be followed by a board or any committee thereof in carrying out its functions.

(2) A board shall draw up standing orders for the conduct of the business of the board or any committee thereof and such standing orders shall be subject to the approval of the Department.

13.—(1) A board may enter into contracts necessary for the discharge of any of its functions.
Sub#paras. (2), (3) rep. by 1993 NI 12

(4) All contracts made by a board or a committee of the board shall be made in accordance with the standing orders of the board and in the case of contracts for the supply of goods or materials^{F8} to the board] or for the execution of works^{F8} for the board] the standing orders, except as otherwise provided by or under the standing orders, shall—

- (a) require notice of the intention of the board or committee to enter into the contract in question to be published and tenders invited; and
- (b) regulate the manner in which such notice shall be published and tenders invited.

(5) Without prejudice to section 19(1)(a)(ii) of the Interpretation Act (Northern Ireland) 1954, a person entering into a contract with a board shall not be bound to inquire whether the standing orders of the board which apply to the contract have been complied with and all contracts entered into by a board, if otherwise valid, shall, notwithstanding that the standing orders applicable thereto have not been complied with, have full force and effect.

F8 1993 NI 12

SCHEDULE 3

Article 4(2)

CONSTITUTION OF TEACHING APPOINTMENTS COMMITTEES AND LIBRARY COMMITTEES

PART I

TEACHING APPOINTMENTS COMMITTEES

1. A teaching appointments committee shall consist of the following persons appointed by the board of which it is a committee—

- (a) two principals of controlled schools^{F9} . . . appointed in accordance with paragraph 2;
- (b) two persons who have been appointed to the board under paragraph 1(2)(b)(i) of Schedule 2 and nominated to the committee by a majority of the persons who have been so appointed;
- (c) two persons nominated by the Head of the Department from amongst the persons appointed to the board by him under paragraph 1(2)(b)(iii) of Schedule 2;

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- (d) two district councillors nominated by the board from amongst those members appointed to the board under paragraph 1(2)(a) of Schedule 2;

and the quorum of a teaching appointments committee shall be four persons.

F9 2003 NI 12

2.—(1) The principals of controlled schools shall for the purposes of paragraph 1(a) be appointed as follows:—

- (a) a board shall prepare a panel of principals serving in controlled schools under its management;
- [^{F10}(b) subject to head (c), two principals from that panel shall be appointed by the board to attend each meeting of the teaching appointments committee;
- (c) where it is not practicable to make any appointment in accordance with head (b) (whether because of unavailability or otherwise), the board may instead appoint one or (as the case may require) two principals from a panel prepared by any other board under head (a);
- (d) different principals may be appointed under head (b) or (c) to attend different meetings of the committee.]

(2) If so authorised by a board, the chief education officer of the board or, in his absence, another officer of the board authorised by him for the purpose may, on behalf of the board, appoint the principals to the teaching appointments committee.

(3) The principals appointed to attend any meeting of a teaching appointments committee shall have the like right to speak and vote at that meeting as the other members of the committee.

F10 2003 NI 12

3.—(1) Substitutes for members of a teaching appointments committee may be nominated and appointed under sub-paragraphs (b), (c) and (d) of paragraph 1 in like manner as the members are nominated and appointed.

(2) Where the chief education officer of the board which appointed the committee or, in his absence, another officer of the board duly authorised by him is informed that a member of the committee nominated and appointed under paragraph 1(b), (c) or (d) will be absent from a meeting of the committee or where such a member is disqualified by interest or otherwise from taking part in proceedings at such a meeting, he shall authorise the attendance at that meeting of a substitute, being the substitute or one of the substitutes attends, he shall have at that meeting all the functions of the member except that, if he attends a meeting as substitute for the member who is chairman of the committee, he shall not, unless the committee otherwise decides, be chairman at that meeting.

(3) The chief education officer of the board or a person nominated by him shall attend as assessor at each meeting of the teaching appointments committee of that board.

^{F11}**4.—**(1) Where a meeting of the teaching appointments committee is to be held to exercise any of the functions conferred on the committee by Part I of Schedule 14 in relation to a post in a school, the committee shall invite representatives of the school to attend the meeting for the purpose of advising the committee generally on matters relating to the school and the nature of the post.

(2) Representatives of the school invited to attend a meeting of the committee under this paragraph shall be entitled to be present at the meeting only for the purpose mentioned in sub-paragraph (1) and shall not be present during the interview of any candidate for the post nor during any discussion or decision relating to the appointment of any particular candidate to the post.

Status: Point in time view as at 01/04/2009.

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(3) In this paragraph—

(a) references to a post shall be construed in accordance with paragraph 1 of Schedule 14;

(b) “representatives of the school” means—

(i) where the meeting is held in relation to the post of principal of the school, two members of the Board of Governors of the school, other than the principal;

(ii) where the meeting is held in relation to any other post in the school, one member of the Board of Governors of the school and the principal of the school or, where the principal is absent or otherwise unavailable, a teacher on the staff of the school.

F11 prosp. rep. by 1989 NI 20

F12F12 PART II

LIBRARY COMMITTEES

F12 Sch. 3 Pt. II (para. 5) repealed (1.4.2009) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10(2), 12(2), Sch. 4; S.R. 2009/123, art. 2(g)

SCHEDULE 4

Article 10(3)

MEMBERSHIP OF BOARD OF GOVERNORS OF CONTROLLED SCHOOLS

1.—(1) The Board of Governors of one or more than one controlled school shall consist of—

(a) such number of persons (in this Schedule referred to as “voting members”) as the board may, subject to paragraphs 2 to 5, determine;^{F13} . . .

(b) the principal of the school, or each of the schools, who, subject to sub-paragraph (2), shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.

[^{F13}(c) persons co#opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.]

(2) Where two or more schools are grouped under one Board of Governors, the principal of a school shall not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating exclusively to one or more of the other schools is being discussed.

F13 1989 NI 20

Controlled primary schools (other than nursery or integrated schools)

2.—(1) There shall be 9, 16 or 24 voting members appointed to the Board of Governors of one or more than one controlled primary school, other than a controlled nursery school or controlled integrated primary school.

(2) Subject to paragraph 6, where there are 9 voting members appointed to such a Board of Governors, then of those members—

- (a) four shall be nominated by the transferors and superseded managers of the school or schools;
- (b) two shall be elected by parents of [^{F14}registered pupils at] the school or schools from amongst the parents of such pupils;
- (c) two shall be chosen by the board responsible for the management of the school or schools;
- (d) one shall be elected by assistant teachers at the school or schools from amongst such assistant teachers.

(3) Where there are 16 or 24 voting members appointed to such a Board of Governors, subparagraph (2) shall apply as if for the numbers mentioned in heads (a), (b), (c) and (d), of that subparagraph there were substituted the fractions three-eighths, one-quarter, one-quarter and one-eighth respectively.

