

1972/179



THE SCHOOL BOARDING BURSARIES REGULATIONS 1972

ARTHUR PORRITT, Governor-General
By his Deputy
ALEXANDER TURNER

ORDER IN COUNCIL

At the Government House at Wellington this 14th day of August 1972

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Education Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title—These regulations may be cited as the School Boarding Bursaries Regulations 1972.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“Bursary” means a boarding bursary payable under these regulations:

“Director-General” means the Director-General of Education:

“Home”, in relation to a pupil, means the home, or usual place of residence, in New Zealand, of the pupil:

“Minister” means the Minister of Education:

“Pupil” means any child attending a State school; and includes a child attending a registered private primary school or a registered private secondary school:

“State School” means a primary school, secondary school, secondary department, intermediate department, or composite school, established under Part III of the Education Act 1964; but does not include a special school.

3. Award of bursaries—The Director-General shall, in accordance with these regulations, approve the award of a bursary to any pupil eligible to receive the bursary.

4. Value of bursary—Subject to these regulations, the annual value of a bursary shall be \$300 for each year of its tenure.

5. Eligibility for bursary—(1) A pupil shall be eligible to receive a bursary if, in order to attend school, he is living away from his home, and—

- (a) His home is located 4.8 or more kilometres, or, in the case of a child under 10 years of age, 3.2 or more kilometres, from the nearest point of embarkation provided by a transport service to a State school; or
- (b) His home is located 4.8 or more kilometres, or, in the case of a child under 10 years of age, 3.2 or more kilometres, from the nearest State school and, in the opinion of the Director-General, there is no transport service which the applicant could reasonably be expected to use to enable him to attend that school; or
- (c) He produces a certificate from a registered medical practitioner stating that he is suffering from such specified illness or specified physical disability that precludes his travelling between his home and school, but that he can travel between another place of accommodation, which shall be named in the certificate, and the school; but no pupil shall be eligible for the award of a bursary under this paragraph unless a Senior Inspector of Schools certifies that the pupil does not need special education; and, in any case the Director-General may, after consultation with the district medical officer of health, require the pupil to undergo such further medical examination by such registered medical practitioner as the district officer considers necessary; or
- (d) His parents or guardian, being usually resident in New Zealand, are serving overseas on New Zealand Government business or are seconded to a Pacific Island Administration from a New Zealand Government Department or agency, as part of New Zealand's assistance to such territory.

(2) Notwithstanding anything in subclause (1) of this regulation, or in regulation 6 or regulation 7 of these regulations, no pupil shall, unless with the authority of the Director-General given after consideration of the special circumstances of any case or class of cases, be eligible to receive any bursary while he holds any other scholarship, bursary, or allowance, by whatever name called, awarded or made from public funds, for the purpose of assisting him to further his education.

(3) If, with the authority of the Director-General, any pupil receives a bursary concurrently with any other scholarship, bursary, or allowance, awarded or made from public funds, the value of the bursary under these regulations may be reduced by such amount (if any) as the Director-General considers reasonable in the circumstances.

6. Bursary awarded on grounds of hardship—Notwithstanding anything in paragraph (a) or paragraph (b) of regulation 5 of these regulations, the Director-General may grant a bursary if he is satisfied that failure to do so would cause the pupil hardship by virtue of the time during a school day which the pupil would, in order to attend the school, be absent from his home.

7. Minister may authorise award of bursaries to pupils not otherwise eligible—Notwithstanding anything in regulation 5 or regulation 6 of these regulations, the Minister may, subject to such conditions as he

may from time to time determine, but otherwise in accordance with these regulations, authorise the award of bursaries to pupils or classes of pupils not otherwise eligible under these regulations.

8. Applications for bursaries—Every application for the award of a bursary shall be made to the Director-General on the form provided by the Director-General for the purpose.

9. Tenure of bursaries—Except as otherwise provided by these regulations, the tenure of a bursary awarded to a pupil shall be for so long as the pupil remains eligible to receive the bursary and remains enrolled at the same school, and has his home in the same location, as those shown in his application for the bursary.

