



MONTERRAT

## CHAPTER 16.03

# MONTERRAT SCHOLARSHIP ACT and Subsidiary Legislation

### Revised Edition

showing the law as at 1 January 2013

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Revised Edition of the Laws Act.

This edition contains a consolidation of the following laws—

#### **MONTERRAT SCHOLARSHIP ACT**

Act 41 of 1961 .. in force 29 December 1961

Amended by Act 9 of 2011 .. in force 27 September 2011 (S.R.O. 40/2011)

#### **MONTERRAT SCHOLARSHIP RULES – Section 4**

S.R.O. 6/1962 .. in force 31 July 1962

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**CHAPTER 16.03**

**MONTSERRAT SCHOLARSHIP ACT**

*(Acts 41 of 1961 and 9 of 2011)*

**Commencement**

*[29 December 1961]*

**Short title**

1. This Act may be cited as the Montserrat Scholarship Act.

**Establishment of scholarship**

2. The Governor acting on the advice of Cabinet may in each year award a scholarship to be known as the Montserrat Scholarship. *(Amended by Act 9 of 2011)*

**Qualifications of candidates and conditions of scholarship**

3. The Montserrat Scholarship may be awarded—
  - (a) to such persons;
  - (b) for such amount;
  - (c) for such period;
  - (d) tenable at such institutions; and
  - (e) in accordance with such other conditions as the Governor acting on the advice of Cabinet may prescribe by rules made under the provisions of section 4:

Provided that, such scholarship may be awarded only to persons who—

- (a) shall have been educated at a school in Montserrat for three years next preceding 31 December in the year in which the examination of candidates for the scholarship is held; and
- (b) shall have been born in Montserrat, or shall be the child of parents one of whom was born in Montserrat or has been ordinarily resident in Montserrat for five years next preceding 31 December in the year in which such examination is held.

*(Amended by Act 9 of 2011)*

**Rules**

4. (1) The Governor acting on the advice of Cabinet may make rules prescribing further conditions under which the scholarship may be awarded and held and generally for carrying out the provisions of this Act:

Provided that, such rules shall not have any force or effect until they have been approved by the Legislative Assembly, and when so approved shall, as from the date of such approval, have the same force and effect as if they were contained in and formed part of this Act.

*(Amended by Act 9 of 2011)*

(2) All such rules shall, after approval, be published in the *Gazette*.

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**MONTSEERRAT SCHOLARSHIP RULES – SECTION 4**

*(S.R.O. 6/1962 and Act 9 of 2011)*

**Commencement**

*[31 July 1962]*

**Short title**

1. These Rules may be cited as the Montserrat Scholarship Rules.

**Interpretation**

2. In these Rules, where the context so admits—

“**Act**” means the Montserrat Scholarship Act;

“**Candidate**” means a candidate for a Scholarship;

“**Scholar**” means a candidate awarded a Scholarship;

“**Scholarship**” means the Montserrat Scholarship awarded under section 2 of the Act.

**Examination**

3. Candidates shall be required to write the Entrance and Scholarship Examination of the University of the West Indies (hereinafter called “**the Examination**”) upon which the award of the Scholarship shall be made.

**Age limit**

4. No person who is or shall be over the age of twenty years on 31 December of the year preceding the year of the Examination shall be admitted as a candidate.

**Application**

5. Every person who desires to be admitted as a candidate shall submit to the Principal of the Montserrat Secondary School on or before 31 December of the year preceding the year of the Examination—

- (a) an application in the form prescribed by the Principal;
- (b) evidence that he is a person within the provisions of paragraphs (a) and (b) of the proviso to section 2 of the Act;
- (c) a certified copy of his birth certificate, or if the person’s birth has not been registered, his baptismal certificate; and
- (d) two certificates as to character and general conduct.

**Admission**

6. The Principal of the Montserrat Secondary School shall admit as a candidate any person who complies with the provisions of rule 5, if he is satisfied that—

- (a) the applicant is within the age limit required by these Rules;

- (b) the applicant is within the provisions of paragraphs (a) and (b) of the proviso to section 2 of the Act; and
- (c) the moral and general conduct of the applicant is satisfactory.

### University

7. The Scholarship shall be tenable at the University of the West Indies (hereinafter called “**the University**”):

Provided that if the Scholar cannot be placed at the University, the Governor acting on the advice of Cabinet may permit the Scholar to enter such other University, which in the opinion of the Governor acting on the advice of Cabinet shall be suitable for the Scholar to pursue his studies, and the provisions hereinafter contained shall apply to such other University in the same manner as they apply to the University.

*(Amended by Act 9 of 2011)*

### Course of study

8. Every scholar shall as soon as possible after being awarded a scholarship submit—

- (a) particulars of a proposed course of study at the University; and
- (b) a certificate of health from a medical practitioner in Montserrat,

to the Principal of the Montserrat Secondary School, which shall be submitted to the Governor acting on the advice of Cabinet by the Principal for confirmation that the proposed course of study is approved and that the scholar is medically fit to undertake the proposed course of study.

*(Amended by Act 9 of 2011)*

### Bond

9. Before commencing on his course of study at the University the Scholar shall be required by the Governor to execute a bond, with or without sureties as the Governor may think fit, that the Scholar on the successful determination of his course of study shall return to Montserrat and enter and remain in the service of the Government of Montserrat for a period of three years if upon his return the Governor shall offer him employment in such service in a position commensurate with his degree or other qualification obtained.

### Report

10. Every Scholar shall procure at the end of every academic year a report signed by the Principal of the University certifying that he has made satisfactory progress in his studies and that his general conduct has been satisfactory and shall forthwith transmit such report to the Governor.



**Forfeiture****11. Where any Scholar—**

- (a) is expelled or suspended from the University; or
- (b) fails to pass any examination held by the examining body of the University; or
- (c) accepts any appointment without the approval of the Governor acting on the advice of Cabinet; or (*Amended by Act 9 of 2011*)
- (d) alters his course of study without the approval of the Governor acting on the advice of Cabinet; or (*Amended by Act 9 of 2011*)
- (e) in the opinion of the Principal of the University is unfitted to continue holding a Scholarship; or
- (f) contravenes or fails to comply with the provisions of these Rules,

he shall be liable to forfeit his Scholarship.

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