

1972/120



THE PHARMACY BURSARIES REGULATIONS 1972

ARTHUR PORRITT, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 6th day of June 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 Pharmacy Bursaries Regulations 1972.

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

“Bursar” means the holder of a bursary to which these regulations apply:

“Council” means the governing body of the Central Institute of Technology:

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

“Full-time course” means, for any year at the Institute, any full-time course as so determined by the Council in accordance with regulation 15 of these regulations; but does not include any limited full-time course prescribed for any student by the Council under regulation 16 of these regulations:

“Institute” means the Central Institute of Technology:

“Minister” means the Minister of Education:

“Provisional admission” means any kind of special admission to the Institute granted to a student who has not passed an examination qualifying him for admission to the Institute and who was not less than 21 years of age on the 31st day of December in the year in which he was so granted admission:

“Recognised course”, in relation to a university, means any course or courses recognised from time to time by the Director-General for the purposes of a bursary under the University Bursaries Regulations 1971:

“Registrar” means the Registrar of the Institute:

“Tuition fees”, in relation to any bursar, means nine-tenths of the consolidated fee duly prescribed by the Council for the course taken under the bursary:

“University” means, as the case may require, all or any of the following, namely, the University of Otago, the University of Canterbury, the University of Auckland, the Victoria University of Wellington, Massey University, and the University of Waikato; and includes Lincoln College.

3. Bursaries awarded for higher education—(1) All bursaries and allowances under these regulations shall be awarded by the Director-General in accordance with these regulations.

(2) The Director-General shall award the following bursaries for the general purposes of candidates undertaking the course of study at the Institute for the Diploma in Pharmacy:

(a) Fees bursaries:

(b) Fees and allowances bursaries.

(3) Any allowance payable with any bursary under these regulations shall be payable in respect of the period of 12 months commencing with the 1st day of March in each year for which the bursary is held.

(4) The award of a bursary under these regulations shall not confer on the bursar any right to the continuance of the bursary for the full term for which it is awarded or to the continuance of any allowance in respect of the bursary.

4. Eligibility for bursaries—(1) No bursary shall be awarded under these regulations to any person—

(a) Who is not a British subject; or

(b) Who is admitted to New Zealand on a study permit by the Department of Labour and who under the permit is required to leave New Zealand after the completion of his studies; or

(c) Who, not being a New Zealand citizen, has come to New Zealand from a country overseas, unless the Director-General is satisfied that the person is likely to reside permanently in New Zealand.

(2) Notwithstanding anything in subclause (1) of this regulation, the Director-General, with the approval of the Minister, may, subject to such conditions (if any) as the Director-General may specify in any case or class of cases, dispense with any of the requirements of paragraphs (a) and (b) of subclause (1) of this regulation in respect of any applicant or class of applicants for a bursary under these regulations.

5. Holders of other bursaries from public funds eligible for award only in special circumstances—(1) Except with the authority of the Director-General, given after consideration of the special circumstances of any case or class of cases, 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 him to further his studies, or while he is attending any secondary school or department or registered private secondary school for full-time instruction.

(2) Where, with the authority of the Director-General as aforesaid, any person holds a bursary under these regulations 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. Eligibility of persons who have held other bursaries from public funds—(1) This regulation shall apply to any person who for any period has held any scholarship (including a University National Scholarship), bursary, or allowance, by whatever name called, awarded or made from public funds for the purpose of assisting him to further his studies, and to any person who for any period has held a University Junior Scholarship or a scholarship awarded from the funds of the Taranaki Scholarships Trust Board; but shall not apply to him in respect of any period during which he held that other scholarship, bursary, or allowance concurrently with a bursary under these regulations.

(2) Notwithstanding anything in subclause (1) of this regulation, this regulation shall not apply to any person or class of persons if and to the extent that the Director-General thinks fit.

(3) Where any person to whom this regulation applies makes application for a bursary for which he is academically qualified under these regulations, he shall, for the purpose of determining the terms and conditions under which he may be awarded a bursary under these regulations, be deemed to have held his former scholarship, bursary, or allowance under these regulations; but no bursary under these regulations shall be awarded to that person if his academic record while holding the other scholarship, bursary, or allowance did not satisfy the requirements of these regulations.

7. Change of circumstances affecting eligibility—It shall be the duty of every bursar to inform the Registrar in writing immediately any change in circumstances affects his eligibility to hold the bursary or any boarding allowance payable with it.

8. Application for bursaries—(1) Every application for a bursary 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 when the applicant enrolls, or proposes to enroll, 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.

