
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.—^[F1](1) These Regulations may be cited as the Agriculture (Student Fees) Regulations (Northern Ireland) 2007 and shall come into operation on the 21st February 2007.]

(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)

Status: Point in time view as at 01/09/2016.

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Student fees) Regulations (Northern Ireland) 2007. (See end of Document for details)

“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.

Textual Amendments

- F1** Reg. 1(1) substituted (20.10.2008) by Agriculture (Student fees) (Amendment) Regulations (Northern Ireland) 2008 (revoked) 2008 (S.R. 2008/389), regs. 1, 3

Commencement Information

- I1** Reg. 1 in operation at 21.2.2007, see **reg. 1(1)**

Definition of “higher education”

2. In these Regulations “a higher education course” means—
- a course for the Higher National Diploma or Higher National Certificate of the Business & Technology Education Council;
 - a course providing education at a level higher than GCE A Level (whether or not in preparation for an examination);
 - a first degree course; or
 - a post-graduate course (including a higher degree course).

Commencement Information

- I2** Reg. 2 in operation at 21.2.2007, see **reg. 1(1)**

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—
- higher education; or
 - 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.

Commencement Information

- I3** Reg. 3 in operation at 21.2.2007, see **reg. 1(1)**

Fees

[^{F2}4.—(1) Subject to the following paragraphs and regulation 5, the fee payable to the Department by a person in each academic year in respect of a full-time higher education course shall be [^{F3}£1,555]

(2) Subject to regulation 5, where a person who is ordinarily resident in England, Scotland, Wales, the Channel Islands or the Isle of Man starts the first academic year of a full-time higher education course on or after 1st September 2012, the fee payable to the Department in each academic year shall be £9,000.

(3) For the purposes of this regulation a person who is ordinarily resident in Northern Ireland as a result of having moved from England, Scotland, Wales, the Channel Islands or the Isle of Man for the purpose of undertaking a course is to be considered as ordinarily resident in England, Scotland, Wales, the Channel Islands or the Isle of Man as the case may be.

(4) The Department may charge a person a fee of such amount as it may determine in respect of any course of further education or part-time education undertaken by that person.]

Textual Amendments

F2 Reg. 4 substituted (24.8.2012) by Agriculture (Student fees)(Amendment) Regulations (Northern Ireland) 2012 (S.R. 2012/254), regs. 1, 3

F3 Word in reg. 4(1) substituted (1.9.2016) by The Agriculture (Student fees)(Amendment) Regulations (Northern Ireland) 2016 (revoked) 2016 (S.R. 2016/59), regs. 1, 3

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 than 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 –
 - (i) during which any periods of full time study at CAFRE are in aggregate less than 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.

(2) The fee payable to the Department by a person undertaking a course of higher education in respect of the cases listed in paragraph (1) shall be [^{F4}£760] .

Textual Amendments

F4 Word in reg. 5(2) substituted (1.9.2016) by The Agriculture (Student fees)(Amendment) Regulations (Northern Ireland) 2016 (revoked) 2016 (S.R. 2016/59), regs. 1, 4

Status: Point in time view as at 01/09/2016.

Changes to legislation: There are currently no known outstanding effects for the Agriculture (Student fees) Regulations (Northern Ireland) 2007. (See end of Document for details)

Commencement Information

I4 Reg. 5 in operation at 21.2.2007, see **reg. 1(1)**

Sealed with the Official Seal of the Department of Agriculture and Rural Development on 29th January 2007

A senior officer of the
Department of Agriculture and Rural
Development

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 5 of the Agriculture Act (Northern Ireland) 1949 (“the Act”) enables the Department of Agriculture and Rural Development (“the Department”) to provide instruction in agricultural and related matters. Section 5A, which was added to the Act by way of amendment through the Education (Northern Ireland) Order 2006, provides that the Department may through regulations charge fees for or in connection with the provision of the aforementioned instruction.

These Regulations set the level of fee to be paid, and the conditions whereby a fee is payable, to the Department by persons undertaking a course of higher or further education provided by the Department. Regulations 2 and 3 define higher education and further education respectively. Regulation 4 sets the level of fee to be paid by a person to the Department in respect of undertaking a course of higher or further education, and regulation 5 provides the circumstances whereby the level of fee may be reduced for a course of higher education.

Status:

Point in time view as at 01/09/2016.

Changes to legislation:

There are currently no known outstanding effects for the Agriculture (Student fees) Regulations (Northern Ireland) 2007.