

**Reprint
as at 1 June 2013**



**Maori and Polynesian Scholarships
Regulations 1973**

(SR 1973/59)

Maori and Polynesian Scholarships Regulations 1973: revoked, on 1 June 2013, by clause 3 of the School Boarding Bursaries (Revocation of Regulations) Order 2013 (SR 2013/105).

Denis Blundell, Governor-General

Order in Council

At the Government Buildings at Wellington this 12th day of March
1973

Present:

The Hon A J Faulkner 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.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

These regulations are administered by the Ministry of Education.

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Regulations

- 1 Title**
These regulations may be cited as the Maori and Polynesian Scholarships Regulations 1973.
- 2 Interpretation**
In these regulations, unless the context otherwise requires,—
course scholarship means a scholarship established by regulation 2A(a)

distance scholarship means a scholarship established by regulation 2A(b)

Maori child or **Maori student** includes any Maori child or student of any degree of descent

Minister means the Minister of Education

Polynesian child or **Polynesian student** means any child or student who belongs to the Polynesian race who is, or who is a descendant of, a native of any island in the South Pacific Ocean, and who is a New Zealand citizen, or has lived in New Zealand for not less than 5 years and is permanently resident in New Zealand

scholarship for higher education means a scholarship established by regulation 2A(c)

secondary school scholarship means a scholarship that is a course scholarship or a distance scholarship

Secretary means the Secretary of Education; and includes any person for the time being directed under the State Sector Act 1988 to exercise and perform the powers and duties of the Secretary.

Regulation 2 **course scholarship**: inserted, on 25 November 1982, by regulation 2(1) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 2 **Director-General**: revoked, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 2 **distance scholarship**: inserted, on 25 November 1982, by regulation 2(1) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 2 **scholarship for higher education**: inserted, on 25 November 1982, by regulation 2(1) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 2 **secondary school scholarship**: inserted, on 25 November 1982, by regulation 2(1) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 2 **Secretary**: inserted, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 2 **Secretary**: amended, on 1 April 1988, pursuant to section 90(a) of the State Sector Act 1988 (1988 No 20).

2A Scholarships established

There are hereby established—

- (a) scholarships to be known as Maori and Polynesian Secondary School (Course) Scholarships:
- (b) scholarships to be known as Maori and Polynesian Secondary School (Distance) Scholarships:
- (c) scholarships to be known as Maori and Polynesian Scholarships for Higher Education.

Regulation 2A: inserted, on 25 November 1982, by regulation 3 of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

3 Application for scholarships

Applications for scholarships under these regulations shall be made to the Secretary on forms to be provided for the purpose by the Ministry of Education.

Regulation 3: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Secondary school scholarships

Heading: amended, on 25 November 1982, by regulation 2(2)(a) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

4 Eligibility for secondary scholarships

- (1) Subject to subclauses (2) to (4), any Maori or Polynesian child attending any State school or registered private school shall be eligible for the award of a secondary school scholarship tenable (in accordance with these regulations) at any secondary school or private secondary school, if he has completed a form 2 course or has an equivalent or higher qualification.
- (2) No person shall be eligible for the award of a course scholarship unless:
 - (a) he has completed (or will, when tenure of that scholarship commences, have completed) 2 years of secondary education; and
 - (b) in the opinion of the Minister there is no secondary school that—
 - (i) he can reasonably be expected to attend as the holder of a free place under section 3 of the Education Act 1989 while living at home; and

- (ii) provides a course of instruction appropriate to his needs.
- (3) No person shall be eligible for the award of a distance scholarship unless the Minister is satisfied that there is no secondary school that he can reasonably be expected to attend as the holder of a free place under section 3 of the Education Act 1989 while living at home.
- (4) No person shall be eligible for the award of a secondary school scholarship who, when tenure of that scholarship would otherwise commence, will hold any scholarship, bursary, or allowance (by whatever name called) awarded or made from public funds for the purpose of furthering his education.

Regulation 4: substituted, on 25 November 1982, by regulation 4 of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 4(2)(b)(i): amended, on 1 October 1989, pursuant to section 142(3) of the Education Act 1989 (1989 No 80).

Regulation 4(3): amended, on 1 October 1989, pursuant to section 142(3) of the Education Act 1989 (1989 No 80).

5 Application for secondary school scholarships

Except in special circumstances no application for a secondary school scholarship to commence in any year shall be considered unless it is received by the Secretary on or before 1 April in that year.

Regulation 5: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

6 Award of secondary school scholarships

The Secretary shall determine the award of secondary school scholarships under these regulations according to the individual merits of the candidates, based on their school records, and, where considered necessary in the case of any child, on an assessment by the District Senior Inspector of the child's work.