F14 Words in Sch. 4 para. 2(2)(b) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(a); S.R. 2007/197, art. 2(a)

[Controlled secondary schools (other than controlled grammar or integrated schools or technical secondary schools)]

Modifications etc. (not altering text)

C1 1989 NI 20

3.—(1) There shall be 9, 16 or 24 voting members appointed to the Board of Governors of a controlled secondary school, other than a controlled grammar or integrated school^{F15}. . .]

(2) Subject to paragraph 6, where there are 9 voting members appointed to such a Board of Governors, then of those members—

- ^{F16}(a) four shall be nominated by the relevant members of the Boards of Governors of contributory schools from amongst the relevant members of those Boards of Governors;
- (b) two shall be elected by parents of [^{F17}registered pupils at] the school from amongst parents of such pupils;
- (c) two shall be chosen by the board responsible for the management of the school;
- (d) one shall be elected by assistant teacher at the school from amongst such assistant teachers.

^{F16}(2A) In sub#paragraph (2)(a) “relevant members”, in relation to a Board of Governors, means the members nominated by transferors and superseded managers under paragraph 2(2)(a) or 5(1)(c).]

(3) Where there are 16 or 24 voting members appointed to such a Board of Governors, subparagraph (2) shall apply as if for the numbers mentioned in heads (a), (b), (c) and (d) of that subparagraph there were substituted the fractions three-eighths, one-quarter, one-quarter and one-eighth respectively.

F15 1997 NI 15

F16 1997 NI 5

F17 Words in Sch. 4 para. 3(2)(b) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(a); S.R. 2007/197, art. 2(a)

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^{F18}Controlled grammar schools (other than controlled integrated grammar schools)^{F19},
controlled nursery schools (other than controlled integrated nursery schools)] and special schools

F18 1989 NI 20

F19 1998 NI 13

4. There shall be 8, 16 or 24 voting members appointed to the Board of Governors of a controlled grammar school (other than a controlled integrated grammar school), a controlled nursery school^{F20} (other than a controlled integrated nursery school)] or a controlled special school and, subject to paragraph 6, of those members—

- (a) three#eighths shall be chosen by the board responsible for the management of the school;
- (b) one#quarter shall be nominated by the Head of the Department;
- (c) one#quarter shall be elected by parents of [^{F21}registered pupils at] the school from amongst the parents of such pupils;
- (d) one#eighth shall be elected by assistant teachers at the school from amongst such assistant teachers.]

F20 1998 NI 13

F21 Words in Sch. 4 para. 4(c) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(a); S.R. 2007/197, art. 2(a)

Controlled integrated schools

5.—(1) There shall be 14 or 21 voting members appointed to the Board of Governors of a controlled integrated school, other than a controlled integrated school to which sub#paragraph (3) applies, and, subject to paragraph 6, of those members—

- (a) two#sevenths shall be elected by parents of [^{F22}registered pupils at] the school from amongst the parents of such pupils;
- (b) two#sevenths shall be chosen by the board responsible for the management of the school;
- (c) one#seventh shall be nominated by the transferors and superseded managers of controlled schools (other than controlled integrated schools) in the area of the board responsible for the management of the school;
- (d) one#seventh shall be nominated by the nominating trustees of Catholic maintained schools in the area of the board responsible for the management of the school;
- (e) one#seventh shall be elected by assistant teachers at the school from amongst such assistant teachers.

(2) Sub#paragraph (3) applies to—

- (a) a controlled integrated grammar school; and
- (b) a controlled integrated school which immediately before the date on which it became a controlled integrated school was a voluntary school (other than a Catholic maintained school).

(3) There shall be 14 or 21 voting members appointed to the Board of Governors of a controlled integrated school to which this sub#paragraph applies and, subject to paragraph 6, of those members—

- (a) two#sevenths shall be elected by parents of [^{F23}registered pupils at] the school from amongst the parents of such pupils;

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- (b) two#sevenths shall be chosen by the board responsible for the management of the school;
- (c) two#sevenths shall be nominated by the Head of the Department;
- (d) one#seventh shall be elected by assistant teachers at the school from amongst such assistant teachers.

(4) It shall be the duty of a board in appointing persons to a Board of Governors under sub#paragraph (1)(b) or (3)(b) to choose for appointment persons appearing to the board to be committed to the continuing viability of the school as a controlled integrated school and it shall be the duty of the Head of the Department in nominating persons for appointment to a Board of Governors under sub#paragraph (3)(c) to nominate persons appearing to the Head of the Department to be so committed.

- F22** Words in Sch. 4 para. 5(1)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(a); S.R. 2007/197, art. 2(a)
- F23** Words in Sch. 4 para. 5(3)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(a); S.R. 2007/197, art. 2(a)

Provisions supplementary to paragraphs 2 to 5

6.—^{F24}(1) Where the board proposes to appoint persons to a Board of Governors under paragraph 2(2)(a), 3(2)(a) or 5(1)(c) or (d) it shall serve on the nominating authorities a notice—

- (a) stating the board's intention to appoint such persons; and
- (b) requesting the nominating authorities to make nominations to the board within a period of 21 days from the date on which the notice is served;

and where the nominating authorities fail to make any nomination requested by such a notice within that period the board may, subject to sub#paragraph (2), appoint such persons as it considers to be suitable for appointment.

(2) It shall be the duty of a board in appointing persons to the Board of Governors of a school under sub#paragraph (1)—

- (a) in the case of a controlled integrated school, to choose for appointment persons appearing to the board to be committed to the continuing viability of the school as a controlled integrated school; and
- (b) in all cases, so far as possible to choose for appointment persons who are resident in the locality served by the school.

(3) Persons appointed under sub#paragraph (1) shall be deemed for all purposes of this Schedule to have been duly nominated by the nominating authorities.]

(4) The board shall, with the approval of the Department, make arrangements for the election of persons under paragraphs 2(2)(b) and (d), 3(2)(b) and (d), 4(c) and (d)^{F24}, 5(1)(a) and (e) and 5(3)(a) and (d)] and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

(5) Where it is not practicable to appoint to a Board of Governors under paragraph 2(2)(a) persons nominated by the transferors or superseded managers because a school is not a transferred school or does not supersede any other school or schools, the board shall appoint in their place an equivalent number of persons appearing to the board to be representative of transferors and superseded managers in the area of the board as a whole and those persons shall, so far as possible, be persons resident in the locality served by the school or schools under the management of the Board of Governors and shall be deemed to have been duly nominated for the purposes of paragraphs 2(2)(a) and 3(2)(a).

