

Serial Number 1948/28



**THE POST-PRIMARY TEACHERS' BURSARIES
REGULATIONS 1948**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 10th day of
March, 1948

Present :

THE RIGHT HON. P. FRASER PRESIDING IN COUNCIL

PURSUANT to the Education Act, 1914, and section 36 of the Finance Act, 1931 (No. 2), His Excellency the Governor-General, acting by and with the consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Post-primary Teachers' Bursaries Regulations 1948, and shall come into force on the day following notification in the *Gazette* of the making thereof.

2. These regulations are divided into parts as follows :—

Part I.—Preliminary :

Part II.—General Provisions.

PART I.—PRELIMINARY

3. In these regulations, unless the context otherwise requires,—
“ College ” includes—

(a) Any constituent college of the University of New Zealand ;

(b) Any other college established in connection with the University of New Zealand ; and

(c) Any professional school that is maintained by a constituent college of the said University and is for the time being recognized by the said University pursuant to its statutes :

“ Director ” means the Director of Education :

“Minister” means the Minister of Education :

“Post-primary Teachers' Bursary” or “bursary” means a bursary granted under these regulations :

“Registrar” means the Registrar or other principal administrative officer of any college.

PART II.—GENERAL PROVISIONS

4. (1) A candidate for a bursary shall have the following qualifications and shall comply with the following requirements :—

(a) He shall be a British subject ; and

(b) He shall have resided in New Zealand for the twelve months immediately preceding the date of his application for a Post-primary Teachers' Bursary :

Provided that this condition shall not apply to any person who, being a permanent resident of New Zealand, has been temporarily absent from New Zealand during any part of the said period of twelve months ; and

(c) He shall have reached the age of seventeen years on the 31st day of December in the year in which the application is submitted ; and

(d) He shall produce to the Director when required to do so satisfactory evidence as to his character ; and

(e) He shall enter into an agreement with His Majesty the King in the form set out in the Schedule to these regulations ; and

(f) He shall procure some person approved by the Director to enter into and become bound by a bond in the form set out in the said Schedule.

(2) Notwithstanding anything in the foregoing provisions of this clause, the Director, with the approval or by the direction of the Minister, may, in respect of any candidate for a bursary under these regulations, dispense with the requirements of paragraphs (a) and (b) of subclause (1) of this regulation.

5. (1) Except with the authority of the Director, given after consideration of the special circumstances of any case, no person shall be competent to be the holder of a Post-primary Teachers' Bursary while he is the holder of any other bursary or while he is the holder of any scholarship or of any grant or allowance, by whatever name called, made for the purpose of assisting him to pursue his studies at any college.

(2) Where, with the authority of the Director as aforesaid, any person holds concurrently a Post-primary Teachers' Bursary and any scholarship or other grant or allowance, the value of the Post-primary Teachers' Bursary may be reduced by such amount (if any) as the Director considers reasonable in the circumstances.

6. The holder of any Post-primary Teachers' Bursary will be required to study diligently and continuously, and attend, at a college approved by the Director, the classes approved by the Director, to abide by all rules of the college affecting his work or conduct, and, while a student of the college, to carry out faithfully and conform to all such duties and directions as may be allotted or given to him by the Principal of the college.

7. On his graduation, or at the end of the period for which the said bursary has been granted, the bursar shall if so required by the Director undertake as a Division "C" student a training-college course of one year approved by the Director, and during this period the student will be paid the allowances and fees payable to and on behalf of a student in Division "C" under the Training College Regulations 1926,* and amendments.

8. (1) It shall be a condition of every Post-primary Teachers' Bursary granted under these regulations that the holder of the bursary shall not, while the college at which he is enrolled as a student is in session, be engaged in any occupation except with the consent of the Director.

(2) It shall be a further condition of every Post-primary Teachers' Bursary granted under these regulations that the holder of the bursary shall, if required by the Director, on his graduation or, as the case may be, at the end of the period for which his bursary was granted, or if the bursar be required in pursuance of Regulation 7 hereof to undertake as a Division "C" student a training-college course, at the end of that course, serve as a post-primary teacher in a secondary school, technical school, combined school, secondary department of a district high school, the secondary department of the Correspondence School, a registered private secondary school, or any other school which is approved by the Director, for a period of one year for each year or part of a year in which the bursary is paid, together with a period of three months for each year or part of a year in which a boarding allowance is paid as part of the bursary.

9. Nothing in these regulations will make it obligatory on the part of His Majesty to employ the bursar or to arrange for his employment.

Applications for Bursaries

10. (1) Application for a Post-primary Teachers' Bursary shall be made to the Director on a form to be provided for the purpose by the Department of Education.

(2) Except in special circumstances, no application for a bursary shall be considered unless it is received by the Department on or before the 1st day of October in the year preceding the year to which it relates.

11. Every application for a Post-primary Teachers' Bursary shall be accompanied by certificates and other documents as follows:—

- (a) Satisfactory evidence as to the character of the applicant :
- (b) A certificate as to the health of the applicant given by a registered medical practitioner :
- (c) A certificate of the date of birth or other evidence of the age of the applicant :
- (d) Satisfactory evidence that at the time of application the applicant has been accredited for entrance to the University of New Zealand or that he has passed the Entrance Examination of the University of New Zealand or has some equivalent or higher qualification recognized as such by the Director :
- (e) A statement of the course of study which the applicant is pursuing or intends to pursue.

