
4th Session First Parliament Trinidad and Tobago
14 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 1 of 1966

[L.S.]

AN ACT to make better provision for the promotion of
education in Trinidad and Tobago

[Assented to 22nd January, 1966]

BE IT ENACTED by the Queen's Most Excellent Majesty, Enactment
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and
by the authority of the same, as follows :—

1. This Act may be cited as the Education Act, 1966. Short title

Preliminary

Interpretation

2. In this Act—

“Advisory Committee” means the National Advisory Committee established by the Minister pursuant to section 8;

“allowance” means compensation payable—

(i) in respect of a grade or in respect of some offices in a grade, by reason of duties of a special nature;

(ii) for duties that a member of the Teaching Service is required to perform in addition to the duties of his grade where those duties relate to an office in the same grade or a higher grade;

“appropriate recognised association” means an association recognised by the Minister of Finance under section 72 as the bargaining body for any class or classes of members of the Teaching Service;

“Board of Management” or “Board” means the governing body of an assisted school established under section 15 for the purpose of exercising such powers and performing such duties with regard to the control and management of an assisted school as are conferred or imposed on it by this Act or the regulations;

“classification” means the assignment of an office to a grade.

“Committee of Management” or “Committee” means the governing body of a Government school constituted under section 23 for the purpose of exercising and performing such powers and duties with respect to a Government school as are conferred or imposed on it by this Act or the regulations;

“composite school” means a public school established for any locality for the provision of primary education and secondary education;

“comprehensive school” means a school intended for providing all the secondary education facilities needed by the children of a given area at all levels, but not organized in clearly defined types of education;

“Constitution” means the Constitution of Trinidad and Tobago set out in the Second Schedule to the Trinidad and Tobago (Constitution) Order in Council, 1962, and any amendment thereof;

“dispute” means any matter respecting members of the Teaching Service upon which agreement has not been reached between the Personnel Department and the appropriate recognised association and which is deemed to be a dispute under section 65 or 66;

“former Education Ordinance” means the Education Ordinance repealed by this Act;

Ch. 14. No. 1

“grade” includes a range given in the Classification of Offices set out in the First Schedule;

“intermediate school” means a school recognised under the former Education Ordinance as providing primary or post primary education for pupils up to the age of eighteen years;

“local advisory committee” means a committee appointed for a local education district;

“local education district” means a district established by the Minister under section 10 for the purposes of this Act;

“Manager” means the person appointed by the governing body as such for the purpose of exercising such powers and performing such duties as are conferred or imposed on him by this Act or the regulations;

“Minister” means the Minister to whom responsibility for Education is assigned;

“office” means an office in the Teaching Service assigned to a grade;

“parent” includes a guardian;

“pay” means the rate of pay assigned to an office in a grade by a Remuneration Order referred to in subsection (2) of section 55;

“Personnel Department” or “the Department” means the Personnel Department established under the Civil Service Act, 1965;

- “primary school” means a school for the provision of primary education within the meaning of section 6;
- “proprietor” means the person or authority who provided the private school, whether the legal estate or interest is vested in that or in some other person or authority;
- “Public Service Commission” means the Public Service Commission established by section 92 of the Constitution of Trinidad and Tobago set out in the Second Schedule to the Trinidad and Tobago (Constitution) Order in Council, 1962, and any amendments thereof.
- “remuneration” means pay and allowances;
- “school” means an institution approved by the Minister for the education of children;
- “school attendance officer” means a person appointed for the purposes of Part III, and includes a Supervisor;
- “secondary school” means a school for the provision of secondary education within the meaning of section 6;
- “secondary general school” means a school catering for a group or groups of children selected for any particular type or types of secondary education;
- “Special Tribunal” means the Special Tribunal established by subsection (1) of section 21 of the Civil Service Act, 1965;
- “Supervisor” means a Supervisor of Schools appointed for the purposes of this Act;
- “teacher” means a person registered as such under the former Education Ordinance or under the provisions of this Act and the regulations;
- “Teachers’ Register” means the register required to be kept under section 47 for the registration of persons who were registered as teachers under the former Education Ordinance, and of such other persons qualified for registration as teachers under the provisions of this Act and the regulations;

“Teaching Service” means the unified Teaching Service established under section 53;

and the expressions “Government school”, “assisted school”, “public school” and “private school” have the meanings given thereto in section 11.

General

3. The powers conferred on the Minister by this Act shall be exercised so as to ensure:— General purposes of Act

- (a) the promotion of the education of the people of Trinidad and Tobago, and the establishment of institutions devoted to that purpose by means of which he shall thereby contribute towards the development of the human resources, physical, mental, moral and spiritual of the community;
- (b) the establishment of a system of education designed to provide adequately for the planning and development of an educational service related to the changing needs of the community;
- (c) the effective execution of the education policy of the Government.

4. (1) The Minister is responsible for securing the purposes set out in section 3 and for the due administration of the provisions of this Act and in the exercise of the powers conferred on him by this Act, the Minister may do all things necessary or convenient for the purpose of carrying out his responsibilities under this Act. General responsibility of the Minister

(2) In addition to the several duties imposed on the Minister by this Act, the Minister shall be responsible for—

- (a) devising a system of education calculated as far as possible to ensure that educational and vocational abilities, aptitudes and interests of the children find adequate expression and opportunity for development;
- (b) conducting schools and establishing, managing, maintaining and assisting schools in accordance with regulations to be made by him from time to time;

- (c) conducting education for adults and youths, and undertaking or participating in the discharge of the responsibilities of the Government with respect to University Education;
- (d) assisting needy pupils so as to enable them to participate in the facilities offered by the education system.

Powers of
the Minister

5. For the purpose of the performance of his responsibilities under this Act the Minister may—

- (a) require the attendance of children of compulsory school age at schools established and conducted under this Act;
- (b) regulate the operation of private schools;
- (c) make provision for the professional training of teachers for the entire system of public education, and lay down standards which are applicable to the recruitment of teachers, their training and conditions of service;
- (d) constitute committees or other bodies to advise him from time to time on educational and related matters;
- (e) prescribe curricula, textbooks and practices in all public schools so as to ensure conformity with national standards of education;
- (f) establish and disestablish schools including schools for technical education and inaugurate classes and discontinue those classes;
- (g) do all such other things as may be found expedient from time to time for the carrying out of his responsibilities for education and training.