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F24 1989 NI 20

Interpretation

7. In this Schedule—

“assistant teacher” means a teacher, other than the principal or a temporary or part-time teacher, employed on the staff of a school;

“superseded managers” means the persons who were formerly trustees or managers of any schools which have been superseded by schools under the management of boards or, if those persons were recognised by the Department as such trustees or managers by virtue of any office, then, their successors in such office;

“nominating trustees” has the meaning assigned to it by^[F25] paragraph 7(1) of Schedule 5.

^[F26]“nominating authorities”, in relation to the appointment of any persons to a Board of Governors, means the persons who or bodies which are to nominate persons for the purpose of such appointment.]

F25 1993 NI 12

F26 1989 NI 20

^[F27]SCHEDULE 5

Article 11(2).

MAINTAINED SCHOOLS

F27 1993 NI 12

PART I

MEMBERSHIP OF BOARD OF GOVERNORS OF MAINTAINED SCHOOL

1.—(1) The trustees of a maintained school shall, notwithstanding anything in any instrument of government of the school, have power to enter into an agreement with the Department that paragraph 2 shall apply in relation to the membership of the Board of Governors of the school; and—

- (a) where an agreement under this paragraph is in force in relation to a school, paragraph 2 shall apply in relation to the membership of the Board of Governors of the school; and
- (b) in any other case, paragraph 3 shall apply in relation to the membership of the Board of Governors of the school.

(2) An agreement under this paragraph shall provide that the Head of the Department, before making an appointment to the Board of Governors of the school under paragraph 2 shall consult—

- (a) in the case of a Catholic maintained school, the Council for Catholic Maintained Schools; and
- (b) in any other case, the Board of Governors of the school.

Status: Point in time view as at 01/04/2009.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)

2.—(1) Where this paragraph applies in relation to the membership of the Board of Governors of a maintained school, the Board of Governors shall, notwithstanding anything in any instrument of government of the school, consist of—

- (a) 9, 18 or 27 persons (in this paragraph referred to as voting members);
- (b) the principal of the school who, subject to sub-paragraph (3), shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question; and
- (c) persons co-opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.

(2) Of the voting members of the Board of Governors—

- (a) four-ninths shall be nominated by the nominating trustees in such manner as the scheme of management of the school may provide, and at least one of the persons so nominated shall, at the time of his nomination, be a parent of a [^{F28}registered pupil at] the school;
- (b) two-ninths shall be nominated by the board;
- (c) one-ninth shall be nominated by the Head of the Department;
- (d) one-ninth shall be elected by parents of [^{F29}registered pupils at] the school from amongst the parents of such pupils;
- (e) one-ninth shall be elected by assistant teachers at the school from amongst such assistant teachers.

(3) Where two or more schools are grouped under one Board of Governors, the principal of a school shall not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating exclusively to one or more of the other schools is being discussed.

(4) The Board of Governors shall, with the approval of the Department, make arrangements for the election of persons under sub-paragraph (2)(d) and (e) and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

F28 Words in Sch. 5 para. 2(2)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 28(a); S.R. 2007/197, art. 2(a)

F29 Words in Sch. 5 para. 2(2)(d) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(b); S.R. 2007/197, art. 2(a)

3.—(1) Where this paragraph applies in relation to the membership of the Board of Governors of a maintained school, the Board of Governors shall, notwithstanding anything in any instrument of government of the school, consist of—

- (a) 10, 18 or 27 persons (in this paragraph referred to as voting members);
- (b) the principal of the school who, subject to sub-paragraph (4), shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question; and
- (c) persons co-opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.

(2) Where there are 10 voting members of the Board of Governors of a maintained school, then of those members—

- (a) six shall be nominated by the nominating trustees in such manner as the scheme of management of the school may provide, and at least one of the persons so nominated shall, at the time of his nomination, be a parent of a [^{F30}registered pupil at] the school;
- (b) two shall be nominated by the board;

Status: Point in time view as at 01/04/2009.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)

- (c) one shall be elected by parents of [^{F31}registered pupils at] the school from amongst the parents of such pupils;
- (d) one shall be elected by assistant teachers at the school from amongst such assistant teachers.

(3) Where there are 18 or 27 voting members of the Board of Governors of a maintained school, sub-paragraph (2) shall apply as if for the numbers mentioned in heads (a), (b), (c) and (d) of that sub-paragraph there were substituted the fractions five-ninths, two-ninths, one-ninth and one-ninth respectively.

(4) Where two or more schools are grouped under one Board of Governors, the principal of a school shall not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating exclusively to one or more of the other schools is being discussed.

(5) The Board of Governors shall, with the approval of the Department, make arrangements for the election of persons under sub-paragraph (2)(c) and (d) and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

- F30** Words in Sch. 5 para. 3(2)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), **Sch. 2 para. 28(a)**; S.R. 2007/197, **art. 2(a)**
- F31** Words in Sch. 5 para. 3(2)(c) substituted (23.03.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), **Sch. 2 para. 27(b)**; S.R. 2007/197, **art. 2(a)**

4.—(1) The coming into force, or termination, of any agreement under paragraph 1 and any consequential change in the membership of the Board of Governors of a school shall not—

- (a) constitute a change for the purposes of Article 14(2)(d) or (e); or
- (b) break, or otherwise affect, the continuity of employment of persons employed by the Board of Governors.

(2) Where an agreement under paragraph 1 in relation to a school is terminated, the voting members of the Board of Governors of the school nominated under paragraph 2(2)(a) and (c) shall cease to hold office and such nominations to the Board of Governors shall be made by the nominating trustees as are necessary to ensure that the membership of the Board of Governors complies with paragraph 3.

(3) Where an agreement under paragraph 1 comes into force in relation to a school, the voting members of the Board of Governors of the school nominated under paragraph 3(2)(a) shall cease to hold office and such nominations to the Board of Governors shall be made by the nominating trustees and the Head of the Department as are necessary to ensure that the membership of the Board of Governors complies with paragraph 2.

(4) Persons nominated to the Board of Governors under sub-paragraph (2) or (3) shall hold office for the remainder of the original term of office of those ceasing to hold office under that provision.

(5) The coming into force, or termination, of an agreement under paragraph 1 does not affect the membership of the Board of Governors of any persons other than those mentioned in sub-paragraph (2) or (3).

Part II (Paras. 5,6) rep. by 1996 NI 1

PART III

INTERPRETATION

7.—(1) In this Schedule—

Status: Point in time view as at 01/04/2009.

Changes to legislation: *The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)*

“assistant teacher” has the meaning assigned to it by paragraph 7 of Schedule 4;

“board”, in relation to a school, means the board for the area in which the school is situated or such other board as the Department may determine;

“nominating trustees”, in relation to a school, means such persons as the scheme of management may provide.

