

STATUTORY INSTRUMENTS

1997 No. 1772

The Further Education (Northern Ireland) Order 1997

Introductory

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“facilities” includes land, goods and services;

“further education” has the meaning assigned by Article 3;

“higher education” means education provided by means of a course of any description mentioned in Schedule 1;

“institution of further education” means, subject to paragraph (3), an institution which is recognised as such by the Department under Article 8;

“liability” includes obligation;

“the transfer date” means the day appointed by the Department under Article 1(2);

“the 1986 Order” means the Education and Libraries (Northern Ireland) Order 1986;

“the 1989 Order” means the Education Reform (Northern Ireland) Order 1989.

^{F1}(3)

(4) The Department may by order amend Schedule 1.

(5) Subject to paragraph (6), for the purposes of this Order a person has a “learning difficulty” if—

(a) he has a significantly greater difficulty in learning than the majority of persons of his age;
or

(b) he has a disability which either prevents or hinders him from making use of facilities of a kind generally provided by institutions of further education for persons of his age.

(6) A person is not to be taken as having a learning difficulty solely because the language (or form of the language) in which he is, or will be, taught is different from a language (or form of a language) which has at any time been spoken in his home.

(7) Any direction, consent or determination given by the Department under this Order shall be in writing.

^{F2}(8)

(9) This Order shall be construed as one with the 1986 Order and accordingly Article 2(2) of the 1986 Order, in so far as it relates to the definition of words or expressions used in that Order and in this Order, shall apply for the purposes of this Order as it applies for the purposes of that Order.

F1 Art. 2(3) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), s. 7(2)(c), [Sch. 4](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, art. 2(b)

Changes to legislation: *There are currently no known outstanding effects for the The Further Education (Northern Ireland) Order 1997, Section 2. (See end of Document for details)*

F2 Art. 2(8) repealed (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), s. 7(2)(c), **Sch. 4** (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)

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