

BILL NO. 23 OF 2018

A BILL

FOR AN ACT TO AMEND THE TERTIARY SCHOLARSHIP AND LOANS ACT
2014

ENACTED by the Parliament of the Republic of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Tertiary Scholarship and Loans (Budget Amendment) Act 2018.

(2) This Act comes into force on 1 August 2018.

(3) In this Act, the Tertiary Scholarship and Loans Act 2014 is referred to as the “Principal Act”.

Section 5 amended

2. Section 5 of the Principal Act is amended by deleting “of Finance” wherever it appears and substituting “responsible for finance”.

2 *Tertiary Scholarship and Loans (Budget Amendment)— of 2018*

Section 5A inserted

3. The Principal Act is amended after section 5 by inserting the following new section—

“Eligible institution to provide required information

5A.—(1) The Board may request information from an eligible institution to assist in the performance of its functions under section 5, including requests for enrolment and academic reports.

(2) An eligible institution, when submitting information requested under subsection (1), shall do so within the time specified in an approved form.”.

Section 26 amended

4. Section 26 of the Principal Act is amended after “may” by inserting “by notice in the Gazette”.

Schedule 1 amended

5. Schedule 1 to the Principal Act is amended after paragraph 8 by inserting the following new paragraphs—

“9. Pacific Flying School

10. Advance Aviation Training (Fiji) Ltd”.

Schedule 2 amended

6. Schedule 2 to the Principal Act is amended by—

(a) in paragraph 1—

(i) deleting “600” and substituting “970”; and

(ii) after “preceding”, inserting “the”;

(b) in paragraph 2, deleting “the previous year” and substituting “2011 and any year thereafter”;

(c) in paragraph 8, deleting the heading and substituting the following—
“Scholarship Scheme for students with special needs”;

(d) in paragraph 10—

(i) in the heading after “post-graduate”, inserting “and MBBS”; and

(ii) after the first sentence, inserting the following new sentence—

“This scheme shall also apply to graduate students intending to upgrade to a Bachelor of Medicine and Bachelor of Surgery (MBBS) qualification.”; and

(e) after paragraph 10, inserting the following new paragraph—

“11. Post-graduate Scholarship – Local Awards Scheme

Full scholarships for students intending to upgrade to a Masters degree qualifications or PhD qualifications.”.

June 2018

TERTIARY SCHOLARSHIP AND LOANS (BUDGET AMENDMENT) BILL 2018

EXPLANATORY NOTE

(This note is not part of the Bill and is intended only to indicate its general effect)

1.0 BACKGROUND

- 1.1 The Tertiary Scholarship and Loans (Budget Amendment) Bill 2018 (**'Bill'**) seeks to amend the Tertiary Scholarship and Loans Act 2014 (**'Act'**) to reflect 2018-2019 Budget policies.

2.0 CLAUSES

- 2.1 Clause 1 of the Bill provides for the short title and commencement. If passed by Parliament, the amending legislation will come into force on 1 August 2018.
- 2.2 Clause 2 of the Bill amends section 5 of the Act by deleting “of Finance” and substituting “responsible for finance”.
- 2.3 Clause 3 of the Bill amends the Act by inserting a new section 5A which allows the Tertiary Scholarship and Loans Board (**'Board'**) to request for information from eligible institutions in order for the Board to carry out its functions under the Act.
- 2.4 Clause 3 of the Bill further provides that where such a request for information is made to an eligible institution, the eligible institution must furnish the information to the Board in the approved form within a stipulated time. This will help the Board in terms of assessment in order to, *inter alia*, make payments for student fees accordingly.
- 2.5 Clause 4 of the Bill amends section 26 of the Act to allow the Minister to amend the Schedules to the Act by notice in the Gazette.
- 2.6 Clause 5 of the Bill amends Schedule 1 to the Act by listing 2 additional eligible institutions for which students may receive financial assistance under the schemes in the Act.

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2.7 Clause 6 of the Bill amends Schedule 2 to the Act in paragraph 1 by increasing the number of awards allocated for the National Toppers Scheme to 970.

2.8 Clause 6 of the Bill also amends Schedule 2 to the Act by aligning the reference to “previous year” that qualifies a student to apply for a loan under the Tertiary Education Loans Scheme to the definition of “student” under section 2 of the Act.

2.9 Additionally, clause 6 of the Bill amends Schedule 2 to the Act to adjust the name of the scholarship scheme for students with special needs.

2.10 Clause 6 of the Bill expands the Tertiary Education Loans Scheme for post-graduate students to those who wish to upgrade their qualifications to a Bachelor of Medicine and Bachelor of Surgery qualification. Clause 6 of the Bill further introduces a new scheme that awards scholarships for post-graduate studies.

3.0 MINISTERIAL RESPONSIBILITY

3.1 The Act comes under the responsibility of the Minister responsible for education.

A. SAYED-KHAIYUM
Attorney-General