(2) Where two or more schools are grouped under one Board of Governors this Schedule shall apply to those schools with such modifications as may be necessary and in particular—

- (a) references to the Board of Governors of a school shall be construed as references to the Board of Governors of the group of schools;
- (b) references to a [^{F32}registered pupil at], or an assistant teacher at, a school shall be construed as references to a [^{F32}registered pupil at], or an assistant teacher at, one of the schools in the group;
- (c) references to the principal or the instrument of government of a school shall be construed as references to the principal or the instrument of government of each of the schools in the group;
- (d) references to the trustees of a school shall be construed as references to the trustees of each of the schools in the group, acting jointly;
- (e) any other references to a school shall be construed as references to the group of schools.]

F32 Words in Sch. 5 para. 7(2)(b) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 28(a); S.R. 2007/197, art. 2(a)

[^{F33}SCHEDULE 6

Article 11(4).

MEMBERSHIP OF BOARD OF GOVERNORS OF VOLUNTARY GRAMMAR SCHOOL ENTERING INTO AGREEMENT WITH DEPARTMENT

F33 1993 NI 12

1.—(1) The trustees of a voluntary grammar school shall, notwithstanding anything in any instrument of government of the school, have power to enter into—

- (a) an agreement with the Department that paragraph 4 shall apply in relation to the membership of the Board of Governors of the school; or
- (b) an agreement with the Department that paragraph 5 shall apply in relation to the membership of the Board of Governors of the school.

(2) An agreement under sub-paragraph (1)(a) or (b) shall provide that the Head of the Department, before making an appointment to the Board of Governors of the school under paragraph 4 or 5 (as the case may be), shall consult the Board of Governors of the school and the board for the area in which the school is situated and may consult any other board which he considers appropriate.

(3) An agreement under sub-paragraph (1) shall have effect to terminate any prior agreement in force under that sub-paragraph.

2.—(1) The trustees of a voluntary grammar school in relation to which an agreement is in force under paragraph 1(1) shall, notwithstanding anything in any instrument of government of the school, have power to enter into an agreement, approved by the Department, with one or more than one

Status: Point in time view as at 01/04/2009.

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board conferring on the board or boards concerned the right to appoint members to the Board of Governors of the school—

- (a) in accordance with paragraph 4(2)(b)(i), where an agreement under paragraph 1(1)(a) is in force in relation to the school;
- (b) in accordance with paragraph 5(2)(b)(i), where an agreement under paragraph 1(1)(b) is in force in relation to the school.

(2) The termination (otherwise than under paragraph 1(3)) of an agreement under paragraph 1(1) in relation to a school shall have effect to terminate any agreement under this paragraph then in force in relation to the school.

3.—(1) Where an agreement under paragraph 1(1)(a) is in force in relation to a school, paragraph 4 shall apply in relation to the membership of the Board of Governors of the school.

(2) Where an agreement under paragraph 1(1)(b) is in force in relation to a school, paragraph 5 shall apply in relation to the membership of the Board of Governors of the school.

4.—(1) Where this paragraph applies in relation to the membership of the Board of Governors of a voluntary grammar school, the Board of Governors shall, notwithstanding anything in any instrument of government of the school, consist of—

- (a) 9, 18, 27 or 36 persons (in this paragraph referred to as voting members);
- (b) the principal of the school who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question; and
- (c) persons co-opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.

(2) Of the voting members of the Board of Governors—

- (a) four-ninths shall be appointed as provided by the scheme of management and at least one of the persons so appointed shall, at the time of his appointment, be a parent of a [^{F34}registered pupil at] the school;
- (b) one-third shall be appointed—
 - (i) where an agreement under paragraph 2 is in force in relation to the school, by the Head of the Department and the board or boards concerned in accordance with an agreement made between the Head of the Department and the board or boards concerned;
 - (ii) in any other case, by the Head of the Department;
- (c) one-ninth shall be elected by parents of [^{F35}registered pupils at] the school from amongst parents of such pupils;
- (d) one-ninth shall be elected by assistant teachers at the school from amongst such assistant teachers.

(3) Subject to sub-paragraph (4), persons elected to the Board of Governors under sub-paragraph (2)(c) and (d) shall hold office for a period of four years from the date on which they were elected.

(4) If a person referred to in sub-paragraph (3) ceases to hold office before the end of the period referred to in that sub-paragraph, any person elected to replace him shall hold office only for the remainder of that period.

(5) The Board of Governors shall, with the approval of the Department, make arrangements for the election of persons under sub-paragraph (2)(c) and (d) and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

Status: Point in time view as at 01/04/2009.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)

(6) Where under any instrument of government of a school assets of a capital nature held for the purposes of or in connection with the school are vested in the Board of Governors of the school, the persons elected to the Board of Governors of the school under sub-paragraph (2)(c) and (d) shall, unless the other members of the Board of Governors otherwise determine, not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating to the acquisition, disposal or management of such assets is being discussed or to vote on any question relating to such a matter.

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| <p>F34 Words in Sch. 6 para. 4(2)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 28(b); S.R. 2007/197, art. 2(a)</p> <p>F35 Words in Sch. 6 para. 4(2)(c) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(c); S.R. 2007/197, art. 2(a)</p> |
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5.—(1) Where this paragraph applies in relation to the membership of the Board of Governors of a voluntary grammar school, the Board of Governors shall, notwithstanding anything in any instrument of government of the school, consist of—

- (a) 10, 18, 27 or 36 persons (in this paragraph referred to as voting members);
- (b) the principal of the school who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question; and
- (c) persons co-opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.

(2) Where there are 10 voting members of the Board of Governors of the school, then of those members—

- (a) six shall be appointed as provided by the scheme of management and at least one of the persons so appointed shall, at the time of his appointment, be a parent of a [^{F36}registered pupil at] the school;
- (b) two shall be appointed—
 - (i) where an agreement under paragraph 2 is in force in relation to the school, by the Head of the Department and the board or boards concerned in accordance with an agreement made between the Head of the Department and the board or boards concerned;
 - (ii) in any other case, by the Head of the Department;
- (c) one shall be elected by parents of [^{F37}registered pupils at] the school from amongst parents of such pupils;
- (d) one shall be elected by assistant teachers at the school from amongst such assistant teachers.

(3) Where there are 18, 27 or 36 members of the Board of Governors of the school, sub-paragraph (2) shall apply as if for the numbers mentioned in heads (a), (b), (c) and (d) of that sub-paragraph there were substituted the fractions five-ninths, two-ninths, one-ninth and one-ninth respectively.

(4) Subject to sub-paragraph (5), persons elected to the Board of Governors under sub-paragraph (2)(c) and (d) shall hold office for a period of four years from the date on which they were elected.