System of
public education

6. (1) The system of public education shall be organised in three stages, that is to say—

- (a) primary education which shall consist of full-time education suitable to the requirements of junior pupils;
- (b) secondary education, which shall consist of full-time education suitable to the requirements of senior pupils who are under the age of twenty years;

- (c) further education, which shall consist of—
- (i) full-time education beyond secondary education or in addition thereto;
 - (ii) part-time education;
 - (iii) leisure-time occupation in organised cultural training and recreative activities available in pursuance of any provision made under this Act, for further education for pupils who have attained the age of fifteen years.

(2) In addition to the three stages of public education mentioned in subsection (1), there may be provided special schools suitable to the requirements of pupils who are deaf, mute, blind, retarded or otherwise handicapped.

7. No person shall be refused admission to any public school on account of the religious persuasion, race, social status or language of such person or of his parent. Prohibition of discrimination

8. (1) The Minister may establish a National Advisory Committee for the purpose of advising him as to the performance of any of his responsibilities under this Act. Power to establish a National Advisory Committee.

(2) The Advisory Committee shall comprise of such number of members as the Minister may determine, appointed from among persons representing—

- (a) the teaching profession and expert educational opinion;
- (b) parents of children attending public schools and parent-teacher associations;
- (c) religious denominations;
- (d) organisations concerned with—
 - (i) community development;
 - (ii) librarianship; and
 - (iii) such areas of national affairs as the Minister considers appropriate.

(3) Appointment as a member of the Advisory Committee shall be published in the *Gazette* and shall be for such period as is specified in the instrument of appointment.

(4) The Advisory Committee may advise the Minister on any matter relating to the promotion of education.

Powers of
Advisory
Committee.

9. (1) In a case where the Advisory Committee think it desirable or expedient so to do, the Committee may, with the approval of the Minister before advising and reporting to the Minister on any matter concerning the promotion of education, appoint one or more of their number to hold, or may if they think it advisable themselves hold, such public inquiry into the matter as they may think fit; and when one or more members of the Advisory Committee are appointed to hold the inquiry they shall make a report to the Committee.

(2) In a case where the Minister thinks it expedient or proper so to do, he may require the Advisory Committee to hold an inquiry respecting any matter affecting the promotion of education, and where he has so required the Committee, the Committee may appoint one or more of their number to hold, or may if they think it advisable themselves hold, such inquiry as is required; and when one or more members of the Advisory Committee are appointed to hold the inquiry they shall make a report to the Committee.

Power to
establish
local advisory
committees.

10. (1) For the purpose of conveniently exercising the functions, powers and duties conferred or imposed on him by this Act the Minister may establish local education districts.

(2) The Minister may appoint local advisory committees in respect of any local education district consisting of such number of members appointed from among persons representing such of the interests set out in subsection (2) of section 8 as the Minister considers appropriate.

(3) Appointment as a member of a local advisory committee shall be for such period as is specified in the instrument of appointment.

(4) A local advisory committee shall advise the Minister on such matters as are referred to it by the Minister, and such a committee may advise the Minister on such other matters relating to education within the local education district as it considers fit and proper.

PART I

ESTABLISHMENT OF SCHOOLS

Public Schools

11. (1) For the purposes of this Act the school system ^{Classification} shall be organised in two categories to be known as public schools and private schools.

(2) Subject to the provisions of this section a public school is a school maintained at public expense to which the general public has access without any condition, other than those required or authorised by this Act and the regulations.

(3) In subsection (2), the expression "a school maintained at public expense" means that the school is so maintained at the expense of the public generally and not at the expense of a particular section of the public, whether the expense is met wholly or partly out of public funds or otherwise, and whether such school is provided by some person or authority other than the Government or not; and such a school shall be treated as a public school notwithstanding that entry to such school is normally confined to persons residing in a particular locality.

(4) A Government school is a public school wholly owned by the Government.

(5) An assisted school is a public school, the Board of Management of which has received or is in receipt of public funds for building or extension or re-building or for the equipment and facilities provided for the school.

(6) A private school is a school provided and maintained by some person or authority other than the Government.

12. (1) The Public School system shall be comprised ^{Public} of such schools as may from time to time be found ^{schools.} necessary for the efficient carrying out of the responsibilities of the Minister, and may include—

(a) infant or nursery schools or departments of schools providing education suitable for children under the age of five years;

- (b) primary schools or primary departments of schools providing education suitable for children of age 5-12 years;
- (c) intermediate schools established under the former Education Ordinance;
- (d) junior secondary schools or junior secondary departments of schools providing education suitable for children of age 12-14 years;
- (e) secondary general or comprehensive schools or both providing education suitable for children of age between 12 and 20 years;
- (f) vocational or technical schools or vocational or technical departments of schools providing education suitable for the needs of craftsmen and technicians;
- (g) teachers' colleges or institutions for the professional training of teachers for service in the schools of the country;
- (h) special schools for the education and training of children who are handicapped in such a way as to require special educational facilities for their best development;
- (i) any other schools or departments of schools for the education of adults and youths along suitable courses.

(2) Having due regard to the educational requirements of the pupils residing in any locality and after such consultation as he considers desirable and in the case of an assisted school, with the approval of the Board of Management, the Minister may designate, redesignate, classify and reclassify public schools to fulfil the purposes of education deemed most expedient from time to time.

Duty to
provide
public
schools.

13. The Minister shall cause to be provided such number of public schools as is in his opinion necessary to secure a sufficient number of school places for children of compulsory school age.

14. (1) Assisted schools existing at the commencement of this Act shall be deemed to have been established by this Act and shall continue as public schools under the provisions of this Act and the regulations. Establishment of existing and future public schools.

(2) Subject to this Act, private schools established before or after the commencement of this Act may become public schools only in accordance with the provisions of this Act and the regulations.

