

GOVERNMENT OF FIJI GAZETTE SUPPLEMENT**No. 9****FRIDAY, 18th MARCH****2022**

[LEGAL NOTICE NO. 14]

TERTIARY SCHOLARSHIPS AND LOANS ACT 2014

**Tertiary Education Loans Schemes Regulations
2022**

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SCHEDULE 1—TERTIARY EDUCATION LOANS SCHEMES
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IN exercise of the powers conferred on me by section 25(1) of the Tertiary Scholarships and Loans Act 2014 and on the recommendation of the Service, I hereby make these Regulations—

PART 1—PRELIMINARY

Short title and commencement

1.—(1) These Regulations may be cited as the Tertiary Education Loans Schemes Regulations 2022.

(2) These Regulations comes into force on the date of publication in the Gazette.

Interpretation

2. In these Regulations, unless the context otherwise requires—

“academic load” means the total number of courses or units a recipient is required to be registered in for an academic term;

“applicant” means a person who applies for funding under a Scheme;

“change in particulars application” means an application made by a recipient in an approved form for any change in his or her personal, financial or academic details;

“eligible course or unit” means a course or unit which has been approved for funding under a Scheme;

“FRCS” means the Fiji Revenue and Customs Service;

“Government” means the Government of the Republic of Fiji;

“load factor” means the number of eligible courses or units a student is enrolled in a term divided by the total number of units or courses the student is required to enroll in as a full time student;

“Ministry” means the Ministry responsible for education;

“recipient” means a person who has been approved for funding under a Scheme;

“Scheme” means a Tertiary Education Loans Scheme;

“Service” means the Tertiary Scholarships and Loans Service; and

“term” means a month, semester, trimester or quarter of an academic year.

Objectives

3. The objectives of these Regulations are to—

(a) outline the eligibility criteria for a Scheme;

(b) outline the procedures for receiving and processing applications under a Scheme;

(c) ensure transparent and efficient processes are in place for the administration of a Scheme; and

(d) outline the terms and conditions of a Scheme.

Application

4. These Regulations apply to all applicants under a Scheme, the Service and any other person empowered under the Act for the administration of a Scheme.

PART 2—SCHEMES

Application

5.—(1) An application for funding under a Scheme must be made using the Service's online application portal, unless exempted by the Service.

(2) All applications must be submitted to the Service by the application closing date as advertised by the Service for each academic term or academic year.

(3) All important dates in relation to the applications for each academic term and year must be published on the Service website and official social media pages.

(4) An application made under a—

- (a) Scheme for New Students, must be made in accordance with the requirements outline in Part A of Schedule 1;
- (b) Scheme for Existing Students, must be made in accordance with the requirements outlined in Part B of Schedule 1;
- (c) Scheme for Public Sector Employees, must be made in accordance with the requirements outlined in Part C of Schedule 1;
- (d) Scheme for Private Sector Employees, must be made in accordance with the requirements outlined in Part D of Schedule 1;
- (e) Scheme for TVET—FNU, must be made in accordance with the requirements outlined in Part E of Schedule 1; and
- (f) Scheme for Accommodation Support, must be made in accordance with the requirements outlined in Part F of Schedule 1.

(5) The Service must not consider any late or incomplete applications under any circumstances, unless an extension is granted by the Service.

Interest rates

6.—(1) The interest rate for a Scheme is dependent on the following—

- (a) combined income of the parents or guardians; and
- (b) the recipients annual income.

(2) Subject to subregulation (1), the following interest rates apply—

Gross income per annum (FJD)	Interest rate (%)
Up to \$25,000	0
\$25,001-\$50,000	0.5
\$50,001-\$100,000	1
Above \$100,000	2

Programmes not funded

7. The following programmes are not funded by the Service—

- (a) overseas studies;
- (b) foundation studies;
- (c) unclassified undergraduate programmes and bridging courses;
- (d) short courses;
- (e) double degrees;
- (f) programmes not attracting sufficient cross credits for the next level of studies in the same programme category;
- (g) franchise programmes;
- (h) professional accreditation courses;
- (i) programmes not recognised by the local professional accreditation bodies;
- (j) programmes currently suspended;
- (k) post-graduate studies; and
- (l) any subsequent upgrade of qualification under a Scheme.

Application eligibility criteria

8. An applicant must fulfill the requirements outlined in Schedule 1 in order to be eligible for a Scheme.

Scheme quota

9. The quota for a Scheme is outlined under Schedule 2.

Selection criteria

10.—(1) The processing of applications under each Scheme must be processed in the following order—

- (a) new students;
- (b) existing students;
- (c) public sector employees; and
- (d) private sector employees.

(2) The Service must make offers for funding under a Scheme in a descending order until the quota is reached.

(3) Where the number of applicants for each Scheme exceeds the quota, the applications should be processed based on the date of submission from the earliest submitted to the last until the quota is reached.

(4) If the quota is reached at marks above the cut-off for the category, the applicant must be advised of the same and given an option to join the Scheme for TVET – FNU, if available.

(5) If the quota is not reached for a Scheme, the Service must lower the cut-off mark to reach the quota.

Offer letter and loan agreement

11.—(1) A provisional offer letter and loan agreement must be issued to all successful applicants.

(2) A successful applicant must log in to his or her student account to download his or her provisional offer letter and loan agreement.

(3) Following the receipt of the completed and signed provisional offer letter and loan agreement, the Service must carry out an assessment and issue a confirmation letter.

(4) A successful applicant who declines an offer for funding under a Scheme and requests for a change in programme, major, minor or eligible institution risks losing the funding under the Scheme if the quota for a Scheme is filled.

(5) The Service must not accept any request for change of programme under a Scheme or a change of Scheme.

Confirmation of Scheme

12.—(1) A confirmation of funding for a Scheme is subject to the following conditions—

- (a) the successful applicant must accept and upload the signed copy of the provisional offer letter on the Service's online application portal;
- (b) he or she must complete and upload a copy of the signed bond on the Service's online application portal;
- (c) he or she must have an offer letter for a place or evidence of registration or pre-enrolment at the eligible institution applied for; and
- (d) he or she must not be a recipient of any scholarship or any other loan scheme.

