



**THE TERTIARY ASSISTANCE GRANTS REGULATIONS 1980,  
AMENDMENT NO. 1**

DAVID BEATTIE, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 26th day of January 1981

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.

**ANALYSIS**

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Tertiary Assistance Grants Regulations 1980, Amendment No. 1, and shall be read together with and deemed part of the Tertiary Assistance Grants Regulations 1980\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of February 1981.

**2. Full-time programmes**—Regulation 4 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclauses:

“(1A) Where the Council of any tertiary institution is, in respect of any student enrolled at that institution, satisfied that subjects in which that student is enrolled at some other tertiary institution are capable of forming part of the course of study in which that student is enrolled at that first-mentioned institution, it may, with the consent of the Director-General or, if that other institution is a university, with the consent of the Grants Committee, declare the subjects in which he is enrolled at those institutions together to be a full-time programme.

“(2) Where the Director-General is satisfied that it is desirable for the holder of a grant to undertake any work outside New Zealand, he may declare specified work intended to be done by that person outside New Zealand to be a full-time programme in respect of that person only; and, subject to these regulations, payments may be made to that person under any grant (other than a special grant or a supplementary grant) notwithstanding that he is carrying out that work outside New Zealand.

**3. Eligibility by citizenship or permanent residence**—Regulation 6 of the principal regulations is hereby amended by adding the following subclauses:

“(3) Subject to regulation 4 (2) of these regulations, no person shall be awarded any grant unless—

“(a) He resides in New Zealand; or

“(b) Being a person to whom paragraph (a) or paragraph (b) of subclause (1) of this regulation applies, he applies for a grant in respect of extramural study at a tertiary institution in New Zealand.”

**4. Eligibility for award of study grants in respect of university study**—Regulation 7 (d) of the principal regulations is hereby amended by adding the words “or the Vocational Awards Act 1979”.

**5. Eligibility for award of study grants in respect of study at technical institutes, community colleges, and senior technical divisions**—Regulation 8 (a) of the principal regulations is hereby amended by omitting the words “Technicians Certification Authority of New Zealand”, and substituting the words “Authority for Advanced Vocational Awards”.

**6. Withholding of payments under fees grant in certain circumstances**—(1) Regulation 12 of the principal regulations is hereby amended by omitting from subclause (1), and also from subclause (3), the expression “\$3,000”, and substituting in each case the expression “\$3,500”.

(2) The said regulation is hereby further amended by adding the following subclause:

“(4) Notwithstanding subclause (1) of this regulation, where the Director-General is satisfied that the holder of a fees grant would—

“(a) Suffer hardship; and

“(b) Be unable to pursue or continue to pursue his studies—  
in any year if no payment were made on his behalf under that grant during that year, the Director-General may approve the making of payments on that holder’s behalf under that grant during that year; and, subject to these regulations, payments shall be made accordingly.”

**7. Suspension of fees grant**—The principal regulations are hereby amended by revoking regulation 16, and substituting the following regulation:

“16. (1) Subject to subclause (3) of this regulation, a fees grant shall be suspended if, in any year during which any payment has been made under it on behalf of its holder, in the opinion of the Professorial Board or Principal of the tertiary institution concerned, the holder failed half or more of the part of his course of study for which he was in that year enrolled.

“(2) Subject to subclause (3) of this regulation, a fees grant shall be suspended if, in any year during which any payment has been made under it on behalf of its holder, the amount of work (if any) passed by the holder was, in the opinion of the Professorial Board or Principal of the tertiary institution concerned, equivalent to less than one-third of a full-time programme.

“(3) Where the Director-General is satisfied that any failure on the part of the holder of a fees grant in any year was due to reasons beyond that holder’s control, he may direct that that grant should not be suspended despite that failure; and in that case that grant shall not be suspended by reason only of that failure.”

**8. Reduction of amount of study grant in certain cases**—Regulation 25 of the principal regulations is hereby amended by omitting from subclause (1), and also from subclause (3), the expression “\$2,000”, and substituting in each case the expression “\$2,400”.