Regulation 6: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

7 Number and value of secondary school scholarships

The number and value of secondary school scholarships under these regulations shall be determined from time to time jointly by the Minister and the Minister of Finance.

8 Tenure of secondary school scholarships

(1) Subject to satisfactory reports as to the diligence, conduct, and progress of its holder, a secondary school scholarship shall be tenable—

- (a) for 3 years from 1 January in the year of its award, and where the Secretary so approves for 1 further year, in the case of a course scholarship; and
- (b) for 4 years from 1 January in the year of its award, and where the Secretary so approves for a further period or periods not exceeding 2 years in the aggregate, in the case of a distance scholarship.

(2) Notwithstanding subclause (1), a secondary school scholarship shall terminate at the end of any year of tenure during which—

- (a) the Secretary becomes satisfied that there is a secondary school that its holder can reasonably be expected to attend as the holder of a free place under section 3 of the Education Act 1989 while living at home and that provides a course of instruction appropriate to his needs; or
- (b) its holder attains the age of 19 years.

Regulation 8: substituted, on 25 November 1982, by regulation 5 of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

Regulation 8(1)(a): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 8(1)(b): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 8(2)(a): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 8(2)(a): amended, on 1 October 1989, pursuant to section 142(3) of the Education Act 1989 (1989 No 80).

9 Course of instruction

Every child to whom a secondary school scholarship is awarded in terms of these regulations shall receive instruction

according to the Education (Secondary Instruction) Regulations 1968 (SR 1968/63).

10 Travelling expenses

Each secondary school scholarship awarded under these regulations shall entitle the holder of the scholarship to payment of reasonable travelling fares to enable the holder to travel to the secondary school at which his scholarship is tenable at the commencement of each school year and to return home at the end of the school year.

Scholarships for higher education

Heading: amended, on 25 November 1982, by regulation 2(2)(b) of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241).

11 Award of scholarships for higher education

Scholarships for higher education not exceeding 15 in number in any 1 year may be awarded by the Secretary to Maori and Polynesian students to enable them to undertake a course in New Zealand at any university, agricultural college, or technical institute.

Regulation 11: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

12 Eligibility for scholarships for higher education

- (1) A scholarship for higher education may be awarded under these regulations to a Maori or Polynesian student to enable him to undertake a course at a technical institute if the student has attained the standard of success prescribed by subclauses (2) and (3) or has obtained an educational qualification which in the opinion of the Secretary, is equivalent or superior to that standard of success.
- (2) For the purposes of subclause (1), the standard of success shall be that of obtaining in the school certificate examination in any year not less than 30% of the total possible marks in English and—
 - (a) in any 4 subjects of the examination (of which English may be 1) obtaining—

- (i) an aggregate of at least 180 marks, but with not less than 50% of the total possible marks in each of 3 of the subjects; or
 - (ii) not less than 50% of the total possible marks in each of 2 of the subjects, and not less than 40% of the total possible marks in each of the other 2 subjects; or
 - (iii) in any 5 subjects of the examination (of which English may be 1), obtaining an aggregate of not less than 225 marks; and
 - (b) the student has been recommended by the principal of the secondary school last attended as being suitable in all respects to undertake the proposed course at a technical institute.
- (3) Notwithstanding anything in subclause (2),—
- (a) if a student in any year has obtained not less than 30% of the total possible marks in any subject of the school certificate examination, the marks so obtained by him shall be, so far as that subject is concerned in any subsequent year, the standard of success required to be attained by him in sitting the examination in the subject in the subsequent year; and
 - (b) a candidate who has been granted an aegrotat pass in any subject of the school certificate examination being a pass of Grade A, B, or C, shall be deemed to have obtained the minimum percentage of the total possible marks in that subject which a candidate, sitting the examination in the subject, would require in order to obtain the same grade of pass.
- (4) A scholarship for higher education may be awarded under these regulations to a student to enable him to undertake a course at a university or agricultural college if—
- (a) the student has qualified academically for entrance to a university in accordance with the requirements of the New Zealand Qualifications Authority; and
 - (b) the student has been recommended by the principal of the secondary school last attended as being suitable in all respects to undertake a university course.

(5) *[Revoked]*

Regulation 12(1): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 12(4): amended, on 23 July 1990, pursuant to section 257 of the Education Act 1989 (1989 No 80).

Regulation 12(5): revoked, on 26 January 1979, by regulation 2 of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 2 (SR 1979/3).

13 Application for scholarships

Except in special circumstances no application for a scholarship for higher education to commence in any year shall be considered unless it is received by the Secretary on or before 1 October in the previous year.