(5) If a person referred to in sub-paragraph (4) ceases to hold office before the end of the period referred to in that sub-paragraph, any person elected to replace him shall hold office only for the remainder of that period.

Status: Point in time view as at 01/04/2009.

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(6) The Board of Governors shall, with the approval of the Department, make arrangements for the election of persons under sub-paragraph (2)(c) and (d) and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

(7) Where under any instrument of government of a school assets of a capital nature held for the purposes of or in connection with the school are vested in the Board of Governors of the school, the persons elected to the Board of Governors of the school under sub-paragraph (2)(c) and (d) shall, unless the other members of the Board of Governors otherwise determine, not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating to the acquisition, disposal or management of such assets is being discussed or to vote on any question relating to such a matter.

F36 Words in Sch. 6 para. 5(2)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 28(b); S.R. 2007/197, art. 2(a)

F37 Words in Sch. 6 para. 5(2)(c) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(c); S.R. 2007/197, art. 2(a)

6.—(1) The coming into force, or termination, of any agreement under paragraph 1(1) and any consequential change in the membership of the Board of Governors of a school shall not—

- (a) constitute a change for the purposes of Article 14(2)(d) or (e); or
- (b) break, or otherwise affect, the continuity of employment of persons employed by the Board of Governors.

(2) Where an agreement under paragraph 1(1)(a) in relation to a school is terminated under paragraph 1(3), the voting members of the Board of Governors of the school appointed under paragraph 4(2)(a) and (b) shall cease to hold office and such appointments to the Board of Governors shall be made under paragraph 5(2)(a) and (b) as are necessary to ensure that the membership of the Board of Governors complies with paragraph 5.

(3) Where an agreement under paragraph 1(1)(b) in relation to a school is terminated under paragraph 1(3), the voting members of the Board of Governors of the school appointed under paragraph 5(2)(a) and (b) shall cease to hold office and such appointments to the Board of Governors shall be made under paragraph 4(2)(a) and (b) as are necessary to ensure that the membership of the Board of Governors complies with paragraph 4.

(4) Persons appointed to the Board of Governors under sub-paragraph (2) or (3) shall hold office for the remainder of the original term of office of those ceasing to hold office under that provision.

(5) The termination under paragraph 1(3) of an agreement under paragraph 1(1) does not affect the membership of the Board of Governors of any persons other than those mentioned in sub-paragraph (2) or (3).

7. In this Schedule “assistant teacher” has the meaning assigned to it by paragraph 7 of Schedule 4.]

SCHEDULE 7

Article 11(6).

MEMBERSHIP OF BOARD OF GOVERNORS OF VOLUNTARY GRAMMAR SCHOOL NOT ENTERING INTO AGREEMENT WITH DEPARTMENT OR BOARD

1. Notwithstanding anything in any instrument of government of a voluntary grammar school^{F38} in relation to which no agreement under paragraph 1(1) of Schedule 6 is in force], the Board of Governors of the school shall be constituted in accordance with paragraph 2.

F38 1993 NI 12

2.—(1) The Board of Governors of the school shall consist of—

- (a) the persons appointed as provided by the scheme^[F39] of management], at least one of whom shall, at the time of his appointment, be a parent of a ^[F40]registered pupil at] the school;
- (b) either one or two persons elected in accordance with sub-paragraphs (2) and (5) by parents of ^[F41]registered pupils at] the school from amongst the parents of such pupils;
- (c) either one or two persons elected in accordance with sub-paragraphs (2) and (5) by assistant teachers at the school from amongst such assistant teachers;
- (d) the principal of the school, who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.
- ^[F39](e) persons co-opted under Articles 122 and 139 of the 1989 Order who shall be entitled to attend and take part in meetings of the Board of Governors but not to vote on any question.]

(2) Where the number of persons who are members of the Board of Governors by virtue of sub-paragraph (1)(a) is 13 or less, one person shall be elected to the Board of Governors under sub-paragraph (1)(b) and one person under sub-paragraph (1)(c); and where the number of such persons is 14 or more, two persons shall be elected to the Board of Governors under sub-paragraph (1)(b) and two persons under sub-paragraph (1)(c).

(3) Subject to sub-paragraph (4), persons elected to the Board of Governors under sub-paragraph (1)(b) and (c) shall hold office for a period of four years from the date on which they were elected.

(4) If a person referred to in sub-paragraph (3) ceases to hold office before the end of the period referred to in that sub-paragraph, any person elected to replace him shall hold office only for the remainder of that period.

(5) The Board of Governors shall, with the approval of the Department, make arrangements for the election of persons under sub-paragraph (1)(b) and (c) and such arrangements shall ensure that any vote taken for the purpose of any such election shall be by secret ballot.

(6) Where under any instrument of government of a school assets of a capital nature held for the purposes of or in connection with the school are vested in the Board of Governors of the school under sub-paragraph (1)(b) and (c) shall, unless the other members of the Board of Governors otherwise determine, not be entitled to attend or take part in any meeting of the Board of Governors whenever a matter relating to the acquisition, disposal or management of such assets is being discussed or to vote on any question relating to such a matter.

F39 1989 NI 20

F40 Words in Sch. 7 para. 2(1)(a) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 28(c); S.R. 2007/197, art. 2(a)

F41 Words in Sch. 7 para. 2(1)(b) substituted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), Sch. 2 para. 27(d); S.R. 2007/197, art. 2(a)

3. In this Schedule “assistant teacher” has the meaning assigned to it by paragraph 7 of Schedule 4.

Status: Point in time view as at 01/04/2009.

Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986 is up to date with all changes known to be in force on or before 01 September 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)

SCHEDULE 9

Article 17(1), 127.

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.

2. An arrangement under this Schedule may provide for an absolute conveyance to the Department of all the estate in the premises of the school possessed by the trustees of the school or for a lease of the same with or without restrictions and either at a nominal rent or otherwise to the Department or for any arrangement that may be agreed upon between the trustees and the Department.

3. An arrangement under this Schedule may also provide for the transfer to the Department of a teacher's residence held or used in connection with the school or for the transfer or application, subject to the approval of the Department of Finance and Personnel, of any endowment belonging to the school or for the Department undertaking to discharge any debt charged on the school not exceeding the value of the estate in the premises or endowments transferred to it.

4. Where an arrangement is made under this Schedule, it shall be one of the terms of the arrangement that the trustees of the school or endowment shall, in pursuance of the arrangement, execute a proper conveyance and take all necessary steps in law for the effective conveyance to the Department of all such estate in the premises or endowment as is vested in those trustees or such smaller estate as may be agreed upon in the arrangement.

5. Where any person has any right given him by the trusts of the school to use the school for any particular purpose independently of the trustees, nothing in this Schedule shall authorise any interference with that right except with the consent of that person.

