

## STATUTORY INSTRUMENTS

# 1986 No. 594

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

### PART VI **N.I.**

#### TEACHERS

##### *Employment of teachers by [F1the Authority] **N.I.***

65.—(1) A board may employ all such teachers as are required in schools<sup>F2</sup>. . . under its management and may, with the approval of the Department, employ teachers otherwise than on the staff of a particular school<sup>F2</sup>. . . .

(2) A teacher employed under paragraph (1) otherwise than on the staff of a particular school<sup>F2</sup>. . . shall be—

- (a) a teacher (to be called a “peripatetic teacher”) employed by [F1the Authority] to teach a particular subject or group of subjects in a number of schools<sup>F2</sup>. . . or otherwise than in a school<sup>F2</sup>. . . or a teacher employed by [F1the Authority] for the purpose of making special educational provision whether in a school or otherwise;<sup>F3</sup>. . .

*Sub#para. (b) rep. by 1993 NI 12*

[F4(3) The number of peripatetic teachers employed by [F1the Authority] and the purposes for which they are employed shall be in accordance with arrangements made by [F1the Authority] and approved by the Department and [F1the Authority] shall not employ such teachers otherwise than in accordance with arrangements so made and approved.

(4) Peripatetic<sup>F3</sup>. . . teachers employed by [F1the Authority] may, with the approval of [F1the Authority] , work in a voluntary school or a grant=maintained integrated school if so requested by the managers of that school.]

- |           |   |
|-----------|---|
| <b>F1</b> | Words in Order substituted (1.4.2015) by <a href="#">Education Act (Northern Ireland) 2014 (c. 12), 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) |
| <b>F2</b> | <a href="#">1997 NI 15</a>  |
| <b>F3</b> | <a href="#">1993 NI 12</a>  |
| <b>F4</b> | <a href="#">1989 NI 20</a>  |

##### *Training of teachers **N.I.***

66.—[F5(1) The Department of Education shall make such arrangements as it considers expedient for securing the provision by others of sufficient facilities for the initial and further training of teachers for service in schools and other educational establishments in Northern Ireland.]

(2) [F5The Department of Education] may—

- (a <sup>F6</sup> pay grants at such rate or of such amount and subject to such conditions as it may determine in respect of expenditure incurred or to be incurred by any persons in connection with the

**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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*

initial or further training of teachers, other than expenditure in respect of which a grant may be paid under paragraph (3);

- (b) pay to teachers undergoing further training travelling and other allowances at such rate or of such amount and subject to such conditions as the Department may determine.

[<sup>F5</sup>(2A) The Department for Employment and Learning may pay grants at such rate or of such amount and subject to such conditions as it may determine in respect of expenditure incurred or to be incurred by any person in connection with the initial or further training of teachers, other than expenditure in respect of which a grant may be paid under paragraph (3).]

(3) <sup>F6</sup> The Department may, in accordance with regulations, pay grants to the trustees of a college of education in respect of approved expenditure incurred or to be incurred for the provision or alteration of the premises of a college or for the provision of equipment for a college.

[<sup>F7</sup>(4) <sup>F6</sup> Regulations under paragraph (3) may make provision for—

- (a) the repayment in such circumstances as are prescribed of the whole or part of any grant paid under this Article;
- (b) the reduction in such circumstances as are prescribed of the amount of grant which would otherwise be payable under this Article;
- (c) the payment to the Department by such person as may be prescribed of a sum where—
- (i) any premises of a college of education in respect of which the Department has, at any time after 1st. August 1984, paid a grant under paragraph (3), cease to be used for approved purposes of a college of education; or
- (ii) any site in respect of which the Department has, at any time after that date, paid a grant under paragraph (3), ceases, in the opinion of the Department, to be required for the purposes of a college of education.

(5) <sup>F6</sup> Without prejudice to the generality of paragraph (4), regulations under paragraph (3) may—

- (a) provide for any repayment, reduction or payment under the regulations to be of such amount as the Department considers equitable;
- (b) provide for any such repayment, reduction, or payment not to exceed such amount as may be determined under or in accordance with the regulations;
- (c) provide for any amount determined as mentioned in sub-paragraph (b) to include an amount in respect of interest calculated in such manner as may be prescribed; and
- (d) apply to grants made before as well as after the coming into operation of this paragraph.]