* *Gazette*, 16th December, 1926, Vol. III, page 3422.

12. All Post-primary Teachers' Bursaries shall be awarded by the Director.

Forfeiture of Bursaries

13. (1) Subject to the provisions of the next succeeding subclause, a Post-primary Teachers' Bursary may at any time be declared by the Director to be forfeited in any of the following circumstances, namely :—

- (a) If the bursar fails to attend regularly the classes approved by the Director :
- (b) If the bursar in any year fails to make progress in his studies satisfactory to the Director :
- (c) If the bursar without the consent of the Director ceases to pursue the course of study for which the bursary was granted :
- (d) If the bursar commits any grave breach of the rules of the college or is guilty of any grave misconduct :
- (e) If the bursar acts in contravention of subclause (1) of Regulation 8 hereof.

(2) No bursary shall be forfeited on either of the grounds specified in paragraph (a) or paragraph (b) of the last preceding subclause if satisfactory evidence is produced to the Director 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.

Reports by Registrars

14. It shall be the duty of the Registrar of the college at which the holder of any Post-primary Teachers' Bursary is enrolled as a student to furnish to the Director, as and when required by him to do so, a report in writing as to the progress of the holder in his course of study and generally as to his compliance with the conditions subject to which the bursary is held.

Value and Term of Bursaries

15. (1) The maximum annual value of any Post-primary Teachers' Bursary shall be £70, with a boarding-allowance of £40 if the student is required to live away from home in order to complete his University course, together with tuition fees for the course approved.

(2) The normal term of any Post-primary Teachers' Bursary shall be three years, with the possibility of extension to a fourth year, provided always that a bursary may, at the discretion of the Director, be awarded for any shorter period.

(3) The grant of a Post-primary Teachers' Bursary shall not confer on the holder thereof any legal rights to the continuance of the bursary for the full term for which it is granted or to the continuance of the bursary at the same rate throughout the term thereof.

Payment of Bursaries

16. (1) No payment in respect of a Post-primary Teachers' Bursary shall be made unless the Director is satisfied that the holder of the bursary has complied with the conditions subject to which the bursary was awarded.

(2) Subject to the last preceding subclause, payments in respect of Post-primary Teachers' Bursaries shall be made as follows :—

(a) In so far as the value of the bursary is in respect of tuition fees, payment will be made to the Registrar of the college at which the holder is enrolled and shall be accepted to the amount thereof in satisfaction of those fees :

Provided that, except in special cases approved by the Director, not more than one year's tuition fees shall be payable under this paragraph with respect to any subject at the same grade :

(b) Except as provided in the last preceding paragraph, the value of the bursary shall be paid to the holder thereof by quarterly or other instalments as the Director may determine.

(3) On the application of the holder of any Post-primary Teachers' Bursary, the Director may in special cases suspend the benefits of the bursary for such period or periods as he thinks fit. Any period during which the bursary is so suspended shall not be taken into account in computing the term of the bursary. Except as provided in the foregoing provisions of this subclause, the benefits of the bursary shall be continuous throughout the term of the bursary.

Award of Bursaries

17. There shall in each year be awarded such number of Post-primary Teachers' Bursaries as the Director, with the authority of the Minister, may determine.

SCHEDULE

POST-PRIMARY TEACHERS' BURSARIES AGREEMENT

AN agreement made this day of, 194., between His Majesty the King, acting by and through the Director of Education, of the one part, and, of (hereinafter called "the Bursar"), of the other part :

Whereas His Majesty the King, on the application of the Bursar, has agreed to grant the Bursar a Post-primary Teachers' Bursary of the maximum annual value of seventy pounds (£70) together with tuition fees for the period of years from the first day of January, 194., to assist the Bursar to undertake his University course leading to the degree (or diploma) of, and a boarding-allowance of the maximum annual value of forty pounds (£40) during such part of the said period as the Bursar is obliged to live away from his home or his usual place of residence while undertaking the said course :

Now it is hereby agreed as follows :—

1. During the continuance of the Post-primary Teachers' Bursary the Bursar shall diligently and continuously study and attend at a college, approved by the Director of Education, the classes approved by the said Director, and shall abide by all rules of the college affecting his work or conduct and while a student of the college shall faithfully carry out and conform to all such duties and directions as may be allotted or given to him by the Principal of the college.

2. The Bursar, in respect of any year for which he accepts a Post-primary Teachers' Bursary, shall forego for that year any other bursary under the Educational Bursaries Regulations 1940 or any scholarship or other grant or allowance made for the purpose of assisting him to pursue his studies at any college :

Provided that in exceptional circumstances in any case the Director of Education may authorize the Bursar to retain another bursary, scholarship, grant, or allowance, but in that event may reduce the amount of the Post-primary Teachers' Bursary.

