

## STATUTORY INSTRUMENTS

# 1986 No. 594

## The Education and Libraries (Northern Ireland) Order 1986

### PART V

#### RIGHTS AND DUTIES OF PARENTS AND PROVISIONS RELATING TO INDIVIDUAL PUPILS

*Provisions to assist persons to take advantage of educational facilities*

##### **Provision of awards by boards**

*Paras. (1), (2) rep. by 1998 NI 14*

(3) A board may make such<sup>F2</sup> . . . awards as it considers desirable for the purpose of enabling or encouraging persons to take advantage of educational facilities available to them being awards of such amount, to, or in respect of, persons of such description and granted on such conditions as have been approved by the Department.

**F1** certain functions transf. by SR 1999/481

**F2** 1998 NI 14

##### **[<sup>F3</sup>Provision of awards by Department**

**51**<sup>F4</sup>.—(1) The Department may make—

- (a) awards to, or in respect of, persons in respect of their attendance at—
  - (i) approved postgraduate courses at universities, colleges or other institutions; or
  - (ii) other approved courses, being courses which, in the opinion of the Department, are comparable to postgraduate courses; and
- (b) such other awards as it considers desirable for the purpose of enabling or encouraging persons to take advantage of educational facilities available to them.

(2) Awards under this Article shall be of such amount, and be made to, or in respect of, such persons on such terms and conditions, as the Department may determine.]

**F3** 1996 NI 1

**F4** certain functions transf. by SR 1999/481

##### **[<sup>F5</sup>Provision of transport for, and payment of travelling expenses of, certain pupils**

**52**<sup>F6</sup>.—(1) A board shall make such arrangements for the provision of transport and otherwise as it considers necessary or as the Department may direct for the purpose of facilitating—

- (a) the attendance of pupils at grant-aided schools; and

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**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, Cross Heading: Provisions to assist persons to take advantage of educational facilities is up to date with all changes known to be in force on or before 01 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (b) the attendance of relevant pupils at institutions of further education;  
and any transport provided under such arrangements shall be provided free of charge.
- (2) Arrangements made by <sup>F7</sup>the Authority] under paragraph (1) (other than arrangements made in pursuance of a direction of the Department) shall be subject to the approval of the Department.
- (3) A board may, in accordance with arrangements approved by the Department, provide transport for, or pay the whole or part of the reasonable travelling expenses of—
- (a) pupils attending grant-aided schools; and
  - (b) relevant pupils attending institutions of further education,
- for whom <sup>F7</sup>the Authority] is not required to make provision under arrangements made under paragraph (1).
- (4) In paragraphs (1) and (3) “relevant pupils” means pupils of a class or description specified by the Department for the purposes of this Article.
- (5) Any arrangements under paragraph (3) shall include provision—
- (a) for <sup>F7</sup>the Authority] to make charges (payable by the parents of the pupils concerned) in respect of transport provided under that paragraph; and
  - (b) as to the cases in which, and the extent to which, such charges are to be remitted by <sup>F7</sup>the Authority] .
- (6) With a view to assisting in the prevention of accidents, <sup>F7</sup>the Authority] may carry into effect such measures as may be set out in a scheme framed by <sup>F7</sup>the Authority] and approved by the Department.]

<b>F5</b>	1997 NI 5
<b>F6</b>	certain functions transf. by SR 1999/481
<b>F7</b>	Words in Order substituted (1.4.2015) by <a href="#">Education Act (Northern Ireland) 2014 (c. 12)</a> , <a href="#">Sch. 3 para. 1(1)(a)</a> (with <a href="#">Sch. 2 para. 4(3)</a> , <a href="#">Sch. 3 para. 1(2)</a> ); S.R. 2015/35, art. 2(b)

### ***Provision of board and lodging otherwise than at school***

**53.**—(1) Where <sup>F7</sup>the Authority] is satisfied with respect to any pupil who has not attained the age of eighteen years <sup>F8</sup>...—

- (a) that primary or secondary education suitable to his age, ability and aptitude and to any special educational needs he may have can best be provided for him at a particular grant-aided school; and
- (b) that such education cannot be so provided for him unless board and lodging is provided for him otherwise than at that school,

<sup>F7</sup>the Authority] may provide such board and lodging for him.

(2) In providing board and lodging for a pupil under paragraph (1) <sup>F7</sup>the Authority] shall, as far as practicable, give effect to the wishes of the parent of the pupil with respect to the religious denomination of the person with whom he is to reside.

(3) Where <sup>F7</sup>the Authority] provides board and lodging under paragraph (1) for a pupil, the parent of the pupil shall, subject to paragraphs (4) and (5), pay to <sup>F7</sup>the Authority] the cost to <sup>F7</sup>the Authority] of providing the board and lodging.

(4) A board may remit the whole or part of the cost payable under paragraph (3).

(5) Paragraph (3) shall not apply where the board and lodging is provided for a pupil to facilitate special educational provision for him.

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(6) Any sums payable to <sup>F7</sup>the Authority] by virtue of paragraph (3) may be recovered summarily by <sup>F7</sup>the Authority] as a debt due to it.

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| <b>F7</b> | Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 3 para. 1(1)(a)</b> (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b) |
| <b>F8</b> | Words in art. 53(1) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 4</b> (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)                                |

### ***Payment of whole or part of cost of board and lodging otherwise than at school for pupils aged 18 and over***

**54.** Where <sup>F7</sup>the Authority] is satisfied with respect to any pupil who has attained the age of eighteen years <sup>F9</sup>...—

- (a) that secondary education suitable to his age, ability and aptitude and to any special educational needs he may have can best be provided for him at a particular grant-aided school; and
- (b) that such education cannot be so provided for him unless board and lodging is provided for him otherwise than at that school,

<sup>F7</sup>the Authority] —

- (i) shall, in any case where the board and lodging is provided for a pupil to facilitate special educational provision for him, pay the whole of the cost of such board and lodging;
- (ii) may, in any other case, pay the whole or part of the cost of such board and lodging.

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| <b>F7</b> | Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 3 para. 1(1)(a)</b> (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b) |
| <b>F9</b> | Words in art. 54 repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), <b>Sch. 4</b> (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)                                   |

*Art. 55 rep. by 1997 NI 15*

*Art. 56 rep. by 1989 NI 20*

### **Provision of books and materials and payment of examination fees by boards**

*Para. (1) rep. by 1989 NI 20*

(2) A board may, with the approval of the Department, pay any necessary fees in connection with examinations taken by pupils attending any grant-aided school.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 18 repealed in part by [S.I. 2003/435 \(N.I.\) art. 49\(2\)Sch. 2](#)
- [art.77\(3\)](#) revoked by [S.I. 1996/2967 reg.11\(7\)](#)