
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART IX

MISCELLANEOUS AND SUPPLEMENTARY

Miscellaneous

Exceptional provision of education

86.—(1) [^{F1}The Authority] shall make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who by reason of illness, [^{F2}or expulsion] from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.

(2) [^{F1}The Authority] may make arrangements for the provision of suitable education otherwise than at school for those children over compulsory school age who—

(a) have not attained the age of 19; and

(b) by reason of illness, [^{F3}or expulsion] from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them.

[^{F4}(2A) Paragraphs (1) and (2) do not apply in relation to a child who is suspended from school.]

(3) In determining what arrangements to make under this Article in the case of any child [^{F1}the Authority] shall have regard to any guidance given from time to time by the Department.

(4) In this Article—

“child” has the same meaning as in Part II of the Education (Northern Ireland) Order 1996;

“suitable education”, in relation to a child, means efficient education suitable to his age, ability and aptitude and to any special educational needs he may have.

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)

F2 Words in art. 86(1) substituted (16.12.2011) by *Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11))*, arts. 1(4)(b), **34(3)(a)**; S.R. 2011/406, **art. 2**

F3 Words in art. 86(2) substituted (16.12.2011) by *Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11))*, arts. 1(4)(b), **34(3)(b)**; S.R. 2011/406, **art. 2**

F4 Art. 86(2A) inserted (16.12.2011) by *Education (Northern Ireland) Order 2006 (S.I. 2006/1915 (N.I. 11))*, arts. 1(4)(b), **34(3)(c)**; S.R. 2011/406, **art. 2**

Changes to legislation:

Education (Northern Ireland) Order 1998, Section 86 is up to date with all changes known to be in force on or before 11 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order words substituted by [2014 c. 12 \(N.I.\) Sch. 3 para. 1\(1\)\(b\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 89A inserted by [2022 c. 45 s. 5](#)