

Education (Undertakings by Students) Act

Principal Act

Act. No. 1967-22

Commencement

8.7.1968

Assent

3.12.1967

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Agreement to be entered into on award of grant.
4. Obligations to be fulfilled in consideration of grant.
5. Recovery of moneys granted.

AN ACT TO GIVE VALIDITY TO UNDERTAKINGS GIVEN BY PERSONS AWARDED GRANTS TO UNDERGO A COURSE OF STUDY OR TRAINING IN THE UNITED KINGDOM OR ELSEWHERE.

Short title.

1. This Act may be cited as the Education (Undertakings by Students) Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“grant” includes a scholarship and any allowance in respect of study, training, maintenance, or travelling expenses;

“trustees” has the same meaning as in the John Mackintosh Will (Variation of Trusts) Act¹.

Agreement to be entered into on award of grant.

3. Any person who is awarded a grant by the Government of Gibraltar, or the Government of the United Kingdom, or the trustees with a view to his following a course of study or training in the United Kingdom or elsewhere, may be required to enter into an agreement with the Government of Gibraltar or the trustees, as the case may be.

Obligations to be fulfilled in consideration of grant.

4.(1) An agreement entered into by a person in pursuance of section 3 shall require him to undertake that, in consideration of the grant awarded to him, he shall—

(a) complete the course of study or training specified in the agreement; and

(b) on the completion of such course of study or training, return to Gibraltar—

(i) to take up an appointment with the Government; or

(ii) to practice the profession for which he has trained or has qualified,

for such period as is specified in the agreement.

(2) The agreement may also contain a clause whereby the person entering into it further undertakes that, in the event of failure on his part to fulfil any of the obligations set out in subsection (1), he will repay, as the case may be, the whole amount of the grant awarded to

¹ 1967-08

him, or such proportion thereof as is specified in the agreement, and, notwithstanding anything in any rule of law, or in any enactment, the undertaking given in accordance with such clause shall be binding upon, and enforceable against such person, whether or not he was a minor at the time when it was given.

Recovery of moneys granted.

5. Any sums repayable in accordance with the undertaking given in pursuance of the clause mentioned in section 4 shall be deemed to be a debt due to the Crown or the trustees, as the case may be, and shall be recoverable as such.