
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform (Northern Ireland) Order 1989

PART VI

INTEGRATED EDUCATION

CHAPTER II

GRANT#MAINTAINED INTEGRATED SCHOOLS

Procedure for acquisition of grant#maintained integrated status

Proposals for acquisition of grant#maintained integrated status

71.—(1) Where in the case of any controlled or voluntary school which is eligible for grant#maintained integrated status the result of a ballot held in accordance with Article 70 shows a simple majority of votes cast in the ballot by persons eligible to vote in the ballot (within the meaning of that Article) in favour of seeking grant#maintained integrated status for the school, it shall be the duty of the Board of Governors of the school to submit a proposal for the acquisition of grant#maintained integrated status for the school to the [F1Authority] .

(2) Where—

- (a) a person proposes to establish a new grant#maintained integrated school; or
- (b) the proprietor of an independent school proposes to seek grant#maintained integrated status for the school,

he shall submit the proposal to the [F1Authority] .

(3) A proposal under paragraph (1) or (2) shall be in such form and contain such particulars (including the proposed date of implementation) as may be required by the Department[F2 and shall be submitted to the [F1Authority] —

- (a) in the case of a proposal under paragraph (1), within such period as may be so required; and
- (b) in the case of a proposal under paragraph (2), not later than the beginning of such period immediately before the proposed date of implementation as the Department may specify.]

Para. (4) rep. by 1996 NI 1

(5) A proposal submitted to [F3the Authority] under paragraph (1) or (2) may not be withdrawn except with the consent of the Department and subject to such conditions as it may impose (which may, in particular, require a further proposal to be submitted under this Article within such period as it may specify).

[F2(6) The [F1Authority] shall, within 21 days of receiving a proposal under paragraph (1) or (2)—

- (a) submit the proposal to the Department; and then
- (b) publish, by advertisement in one or more newspapers circulating in the area affected by the proposal, a notice stating—

Changes to legislation: The Education Reform (Northern Ireland) Order 1989, Section 71 is up to date with all changes known to be in force on or before 12 July 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

- (i) such particulars of the nature of the proposal as may be required by the Department;
- (ii) that the proposal has been submitted to the Department;
- (iii) that a copy of the proposal can be inspected at a specified place; and
- (iv) that objections to the proposal can be made to the Department within two months of the date specified in the advertisement being the date on which the advertisement first appears.

(6A) The [F¹Authority] shall furnish a copy of the proposal to any person, on application and payment of such reasonable sum as [F³the Authority] may determine.

(6B) The [F¹Authority] may, before the expiry of the period specified in the notice under paragraph (6)(b)(iv), submit its views on the proposal to the Department.

(7) Subject to paragraphs (8), (9) and (10), the Department after—

- (a) considering any objections to a proposal made to it within the period specified in the notice under paragraph (6)(b)(iv);
- (b) considering any views of the [F¹Authority] submitted to it under paragraph (6B); and
- (c) making such modifications, if any, in the proposal as, after consultation with the Board of Governors or person making the proposal, it considers necessary or expedient,

may approve the proposal and inform that Board of Governors or person accordingly.]

(8) The Department shall not approve a proposal under this Article in relation to a school unless it appears to the Department that, if the school were to become, or be established as, a grant#maintained integrated school, the school would be likely to [F⁴provide integrated education].

(9) The Department shall not approve a proposal under paragraph (1) in relation to a school unless the school was eligible for grant#maintained integrated status on the date on which the proposal was submitted under that paragraph.

(10) The approval of the Department to a proposal made under paragraph (2) may be granted subject to such conditions as the Department may think fit.

(11) Where the Department rejects any proposal under paragraph (1) in relation to a school, it may require the Board of Governors of the school to submit a further proposal to the [F¹Authority] under that paragraph within such period as it may direct.

(12) If a proposal under paragraph (1) or (2)(b) in respect of any school is approved by the Department, Schedule 6 shall have effect in relation to the transition of the school to grant#maintained integrated status.

(13) If a proposal under paragraph (2)(a) is approved by the Department, the Department may by order made at any time on or after the date on which it approves the proposal and before the incorporation date in relation to the school make such provision as it considers appropriate in connection with the establishment of the school as a grant#maintained integrated school and the constitution of a Board of Governors for the school in accordance with Schedule 5.

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| F1 | Word in art. 71 substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 11(2) (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b) |
| F2 | 1996 NI 1 |
| F3 | 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) |
| F4 | Words in art. 71(8) substituted (26.10.2022) by Integrated Education Act (Northern Ireland) 2022 (c. 15), ss. 13(3), 15 |

Changes to legislation:

The Education Reform (Northern Ireland) Order 1989, Section 71 is up to date with all changes known to be in force on or before 12 July 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.

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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. 13\(3\)\(b\) words repealed by S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)