



New South Wales

Technical Education Trust Funds (TAFE Establishments) Amendment By-law 2013

under the

Technical Education Trust Funds Act 1967

Her Excellency the Governor, with the advice of the Executive Council, has approved the following By-law made by the Managing Director of the TAFE Commission under the *Technical Education Trust Funds Act 1967*.

ADRIAN PICCOLI, MP
Minister for Education

In accordance with the *Technical Education Trust Funds Act 1967* and as Statutory Trustee of the William and Elizabeth Cuthbertson Memorial Fund, the Barrington Raymund Roberts Memorial Fund, the Noel Chettle Memorial Art Prize Fund, the TAFE Bicentenary Oliver Shaul Scholarship Fund and the Bishop Brothers Memorial Fund, I make the By-law set out below and certify that I have had regard to the intentions of the respective donors of those Funds, as expressed by the respective trust instruments, relating to those funds.

PAM CHRISTIE
Managing Director of the TAFE Commission

Explanatory note

The object of this By-law is to amend the existing By-laws relating to various trust funds from which prizes and awards are made to students attending TAFE establishments, under the *Technical Education Trust Funds Act 1967*. The following amendments are made:

- (a) the provision about the William and Elizabeth Cuthbertson Memorial Fund is amended as follows:
 - (i) to omit the name of a course that no longer exists (the Naval Architecture Associate Diploma Course),

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- (ii) to update the name of the remaining course for which the prizes from that fund may be awarded (the Diploma or Advanced Diploma of Marine Engineering, which replaces the Marine Engineering Associate Diploma Course),
- (b) the provision about the Barrington Raymund Roberts Memorial Fund is amended as follows:
 - (i) to update the courses for which the prize from that fund may be awarded (to include any course conducted through the Tourism, Hospitality and Events Training Package, rather than only courses in catering studies, hotel administration or similar fields),
 - (ii) to update references to the Food School (so that they refer more generally to the TAFE establishment that conducts the course as part of the training package),
 - (iii) to extend the requirements for what an application for the award must contain (so as to include an application form, a current portfolio, a teacher report and certain other details and endorsements),
 - (iv) to clarify that a requirement to have regard to the demeanour and personal presentation of the applicant only relates to the applicant's demeanour and personal presentation during the interview for the award,
- (c) the provision about the Noel Chettle Memorial Art Prize Fund is amended as follows:
 - (i) to update the courses for which the prize from the fund may be awarded (to courses in visual arts or design, rather than fine arts or visual arts),
 - (ii) to extend the time period that the Statutory Trustee has to determine that the income in the fund is sufficient to support the award being awarded in that year (from 31 March to 31 July),
 - (iii) to extend the manner in which notice that the award is to be made can be given to students to possibly include email or through the internet (rather than merely newspapers or periodicals as at present),
 - (iv) to provide that entries for the award are to be lodged with an officer specified by TAFE NSW (rather than the office of the program manager),
 - (v) to omit from the selection committee the person holding office or acting as Program Manager, Fine Art and Contemporary Craft,
 - (vi) to include on the selection committee two teachers of the relevant visual arts or design programs who are teaching at different delivery locations (rather than one teacher who is above the rank of head teacher),
- (d) the provision about the TAFE Bicentenary Oliver Shaul Scholarship Fund is amended as follows:
 - (i) to correct the name of the Fund (by omitting the current reference to "NSW"),
 - (ii) to provide that students who are awarded the scholarship may use it to visit a wider range of international destinations during their study abroad (and not only Europe, Asia or North America),
 - (iii) to omit the requirement for students to register an expression of interest in the scholarship (only an application for the scholarship will be required),
 - (iv) to provide that an application for the scholarship must be lodged during the final year of the applicant's study, rather than the third year (since courses no longer necessarily take 3 years),

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- (e) the provision about the Bishop Brothers Memorial Fund is omitted, as there are now insufficient funds to award the prize.

This By-law is made under section 14 of the *Technical Education Trust Funds Act 1967*.

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1 Name of By-law

This By-law is the *Technical Education Trust Funds (TAFE Establishments) Amendment By-law 2013*.

2 Commencement

This By-law commences on the day on which it is published on the NSW legislation website.

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[1] Clause 6 William and Elizabeth Cuthbertson Memorial Fund

Omit clause 6 (3). Insert instead:

- (3) Each award may be awarded to a student at a TAFE establishment on completion by the student of the Diploma or Advanced Diploma of Marine Engineering courses (or any courses that replace those courses).

