
STATUTORY RULES OF NORTHERN IRELAND

2023 No. 222

EDUCATION

CURRICULUM

The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023

Made - - - - 19th December 2023

Coming into operation 1st January 2024

The Department of Education(1), makes the following Regulations in exercise of the powers conferred by Articles 10A(5) and 43(5) of the Education (Northern Ireland) Order 2006(2) and after consultation with those considered appropriate, in accordance with Article 10A(6) of that Order.

Citation and commencement

1. These Regulations may be cited as the Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023 and shall come into operation on 1st January 2024.

Commencement Information

II Reg. 1 in operation at 1.1.2024, see [reg. 1](#)

Interpretation

2. In these Regulations—

“the 1986 Order” means the Education and Libraries (Northern Ireland) Order 1986(3);

“the 2006 Order” means the Education (Northern Ireland) Order 2006;

(1) See 2016 c.5 (N.I.) s.1 and Schedule 1.

(2) S.I. 2006/1915 (N.I. 11); Article 10A was inserted by regulation 2(3) of the Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023 (S.I. 2023/602).

(3) S.I. 1986/594 (N.I. 3).

Changes to legislation: There are currently no known outstanding effects for the *The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023*. (See end of Document for details)

- “Article 5(1A) education” means education required by Article 5(1A) of the 2006 Order⁽⁴⁾;
- “grant-aided school” has the meaning at Article 2(2) of the 1986 Order;
- “key stage 3” has the meaning at Article 3(3)(d) of the 2006 Order;
- “key stage 4” has the meaning at Article 3(3)(e) of the 2006 Order;
- “parent” has the meaning at Article 2(2) of the 1986 Order⁽⁵⁾;
- “pupil” means a person who is receiving education in a grant-aided school in key stage 3 or key stage 4;
- “specified elements of Article 5(1A) education” means age-appropriate, comprehensive and scientifically accurate education on—
- (a) prevention of early pregnancy; and
 - (b) access to abortion.

Commencement Information

I2 Reg. 2 in operation at 1.1.2024, see [reg. 1](#)

Circumstances in which a pupil may be excused from Article 5(1A) education or a specified element of that education

- 3.—(1)** The circumstances in which a pupil may be excused from Article 5(1A) education at the request of a parent are—
- (a) the pupil is in year 8, 9, 10 or 11 at a grant-aided school and a parent’s request confirms that Article 5(1A) education is contrary to their wishes; or
 - (b) the pupil is in year 12 at a grant-aided school, a parent’s request confirms that Article 5(1A) education is contrary to their wishes and the pupil does not object to being excused.
- (2)** The circumstances in which a pupil may be excused from a specified element of Article 5(1A) education at the request of a parent are—
- (a) the pupil is in year 8, 9, 10 or 11 at a grant-aided school and a parent’s request confirms that a specified element of Article 5(1A) education is contrary to their wishes; or
 - (b) the pupil is in year 12 at a grant-aided school, a parent’s request confirms that a specified element of Article 5(1A) education is contrary to their wishes and the pupil does not object to being excused.
- (3)** A parent’s request made under paragraph (1) or (2) shall—
- (a) be in writing;
 - (b) be addressed to the principal of the grant-aided school at which the pupil is registered⁽⁶⁾;
 - (c) identify the pupil to whom it relates;
 - (d) specify whether it relates to paragraph (1) (Article 5(1A) education) or paragraph (2) (a specified element of Article 5(1A) education);
 - (e) confirm that the Article 5(1A) education or a specified element of Article 5(1A) education (as the case may be) is contrary to their wishes.

⁽⁴⁾ Article 5(1A) was inserted into the 2006 Order by regulation 2(2) of the Relationships and Sexuality Education (Northern Ireland) (Amendment) Regulations 2023 ([S.I. 2023/602](#)).

⁽⁵⁾ [S.I. 1986/594 \(N.I. 3\)](#); the definition of “parent” was substituted by Schedule 9 to the Children (Northern Ireland) Order 1995 [S.I. 1995/755 \(N.I. 2\)](#).

⁽⁶⁾ See Article 48 of the Education and Libraries (Northern Ireland) Order 1986 ([S.I. 1986/594 \(N.I. 3\)](#))

Changes to legislation: *There are currently no known outstanding effects for the The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023. (See end of Document for details)*

(4) Where a pupil has been excused in accordance with this regulation, the excusal remains in force—

- (a) in the case of Article 5(1A) education until the end of the school year in which the request was made;
- (b) in the case of a specified element of Article 5(1A) education, until that education has been completed.

Commencement Information

I3 Reg. 3 in operation at 1.1.2024, see [reg. 1](#)

Sealed with the Official Seal of the Department of Education on 19th December 2023

(L.S.)

Ray Caldwell
A senior officer of the
Department of Education

Changes to legislation: There are currently no known outstanding effects for the The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

In accordance with Article 10A(5) of the Education (Northern Ireland) Order 2006, these Regulations set out the circumstances in which a pupil may be excused from age-appropriate, comprehensive and scientifically accurate education on sexual and reproductive health and rights or specified elements of that education which relate to prevention of pregnancy and access to abortion.

Changes to legislation:

There are currently no known outstanding effects for the The Curriculum (Circumstances in which a Pupil may be Excused from Sexual and Reproductive Health and Rights Education) Regulations (Northern Ireland) 2023.