

A BILL

entitled

BERMUDA GOVERNMENT SCHOLARSHIPS AMENDMENT ACT 2013

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WHEREAS it is expedient to amend the Bermuda Government Scholarships Act 2008;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Bermuda Government Scholarships Act 2008 ("the principal Act"), may be cited as the Bermuda Government Scholarships Amendment Act 2013.

Amends section 2

2 Section 2 of the principal Act is amended—

(a) by deleting the definition of "Accommodation"; and

(b) by inserting in the appropriate alphabetical order—

“ “prescribed” means prescribed by regulations;

“regulations” means regulations made under section 5;”.

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Amends section 4

3 Section 4 of the principal Act is amended—

(a) by deleting subsections (1) and (2) and substituting—

“(1) Each Scholarship awarded pursuant to section 3 shall have a maximum annual value not exceeding \$35,000.

(2) Subject to subsection (1), each Scholarship shall be awarded for a term not exceeding four years—

(a) towards the annual cost of tuition—

(i) at an overseas educational institution approved by the Minister; or

(ii) at the Bermuda College for a programme offered by an overseas educational institution; and

(b) towards the cost of basic accommodation at a rate equal to the cost of dormitory accommodation for a single student at the educational institution.”;

(b) in subsection (4), by deleting “covered in subsections (1) and (2)” and substituting “covered under the original Scholarship with respect to the scholarship holder”.

Inserts new section 4A

4 The principal Act is amended by inserting after section 4—

“Minister may vary maximum annual value by order

4A (1) The Minister may by order vary the maximum annual value of the Scholarship specified in section 4(1).

(2) The affirmative resolution procedure shall apply to an order made under subsection (1). ”

Amends section 5

5 Section 5(1) of the principal Act is amended by deleting paragraph (c) and substituting—

“(c) respecting the qualifying criteria for candidates which shall include an enquiry as to the character and achievement of the candidate;”.

Amends section 6

6 Section 6 of the principal Act is amended by deleting paragraph (b) and substituting—

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“(b) be not less than sixteen years of age and not more than twenty-five years of age on the first day of August in the year of application;”.

Amends section 7

7 Section 7(1) of the principal Act is amended by deleting “equal to their full annual tuition”.

Commencement, application and saving provision

8 (1) This Act comes into operation on a day to be appointed by the Minister responsible for education by notice published in the Gazette (the “commencement date”), and applies with respect to persons awarded a Scholarship on or after that date.

(2) Accordingly, the provisions of the Bermuda Government Scholarships Act 2008 and the Bermuda Government Scholarships Regulations 1958 which are in force immediately before the commencement date, shall continue to apply (without the amendments made by this Act) with respect to persons who were awarded a Scholarship before the commencement date.

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EXPLANATORY MEMORANDUM

This Bill seeks to amend the Bermuda Government Scholarships Act 2008 (“the principal Act”) to make changes to the régime governing the grant of Bermuda Government Scholarships, primarily regarding the maximum annual value of the Government Scholarship and related matters.

Clause 1 is self-explanatory.

Clause 2 amends section 2 of the principal Act to add definitions.

Currently section 4 of the principal Act makes provision for payment of the full cost of a Scholarship holder’s full annual tuition, etc. irrespective of the cost. Clause 3 amends section 4 of the Act to prescribe \$35,000 as the annual maximum value of the Scholarship. The costs that will be covered by a Scholarship will be limited to the cost of tuition and basic accommodation only, up to a maximum amount not exceeding \$35,000. However, the maximum length of the Scholarship is increased to five years ie awarded for a term not exceeding four years subject to extension for another year under section 4(3) (previously the maximum length of the Scholarship and one year extension was four years).

Clause 4 inserts new section 4A into the principal Act which will give the Minister the flexibility to make an order varying the amount of the maximum annual value of a Scholarship. Such an order would be subject to the affirmative resolution procedure.

Clause 5 amends section 5 of the principal Act to clarify the provision relating to qualifying criteria for applicants for a Scholarship.

Clause 6 amends section 6 of the principal Act to expand the eligibility requirements to include students aged 16 through 25.

Clause 7 amends section 7 of the principal Act to delete the reference to payment of full annual tuition.

Clause 8 provides for commencement, and clarifies that the Bill applies in respect of persons awarded a Scholarship on or after the commencement date. Subsection (2) is a saving provision which states that the principal Act and the Bermuda Government Scholarships Regulations 1958 as in force immediately before the commencement date of this Bill will continue to apply to a person awarded a Scholarship before the commencement date (i.e. those persons will not be affected by the maximum annual value of \$35,000 and the other amendments made by this Bill).