STATUTORY RULES OF NORTHERN IRELAND

2001 No. 236

EDUCATION

Education (Pupil Records) (Amendment) Regulations (Northern Ireland) 2001

Made	*6th June 2001*
Coming into operation . .	*6th July 2001*

The Department of Education, in exercise of the powers conferred on it by Articles 17A and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Pupil Records) (Amendment) Regulations (Northern Ireland) 2001 and shall come into operation on 6th July 2001.

Amendment of the Education (Pupil Records) Regulations (Northern Ireland) 1998

2. The Education (Pupil Records) Regulations (Northern Ireland) 1998(**b**) shall be amended as provided in regulations 3 to 8.

Interpretation

3. In regulation 3—

(*a*) the definition of "entitled person" shall be omitted;

(*b*) the definition of "harm" shall be omitted.

Revocations

4. Regulations 9 to 14 are hereby revoked.

Duties of Boards of Governors

5. In regulation 6—

(*a*) for the words "an entitled person" in paragraph (1)(*b*) and (*c*) and paragraph (3) there shall be substituted "a parent of a pupil";

(*b*) at the end of sub-paragraph (3) there shall be added—

"The record supplied shall not include any assessment of the pupil's achievements.".

(**a**) S.I. 1986/594 (N.I. 3); Article 17A was inserted by Article 5 of S.I. 1987/167 (N.I. 2) and amended by S.I. 1989/2406 (N.I. 20) Articles 32, 166 and Schedule 9

(**b**) S.R. 1998 No. 11

6. In regulation 7, the words “the pupil himself where he is aged 16 or more” in paragraph (1)(*a*) shall be omitted.

7. In regulation 8, after the word “parent” “, pupil” shall be omitted.

8. After regulation 8 there shall be inserted—

“**8A.** In complying with regulations 6 and 7, the Board of Governors of any school shall not make arrangements for the disclosure, supply of copies, or transfer of any documents which are the subject of an order under section 30(2) of the Data Protection Act 1998”.

Sealed with the Official Seal of the Department of Education on 6th June 2001.

(L.S.) *C. Jendoubi*
A Senior Officer of the
Department of Education

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Education (Pupil Records) Regulations (Northern Ireland) 1998.

The principal change made by the Regulations is the omission of the provisions relating to the right of access by pupils to information contained in their educational records. From 1st March 2000 this is governed by the Data Protection Act 1998.

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