

1966/61



THE TECHNICAL INSTITUTE BURSARIES REGULATIONS 1966

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 2nd day of May 1966

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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. (1) These regulation may be cited as the Technical Institute Bursaries Regulations 1966.
- (2) These regulations are divided into Parts as follows:
 - Part I—Preliminary.
 - Part II—General Provisions.
 - Part III—Value and Tenure of Bursaries.

PART I—PRELIMINARY

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

“Bursary” means a technical institute bursary awarded under these regulations:

“Course of instruction” means a course of instruction in respect of which a bursary may be awarded under these regulations:

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

“Principal”, in relation to any technical institute, means the Principal of that institute:

“Registrar”, in relation to any technical institute, means the Registrar of that institute:

“Technical institute” means a technical institute established under Part III of the Education Act 1964:

“Tuition fees” means the fees payable for tuition by students attending a technical institute who are not holders of a free place.

3. The Director-General shall, in accordance with these regulations, award bursaries to students undertaking full-time instruction in technical institutes in any of the following courses of instruction:

- (a) Full-time courses forming part of the courses leading to certificates awarded by the Technicians Certification Authority of New Zealand:
- (b) Commercial courses, being senior business or secretarial courses already in existence at the commencement of these regulations:
- (c) Design courses already in existence at the commencement of these regulations:
- (d) Any course of instruction which, in the opinion of the Director-General, is equivalent to any course referred to under paragraph (b) or paragraph (c) of this regulation:
- (e) Any other course of instruction approved by the Minister of Education, with the concurrence of the Minister of Finance, for the purpose.

PART II—GENERAL PROVISIONS

Eligibility

4. No person shall be eligible to hold any bursary under these regulations while he holds any other scholarship, bursary, or allowance (by whatever name called), awarded or made from public funds for the purpose of assisting or furthering his education.

5. A person shall not be eligible for the award of a bursary if he has not passed the School Certificate Examination or obtained an educational qualification which, in the opinion of the Director-General, is equivalent or superior thereto.

6. No bursary shall be awarded under these regulations to any person except in respect of full-time instruction in one of the courses of instruction specified in regulation 3 of these regulations, or in such part of one of those courses as the Director-General may approve.

7. Where any person who has previously held a Fees Bursary or a Fees and Allowances Bursary under the University Bursaries Regulations 1966 or under the corresponding provisions of any previous regulations is an applicant for a bursary under these regulations and is otherwise eligible for the award of that bursary, he shall be deemed to have held his former bursary under the provisions of these regulations for the purpose of determining the terms and conditions under which he may be awarded a bursary under these regulations:

Provided that a bursary shall not be awarded under these regulations to any person who, while the holder of a Fees Bursary or a Fees and Allowances Bursary, has had that bursary terminated, unless that bursary has been subsequently continued or the Director-General is satisfied that the person subsequently became eligible to have that bursary continued; and any bursary awarded pursuant to this proviso shall be subject to such further conditions (if any) as the Director-General may specify.

8. The award of a bursary (including any boarding allowance payable therewith) under these regulations shall not confer on the holder thereof any legal right to the continuance of the bursary for the full term for which it is awarded or to the continuance of the bursary at any rate specified in these regulations throughout the term thereof.

9. It shall be the duty of any holder of a bursary awarded under these regulations to inform the Registrar of his technical institute in writing immediately any change in circumstances affects his eligibility to hold the bursary or any boarding allowance payable therewith.

Applications for and Award of Bursaries

10. (1) Every application for a bursary awarded under these regulations shall be made on a form provided for the purpose by the Department of Education, and shall be lodged with the Registrar of the technical institute at which the applicant is enrolled or proposes to enrol as a student.

(2) Except in special circumstances, no application for a bursary shall be considered unless it is received by the Registrar on or before the 31st day of March of the year to which it relates.

11. As soon as is practicable after the 31st day of March in each year, every Registrar shall furnish to the Director-General particulars of all applications for bursaries and boarding allowances under these regulations that have been received by him for that year.

12. All bursaries under these regulations shall be awarded by the Director-General, and shall in each case be payable in respect of each year for which the bursary is held.

Reports by Principal

13. It shall be the duty of the Principal, or such other person as is authorised by the governing body of the technical institute at which the holder of any bursary is enrolled, to furnish to the Director-General, as and when required by him to do so, a report in writing as to the progress of the holder in his course of instruction, and generally as to his compliance with the conditions on which the bursary is held.

Payment of Bursaries

14. (1) No payment in respect of a bursary granted under these regulations shall be made unless the Director-General is satisfied that the holder of the bursary has complied with the conditions on which it was awarded.