Boards of Management of Assisted Schools, Managers

15. (1) Where, in accordance with subsection (1) of section 14, at the commencement of this Act any school is deemed to have been established as an assisted school, there shall be established, for the purpose of exercising the control of the school, a Board of Management consisting of persons appointed by the authority which established the school, save that the Minister may require the school to be controlled jointly with any other assisted school operated by the same authority. Boards of assisted schools.

(2) Every assisted school established after the commencement of this Act shall be controlled by a Board.

(3) The Board shall consist of not less than three members, except that there may be more than three members of any such Board if that Board controls more than one school or there are special reasons which render it desirable to have more than three members on that Board.

16. Subject to this Act a Board shall act in accordance with any special or general directives of the Minister concerning the exercise and performance of its powers and duties conferred or imposed on it by this Act and the regulations. Policy directives.

17. (1) Subject to the provisions of this Act and of any regulations made thereunder a Board with regard to assisted schools under its management— General powers and duties of Board of assisted schools.

(a) shall have the control and management of all matters relating to the establishment and maintenance of new schools, the making of applications for recognition of new schools, the maintenance of existing schools, the re-building

or extension of schools and such other matters relating to the organization of such schools as may from time to time be referred to them;

- (b) shall receive, disburse and account for the expenditure of such grants-in-aid as may from time to time be allocated to them from public funds;
- (c) shall be responsible to the Minister for the efficient maintenance of schools under its authority, for the provision of all requisite furniture and for keeping school buildings in a good state of repair and sanitation;
- (d) shall furnish such returns as the Minister may from time to time require;
- (e) may from time to time, as may be necessary, appoint or suspend or dismiss a Manager for a school or schools, and may delegate to such manager such of the powers and duties of the Board as it may think fit;
- (f) may, pursuant to a resolution in that behalf, establish and maintain at a bank, in accordance with subsections (2) and (3), accounts, as respects money paid to the Board in accordance with section 20, for the purposes of the school or schools under its control in such manner and in such amount as may from time to time be determined by the Accountant General;
- (g) shall generally have and exercise all the powers duties and functions conferred on Boards of assisted schools by this Act or by any regulations made thereunder.

(2) Any such account that is established by the Board of any assisted school may be held jointly in the names of, and be operated by, the secretary and one other person to be appointed in that behalf by the Board, or may, with the express approval in writing of the Accountant General but not otherwise, be in the sole name of, and be operated by, the secretary or other approved officer of the Board.

(3) Money in any such account shall be available only for the payment of salaries, wages, emergency expendi-

ture, and such other expenditure as the Board and the Accountant General may jointly approve. A statement of all payments made from the account shall be submitted to the Board for approval at its first ordinary meeting thereafter. The payment of money out of the account for any purpose not hereby authorised shall be deemed to be a misappropriation of the funds of the Board.

18. (1) The Board of an assisted school shall provide for full and true accounts, respecting receipt and expenditure of public funds, to be kept in the manner prescribed by regulations made under this Act, or (if the manner of keeping the accounts is not so prescribed) in a manner approved by the Minister. Accounts and audit.

(2) For the purpose of the audit of such accounts, the Board of an assisted school is a statutory authority within the meaning of Part V of the Exchequer and Audit Ordinance, 1959.

No. 20—1959.

19. (1) The Board of every assisted school shall cause to be forwarded to the Minister, before the last day of March in each year, a report for the previous year containing a statement of accounts in the form approved by the Minister respecting receipt and expenditure of any public funds paid to it in accordance with section 20 for the year ending with the thirty-first day of December preceding, and such other information as the Board may consider appropriate. Annual reports as to assisted schools.

(2) For the purpose of verification of the accounts referred to in subsection (1), the Minister may require such additional information, in such form as he may in any particular case direct, as he considers necessary.

(3) Where a Board controls the management of more than one assisted school, a separate report for the purposes of this section shall be forwarded in respect of each assisted school under its control.

20. The Minister may, out of money appropriated for that purpose by Parliament, pay to the Board of each assisted school grants for such purposes as may from time to time be prescribed. Grants to governing bodies of assisted schools.

Duties of
Managers of
assisted
schools.

21. Every manager shall be responsible for the efficient performance of—

- (a) such duties as may be delegated to him by a Board of Management;
- (b) such duties as are delegated to him by the Minister including:
 - (i) the checking of attendance register at least once a month;
 - (ii) the furnishing of such reports as may be prescribed or required at any time by the Minister;
 - (iii) the protection of school premises and furniture against improper use.

Prohibition on
imposition of
charges or other
requirements
on pupils

22. (1) Except with the written permission of the Minister, a Principal or Board of Management may not impose a charge of any kind whatsoever on pupils in a public school—

- (a) in return for any service provided by the school or by the Principal, Board, or any teacher;
- (b) as a contribution in respect of any activities normally undertaken as part of the curriculum of the school.

(2) A Principal or Board of Management may not require any pupil in a public school to procure his books, stationery, uniform or other appliances required for participation in the courses or other activity of the school from any particular person or supplier.

(3) In subsection (1) "charge" includes a requirement for payment in money or moneys worth.

Committees of Management—Government Schools

Power to
constitute
committee for
Government
schools.

23. (1) The Minister may, whenever he considers it expedient, by Order constitute Committees of Management for any Government school, consisting of such number of public officers as he considers appropriate.

(2) Subject to this Act, a Committee established under this section shall have and exercise such powers, functions and duties as are conferred on it by the Minister.

24. In the absence of the establishment of a Committee under section 23, Government schools shall be controlled by a Supervisor of Schools designated as manager of the school subject to the directions of the Minister, and the Supervisor shall have and exercise such powers, functions and duties as the Minister may confer.

Management of Government schools where no Committee.

25. The Principal of every Government school shall prepare and forward through the Supervisor to the Minister before the 1st day of March in each year, a report for the previous year containing a statement of accounts in the form approved, and containing such information as is required by the Minister.

Annual reports as to Government schools.

General as to Public Schools

26. A Supervisor shall, as respects all public schools be responsible for the exercise and performance of such powers, duties and functions as are prescribed, and in particular for—

Supervisor responsible for certain functions.