(2) The successful applicant must complete the requirements and upload the signed documents under subregulation (1) onto the Service online application portal within 7 days from the date stated on the provisional offer letter.

(3) An offer for funding under a Scheme is cancelled if an applicant to whom the offer has been made fails to accept the offer and upload the signed provisional offer letter and loan agreement within 7 days from the date stated on the provisional offer letter.

(4) A successful applicant must commence studies from the first academic term of an academic year for which a Scheme covers.

(5) Funding under a Scheme is not transferrable and cannot be deferred to a later academic term or academic year.

Duration of funding

13.—(1) The duration of funding for a programme under a Scheme is equivalent to the minimum programme duration at his or her respective eligible institution or as soon as the recipient completes the funded programme in accordance with his or her loan agreement.

(2) If a programme exceeds the approved duration for which the funding covers as stated in the confirmation letter, the excess amount is to be borne by the student, unless an extension is granted by the Service.

Change in programme or eligible institution

14.—(1) If a recipient wishes to apply for a change in programme, major, minor or eligible institution after the commencement of his or her studies, he or she must make a prior application to the Service in the approved form.

(2) If a recipient wishes to apply for a change in programme, major, minor or eligible institution, he or she must apply to the Service in the approved form before the commencement of the third academic term under the funding.

(3) The Service must not grant any change in programme, major, minor or eligible institution to a recipient for public sector employees, private sector employees and existing students.

(4) No change in programme, major, minor or eligible institution must be approved after the commencement of third academic term of studies under the funding.

Scheme financial benefits

15.—(1) The following expenses are covered under a Scheme—

- (a) tuition fees for the eligible courses; and
- (b) allowances for applicant's subject to the conditions outlined in Schedule 1.

(2) The means testing is based on the following—

- (a) gross family income—
 - (i) applicants whose parents and siblings are working is required to provide their parents' and siblings' recent pay slip with the organisation stamp for validity;
 - (ii) applicants whose parents and siblings are not working in formal sector and do not have access to payslip must provide a statutory declaration of their combined annual income;
 - (iii) applicants whose parents are business owners must attach their recent tax assessment from FRCS; and
 - (iv) applicants who are married and are working in a formal sector must provide their recent payslip along with their spouse's payslip or a statutory declaration if he or she is self-employed or unemployed.
- (b) number of dependents—
 - (i) the applicant must write and attach the details of his or her siblings who are attending primary school, secondary school or university;
 - (ii) the funding details of the applicants siblings education;
 - (iii) elderlies who are not recipient of social welfare assistance; and
 - (iv) dependents with sickness, disabilities or illness deemed to be costly and care needed at home on the advice of the doctors; and
- (c) extenuating circumstances—
 - (i) case by case consideration will be given on the assessment of genuine and verified circumstances where family income is more than \$100,000.

(3) All tuition payment eligibility must be means tested with a combined annual gross parental or guardian income of up to \$100,000.

(4) The Service may review and change the Scheme benefits in consultation with the Minister.

Misuse of approved financial benefits

16.—(1) Any allowance provided by the Service under a Scheme must be for a specific purpose.

(2) A recipient must strictly use allowances for the purposes it was allocated for by the Service.

(3) A recipient must keep proper records of allowances used by him or her for each academic term.

(4) The Service may demand a recipient to produce documentary evidence prior to the disbursement of any allowance if the Service suspects that a recipient has previously misused allowances.

(5) A recipient who fails to produce records or evidence as required by the Service may have their allowances suspended or terminated and the Service may institute legal proceedings against the recipient.

(6) Misuse of allowances includes—

- (a) using allowances for the purposes other than those applied for and approved by the Service;
- (b) use of bus fare allowances for travels other than attending classes or allowing the card to be used by a third party;
- (c) obtaining allowances based on fraudulent declarations and documents;
- (d) obtaining rent allowances but failing to pay rent to the landlord;
- (e) enrolling for courses, getting the allowances paid and then withdrawing from all or few courses; and
- (f) obtaining rent allowance based on an agreement with a higher rent amount and then relocating to a property with lower rates and failure to declare the same to the Service.

(7) The Service must terminate the funding if a recipient is found misusing the benefits received under a Scheme.

PART 3—TERMS AND CONDITIONS

Acceptance of any other financial assistance

17. A recipient must not accept any scholarship or funding for educational purposes simultaneously with a funding under a Scheme without prior written approval from the Service.

Review of funding

18.—(1) A review of funding under a Scheme must be carried out in each academic term if a recipient—

- (a) fails to meet the minimum required pass rate, which is 50% for the first academic and 75% for the subsequent academic terms;
- (b) fails to maintain and take full academic load as per the eligibility criteria of the eligible institution for each academic term within the duration of the programme;
- (c) is academically suspended or terminated by the eligible institution;
- (d) abandons the programme;
- (e) is deregistered for any reason including disciplinary action instituted by the eligible institution;
- (f) changes programme, major, minor or institution without the prior written approval of the Service;
- (g) is convicted for any offence during the tenure of a Scheme;
- (h) provides false and misleading information to the Service with the objective of gaining financial advantage;
- (i) engages in any conduct that is likely to bring disrepute to the Service or the Government; and
- (j) is required to repeat consecutively a term or years' in order to complete the programme.

(2) The Service may provide funding for only one failed course or unit in an academic year provided that the recipient failed that course or unit after 1 August 2017 and in accordance with the recipient's loan agreement.

(3) Where there are multiple courses or units to repeat in an academic year, the Service must provide funding under a Scheme to the lowest costing course or unit to be repeated.

(4) Pursuant to subregulation (1), if the funding is terminated or the recipient decides to terminate the funding, the recipient must repay the total amount expended by the Government until the date of termination of the funding with the applicable penalty rate in one single payment or under any other arrangement with FRCS.

Grade Point Average

19. A recipient must comply with the Grade Point Average (GPA) requirements as outlined in Schedule 3.

Academic and disciplinary suspension and termination

20.—(1) Any academic or disciplinary action taken by an institution on any student will result in the parallel action by the Service in terms of funding.

