
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 327

Education (Special Educational Needs)
Regulations (Northern Ireland) 1997

Part III

Statements

Transfer of statements

16.—(1) This regulation applies where a child in respect of whom a statement is maintained moves from the area of the board which maintains the statement ('the old board') into that of another board ('the new board').

(2) The old board shall transfer the statement to the new board, and from the date of the transfer—

- (a) the statement shall be treated for the purposes of the new board's duties and functions under Part II of the 1996 Order and these Regulations as if it had been made by the new board on the date on which it was made by the old board; and
- (b) where the new board makes an assessment under Article 15 and the old board has supplied the new board with advice obtained in pursuance of a previous assessment regulation 5(5) shall apply as if the new board had obtained the advice on the date on which the old board obtained it.

(3) The new board shall within 6 weeks of the date of the transfer serve a notice on the child's parent informing him—

- (a) that the statement has been transferred;
- (b) whether it proposes to make an assessment under Article 15; and
- (c) when it proposes to review the statement in accordance with paragraph (4).

(4) The new board shall review the statement under Article 19(1) before the expiry of whichever of the following two periods expires later—

- (a) the period of twelve months beginning with the making of the statement, or as the case may be, with the previous review; or
- (b) the period of three months beginning with the date of the transfer.

(5) Where by virtue of the transfer the new board comes under a duty to arrange the child's attendance at a school specified in the statement but in light of the child's move that attendance is no longer practicable the new board may arrange for the child's attendance at another school appropriate for the child until such time as it is possible to amend the statement in accordance with paragraph 10 of Schedule 2 to the 1996 Order.