
STATUTORY INSTRUMENTS

1996 No. 274

The Education (Northern Ireland) Order 1996

PART II

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Code of practice

Code of practice

4.—(1) The Department shall issue, and may from time to time amend, a code of practice giving practical guidance in respect of the discharge by boards and the Boards of Governors of grant-aided schools of their functions under this Part.

(2) It shall be the duty of—

- (a) boards and Boards of Governors of grant-aided schools exercising functions under this Part, and
- (b) any other person exercising any function for the purpose of the discharge by boards and Boards of Governors of grant-aided schools of functions under this Part,

to have regard to the provisions of the code.

(3) On any appeal, the Tribunal shall have regard to any provision of the code which appears to the Tribunal to be relevant to any question arising on the appeal.

(4) The Department shall publish the code as for the time being in force.

Making and amendment of code

5.—(1) Where the Department proposes to issue or amend a code of practice, it shall prepare a draft of the code (or amendment).

(2) The Department shall consult such persons about the draft as the Department thinks fit and shall consider any representations made by them.

(3) If the Department determines to proceed with the draft (either in its original form or with such modifications as the Department thinks fit), the Department shall issue the code or amendment to the code in the form of the draft and the code or amendment shall come into force on such day as the Department may by order appoint.

Changes to legislation:

The Education (Northern Ireland) Order 1996, Cross Heading: Code of practice is up to date with all changes known to be in force on or before 23 April 2024. 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. 1 para. 3(1)(b)(i)(ii) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 14\(2\)](#)
- Sch. 1 para. 4(1)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 14\(4\)](#)
- Sch. 2 para. 2(1)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 15\(2\)](#)
- Sch. 2 para. 9(1)(a)(b) and preceding word substituted by [2016 c. 8 \(N.I.\) Sch. para. 15\(12\)](#)
- Sch. 2 para. 13(2)(a)(i)(ii) and preceding word substituted by [2016 c. 8 \(N.I.\) Sch. para. 15\(20\)](#)
- Sch. 2 para. 11(1)(a)(aa) substituted for Sch. 2 para. 11(1)(a) by [2016 c. 8 \(N.I.\) Sch. para. 15\(14\)](#)
- art. 5A inserted by [2016 c. 8 \(N.I.\) s. 1](#)
- art. 6A inserted by [2016 c. 8 \(N.I.\) s. 2](#)
- art. 8(1)(d)-(f) inserted by [2016 c. 8 \(N.I.\) s. 3\(2\)\(c\)](#)
- art. 8(1A)-(1C) inserted by [2016 c. 8 \(N.I.\) s. 3\(3\)](#)
- art. 8(2A) inserted by [2016 c. 8 \(N.I.\) s. 3\(4\)](#)
- art. 8ZA inserted by [2016 c. 8 \(N.I.\) s. 3\(5\)](#)
- art. 10(3)(a)(b) substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 4](#)
- art. 12A inserted by [2016 c. 8 \(N.I.\) s. 4](#)
- art. 14(4A)(4B) inserted by [2016 c. 8 \(N.I.\) s. 5\(3\)](#)
- art. 15(4)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 5\(4\)](#)
- art. 15(6)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 5\(5\)](#)
- art. 17(1)(a)(b) and preceding word substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 7\(2\)](#)
- art. 18A(4)(ba) inserted by [2016 c. 8 \(N.I.\) s. 9\(4\)\(b\)](#)
- art. 19(1A)-(1C) inserted by [2016 c. 8 \(N.I.\) s. 8\(3\)\(a\)](#)
- art. 19(2)(ba) inserted by [2016 c. 8 \(N.I.\) s. 8\(3\)\(b\)\(ii\)](#)
- art. 20A(7)(a)(b) and preceding word inserted by [2016 c. 8 \(N.I.\) Sch. para. 11\(4\)](#)
- art. 20A(8)(a)(i)(ii) and preceding word substituted for words by [2016 c. 8 \(N.I.\) Sch. para. 11\(5\)](#)
- art. 21(5)-(10) added by [2016 c. 8 \(N.I.\) s. 9\(2\)](#)
- art. 21A(4)-(7) inserted by [2016 c. 8 \(N.I.\) Sch. para. 12\(4\)](#)
- art. 21B(3A)-(4) substituted for art. 21B(4) by [2016 c. 8 \(N.I.\) s. 10\(2\)](#)
- art. 21C inserted by [2016 c. 8 \(N.I.\) s. 10\(4\)](#)
- art. 21ZA inserted by [2016 c. 8 \(N.I.\) s. 9\(3\)](#)