

Technical Education Trust Funds (TAFE Establishments) By-law 1997

[1997-350]



New South Wales

Status Information

Currency of version

Current version for 9 August 2013 to date (accessed 12 May 2024 at 4:42)

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

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File last modified 9 August 2013

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Contents

Part 1 Preliminary	3
1 Name of By-law	3
2 Commencement	3
3 Definitions	3
4 Notes	3
5 John L Bruce Memorial Fund	3
6 William and Elizabeth Cuthbertson Memorial Fund	4
7 J P Franki Memorial Fund	4
8 Thomas Irons Memorial Fund	4
9 A H Martin Memorial Prize Fund	5
10 William King McLean Prize Fund	5
11 Dr Purdy Memorial Fund	6
12 Mary Ellen Roberts Memorial Fund	6
13 Barrington Raymund Roberts Memorial Fund	6
14 Noel Chettle Memorial Art Prize Fund	8
15 Coachbuilders 1914-1919 War Memorial Bursary Fund	9
16 Institute of Mechanical Engineering Craftsmen Prize Fund	10
17 TAFE NSW Bicentenary Oliver Shaul Scholarship Fund	10
17A (Repealed)	12
18 Repeal and savings	12

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New South Wales

Part 1 Preliminary

1 Name of By-law

This By-law is the *Technical Education Trust Funds (TAFE Establishments) By-law 1997*.

2 Commencement

This By-law commences on 1 July 1997.

Editorial note—

The By-law was published in the Gazette on 25.7.1997.

The By-law appointed 1 July 1997 as the date of its commencement. Pursuant to section 39 (2A) of the *Interpretation Act 1987*, the By-law is not invalid merely because the By-law was published in the Gazette after the day on which one or more of its provisions is or are expressed to take effect, but provides, in that case, for that or those provisions to take effect from the day on which the By-law is published in the Gazette, instead of from the earlier day.

3 Definitions

In this By-law:

TAFE establishment has the same meaning as in the *Technical and Further Education Commission Act 1990*,

the Act means the *Technical Education Trust Funds Act 1967*.

4 Notes

The explanatory note and table of contents do not form part of this By-law.

5 John L Bruce Memorial Fund

- (1) This clause relates to the John L Bruce Memorial Fund.
- (2) The John L Bruce Memorial Prize may be awarded to a student at a TAFE establishment on completion by the student of any of the following courses:

- (a) the Plumbing Trade Course (or any course that replaces that course),
- (b) the Plumbing Services Course (or any course that replaces that course).
- (3) The recipient of the John L Bruce Memorial Prize is to be the student who has done the most meritorious work over any 3 year period during the course, determined in the manner directed by the Statutory Trustee of the Fund.

6 William and Elizabeth Cuthbertson Memorial Fund

- (1) This clause relates to the William and Elizabeth Cuthbertson Memorial Fund.
- (2) The following awards may be awarded from that Fund:
 - (a) the William and Elizabeth Cuthbertson Memorial Medal and Prize,
 - (b) the William and Elizabeth Cuthbertson Memorial Prize.
- (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).
- (4) The recipients of the William and Elizabeth Cuthbertson Memorial Medal and Prize and the William and Elizabeth Cuthbertson Memorial Prize are to be the students who obtain the highest average of all marks gained in all subjects in their course.

7 J P Franki Memorial Fund

- (1) This clause relates to the J P Franki Memorial Fund.
- (2) The J P Franki Medal and Prize may be awarded to a student at a TAFE establishment on completion by the student of the Marine Engineering Associate Diploma Course (or any course that replaces that course).
- (3) The recipient of the J P Franki Medal and Prize is to be the student who obtains the highest average of all marks gained in all subjects in that course.

8 Thomas Irons Memorial Fund

- (1) This clause relates to the Thomas Irons Memorial Fund.
- (2) The Thomas Irons Memorial Medal may be awarded in yearly rotation to a student at a TAFE establishment in the metropolitan area of Sydney on completion by the student of a prescribed course.
- (3) The prescribed courses and the order of rotation of those courses is as follows:
 - (a) Industrial Blacksmithing (or any course that replaces that course),
 - (b) Mechanical Engineering (or any course that replaces that course),

- (c) Foundry (or any course that replaces that course),
 - (d) Patternmaking (or any course that replaces that course),
 - (e) Metal Fabrication and Welding (or any course that replaces that course).
- (4) The recipient of the Thomas Irons Memorial Medal is to be the student who obtains the highest average of all marks gained in all subjects in the prescribed course for that year.
- (5) If, in the opinion of the Statutory Trustee of the Fund, the results of the student who would otherwise be eligible to receive the award are not of a sufficiently high standard to warrant making the award to that student, the Thomas Irons Memorial Medal may be awarded to the student who obtains the highest average of all marks gained in all subjects in any of the other courses referred to in subclause (3) (taking into consideration the highest average of all marks gained in all subjects in each of the courses referred to in that subclause).
- (6) If, in the opinion of the Statutory Trustee of the Fund, the income in the Fund is sufficient after providing for the Thomas Irons Memorial Medal, the Trustee may award an additional prize to a student on completion by the student of any of the courses referred to in subclause (3), upon such terms and conditions as the Trustee may determine.

