



**THE TERTIARY ASSISTANCE GRANTS REGULATIONS 1982,
AMENDMENT NO. 3**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 27th day of January 1986

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 and commencement—(1) These regulations may be cited as the Tertiary Assistance Grants Regulations 1982, Amendment No. 3, and shall be read together with and deemed part of the Tertiary Assistance Grants Regulations 1982* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

*S.R. 1982/277
Amendment No. 1: S.R. 1984/9
Amendment No. 2: S.R. 1985/8

2. Withholding of payments under fees grant in certain circumstances—(1) Regulation 15 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclauses:

“(1) Notwithstanding regulation 13 (2) of these regulations, no payment shall be made on behalf of a holder of a fees grant whose course of study in the year concerned is a full academic year in length if in that year that holder’s gross income exceeds or is expected to exceed \$4,000.

“(1A) Notwithstanding regulation 13 (2) of these regulations, no payment shall be made on behalf of the holder of a fees grant whose course of study in the year concerned is less than a full academic year in length, if in that year that holder’s gross income in the portion of the academic year during which he is enrolled in that course exceeds a sum that bears the same relation to \$4,000 as the duration of that course in that year bears to a full academic year.”

(2) The said regulation 15 is hereby further amended by revoking subclause (3), and substituting the following subclauses:

“(2A) For the purpose of subclause (1A) of this regulation, the following amounts shall not be taken into account in the assessment of any person’s gross income in any year:

“(a) Amounts payable to that person under any grant other than a merit grant:

“(b) The lesser of the following amounts:

“(i) The total of all amounts payable to that person, during the period that he is enrolled in the course, under merit grants or hardship payments:

“(ii) A sum that bears the same relation to \$750 as the duration of that course in that year bears to a full academic year:

“(c) Any amount payable to or on behalf of that person during the time that he is enrolled in the course by way of family benefit under Part I of the Social Security Act 1964:

“(d) Amounts earned by him from employment during vacations:

“(e) In the case of a person enrolled or intending to enrol in a course of study approved by the Director-General for the purpose, income derived by that person at any time during that year, or during the 2 months preceding the commencement of the part of that course undertaken or intended to be undertaken by him in that year, from work that is a prerequisite for or requirement of that course.

“(3) The holder of a fees grant who in any year, or period during a year, in which he is enrolled in a course of study receives or expects to receive an income that exceeds \$4,000, or a proportion of \$4,000 as aforesaid, shall forthwith give the Registrar of the tertiary institute concerned details in writing of that income; and thereafter during that year or period of enrolment shall give that Registrar details in writing of any additional income he receives or expects to receive during that year.”

(3) The said regulation 15 is hereby further amended by omitting from subclause (4) the expression “subclause (1)”, and substituting the expression “subclauses (1) and (2)”.

3. Study grants established—Regulation 22 (2) of the principal regulations is hereby amended by omitting the expression “\$33” (as substituted by regulation 2 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 2), and substituting the expression “\$37”.

4. Reduction of payments under study grant in certain circumstances—(1) Regulation 29 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclauses:

“(1) No payment shall be made to the holder of a grant whose course of study in the year concerned is a full academic year in length, if in that year that holder’s gross income exceeds or is expected to exceed \$4,000.

“(1A) No payment shall be made to the holder of a study grant whose course of study in the year concerned is less than a full academic year in length, if in that year that holder’s gross income in the portion of the academic year during which he is enrolled in that course exceeds a sum that bears the same relation to \$4,000 as the duration of that course in that year bears to a full academic year.”

(2) The said regulation 29 is hereby further amended by revoking subclause (3), and substituting the following subclauses:

“(2A) For the purposes of subclause (1A) of this regulation, the following amounts shall not be taken into account in the assessment of any person’s gross income in any year:

“(a) Amounts payable to that person under any grant other than a merit grant:

“(b) The lesser of the following amounts:

“(i) The total of all amounts payable to that person, during the period that he is enrolled in the course, under merit grants or hardship payments:

“(ii) A sum that bears the same relation to \$750 as the duration of that course in that year bears to a full academic year:

“(c) Any amount payable to or on behalf of that person during the time that he is enrolled in the course by way of family benefit under Part I of the Social Security Act 1964:

“(d) Amounts earned by him from employment during vacations:

“(e) In the case of a person enrolled or intending to enrol in a course of study approved by the Director-General for the purpose, income derived by that person at any time during that year, or during the 2 months preceding the commencement of the part of the course undertaken or intended to be undertaken by him in that year, from work that is a prerequisite for or requirement of that course.

