1994 No. 323

EDUCATION

Education and Libraries (Competition in Functional Work) Regulations (Northern Ireland) 1994

Made . . . . . 17th August 1994

Coming into operation . . 26th September 1994

The Department of Education, in exercise of the powers conferred on it by Articles 2(3), 6(3) and (4) of the Education and Libraries (Northern Ireland) Order 1993(**a**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education and Libraries (Competition in Functional Work) Regulations (Northern Ireland) 1994 and shall come into operation on 26th September 1994.

(2) In these Regulations "the Order" means the Education and Libraries (Northern Ireland) Order 1993.

Application of Article 6 of the Order

2. Article 6 of the Order (functional work: restrictions) shall apply to any functional work falling within a defined activity specified in column 1 of the Schedule, and which is proposed to be carried out on or after the date specified in relation thereto in column 2 by a board specified in relation thereto in column 3.

3. Where a board proposes to carry out functional work which falls within a defined activity specified in the Schedule (whether or not by virtue of Article 4(4) or (6) of the Order) and to which Article 6 of the Order would not otherwise apply, it shall (if the board so decides) be treated as work to which said Article 6 applies.

Sealed with the Official Seal of the Department of Education on 17th August 1994.

(L.S.) *A. McVeigh*
Assistant Secretary

(a) S.I. 1993/2810 (N.I. 12) Article 2(3) is cited because of the definition of "regulations"; *see* also S.I. 1986/594 (N.I. 3) Article 2(2) and S.I. 1989/2406 (N.I. 20) Article 2(4)

Defined activities and dates in relation to carrying out of functional work by boards

Column 1 *Defined Activity*	Column 2 *Date*	Column 3 *Board*
Cleaning of Buildings	1st April 1996	— Belfast
	1st April 1996	— North Eastern
	1st April 1996	— South Eastern
	1st October 1998	— Southern
	1st April 1996	— Western
Catering	1st September 1995	— Belfast
	1st April 1996	— North Eastern
	1st April 1996	— South Eastern
	1st April 1999	— Southern
	1st September 1995	— Western
Maintenance of Ground	1st November 1994	— Belfast
	1st April 1996	— North Eastern
	1st September 1996	— South Eastern
	1st April 1997	— Southern
	1st April 1996	— Western
Repair and Maintenance of Vehicles	1st November 1994	— Belfast
	1st October 1996	— North Eastern
	1st November 1994	— South Eastern
	1st April 1999	— Southern
	1st January 1999	— Western

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 6 of the Education and Libraries (Northern Ireland) Order 1993 (''the Order'') provides that boards may not carry out functional work (as defined in Article 3) falling within a defined activity (that is to say cleaning of buildings, catering, maintenance of ground and repair and maintenance of vehicles) on or after such a date as may be specified by regulations unless certain conditions are fulfilled.

These Regulations describe for the purposes of Article 6(3) of the Order the nature of the functional work (as defined in Article 3) which boards may not carry out on or after the dates specified in the Schedule unless the work has been subjected to competition in accordance with conditions specified in the Order (regulation 2).

If a board wishes to carry out functional work falling within a defined activity specified in the Schedule but for which competition is not required, it may treat that work as if the competition requirements applied to it (regulation 3).