9. Director-General to be provided with particulars of applications—As soon as practicable after the 31st day of March in each year, the Registrar shall provide the Director-General with particulars of all applications received by him for the year for any bursary or allowance under these regulations.

10. Reports by Registrars—The Registrar, or such other person as is authorised by the Council, shall furnish to the Director-General, as and when required by the Director-General to do so, a report in writing as to the progress of any bursar in his course of study, and generally as to his compliance with the conditions on which the bursary is held.

11. Payment of bursaries—(1) No payment in respect of a bursary under these regulations shall be made unless the Director-General is satisfied that the bursar 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:

(b) The allowances shall be paid to the bursar, at the office of the Registrar, by such instalments as the Director-General may determine.

(3) Except for any period during which a bursary is suspended under these regulations, the benefits of a bursary shall be continuous throughout the term of the bursary.

12. Transfer from one bursary to another—The Director-General may, except as otherwise provided in these regulations, from time to time determine the conditions under which bursars may transfer from one class of bursary to another.

13. Qualification for fees bursary—(1) A fees bursary may be awarded to any person eligible to receive a bursary under these regulations who has qualified academically for entrance to a university in New Zealand in accordance with the requirements of the Universities Entrance Board, or, if before the year 1962 but after the year 1944, in accordance with the statutes of the Senate of the University of New Zealand.

(2) A fees bursary may be awarded also to any person eligible to receive a bursary under these regulations who has been granted a Higher School Certificate under the Education (Secondary Instruction) Regulations 1968* or under any former regulations.

(3) In addition to the persons specified in subclauses (1) and (2) of this regulation, the Director-General may award a fees bursary to any person eligible to receive a bursary under these regulations who has been admitted by the Universities Entrance Board or the governing body of any New Zealand university to the status of a holder of a qualification specified in subclause (1) or subclause (2) of this regulation.

(4) The Director-General may also award a fees bursary to any person if—

(a) The person has been granted provisional admission by a university, and was not less than 21 years of age on the 31st day of December in the year in which he was so granted admission; or

(b) The person passed the University Entrance Examination before the year 1945,—

and in either case, in any year, whether before or after the commencement of these regulations, the person was credited with passes in any 2 units of a recognised course at a university, or in the course for the Diploma in Pharmacy at the Institute, in which passes are normally credited in individual units, or, being enrolled in a recognised course at a university, or in the course for the Diploma in Pharmacy at the Institute, in which passes are normally credited in groups of subjects rather than in individual units, the person passed what, in the opinion of the Professorial Board of the university at which he was enrolled, is more than half of the work of a full-time course for the purposes of the Universities Bursaries Regulations 1971, or what in the opinion of the Council of the Institute at which he was enrolled, is more than half the work of a full-time course for the purposes of these regulations.

(5) Any bursary awarded under subclause (4) of this regulation shall, subject to the provisions of regulation 25 of these regulations, be awarded to enable the bursar to complete his course.

14. Qualification for fees and allowances bursary—(1) Subject to subclause (2) of this regulation, a fees and allowances bursary may be awarded to any person eligible to receive a bursary under these regulations for the purpose of enabling the bursar to pursue a full-time course if the bursar is—

- (a) Any person who has been granted a Higher School Certificate under the Education (Secondary Instruction) Regulations 1968 or under any former regulations; or
- (b) Any person (other than a person whose bursary has expired or been terminated and has not been reinstated under regulation 30 of these regulations) who in any year, whether before or after the commencement of these regulations, has been credited with passes in each of the subjects or units which constitute a full-time course for the purposes of these regulations or with passes at a university in each of the subjects or units which constitute a full-time course for the purposes of the Universities Bursaries Regulations 1971, or at a university not in New Zealand which in the opinion of the Director-General are equivalent to a full-time course; or
- (c) Any person who has been awarded a New Zealand Certificate in recognition of his having successfully completed a course prescribed under the Technicians Certification Act 1958, whether or not that person has, before being awarded the certificate, held a bursary which was terminated under regulation 31 of these regulations.

(2) A fees and allowances bursary shall not be awarded under paragraph (a) of subclause (1) of this regulation to any person who, subsequent to the year 1962, has been granted a Higher School Certificate under paragraph (a) of regulation 18 of the Education (Secondary Instruction) Regulations 1968 or under any corresponding provision of any former regulations.

(3) Notwithstanding anything in these regulations, the Director-General may award a fees and allowances bursary to a person who has been prevented from qualifying for the award of a Higher School Certificate by reason of the fact that it has been necessary for him to reside outside New Zealand during the time that his parents, though normally resident in New Zealand, have as part of the duties connected with their livelihood been required to reside temporarily outside New Zealand:

Provided that the Director-General shall be satisfied that the candidate for a bursary under this subclause has attended an appropriate educational institution for an appropriate time and has reached a standard of attainment not lower than that which would have enabled him to qualify for the award of a Higher School Certificate.

