

SCHEDULES

SCHEDULE 2

Article 44

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS COMING INTO OPERATION ON 1ST AUGUST 2006

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

1. In Article 2(2) in the definition of “the Education Orders” at the end add—
 - “(h) the Education and Libraries (Northern Ireland) Order 2003;
 - (i) the Education (Northern Ireland) Order 2006.”.
2. Article 17A shall continue to have effect with the insertion (originally made by Article 32 of the 1989 Order)—
 - (a) in paragraph (2) after sub-paragraph (f) of—
 - “(g) with respect to the keeping, disclosure and transfer of educational records about pupils at such schools and the supply of copies of such records to such persons, and in such circumstances, as may be determined by or under the regulations.”; and
 - (b) after paragraph (2) of—
 - “(2A) Regulations made under paragraph (1) by virtue of paragraph (2)(g) may authorise persons who in pursuance of the regulations supply copies of any such records as are there mentioned to charge such fee as they think fit (not exceeding the cost of supply) in respect of each copy so supplied.”.
3. Articles 21 and 22 shall continue to have effect with the substitution (originally made by Article 12 of the 1989 Order) for the word “instruction” wherever it occurs of the word “education”.
4. In Article 21 for paragraph (3A) substitute—
 - “(3A) In a grant-aided school the religious education required by paragraph (1) shall include religious education in accordance with any core syllabus specified under Article 11 of the Education (Northern Ireland) Order 2006.”.
5. In Article 102(7) for “Article 5(1)(a) of the 1989 Order” substitute “Article 5(1)(a) of the Education (Northern Ireland) Order 2006”.

The Education Reform (Northern Ireland) Order 1989 (NI 20)

6. In Article 125 omit paragraphs (2)(b) and (4)(c).
7. In Article 125(2)(i) for “Article 31(2)(a)” substitute “Article 24(2)(a) of the Education (Northern Ireland) Order 2006”.

8. In Article 128—
 - (a) in paragraphs (4), (5), (6), (7) and (11) for “syllabus” (wherever it occurs) substitute “specification”;
 - (b) in paragraph (4) for “Article 11(1)(a) or (b)” substitute “Article 13 (1)(a) or (b) of the Education (Northern Ireland) Order 2006”.
9. In Article 130(1)(b) and (2) for “syllabus” (wherever it occurs) substitute “specification”.
10. In Article 133(3) for “syllabus” substitute “specification”.
11. In Article 136—
 - (a) for “syllabus” (wherever it occurs) substitute “specification”;
 - (b) in paragraph (4) for “syllabuses” substitute “specifications”.
12. In Article 136A(1) for “syllabus” (wherever it occurs) substitute “specification”.
13. In Article 138 for “syllabus” (wherever it occurs) substitute “specification”.

The Further Education (Northern Ireland) Order 1997 (NI 15)

14. After Article 17 insert—

“Provision of information

17A.—(1) The Department may make regulations requiring the governing body or the principal of an institution of further education to make available either generally or to prescribed persons, in such form and at such times as may be prescribed, such information relating to—

- (a) the external qualifications (within the meaning of Article 81 of the Education (Northern Ireland) Order 1998) for which courses of study are to be provided by or on behalf of the institution concerned for students under the age of 19 who are in full time attendance at the institution;
- (b) the courses of study leading to such qualifications which are to be so provided;
- (c) the specifications which have been provided or determined for the purposes of those courses; and
- (d) the results of the assessments of such students for the purposes of those qualifications,

as may be prescribed.

(2) The Department may make regulations requiring the governing body or the principal of an institution of further education to make available either generally or to prescribed persons, in such form and at such times as may be prescribed, such information as may be prescribed relating to the results of the assessments of pupils for whom secondary education is provided at the institution in pursuance of arrangements under Article 21 of the Education (Northern Ireland) Order 2006.

(3) Regulations under paragraph (1)(d) or (2) shall not require information as to the results of an assessment of a student or pupil to be made available to any persons or bodies other than—

- (a) the student or pupil concerned and his parents;
- (b) the governing body of the institution or school attended by the student or pupil concerned; or
- (c) a body or person prescribed by the regulations,

and shall not require such information to be made available to any body or person mentioned in sub-paragraphs (b) and (c) except where necessary for the purposes of the performance by that body or person of any functions under this Order or the Education Orders (as defined in the 1986 Order).

(4) Regulations under this Article may authorise governing bodies and principals to make a charge (not exceeding the cost of supply) for any documents supplied by them in pursuance of the regulations.

(5) Before making any regulations under this Article the Department shall consult with—

- (a) the governing bodies and principals of all institutions of further education; and
- (b) any other persons with whom consultation appears to it to be desirable.”.

The Education (Northern Ireland) Order 1998 (NI 13)

15. In Article 11(1)(a) for the words from “Article 6(3) of the 1989 Order at or near the end of” substitute “Article 9 of the Education (Northern Ireland) Order 2006 in”.

16. In Article 12(2) for sub-paragraph (a) substitute—

“(a) in any assessment made under Article 9 of the Education (Northern Ireland) Order 2006;”.

17. In Article 16, in paragraph (1) and in the heading before “key stage 1” insert “foundation stage and”

18. In Article 74—

(a) in paragraph (1)(b) for “Article 7(1)(b) of the 1989 Order” substitute “Article 9 of the Education (Northern Ireland) Order 2006”;

(b) in paragraph (2)(b)(i) for “syllabuses” substitute “specifications”.

