

## SCHEDULES

### SCHEDULE 4

Article 25

#### AMENDMENTS

##### *The Sex Discrimination (Northern Ireland) Order 1976 (NI 15)*

In Article 2(2) in the definition of “further education” for the words from “Article 5(c)” to the end substitute “Article 3 of the Further Education (Northern Ireland) Order 1997”.

In Article 24 for paragraph 5 of the Table substitute—

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“5. An establishment providing further education in respect of which grants are paid under Article 5(1)(b) of the Further Education (Northern Ireland) Order 1997. Governing body.”.

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In Article 25 after “function under” insert “the Education Orders, as defined in”.

##### *The Fair Employment (Northern Ireland) Act 1976 (c. 25)*

In section 57(1) in the definition of “training” for paragraphs (b) and (c) substitute—

- “(b) an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997 or an institution providing further education in respect of which grants are paid under Article 5(1)(b) of that Order, or
- (c) a college of education within the meaning of the Education and Libraries (Northern Ireland) Order 1986, or”.

##### *The Rates (Northern Ireland) Order 1977 (NI 28)*

In Schedule 13, after the entry relating to the Fire Authority for Northern Ireland insert—

“The governing body of an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997.”.

##### *The Chronically Sick and Disabled Persons (Northern Ireland) Act 1953*

In section 8(2)(b) for the words from “and other institutions” to the end substitute “within the meaning of the Further Education (Northern Ireland) Order 1997 or institutions providing further education in respect of which grants are paid under Article 5(1)(b) of that Order”.

##### *The Education and Libraries (Northern Ireland) Order 1986 (NI 3)*

In Article 2(2) for the definitions of “the Education Orders” and “further education” substitute, respectively—

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““the Education Orders” means this Order, the 1989 Order, the Education and Libraries (Northern Ireland) Order 1993, the Education (Northern Ireland) Order 1996, the Education (Northern Ireland) Order 1997 and the Further Education (Northern Ireland) Order 1997;

“further education” has the meaning assigned to it by Article 3 of the Further Education (Northern Ireland) Order 1997;”.

In Article 2(2), at the appropriate place in alphabetical order, insert—

““institution of further education” has the meaning assigned to it by Article 2(2) of the Further Education (Northern Ireland) Order 1997;”.

In Article 2(2) in the definitions of “managers” for sub-paragraph (e) substitute—

“(e) in relation to an institution of further education, the governing body of that institution;”.

In Article 2(2) omit the definitions of “part-time senior education”, “post-school age education” and “technical secondary school”.

In Article 2(2) in the definition of “secondary education” at the end add “other than such full-time education provided for senior pupils over compulsory school age at an institution of further education”.

Omit Article 2(2A) to (2C).

For Article 5 substitute—

#### **“Stages and purposes of statutory system of education**

**5.—(1)** The statutory system of public education shall be organised in three stages, namely—

- (a) primary education;
- (b) secondary education; and
- (c) further education.

(2) It shall be the duty of a board (so far as its powers extend) to contribute towards the spiritual, moral, cultural, intellectual and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of its area.

(3) The Further Education (Northern Ireland) Order 1997 confers functions with respect to further education.”.

In Article 9A(1) omit “(other than a technical secondary school)”.

In Article 10(1) omit “, other than a technical secondary school”.

In Article 49A(5A)(a) after “school” insert “or an institution of further education”.

In Article 49A(6)(a) after “school” (where it twice occurs) insert “or institution of further education”.

Omit Article 55.

In Article 58—

- (a) omit paragraph (2);
- (b) in paragraph (4) omit “(2) or”.

In Article 59(1) omit “(2),”.

In Article 65(1) omit “and institutions of further education” and “or institution of further education”.

In Article 65(2) omit “or institution of further education”, “or institutions of further education” and “or institution”.

In Article 67(3) omit “or the board responsible for the management of an institution of further education”.

In Article 69—

(a) omit paragraph (2)(b); and

(b) in paragraph (5)(a) omit “and institutions of further education”.

In Article 73(2) after “establishments” insert “(other than institutions of further education)”.

In Article 79, omit paragraph (2)(c).

In Article 86, omit paragraph (3)(b).

In Article 88A(3) after “board” insert “or by the governing body of an institution of further education”.

In Article 100 after paragraph (b) insert—

“(bb) a board and the governing body of an institution of further education;”.

In Article 102(2) after sub-paragraph (a) insert—

“(aa) an institution of further education;”.