(4) Notwithstanding anything in these regulations, the Director-General may also award a fees and allowances bursary to a person who, while qualifying for the award of a Higher School Certificate has been prevented from qualifying for entrance to a university in a year earlier than that in which he has been granted a Higher School Certificate by

reason of the fact that it has been necessary for him to reside outside New Zealand during the time that his parents, though normally resident in New Zealand, have as part of the duties connected with their livelihood been required to reside temporarily outside New Zealand:

Provided that the Director-General shall be satisfied that the candidate for a bursary under this subclause has attended an appropriate educational institution for an appropriate time and is of the opinion that the candidate would have attained the qualification for entrance to a university in an earlier year had he continued his education in New Zealand.

15. Full-time courses to be determined by the Council—(1) The Council shall in accordance with this regulation determine the subjects, units, or any of them, that shall constitute a full-time course at the School of Pharmacy.

(2) No full-time course shall be constituted unless it consists of a specified proportion of the course for the Diploma in Pharmacy.

(3) For the purposes of this regulation, the expression "specified proportion", in relation to the course for the Diploma in Pharmacy, means the same proportion of the academic work of the course as 1 year is a proportion of the minimum period which the course requires for its completion.

16. Limited full-time courses—(1) Notwithstanding anything in subclause (2) of regulation 17 of these regulations, a student may hold a fees and allowances bursary while pursuing a course (hereinafter referred to as a limited full-time course) which is less than a full-time course, and which is pursued in any of the following circumstances:

(a) Where the student has reduced his course on the advice of the Council after he has studied a full-time course for at least 1 term:

(b) Where the Council has prescribed for the student a limited full-time course—

(i) On account of the student's illness; or

(ii) For any sufficient cause outside the student's control;

or

(iii) Because that Council considers such a course to be in the best interests of the student:

(c) Where the student is in the final year of a recognised course which is being completed within the term of his bursary but in a period which is in excess of the minimum period which the course requires for its completion.

(2) Except with the consent of the Director-General, no fees and allowances bursary may be held by a student under subclause (1) of this regulation if that student is engaged in any occupation while the Institute is in session.

(3) Except to such extent as may be authorised by the Director-General on the recommendation of the Council in any case or class of cases, no limited full-time course shall be deemed to be a full-time course for any of the following purposes:

(a) Progress to a higher step on the scale of bursary allowances under subclause (1) of regulation 19 of these regulations; or

- (b) Avoiding termination of a supplementary allowance under regulation 33 of these regulations; or
- (c) Qualification for a supplementary allowance under paragraph (b) or paragraph (c) of subclause (2) of regulation 32 of these regulations or under paragraph (d) of subclause (3) of that regulation; or
- (d) The reinstatement under regulation 30 of these regulations of a bursary which has been terminated under regulation 31; or
- (e) The award of a fees and allowances bursary under paragraph (b) of subclause (1) of regulation 14 of these regulations.

17. Tenure of bursaries—(1) Subject to regulation 12 of these regulations, every fees bursary awarded under these regulations shall be tenable by the bursar for full-time instruction in the course of study for the Diploma in Pharmacy, whether or not a full-time course is taken in any year during the term of the bursary.

(2) Subject to regulation 12 of these regulations, every fees and allowances bursary awarded under these regulations shall be tenable by the bursar for full-time instruction in the course of study for the Diploma in Pharmacy, but the bursar shall in each year during which he holds the bursary pursue a full-time course.

18. Value of fees bursary—The maximum annual value of a fees bursary in any year shall be the tuition fees payable for the course taken under the bursary in that year, but, unless approved by the Director-General in any special case or class of special cases, tuition fees shall not be paid over the term of any bursary for more than the total number of units or subjects which normally constitute the recognised course for which the bursary was awarded.

19. Value of fees and allowances bursary—(1) The maximum annual value of any fees and allowances bursary shall be the tuition fees payable for the course being taken under the bursary in the year, and (except as otherwise provided in these regulations) allowances in accordance with the following scale:

- (a) \$120 in the first year of the bursary;
- (b) \$165 in the second year of the bursary;
- (c) \$210 in the third year of the bursary.

(2) Notwithstanding anything in subclause (1) of this regulation, except in any special case or class of special cases approved by the Director-General, tuition fees shall not be paid over the term of any bursary for more than the total number of units or subjects which normally constitute the recognised course for which the bursary was awarded.

