



# Teaching and Higher Education Act 1998

## 1998 CHAPTER 30

### PART II

#### FINANCIAL PROVISION FOR HIGHER AND FURTHER EDUCATION

### CHAPTER I

#### ENGLAND AND WALES

#### *Supplementary*

### 28 Interpretation of Chapter I

(1) In this Chapter—

“fees”, in relation to attendance on a course, means fees in respect of, or otherwise in connection with, attendance on 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;
- (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;

“further education course” and “higher education course” have the meaning given by regulations under section 22;

“publicly-funded institution” means—

- (a) any university or other institution receiving grants, loans or other payments under section 5 or 65 of the Further and Higher Education Act 1992, or under section 5 of the Education Act 1994, any institution maintained by a local education authority in exercise of their further

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*Status: This is the original version (as it was originally enacted).*

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- and higher education functions, any institution receiving a recurrent grant towards its costs from a further education funding council or any institution receiving a recurrent grant towards its costs under regulations made under section 485 of the Education Act 1996;
- (b) any institution within the higher education sector for the purposes of the Further and Higher Education (Scotland) Act 1992, 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) 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 Education and Libraries (Northern Ireland) Order 1986 or any institution providing in Northern Ireland further education as defined in Article 3 of the Further Education (Northern Ireland) Order 1997.
- (2) Regulations under section 22 may provide for courses provided wholly or partly outside the United Kingdom to be further education courses or (as the case may be) higher education courses for the purposes of this Chapter.