
STATUTORY INSTRUMENTS

1993 No. 2810

The Education and Libraries (Northern Ireland) Order 1993

PART IV

MISCELLANEOUS

Miscellaneous amendments to the 1989 Order

Compulsory contributory subjects in key stage 4

45.—(1) In Article 6 (compulsory contributory subjects) of the 1989 Order—

- (a) in paragraph (2)(c) at the end there shall be added the words “(read with Schedule 2A)”;
- (b) after paragraph (2) there shall be inserted the following paragraphs—

“(2A) Schedule 2A sets out the lists of subjects or combinations of subjects referred to in column 4 of Schedule 2.

(2B) In Schedule 2A a reference to a subject followed by “(SC)” is a reference to that subject taught as a short course and any other reference in that Schedule to that subject is a reference to that subject taught as a full course.”;

- (c) for paragraph (5) there shall be substituted the following paragraph—

“(5) In paragraph (2B) “full course” means a course of such content as to prepare pupils in key stage 4 for examination for the Northern Ireland General Certificate of Secondary Education or for examination at an equivalent standard and “short course” means a course of any lesser content.”;

- (d) in paragraph (6) at the end there shall be added the words “and Schedule 2A”.

(2) In Article 7 of the 1989 Order after paragraph (1) there shall be inserted the following paragraphs—

“(1A) An order under paragraph (1) in relation to a compulsory contributory subject which may be taught as a short course shall specify separate attainment targets, programmes of study or assessment arrangements (as the case may be) for that subject taught as a short course and for that subject taught as a full course.

(1B) Nothing in paragraph (1A) shall be construed as restricting any power of the Department under paragraph (1) to prescribe different attainment targets, programmes of study or assessment arrangements for a compulsory contributory subject in relation to different pupils in the same key stage.

(1C) In paragraph (1A) “full course” and “short course” have the same meanings as in Article 6(5).”.

(3) In Schedule 2 to the 1989 Order—

- (a) “(A)” shall be omitted where it occurs after any entry in column 2, 3 or 4;
- (b) the Note at the end of the Schedule shall be omitted;

- (c) in column 4 for the entry “Technology and Design” there shall be substituted the following entry—
“One of the subjects from the list set out in paragraph 1 of Schedule 2A”;
 - (d) in column 4 for the entry “History or Geography” there shall be substituted the following entry—
“One of the subjects or combinations of subjects from the list set out in paragraph 2 of Schedule 2A”;
 - (e) in column 4 for the entry “Art and Design or Music or Drama” there shall be substituted the following entry—
“One of the subjects from the list set out in paragraph 3 of Schedule 2A”.
- (4) After Schedule 2 to the 1989 Order there shall be inserted the Schedule set out in Schedule 3.

Courses leading to external qualifications

46.—(1) In Article 9 of the 1989 Order (approval of Department required for courses of study leading to external qualification) in paragraph (1) for the words “leading to a qualification authenticated by an outside person” there shall be substituted the words “to which this Article applies” and after that paragraph there shall be inserted the following paragraph—

“(1A) This Article applies to a course of study if—

- (a) the course is in a listed contributory subject in relation to which attainment targets and programmes of study are specified under Article 7(1)(a); and
- (b) the course leads to a qualification authenticated by an outside person.”.

(2) In Article 21(2)(a), (b) and (c) of the 1989 Order (arrangements for certain examinations) the words “and approved by the Department under Article 9” shall cease to have effect.

(3) In Article 34(1) of the 1989 Order (power to apply Articles 9 and 11(1)(d) to senior pupils) after the words “Articles 9” there shall be inserted the words “(as originally enacted)”.

Complaints relating to religious education and collective worship

47.—(1) In Article 33 of the 1989 Order (complaints about exercise by board or Board of Governors of functions under certain provisions of Education Orders)—

- (a) in paragraph (1)(a) (matters subject to complaint) after head (iii) there shall be added the following head—

“(iv) any statutory provision relating to collective worship in grant-aided schools; or”;

- (b) paragraph (2) (exception for complaints relating to religious education) shall cease to have effect.

(2) Article 23(2) of the 1986 Order (complaints relating to religious education) shall cease to have effect.

(3) Nothing in this Article or in any related repeal in Schedule 5 applies in relation to a complaint received by the Department under Article 23(2) of the 1986 Order before the coming into operation of this Article.

Capital charges in voluntary grammar schools

48. For Article 132 of the 1989 Order there shall be substituted the following Articles—

“Capital charges in voluntary grammar schools to which Articles 128 to 131 apply where agreement under paragraph 1(1)(b) of Schedule 6 to the principal Order is, or has been, in force

132.—(1) This Article applies to a voluntary grammar school to which Articles 128 to 131 apply if—

- (a) an agreement with the Department under paragraph 1(1)(b) of Schedule 6 to the principal Order is in force in relation to the school; or
- (b) such an agreement was in force in relation to the school at any time on or after 1 April 1992.

(2) Notwithstanding anything in Articles 128 to 131, the Board of Governors of such a school may make a charge in respect of any pupil registered at the school for the purpose of meeting expenditure incurred or to be incurred—

- (a) for the provision or alteration of the premises of the school;
- (b) for the provision of equipment provided in connection with the provision or alteration of the premises of the school.

(3) A charge under paragraph (2) shall, in the case of pupils of a prescribed description, not exceed such amount as may be prescribed.

(4) References in paragraph (2) to the premises of the school do not include premises used wholly or mainly for boarding purposes.

Capital charges in voluntary grammar schools to which Articles 128 to 131 apply where agreement is in force under paragraph 1(1)(a) of Schedule 6 to the principal Order

132A.—(1) This Article applies to a voluntary grammar school to which Articles 128 to 131 apply if—

- (a) an agreement with the Department under paragraph 1(1)(a) of Schedule 6 to the 1986 Order is in force in relation to the school; and
- (b) immediately before the coming into force of that agreement, an agreement with the Department was in force under paragraph 1(1)(b) of Schedule 6 to the 1986 Order.

(2) Notwithstanding anything in Articles 128 to 131, the Board of Governors of such a school may, for such period after the date on which the agreement mentioned in paragraph (1)(a) comes into force as the Department may direct, make a charge in respect of any pupil registered at the school for the purpose of meeting expenditure incurred—

- (a) for the provision or alteration of the premises of the school;
- (b) for the provision of equipment provided in connection with the provision or alteration of the premises of the school.

(3) Paragraphs (3) and (4) of Article 132 shall apply for the purposes of paragraph (2) of this Article as they apply for the purposes of paragraph (2) of that Article.”.

Appointment of foundation governors of grant-maintained integrated schools

49. In Schedule 5 to the 1989 Order in paragraph 2(2) in the definition of “foundation governors” for paragraph (b) there shall be substituted the following paragraph—

- “(b) on any subsequent appointment to the Board of Governors—

- (i) where the instrument of government of the school makes provision for the appointment of foundation governors for the purposes of this Schedule, in accordance with that instrument; and
- (ii) in any other case, by the persons holding office as foundation governors,”.