(2) The Service's response for academic or disciplinary exclusion by the institution must include the following—

- (a) a recipient may be suspended from the funding under a Scheme for a period equivalent to the academic or disciplinary suspension imposed by the eligible institution for a maximum of 1 year;
- (b) any suspension by an eligible institution for more than 1 year will result in the termination of the student's funding and commencement of recovery; and
- (c) an awardee cannot apply for change in programme, major or minor or institution nor can he or she apply for financial assistance under any scheme administered by the Service.

(3) The Service's response for academic or disciplinary termination by an eligible institution includes the following—

- (a) termination of the funding with penalties and commencement of the recovery action by FRCS;
- (b) the recipient is not eligible to apply for a change of programme, major or minor or eligible institution once the funding is terminated; and
- (c) the recipient cannot apply for any other Scheme administered by the Service unless he or she has fully paid off the debt under the existing Scheme and produce a bond clearance letter from FRCS.

(4) In case of any disciplinary action taken by the eligible institution, the Service reserves the right to carry out independent investigation and take further actions if required.

Deferment of funding

21.—(1) The Service may consider deferment of the funding if a recipient's attendance at any eligible institution is affected on the following grounds—

- (a) for medical reasons;
- (b) military deployment;
- (c) national duties; or
- (d) any other reason as deemed appropriate by the Service.

(2) For funding to be deferred, the recipient must attend at least one year of studies prior to the proposed deferment and meet the minimum criteria for renewal of the funding during the academic term attend prior to the application for deferment.

(3) Enrolment at any institution or acceptance of another funding during the deferment period will result in an automatic cancellation of the funding unless prior written approval from the Service is obtained.

(4) Deferment of studies without prior written approval from the Service will be deemed as abandonment of studies and will result in an automatic termination of the funding by the Service.

(5) To request for a deferral of studies, the recipient must submit the approved form along with all relevant documentation to the Service.

(6) Funding may be deferred for a maximum of one academic year.

(7) No deferment of studies must be allowed for vacation and employment purposes.

Non-compliant cases

22.—(1) For the purpose of this regulation, a non-compliant case is when a recipient fails to submit the following required periodic reports to the Service for 2 or more consecutive academic terms or the same is not submitted by the eligible institution due to the student not enrolling for the required courses or units—

- (a) academic results;
- (b) enrolment reports;
- (c) request for leave of absence or deferment of studies; and
- (d) other pertinent documents.

(2) A non-compliant recipient must be suspended for the period he or she is in breach of the requirements under these Regulations.

(3) A suspension must not extend beyond 2 academic terms.

(4) A non-compliant status beyond 2 academic terms results in termination of the funding.

(5) A non-compliant recipient who has not been terminated may apply for reinstatement of his or her scholarship within 2 academic terms since the last active enrolment.

(6) For cases where after evaluation of a recipient's application for reinstatement is approved, financial privileges may resume from the academic term the funding has been reinstated.

(7) The financial assistance is forfeited during the academic terms of non-compliance.

(8) A recipient that has stopped studying for more than 2 academic terms without prior written approval from the Service is considered to have willfully abandoned the funding which will result in the termination of the funding by the Service and the recipient will be required to refund the principle amount with the applicable penalty at the time of termination.

Load factor

23.—(1) The load factor must be calculated as the number of the eligible courses or units a student is enrolled in, divided by the full academic load for a particular term of an institution's academic programmes and regulations.

(2) The following must not be included as eligible courses or units for the purpose of calculating the load factor and allowance payable for each academic term by the Service—

- (a) courses or units before 1 August 2017;
- (b) substitute courses or units for repeat courses or units;
- (c) foundation courses or units which are not part of the student's programme approved by the Service; and
- (d) any course or unit which is not part of the programme approved by the Service.

(3) Load factors include 0.25, 0.5, 0.75 or 1.0 for programmes where the recipient is allowed to enroll for a maximum of 4 courses or units per term.

(4) For programmes where the recipient is allowed to enroll for a maximum of 3 courses or units per term, the load factor is 0.33, 0.67 and 1.0.

(5) At no point in time, the academic load factor is to be greater than 1.

(6) The recipient must enroll in the full academic load of the funded required under the academic regulations of the eligible institution.

(7) An academic load of less than 50% of the allowable courses or units in an academic term is deemed to be a part-time load and may lead to the termination of the award and/or payment of the allowances on a *pro-rata* basis.

(8) A recipient who enrolls for a less academic load in his or her last academic term of the programme as specified in his or her offer letter and loan agreement is entitled for full allowance and tuition in that academic term.

(9) A student who is working full time must only enroll under private sector or public sector Schemes on a part-time basis.

Withdrawal from units or courses

24.—(1) No recipient must withdraw from units or courses without prior written approval from the Service after the allowances either in part or full has been disbursed by the Service.

(2) In cases where a recipient fails to comply with regulation 26(1), the conduct of the recipient must be construed as an attempt to obtain financial advantage and the funding must be terminated.

(3) Late withdrawal may only be considered under following circumstances—

(a) medical conditions, which prevents a student from attending classes for a prolonged period of time, supported by a medical report for the duration of the period from a registered medical practitioner;

(b) national duties, where the student has been selected for national duties (sporting activities, military or police duties overseas etc.) which requires leave of absence from the country, provided approval is granted by FRCS; and

(c) bereavement, due to the death of an immediate family member.

(4) If a recipient intends to withdraw from any eligible institution, course or unit after payment of tuition or allowance has been made by the Service, the recipient must first notify the Service in writing and refund any payments that have already been made by the Service for that academic term.

(5) No withdrawals on the ground of poor academic progress by a recipient in an enrolled unit or course will be approved by the Service under any circumstances.

(6) To apply for late withdrawals from a course or unit, a recipient must fill and submit the approved form with the following documents—

- (a) letter from the unit or course coordinator/eligible institution which clearly highlights the student's academic progress till the point of the planned withdrawal and the letter must include the student's unit or course work marks or grades;
- (b) evidence to support the ground based on which the application is made;
- (c) a letter of request explaining the intention of withdrawal; and
- (d) any other documents deemed necessary by the Service.

(7) Upon receipt of the application, the Service must assess the request and if approval is granted, approval in writing must be issued to the recipient by the Service.

(8) Where a request to continue with the Scheme while studying on reduced enrolment load is approved, the recipient must continue to receive the funding benefits for a period of not more than the duration stated on the student's offer letter, or as per the terms and conditions of any subsequent extension granted by the Service.