(2) Subject to subclause (1) of this regulation, payments in respect of bursaries shall be made out of money appropriated by Parliament for the purpose, as follows:

- (a) The tuition fees shall be paid to the Registrar of the technical institute at which the holder is enrolled:
- (b) The boarding allowance shall be paid to the bursar, at the office of the Registrar of the technical institute at which he is enrolled, by such instalments as the Director-General may determine.

(3) Any period during which a bursary is suspended under the provisions of these regulations shall not be taken into account in computing the term of the bursary, but subject to this the benefits of a bursary shall be continuous throughout its term.

Transfers in Courses Taken by Bursary Holders

15. The Director-General may from time to time determine the conditions under which holders of bursaries granted under these regulations may transfer from one course of instruction specified in regulation 3 of these regulations to another so specified during the tenure of the bursary.

PART III—VALUE AND TENURE OF BURSARIES

16. Subject to regulation 15 of these regulations, every bursary awarded as aforesaid shall be tenable by the holder for full-time instruction in the course of instruction in respect of which it was awarded.

17. (1) The maximum annual value of a bursary shall be the tuition fees payable for the course of instruction taken under the bursary.

(2) In addition to the tuition fees payable in accordance with subclause (1) of this regulation, the Director-General may award a boarding allowance to any bursar who has a parent who is a New Zealand citizen, if the principal place of permanent residence of that bursar's parents, or of the parent with whom he normally resides, is so situated that, in order to attend a technical institute affording tuition in his course of instruction, the bursar would be required to live away from the said principal place of permanent residence:

Provided that the Director-General may, at his discretion, determine not to award a boarding allowance to any bursar to whom this subclause applies if the domicile of that bursar's parents, or of the parent with whom he normally resides, is not in New Zealand.

(3) In addition to the tuition fees payable in accordance with subclause (1) of this regulation, the Director-General may, at his discretion, award a boarding allowance to any other bursar (or to every member of any class of bursars) who is permanently resident in New Zealand, if the principal place of permanent residence of the bursar is so situated that, in order to attend a technical institute affording tuition in his course of instruction, the bursar would be required to live away from his said principal place of permanent residence.

(4) A boarding allowance shall not be awarded to a bursar who is married:

Provided that, where a bursar was in receipt of a boarding allowance immediately before marriage, the bursar shall continue to be eligible for the payment of that allowance for the remainder of the term for which he holds his bursary:

Provided also that the Director-General may, at his discretion, having regard to the foregoing provisions of this regulation relating to boarding allowances, award a boarding allowance to any person who, after marriage, was awarded a bursary or had a bursary reinstated.

(5) The Director-General may at his discretion award a boarding allowance to any bursar who, though not otherwise eligible for a boarding allowance, would be unable to pursue his studies without the financial assistance afforded by that allowance.

(6) Where a bursar has been awarded a boarding allowance in accordance with the foregoing provisions of this regulation and there is more than one technical institute affording tuition in his course of instruction, the allowance shall be tenable only in such technical institute or institutes as the Director-General may determine after having regard to the area responsibilities of all technical institutes providing that course of instruction:

Provided that, where a bursar has enrolled at a technical institute in which his boarding allowance is tenable, he shall not be required, for the continuance of that allowance, to transfer from that technical institute to another technical institute because of any subsequent change in the area responsibilities of technical institutes also providing that course of instruction.

(7) The maximum annual value of a boarding allowance payable with a bursary shall be as follows:

(a) £60 for the first and second years of the bursary:

(b) £125 for the third and fourth years of the bursary.

18. A bursary shall normally be tenable in respect of a course of instruction for such period (not exceeding four years) as is, in the opinion of the Director-General, the minimum period in which a full-time student can complete that course of instruction.

Suspension

19. Where for any reason, other than the suspension of his bursary under regulation 20 of these regulations, a bursar is unable to continue his course of instruction, he may apply for the suspension of his bursary for any specified period up to three years. The Principal, or any other person authorised by the governing body of the technical institute so to act, may grant the first such application if he considers the circumstances so warrant, but no application for the suspension of the bursary for a further specified period shall be granted except by the Director-General, who may grant such an application if he considers the circumstances so warrant.

20. (1) Subject to the provisions of regulation 21 of these regulations, a bursary under these regulations shall be suspended where, for the first time, the student fails to attain, in the opinion of the governing body of the technical institute, a satisfactory standard in the class work relating to any year of his course of instruction or fails to meet the examination requirements for that course specified in subclause (2) of this regulation.