Regulation 13: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

14 Value of scholarships

- (1) The holder of a scholarship for higher education shall receive a bursary allowance and an allowance towards the cost of board, at rates as if he were the holder of a tertiary bursary under the Student Allowances Regulations 1998 (SR 1998/277) in addition to the amount of tuition, college, and examination fees payable by him for the classes or course of study approved by the Professorial Board of his university or agricultural college or, in the case of a scholarship held for education at a technical institute, by the Secretary.
- (2) Each scholarship for higher education awarded under these regulations shall entitle the holder of the scholarship to payment of reasonable travelling expenses to enable the holder to travel to the university or agricultural college or technical institute at which his scholarship is tenable, at the commencement of each academic year and to return home at the end of the academic year.

Regulation 14(1): amended, on 1 October 1998, pursuant to regulation 49 of the Student Allowances Regulations 1998 (SR 1998/277).

Regulation 14(1): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 14(1): amended, on 7 April 1978, by regulation 2 of the Maori and Polynesian Scholarships Regulations 1973, Amendment No 1 (SR 1978/107).

15 Payment of scholarships for higher education

Payment under each scholarship for higher education shall be paid in 3 equal instalments, at the end of each term, on receipt of a satisfactory report from the chairman of the Professorial Board of the university or agricultural college or the principal of the technical institute at which the holder of the scholarship attends, on the attendance, diligence, conduct, and progress of the holder.

16 Tenure of scholarship for higher education

Every scholarship for higher education awarded under these regulations shall be tenable at the university, agricultural college, or technical institute providing the course of study to be undertaken by the student nearest to the student's home.

*General***17 Character reference**

An applicant for any of the scholarships provided for in these regulations may be required to furnish the Secretary with evidence that he is of good character.

Regulation 17: amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

18 Termination of studentship

- (1) On receipt of an unfavourable report from the principal of a secondary school or a technical institute, or from the chairman of the Professorial Board of a university or agricultural college, at which the holder is enrolled, on the attendance, diligence, conduct, or progress of any holder, the Secretary may at any time determine the tenure of the scholarship.
- (2) The Secretary, or any person appointed by him or by the Minister, may visit the holder of any scholarship awarded under these regulations, and inspect or examine his work in order to ascertain his diligence and progress.

Regulation 18(1): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

Regulation 18(2): amended, on 1 October 1989, pursuant to section 144(2) of the Education Act 1989 (1989 No 80).

19 Savings

Notwithstanding anything in these regulations, anyone who at the commencement of these regulations has qualified for the award of a post-primary scholarship under the Maori Schools Regulations 1959, shall be eligible for the award of a secondary school scholarship under these regulations, and anyone who at the commencement of these regulations has qualified for the award of a university scholarship under the Maori Schools Regulations 1959, shall be eligible for the award of a scholarship for higher education under these regulations.

20 Revocations

The following regulations are hereby consequentially revoked—

- (a) *Amendment(s) incorporated in the regulations.*
- (b) Maori Schools Regulations 1959, Amendment No 3 (SR 1968/220).

P G Millen,
Clerk of the Executive Council.

**School Boarding
Bursaries (Revocation of
Regulations) Order 2013**

(SR 2013/105)

Hon Sir William Young, Administrator of the Government

Order in Council

At Wellington this 15th day of April 2013

Present:

His Excellency the Administrator of the Government in Council

Pursuant to section 303 of the Education Act 1989, His Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following order.

Order

1 Title

This order is the School Boarding Bursaries (Revocation of Regulations) Order 2013.

2 Commencement

This order comes into force on 1 June 2013.

4 Transitional provisions

Despite clause 3,—

- (a) the terms and conditions of any bursary or scholarship awarded to a student before the commencement of this order under any of the regulations specified in the Schedule are unaffected by this order; and
- (b) the regulations specified in the Schedule continue to apply to any bursary or scholarship awarded to a stu-

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dent under those regulations before the commencement
of this order.

Martin Bell,
for Clerk of the Executive Council.

Date of notification in *Gazette*: 18 April 2013.

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Notes**1 General**

This is a reprint of the Maori and Polynesian Scholarships Regulations 1973. The reprint incorporates all the amendments to the regulations as at 1 June 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint (most recent first)*

School Boarding Bursaries (Revocation of Regulations) Order 2013 (SR 2013/105): clause 3

Student Allowances Regulations 1998 (SR 1998/277): regulation 49

Education Act 1989 (1989 No 80): sections 142(3), 144(2), 257

State Sector Act 1988 (1988 No 20): section 90(a)

Maori and Polynesian Scholarships Regulations 1973, Amendment No 3 (SR 1982/241)

Maori and Polynesian Scholarships Regulations 1973, Amendment No 2 (SR 1979/3)

Maori and Polynesian Scholarships Regulations 1973, Amendment No 1 (SR 1978/107)

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Notes