19. In Article 74(6) in the definition of “relevant assessment” for “Article 6(3) of the 1989 Order” substitute “Article 9 of the Education (Northern Ireland) Order 2006”.

20. In Article 89 for paragraph (5) substitute—

“(5) Article 3(2) of the Education (Northern Ireland) Order 2006 applies for the purposes of this Article as it applies for the purposes of Part II of that Order.”.

The Special Educational Needs and Disability (Northern Ireland) Order 2005 (NI 6)

21. In Article 12 for “1986” substitute “1996”.

PART II

AMENDMENTS COMING INTO OPERATION ON DAYS TO BE APPOINTED UNDER ARTICLE 1(4)

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

22. In Article 2 after paragraph (2) insert—

“(2A) In the Education Orders references to pupils “at” or “attending” a grant-aided school include references to pupils who are not registered pupils at the school but are pupils to whom secondary education is provided at the school in pursuance of arrangements under Article 21 of the Education (Northern Ireland) Order 2006”.

- 23.** In Article 13—
- (a) in paragraphs (3C) and (3D) for “pupils attending” substitute “registered pupils at”;
 - (b) in paragraph (5) for “pupil attending” substitute “registered pupil at”.
- 24.** In Article 21(1) for “pupils in attendance” substitute “registered pupils”.
- 25.** In Article 48(1) for “persons who are pupils at the school” substitute “pupils attending the school (whether they are registered pupils of the school or not)”.
- 26.** In Article 48 at the end add—
- “(3A) A child registered as a pupil at a school in any school year may not in that year be registered as a pupil at another school unless he is first withdrawn from the school at which he is registered.”.
- 27.** In each of the following provisions for “pupils attending” substitute “registered pupils at”—
- (a) paragraphs 2(2)(b), 3(2)(b), 4(c), 5(1)(a), 5(3)(a) of Schedule 4;
 - (b) paragraphs 2(2)(d) and 3(2)(c) of Schedule 5;
 - (c) paragraphs 4(2)(c) and 5(2)(c) of Schedule 6;
 - (d) paragraph 2(1)(b) of Schedule 7.
- 28.** In each of the following provisions for “pupil attending” substitute “registered pupil at”—
- (a) paragraphs 2(2)(a), 3(2)(a) and 7(2)(b) (twice) of Schedule 5;
 - (b) paragraphs 4(2)(a) and 5(2)(a) of Schedule 6;
 - (c) paragraph 2(1)(a) of Schedule 7.
- 29.** In Schedule 13 in paragraph 3 after sub-paragraph (1) insert—
- “(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.”.

The Education Reform (Northern Ireland) Order 1989 (NI 20)

- 30.** In Article 128 in paragraphs (2), (4), (5), (7), (8), (9) and (10) omit “registered”;
- 31.** In Article 130 (1)(a) omit “registered”.
- 32.** In Article 136—
- (a) in paragraph (1) omit “registered”;
 - (b) in paragraph (2) omit “either” and at the end add—
 - “(c) the pupil is also being prepared for that examination or (as the case may be) for that examination in that specification at another school in pursuance of arrangements under Article 21 of the Education (Northern Ireland) Order 2006 and those arrangements provide for the Board of Governors of that other school to comply with the duty under paragraph (1) in relation to the examination in question.”.
- 33.** In Article 136A(1) omit “registered”.
- 34.** In Article 137(2)(b), (3), (4) and (6) omit “registered”.

The Education (Northern Ireland) Order 1996 (NI 1)

- 35.** In Article 8 (1)—
- (a) in sub-paragraphs (a) and (b) for “registered pupil” substitute “pupil attending the school”;
 - (b) in sub-paragraph (c) for “registered pupils” substitute “pupils attending the school”.
- 36.** In Article 8A—
- (a) in paragraph (b) for “at the school” substitute “(whether at the school or elsewhere in pursuance of arrangements under Article 21 of the Education (Northern Ireland) Order 2006)”;
 - (b) omit “at the school” in the other two places where it occurs.
- 37.** In Article 21B(2) for “registered pupil at” substitute “pupil attending”.

The Education (Northern Ireland) Order 1998 (NI 13)

- 38.** In Article 3(1) for “its pupils” substitute “pupils attending the school”.
- 39.** In Article 5(2)(a) for “attending” substitute “a registered pupil at”.
- 40.** In Article 11(1)(b) for “academic or vocational” substitute “general or applied”.
- 41.** In Article 74(6) in the definition of “examination” for “an academic or vocational” substitute “a general or applied”.
- 42.** In Article 75(3) in the definition of “external qualification” for “academic or vocational” substitute “general or applied”.
- 43.** In Article 76(5) for “an academic or vocational” substitute “a general or applied”.
- 44.** In Article 81(7) in the definition of “external qualification” for “academic or vocational” substitute “general or applied”.

The Education and Libraries (Northern Ireland) Order 2003 (NI 12)

- 45.** In Article 17(1) for “registered pupils at” substitute “pupils attending”.
- 46.** In Article 36(1) after sub-paragraph (b) insert—
- “(c) for whom education is provided, otherwise than at a school or institution of further education, in pursuance of arrangements made by the Board of Governors of a school under Article 21 of the Education (Northern Ireland) Order 2006.”.