Term to term allowance calculations and payments

25.—(1) All allowance payment is subject to the receipt of student's enrolment report from the respective institutions.

(2) Allowances for each academic term must be calculated based on the academic load factor.

(3) Allowances must be paid in one or more batches as deemed appropriate by the Service for each academic term.

(4) For any approved rent allowance, the recipient must submit the following documents to the Service before any further disbursement of rent allowances—

- (a) a rental agreement; and
- (b) a letter from the landlord and rent receipts for all rental payments made in that term.

(5) If a recipient continues to rent at the same property from one academic term to another, the recipient must submit a letter of confirmation from the landlord together with the receipts for the rent paid throughout the previous academic term.

(6) The Service must continue to disburse rental allowance during the academic term holidays but not the academic year end holidays.

(7) Allowances must be paid to recipients until the examination week for each term.

(8) Any unutilised bus fare allocation at the end of an academic term must be rolled over for use during the next academic term.

(9) Allowance calculations for each academic term must be done in accordance with Schedule 4.

(10) The Service must only pay allowances on receipt of the enrollment reports from the eligible institution.

Extension of loan duration

26.—(1) A recipient who fails to complete the programme within the duration stipulated in the funding confirmation letter, may apply for an extension of funding duration if any or all of the conditions under this regulation is met.

(2) The Service must receive and assess applications for the extension of the funding duration on the following grounds only—

- (a) change in either the programme, including major or minor or institution granted by the Service;
- (b) medical grounds backed up with medical reports acceptable to the Service;
- (c) delays caused by natural disasters or any other act of God;
- (d) student is in his or her graduating term of studies;
- (e) bereavement for an immediate family member; and
- (f) deployment for national duties.

(3) The recipient's general conduct on campus, academic performance or any other report that is received from an eligible institution must be considered while making a decision to extend the duration of funding.

(4) Any approved extension of the funding duration must be on the terms and conditions as stipulated in the funding extension form.

(5) An application for extension of funding duration must be submitted to the Service with the following mandatory documents—

- (a) full academic transcript;
- (b) Programme Audit Certificate;
- (c) programme outline for the remaining units or courses (year and term in which the units or courses are to be offered, and the students planned enrolments for completion); and
- (d) letter explaining the reason for not completing the programme within the sponsored duration, along with any evidences such as medical certificates or letters from the university.

(6) No application for extension of funding duration must be approved by the Service arising out of student negligence or delay resulting in the programme not being completed within the stipulate duration in the funding confirmation letter.

(7) In determining whether an extension of the funding is to be granted, the Service must consider the following factors—

- (a) student's academic record – GPA;
- (b) student's capability of graduating; and
- (c) any option for an exit qualification from the study programme.

(8) Any extension granted by the Service must not exceed one academic year and based on the existing terms and conditions of the offer.

(9) In case a recipient gets suspended while on extension, no further extension must be granted.

(10) The opening and closing dates for application for extension must be advertised by the Service on its website and official social media pages for each academic term.

Loan repayment

27.—(1) A recipient must on successful completion of his or her programme, work in Fiji or in such capacity as the FRCS in consultation with the Government decides, until the recipient has completed his or her loan repayment.

(2) A recipient who has graduated and has an employment must start with the loan repayments in accordance with the terms and conditions specified in his or her bond letter.

(3) All loan repayments must be made at a minimum rate of 20% of the annual gross income of the recipient or on any other terms and conditions determined by the Service in consultation with the Minister.

(4) The following rates of repayments and discount rates apply for early loan repayments and is based on the total debt level of the recipients upon graduation—

Total Debt Level (Upon Graduation)	Discount applicable at various repayment periods		
	50%	25%	10%
Less than \$20,000	< 2 years	2-4 years	4-6 years
\$20,000-\$49,999	< 3 years	3-6 years	6-8 years
\$50,000-\$99,999	< 4 years	4-8 years	8-10 years
\$100,000 plus	< 5 years	5-10 years	10-12years

(5) After completion of studies, the recipient must check with FRCS on the exact details and methodologies for calculating the repayment and discount amounts and loan repayments.

Requirements on completion of studies

28.—(1) Upon completion of studies, the recipient must submit and keep FRCS and the Service updated on the following—

- (a) programme completion letter from the eligible institution;
- (b) complete academic transcript and certificate upon graduation; and
- (c) employment status.

(2) The recipient must immediately submit to FRCS, a copy of his or her employment contract or appointment letter for the purposes of loan recovery.

(3) A bond clearance letter will be issued by FRCS upon production of evidence by the recipient on the full repayment of his or her loan amount.

Listing with Department of Immigration

29.—(1) Upon the confirmation of the funding, the Service must submit to FRCS a complete list of all recipients with particulars as required by FRCS for the purpose of inclusion in the immigration controversial list by the Department of Immigration.

(2) If a recipient's name is added to the immigration controversial list, he or she is not allowed to leave the country without prior written approval of FRCS during the period of studies and the loan repayment period.

(3) The recipient's name must remain in the immigration controversial list until the total sum owed to the Government together with any interest or penalty accrued as determined by FRCS is repaid in full.

Permission to travel abroad

30.—(1) For each trip outside Fiji prior to the completion of the studies and the bond service specified, the recipient must obtain written clearance from FRCS by meeting all requirements and giving at least 7 days or such other period determined by FRCS advance notice.

(2) No travel release must be granted during the academic term unless the application is driven by compassionate or compelling circumstances as approved by FRCS.

(3) For each trip outside Fiji prior to the completion of the terms and conditions of the bond agreement, FRCS shall require the recipient to provide 2 suitable local guarantors to provide an undertaking that the guarantors are liable to full payment of the amount owed by the recipient with interest or penalty accrued, should the recipient fail to return to Fiji on the date stipulated in the Guarantee of Bond (Overseas Travel).

(4) The recipient must first apply to FRCS for overseas travel release before finalising any planned travel.

(5) A failure by the recipient to get the travel release will result in the recipient being prevented from departing Fiji and the Government or the Service or FRCS will be responsible for any losses suffered.