- (a) the supervision and inspection of the programme of education required by the curriculum;
- (b) ensuring that school premises, property and stock are protected against improper use;
- (c) the submission of reports on matters relating to the discipline of teachers;
- (d) the conduct and supervision of courses of induction and training for untrained teachers in service as well as courses for other teachers;
- (e) the observance of the provisions of this Act and the regulations pertaining to the conduct of schools;
- (f) arranging for the approval of such special leave to teachers as may be granted them in accordance with the regulations;
- (g) arranging for the approval of school holidays that may be granted in accordance with the regulations;
- (h) considering and assessing the confidential reports of teachers;
- (i) furnishing such returns as may be prescribed or required at any time by the Minister;

- (j) dealing with all other matters of organisation, management and administration as may be referred to him by the Minister;
- (k) co-operating with appropriate authorities in the exercise of authorised schemes;
- (l) supervising the due performance of the functions of Managers.

Responsibilities
of Principals

27. Subject to this Act and the regulations, Principals of schools shall be responsible for the day to day management of their school including—

- (a) the supervision of the physical safety of pupils;
- (b) the suitable application of the syllabus in conformity with the needs of the pupils of the school, and the administration of the school's programme;
- (c) allocation and supervision of the duties and responsibilities of members of their staff;
- (d) the discipline of the school;
- (e) teaching;
- (f) the proper use of school equipment and stock;
- (g) the keeping of proper records;
- (h) the making of financial reports through the Manager and the Supervisor to the Minister containing a statement of accounts in the form approved as well as such information as is required by the Minister;
- (i) the furnishing of such returns as may be prescribed or required at any time by the Minister or their respective Boards or Committees of Management;
- (j) ensuring the observance of the provisions of the Act and any regulations made thereunder in their respective schools;
- (k) co-operation with parents, and with approved authorities in the execution of authorised schemes.

28. (1) Notwithstanding anything in this Act, the Minister may, after having due regard to the educational requirements of pupils resident in any locality and after such consultation as he considers desirable, establish, in a Government school, a composite school for any locality for the provision of primary education and secondary education. ^{Composite schools.}

(2) Notwithstanding anything in this Act, the Minister may, having the like regard and with the approval of the Board of Management concerned, wherever he considers it expedient direct that an assisted school shall be administered as a composite school for any locality for the provision of primary and secondary education.

(3) The extent to which primary education and secondary education are to be provided in any composite school established under subsection (2) shall be determined by the Minister.

(4) Every composite school established under this section shall be known by such designation as the Minister may approve as appropriate having regard to the range of instruction provided for in the particular school.

29. (1) No child shall be required as a condition of admission into, or of continuing in, a public school— ^{of Conscience clause}

(a) to attend or to abstain from attending any Sunday School or any place of religious worship; or

(b) to attend any religious observance or any instruction in religious subjects in the school or elsewhere from which observance or instruction he may be withdrawn by his parent; or

(c) to attend the school on any day specially set apart for religious observance by the religious body to which the parent belongs.

(2) Religious instruction shall form part of the curriculum of every public school, and the facilities for religious observance in such school shall be provided in such manner as is prescribed, save, however, that any pupil may be withdrawn by his parent from such instruction or observance without forfeiting any of the other benefits of the school.

(3) The time during which religious instruction may be given or during which any religious observance may be practised shall be inserted in a time-table to be approved by the Minister and such time-table shall be kept permanently and conspicuously affixed in every schoolroom.

Private Schools

Private schools
to be
registered.

30. Subject to this Act, no person shall keep or continue to keep a private school unless the school and the proprietor are registered in the Register of Schools required to be kept under this Act.

Private
Schools
Register.

31. (1) The Minister shall cause to be kept in such manner as may be prescribed, a Register of Private Schools, to be known as the Private Schools Register in this Part referred to as "the Register".

(2) There shall be entered on the Register every private school established before or after the commencement of this Act in respect of which an application for the purpose is made in the prescribed form and as regards which the Minister is satisfied that the requirements of this Act and the regulations are satisfied.

Publication
of Register.

32. (1) A copy of the Register certified correct by the Minister shall be published in the *Gazette* before the expiration of six months from the commencement of this Act and the Minister shall from time to time as occasion requires certify and publish in the *Gazette* any additions or amendments thereto.

(2) A copy of the Register or any amendments thereto shall be conclusive proof of the schools that are private schools for the purposes of this Act.

Cancellation
of registration.

33. (1) If in the opinion of the Minister a private school which is on the Register has ceased to be conducted in accordance with the requirements of this Act and the regulations, he may, where no action has been taken to rectify the deficiencies within such time as the Minister may allow, cancel the registration of the school upon giving three months notice thereof to the proprietor.

(2) A proprietor upon receipt of the notice of cancellation of the registration of his school under this section may, at any time before the date on which the cancellation takes effect, appeal in the prescribed manner to a court of summary jurisdiction against cancellation.

(3) On any such appeal the appellant and the Minister, as respondent, may appear personally or may be represented by some other person or by counsel or solicitor.

(4) The court shall hear and determine the appeal and make such order as it thinks just having regard to the merits of the case and the public welfare.

(5) Where an appeal is dismissed, cancellation of the registration of the school shall take effect from the date of the making of the order or upon the expiration of the notice referred to in subsection (1), whichever is the later date.

34. (1) Whenever there is any change in the ownership of the school or its location, or any modification in respect of any of the prescribed particulars, the proprietor shall forthwith furnish the Minister with a supplemental return containing the correct particulars. Returns as to Private Schools.

(2) If a private school remains closed for a longer period than thirty consecutive days (except for regular holidays, not exceeding twelve weeks, in any one year) the proprietor shall furnish the Minister with a supplemental return giving the reasons for the closing of the school and the period the school is likely to remain closed, and if subsequently the proprietor desires to re-open such school, a new return containing the particulars referred to in subsection (1) shall be furnished to the Minister before such school is re-opened. The registration of a private school that remains closed for longer than a period of one year shall be deemed to have been cancelled.