10. Retrospective award of bursaries—(1) In special circumstances approved by the Director-General a bursary may be awarded retrospectively to a pupil in respect of any period during which he was eligible to receive, but did not receive a bursary, but no award shall be made for,—

- (a) Any period earlier than the beginning of the school year immediately before the year in which the pupil applied for a bursary;
- (b) Any period of primary education if the application is received after the termination of the pupil's primary education;
- (c) Any period of secondary education if the application is received after the termination of the pupil's secondary education.

(2) The amount of any bursary awarded under this regulation shall, in respect of the retrospective period for which it is awarded, be paid by way of a single payment to the parent or guardian of the pupil.

11. Payment of bursaries—(1) Except as provided in subclause (2) of regulation 10 of these regulations, payment of a bursary shall be made at the end of each school term as follows,—

- (a) If the pupil is boarding at a hostel under the control of the controlling authority of a school, to the controlling authority to be credited to the hostel account of the pupil; or
- (b) If the pupil is boarding privately, to the school controlling authority of the school he attends which shall pay the sum received to the pupil's parents or to the authorised agent of the pupil's parents.

(2) Notwithstanding anything in subclause (1) of this regulation, in special circumstances payments may be made in such other manner as the Director-General may determine.

(3) The payment for each school term shall be one-third of the annual amount of the bursary, less one two-hundredth of the annual amount for every school day on which the bursar is absent from school: Provided that no account shall be taken of—

- (a) Absences by reason of sickness, constituting not more than 20 school days in 1 school term, if, on the advice of the Principal of the school, the Director-General is satisfied as to the genuineness of the sickness;
- (b) Absences for any reason other than sickness, constituting not more than 5 school days in 1 school term, if, on the advice of the Principal of the school, the Director-General regards the absences as being reasonable.

(4) Notwithstanding anything in subclause (3) of this regulation, in special circumstances the Director-General may authorise payment for absences beyond the limits specified.

12. Cancellation of bursary by Director-General—(1) The award of a bursary shall be cancelled by the Director-General if—

- (a) The bursar fails to attend school regularly; but if the Director-General is satisfied after inquiry that the failure is due to illness or other cause beyond the control of the bursar he may allow the bursary to continue subject to the abatements specified in subclause (3) of regulation 11 of these regulations; or
- (b) The bursar is expelled from the school.

(2) If a pupil is suspended from school for misconduct but is permitted back into the school, no payment shall be made in respect of the period of suspension, but the bursary shall otherwise continue.

(3) A bursary awarded under regulation 6 or regulation 7 of these regulations may be cancelled or abated to any degree by the Director-General if he is satisfied that the circumstances of the pupil have so altered that the pupil no longer needs it or that he needs only a part of it to enable him to continue his education.

13. Termination of bursary—The award of a bursary shall be terminated immediately—

- (a) The bursar transfers from the school shown in his application for the award of the bursary, to another school; but the termination of a bursary under this paragraph shall not prevent the former bursar, if while attending the second school he is still eligible for the award of a bursary, from re-applying for the award of a bursary; or
- (b) The bursar would cease to be eligible for the award of the bursary by reason of—
 - (i) A change in the location of his home; or
 - (ii) The opening of a State school in the vicinity of his home; or
 - (iii) The commencement of a transport service with a point of embarkation in the vicinity of his home from which he can be carried to the nearest State school:

Provided that no bursary shall be terminated under this regulation—

- (a) In the case of a pupil enrolled in a class up to and including Form IV until the end of the current school term; or
- (b) In the case of a pupil enrolled in Form V, Form VI, or Form VII until the end of the current school year.

14. Reporting changed circumstances—(1) The Head Teacher or Principal of any school at which a bursar is for the time being enrolled as a pupil shall report in writing to the Director-General any circumstances coming to his notice which render the bursar ineligible to hold the bursary, or would require the Director-General to cancel or abate payments under it.

(2) The parent or guardian of a bursar shall inform the controlling authority of the school attended by the bursar of any changed circumstances which would render the bursar ineligible to hold the bursary or to continue to receive payments at the same rate.

P. J. BROOKS,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations provide for the award of school boarding bursaries.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 August 1972.

These regulations are administered in the Department of Education.