(6) To apply for travel release, the following requirements must be submitted by the recipient to FRCS—

- (a) duly completed form IRS458 available on www.tsls.com.fj or www.fracs.org.fj;
- (b) request letter addressed to the Chief Executive Officer of FRCS;
- (c) letter from the Service to confirm outstanding loan or bond service amount;
- (d) Guarantee of Bond (Overseas Travel) Form;
- (e) guarantor's TIN letters or photocopy of FRCS/FNPF Joint Card;
- (f) guarantor's recent payslip or bank statements;
- (g) for students in employment, a letter from the employer;
- (h) a copy of the return air ticket with the travel itinerary;
- (i) a copy of the passport and visa details;
- (j) any payment of percentage of the dues to the Government; and
- (k) any other relevant document or formation that FRCS may require.

Correspondence

31.—(1) The Service and FRCS must send all correspondences regarding a Scheme to the e-mail address or other contact details as per the recipients' application form.

(2) If the recipient changes any contact details, including the email address post the application, during the period of studies or post-completion until such time the bond has been fully served, the Service and FRCS must be notified of the change in writing.

(3) By accepting the offer and entering into a bond agreement, the recipient also authorises the Service and FRCS to obtain any relevant information about the recipient from the eligible institution, employer, business and financial partners and any other relevant person or entity until the bond requirements are fully completed for the performance of the functions of the Service and FRCS under the Act.

(4) In case the recipient fails to respond to requests for information by the Service or FRCS by the due date, the funding may be suspended or terminated.

PART 4—MISCELLANEOUS

Provision of false information

32. Provision of false information results in termination of the funding, commencement of the recoveries action by FRCS and the matter being referred to the relevant Government authorities for investigation.

Confidentiality of information

33.—(1) The Service must not disclose any matter or information related to an applicant or recipient either previous or current students, with any third parties unless authorised by these regulations.

(2) The Service must not disclose personal information about any recipient to any person, body or agency outside the Service including parents, spouses, relatives or friends of the student, or to staff who do not need such information, unless—

- (a) the student has given consent in writing to the Service to disclose the information;
- (b) the Service is required by law to disclose the information; or
- (c) the Service believes the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned, or another person.

Scheme events

34.—(1) By accepting the terms and conditions of a Scheme, the recipient agrees for the photos and articles on any event attended by the recipient to be used by the Service and/or for the Government for the purpose of disseminating information about a Scheme.

(2) If a recipient does not want his or her photos or articles to be used by the Service or the Government, the recipient must notify the Service in writing prior to the event.

Transitional

35.—(1) All existing students funded under a Scheme immediately prior to the commencement of these Regulations continue on the terms and conditions of the funding granted, offer letter, confirmation letter and any loan agreement between the student and FRCS or the Service as at the time the funding was granted.

(2) All new applications for funding under a Scheme received by the Service immediately before and after the commencement of these Regulations must be processed in accordance with these Regulations for the new academic term.

Made this 16th day of March 2022.

P. KUMAR
Minister for Education, Heritage and Arts

SCHEDULE 1
(Regulations 5 & 8)

TERTIARY EDUCATION LOANS SCHEMES ELIGIBILITY CRITERIA

A. Scheme for New Students

1. An applicant must—
 - (a) be a Fijian citizen;
 - (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
 - (c) have completed Year 13 in 2011 or thereafter locally and scored a minimum of 280/400 in the Fiji Year 13 Examination or Fiji Seventh Form Examination (FSFE) or its equivalence as determined by the Board or delegated authority on case-by-case basis;
 - (d) have completed full Foundation Studies (bridging or completion of few foundation studies courses only does not meet the definition of full foundation studies) with a GPA of 3.15/4.5 or 3.50/5.0 or above;
 - (e) must not have a combined family income of more than \$100,000 unless allowed by means testing;
 - (f) secure a place at an eligible institution by means of a final offer letter; and
 - (g) must be fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years.
2. The following must be submitted by the Applicant as part of their application—
 - (a) official academic transcript for Year 12 results or equivalent deemed by Board or delegated authority;
 - (b) provisional results for Year 13 examination set by the Ministry or such equivalent studies as determined by Board or delegated authority;
 - (c) final offer letter from an eligible institution;
 - (d) birth certificate;
 - (e) letter from FRCS stating the student's tax identification number, or FRCS and Fiji National Provident Fund joint card;

- (f) evidence of the student's supporting parents' or guardians' income (salary slip for working parents or guardians, most recent tax assessment by FRCS or statutory declaration as applicable);
- (g) supporting parents' or guardians' letter from FRCS stating their tax identification number, or FRCS and Fiji National Provident Fund joint card;
- (h) bank statement with an active account under the applicant's name;
- (i) recent passport-size photo;
- (j) evidence of applicant being fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years; and
- (k) such other documents as may be requested by the Service.

B. Scheme for Existing Students

1. An applicant must—
 - (a) be a Fijian citizen;
 - (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
 - (c) be enrolled in a Scheme eligible program in years prior to 2014 and wishes to apply for financial assistance to complete their program of study;
 - (d) have shown satisfactory progress (cumulative GPA equivalent to pass) in the previous years;
 - (e) have the program offer letter or full academic transcript and program audit certificate from the institution clearly outlining the number of courses required to complete the program, number of courses successfully completed and number of courses remaining;
 - (f) must not have a combined family income of more than \$100,000 unless approved through means testing; and
 - (g) must be fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years.
2. The Service must not approve any upgrade of qualification.
3. The following must be submitted by the applicant as part of his or her application—
 - (a) full academic transcript for the courses completed under the programme for which the application is made;
 - (b) evidence of new enrollment at the eligible institution in an eligible programme for which the application is made;
 - (c) birth certificate;
 - (d) a letter from FRCS stating the student's tax identification number, or FRCS and Fiji National Provident Fund joint card;

- (e) evidence of the student's supporting parents' or guardians' income (salary slip for working parents or guardians, most recent tax assessment by FRCS or statutory declaration as applicable);
- (f) supporting parents' or guardians' letter from FRCS stating their tax identification number or FRCS and Fiji National Provident Fund joint card;
- (g) bank statement;
- (h) a recent passport-size photo taken in the past 6 months;
- (i) evidence of applicant being fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years; and
- (j) any other document as may be requested by the Service.

