

## Quentin Bryce Law Doctoral Scholarship Conditions for Award (Conditions) (Full term award)

### Primary Stipend

Annual stipend rate

\$ 40,000

Duration

Four years

### HDR Research Support

\$1,500 per annum

## 1. ELIGIBILITY

- 1.1 To be eligible for the Quentin Bryce Law Doctoral Scholarship (the Scholarship), an applicant must meet all of the following requirements:
- (a) An applicant must have completed a Masters Degree by research or a Bachelor Degree with first class honours, or be regarded by the University as having an equivalent level of attainment in accordance with clause 1.1(b)
  - (b) Where applicants do not meet the eligibility requirements set out in clause 1.1(a), the Faculty may make a determination, in consultation with the University Graduate Research School that the applicant has demonstrated an equivalent level of attainment. In determining an equivalent level of academic attainment, the University may consider previous study, relevant work experience, research publications, referees' reports and other research experience.
  - (c) An applicant must have been accepted to undertake a Doctor of Philosophy degree by the Law Faculty prior to being ranked for the Scholarship and commence the degree program in the year in which the Scholarship commences. The selection committee may consider offering a scholarship to an applicant who is already enrolled in the doctoral degree program of the Law Faculty.
  - (d) An applicant must be enrolled as a full-time student upon commencement of the Scholarship, or as a part-time student in the circumstances dealt with in clause 8 below.
- 1.2 Subject to meeting the eligibility requirements set out in clause 1.1, applications are open to citizens of all countries. In the case of an applicant without Australian or New Zealand citizenship or Australian permanent resident status, to be eligible the applicant must:
- (a) be an international student; and
  - (b) meet international student visa requirements as specified by the Department of Immigration and Citizenship (DIAC), including the requirement to purchase and maintain a standard Overseas Student Health Cover policy approved by the Commonwealth Government Department of Health and Ageing.
- 1.3 The terms of the Scholarship set out in this document will apply to international students to the extent that they are not in conflict with the student's obligations as an international student and visa requirements. The Scholarship does not cover course tuition fees.
- 1.4 Applicants are ineligible for the Scholarship if they:
- (a) currently hold an Australian Doctorate or equivalent in law or field of their proposal.

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- (b) are currently receiving another equivalent award, scholarship or salary to undertake the research higher degree providing a benefit greater than 75% of the Scholarship stipend rate.
  - (i) Receipt of salary pursuant to a Faculty of Law Doctoral Teaching Fellowship shall not render an applicant ineligible for the Scholarship;
  - (ii) Receipt of a scholarship which funds solely course tuition fees shall not render an applicant ineligible for the Scholarship.
- (c) have held an APA, an APA (Industry) or an Australian Government-funded Postgraduate Research Award previously, unless it was terminated within three months of the commencement of benefits.

## 2. ONGOING ELIGIBILITY

- 2.1 The University monitors awardees' ongoing eligibility and progress to ensure that each student continues to meet the eligibility requirements set out in this document. Except in special circumstances which the University Graduate School Board of the Academic Board determines, throughout the tenure of the Scholarship a student shall:
- (a) diligently pursue a course of study in the University as a candidate for the degree enrolled in; and
  - (b) submit to the relevant Faculty each half year a report to enable review of progress in accordance with the guidelines approved by the University Graduate School Board from time to time as per Section 11.13 of the UTS student and related rules found at <http://www.gsu.uts.edu.au/rules/11-13.html>
  - (c) successfully complete the required candidature assessments as per Section 11.14 of the UTS student and related rules found at <http://www.gsu.uts.edu.au/rules/11-14.html> and
    - i. successfully complete the Stage 1 Candidature Assessment on the first attempt
    - ii. have no more than 2 consecutive unsatisfactory or conceded satisfactory assessments (including Review of Progress and Stage Assessments)
  - (d) comply with the rules and regulations of the University concerning postgraduate students which can be found at: <http://www.gsu.uts.edu.au/rules/11-index.html>.
- 2.2 A student must give at least twenty-one days' notice of intention to relinquish the Scholarship (e.g. on discontinuation of studies).

## 3. SELECTION

- 3.1 The Scholarship shall be awarded in accordance with the eligibility requirements and on the basis of:
- academic merit of the applicant;
  - research and other relevant experience of the applicant;
  - publication record of the applicant;
  - quality of the research proposal; and,
  - relevance of the proposed research to the Faculty's research strengths.
- 3.2. A selection committee will be established for the award of the Scholarship. The selection committee will comprise:
- the Law Faculty Dean,
  - the Dean of the University Graduate Research School or delegate from GR SB,
  - the Law Faculty Associate Dean (Research), or the Higher Degree Research Director,
  - such other persons to be agreed between the Law Faculty Dean and the Dean of the University Graduate Research School.
- 3.3 The selection committee's decision will be final.