**F5** [2005 NI 13](#)

**F6** certain functions transf. by SR 1999/481

**F7** [1993 NI 12](#)

**Modifications etc. (not altering text)**

**C1** Art. 66(2) modified (13.2.2006) by [Higher Education \(Northern Ireland\) Order 2005 \(S.I. 2005/1116 \(N.I. 5\)\)](#), arts. 1(3), 4(1)(a); S.R. 2006/30, **art. 2**

**Control of numbers, qualifications, etc. of students** **N.I.**

67.—(1) <sup>F8</sup> [<sup>F9</sup>The Department of Education] shall make such arrangements as it considers expedient for the determination of the numbers and qualifications and for the selection of students to be admitted to the initial and further training of teachers.

---

**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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*

---

(2) The managers or governing body of an institution providing courses for the initial or further training of teachers shall not admit a student to a course for the initial training of teachers unless satisfied—

- (a) as to his good character and health, his physical capacity for teaching and his suitability for the teaching profession in other respects; and
- (b) that he satisfies the minimum educational qualifications for the course determined under paragraph (1).

(3) The managers of a college of education<sup>F10</sup> . . . shall comply with any directions of the Department, given after consultation with them, as to—

- (a) the total number of students to be admitted in any period specified in the directions to all such courses provided by them;
- (b) the number of students to be admitted in any period specified in the directions to any particular course so specified; and
- (c) the discontinuance of any particular course so specified.

**F8** certain functions transf. by SR 1999/481

**F9** 2005 NI 13

**F10** 1997 NI 15

#### <sup>F11</sup> **Appointment of teachers** **N.I.**

**68.** The provisions of Parts I and II of Schedule 14 shall apply to the appointment of a teacher to a controlled school and the provisions of Part III of that Schedule shall apply to the appointment of a peripatetic teacher or a supply teacher.

**F11** prosp. rep. by 1989 NI 20

#### <sup>F12</sup> **Salaries and other terms and conditions of employment of teachers** **N.I.**

**69.**—(1) Except as provided by paragraph (3)—

- (a) the rates of salaries and the allowances which are to be paid to teachers to whom this Article applies; and
- (b) the other terms and conditions of employment of such teachers,

shall be determined by the Department.

(2) This Article applies to—

- (a) teachers employed in grant-aided schools;

*Sub#para. (b) rep. by 1997 NI 15*

- (c) peripatetic teachers.

(3) In such circumstances and subject to such conditions as the Department may direct, the rates of salaries and the allowances which are to be paid to teachers of a class or description specified by the Department in the directions shall be determined by a body or person so specified.

(4) Before giving any directions under paragraph (3), the Department shall consult—

- (a) such representatives of employing authorities and such representatives of teachers as appear to it to be concerned; and
- (b) any other person with whom consultation appears to it to be desirable.

*Changes to legislation: The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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*

- (5) In paragraph (4) “employing authority” means—
    - (a) in relation to teachers employed in controlled schools<sup>F13</sup> . . . , [<sup>F1</sup>the Authority]<sup>F14</sup>...;
    - (b) in relation to teachers employed by the Council for Catholic Maintained Schools, that Council;
    - (c) in relation to teachers employed in a voluntary school (other than a Catholic maintained school), the Board of Governors of that school;
    - (d) in relation to teachers employed in a grant-maintained integrated school, the Board of Governors of the school;
    - (e) in relation to peripatetic teachers, [<sup>F1</sup>the Authority]<sup>F15</sup>....
  - (6) A determination under paragraph (1) or (3)—
    - (a) shall be made in writing;
    - (b) shall be published in such manner as the Department or, as the case may be, the body or person making the determination thinks fit;
    - (c) may contain such transitional and supplementary provisions as the Department or, as the case may be, that body or person thinks fit; and
    - (d) may have effect from a date earlier than the date on which it is made.
  - (7) Where any question arises as to the rate of salary or allowance to be paid under this Article to a teacher—
    - (a) where that rate of salary or allowance falls in accordance with directions under paragraph (3) to be determined by a body or person specified in those directions, the decision of that body or person shall, except on a question of law, be final;
    - (b) in any other case, the decision of the Department shall, except on a question of law, be final.
- Para. (8) rep. by 1998 NI 13]*