20. Boarding allowance—(1) In addition to the allowances specified in regulation 19 of these regulations, the Director-General may award a boarding allowance of the maximum value of \$300 a year to the holder of a fees and allowances bursary who has a parent who is a New Zealand citizen, if the principal place of permanent residence of the bursar's parents, or of the parent with whom he normally resides, is so situated that, in order to attend the Institute for the course in the Diploma in Pharmacy, the bursar would be required to live away from the 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 the bursar's parents, or of the parent with whom he normally resides, is not in New Zealand.

(2) In addition to the allowances specified in regulation 19 of these regulations, the Director-General may, at his discretion, award a boarding allowance of the maximum value of \$300 a year to any bursar, or each member of a class of bursars, other than a bursar or member of a class of bursars, to whom subclause (1) of this regulation applies, 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 the Institute for the course in the Diploma in Pharmacy, the bursar would be required to live away from his principal place of permanent residence.

21. Boarding allowances for married bursars—Notwithstanding anything in these regulations, a boarding allowance shall not be awarded to the holder of a fees and allowances bursary who is married:

Provided that—

- (a) The Director-General may, at his discretion, award a boarding allowance to any person who, after marriage, was awarded a fees and allowances bursary or had a fees and allowances bursary reinstated; and
- (b) Where the 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 continues to hold his fees and allowances bursary.

22. Award of boarding allowance at discretion of Director-General—Notwithstanding anything in these regulations, the Director-General may, at his discretion, award a boarding allowance to any holder of a fees and allowances bursary who, though not otherwise eligible for a boarding allowance, would be unable to pursue his studies without the financial assistance afforded by that allowance.

23. Usual period of tenure—Subject to regulations 24 to 31 of these regulations, a bursary shall be tenable in respect of the course for such period as is, in the opinion of the Director-General, the minimum period required for the completion of the course.

24. Extension of usual period of tenure—The Director-General may, subject to such conditions (if any) as he may specify, extend the period of tenure of a bursary by not more than 1 year if, in his opinion, having regard to the bursar's progress in his course, the financial circumstances of the bursar, or other circumstances, warrant the extension.

25. Reduction in period of tenure—(1) Where any person awarded a bursary under subclause (3) or subclause (4) of regulation 13 of these regulations or under paragraph (b) or paragraph (c) of subclause (1) of regulation 14 of these regulations, has been granted credits towards or exemptions from his recognised course, the Director-General, having regard to the units or subjects which that person requires in

order to complete his recognised course, may reduce the term of the bursary as he thinks fit; but any bursary so reduced shall for the purposes of subclause (2) of this regulation, be deemed to have been held for the full period of tenure for a bursary for that course.

(2) The period by which the tenure of any fees and allowances bursary has been reduced under the provisions of subclause (1) of this regulation shall be taken into account by the Director-General in determining the allowances to be paid to the bursar in each year of that bursary.

26. Application for suspension—Any bursar, including a bursar whose bursary has been suspended under regulation 27 of these regulations may, where for any reason he is unable to continue his course or in any special circumstances determined by the Director-General, apply for the suspension of his bursary for any specified period up to 3 years, which period shall include any concurrent period during which the bursary may be suspended under regulation 27 of these regulations. The Registrar, or any other person authorised by the Council so to act, may grant the first such application if he considers that 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 that the circumstances so warrant.

27. Suspension otherwise than by application—(1) Subject to subclause (2) of this regulation, a bursary granted under any of these regulations shall be suspended where the bursar fails for the first time to pass what is, in the opinion of the Council, more than half of the work of a full-time course.

(2) No bursary shall be suspended on the grounds specified in subclause (1) of this regulation 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 the bursar's illness or to any other sufficient cause beyond his control; and, notwithstanding anything in that subclause, 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, or if the Council recommends that the bursary be continued. 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 that 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 that bursary or any other bursary which may subsequently be awarded to the bursar.

28. Suspension not to reduce term of bursary—The term for which any bursary may be tenable under these regulations shall not be reduced by any period during which the bursary is suspended.

29. Reinstatement before termination—(1) If a bursary has been suspended under subclause (1) of regulation 27 of these regulations, it may (unless it has been terminated under paragraph (d) of subclause

(1) of regulation 31 of these regulations) be reinstated to the bursar if the bursar in his next year of study whether before or after the commencement of these regulations, passes or has passed what is, in the opinion of the Council, more than half of the work of a full-time course.

(2) Notwithstanding anything in subclause (1) of this regulation, if any person who has had a bursary suspended is or has been prevented from qualifying for the reinstatement of his bursary because of illness or because of what is, in the opinion of the Director-General, any other sufficient cause, the Director-General may, at his discretion, allow that person an additional year in which to meet the requirements of subclause (1) of this regulation for the reinstatement of his bursary.

