

Relief for fees paid to private colleges for full-time third level education. FA95 s6(1) to (5) 474.—(1) In this section—

“academic year”, in relation to an approved course, means a year of study commencing on a date not earlier than the 1st day of August in a year of assessment;

“appropriate percentage”, in relation to a year of assessment, means a percentage equal to the standard rate of tax for that year;

“approved college” means a college in the State—

(a) which operates in accordance with a code of standards which from time to time may, with the consent of the Minister for Finance, be laid down by the Minister, and

(b) which the Minister approves of for the purposes of this section;

“approved course” means a full-time undergraduate course of study in an approved college which—

(a) is of at least 2 academic years' duration, and

(b) the Minister, having regard to a code of standards which from time to time may, with the consent of the Minister for Finance, be laid down by the Minister in relation to the quality of education to be offered on approved courses, approves of for the purposes of this section;

“dependant”, in relation to an individual, means a spouse or child of the individual or a person in respect of whom the individual is or was the legal guardian;

“the Minister” means the Minister for Education and Science;

“qualifying fees”, in relation to an approved course and an academic year, means the amount of fees chargeable in respect of tuition to be provided in relation to that course in that year which, with the consent of the Minister for Finance, the Minister approves of for the purposes of this section.

(2) Subject to this section, where an individual for a year of assessment proves that he or she has, on his or her own behalf or on behalf of his or her dependant, made a payment in respect of qualifying fees in respect of an approved course for the academic year in relation to that course commencing in that year of assessment, the income tax to be charged on the individual for that year of assessment, other than in accordance with section 16 (2), shall be reduced by an amount which is the lesser of—

(a) the amount equal to the appropriate percentage of the aggregate of all such payments proved to be so made, and

(b) the amount which reduces that income tax to nil.

(3) For the purposes of this section, a payment in respect of qualifying fees shall be regarded as not having been made in so far as any sum in respect of or by reference to such fees has been or is to be received, directly or indirectly, by the individual, or, as the case may be, his or her dependant, from any source whatever by means of grant, scholarship or otherwise.

(4) (a) Where the Minister is satisfied that an approved college, or an approved course in that college, no longer meets the appropriate code of standards laid down, the Minister may by notice in writing given to the approved college withdraw, with effect from the year of assessment following the year of assessment in which the notice is given, the approval of that college or course, as the case may be, for the purposes of this section.

(b) Where the Minister withdraws the approval of any college or course for the purposes of this section, notice of its withdrawal shall be published as soon as may be in *Iris Oifigiúil*.

(5) On or before the 1st day of July in each year of assessment, the Minister shall furnish the Revenue Commissioners with full details of—

(a) all colleges and courses in respect of which approval has been granted and not withdrawn for the purposes of this section, and

(b) the amount of the qualifying fees in respect of each such course for the academic year commencing in that year of assessment.