6. The Department shall consider and have due regard to any objections and representations respecting a proposed transfer of a school under this Schedule which may be made by any person or by the representatives or successors of any person who has contributed to the establishment of the school.

7. Where the trust instrument contains any provision for the alienation of the school by any persons or in any manner or subject to any consent, any arrangement under this Schedule shall be made by the persons in the manner and with the consent so provided.

8. Where a transfer of a school is made in pursuance of an arrangement under this Schedule, the consent of the Department shall, after the expiration of six months from the date of the transfer, be conclusive evidence that the arrangement has been made in conformity with this Order.

9. Where an arrangement under this Schedule provides for the transfer of a teacher's residence to the Department, this Schedule shall apply for the purposes of such transfer in like manner as it applies for the purposes of the transfer of a school.

Schedule 10 rep. by 1989 NI 20

Schedule 11 rep. by 1996 NI 1

Schedule 12 rep. by 1987 NI 2

SCHEDULE 13 ^{F42}

Article 45.

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

F42 mod. by 1986 NI 3 sch. 13 para. 1B(3A) as inserted by 2005 NI 6

PART I

SCHOOL ATTENDANCE ORDERS

^{F43}1.—(1) If it appears to a board that a parent of a child of compulsory school age in its area 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 the board, 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 the board, within the period specified in the notice, that the child is receiving suitable education, and
- (b) in the opinion of the board it is expedient that the child should attend school,

the board 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.

Status: Point in time view as at 01/04/2009.

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(3) Unless it is revoked by the board 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 the board) 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.]

F43 1996 NI 1

1A.—(1) Sub-paragraphs (2) to (5) apply where a board is required by virtue of paragraph 1(2) to serve a school attendance order in respect of a child, other than a child for whom it maintains a statement under Article 16 of the Education (Northern Ireland) Order 1996.

(2) Before serving the order, the board shall serve on the parent a notice in writing—

- (a) informing him of its intention to serve the order,
- (b) specifying the school which the board intends to name in the order and, if it thinks fit, one or more other schools which it regards as suitable alternatives, and
- (c) stating the effect of sub-paragraphs (4) and (5).

(3) A voluntary or grant-maintained integrated school shall not be specified in a notice under sub-paragraph (2) unless the board has consulted the managers of the school.

(4) If the notice specifies one or more alternative schools and the parent selects one of them and notifies the board accordingly before the expiration of the period of fourteen days beginning with the day on which the notice is served, the school selected by him shall be named in the order.

(5) If before the expiration of the period mentioned in sub-paragraph (4) the parent—

- (a) applies for the child to be admitted to a school other than the school or schools specified in the notice; and
- (b) notifies the board accordingly,

then, if as a result of the application the child is offered a place at that school, that school shall, subject to sub-paragraph (7), be named in the order.

(6) If at any time while a school attendance order is in force with respect to a child, other than a child for whom the board maintains a statement under Article 16 of the Education (Northern Ireland) Order 1996.

- (a) the parent applies for the child to be admitted to a school other than the school named in the order; and
- (b) as a result of the application the child is offered a place at a school,

the board shall, subject to sub-paragraph (7), at the request of the parent amend the order by substituting that school for the one previously named.

Status: Point in time view as at 01/04/2009.

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(7) Sub-paragraphs (5) and (6) do not apply where the school at which the child is offered a place is an independent school unless, in the opinion of the board, the school is suitable to his age, ability and aptitude and to any special educational needs he may have.

1B.—(1) Sub-paragraphs (2) and (3) apply where a board is required by virtue of paragraph 1(2) to serve a school attendance order in respect of a child for whom it maintains a statement under Article 16 of the Education (Northern Ireland) Order 1996.

(2) Where the statement specifies the name of a School that school shall be named in the order.

(3) Where the statement does not specify the name of a school—

(a) the board shall,^{F44} . . . , amend the statement so that it specifies the name of a school, and

(b) that school shall then be named in the order.

[^{F44}(3A) An amendment to a statement required to be made under sub-paragraph (3)(a) shall be treated for the purposes of Schedule 2 to the Education (Northern Ireland) Order 1996 as if it were an amendment proposed following a periodic review (within the meaning of that Schedule).]

(4) Where—

(a) a school attendance order is in force in respect of a child for whom the board maintains a statement under Article 16 of the Education (Northern Ireland) Order 1996, and

(b) the name of the school specified in the statement differs (for whatever reason) from that specified in the order,

the board shall amend the order so that it names the school specified in the statement.

F44 2005 NI 6

2.—(1) This paragraph applies where a school attendance order is in force in respect of a child.

(2) If at any time the parent applies to the board requesting that the order be revoked on the ground that arrangements have been made for the child to receive suitable education otherwise than at school, the board shall comply with the request, unless it is of the opinion that no satisfactory arrangements have been made for the education of the child otherwise than at school.

(3) If a parent is aggrieved by a refusal of the board to comply with a request under sub-paragraph (2), he may refer the question to the Department.

(4) Where a question is referred to the Department under sub-paragraph (3), it shall give such direction determining the question as it thinks fit.

(5) Where the child in question is one for whom the board maintains a statement under Article 16 of the Education (Northern Ireland) Order 1996.

(a) sub-paragraphs (2) to (4) do not apply if the name of a school is specified in the statement, and

(b) in any other case a direction under sub-paragraph (4) may require the board to make such amendments in the statement as the Department considers necessary or expedient in consequence of its determination.

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PART II

DUTY OF PARENT OF REGISTERED PUPIL TO SECURE HIS REGULAR ATTENDANCE AT SCHOOL

3.—(1) Subject to the following provisions of this paragraph, it shall be the duty of a parent of a registered pupil at a school to secure his regular attendance at that school.

[^{F45}(1A) For the purposes of sub-paragraph (1) and of any proceedings under paragraph 4, attendance by a pupil at a school or other place in pursuance of arrangements under Article 21 of the Education (Northern Ireland) Order 2006 shall be taken to be attendance at the school at which he is a registered pupil.]

(2) For the purposes of sub-paragraph (1) and of any proceedings brought under paragraph 4 in respect of a child who is not a boarder at the school at which he is a registered pupil, the child shall not be deemed to have failed to attend regularly at the school only by reason of his absence therefrom—

(a) at any time when he was prevented from attending by reason of sickness or other unavoidable cause;

[^{F46}(b) if the parent proves—

(i) that the school at which the child is a registered pupil is not within walking distance of the child's home; and

(ii) that the child is one for whom the board is required to make provision under Article 52(1), but no suitable arrangements have been made by the board for his transport to and from school; and

(iii) that no suitable arrangements have been made by the board for boarding accommodation for the child at or near the school or for enabling him to become a registered pupil at a school nearer to his home;]

(c) at any time when he is employed in accordance with the provisions of Article 63(2).

