STATUTORY INSTRUMENTS

2005 No. 1116

The Higher Education (Northern Ireland) Order 2005

PART II

STUDENT FEES IN HIGHER EDUCATION

Interpretation

Interpretation of this Part

3.—(1) In this Part—

"course" does not include any part-time or postgraduate course other than a course of initial teacher training;

"approved plan" means a plan approved under Article 7;

"fees", in relation to undertaking a course, means fees in respect of, or otherwise in connection with, undertaking the course, including admission, registration, tuition and graduation fees but excluding—

(a) fees payable to an institution for awarding or accrediting any qualification where the institution does not provide the whole or part of the course and is not a publicly-funded institution (as defined by paragraph (2)),

(b) fees payable for board or lodging,

(c) fees payable for field trips (including any tuition element of such fees),

(d) fees payable for attending any graduation or other ceremony, and

(e) such other fees as may be prescribed;

"general provisions", in relation to a plan, has the meaning given by Article 6(3);

"plan" means a plan complying with Article 6.

(2) In paragraph (1) "publicly-funded institution" means—

(a) the Queen's University of Belfast, the University of Ulster, a college of education in Northern Ireland within the meaning of Article 2(2) of the 1986 Order or any institution providing in Northern Ireland further education as defined in Article 3 of the Further Education (Northern Ireland) Order 1997 (N.I. 15);

(b) any university or other institution receiving grants, loans or other payments under section 65 of the Further and Higher Education Act 1992 (c. 13), or under section 5 of the Education Act 1994 (c. 30), any institution maintained by a local education authority in the exercise of their further and higher education functions, any institution receiving a recurrent grant towards its costs under regulations made under section 485 of the Education Act 1996 (c. 56) or any institution receiving financial resources under section 5 or 34 of the Learning and Skills Act 2000 (c. 21);

(c) any institution within the higher education sector for the purposes of the Further and Higher Education (Scotland) Act 1992 (c. 37), any college of further education within the meaning of section 36(1) of that Act or any central institution within the meaning of section 135(1) of the Education (Scotland) Act 1980 (c. 44).