(3) In the month of September in each year every proprietor of a private school shall furnish the Minister with a return in respect of the previous school year containing the following particulars :—

- (a) the number of meetings during which the school was opened;
- (b) the number of pupils on roll at the end of the school year;

- (c) the average attendance for the school year;
- (d) the percentage of attendance of the total possible attendances for the pupils on roll.

Disqualification
as a teacher

35. No person shall be employed in a private school as a teacher or act as a teacher therein, unless his name is registered on the Teachers' Register.

Offences in
respect of
returns, and
employment
of teachers

36. (1) A proprietor of a private school who—

- (a) fails to furnish the returns required by this Act or the regulations, and in the manner so required; or
- (b) furnishes a return which he knows or ought reasonably to have known to be false or misleading in a material particular; or
- (c) knowingly employs as a teacher any person who is disqualified under section 35 to act as such, or permits such person to act as a teacher,

is guilty of an offence and liable, on summary conviction to a fine of fifty dollars and in the case of a second or subsequent offence is liable to a fine of one hundred dollars, and for any continuing offence under paragraph (c) to a further fine of ten dollars for each day on which the offence continues after conviction therefor.

(2) Notwithstanding section 33 where a proprietor is convicted of an offence under subsection (1) the registration of the school is liable to be cancelled from the expiration of the time for appealing against conviction therefor if no appeal against such conviction has been made or as from the dismissal of the appeal, as the case may be.

(3) A person who is disqualified under section 33 and with knowledge of such disqualification acts as a teacher in a private school is guilty of an offence and liable, on summary conviction, to a fine of fifty dollars.

Minister or
his representative
may visit
private schools
and make
enquiries

37. (1) The Minister or any public officer deputed by him in writing to act as his representative may enter any premises wherein a private school is being conducted, at any reasonable time during school hours, for the purpose of making enquires and discharging such duties as may be imposed on him by this Act or by the regulations.

- (2) A person who—
- (a) obstructs or resists the Minister or any such officer in the performance of his duties; or
 - (b) wilfully makes any false representation to the Minister or any such officer; or
 - (c) wilfully refuses to furnish the Minister or any such officer with any information which such person may be required to furnish by this Act or the regulations,

is guilty of an offence and liable, on summary conviction, to a fine of fifty dollars.

Schools for Further Education

38. Every school established as a technical institute or an institute for technical education existing at the commencement of this Act shall be deemed to have been established as a technical institute under this Act.

Saving of technical institutes already established

Special Schools

39. (1) The Minister may—
- (a) cause to be established any special school
 - (b) cause to be established or authorise the establishment of, any special school, class, clinic, or service, either as a separate unit or in connection with any public institution approved for the purpose by him;
 - (c) make provision for special educational facilities to be provided by instruction by correspondence.

Special schools and classes

(2) The Minister may after consultation with the controlling authority disestablish any special school, class, clinic, or service whether established under subsection (1) or not, if he is dissatisfied with the manner in which the school, class, clinic, or service is being conducted, or if he considers that sufficient provision is made by another similarly established special school, class, clinic, or service, or by any other school or class in or reasonably near to the same locality; except that in the last mentioned case he shall, if the controlling authority of the school, class, clinic, or service so requires, give three months' notice of his intention to disestablish the same.

Other special
classes or
services
providing special
education

40. In addition to the establishment of special schools, classes, clinics, and services as provided for under section 37 the Minister may recognise for purposes of financial assistance such other classes or services providing special education or facilities supplementing special education as may from time to time be prescribed.

Teachers' Colleges

Establishment of
Teachers' colleges

41. For the purpose of ensuring the better education and training of teachers, the Minister may cause to be established teachers' colleges and classes at such places as he may from time to time determine, and having due regard to the maintenance of the standard of that education and training, after such consultation as he considers desirable and, in the case of an assisted teachers' college, with the Board of Management may disestablish any such teachers' college or class, or discontinue recognition of any college or class established before the commencement of this Act.

Power to enter
into agreements
with U.W.I.

42. The Minister may, on behalf of the Government enter into agreements with the University of the West Indies—

- (a) for the use of such facilities provided by the University for continuation or extension courses for teachers;
- (b) for associating and co-ordinating the facilities and programme of any teachers' college with those of the University;
- (c) for establishing standards for certification and recognition of qualifications of teachers;
- (d) for the promotion of Community Development, Education, Adult Education and Nursing Education.

General

Interpretation

43. In this Part—

“suspend” means the temporary removal of a pupil from a particular school;

44. (1) It shall be lawful for a Principal of any public school to suspend from attendance any pupil who for gross misconduct may be considered injurious or dangerous to other pupils or whose attendance at school is likely for any serious cause to have detrimental effect upon the other pupils, so, however, that no such suspension shall be for a period exceeding one week. Suspension and expulsion of pupils

(2) Where any pupil is suspended from attendance under subsection (1)—

(a) the principal of the school shall immediately notify the parent of such pupil and the Minister of the suspension and the reasons therefor;

(b) the Minister may, after receipt of the notification—

(i) order the extension of the term of suspension in order to enable proper inquiries to be made;

(ii) after due investigation, order the reinstatement of the pupil on a date to be fixed by him;

(iii) order the removal of the pupil to another school including a special school;

(iv) order the expulsion of the pupil.

(3) Any order made by the Minister under subsection (2) shall be final.

45. Where a child of compulsory school age is suspended or expelled from a private school, the principal of that school shall immediately notify the Minister. Suspension or expulsion in private schools.

46. The principal of any public school may suspend from attendance any pupil who may be likely to communicate any contagious disease and in every such case the principal shall forthwith report to the parents of the pupil and to the Supervisor of the school the action taken by him and the reasons therefor. Suspension on account of disease, &c.

PART II

APPOINTMENT AND EMPLOYMENT OF TEACHERS

Registration of Teachers

Teachers to
be registered.

47. (1) Subject to this Act, no person shall be eligible to be appointed to be, or to continue to be, a teacher, unless his name is registered in the Register of Teachers hereinafter required to be kept.