9 A H Martin Memorial Prize Fund

- (1) This clause relates to the A H Martin Memorial Prize Fund.
- (2) The A H Martin Memorial Prize may be awarded to a student at a TAFE establishment on completion by the student of the Building Supervision Advanced Certificate Course (or any course that replaces that course).
- (3) The recipient of the A H Martin Memorial Prize is to be the student who obtains the highest average of all marks gained in all subjects in that course.

10 William King McLean Prize Fund

- (1) This clause relates to the William King McLean Prize Fund.
- (2) The William King McLean Prize may be awarded to a student at a TAFE establishment on completion by the student of the Building Associate Diploma Course (or any course that replaces that course).
- (3) The recipient of the William King McLean Prize is to be the student who obtains the highest average of all marks gained in all subjects in that course.

11 Dr Purdy Memorial Fund

- (1) This clause relates to the Dr Purdy Memorial Fund.
- (2) The Dr Purdy Medal and Award may be awarded to a student at a TAFE establishment on completion by the student of the Health and Building Surveying Associate Diploma Course (or any course that replaces that course).
- (3) The recipient of the Dr Purdy Medal and Award is to be the student who, at the student's first attempt, obtains the highest average of all marks gained in all subjects in that course.
- (4) The Dr Purdy Medal and Award comprises a medal and a sum of money.

12 Mary Ellen Roberts Memorial Fund

- (1) This clause relates to the Mary Ellen Roberts Memorial Fund.
- (2) The Mary Ellen Roberts Memorial Scholarship may be awarded to a student at a TAFE establishment on completion by the student of the Fashion Technology Advanced Certificate Course (or any course that replaces that course).
- (3) The recipient of the Mary Ellen Roberts Memorial Scholarship is to be the student who obtains the highest average of all marks gained in all subjects in that course.
- (4) The Mary Ellen Roberts Memorial Scholarship is to be tenable upon such terms and conditions as the Statutory Trustee of the Fund may determine.

13 Barrington Raymund Roberts Memorial Fund

- (1) This clause relates to the Barrington Raymund Roberts Memorial Fund.
- (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,
 - (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.
- (6) More than one Barrington Raymund Roberts Memorial Award may be awarded in any one year.
- (7) The Statutory Trustee of the Fund may appoint a selection committee to consider applications and make recommendations in relation to the Barrington Raymund Roberts Memorial Award.

14 Noel Chettle Memorial Art Prize Fund

- (1) This clause relates to the Noel Chettle Memorial Art Prize Fund.
- (2) The Noel Chettle Memorial Art Prize may be awarded in any year to a student at a TAFE establishment who, as at 30 September in that year, is enrolled in a course of training conducted as part of the visual arts or design programs.
- (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) The works accompanying an entry must consist of the following:
 - (a) a life portrait,
 - (b) a life drawing of a male,
 - (c) a life drawing of a female,
 - (d) a life drawing that includes hands and feet,
 - (e) a sketch book containing not more than 20 sketches.
- (6) The works accompanying an entry:

- (a) must, in the case of the life portrait, have dimensions not exceeding 1200 millimetres by 1200 millimetres and, in the case of the other works, have dimensions not exceeding 900 millimetres by 1200 millimetres, and
 - (b) in the case of the life portrait, must be executed in oil paint or acrylic paint, and
 - (c) in the case of the other works, must be executed in any medium commonly used in the production of a drawn work, and
 - (d) must not be executed with the aid of photo-release techniques or by means of tracings from photographs.
- (7) The Statutory Trustee of the Fund is to appoint a selection committee to award the Noel Chettle Memorial Art Prize.
- (8) The selection committee is to consist of the following:
- (a) two teachers of the relevant visual arts or design programs who are teaching at different delivery locations,
 - (b) (Repealed)
 - (c) a person who is, in the opinion of the Statutory Trustee of the Fund, an Australian artist who has made a significant contribution to art.
- (9) The Noel Chettle Memorial Art Prize is to be awarded to the entrant whose works exhibit, in the opinion of the selection committee, the highest standard of draughtsmanship and construction.
- (10) However:
- (a) if, in the opinion of the selection committee, the works of 2 or more entrants are of equal merit, preference may be given to an entrant who has, or who is a child of a person who has, been on active service in a war zone as a member of the Australian Defence Force, or
 - (b) if, in any year, the selection committee is of the opinion that no entrant merits the award of the Noel Chettle Memorial Art Prize, it may refuse to make an award for that year.
- (11) The decision of the selection committee in respect of an award is final.

