

**IMPORTANT: Please ensure you retain this copy of the conditions of award and continue to refer to them throughout your candidature.**

## **Conditions of Award 2024**

### **Quentin Bryce Law Doctoral Scholarship**

The Quentin Bryce Law Doctoral Scholarship (QBLDS) is offered by the University to selected domestic students of exceptional research potential to undertake a Higher Degree by Research (HDR) in the Faculty of Law at the University of Technology Sydney (UTS). The scholarship is provided to assist with general living costs.

#### **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 Master by Research Degree 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 Australian or New Zealand citizens or Australian permanent residents.
- 1.3. Applicants are ineligible for the Scholarship if they:
  - (a) currently hold an Australian Doctorate or equivalent in law or field of their proposal.
  - (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.

## 2. SELECTION POLICY

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

## 3. VALUE OF SCHOLARSHIP

- 3.1. The annual stipend rates is as follows:
- (a) Up to a maximum of \$40,000 (currently tax-free) for full-time study mode; or
  - (b) Up to \$20,000 (currently taxable) for part-time study mode, made up of half the rates as specified in 4.1(a), if a part-time award is approved under paragraph 8.
- 3.2. Payments are made in equal fortnightly instalments directly to a nominated account in the scholarship holder's name with an active Australian Authorised Deposit-taking Institution through the University's payment system. Part-time stipends may be adjusted to withhold tax.
- 3.3. 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>.

#### **4. RESEARCH SUPPORT**

- 4.1. A research support allowance is provided for up to \$1,500 by the Faculty of Law.
- 4.2. Subject to Faculty of Law guidelines, the Research Support allowance can be used to support research related activities or expenditure such as:
  - (a) Travel to present research papers at local or international conferences;
  - (b) Field work;
  - (c) Purchase of specialist books;
  - (d) Acquisition of equipment or software;
  - (e) To facilitate the production of the thesis.

#### **5. DURATION**

- 5.1. 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.
- 5.2. The duration of the Scholarship will be four (4) years full-time or eight (8) years part-time in the circumstances dealt with in clause 8 below.
- 5.3. 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.
- 5.4. The duration of the Scholarship will be increased by any periods of paid leave approved by the University (see section 6).
- 5.5. 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.
- 5.6. 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.
- 5.7. No extension of the Scholarship is permitted.

## 6. SCHOLARSHIP LEAVE

### 6.1. Annual Leave and Sick Leave

Students are entitled to receive up to **20** working days (4 weeks) paid annual leave and **10** working days paid sick leave for each year of the Stipend. These leave entitlements may be accrued over the life of the Stipend but will be forfeited when the Stipend is terminated. Leave periods for these purposes are not added to the duration of the Stipend as students continue to be paid during the period of leave.

Periods of annual leave and sick leave (of 10 days or less) will not result in a suspension of enrolment and therefore will be included for the purpose of calculating candidature and Scholarship end dates.

### 6.2. Leave of Absence

During [Leave of Absence](#), the scholarship payments will be stopped for the equivalent number of calendar days to the period of leave. At the time that the Leave of Absence is approved, payments will be stopped for the full period of leave and the scholarship end date will be extended by the same number of days as the approved period of leave. Scholarship recipients will be advised, via email, of the date when the scholarship will be stopped and when it will be restarted.

### 6.3. Paid Leave of Absence

In the case of approved Paid Leave of Absence, the scholarship payments will be stopped during the Leave of Absence for part of the leave that is not paid.

If the Leave of Absence is paid, payments will continue during the period of leave (or for part of the leave period) and the scholarship end date will be extended by the same number of days as the approved period of leave.

Paid Leave of Absence can only be sought in the following circumstances:

#### 7.3.1. Sick Leave

Stipend recipients are entitled to receive **additional paid sick leave** of up to a total of twelve (12) weeks during the duration of the Stipend for periods of illness, where a leave of absence request must be accompanied with medical certificates; if a medical certificate is not available a statutory declaration is required.

Medical certificates are not limited to a specified list of medical professionals, and can therefore be provided by a range of health professionals such as registered physiotherapists, doctors, maternal and child health care nurses and occupational therapists. It is allowable for individual higher education providers to determine what is acceptable for required documentation of medical certificates.

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

#### 7.3.2. Maternity and Parenting Leave

Stipend recipients who have completed twelve (12) months of their Stipend are entitled to a maximum of twelve (12) weeks of paid **maternity leave** during the duration of the

Stipend. This period of leave is added to the duration of the Stipend. Unpaid maternity leave may be accessed through the scholarship leave provision.

Stipend recipients who are partners of women giving birth within the duration of their Stipend award, and who have completed twelve (12) months of their Stipend are entitled to four (4) weeks of paid **parenting leave**, which may be taken at any time in the three-month period following the birth of a child or adoption date. This period of leave is added to the duration of the Stipend. Unpaid parenting leave may be accessed through the scholarship leave provision.