[2] Clause 13 Barrington Raymund Roberts Memorial Fund

Omit clause 13 (2)–(5). Insert instead:

- (2) The Barrington Raymund Roberts Memorial Award for the promotion and encouragement of education in the industry sectors of tourism, hospitality and events, may be made to a student at a TAFE establishment on completion by the student of a course conducted through the Tourism, Hospitality and Events Training Package (or any training package that replaces that training package).
- (3) Applications for the Barrington Raymund Roberts Memorial Award may be made each year following publication of end-of-year results by the TAFE establishment conducting the course.
- (4) Applications must be made in writing to the Statutory Trustee of the Fund and must include the following:
 - (a) a completed application form (which may be obtained from the TAFE establishment),
 - (b) a current portfolio that includes the following:
 - (i) the reasons that the applicant has chosen his or her field of study,
 - (ii) the applicant's academic transcript for the course conducted through the Tourism, Hospitality and Events Training Package at the TAFE establishment,
 - (iii) a description of the work experience undertaken by the applicant (paid and unpaid) as part of that course,
 - (iv) an expression of the applicant's commitment to achieving excellence in his or her given field,

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- (v) any other information that the student considers relevant to the application,
 - (c) full details of the proposed study, training program or project to be undertaken by the applicant including the proposed length of the course, when it will be completed, the proposed cost of the course and any related costs,
 - (d) an outline of the proposed travel plans of the applicant, if applicable,
 - (e) a completed nomination in the form approved by the Statutory Trustee,
 - (f) such other TAFE NSW endorsements as are relevant to the application,
 - (g) a report on the student from a teacher of the course conducted through the Tourism, Hospitality and Events Training Package at the TAFE establishment in which the entrant is currently enrolled.
- (5) The Statutory Trustee of the Fund is to award the Barrington Raymund Roberts Memorial Award to the most meritorious applicant in each year having regard to the following:
- (a) the academic achievement of the applicant in a course conducted through the Tourism, Hospitality and Events Training Package (or any training package that replaces that training package),
 - (b) the merit of the proposed course or project to be undertaken by the applicant,
 - (c) the demeanour and personal presentation of the applicant during the interview with the selection committee.

[3] Clause 14 Noel Chettle Memorial Art Prize Fund

Omit "Fine Arts or Visual Arts" from clause 14 (2).

Insert instead "visual arts or design".

[4] Clause 14 (2A)–(4)

Omit clause 14 (2A), (3) and (4). Insert instead:

- (2A) The Noel Chettle Memorial Art Prize is to be awarded annually or, if the Statutory Trustee of the Fund determines that income in the Fund is insufficient to support an annual award, every second year.

- (2B) If the Statutory Trustee determines that the Noel Chettle Memorial Art Prize is to be awarded in any year, the Trustee is to publish a notice to students to that effect by 31 July in that year.
- (3) Entries in any year for the Noel Chettle Memorial Art Prize must be lodged, on or before 30 September in that year, with an officer specified by TAFE NSW.
- (4) An entry in any year for the Noel Chettle Memorial Art Prize must:
- (a) specify the name of the entrant, and
 - (b) indicate whether the entrant has, or is the child of a person who has, been on active service in a war zone as a member of the Australian Defence Force, and
 - (c) certify that the works accompanying the entry have been completed within the preceding period of 2 years, and
 - (d) be verified in writing by a teacher of the visual arts or design programs:
 - (i) who is teaching the course of training in which the entrant is currently enrolled, or
 - (ii) who is of or above the rank of teacher and has management responsibility for visual arts or design.

[5] Clause 14 (8) (a)

Omit clause 14 (8) (a) and (b). Insert instead:

- (a) two teachers of the relevant visual arts or design programs who are teaching at different delivery locations,

[6] Clause 17 TAFE Bicentenary Oliver Shaul Scholarship Fund

Omit “TAFE NSW Bicentenary” wherever occurring in clause 17 (1)–(3), (5)–(7), (10), (12) and (13).

Insert instead “TAFE Bicentenary”.

[7] Clause 17 (3) (a)

Omit “Europe, Asia or North America”.

Insert instead “an international destination”.

[8] Clause 17 (4)

Omit the subclause. Insert instead:

- (4) An applicant for the TAFE Bicentenary Oliver Shaul Scholarship must lodge an application to participate in the scholarship (in the

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form approved by the Statutory Trustee of the Fund) on or before
the last Friday of May during the applicant's final year of study
in the TAFE NSW Commercial Cookery Trade Course.

[9] Clause 17A Bishop Brothers Memorial Fund

Omit the clause.