

2004 No. 217

EDUCATION

The Education and Libraries (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2004

Made - - - - - *7th May 2004*

Coming into operation *1st July 2004*

To be laid before Parliament under paragraph 7(3) of the Schedule to the Northern Ireland Act 2000

The Department of Education, in exercise of the powers conferred on it by Article 14(1) and (2) of the Education and Libraries (Northern Ireland) Order 2003(a) and of every other power enabling it in that behalf, having consulted in accordance with Articles 10(6) and 14(4) of that Order the Department of Culture, Arts and Leisure and the Department for Employment and Learning, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Education and Libraries (Exclusion of Non-commercial Considerations) Order (Northern Ireland) 2004 and shall come into operation on 1st July 2004.

Matters not to be non-commercial matters in relation to board contracts

2. The matters specified in Article 20(4)(a) and (d) of the Education and Libraries (Northern Ireland) Order 1993(b) shall cease to be non-commercial matters for the purposes of Article 20 of that Order.

Sealed with the Official Seal of the Department of Education on 7th May 2004.

(L.S.)

E. Rooney
Assistant Secretary

(a) S.I. 2003/424 (N.I. 12); see Article 2(3) of the Education and Libraries (Northern Ireland) Order 2003 and Article 2 of the Education and Libraries (Northern Ireland) Order 1986 (S.I. 1986/594 (N.I. 3)) for the definition of “the Department”
(b) S.I. 1993/2810 (N.I. 12)

EXPLANATORY NOTE

(This note is not part of the Order.)

Article 20(4) of the Education and Libraries (Northern Ireland) Order 1993 contains a list of “non-commercial matters” by reference to which education and library boards may not exercise functions listed in Article 20(3) of that Order. These functions relate to public supply or works contracts.

This Order provides for certain specified matters to cease to be non-commercial matters for the purpose of Article 20 of the Education and Libraries (Northern Ireland) Order 1993. The matters concerned relate to the terms and conditions of employment of a contractor’s workforce and the conduct of contractors or their workers in industrial disputes.

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