Periods of leave do not attract leave loading. Stipend leave application forms for additional paid sick leave, maternity and parenting leave are accessible from the UTS webpage. Completed forms must be submitted to the Graduate Research School along with relevant certified supporting documents.

## 7. ONGOING ELIGIBILITY

- 7.1. 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 Higher Degree Research Board, 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 annual progress report to enable review of progress in accordance with the guidelines approved by the Higher Degree Research Board from time to time as per [UTS Student Rules 11.13](#) of the UTS Student Rules; and
  - (c) successfully complete the required candidature assessments as per [UTS Student Rules 11.15](#) of the UTS Student Rules; 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 [UTS Student Rules Section 11](#) and regulations of the University concerning postgraduate students.

## 8. AWARDS FOR PART-TIME STUDY

- 8.1. The University may approve a part-time Stipend if:
- (a) the student is a domestic student; and
  - (b) the student has reasons acceptable to the University that preclude a full-time study for part or all of the course of study.
- 8.2. A Stipend may not be held part-time for employment reasons.

- 8.3. For the purpose of 8.1 (b), the University must be satisfied that the reasons relate to caring commitments, a medical condition, a disability or other circumstance which limits the student's capacity to undertake full-time study.
- 8.4. Application for the part-time Stipend requires a written request to the Dean of the Graduate Research School with the support of the principal supervisor and the Responsible Academic Officer (RAO). A separate application form for part-time enrolment for the candidature is from the UTS webpage.
- 8.5. Students holding a Stipend on a part-time basis are required to change to full-time if a change to their circumstances means that they no longer qualify to hold their Stipend on a part-time basis.
- 8.6. The University will subject part-time Stipend recipients to the same restrictions on employment as full-time Stipend recipients.
- 8.7. A part-time Stipend recipient is expected to progress at half the rate of a full-time Stipend recipient.
- 8.8. Part-time Stipend recipients may revert to full-time study at any time with the permission of the Faculty. A separate application form for full-time enrolment for the candidature is from the UTS webpage.
- 8.9. Part-time Stipend is 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 their own independent professional advice prior to submitting their tax return.

## **9. PAID EMPLOYMENT**

- 9.1. Full-time Stipend recipients are required to work on their research project and complete their thesis within the allocated period and are only permitted to undertake a limited amount of paid employment which must not interfere with their study and progress.
- 9.2. Graduate research students are expected to devote a minimum of 35 hours per week for full-time study and 17.5 hours per week for part time 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. Stipend recipients must seek approval of the RAO in their Faculty or Institute prior to engaging in part-time work in excess of 8 hours per week.
- 9.3. The RAO's decision will take the principal supervisor/s' recommendation into consideration. Details of paid employment or other activities, which temporarily interfere with the capacity to devote the required minimum hours per week to the research project, must be recorded in the student's review of progress.

## **10. SCHOLARSHIP OVERPAYMENT**

- 10.1. A Stipend recipient is required to repay any Stipend overpayment within thirty calendar days of being requested to do so by the University. Stipend overpayments are viewed as financial obligations by the University and failure to repay may result in sanctions being placed on

your candidature as per [UTS Student Rules Section 4.4](#) of the Student and Related Rules at UTS.

## 11. TERMINATION OF SCHOLARSHIP

11.1. Scholarships will be immediately terminated in the event of an unsatisfactory progress (as outlined in [UTS Student Rules 11.14](#)) and/or discontinuation of candidature following candidature assessment (as outlined in [UTS Student Rules 11.23 to 11.25](#)) or suspension due to student misconduct ([UTS Student Rules Section 16](#)).

11.2. The Stipend will terminate:

- (a) if the student ceases to meet the eligibility criteria specified in section 1 other than during a period in which the Stipend has been suspended with approval or during a period of leave in accordance with section 6; or
- (b) when the Stipend recipient ceases to be a full-time student and approval has not been obtained from the University to hold the Stipend on a part-time basis; or
- (c) upon submission of the thesis for examination or when the Stipend expires, whichever is the earlier; or
- (d) if the student submits a request to relinquish their stipend; or
- (e) if, after due enquiry, the University determines that:
  - i. the course of study is not being carried out with competence and diligence or in accordance to the offer of the Stipend; or
  - ii. the student has failed to maintain satisfactory academic progress; or
  - iii. the student has been discontinued; or
  - iv. the student has committed serious misconduct, including, but not limited to, the provision of false or misleading information as outlined in section 12.1.

11.3. If the Stipend is terminated, it cannot be re-activated unless the termination occurred in error.

## 12. OTHER INFORMATION

### 12.1. Provision of False or Misleading Information

If the University knows or has reason to believe that a student in receipt of a Stipend has provided false or misleading information to the University in relation to that Stipend, the University will immediately:

- (a) re-assess the student's entitlement to the Stipend; and
- (b) take action in accordance with the Student Misconduct and Appeals rules ([UTS Student Rules Section 16](#)).

### 12.2. 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.

### 12.3. **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.