
STATUTORY INSTRUMENTS

2005 No. 1117

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

PART III

DISABILITY DISCRIMINATION IN EDUCATION

CHAPTER I

SCHOOLS

Enforcement

Jurisdiction and powers of the Tribunal

22.—(1) A claim that a responsible body—

- (a) has discriminated against a person (“A”) in a way which is made unlawful under this Chapter, or
- (b) is by virtue of Article 45 to be treated as having discriminated against a person (“A”) in such a way,

may be made to the Tribunal by A's parent.

(2) But this Article does not apply to a claim to which Article 24 applies.

(3) If the Tribunal considers that a claim under paragraph (1) is well founded—

- (a) it may declare that A has been unlawfully discriminated against; and
- (b) if it does so, it may make such order as it considers reasonable in all the circumstances of the case.

(4) The power conferred by paragraph (3)(b)—

- (a) may, in particular, be exercised with a view to obviating or reducing the adverse effect on the person concerned of any matter to which the claim relates; but
- (b) does not include power to order the payment of any sum by way of compensation.

Changes to legislation:

The Special Educational Needs and Disability (Northern Ireland) Order 2005, Section 22 is up to date with all changes known to be in force on or before 06 October 2022. 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 :

- art. 22 applied by [2016 c. 8 \(N.I.\) s. 13\(1\)\(b\)](#)
- art. 22 applied by [2016 c. 8 \(N.I.\) s. 14\(1\)\(b\)](#)

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):

- art. 22(1)(i)-(ii) substituted for words by [2016 c. 8 \(N.I.\) s. 12\(1\)](#)