(2) Subsection (1) shall be construed as requiring persons who are appointed temporarily, or in any probationary capacity, to positions as teachers to be registered; and any person whose registration has been cancelled on the grounds set out in section 51 shall not be appointed temporarily to a position as a teacher unless his name has been reinstated on the register.

Teachers'
Register.

48. (1) The Minister shall keep, in such manner as may be prescribed, a register of teachers, which shall be known as the Teachers' Register.

(2) All teachers who have been registered under the former Education Ordinance at the commencement of this Act, shall be deemed to be registered under this Act.

(3) The names of the following persons shall be entered by the Minister in the Teachers' Register—

- (a) every person whose name is not for the time being on the Teachers' Register but who is the holder of a teacher's certificate recognised in accordance with regulations made under this Act and who applies to be registered;
- (b) every person to whom is issued on or after the commencement of this Act any such teacher's certificate;
- (c) every person who applies in the prescribed manner to be registered and who satisfies the Minister that he has the prescribed qualifications and is in other respects a fit and suitable person to be appointed as a teacher;
- (d) every person who at the commencement of this Act is employed as a teacher in a public or private school.

(4) A person who is refused registration for any reason may, within forty-two days of the date of the refusal, appeal in the manner prescribed in the case of the cancellation or registration by section 51, the provisions of which shall apply so far as they are applicable and with the necessary modifications.

49. A copy of the Teachers' Register, corrected to a date specified in that copy, shall be published in the *Gazette* within twelve months after the date of the commencement of this Act; and thereafter there shall be published in the *Gazette* from time to time a supplementary list of names added to the Teachers' Register subsequently to the date of the last publication of any names.

Publication
of Register.

50. On the death of a teacher registered as such on the Teachers' Register, the Minister shall cause his name to be removed from the Teachers' Register, and no notice of removal thereof shall be required to be published.

Removal of
name from
Teachers'
Register on
death

51. (1) If a teacher in a public school has been found by the Public Service Commission to be guilty of gross misbehaviour, or gross inefficiency or other conduct unfitting him for employment as a teacher, the Minister may, upon so notifying such person in writing, cancel the registration of that person and remove his name from the Teachers' Register.

(2) In the case of a teacher in a private school the Minister may cause an inquiry to be held at which the teacher shall have the right to be represented by some other person or by counsel or solicitor, and if such teacher is found guilty of any such conduct as is mentioned in subsection (1), the Minister may cancel the registration of that person and remove his name from the Teachers' Register, and shall notify such person in writing of the cancellation.

(3) A teacher in a private school receiving notice of the cancellation of his registration as aforesaid, may, at any time before the date on which the cancellation takes effect, appeal in the prescribed manner against the cancellation.

(4) The appeal shall be heard and determined by a Judge in Chambers.

(5) On any such appeal the appellant and the Minister, as respondent, may appear personally, or may be represented by some other person or by counsel or solicitor.

(6) The Judge in Chambers shall make such order as he thinks proper, having regard to the merits of the case and the public welfare.

(7) An appeal shall lie to the Court of Appeal, within such time as may be fixed by rules of Court made by the Rules Committee under section 76 of the Supreme Court of Judicature Act, 1962, from any determination by a Judge in Chambers upon appeal under subsection (3), and the determination of the Court of Appeal shall be final.

(8) If an appeal to a Judge in Chambers or to the Court of Appeal, as the case may be, is not made, or, if made, is dismissed by the Judge in Chambers or by the Court of Appeal, respectively, the cancellation of the certificate and registration shall take effect as from the date specified by the Minister in his notice of cancellation.

(9) A certificate under the hand of the Minister shall be sufficient evidence in any Court of the cancellation of registration of a teacher.

Notification
of removal of
name from
register

52. Where the name of any person has been removed from the Teachers' Register for gross misbehaviour, or for gross inefficiency or other conduct unfitting him for employment as a teacher, a notice of the removal shall be published in the *Gazette*.

The Teaching Service

Teaching Service
established.
Classification
First Schedule

53. (1) For the purposes of the school system established by section 12, there is hereby established a unified Teaching Service which—

- (a) shall comprise of all teachers appointed or deemed appointed by the Public Service Commission under the provisions of this Act;
- (b) shall, subject to this Act, be classified in accordance with the Classification of Offices set out in the First Schedule.

(2) The Governor-General may from time to time, by Order in writing published in the *Gazette* add to, vary or amend the Classification of Offices in the Teaching Service set out in the First Schedule.

(3) The Classification of Offices in the Teaching Service set out in the First Schedule, shall be the basis hereafter for any Classification Order made under this section.

(4) The classification title prescribed shall be observed in all records and communications of the appropriate Commission, the Auditor General and the Treasury and in all departmental estimates and parliamentary returns and appropriations.

54. (1) Subject to this section, upon the commencement of this Act the following persons shall be deemed to be appointed members of the Teaching Service:—

Members of the
teaching service
—appointments

- (a) all teachers within the meaning of the School Teachers' Pensions Ordinance;
- (b) teachers within the meaning of the former Education Ordinance and who are employed in full-time service as such a teacher in any Government or assisted school;
- (c) teachers in Government or assisted schools whose names are required to be registered by paragraph (d) of subsection (3) of section 48.

(2) The provisions of subsection (1) shall be read and construed as excluding any teacher who, by virtue of the terms of his employment with the authority who controlled the assisted school, was employed for a specified period or upon such terms and conditions as are inconsistent with the terms and conditions applicable to a person who holds office in the Teaching Service under the provisions of this Act and the regulations.

(3) Subject to the provisions of the Constitution and of any enactment, the Public Service Commission shall have power to appoint persons to be or act as members of the Teaching Service and to transfer, promote, remove and exercise disciplinary control over persons who are acting as such.

55. (1) The Governor-General may by Order—

Remuneration
Orders

- (a) determine the pay in respect of an office in a grade;
- (b) establish the allowances that may be paid in addition to pay;

(c) give effect to any agreement entered into between Chief Personnel Officer on behalf of the Minister of Finance and the appropriate recognised association; and

(d) give effect to an award made by the Special Tribunal.