(3) Where, in any proceedings brought against a parent on the ground that a child who is a registered pupil at a school has failed to attend that school regularly, it is proved that the child has no fixed abode, sub-paragraph (2)(b) shall not apply but the parent shall be entitled to be acquitted if he proves that he is engaged in any trade or business of such a nature as to require him to travel from place to place and that the child has attended (at the school at which he was a registered pupil) as regularly as the trade or business of the parent permitted provided that, in the case of a child who has attained the age of six years, he has so attended on at least one hundred days during the period of twelve months ending with the date on which the proceedings were instituted.

(4) In any proceedings as aforesaid in respect of a child who is a boarder at the school at which he is a registered pupil, the child shall be deemed to have failed to attend regularly at the school if he is absent therefrom at a time when he was not prevented from being present by reason of sickness or other unavoidable cause.

(5) For the purpose of determining whether a child of compulsory school age who is a registered pupil at a school has failed to attend regularly because of sickness, a board may cause the child to be examined either at his home or elsewhere by a medical practitioner and where the parent of a child unreasonably prevents a board from exercising its power to have a child so examined he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(6) In this paragraph “walking distance” means, in relation to a child [^{F46} who is a registered pupil at a primary school], two miles and, in the case of any other child, three miles measured by the nearest available route.

- F45** Sch. 13 para. 3(1A) inserted (23.3.2007) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(4)(c), 44(1), **Sch. 2 para. 29**; S.R. 2007/197, **art. 2(a)**
- F46** 1997 NI 5

PART III

OFFENCES, PENALTIES AND ENFORCEMENT

4.—(1) Where a parent on whom a school attendance order has been served fails to comply with the requirements of the order or, subject to paragraph 3, where a child of compulsory school age who is a registered pupil at a school fails to attend regularly at that school, the parent shall be guilty of an offence unless he proves that he is causing the child to receive, otherwise than at school, efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have.

(2) A person guilty of an offence under sub-paragraph (1) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale^{F47}. . . .

- F47** 1995 NI 2

5.—^{F48}(1) Before instituting proceedings against a parent for an offence under paragraph 4(1) a board shall consider whether it would be appropriate, instead of or as well as instituting the proceedings, to apply for an education supervision order with respect to the child.]
Sub#para. (2) rep. by 1995 NI 2

(3) ^{F48}. . . Where it appears to a board that a child of compulsory school age who is for the time being in its area is a child whom a person habitually wandering from place to place takes with him, the board may, if satisfied that it is necessary to do so in order to secure that the child receives efficient full-time education suitable to his age, ability and aptitude and to any special educational needs he may have,^{F48} apply for an education supervision order].

^{F48}(4) In this Schedule “education supervision order” means an education supervision order under the Children (Northern Ireland) Order 1995.]

- F48** 1995 NI 2

^{F49}6.—(1) The court before which a prosecution is brought for an offence under paragraph 4 may direct the board to apply for an education supervision order unless the board, having consulted the appropriate authority, decides that the child's welfare will be satisfactorily safeguarded even though no education supervision order is made.

(2) Where, following such a direction, the board decides not to apply for an education supervision order, the board shall inform the court of its reasons for the decision.

(3) Unless the court directs otherwise, the board shall so inform the court within eight weeks from the date on which the direction was given.

(4) Where—

- (a) a board applies for an education supervision order with respect to a child who is the subject of a school attendance order; and

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- (b) the court decides that Article 55(2) of the Children (Northern Ireland) Order 1995 prevents it from making the order,

the court may direct that the school attendance order shall cease to have effect.

(5) In sub-paragraph (1) “the appropriate authority” means the appropriate authority within the meaning of paragraph 9 of Schedule 4 to the Children (Northern Ireland) Order 1995.]

F49 1995 NI 2

Para. 7 rep. by 1995 NI 2

8. For the purposes of a prosecution of the parent of a child for an offence under paragraph 4, the parent of the child shall be required to give to the court such information as he possesses regarding the date and place, and place of registration, of the birth of the child and where the parent refuses or is unable to give such information, the child shall, in so far as his having been of compulsory school age at any time is material, be presumed to have been of compulsory school age at that time.

Para. 9 rep. by 1995 NI 2

10.—(1) Proceedings for an offence under this Schedule shall not be taken except by or on behalf of a board or by an officer appointed for the purpose and authorised in that behalf by the board.

- (2) Any such officer appointed and authorised as aforesaid may, on behalf of a board,—
- (a) perform the functions of a board under sub-paragraph^{F50} . . . (3) of paragraph 5 or carry out any direction of a court given under paragraph 6(1);
 - (b) although not of counsel or a solicitor, prosecute or conduct any proceedings brought under this Schedule before a court of summary jurisdiction^{F50}

F50 1995 NI 2

Schedule 14 rep. by 1989 NI 20

SCHEDULE 15

Article 82(2)

THE STAFF COMMISSION FOR EDUCATION AND LIBRARY BOARDS

1. The Staff Commission shall be a body corporate to which, subject to paragraph 3(2), section 19 of the Interpretation Act (Northern Ireland) 1954 shall apply.

2.—(1) The members of the Staff Commission shall be appointed by the Head of the Department and shall consist of—

- (a) a chairman;
- (b) five members of boards appointed after consultation with all the boards;

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- (c) two^{F51} chief executives] of boards appointed after consultation with the^{F51} chief executives] of all the boards;
- (d) ^{F52}
- (e) two persons, not being^{F51} chief executives]^{F53} . . . of boards, appointed after consultation with such associations representative of the staff of boards as the Head of the Department considers appropriate;
- (f) two other persons.

(2) The term of office of a member of the Staff Commission shall be such as the Head of the Department may determine but a member shall be eligible for re-appointment on the expiry of his period of office.

(3) An officer of the Department may be appointed by the Head of the Department as assessor to the Staff Commission with the right to receive notices of, and to attend and speak at, meetings of the Commission but he shall not be entitled to vote.

(4) The Staff Commission may appoint a person as observer to attend any meeting of a board or committee of a board at which the appointment of officers is being considered and a board shall give an observer so appointed notice of and access to any such meeting.