In Article 102 after paragraph (6) insert—

“(6A) Inspectors conducting the inspection of an establishment under this Article may monitor, inspect and report on any other aspect of the establishment including, in particular, the management of the establishment and the staffing, equipment, accommodation and other resources of the establishment.”.

In Article 103(2) omit “and the governing body of every institution of further education”.

In Article 105(11) after “board” insert “or to the governing body of an institution of further education”.

In Article 115(3) after sub-paragraph (b) add

“or

(c) the governing body of an institution of further education;”.

In Article 119A omit—

(a) paragraph (4)(b);

(b) paragraph (6)(b);

(c) in paragraphs (7) and (8) “or institution of further education”.

In Schedule 2, in paragraph 4(2) omit the words “or grant-aided institutions of further education” and in paragraph 6(2) omit the words “or grant-aided institution of further education”.

In Schedule 4, in paragraph 3(1) omit “or a technical secondary school”.

#### *The Education Reform (Northern Ireland) Order 1989 (NI 20)*

In Article 33(1)(a)(ii) for “147 to” substitute “148 and”.

In Article 34(3) omit “the board,”

In Article 34(6) omit “boards,”.

In Article 34(7) omit “or regulations under paragraph (3)”.

In Article 34 at the end add—

“(8) Before making any regulations under paragraph (3) the Department shall consult with—

(a) the governing bodies and principals of all institutions of further education; and

(b) any other persons with whom consultation appears to it to be desirable.”.

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In Article 35, omit paragraph (4).

In Article 46(3)(a) and (6)(c) for the words in the first set of brackets substitute “(other than a special school or a school established in a hospital)”.

Omit Part VII.

In Article 124, omit paragraph (3).

In Article 125, omit paragraph (6).

In Article 126, omit paragraph (7).

In Article 138, omit paragraph (3).

Omit Article 147.

In Article 148(1), omit sub-paragraph (e).

In Articles 148(2) and 149(1)(c) for “to (e)” substitute “to (c)”.

In Article 148(3), omit sub-paragraph (b).

In Article 148(5), omit “and members of the governing bodies of institutions of further education”.

In Article 149(1), omit sub-paragraph (b).

In Article 149(2), omit sub-paragraph (c).

In Article 151(5)—

(a) in sub-paragraph (a) omit “and institutions of further education”;

(b) at the end add—

“(f) in relation to teachers employed in an institution of further education, the governing body of that institution.”.

Omit Schedule 7.

#### *The Education (Student Loans) (Northern Ireland) Order 1990 (NI 11)*

In Article 3(3)(a) for “Article 100 of the Education Reform (Northern Ireland) Order 1989” substitute “Article 3 of the Further Education (Northern Ireland) Order 1997”.

#### *The Planning (Northern Ireland) Order 1991 (NI 11)*

In Article 26(2) in the definition of “educational institution” for sub-paragraph (d) substitute—

“(d) an institution of further education within the meaning of the Further Education (Northern Ireland) Order 1997 or an institution providing further education in respect of which grants are paid under Article 5(1)(b) of that Order; and”.

#### *The Education and Libraries (Northern Ireland) Order 1993 (NI 12)*

Omit Articles 26 and 27.

In Article 30(3)—

(a) in the definition of “governing body” omit sub-paragraph (b);

(b) in the definition of “higher education course” for “Schedule 7 to the 1989 Order” substitute “Schedule 1 to the Further Education (Northern Ireland) Order 1997”.

Omit Article 31(4).

Omit Article 33.

In Schedule 1, in paragraph 2(1)(a) and (b), omit “and institutions of further education”.

*The Value Added Tax Act 1994 (c. 23)*

In Schedule 9 in Group 6 in Note (1)(c) after sub-paragraph (iv) add

“or

- (v) managed by a governing body established under the Further Education (Northern Ireland) Order 1997;”.

*The Litter (Northern Ireland) Order 1994 (NI 10)*

In Article 2(2) in the definition of “educational institution” for “Article 100(2) of the Education Reform (Northern Ireland) Order 1989” substitute “Article 3 of the Further Education (Northern Ireland) Order 1997”.

*The Education (Northern Ireland) Order 1996 (NI 1)*

Omit Articles 38 and 41.

*The Race Relations (Northern Ireland) Order 1997 (NI 6)*

In Article 18(1) for paragraph 4 of the Table substitute—

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“4. An establishment providing further education in respect of which grants are paid under Article 5(1)(b) of the Further Education (Northern Ireland) Order 1997. Governing body.”.

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