

SCHEDULES

SCHEDULE 1

EXEMPT USER-TO-USER AND SEARCH SERVICES

PART 3

INTERPRETATION

- 45 The following definitions apply for the purposes of this Schedule.
- 46 “Childcare”—
- (a) in relation to provision in England, has same meaning as in the Childcare Act 2006 (see section 18 of that Act);
 - (b) in relation to provision in Scotland, means early learning and childcare within the meaning of Part 6 of the Children and Young People (Scotland) Act 2014 (see section 46 of that Act), and any form of care provided outside school hours or during school holidays to children who are in attendance at an educational establishment (and in this paragraph, “educational establishment” has the same meaning as in the Education (Scotland) Act 1980 (see section 135(1) of that Act));
 - (c) in relation to provision in Wales, means anything that amounts to child minding or day care for children for the purposes of Part 2 of the Children and Families (Wales) Measure 2010 (see section 19(2) to (4) of that Measure), and any form of care provided by a school outside school hours or during school holidays (and in this paragraph “school” has the same meaning as in the Education Act 1996 as it applies in relation to Wales (see section 4 of that Act));
 - (d) in relation to provision in Northern Ireland, means anything that amounts to child minding or day care for the purposes of Part 11 of the Children (Northern Ireland) Order 1995, and any form of care provided by a school outside school hours or during school holidays (and in this paragraph “school” has the same meaning as in the Education and Libraries (Northern Ireland) Order (see Article 2(2) of that Order)).
- 47 “Education”—
- (a) in relation to provision in England, Wales and Scotland, means primary education, secondary education, further education or higher education;
 - (b) in relation to provision in Northern Ireland, means primary education, secondary education, further education, higher education or education in agriculture and related subjects.
- 48 “Education in agriculture and related subjects”, in relation to provision in Northern Ireland, means education consisting of instruction in agriculture and related subjects provided by the Department of Agriculture, Environment and Rural Affairs in Northern Ireland under section 5(2)(a) of the [Agriculture Act \(Northern Ireland\)](#)

Status: This is the original version (as it was originally enacted).

1949 (c. 2 (N.I.)), but not where the instruction is provided only to the Department’s employees.

49 “Further education”—

- (a) in relation to provision in England and Wales, has the same meaning as in the Education Act 1996 (see section 2 of that Act);
- (b) in relation to provision in Scotland, has the same meaning as in Part 1 of the Further and Higher Education (Scotland) Act 1992 (see sections 1(3) and 6 of that Act);
- (c) in relation to provision in Northern Ireland, has the same meaning as in the Further Education (Northern Ireland) Order 1997 (see Article 3 of that Order).

50 “Higher education”—

- (a) in relation to provision in England and Wales, has the same meaning as in the Education Act 1996 (see section 579(1) of that Act);
- (b) in relation to provision in Scotland, has the same meaning as in Part 2 of the Further and Higher Education (Scotland) Act 1992 (see section 38 of that Act);
- (c) in relation to provision in Northern Ireland, means—
 - (i) “higher education” within the meaning of the Further Education (Northern Ireland) Order 1997 (see Article 2(2) of that Order), and
 - (ii) any other education provided by a higher education institution within the meaning of the Education and Libraries (Northern Ireland) Order 1993 (S.I. 1993/2810 (N.I. 12)) (see Article 30 of that Order).

51 “Primary education” and “secondary education”—

- (a) in relation to provision in England and Wales, have the same meaning as in the Education Act 1996 (see section 2 of that Act);
- (b) in relation to provision in Scotland, have the same meaning as in the Education (Scotland) Act 1980 (see section 135(2) of that Act);
- (c) in relation to provision in Northern Ireland, have the same meaning as in the Education and Libraries (Northern Ireland) Order 1986 (see Article 2(2) of that Order).