(5) The Staff Commission may pay—

- (a) to its chairman such remuneration as may be determined by the Department with the approval of the Department of Finance and Personnel;
- (b) to its chairman and its other members such reasonable allowances in respect of expenses properly incurred in the performance of their duties as may be determined by the Department,

F51	1989 NI 20
F52	Sch. 15 para. 2(1)(d) repealed (1.4.2009) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10(2), 12(2), Sch. 4; S.R. 2009/123, art. 2(g)
F53	Words in Sch. 15 para. 2(1)(e) repealed (1.4.2009) by Libraries Act (Northern Ireland) 2008 (c. 8), ss. 10(2), 12(2), Sch. 4; S.R. 2009/123, art. 2(g)

3.—(1) The functions of the Staff Commission shall be—

- (a) to make recommendations regarding the training of officers of boards;
- (b) to recommend appointment and promotion procedures for officers of boards and to establish a code of procedure for securing fair and equal consideration of applications to boards by persons seeking to be employed as officers of boards and fair and equal treatment of persons who are so employed;
- (c) to establish advisory panels for the purpose of giving advice to boards on the suitability of applicants for appointment to such offices as the Commission considers appropriate;
- (d) to ensure that suitable machinery exists for negotiating the terms and conditions of employment of all officers of boards;
- (e) to perform such other functions^{F54} as are conferred on it by any statutory provision or] as the Department may from time to time assign to it;

but the functions specified in paragraph (c) shall not be exercised in relation to appointments to which Article 83(1) or 88 applies.

(2) The right of the Staff Commission under section 19(1)(a)(vi) of the Interpretation Act (Northern Ireland) 1954 to employ staff shall be exercised subject to any direction which may be

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given by the Department with respect to the number and terms and conditions of service of persons employed or to be employed by the Commission.

(3) Where the Staff Commission makes a recommendation to a board and the board does not comply with the recommendation within a reasonable period, the Staff Commission may refer the matter to the Department and the Department shall give such directions to the board or the Staff Commission as it thinks fit.

(4) Each board shall—

- (a) make such reports and returns with respect to its officers and their terms and conditions of employment;
- (b) furnish such estimates of its probable future staff requirements;
- (c) give such information with respect to matters connected with the employment of any officer;

to the Commission, and within such time, as the Commission may require.

F54 2003 NI 12

^{F55}4.—(1) In respect of each financial year, the Staff Commission shall prepare and submit to the Department a resource allocation plan which sets out the estimated use of resources by the Commission in that year.

(2) The plan submitted to the Department under sub-paragraph (1) shall—

- (a) be in such form as the Department may approve; and
- (b) contain such other information in connection with the exercise, or proposed exercise, by the Commission of its functions as the Department may direct.

(3) The Department may approve a plan submitted to it under sub-paragraph (1) with or without modifications.

(4) The Commission may, with the approval of the Department, at any time submit a revised resource allocation plan to the Department, and the Department may approve the revised plan with or without modifications.

(5) Resources shall not be used by the Commission otherwise than in accordance with a plan (or revised plan) approved under this paragraph.

(6) In this paragraph a reference to the use of resources is a reference to their expenditure, consumption or reduction in value.]

F55 2003 NI 12

5. The Department may from time to time pay to the Staff Commission such amounts as the Department thinks necessary to enable the Commission to meet expenditure incurred, or to be incurred, by the Commission in accordance with a resource allocation plan (or revised plan) approved under paragraph 4.

6.—(1) The Staff Commission shall keep accounts in such form as the Department may direct.

(2) The Commission shall prepare a statement of accounts in respect of each financial year in such form and containing such information as the Department, with the approval of the Department of Finance and Personnel, may direct.

(3) The Commission shall send copies of the statement of accounts to the Department and the Comptroller and Auditor General for Northern Ireland by such date as the Department may direct.

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- (4) The Comptroller and Auditor General shall—
- (a) examine, certify and report on the statement of accounts; and
 - (b) send a copy of his report to the Commission and to the Department.
- (5) The annual report of the Commission laid before the Assembly under paragraph 7 shall include—
- (a) the statement of accounts of the Commission for that year; and
 - (b) the report of the Comptroller and Auditor General thereon.

Para. (6) rep. by 2003 NI 5

7.—(1) The Staff Commission shall in respect of each financial year prepare a report on the exercise of its functions in that year.

- (2) A report shall—
- (a) be published; and
 - (b) be laid before the Assembly,

by the Commission by such date as the Department may direct.

(3) Subject to paragraph 6(5), a report under this paragraph shall contain such information as the Department may direct.

8. Articles 84 (car loans) and 86(1) (insurance against risks) apply to the Commission as they apply to a board.

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.

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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.
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 a board or the board or the^{F56} chief executive] of the board respectively.

F56 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 the board to have an interest in the matter ”.
7. Paragraph 19 shall be omitted.

Schedule 17 rep. by 1989 NI 20

Schedule 18—Amendments

SCHEDULE 19

Article 133(1)

TRANSITIONAL PROVISIONS

General

1. In so far as anything done or having effect as if done under or in pursuance of any provision repealed by this Order could have been done under or in pursuance of a corresponding provision of this Order, it shall have effect as if done under or in pursuance of that provision.

2. Where any period of time specified in any provision repealed by this Order is current at the coming into operation of this Order, this Order shall have effect as if the corresponding provision of this Order had been in force when that period began to run.

School management

3.—(1) This paragraph applies to a voluntary grammar school the trustees or governing body of which had entered into an agreement with the Department or a board or boards under Schedule 6 to the 1972 Order which was existing immediately before 1st August 1984.

(2) Subject to sub-paragraph (3), and agreement made, or having effect as if made, by the trustees or governing body of a school to which this paragraph applies with the Department or a board or boards under paragraph 1 of Schedule 6 to the 1972 Order and existing immediately before 1st August 1984 shall continue to have effect as if made under paragraph 1 of Schedule 6 to this Order.

(3) Any reference in any such agreement to a period of years for which a person appointed to the Board of Governors of the school by the Head of the Department or by a board or boards is to hold office shall, in relation to any appointment made on or after 1st August 1984, have effect as if it were a reference to a period of four years.

(4) Any scheme approved under Article 9(2) of the 1972 Order by the Department for a school to which this paragraph applies shall continue to have effect as if approved under Article 11(2) of this Order but, so far as it relates to the constitution of the Board of Governors of the school, shall have effect, in relation to any appointment of a Board of Governors made after 1st August 1984, subject to the provisions of paragraph 3 of Schedule 6 to this Order.

4.—(1) This paragraph applies to a voluntary grammar school, the trustees or governing body of which had not entered into an agreement with the Department or a board or boards under Schedule 6 to the 1972 Order which was existing immediately before 1st August 1984.

(2) Any scheme approved under Article 9(2) of the 1972 Order by the Department for a school to which this paragraph applies shall continue to have effect as if approved under Article 11(2) of this Order but, so far as it relates to the constitution of the Board of Governors of the school, shall have effect, in relation to any appointment of a Board of Governors made after 1st August 1984, subject to the provisions of paragraph 2 of Schedule 7 to this Order.

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Para. 5 rep. by 1996 NI 1

Para. 6 rep. by 1993 NI 12

Schedule 20—Repeals

Status:

Point in time view as at 01/04/2009.

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