(2) For the purposes of subclause (1) of this regulation, the following examination requirements shall apply to students:

(a) Every student who, on the award of his bursary, did not hold a School Certificate endorsed in accordance with regulation 8 of the Education (Post-Primary) Instruction Regulations 1954*, or a qualification which (in the opinion of the Director-General) was equivalent or superior thereto, until such time as he has reached, in the opinion of the Director-General, the standard which he would require to reach in order to become the holder of an endorsed School Certificate, be required to obtain a satisfactory pass in externally assessed examinations at the end of each stage of his course:

*Reprinted S.R. 1962/24

- (b) Every student shall be required to obtain a satisfactory pass in such examinations as the Director-General may consider appropriate to any year of his course of instruction: and for the purpose of deciding what examinations are appropriate, the Director-General may have regard to all or any of the following matters, namely, the standard, the stage, and the length of the particular course of instruction; and examinations so considered appropriate may be internal or external examinations and, in the case of internal examinations, may be required to be externally assessed or moderated to such extent as the Director-General considers necessary.
- (3) No student shall, in respect of the examination requirements set out in subclause (2) of this regulation, be deemed to have obtained a satisfactory pass in any examination unless,—
- (a) In the case of an external examination, he obtains a pass in such subjects or in such proportion of the examination as the authority controlling the examination may determine as necessary for the student to proceed with the next stage of his course of instruction, or (where that authority does not so determine) in such subjects or such proportion of the examination as the governing body of the technical institute, with the approval of the Director-General, determines as necessary for that purpose; or
- (b) In the case of an internal examination, he obtains a pass in such subjects or in such proportion of the examination as the governing body of the technical institute, with the approval of the Director-General, determines as a necessary prerequisite for the student to proceed with the next stage of his course of instruction.

21. No bursary shall be suspended on any of the grounds specified in regulation 20 of these regulations if the Director-General is satisfied on evidence produced to him that the failure of the bursar to comply with the requirements was due to his illness or to any other sufficient cause beyond his control; and, notwithstanding anything to the contrary in that regulation, the Director-General may, subject to such conditions (if any) as he may specify, continue a bursary without suspension if there appears to him to be a special reason for doing so. In any case where the Director-General continues a bursary without suspension under this subclause, he may, if he thinks fit, specify that a year of tenure of the bursary shall not be taken into account for either or both of the following purposes, namely, computing the term of the bursary, and determining the rate of any allowance which may be paid under the bursary.

Reinstatement

22. (1) No bursary which has been suspended under regulation 20 of these regulations shall be reinstated except on the recommendation of the Principal, and the Principal shall not recommend reinstatement of any bursary unless he is satisfied that the former holder of the bursary has reached a standard of attainment in his course of instruction which, if attained at the time when his bursary was suspended, would have allowed the continuance of the bursary.

(2) Nothing in this regulation shall permit the reinstatement of any bursary which has been terminated.

Termination

23. (1) Subject to the provisions of subclause (2) of this regulation, a bursary shall be terminated by the Director-General in any of the following circumstances, namely:

- (a) If the holder fails to attend regularly the classes appropriate to his course of instruction:
- (b) If the holder has had his bursary suspended under regulation 20 of these regulations, and fails to meet the requirements for its reinstatement set out in regulation 22 of these regulations within a period of one year from the date of the suspension or within such additional time as the Principal may approve in any special case:
- (c) If the holder has had his bursary reinstated under regulation 22 of these regulations, and in any following year the standard of his attainment in his course of instruction is such that, if he had not previously had his bursary suspended, the bursary would have been suspended under regulation 20 of these regulations:
- (d) If the holder, without the consent of the Director-General, ceases to pursue the course of instruction for which the bursary was awarded:
- (e) If the holder commits any grave breach of the rules of the technical institute at which he is enrolled or is guilty of grave misconduct:
- (f) If the governing body of the technical institute at which the holder is enrolled reports to the Director-General that, in its opinion, the holder's work for any year has been so unsatisfactory as to warrant the termination of the bursary.

(2) No bursary shall be terminated on any of the grounds specified in paragraph (a) or paragraph (b) or paragraph (c) of subclause (1) of this regulation if the Director-General is satisfied, on evidence produced to him, that the failure of the holder to comply with the requirements was due to his illness or to any other sufficient cause beyond his control; and, notwithstanding anything to the contrary in the said paragraphs, the Director-General may, subject to such conditions (if any) as he may specify, in any such case continue the bursary, or grant a further period of suspension if there appears to him to be a special reason for doing so.

T. J. SHERRARD,
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 a system of bursaries for full-time students taking approved courses at technical institutes.

Issued under the authority of the Regulations Act 1936.

Date of Notification in *Gazette*: 5 May 1966.

These regulations are administered in the Department of Education.