3. On his graduation, or at the end of the period for which the said bursary has been granted, the Bursar shall, if so required by the Director of Education, undertake as a Division "C" student a training-college course of one year approved by the said Director, and during this period the Bursar will be paid the allowances and fees payable to and on behalf of a student in Division "C" under the Training College Regulations 1926 and amendments.

4. On his graduation, or, as the case may be, at the end of the period for which his Post-primary Teachers' Bursary is granted, or if the Bursar be required, in pursuance of the preceding paragraph 3 hereof to undertake as a Division "C" student a training-college course, at the end of that course, the Bursar shall, if required by the Director of Education, serve as a post-primary teacher in a secondary school, technical school, combined school, the secondary department of a district high school, the secondary department of the Correspondence School, a registered private secondary school or any other school which is approved by the said Director, at a rate of pay and under conditions of service not less favourable than those for other post-primary teachers with corresponding qualifications and experience.

5. The period of employment required of the Bursar pursuant to the last preceding clause shall be one year for each year in which the bursary is paid, together with a period of three months for each year or part of a year in which a boarding-allowance is paid as part of the bursary.

6. During the said period of employment the Bursar shall use all his diligence and skill in the performance of his duties and shall abide by all regulations relating to his employment.

7. Nothing contained in this agreement shall make it obligatory on the part of His Majesty so to employ the Bursar or to arrange for his employment.

8. His Majesty undertakes that, as long as the Bursar shall duly perform the agreements and stipulations on his part contained in this Agreement, His Majesty shall cause to be paid to the Bursar during the time that he shall hold the bursary payments at the rate of seventy (£70) yearly, together with tuition fees, and together with a boarding-allowance at the rate of forty pounds (£40) yearly during such part of the time as the Bursar is obliged to live away from his home or his usual place of residence while undertaking the study course. Subject to compliance by the Bursar with the conditions of the Post-primary Teachers' Bursary, payment of tuition fees shall be made direct to the Registrar of the college at which the Bursar is enrolled, and the other benefits shall be paid to the Bursar by quarterly or other instalments as the Director may determine.

9. Subject to the provisions of the next succeeding clause, the Post-primary Teachers' Bursary may at any time be forfeited by His Majesty in any of the following circumstances, namely:—

- (a) If the Bursar fails to attend regularly the classes approved by the said Director:
- (b) If the Bursar in any year fails to make progress in his studies satisfactory to the said Director:
- (c) If the Bursar without the consent of the said Director ceases to pursue the course of study for which the bursary was granted or engages in any occupation while the college at which he is enrolled is in session.
- (d) If the Bursar commits any grave breach of the rules of the college or is guilty of any grave misconduct.

10. No bursary shall be forfeited on either of the grounds specified in paragraph (a) or paragraph (b) of the last preceding clause if satisfactory evidence is produced to the said Director 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.

11. If the Bursar at any time commits a breach of this memorandum of agreement the Director of Education, acting on behalf of His Majesty, may determine this agreement: And upon such determination the Bursar shall and will pay to His Majesty all moneys which His Majesty pursuant to the provisions of this memorandum of agreement shall have paid to or on behalf of the Bursar together with simple interest calculated at the rate of £5 per centum per annum from the respective days of the payment of the moneys until the respective days of their repayment.

In witness whereof these presents have been executed the day and year first above written.

Signed by the Director of Education
in the presence of—
.....
.....

Signed by the Bursar in
the presence of—
.....
.....

BOND

Know all men by these presents that I,....., of....., in New Zealand,, am held and firmly bound in the sum of two hundred and fifty pounds to be paid to His Majesty the King for which payment well and faithfully to be made I bind myself my executors and administrators to His Majesty the King firmly by these presents.

Dated this.....day of....., 19.....

Whereas....., of..... (my.....), has made application for and been granted a Post-primary Teachers' Bursary upon the terms, conditions, promises, undertakings, and agreements set out in a certain memorandum of agreement bearing date the.....day of....., 19....., and made between His Majesty the King, acting by and through the Director of Education, of the one part, and the said....., of the other part, and whereas as a condition of the grant of the said bursary I have executed this bond :

Now the condition of the above written bond or obligation is that—

- (i) If the Bursar being a female marry ; or
- (ii) If the Bursar shall do, carry out, perform, and pay the promises, undertakings, duties, and obligations in the said memorandum of agreement by the Bursar made entered into or undertaken ; or
- (iii) If on demand by the Director of Education the Bursar pays to His Majesty the King a sum equal to the total amount paid by His Majesty the King acting by the Director of Education in pursuance of the undertaking made and given in the said memorandum of agreement, or a due proportion (to be determined by the Director according to the length of Education Service completed by the Bursar) of that amount ; or
- (iv) If it be shown to the satisfaction of the Director of Education that the Bursar is within the meaning of the said memorandum of agreement and of the Education Act, 1914, medically unfit for the Education Service :—

then and in any of such cases the above written bond or obligation shall be void, but otherwise the same shall remain in full force and virtue.

Signed by the said.....
in the presence of—
.....
.....

T. J. SHERRARD,
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 11th day of March, 1948.
These regulations are administered in the Department of Education.