“(3) The holder of a study grant who in any year or period during a year in which he is enrolled in a course of study receives, or expects to receive, an income that exceeds \$4,000 or a proportion of \$4,000 as aforesaid, shall forthwith give the Registrar of the tertiary institution concerned details in writing of that income; and thereafter during that year or period shall give the Registrar details in writing of any additional income he receives or expects to receive during that year.”

(3) The said regulation 29 is hereby further amended by revoking subclause (4), and substituting the following subclause:

“(4) Notwithstanding subclauses (1) and (1A) of this regulation, where the Director-General is satisfied that the holder of a study grant would—

“(a) Suffer hardship; and

“(b) Be unable to pursue or continue to pursue his studies—

in any year if no payment under that grant were made to him during that year, the Director-General may approve the making of payments (whether of some proportion, fixed by the Director-General, of the amount otherwise payable, or of the full amount) under that grant during that year; and subject to these regulations, payments shall be made accordingly.”

5. Accommodation grant established—Regulation 35 (2) of the principal regulations is hereby amended by revoking the expression “\$27” (as substituted by regulation 3 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 2), and substituting the expression “\$33”.

6. Award of hardship grant—Regulation 44 (1) of the principal regulations is hereby amended—

- (a) By inserting after the word “applicant”, where it first appears, the words “(being a person who has neither a dependent spouse nor a dependent child or children)”; and
- (b) By omitting the expression “\$11” (as substituted by regulation 6 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 1) from both places where it occurs, and substituting, in each case, the expression “\$54”.

7. Award of special grant—(1) Regulation 45 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Subclause (2) of this regulation applies to every applicant who has a dependent spouse, child, or children.”

(2) Subclause (2) of the said regulation 45 is hereby amended by omitting the expression “\$47” (as substituted by regulation 7 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 1) from both places where it occurs, and substituting in each case the expression “\$54”.

8. Abandonment of course of study—Regulation 52 of the principal regulations is hereby amended by adding, as subclause (2), the following subclause:

“(2) Notwithstanding subclause (1) of this regulation, where a holder of a fees grant or study grant abandons the second constituent course of study of a combined course of study that comprises 2 courses of study deemed by the Director-General to be one course of study for the purposes of these regulations, he shall be deemed to have completed 2 courses of study for the purposes of these regulations.”

9. Exercise of Director-General’s powers by Councils of Tertiary Institutions—Regulation 60 (6) of the principal regulations is hereby amended by deleting the expressions “18 (3)”, “31 (1)(a)”, and “31 (1)(c)”.

10. Revocations—Regulations 6 and 7 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 1 and regulations 2 and 3 of the Tertiary Assistance Grants Regulations 1982, Amendment No. 2 are hereby consequentially revoked.

P. G. MILLEN,
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 amend the Tertiary Assistance Grants Regulations 1982.

Regulation 2 increases the income limit for the holder of a fees grant from \$3,500 to \$4,000, and provides for a proportional limit where the holder is taking a short course.

Regulation 3 increases the study grant from \$33 to \$37 per week.

Regulation 4 revokes the abatement provision for study grants, and substitutes the same income limit as for fees grants.

Regulation 5 increases the accommodation grant from \$27 to \$33 per week.

Regulation 6 increases the maximum hardship grant from \$11 to \$54 per week (thus giving it the same value as the special hardship grant). It will be available only to applicants without dependants.

Regulation 7 increases the maximum special grant from \$47 to \$54 per week. It will be available only to applicants with dependants.

Regulation 8 provides that the holder of a grant who abandons the second constituent course of a combined course will be entitled to no further assistance.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 January 1986.

These regulations are administered in the Department of Education.