(2) Any Order made in respect of the matters specified in paragraphs (a) and (b) of subsection (1) shall be referred to as a Remuneration Order.

Increments

56. Except where the contrary is otherwise provided in a Remuneration Order, increases of pay that may be granted in respect of an office in a grade in accordance with the Remuneration Order shall be annual, so however, that no increase of pay shall be made in respect of an office in a grade in which the member of the Teaching Service performing the duties of such office has not completed a period of twelve months continuous duty in such office.

Tenure of office

57. A member of the Teaching Service shall hold office subject to the provisions of this Act and any other enactment and any regulations thereunder, and unless some other period of employment is specified, for an indeterminate period.

Term appointments

58. A person who is appointed to an office in the Teaching Service for a specified period shall cease to be a member of such Service at the expiration of that period.

Resignation

59. A member of the Teaching Service who intends to resign his office shall give such period of notice as may be prescribed by regulations.

Private undertakings by Members of the Teaching Service

60. (1) A member of the Teaching Service may not engage in any business or trade or pursue any other activities for gain or reward without the permission in writing of the Public Service Commission so to do.

(2) A member of the Teaching Service shall, during the school hours prescribed by regulations made under this Act devote his full time to teaching in the public school to which he is assigned and no member of the Teaching Service may teach or be required by any Principal, or Board of Management to teach in a private school.

Termination

61. The modes by which a member of the Teaching Service may leave the Teaching Service are as follows:— Modes of leaving service

- (a) on dismissal or removal in consequence of disciplinary proceedings;
- (b) on compulsory retirement;
- (c) on voluntary retirement;
- (d) on retirement for medical reasons;
- (e) on resignation;
- (f) on the expiry or other termination of an appointment for a specified period;
- (g) on the abolition of office;
- (h) in the case of a member of the Teaching Service on probation, on the termination of appointment;
- (i) in the case of a member of the Teaching Service holding a non-pensionable office with no service in a pensionable office, on the termination of appointment.

62. (1) The Personnel Department shall in relation to the Teaching Service have the following duties:—

- (a) (i) to maintain the classification of the Teaching Service;
- (ii) to keep under review the remuneration payable to members of the Teaching Service;
- (b) to administer the general regulations respecting the Teaching Service;
- (c) to provide for and establish procedures for consultation and negotiation between the Department and an appropriate recognised association or associations in respect of—
 - (i) the classification of offices;
 - (ii) any grievances;
 - (iii) remuneration;
 - (iv) the terms and conditions of employment.

Consideration of
recommendation
on pay rates

(2) The Minister of Finance may from time to time make recommendations with regard to remuneration to be paid to members of the Teaching Service.

(3) The Minister of Finance shall before making recommendations on remuneration under subsection (2)—

(a) consider the requirements of the Teaching Service;

(b) take into account the rates of pay and other terms and conditions of employment prevailing in Trinidad and Tobago for similar work outside the Teaching Service, and the relationship of the duties of the various grades within the Teaching Service; and

(c) be guided by the considerations specified in paragraphs (a) to (d) of subsection (2) of section 9 of the Industrial Stabilisation Act, 1965.

Act No. 8
of 1965

Consultation with
organisations

(4) Prior to formulating any recommendations under subsection (2), the Minister of Finance may require the Personnel Department to consult with representatives of the appropriate recognised association with respect to the matters specified in subsection (1).

Department in
negotiations
subject to
direction of
Minister of
Finance

63. Notwithstanding subsection (1) of section 13 of the Civil Service Act, in the exercise of its duties and functions under sections 62, 64, 65, 66 and subsection (1) of section 67 the Personnel Department shall be subject to the direction of the Minister of Finance.

Consultation with
association of
members of the
Teaching Service

64. The Personnel Department shall, from time to time, consult with representatives of the appropriate recognised association with respect to the matters specified in section 62, at the request of such representatives or whenever in the opinion of the Minister of Finance such consultation is necessary or desirable.

Where no
agreement
reached on
proposals of
association

65. Where the Personnel Department consults and negotiates with representatives of the appropriate recognised association with respect to matters specified in section 62 at the request of such representatives, and the Personnel Department and the appropriate recognised association are, within twenty-one days of the commencement of such consultation and negotiation, or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the

matter on which no agreement has been reached to the Minister of Finance and on such report being made a dispute shall be deemed to exist as to such matter.

66. Where the Personnel Department before making proposals with respect to matters specified in section 62 does not consult with representatives of the appropriate recognised association, the Personnel Department shall submit the proposals to the appropriate recognised association for consideration and agreement, save that where the Personnel Department and the appropriate recognised association are, within twenty-one days of the submission of the proposals as aforesaid, or within such further period as may be agreed upon, unable to reach agreement on any matter, the Personnel Department or the appropriate recognised association shall report the matter on which no agreement has been reached to the Minister of Finance, and on such report being made a dispute shall be deemed to exist as to such matter.

Department to submit proposals to association for approval

67. (1) Where the Personnel Department and the appropriate recognised association reach agreement on any of the matters specified in section 62 after consultation and negotiation in accordance with section 65 or 66, the agreement shall be recorded in writing and shall be signed by the Chief Personnel Officer on behalf of the Minister of Finance and by a person designated by the appropriate recognised association on behalf of the association.

Agreement reached with Department

(2) Any agreement recorded and signed in accordance with subsection (1) shall be binding upon the Government and the members of the Teaching Service to whom the agreement relates.

68. (1) Where a dispute is deemed to exist under section 65 or 66, the Minister shall refer the dispute for settlement to the Special Tribunal within twenty-one days from the date on which the dispute was reported to him.

Disputes to be referred to Special Tribunal

(2) Where the Minister fails to refer the dispute to the Special Tribunal within the time specified in subsection (1) the appropriate recognised association that is a party to the dispute shall do so within twenty-one days from the date of the expiration of the time specified in the said subsection (1).

(3) For the purposes of this Act the parties to a dispute shall be the Chief Personnel Officer and the appropriate recognised association.

Power of
Special
Tribunal

69. (1) The Special Tribunal shall hear and determine any dispute referred to it under section 68 and shall make an award on the dispute.