## 4. VALUE OF SCHOLARSHIP

- 4.1 The stipend provided for the Scholarship is at the rate specified on page 1 of this document.
- 4.2 Payments are made in equal fortnightly installments directly to a nominated account in the scholarship holder's name through the University's payment system. Part-time stipends may be adjusted to withhold tax.
- 4.3 Under Section 23(z) of the Income Tax Assessment Act 1936 (as amended), full-time scholarships are presently exempt from taxation. It is the responsibility of the Scholarship holder to assess the tax liability of their scholarship. The University cannot provide advice regarding taxation. Please refer to the Australian Tax Office Website for further information: <http://www.ato.gov.au>

## 5. RESEARCH SUPPORT

- 5.1 A research support allowance is provided for the amount specified on page 1 of this document.
- 5.2 Subject to Faculty guidelines, the Research Support allowance can be used to support research related activities or expenditure such as:
  - Travel to present research papers at local or international conferences;
  - Field work;
  - Purchase of specialist books;
  - Acquisition of equipment or software;
  - To facilitate the production of the thesis.

## 6. TENURE

- 6.1 The Scholarship must be taken up in the semester for which the offer is made. Where due to significant prior commitments or exceptional circumstances, the Scholarship holder is not able to commence by the coursework census date (or where a later offer has been made, by the date stipulated in that offer), permission to delay commencement may be granted, subject to the Faculty's approval.
- 6.2 The duration of the Scholarship will be four years full-time or eight years part-time in the circumstances dealt with in clause 8 below.
  - 6.2.1 The maximum Scholarship tenure will be reduced by any periods of study undertaken:
    - (a) towards the degree prior to commencement of the Scholarship; and/or
    - (b) towards the degree during suspension of the Scholarship.
  - 6.2.2 The duration of the Scholarship will be increased by any periods of paid sick or maternity leave approved by the Faculty (see paragraph 5.4).
  - 6.2.3 If a part-time Scholarship is converted to a full-time Scholarship, the period of the time that the student is regarded as having been in receipt of the part-time Scholarship immediately prior to the conversion will be halved for the purpose of determining the duration the awardee is regarded as having been in receipt of a full-time Scholarship immediately after conversion.
  - 6.2.4 If a full-time Scholarship is converted to a part-time Scholarship, the period of the time that the student is regarded as having been in receipt of the full-time Scholarship immediately prior to the conversion will be doubled for the purpose of determining the duration the awardee is regarded as having been in receipt of a part-time Scholarship immediately after conversion.

No extension of the Scholarship is permitted

## 7. LEAVE ENTITLEMENTS

- 7.1 Scholarship holders are entitled to take up to twenty (20) working days' paid recreation leave and up to ten (10) days' paid sick leave for each year of their scholarship, pro rata basis. Up to 5 days of their paid sick leave may be used for family leave or family caring responsibilities. Leave for these purposes may be accrued but must be taken within the tenure of the Scholarship. Leave periods for these purposes are not added to the tenure of the scholarship as students continue to be paid during the period of leave.

Application for recreation and standard sick leave (up to 10 days per year) is not required, however, scholarship recipients are required to report the number of days of recreation and sick leave taken each semester in their *Review of Progress*.

- 7.2 The Faculty may provide Scholarship holders **additional paid sick leave** of up to a total of twelve (12) weeks during the duration of the scholarship for periods of illness where a student has insufficient sick leave entitlements available under paragraph 7.1 for which a medical certificate has been provided. This period of leave is added to the tenure of the Scholarship.

Additional sick leave entitlements may also be used to cover family leave or family caring responsibilities after exhausting their recreation and sick leave entitlements.

- 7.3 The Faculty may provide Scholarship holders who have completed nine (9) months of their scholarship twelve (12) weeks of paid **maternity leave** for the first child, and a further twelve (12) weeks of paid maternity leave for the second child, born or adopted during the tenure of the scholarship. This period of leave is added to the tenure of the scholarship. Unpaid maternity leave may be accessed through the suspension provision.

- 7.4 The Faculty may provide Scholarship holders who are partners of women giving birth during the scholarship and who have completed nine (9) months of the Scholarship up to twenty (20) days of paid **parenting leave** at the time of the birth or adoption. This period of leave is added to the tenure of the Scholarship. The Faculty will provide the funding to cover the additional period of leave approved. Unpaid parenting leave may be accessed through the suspension provision.

- 7.5 Periods of leave do not attract leave loading. Application forms for additional paid sick leave, maternity and parenting leave is available from University Graduate Research School website. The Faculty will provide the funding to cover the additional period of leave approved.

## 8. AWARDS FOR PART-TIME STUDY

- 8.1 The Faculty may approve the award of the Scholarship on a part-time basis where the applicant is able to demonstrate heavy care commitments or a medical condition precluding full-time study, including:

- (a) care responsibilities for a pre-school child;
- (b) care responsibilities for school-aged children as a sole parent with limited access to outside support;
- (c) care responsibilities for an invalid or disabled spouse, child or parent; or
- (d) a medical condition which limits the capacity to undertake full-time study.