**F1** 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)

**F12** [1993 NI 12](#)

**F13** [1997 NI 15](#)

**F14** Words in art. 69(5)(a) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), **Sch. 4** (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

**F15** Words in art. 69(5)(e) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), **Sch. 4** (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

**Payment of salaries, etc. of teachers** **N.I.**

**69A.** <sup>F16</sup> .....

**F16** Art. 69A repealed (31.5.2009) by [Education \(Northern Ireland\) Order 1998 \(S.I. 1998/1759 \(N.I. 13\)\)](#), arts. 1(3)(h), 91(2)(3), [Sch. 6 Pt. II](#); S.R. 2009/183, **art. 3(e)(i)**

**[<sup>F17</sup>Regulations as to employment of teachers** **N.I.**

**70** <sup>F18</sup>.—(1) The Department may make regulations as to—

- (a) the eligibility of persons to be employed as teachers;<sup>F19</sup> . . .

*Sub#para. (b) rep. by 1993 NI 12*

**Changes to legislation:** *The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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*

(2) Without prejudice to the generality of paragraph (1), regulations under that paragraph may include provision—

- (a) requiring teachers to have such qualifications as may be approved by the Department;
- (b) requiring that, subject to such exceptions as may be prescribed, only teachers recognised by the Department be employed as teachers and providing for the grant, suspension, withdrawal and restoration of such recognition;
- (c) requiring teachers to serve probationary periods;
- (d) imposing requirements as to the age, health and physical capacity of teachers;
- (e) prohibiting or restricting the employment or further employment of teachers<sup>F20</sup><sup>F21</sup> on medical grounds, on grounds of misconduct or on educational grounds]] .

[  
<sup>F22</sup>(2A) Regulations under paragraph (1) may provide for the payment by the Department of any reasonable expenses incurred by a teacher in connection with any medical examination undergone by that teacher in pursuance of a requirement imposed by the Department under those regulations.]

Para. (3) rep. by 1993 NI 12

(4) This Article applies to—

- (a) <sup>F23</sup> .....
- (b) teachers in institutions of further education;
- (c) <sup>F24</sup> .....

Sub#para. (d) rep. by 1993 NI 12]

<b>F17</b>	1987 NI 2
<b>F18</b>	certain functions transf. by SR 1999/481
<b>F19</b>	1993 NI 12
<b>F20</b>	2003 NI 4
<b>F21</b>	Words in art. 70(2)(e) substituted (12.10.2009) for heads (i) - (v) by virtue of <a href="#">Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 (S.I. 2007/1351 (N.I. 11))</a> , arts. 1(3), 60(1), <b>Sch. 7 para. 2(1)</b> (with arts. 2(4), 53, 57(3), 61(4)); S.R. 2009/346, <b>art. 3</b> , Sch.
<b>F22</b>	1989 NI 20
<b>F23</b>	Art. 70(4)(a) repealed (31.5.2009) by <a href="#">Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13))</a> , arts. 1(3), 91(2)(3), Sch. 6 Pt. II; S.R. 2009/183, <b>art. 3(e)(i)</b>
<b>F24</b>	Art. 70(4)(c) repealed (31.5.2009) by <a href="#">Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13))</a> , arts. 1(3), 91(2)(3), Sch. 6 Pt. II; S.R. 2009/183, <b>art. 3(e)(i)</b>

### **Interchange of teachers with teachers outside Northern Ireland** **N.I.**

**71** <sup>F25</sup>. The Department may make regulations enabling teachers in grant-aided schools or institutions of further education or colleges of education to interchange duty with teachers from any country outside Northern Ireland and such regulations may, in connection with any period of interchange, make such provision as the Department considers appropriate in relation to such teachers as are specified in the regulations.

<b>F25</b>	certain functions transf. by SR 1999/481
------------	--

---

**Changes to legislation:** The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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](#)

---

**Redundancy payments to teachers in certain voluntary schools and in grant#maintained integrated schools** **N.I.**

**72.** <sup>F26</sup> .....

**F26** Art. 72 repealed (31.5.2009) by Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13)), arts. 1(3)(h), 91(2)(3), Sch. 6 Pt. II; S.R. 2009/183, **art. 3(e)(i)**

**Changes to legislation:**

The Education and Libraries (Northern Ireland) Order 1986, PART VI is up to date with all changes known to be in force on or before 05 June 2024. 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 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\(7\)](#)