Changes to legislation: *The Education Reform (Northern Ireland) Order 1989 is up to date with all changes known to be in force on or before 14 March 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. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

1989 No. 2406 (N.I. 20)

The Education Reform (Northern Ireland) Order 1989

- - - - - - 19th December 1989

Modifications etc. (not altering text)

C1 Order: certain provisions applied (with modifications) (1.10.2010) by Employment and Support Allowance (Transitional Provisions and Housing Benefit) (Existing Awards) Regulations (Northern Ireland) 2010 (S.R. 2010/312), regs. 1, **16**, Sch. 2

PART I

INTRODUCTORY

Title and commencement

1.—(1) This Order may be cited as the Education Reform (Northern Ireland) Order 1989.

(2) Except as provided by paragraph (3), this Order shall come into operation on the expiration of two months from the date on which it is made.

(3) The following provisions of this Order shall come into operation on such day or days as the Department may by order appoint[F1]

Article 5(1)(b), (2), (4) and (5);

Article 6 and Schedule 2;

Article 8(1);

Article 9;

Article 11(1)(b) to (e) and (2);

Articles 18 to 28 and Schedule 3;

Article 34;

Part IV;

Article 54;

Article 56;

Article 57;

Articles 59 to 62;

Article 77(2) to (6);

Article 78;

Articles 102 to 104;

Article 113;

Article 119;

Articles 127 to 138;

Part IX and Schedule 8;

Article 156;

Article 159;

Article 166 and Schedule 9 so far as relating to—

The Commissioner for Complaints Act (Northern Ireland) 1969[F2];

The Industrial Relations (No. 2) (Northern Ireland) Order 1976[F3];

The following provisions of the Education and Libraries (Northern Ireland) Order 1986[F4], namely, the definition of "grammar school" in Article 2(2) and Articles 4, 8(2), 10(5), 11(1), 33, 65, 69, 72, 79(2), 88(6), 103(1) and 116(1);

Article 167 and Schedule 10 so far as relating to—

The Children and Young Persons Act (Northern Ireland) 1968[F5];

The following provisions of the Education and Libraries (Northern Ireland) Order 1986, namely, the definition of "intermediate school" in Article 2(2) and Articles 4, 8(1)(b) and (c), 24 to 26, 28, 56(1) and (4) to (6), 57(1), 68, 103(1), 117, Part IX, Schedule 2, paragraph 4 of Schedule 3, Schedule 14 and Schedule 17;

The Education (Northern Ireland) Order 1987[F6].

(4) An order under paragraph (3) may—

(a) make such transitional provision as appears to the Department to be necessary or expedient in connection with the provisions brought into operation by the order;

(b) include such adaptations of the provisions which it brings into operation, or of any other provision of this Order then in operation, as appears to the Department necessary or expedient for the purpose or in consequence of the operation of any provision of this Order (including in particular, the provisions which the order brings into operation) before the coming into operation of any other provision.

F1 partly exercised by SR 1990/125, 249; 1991/109, 391; 1992/169; 1994/295 (C.9), 296 (C.10); 1995/204 (C.2); 1997/188 (C.9); 1998/119 (C.5)
F2 1969 c. 25 (N.I.)
F3 1976 NI 28
F4 1986 NI 3
F5 1968 c. 34 (N.I.)
F6 1987 NI 2

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F7] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order "the principal Order" means the Education and Libraries (Northern Ireland) Order 1986[F8].

(3) In any provision of this Order "the appointed day" means the day appointed under Article 1(3) for the coming into operation of that provision.

(4) This Order shall be construed as one with the principal Order and accordingly Article 2(2) of that Order, in so far as it relates to the definition of words or expressions used in that Order and in this Order, shall apply for the purposes of this Order as it applies for the purposes of that Order.

(5) [F9] . . . . . .

