STATUTORY RULES OF NORTHERN IRELAND

2007 No. 54

AGRICULTURE

Agriculture (Student fees) Regulations (Northern Ireland) 2007

Made - - - -	*29th January 2007*
Coming into operation	*21st February 2007*

The Department of Agriculture and Rural Development(**1**), in exercise of the powers conferred by Section 5A (1) and (2) of the Agriculture Act (Northern Ireland) 1949(**2**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) —These Regulations may be cited as the Agriculture (Student Fees) Regulations (Northern Ireland) 2006 and shall come into operation on the…

(2) In these Regulations—

"academic year", in relation to a course of higher education, means an academic year applicable to the course;

"the Act" means the Agriculture Act (Northern Ireland) 1949;

"CAFRE" means the College of Agriculture, Food and Rural Enterprise;

"the Department" means the Department of Agriculture and Rural Development;

"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 the Department for rewarding or accrediting any qualification where the Department does not provide the whole or part of the course;

(b) fees payable for board or lodging; or

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

"further education" has the meaning assigned by regulation 3;

"higher education" has the meaning assigned by regulation 2;

"overseas institution" means an institution other than one in Northern Ireland, England, Wales, Scotland, the Channel Islands or the Isle of Man;

(**1**) Formerly the Department of Agriculture for Northern Ireland; *see* .S.I. 1999/283 (N.I.1), Art. 3(4)
(**2**) 1949 c.2 (N.I.). Section 5A(1) and (2) was inserted by Article 42 of the Education (Northern Ireland) Order 2006 (NI. 11)

"sandwich course" means a course consisting of alternate periods of full-time study and periods of experience so organised that, taking the course as a whole, the student attends the periods of full-time study for an average of not less than 19 weeks in each year of the course; and for the purpose of calculating his attendance the course shall be treated as beginning with the first period of full-time study and ending with the last such period.

Definition of "higher education"

2. In these Regulations "a higher education course" means—

(a) a course for the Higher National Diploma or Higher National Certificate of the Business & Technology Education Council;

(b) a course providing education at a level higher than GCE A Level (whether or not in preparation for an examination);

(c) a first degree course; or

(d) a post-graduate course (including a higher degree course).

Definition of "further education"

3.—(1) Subject to paragraph (2), in these Regulations "further education" means vocational training, full-time or part-time education suitable to the requirements of persons over school age.

(2) But "further education" does not include—

(a) higher education; or

(b) full-time education suitable to the requirements of pupils over compulsory school age where provided at a school.

(3) For the purposes of these Regulations "vocational training" includes continuing education for persons already in employment or already engaged in a vocation as well as education with a view to entry into any employment or vocation.

Fees

4.—(1) Subject to paragraph (3) and regulation 5, the fee payable to the Department by a person in respect of a full-time higher education course shall be £1200.

(2) The fee payable to the Department by a person in respect of undertaking a course of further education or a part-time education course for which a charge is levied shall be that applied administratively by the Department.

Reduced fees for higher education courses

5.—(1) The level of fee payable to the Department by a person shall be reduced in the following cases—

(a) the final year of a higher education course where that academic year is normally required to be completed after less than 15 weeks' attendance;

(b) in respect of a sandwich course, an academic year–

(i) during which any periods of full time study are in aggregate less that 10 weeks; or

(ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full time study at CAFRE (disregarding intervening vacations) exceeds 30 weeks;

(c) in respect of a course provided in conjunction with an overseas institution, an academic year –