30. Reinstatement after termination—If a bursary has been terminated under regulation 31 of these regulations, it may be reinstated to the former bursar if, whether before or after the commencement of these regulations, he has passed in that year in all the subjects or units which constitute that full-time course, and has obtained B passes or better in subjects or units which, in the opinion of the Council, constitute not less than half of the work of that course.

31. Termination—(1) Subject to subclause (2) of this regulation, any bursary awarded under these regulations shall be terminated by the Director-General—

- (a) If a bursar fails to attend regularly the classes appropriate to his course of study; or
- (b) If the bursar has had his bursary suspended under regulation 27 of these regulations and fails to meet the requirements of regulation 29 of these regulations for its reinstatement; or
- (c) If the bursar has had his bursary reinstated under the said regulation 29 and in any following year fails to pass what is, in the opinion of the Council, more than half of the work of a full-time course; or
- (d) If the bursar, without the consent of the Director-General, ceases to pursue the course of study for which the bursary was granted; or
- (e) If the bursar commits any grave breach of the rules of the Institute or is guilty of grave misconduct; or
- (f) If the Council reports to the Director-General that, in its opinion, the bursar'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 paragraphs (a) to (c) of subclause (1) of this regulation if the Director-General is satisfied, on evidence produced to him, that the failure was because of the bursar's illness or any other sufficient cause beyond his control, and the Director-General may, subject to such conditions (if any) as he may specify, continue a bursary or grant a further period of suspension if there appears to him to be a special reason for doing so or if the Council recommends that the bursary be continued or that a further period of suspension be granted.

32. Supplementary allowances—(1) Supplementary allowances may be awarded by the Director-General to a bursar receiving payments under a fees and allowances bursary; but not to any other person.

(2) A supplementary allowance of the maximum value of \$100 a year may be awarded to any person who, in or after the year 1966,—

- (a) Has obtained an A grade in the University Bursaries Examination or a credit pass or better in the Entrance Scholarship Examination, being examinations conducted by the Universities Entrance Board; or
- (b) Being enrolled in a full-time course at the School of Pharmacy in any year after the year 1970, has passed in that year in each of the subjects or units which constitute a full-time course, and has obtained either—
 - (i) B passes or better in each of those subjects or units; or
 - (ii) A passes in subjects or units which, in the opinion of the Council, constitute not less than half of the work of that course; or
- (c) Being enrolled at the School of Pharmacy in any year after the year 1970 in subjects or units which constitute more than a full-time course, has passed in that year in each of those subjects or units at a standard which, in the opinion of the Director-General having regard to any recommendation which the Council may have made in that behalf, is reasonably equivalent to the standard provided for in paragraph (b) of this subclause.

(3) A supplementary allowance of the maximum value of \$60 a year may be awarded to any person who, in or after the year 1966,—

- (a) Has obtained a B grade in the University Bursaries Examination; or
- (b) Having sat the Entrance Scholarships Examination, has been deemed, under the provisions of the regulations governing that examination, to have obtained a B grade in the University Bursaries Examination; or
- (c) Being enrolled at the School of Pharmacy in any year after the year 1970, has passed in that year in each of the subjects or units which constitute a full-time course, and has obtained B passes or better in subjects or units which, in the opinion of the Council, constitute not less than half of the work of that course; or
- (d) Being enrolled at the School of Pharmacy in any year after the year 1970 in subjects or units which constitute more than a full-time course, has passed in that year in each of those subjects or units at a standard which, in the opinion of the Director-General having regard to any recommendation which the Council may have made in that behalf, is reasonably equivalent to the standard provided for in paragraph (c) of this subclause.

33. Termination of supplementary allowance—If in any year after the year 1972 the holder of a supplementary allowance awarded under regulation 32 of these regulations fails to pass in each of the subjects or units which constitute a full-time course, his supplementary allowance shall be terminated; but nothing in this regulation shall prevent the holder from again qualifying for a supplementary allowance under the said regulation 32.

34. Cases of hardship, and special circumstances—Notwithstanding anything in these regulations, in order to avoid hardship to any student or class of students, or in any special circumstances to be determined by the Director-General, the Director-General may in any specific case or class of cases, award, extend, or make payable, any bursary or allowance under these regulations which but for this regulation could not otherwise be awarded, extended, or made payable.

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 make provision for the award of bursaries to students at the Central Institute of Technology for the Diploma in Pharmacy.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 June 1972.

These regulations are administered in the Department of Education.