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*Status: Point in time view as at 01/01/2006.*

*Changes to legislation: The Special Educational Needs and Disability (Northern Ireland) Order 2005, Cross Heading: Agreements relating to enforcement is up to date with all changes known to be in force on or before 30 June 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)*

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## STATUTORY INSTRUMENTS

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# 2005 No. 1117

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

### PART III **N.I.**

#### DISABILITY DISCRIMINATION IN EDUCATION

#### CHAPTER I **N.I.**

##### SCHOOLS

##### *Agreements relating to enforcement*

#### **Validity and revision of agreements** **N.I.**

**26.**—(1) Any term in a contract or other agreement made by or on behalf of a responsible body is void so far as it purports to—

- (a) require a person to do anything which would contravene any provision of, or made under, this Chapter;
- (b) exclude or limit the operation of any provision of, or made under, this Chapter; or
- (c) prevent any person from making a claim under this Chapter.

(2) Sub-paragraphs (b) and (c) of paragraph (1) do not apply to an agreement settling a claim—

- (a) under Article 22; or
- (b) to which Article 24 applies.

(3) On the application of any person interested in an agreement to which paragraph (1) applies, a county court may make such order as it thinks just for modifying the agreement to take account of the effect of paragraph (1).

(4) No such order may be made unless all persons affected have been—

- (a) given notice of the application; and
- (b) afforded an opportunity to make representations to the court.

(5) Paragraph (4) applies subject to any county court rules providing for notice to be dispensed with.

(6) An order under paragraph (3) may include provision as respects any period before the making of the order.

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