
STATUTORY INSTRUMENTS

2005 No. 1117

The Special Educational Needs and
Disability (Northern Ireland) Order 2005

PART III

DISABILITY DISCRIMINATION IN EDUCATION

CHAPTER II

FURTHER AND HIGHER EDUCATION

Interpretation of this Chapter

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27.—(1) In this Chapter—

“college of education” has the meaning given in Article 2(2) of the [Education and Libraries \(Northern Ireland\) Order 1986 \(NI 3\)](#);

“the Department” means the Department for Employment and Learning;

“disabled student” means a student who is a disabled person;

“institution of further education” has the meaning given in Article 2(2) of the [Further Education \(Northern Ireland\) Order 1997 \(NI 15\)](#);

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Department;

“responsible body” has the meaning given in paragraph (4);

“student” means a person who is attending, or undertaking a course of study at, an educational institution;

“student services” means (subject to paragraph (2)) services of any description which are provided wholly or mainly for students;

“university” has the meaning given in Article 30(3) of the [Education \(Northern Ireland\) Order 1993 \(NI 12\)](#).

(2) Regulations may make provision as to services which are, or are not, to be regarded for the purposes of this Chapter as student services.

(3) In this Chapter “educational institution” means—

(a) a university;

(b) an institution of further education;

(c) a college of education;

(d) the College of Agriculture, Food and Rural Enterprise; or

(e) an institution designated in an order made by the Department for Employment and Learning.

(4) For the purposes of this Chapter the body responsible for an educational institution is—

- (a) in the case of a university, the governing body;
- (b) in the case of an institution of further education, the governing body;
- (c) in the case of a college of education maintained in pursuance of arrangements made by the Department for Employment and Learning under Article 66(1) of the 1986 Order, that Department;
- (d) in the case of a college of education in respect of which grants are paid by that Department under Article 66(2) or (3) of that Order, the body responsible for its management;
- (e) in the case of the College of Agriculture, Food and Rural Enterprise, the Department of Agriculture and Rural Development;
- (f) in the case of an institution designated by an order under paragraph (3)(e), the body specified as such in the order;

and in this Chapter that body is referred to as the “responsible body”.

(5) The Department for Employment and Learning may not make an order under paragraph (3)(e) unless it is satisfied that the institution concerned is wholly or partly funded from public funds.