F7 1954 c. 33 (N.I.)
F8 1986 NI 3
F9 Art. 2(5) repealed (31.5.2009) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13)), arts. 1(3)(h), 91(2), Sch. 6 Pt. II (with art. 91(3)); S.R. 2009/183, **art. 3(b)(e)(ii)**

PART II

GENERAL DUTY OF THE DEPARTMENT OF EDUCATION

General duty of the Department

3 [F10]**.** It shall be the duty of the Department—

(a) to promote the education of the people of Northern Ireland;

(b) to secure the e#ective execution by boards and other bodies on which or persons on whom powers are conferred or duties imposed under the Education Orders of the Department's policy in relation to the provision of the education service.

F10 certain functions transf. by SR 1999/481

[F11][F11]PART III

THE CURRICULUM

F11 Pt. III repealed (1.8.2006) by Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11)), arts. 1(2), 44(2), **Sch. 3 Pt. 1**

Preliminary

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Principal provisions

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Religious education

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Special cases

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Miscellaneous and supplementary

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Part IV (Arts. 36#45) rep. with saving by 1997 NI 5

[F41]PART V

FINANCING SCHOOLS

F41 prosp. rep. by 1998 NI 13

Financing of controlled and maintained schools

Arts. 46#59 rep. by 2003 NI 12

Financing of voluntary grammar schools

Grants to voluntary grammar schools

[F42]60. . . . . . .

F42 Pt. V repealed (1.4.2016 in so far as not already in operation) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759), art. 1(3), **Sch. 6 Pt. II** (with art. 91(3)); S.R. 2016/207, art. 2(b)

Financial statements in respect of voluntary grammar schools

[F42]61. . . . . . .

F42 Pt. V repealed (1.4.2016 in so far as not already in operation) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759), art. 1(3), **Sch. 6 Pt. II** (with art. 91(3)); S.R. 2016/207, art. 2(b)

Arts. 62#63 rep. by 2003 NI 12

PART VI

INTEGRATED EDUCATION

CHAPTER I

GENERAL FUNCTIONS OF DEPARTMENT AND BOARDS

General functions of Department and boards in relation to integrated education

64.—(1) It shall be the duty of the Department to encourage and facilitate the development of integrated education, that is to say the education together at school of Protestant and Roman Catholic pupils.

(2) The Department may, subject to such conditions as it thinks fit, pay grants to any body appearing to the Department to have as an objective the encouragement or promotion of integrated education.

(3) It shall be the duty of **[**F43the Authority**]** to provide free of charge to any person seeking it advice and information about—

(a) the procedures for acquisition by a school of controlled integrated status;

(b) the implications for a school of the acquisition of that status.

F43 Words in Order substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), **Sch. 3 para. 1(1)(a)** (with Sch. 2 para. 4(3), Sch. 3 para. 1(2)); S.R. 2015/35, art. 2(b)

CHAPTER II

GRANT#MAINTAINED INTEGRATED SCHOOLS

Duty of Department to maintain grant#maintained integrated schools

F44Duty of Department to maintain grant-maintained integrated schools

65.—(1) Subject to this Chapter, it shall be the duty of the Department to maintain any school under the control and management of a Board of Governors incorporated under this Chapter.

F45(2) . . . . . .

(3) A school to which the Department's duty under this Article for the time being applies shall be known as a grant-maintained integrated school.

F44 prosp. rep. by 1998 NI 13

F45 Art. 65 repealed (1.4.2016 for the repeal of art. 65(2)) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759), art. 1(3), **Sch. 6 Pt. II** (with art. 91(3)); S.R. 2016/207, art. 2(b)

Management of grant#maintained integrated schools

Management of grant#maintained integrated schools

66.—(1) Each grant#maintained integrated school shall be under the control and management of a Board of Governors constituted in accordance with the provisions of Schedule 5.

(2) The scheme of management for a grant#maintained integrated school shall require the Board of Governors to use its best endeavours, in exercising its functions under the Education Orders, to