- 8.2 The Scholarship may not be held part-time for employment reasons

- 8.3 Award of the Scholarship on a part-time basis may be approved in exceptional circumstances at the discretion of the Higher Degree Research Director.

- 8.4 The Faculty shall inform the University Graduate Research School of approvals of part-time scholarship students.

- 8.5 Students holding the Scholarship on a part-time basis are required to change to full-time if a

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change to their circumstances means that they no longer qualify to hold their scholarship on a part-time basis.

- 8.6 The University will subject part-time scholarship students to the same restrictions on employment as full-time scholarship holders.
- 8.7 A part-time scholarship holder is expected to progress at half the rate of a full-time scholarship holder.
- 8.8 Part-time scholarship holders may revert to full-time study at any time with the permission of the Faculty.
- 8.9 The stipend associated with a part-time Scholarship is presently considered to be taxable by the Australian Government. As the University does not provide advice regarding taxation matters, it is the responsibility of the individual student to seek his/her own independent professional advice prior to submitting his/her tax return.

## 9. SUSPENSION OF SCHOLARSHIP

- 9.1 After completion of the first six months of the Scholarship, the student may be granted up to twelve months (two semesters) suspension of his/her Scholarship with the permission of the University, subject to conditions of student visa, where applicable. Leave of Absence Forms for scholarship holders are available from the Graduate School Website.
- 9.2 Periods of approved suspension will be added to the normal time for which the Scholarship may be held. Any periods of study undertaken towards the degree during suspension of the Scholarship will be deducted from the maximum period of tenure.
- 9.3 If the Scholarship holder remains enrolled while his/her scholarship is suspended, this period of enrolment will be deducted from the Scholarship duration; that is, the duration of the Scholarship will be reduced. It is therefore recommended that the Scholarship holder applies for a concurrent interruption of his/her candidature.
- 9.4 If the Scholarship holder does not resume study at the conclusion of a period of suspension, or does not make arrangements to extend the period of suspension, the Scholarship will be terminated.
- 9.5 If prior approval of a suspension of Scholarship is not obtained, the Scholarship holder will be deemed to be absent without permission and the Scholarship will terminate.

## 10. PAID EMPLOYMENT

Full-time Scholarship holders are required to work on their research project and complete within the allocated period, and are only permitted to undertake a limited amount of paid employment which must not interfere with the student's study and progress. Full-time research degree students are expected to devote a minimum of 35 hours per week to their study. Students engaging in other activities such as paid employment must not compromise the average weekly amount of time they devote to their research project. Scholarship holders must seek approval of the Responsible Academic Officer (RAO) in their Faculty or Institute prior to engaging in part-time work in excess of 8 hours per week. The RAO will take the Supervisor/s' recommendation into consideration. Details of paid employment or other activities, which temporarily interfere with the capacity to devote 35 hours per week to the research project, must be recorded in the student's progress report.

## 11. SCHOLARSHIP OVERPAYMENT

A Scholarship recipient is required to repay any Scholarship overpayment within thirty calendar days of being requested to do so by the University. Scholarship overpayments are viewed as financial obligations by the University and failure to repay may result in sanctions being placed on your candidature as per Section 4.4 of the Student and Related Rules at UTS. More information is available at <http://www.gsu.uts.edu.au/rules/4-4.html>

## 12. TERMINATION OF SCHOLARSHIP

12.1 The Scholarship will terminate:

- (a) upon the submission of the thesis for examination; or
- (b) once the maximum duration of the Scholarship has been reached; or
- (c) if the student ceases to meet the eligibility criteria; or
- (d) if the University determines that the course of study is not being carried out with competence and diligence in accordance with the offer of Scholarship; or
- (e) if the University determines that the student is guilty of serious academic misconduct including, but not limited to, the provision of false or misleading information; or
- (f) if the student ceases to be enrolled as a full-time research student; or
- (g) if the student fails to maintain *Satisfactory Progress*. See details in clause 2.1 c above.

12.2 If the Scholarship is terminated, it cannot be re-activated unless the termination occurred in error, or on re-submission of the thesis. For thesis re-writes, the Scholarship may be re-activated until the thesis is finally submitted, to the maximum duration of the Scholarship.

## 13. OTHER INFORMATION

### 13.1 Provision of False or Misleading Information

If the University knows or has reason to believe that a student in receipt of a Faculty scholarship has provided false or misleading information to the University in relation to that Scholarship, the University will immediately reassess the student's entitlement to the Scholarship.

### 13.2 Insurance

Research students should be aware that the University only provides a minimal level of automatic insurance cover for personal accidents for enrolled students, and only whilst the student is on campus. Where a student's research involves high-risk activities or the student research is located off-campus, he/she should contact the Faculty Research Office to request approval so that the activity is covered by insurance.

Research students conducting fieldwork or conference presentations interstate or overseas will have insurance cover only if the activity is approved UTS business. Please contact the Faculty Research Office for approval.

### 13.3 Research Publications

Scholarship recipients are obliged to acknowledge the Quentin Bryce Scholarship in any research publication arising out of research undertaken while completing the degree.