



Northern Ireland  
Assembly

Special Educational Needs and Disability Bill  
Notice of Amendments tabled on  
18 November 2015 for Consideration Stage

---

**Clause 2**, Page 2, Line 18

Leave out ‘may’ and insert ‘shall’

*Minister of Education*

**Clause 3**, Page 2, Line 33

After “‘take’ insert ‘all’

*Minister of Education*

**Clause 3**, Page 3, Line 3

At end insert -

‘(2A) In Article 8 after paragraph (1) insert—

“(1A) Paragraph (1B) applies where—

- (a) the Board of Governors of a grant-aided school (school A) has prepared a personal learning plan in respect of a registered pupil at the school, and
- (b) that pupil ceases to be a registered pupil at school A and becomes a registered pupil at another grant-aided school (school B).

(1B) The Board of Governors of school A shall—

- (a) seek to obtain the consent of the pupil concerned (if the pupil is over compulsory school age) or of the pupil’s parent (in any other case) to a copy of the personal learning plan being sent to the Board of Governors of school B; and
- (b) if it obtains that consent, send a copy of the plan to the Board of Governors of school B.

(1C) Nothing in paragraph (1A) or (1B) affects any duty of the Board of Governors of school B to prepare a personal learning plan in respect of the pupil under paragraph (1)(d) or (as the case may be) under Article 8ZA(1)(a).”.’

*Minister of Education*

**Clause 3, Page 3, Line 29**

At end insert -

- ‘(3) Paragraph (4) applies where—
- (a) the Board of Governors of a special school (school A) has prepared a personal learning plan in respect of a registered pupil at the school, and
  - (b) that pupil ceases to be a registered pupil at school A and becomes a registered pupil at another grant-aided school (school B).
- (4) The Board of Governors of school A shall—
- (a) seek to obtain the consent of the pupil concerned (if the pupil is over compulsory school age) or of the pupil’s parent (in any other case) to a copy of the personal learning plan being sent to the Board of Governors of school B; and
  - (b) if it obtains that consent, send a copy of the plan to the Board of Governors of school B.
- (5) Nothing in paragraph (3) or (4) affects any duty of the Board of Governors of school B to prepare a personal learning plan in respect of the pupil under paragraph (1)(a) or (as the case may be) under Article 8(1)(d).’

*Minister of Education*

**Clause 7, Page 5, Line 18**

Leave out ‘may’ and insert ‘shall’

*Minister of Education*

**Clause 9, Page 7, Line 34**

Leave out ‘may’ and insert ‘shall’

*Minister of Education*

**Clause 9, Page 7, Line 36**

Leave out ‘may’ and insert ‘shall’

*Minister of Education*

**New Clause**

After clause 14 insert -

**‘Orders and regulations under Part 2 of the 1996 Order**

**14A.** For Article 28 of the 1996 Order substitute—

**“Orders and regulations under this Part**

28.—(1) Orders made by the Department under this Part (other than orders under Article 5(3)) shall be subject to negative resolution.

(2) Regulations shall not be made under Article 8 or 8ZA unless a draft of the regulations has been laid before, and approved by resolution of, the Assembly.

(3) Subject to paragraph (4), all other regulations under this Part shall be subject to negative resolution.

(4) Regulations made under this Part which—

(a) would otherwise be subject to negative resolution, but

(b) are combined with regulations subject to the procedure mentioned in paragraph (2), shall also be subject to that procedure.

(5) Regulations and orders made under this Part by a Northern Ireland department may contain such incidental, supplementary and transitional provisions as that department thinks fit.”’

*Minister of Education*