



# Education Act (Northern Ireland) 2014

## 2014 CHAPTER 12

An Act to provide for the establishment and functions of the Education Authority; to confer power on the Department of Education to make grants to sectoral bodies; and for connected purposes. [11th December 2014]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by Her Majesty as follows:

### *The Education Authority*

#### **The Education Authority**

1.—(1) There shall be a body corporate to be known as the Education Authority (referred to in this Act as “the Authority”).

(2) Schedule 1 applies in relation to the Authority.

#### **Functions of the Authority**

2.—(1) The Authority has the functions transferred to it by or under this Act or conferred or imposed on it by or under this Act or any other statutory provision.

(2) The functions exercisable immediately before the transfer date by education and library boards under any statutory provision are on that date transferred to the Authority.

(3) It is the duty of the Authority (so far as its powers extend) to encourage, facilitate and promote shared education.

(4) It is the duty of the Authority (so far as its powers extend) to encourage, facilitate and promote the community use of premises of grant-aided schools.

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**Commencement Information**

**II** S. 2 partly in operation; s. 2(1)(2)(4) in operation at 12.12.2014 see s. 7(3)

**Dissolution of education and library boards and Staff Commission**

3.—(1) The following bodies are dissolved—

- (a) education and library boards;
- (b) the Staff Commission for Education and Library Boards.

(2) Schedule 2 makes provision for the transfer to the Authority of the assets, liabilities and staff of the bodies dissolved by subsection (1) and contains other supplementary provisions.

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**Commencement Information**

**I2** S. 3 partly in operation; s. 3(2) in operation at 12.12.2014 see s. 7(3)

**I3** S. 3(1) in operation at 1.4.2015 by S.R. 2015/35, art. 2(a)

*Funding of sectoral bodies***Funding of sectoral bodies**

4 The Department may, subject to such conditions as it thinks fit, pay grants to any body which is recognised by the Department as representing the interests of controlled schools, or any body which is recognised by the Department as representing grant-aided schools of any other particular description.

*Supplementary provisions***Amendments, repeals and other consequential provision**

5.—(1) The statutory provisions set out in Schedule 3 have effect subject to the amendments specified in that Schedule.

(2) The statutory provisions set out in Schedule 4 are repealed to the extent specified in the second column of that Schedule.

(3) The Department may by order make such supplementary, incidental, consequential or transitional provision as it considers necessary or appropriate in consequence of, or for giving full effect to, any provision made by this Act.

(4) An order under subsection (3) may amend, repeal, revoke or otherwise modify any statutory provision (including this Act).

(5) No order may be made under subsection (3) unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

#### Commencement Information

**I4** S. 5 partly in operation; s. 5(3)(4)(5) in operation at 12.12.2014 see s. 7(3)

**I5** S. 5(1)(2) in operation at 1.4.2015 by S.R. 2015/35, art. 2(b)

### Interpretation

**6.—(1)** In this Act—

“DEL” means the Department for Employment and Learning;

“the Department” means the Department of Education;

“the Education Orders” has the meaning given by Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986;

“the funding departments” means the Department and DEL;

“statutory provision” has the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954;

“the transfer date” means the date appointed under section 7(2) for the coming into operation of section 3(1).

(2) Other words or expressions which are defined in Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 have the same meaning in this Act as in that Order.

### Short title and commencement

**7.—(1)** This Act may be cited as the Education Act (Northern Ireland) 2014.

(2) The following provisions of this Act come into operation on such date as the Department may by order appoint—

<sup>F1</sup>(a) .....

(b) section 3(1);

(c) section 5(1) and (2) and Schedules 3 and 4;

<sup>F1</sup>(d) .....

<sup>F2</sup>(2A) The following provisions come into operation on the day after the day on which the Shared Education Act (Northern Ireland) 2016 receives Royal Assent—

(a) section 2(3);

(b) paragraph 8(2) of Schedule 1.]

(3) The other provisions of this Act come into operation on the day after this Act receives Royal Assent.

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**Textual Amendments**

- F1** S. 7(2)(a)(d) omitted (10.5.2016) by virtue of [Shared Education Act \(Northern Ireland\) 2016 \(c. 20\)](#), **ss. 8(2)**, 10(2)
- F2** S. 7(2A) inserted (10.5.2016) by [Shared Education Act \(Northern Ireland\) 2016 \(c. 20\)](#), **ss. 8(3)**, 10(2)

## SCHEDULES

### SCHEDULE 1

Section 1.

#### The Education Authority

##### *Status*

- 1.—(1) The Authority shall not be regarded—
- (a) as the servant or agent of the Crown; or
  - (b) as enjoying any status, immunity or privilege of the Crown.
- (2) The property of the Authority shall not be regarded as property of, or held on behalf of, the Crown.
- (3) Subject to the following provisions of this Schedule and Article 106 of the 1986 Order, section 19 of the Interpretation Act (Northern Ireland) 1954 applies to the Authority.

##### *Membership*

- 2.—(1) The Authority shall consist of—
- (a) a Chair appointed by the Department on the basis of merit through a fair and open public competition,
  - (b) 8 persons nominated in accordance with paragraph 3 (“political members”), and
  - (c) 12 persons appointed by the Department (“appointed members”) of whom—
    - (i) 4 shall be persons appearing to the Department to represent the interests of transferors of controlled schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;
    - (ii) 4 shall be persons appearing to the Department to represent the interests of trustees of maintained schools, appointed after consultation with persons or bodies appearing to the Department to represent such interests;
    - (iii) 1 shall be a person appearing to the Department to represent the interests of integrated schools, appointed after consultation with