



Department of  
**Education**

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AN ROINN  
**Oideachais**

MÁNNYSTRIE O  
**Lear**

Peter McCallion  
Clerk to the Committee for Education  
Room 375a  
Parliament Buildings  
Ballymiscaw  
Stormont  
BELFAST  
BT4 3XX

Tel No: (028) 9127 9746  
Fax No: (028) 9127 9100

Email: [russell.welsh@deni.gov.uk](mailto:russell.welsh@deni.gov.uk)

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Dear Peter

### **SHARED EDUCATION BILL – PROPOSED ADDITIONAL CLAUSE**

You will be aware that in briefing the Committee on 4 November, Departmental officials alerted members to the potential need for an additional clause which if required the Minister would seek to introduce at consideration stage.

The proposed additional clause is to give specific power to the Department and the Education Authority to establish and participate in a company formed specifically for the ownership and management arrangements for Shared Education Campuses.

The Catholic Trustees already use the mechanism of a company (although in practice they commonly refer to it as a 'Trust'). The Department has identified this as the most appropriate method to address ownership and management arrangements for Shared Education Campuses.

While there is provision under the general power of section 19 of the Interpretation Act 1954, it would be preferable to have specific legislative authority. All Shared Education Campuses, including the Strule Campus, would benefit from having a specific legislative reference in place.

The Minister has now agreed to seek to introduce the additional clause, as drafted in annex 1, at consideration stage. In including this clause within the Shared Education Bill, the scope would be limited to the functions under Section 2 of the Bill.

I would be grateful if you could bring this to the attention of the Committee in advance of next week's informal deliberation on the Shared Education Bill. Departmental officials will be able to further brief the Committee at that stage.

Yours sincerely

*Russell*

**RUSSELL WELSH**  
**Departmental Assembly Liaison Officer**

Amendment to be moved by the Minister of Education  
at Consideration Stage

**New clause**

After clause 2 insert—

**‘Power to form company**

**2A.**—(1) For the purposes of its functions under section 2, the Department of Education may form, or participate in the formation of, a company under the Companies Act 2006.

(2) For the purposes of its functions under section 2(3) of the Education Act (Northern Ireland) 2014, the Education Authority may form, or participate in the formation of, a company under the Companies Act 2006.’