

---

STATUTORY INSTRUMENTS

---

**2005 No. 1117**

The Special Educational Needs and  
Disability (Northern Ireland) Order 2005

PART III

DISABILITY DISCRIMINATION IN EDUCATION

CHAPTER I

SCHOOLS

*Enforcement*

**Jurisdiction and powers of the Tribunal**

22.—(1) A claim that a responsible body—

- (a) has discriminated against a person (“A”) in a way which is made unlawful under this Chapter, or
- (b) is by virtue of Article 45 to be treated as having discriminated against a person (“A”) in such a way,

may be made to the Tribunal by A’s parent.

(2) But this Article does not apply to a claim to which Article 24 applies.

(3) If the Tribunal considers that a claim under paragraph (1) is well founded—

- (a) it may declare that A has been unlawfully discriminated against; and
- (b) if it does so, it may make such order as it considers reasonable in all the circumstances of the case.

(4) The power conferred by paragraph (3)(b)—

- (a) may, in particular, be exercised with a view to obviating or reducing the adverse effect on the person concerned of any matter to which the claim relates; but
- (b) does not include power to order the payment of any sum by way of compensation.