C. Scheme for Public Sector Employees

1. An applicant must—

- (a) be a Fijian citizen;
- (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
- (c) secure a place at an eligible institution by means of a final offer letter;
- (d) be in employment at the time of application and remain in employment during the course of studies (Leave with or without pay letter from the employer is acceptable). Resignation or termination from employment post the confirmation of funding will result in cessation of funding from the following academic term;
- (e) be seeking to attain an academic qualification (first higher education qualification) or upgrade an existing qualification (in the same area of studies and only if the earlier qualification was not funded under any Scheme or any other Government Schemes) up to the maximum of first Bachelor's degree at an eligible institution either as a part-time or full-time student;
- (f) must not have a combined family income of more than \$100,000; and
- (g) must be fully vaccinated or exempted by the Ministry of Health and Medical Services above the age of 18 years.

2. The applicant must submit the following as part of his or her application—

- (a) official academic transcript or certificate for the existing highest qualification;
- (b) final offer letter from an eligible institution in an eligible programme;
- (c) birth certificate;
- (d) letter from FRCS stating the student's tax identification number, or FRCS and Fiji National Provident Fund joint card;

- (e) evidence of the student's supporting parents' or guardians' income (salary slip for working parents or guardians, most recent tax assessment by FRCS or statutory declaration as applicable);
- (f) supporting parents' or guardians' letter from FRCS stating their tax identification number, or FRCS and Fiji National Provident Fund joint card;
- (g) employment contract or letter of employment confirmation from the employer;
- (h) recent pay slip which should not be older than one month old at the time of application;
- (i) recent FNPF statement which should clearly show the last payment by the applicant's current employer;
- (j) bank statement with an active account under the applicant's name;
- (k) recent passport-size photo;
- (l) evidence of applicant being fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years; and
- (m) any other documents requested by the Service.

D. Scheme for Private Sector Employees

1. An applicant must—

- (a) be a Fijian citizen;
- (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
- (c) secure a place at an eligible institution by means of a final offer letter;
- (d) be in employment at the time of application and remain in employment during the course of studies (leave with or without pay letter from the employer is acceptable). Resignation or termination from employment post the confirmation of funding will result in cessation of funding from the following academic term;
- (e) not be earning a gross income of more than \$25,000 per annum;
- (f) be seeking to attain an academic qualification (first higher education qualification) or upgrade an existing qualification (in the same area of studies and only if the earlier qualification was not funded under a Scheme or any other Government Schemes) up to the maximum of first Bachelor's degree at an eligible institution either as a part-time or full-time student; and
- (g) must be fully vaccinated or exempted by the Ministry of Health and Medical Services above the age of 18 years.

2. The following must be submitted by the applicant as part of his or her application—
 - (a) official academic transcript or certificate for the existing highest qualification;
 - (b) final offer letter from an eligible institution in an eligible programme;
 - (c) birth certificate;
 - (d) letter from FRCS stating the student's tax identification number, or FRCS and Fiji National Provident Fund joint card;
 - (e) evidence of the student's supporting parents' or guardians' income (salary slip for working parents or guardians, most recent tax assessment by FRCS or statutory declaration as applicable);
 - (f) supporting parents' or guardians' letter from FRCS stating their tax identification number, or FRCS and Fiji National Provident Fund joint card;
 - (g) employment contract or letter of employment confirmation from the employer;
 - (h) a recent pay slip not older than one month at the time of application;
 - (i) recent FNPF statement which should clearly show the last payment by the applicant's current employer;
 - (j) bank statement with an active account under the applicant's name;
 - (k) recent passport-size photo taken in the past 6 months;
 - (l) evidence of applicant being fully vaccinated or exempted by the Ministry of Health and Medical Services above the age of 18 years; and
 - (m) such other documents as may be requested by the Service.

E. Scheme for TVET – FNU

1. An applicant must—
 - (a) be a Fijian citizen;
 - (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
 - (c) have a final offer letter for any Certificate Level III, IV or Diploma level 5 programs offered by the Fiji National University;
 - (d) have passed Year 12 or year 13 examination or have successfully completed Certificate Level I or II programme from Technical College of Fiji or equivalent;
 - (e) must not have a combined family income of more than \$100,000 unless allowed by means testing; and
 - (f) must be fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years.

2. The applicant must submit the following as part of his or her application—
 - (a) official academic transcript for Year 12 or Year 13 results or equivalent deemed by Board or delegated authority;
 - (b) final offer letter from FNU;
 - (c) birth certificate;
 - (d) letter from FRCS stating the student's tax identification number, or FRCS and Fiji National Provident Fund joint card;
 - (e) evidence of the student's supporting parents' or guardians' income (salary slip for working parents or guardians, most recent tax assessment by FRCS or statutory declaration as applicable);
 - (f) supporting parents' or guardians' letter from FRCS stating their tax identification number, or FRCS and Fiji National Provident Fund joint card;
 - (g) bank statement with an active account under the applicant's name;
 - (h) recent passport-size photo;
 - (i) evidence of applicant being fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years; and
 - (j) such other documents as may be requested by the Service.

F. Scheme for Accommodation Support

1. An applicant must—
 - (a) be a Fijian citizen;
 - (b) be ordinarily resident in Fiji for at least 3 years before the award commencement date unless determined by the Board or delegated authority on case-by-case basis;
 - (c) supporting parent's or supporting guardian's combined income must be less than \$50,000;
 - (d) must be enrolled as a full-time student in a Service funded programme at an eligible institution;
 - (e) must satisfy the criteria as per the study where you live zoning policy; and
 - (f) must be fully vaccinated or exempted by the Ministry of Health and Medical Services if above the age of 18 years.
2. Accommodation Support Scheme only applies to students who enroll in a programme which is not offered by the institution within their locality.
3. The maximum allowance for a recipient must be as follows—
 - (a) \$250 per month for rent and accommodation;
 - (b) \$30 per week for bus fare expenses;
 - (c) \$50 per week for food expenses; and
 - (d) \$1000 per annum for incidental and stationary allowance.