15 Coachbuilders 1914-1919 War Memorial Bursary Fund

- (1) This clause relates to the Coachbuilders 1914-1919 War Memorial Bursary Fund.
- (2) The Coachbuilders 1914-1919 War Memorial Bursary may be awarded to a student at a TAFE establishment on completion by the student of any vehicle body trade course.

- (3) The recipient of the Coachbuilders 1914–1919 War Memorial Bursary is to be the student who is assessed as achieving the highest level of competency based training skills in that course.

16 Institute of Mechanical Engineering Craftsmen Prize Fund

- (1) This clause relates to the Institute of Mechanical Engineering Craftsmen Prize Fund.
- (2) The Institute of Mechanical Engineering Craftsmen Prize may be awarded to a student at a TAFE establishment on completion by the student of the Mechanical Engineering Trade Certificate Course (or any course that replaces that course).
- (3) The recipient of the Institute of Mechanical Engineering Craftsmen Prize is to be the student who obtains the highest average of all marks gained in all subjects in that course.

17 TAFE NSW Bicentenary Oliver Shaul Scholarship Fund

- (1) This clause relates to the TAFE Bicentenary Oliver Shaul Scholarship Fund.
- (2) The TAFE Bicentenary Oliver Shaul Scholarship may be awarded to a student at a TAFE establishment on completion by the student of the TAFE NSW Commercial Cookery Trade Course.
- (3) The TAFE Bicentenary Oliver Shaul Scholarship comprises:
 - (a) one return air ticket to an international destination, and
 - (b) living expenses and additional travel costs of the recipient for a period of not less than 3 months,(as determined by the Statutory Trustee of the Fund) for the purpose of undertaking a proposed study or training program in a restaurant or hotel kitchen of international reputation.
- (4) An applicant for the TAFE Bicentenary Oliver Shaul Scholarship must lodge an application to participate in the scholarship (in the 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.
- (5) An applicant for the TAFE Bicentenary Oliver Shaul Scholarship must include with the application:
 - (a) a current portfolio, including results achieved in the TAFE NSW Commercial Cookery Trade Course, and
 - (b) full details of the applicant's proposed study or training program, and
 - (c) an outline of proposed travel plans, and

- (d) an estimated outline of costs, and
- (e) endorsements from the applicant's employer and a representative from the applicant's TAFE establishment.
- (6) All applicants must be available to attend an interview as part of the selection process for the TAFE Bicentenary Oliver Shaul Scholarship.
- (7) The Statutory Trustee of the Fund is to appoint a selection committee to award the TAFE Bicentenary Oliver Shaul Scholarship.
- (8) The selection committee is to consist of a minimum of three persons including:
 - (a) Oliver Shaul or his nominee (as chairperson), and
 - (b) an industry representative, and
 - (c) a TAFE Establishment representative.
- (9) In the case where a fourth person is to be appointed, that person is to be a representative of a professional industry body.
- (10) The selection committee is to award the TAFE Bicentenary Oliver Shaul Scholarship to the most meritorious applicant in each year having regard to the applicant's:
 - (a) academic achievement in the TAFE NSW Commercial Cookery Trade Course, and
 - (b) commitment to the goal of achieving excellence in the field of Commercial Cookery in Australia, and
 - (c) capacity to be an Australian goodwill ambassador overseas.
- (11) The decision of the selection committee in respect of an award is final.
- (12) The recipient of the TAFE Bicentenary Oliver Shaul Scholarship must give the following undertakings:
 - (a) to commence the proposed study or training program within 6 months of being awarded the Scholarship,
 - (b) to report on the study or training program, on its completion, at a number of venues to be determined by that part of the TAFE Commission with management of the TAFE NSW Commercial Cookery Trade Course,
 - (c) to refund any part or the whole of the TAFE Bicentenary Oliver Shaul Scholarship if the recipient fails to fulfil either or both of the undertakings as outlined in paragraphs (a) and (b).
- (13) Expenses related to the report on the proposed study or training program by the recipient of the TAFE Bicentenary Oliver Shaul Scholarship are to be provided from the

TAFE Bicentenary Oliver Shaul Scholarship Fund.

- (14) A reference in this clause to the TAFE NSW Commercial Cookery Trade Course includes a reference to any course that replaces that course.

17A (Repealed)

18 Repeal and savings

- (1) The *Technical Education Trust Funds (Colleges) By-law 1985* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Technical Education Trust Funds (Colleges) By-law 1985*, had effect under that By-law is taken to have effect under this By-law.
- (3) In particular:
- (a) an application or entry that was made under the *Technical Education Trust Funds (Colleges) By-law 1985* that had not been withdrawn or determined before the repeal of that By-law is taken to be an application or entry under this By-law, and
 - (b) a selection committee that was appointed under the *Technical Education Trust Funds (Colleges) By-law 1985* is taken to be a selection committee appointed under this By-law.