**9. Suspension of study grant**—Regulation 31 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subject to subclause (2) of this regulation, a study grant shall be suspended if, in any year during which its holder received any payment under it, the amount of work (if any) passed by the holder was, in the opinion of the Professorial Board or Principal of the tertiary institution concerned, equivalent to half of or less than half of a full-time programme.”

**10. Award of supplementary grant**—Regulation 37 (1) of the principal regulations is hereby amended by omitting the expression “\$17”, and substituting the expression “\$20”.

**11. Award of special grant**—Regulation 38 (1) of the principal regulations is hereby amended by omitting the expression “\$38”, and substituting the expression “\$43”.

**12. Matters to be considered in determining hardship**—Regulation 39 (1) of the principal regulations is hereby amended by revoking paragraph (d), and substituting the following paragraph:

“(d) The matters specified in the foregoing paragraphs of this subclause as they relate to that person’s spouse (if any); and”.

**13. A-Bursaries and B-Bursaries established**—Regulation 40 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Each award of an A-Bursary or a B-Bursary shall be in respect of a period of one year only.”

**14. Final year programmes**—(1) Regulation 42 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding subclause (1) of this regulation, a person shall become qualified to be awarded an A-Bursary who—

“(a) In any year—

“(i) Became qualified to be awarded an A-Bursary under any of paragraphs (c) to (f) of that subclause; or

“(ii) Became qualified to be awarded a B-Bursary under any of paragraphs (c) to (e) of regulation 43 (1) of these regulations; and

“(b) In the next year during which he was enrolled at a tertiary institution passed (within the period that is, in the opinion of the Director-General, the minimum period required for the completion of the recognised course of study in respect of which he was during that first-mentioned year enrolled) the residue of that course at a standard that, in the opinion of the Director-General, entitles him to be awarded an A-Bursary.”

(2) Regulation 43 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding subclause (1) of this regulation, a person shall become qualified to be awarded a B-Bursary who—

“(a) In any year—

“(i) Became qualified to be awarded a B-Bursary under any of paragraphs (c) to (e) of that subclause; or

“(ii) Became qualified to be awarded an A-Bursary under any of paragraphs (c) to (f) of regulation 42 (1) of this regulation; and

“(b) In the next year during which he was enrolled at a tertiary institution passed (within the period that is, in the opinion of the Director-General, the minimum period required for the completion of the recognised course of study in respect of which he was during that first-mentioned year enrolled) the residue of that course at a standard that, in the opinion of the Director-General, entitles him to be awarded a B-Bursary but not an A-Bursary.”

**15. Exercise of Director-General's powers by Councils of tertiary institutions**—Regulation 59 (6) of the principal regulations is hereby amended by omitting the expression “51”.

P. G. MILLEN,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

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

These regulations, which come into force on 1 February 1981, amend the Tertiary Assistance Grants Regulations 1980.

The main provisions are as follows—

- (a) *Regulation 2* makes provision for the work of a student who is concurrently enrolled at 2 tertiary institutions to be declared to be a full-time programme.
- (b) *Regulation 3* makes it clear that a New Zealand citizen or permanent resident may apply for a grant under the principal regulations (even though he resides outside New Zealand) if the grant is in respect of extramural study at a tertiary institution in New Zealand.
- (c) *Regulation 6* increases from \$3,000 to \$3,500 the annual income that a person may have before becoming disqualified for the award of a fees grant. Provision is now made for cases of hardship.
- (d) *Regulation 8* increases from \$2,000 to \$2,400 the annual income that a person may have before that person's study grant is reduced.
- (e) *Regulation 10* increases from \$17 per week to \$20 per week the amount that may be awarded by way of supplementary grant to the holder of a study grant.
- (f) *Regulation 11* increases from \$38 per week to \$43 per week the amount that may be awarded by way of special grant to the holder of a study grant.
- (g) *Regulation 14* authorises the award of an A-Bursary or a B-Bursary to a student enrolled in a second course of study who, in the final year of his previous course, although completing that course within the minimum period, was not enrolled in a full-time programme.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 January 1981.

These regulations are administered in the Department of Education.