4. Students enrolling at campuses within their locality are only eligible for bus fare and incidental allowances.
5. In case a student still prefers to move to the main campus regardless of the program being offered in their locality, the allowance eligibility will be restricted to bus fare and incidental allowance only.
6. The recipient must use part of the incident allowances to pay for any fees and charges as required by the institution such as general service fees, enrolment fees, caution fees, student association fees etc.
7. The recipient must submit the following in addition to all the required documents for the specific Scheme category for tuition—
 - (a) a letter of confirmation for hostel accommodation by the eligible institution;
 - (b) a certified copy of the tenancy agreement between the recipient and landlord; and
 - (c) a certified copy of any utility bill.

SCHEDULE 2
(Regulation 9)

QUOTA FOR NEW STUDENTS, EXISTING STUDENTS, PUBLIC SECTOR
EMPLOYEES AND PRIVATE SECTOR EMPLOYEES

Category of Funding	Programme	Category Quota	Minimum cut off mark based on year 13/400 and Foundation GPA
Engineering	Bachelor of Engineering, Civil Engineering, Electrical/Electronic Engineering, Energy Engineering and Mechanical Engineering, Mechanical Engineering & Physics, Electrical/Electronic Engineering & Physics, Electrical/Electronic Engineering & Computer Science, Instrumentation & Control System, Electronic/Instrumentation & Control, Telecommunication & Networking, Electronics/Telecommunication & Networking.	300	280 3.15/4.5 or 3.5/5.0

Category of Funding	Programme	Category Quota	Minimum cut off mark based on year 13/400 and Foundation GPA
Medicine and Health	MBBS	0	280 3.15/4.5 or 3.5/5.0
	Bachelor of Dental Surgery	0	
	Bachelor of Dietetics & Nutrition	10	
	Bachelor of Health Environment	5	
	Bachelor of Nursing	100	
	Bachelor of Health Promotion	5	
	Bachelor of Health Services Management	5	
	Bachelor of Medical Imaging Science	5	
	Bachelor of Medical Lab Sciences	5	
	Bachelor of Oral Health	0	
	Bachelor of Pharmacy	10	
	Certificate in Aged Care	10	
	Bachelor's Degree in: Public Health & Primary Health Care	5	300 3.36/4.5 or 3.75/5.0
	Bachelor of Physiotherapy	5	
Agriculture, Fisheries & Forests	Certificate/Diploma/Bachelor's Degree in: Agriculture, Agricultural Engineering, Agribusiness, Veterinary Sciences, Forestry, Fisheries, Aquaculture, Fish Technology and Food Technology, Sustainable Fisheries, Animal Science, Animal Husbandry.	20	280 3.15/4.5 or 3.5/5.0
Technology	Certificate/Diploma/Bachelor Degree in: Telecommunications Networking, Cyber Security, Networks and Security, Software Development/ Engineering, Programming, Library Sciences, Media and Journalism, Information System, Computing Science, Information Technology and Applied Computing, Computing, Computer Studies, Media and Communication.	90	280 3.15/4.5 or 3.5/5.0
Environment/ Marine Science	Diploma/Bachelor's Degree in: Environmental Science, Environmental Management, Climate Change, Marine Management, Ocean Resources Management, Ocean Resource Management & Policy, Marine Science.	10	280 3.15/4.5 or 3.5/5.0
Land/Town Planning	Certificate/Diploma/Bachelor's Degree in: Land Surveying, Urban and Regional Planning, Real Estate and Property Management, Geo-Spatial Engineering, GIS/ Land Acquisition, Real Estate and Property Valuation, Land Management, Land Management & Development.	10	280 3.15/4.5 or 3.5/5.0
Commerce	Certificate/Diploma/Bachelor's Degree in: Accounting, Economics, Finance, Official Statistics, Project Planning & Management, Property Management and Valuation, Occupational Health and Safety, Information Systems, Professional Accounting, HRM and Industrial Relations, Public Administration and Management, Business Studies, Management, Marketing, Business Informatics, Agricultural Economics & Agribusiness, HRM & ER, International Business & Marketing, Banking and Library.	850	280 or GPA of 3.15/4.5 or 3.5/5.0 except of Accounting, Economics, Management and Public Administration where the cut off mark is 300 or 3.36/4.5 or 3.75/5.0

Category of Funding	Programme	Category Quota	Minimum cut off mark based on year 13/400 and Foundation GPA
Social Sciences	Certificate/Diploma/Bachelor's Degree in: Social Work, Social Policy and Policy Administration, Social & Community Work, Sociology, Applied Social Science.	10	280 3.15/4.5 or 3.5/5.0
Science	Certificate/Diploma/Bachelor's Degree in: Mathematics, Physics, Chemistry, Biology, Food Technology.	200	280 3.15/4.5 or 3.5/5.0
Education	Certificate/Diploma/Degree in: Counselling	20	280 or GPA of 3.15/4.5 or 3.5/5.0 except for English, Accounting, Economics, Biology, Chemistry, Geography, History, Hindi, Agriculture Science and Home Economics where the minimum Year 13 score must be 300 or 3.36/4.5 or 3.75/5.0
	Certificate/Diploma/Bachelor's Degree in Special and Inclusive Education	20	
	Certificate/Diploma/Bachelor's Degree in Early Childhood Education	20	
	Certificate/Diploma/Bachelor's Degree in Primary Education	30	
	Certificate/Diploma/Bachelor of Education Secondary: Mathematics & Physics, CS	30	
	Certificate/Diploma/Bachelor of Education Secondary: Industrial Arts	20	
	Certificate/Diploma/Bachelor of Education Secondary: Accounting, Economics, History, Geography, Computer Science, Information System/Technology	20	
	Certificate/Diploma/Bachelor of Education Secondary: History, Geography	20	
	Certificate/Diploma/Bachelor of Education Secondary: Biology, Chemistry, Home Economics, Food & Nutrition	20	
	Certificate/Diploma/Bachelor of Education Secondary: English Language & Literature, Hindi Language & Indian Culture, iTaukei Studies iTaukei/Fijian Language, Literature & Language, Hindi Studies, English	10	
	Certificate/Diploma/Bachelor of Education Secondary: Physical Education & Music, Physical Education/Art & Craft	10	
	Certificate/Diploma/Bachelor of Education Secondary: Office Technology	20	
	Certificate/Diploma/Bachelor of Education Secondary: Agriculture	10	
Arts	Certificate/Diploma/Bachelor's Degree in: Language, Literature & Culture, Hindi Language & Indian Culture, iTaukei Language, Hindi Language, Justice, Policing, Population Studies & Demography, Multilingual Studies, Pacific Journalism, Police Management, Prosecution, Leadership, Governance & Human Rights, Psychology & Education, History, Journalism, Linguistic, Pacific Language Studies, Pacific Policing, Pacific Studies, Heritage and Arts, Pacific Vernacular Language, Technical & Vocational Education, Politics, Geography, Educational Assessment, Non-Formal Education, Educational Evaluation and Assessment, Educational Leadership.	50	Minimum cut off mark based on year 13/400 and Foundation GPA 280 3.15/4.5 or 3.5/5.0
	Law & PDLP/GDLP	15	300 3.36/4.5 or 3.75/5.0

Category of Funding	Programme	Category Quota	Minimum cut off mark based on year 13/400 and Foundation GPA
Tourism	Certificate/Diploma/Bachelor's Degree in: Tourism Studies, Hotel Management, Tourism & Hospitality, Tourism Hospitality Management, Tourism Management, Hospitality & Hotel Management.	30	300 3.36/4.5 or 3.75/5.0
	TOTAL	2000	

SCHEDULE 3
(Regulation 19)

GRADE DEFICIENCY

1. The recipient must comply with the minimum required pass rate, which is 50% for the first academic term and 75% for subsequent academic terms.
2. In case the recipient's performance falls below the required pass rate, the Service must carry out the procedures in accordance with paragraphs 3 and 4.
3. Where an application is made and approval is granted for special consideration, or if other extenuating circumstances apply, no action will be taken against the recipient and he or she will continue to receive the allowances.
4. In case no approval is not granted by the Service, the following procedures apply—
 - (a) the recipient will be notified in writing by the Service that his or her performance is under review and that he or she is on probation. The written notice will be issued to the students through the last known email address recorded by the Service or through any other means of communication. The recipient must be paid while on probation. This must only apply to one academic term in which the awardee has failed to attain the required cumulative GPA;
 - (b) should the recipient meet the required minimum cumulative GPA in the term he or she is on probation, the probation status must be removed in the following term;
 - (c) should the recipient fail to meet the required minimum cumulative GPA in the term on probation, the award must be suspended for the following term. The recipient will not receive payments while on suspension;
 - (d) should the recipient meet the required minimum cumulative GPA in the term on suspension, the funding must be reinstated for the following term and payments must resume and no retrospective payment of allowance is to be made for the period of suspension; and
 - (e) should the recipient fail to meet the required minimum cumulative GPA in the term on suspension, the funding terminates and no further payments are to be made.

5. A maximum of one probation and one suspension may be considered during the funding duration as stated in the offer letter and loan agreement.
6. A funding recipient who gets suspended due to poor academic performance or conduct is eligible for reinstatement if he or she undertakes courses or units privately and meets the academic requirements for reinstatement.
7. A recipient must apply for reinstatement using the prescribed form and submit all the requirements as stated in the form.
8. A recipient on suspension must apply for reinstatement at least 2 weeks prior to the beginning of the new academic term.
9. A recipient who is suspended and does not enroll in the academic term in which they are reinstated must submit a new reinstatement application to resume studies in future, not exceeding one academic term.
10. If a student does not make an application for deferment, the academic term will be counted as an active term.
11. To be considered for reinstatement after being suspended, a student must work out a reinstatement plan with his or her academic advisor to which they desire to reinstate prior to submitting an application.
12. A recipient must first meet the eligibility criteria for reinstatement at the eligible institution before making an application for reinstatement with the Service.
13. A recipient who abandons studies without giving prior notification to the Service for 2 or more academic terms is ineligible to apply for reinstatement.
14. An application for reinstatement must be completed by the student within one year from the initial funding.
15. If an application for reinstatement is approved, the recipient will be placed on probation and monitored by the Service during the academic term of reinstatement.
16. Recipients must only be reinstated for one academic term and any further continuation of the funding will depend on the academic progress during the period of reinstatement.

SCHEDULE 4
(Regulation 25)

TERM TO TERM ALLOWANCE CALCULATION METHODOLOGY FOR
ACCOMMODATION SUPPORT SCHEME

Component	Normal Academic Term	Summer/Winter
Rent Per Week (A)	AA	AA
Bus Fare Per Week (B)	AA	AA
Food Per Week (C)	AA	AA
Total Per Week (D=A+B+C)	AAAA	AAAA
No. of Weeks in Academic Term (E)	XX	XX

Component	Normal Academic Term	Summer/Winter
Eligibility (F)	$F=D \times E$	$F=D \times E$
Incidental Allowance Per Term (G)	AA	AA
Total Eligibility (H)	$H= F+G$	$H= F+G$
No. of Eligible Courses	XX	XX
Term Full Load	YYY	YYY
Academic Load (I)	XX / YYY	XX / YYY
Total Payable (J)	$J= H \times I$	$J= H \times I$
Less e-ticket card balance from previous term (for bus fare only) and overpayments for any other allowance		

where—

- A is the maximum approved rent allowance per week approved by the Service for the student as per the confirmation letter.
- B is the maximum approved bus fare allowance per week approved by the Service for the student as per the confirmation letter.
- C is the maximum approved food allowance per week approved by the Service for the student as per the confirmation letter.
- D is the sum of the maximum approved allowances per week by the Service.
- E is the total number of weeks in an academic term.
- F is the maximum number of weeks for which allowances will be paid per academic term for each institution.
- G means the maximum approved incidental allowances per academic terms approved by the Service for the student as per the confirmation letter.
- H is the sum of F and G and reflects the total maximum allowance eligibility for a student before any adjustments for the load factor and overpayments or balances from previous academic terms.
- I is the academic load factor and is calculated on the number of eligible units courses a student is enrolled in a term divided by the full academic load for a particular term as per the institutions programme requirements.
- J is the total maximum allowances payable to a student for a particular academic term before adjustments for any overpayments or balances from the previous academic terms.
- X is the total number of eligible units or courses a student can enroll in an academic term.
- Y is the total number of full academic load for a student.