(2) An award made by the Special Tribunal shall be final.

(3) In addition to taking into account any submissions, arguments, and evidence presented or tendered by or on behalf of the appropriate recognised association and the Chief Personnel Officer, the Special Tribunal in its judgment shall be guided by the considerations specified in paragraphs (a) to (d) of subsection (9) of the Industrial Stabilisation Act, 1965.

Awards to
be binding
on parties
for fixed
period

70. (1) An award made by the Special Tribunal under section 69 shall be binding on the parties to the dispute and on all members of the Teaching Service to whom the award relates and shall continue to be binding for a period to be specified in the award, being a period of not less than five years from the date upon which the award takes effect.

(2) The Special Tribunal may with the agreement of the parties to an award review such award at any time after the expiry of the third year.

Associations of Members of the Teaching Service

Definitions

71. In this Part and in section 2—

“class” means the division into which an office is assigned by regulations made by the Governor-General under section 84, and includes any category or categories of offices assigned to a division;

“existing association” means the Trinidad and Tobago Teachers’ Union, and any other trade union or organisation recognised immediately before the commencement of this Act as the bargaining body for any class or classes of

teachers who by virtue of the provisions of this Part become members of the Teaching Service.

72. (1) Every existing association may continue to represent any class or classes of members of the Teaching Service and subject to the provisions of this Act shall be recognized by the Minister of Finance as the appropriate association for the purpose of consultation and negotiation in respect of any of the matters specified in section 62 and any other matters concerning such members of the Teaching Service. ^{Representation of civil servants}

(2) Members of the Teaching Service may form associations, and such associations shall, subject to this Act and the regulations, be recognised by the Minister of Finance as appropriate associations for consultation and negotiation in respect of any of the matters specified in section 62 and any other matters concerning such members of the Teaching Service.

(3) For the purposes of recognition by the Minister, an association formed pursuant to subsection (2) or, an existing association, may be representative of any class or classes of members of the Teaching Service, but may not be representative of any class or classes of members of the Teaching Service already represented by an appropriate recognised association; and an association formed pursuant to subsection (2) or an existing association may not admit to its membership a member of the Teaching Service who is a member of an appropriate recognised association.

(4) The Minister of Finance shall withdraw recognition from an appropriate recognised association that contravenes or fails to comply with any of the requirements of subsection (3).

(5) An association formed pursuant to subsection (2) may not be registered as a trade union.

73. The Governor-General may make regulations setting out the conditions to be satisfied and the procedure to be adopted for the recognition by the Minister of Finance of existing associations and of associations formed pursuant to subsection (2) of section 72. ^{Regulations governing recognition.}

Associations
to make rules

74. (1) Every association formed pursuant to subsection (2) of section 72 and every existing association shall make rules providing for the good government of the association and for carrying out the objects of the association and with respect to such rules the following provisions shall have effect—

(a) the rules shall contain provisions in respect of the several matters mentioned in the Second Schedule;

(b) a copy of the rules and of every amendment thereof shall be delivered by the association to every member of the Teaching Service who is a member of that association on demand on payment of the prescribed sum.

(2) The Rules of the association shall be filed with the Registrar General.

(3) Amendments to the Rules of an association shall be filed with the Registrar General and shall have effect from the date of such filing unless some later date is specified from which they shall have effect.

PART III

COMPULSORY EDUCATION

Compulsory School Age and Offences

Compulsory
education age

75. (1) In this Act, the expression “a compulsory school age” means any age between six and twelve years and accordingly a person shall be deemed to be of compulsory school age if he has attained the age of six years and has not attained the age of twelve years, and a person shall be deemed to be over compulsory school age as soon as he has attained the age of twelve years.

(2) Notwithstanding subsection (1), the Minister, if he is satisfied that it has become necessary or expedient to raise or lower the upper limit of the compulsory school age, may by Order, subject to affirmative resolution of Parliament, within sixty days of the making of the Order, direct that the foregoing provisions of this section shall have effect as if for references therein to the age of twelve years there were substituted a reference to any age prescribed in the Order.

(3) Except within the permission of the Principal and under the supervision of a teacher deputed by him for the purpose, no child on the register of any public or private school may be admitted, whether on payment or otherwise, to any cinema show or other similar form of entertainment during the hours of 8 a.m. to 3.30 p.m. on any day on which attendance at school is by this Act and the regulations required.

(4) No pupil enrolled on the register of any school whether public or private may be admitted to or allowed to remain on the licensed premises of any person who carries on pool betting business under a betting office licence within the meaning of section 25 of the Gambling and Betting Act, 1963.

No. 22—1963

(5) No pupil enrolled on the register of any school whether public or private may be admitted to or allowed to remain on the licensed premises of any person who carries on any business in connection with the sale, storage or conveyance of intoxicating liquor within the meaning of section 2 of the Liquor Licensing Ordinance, and if any person contravenes the provision of this subsection he is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and such imprisonment.

No. 27—1955

(6) A person who employs a child of compulsory school age during the hours and on any day referred to in subsection (3) is guilty of an offence and liable on summary conviction to a fine of one hundred dollars and in the case of a continuing offence to a further fine of ten dollars for each day on which the offence continues after conviction thereof.

(7) If a corporation contravenes subsection (6), in addition to the corporation, every director and officer of the corporation who authorises, permits or acquiesces in the contravention is guilty of an offence and liable on summary conviction to the same penalty as the corporation.

(8) A person who contravenes the provisions of subsections (3) and (4) is guilty of an offence and liable on summary conviction to a fine of two hundred and fifty dollars or to imprisonment for three months or to both such fine and such imprisonment.

Compulsory School Attendance and Inspection

Duty of parents to secure the education of their children.

76. Subject to section 77 it shall be the duty of the parent of every child of compulsory school age to cause him to receive efficient full-time education suitable to his age, ability and aptitude, by regular attendance at a school.

When attendance excused.

77. A child is excused from attendance at school—

- (a) if, in the opinion of the Minister, he is receiving satisfactory instruction at home or elsewhere;
- (b) if he is unable to attend school by reason of sickness or other unavoidable cause;
- (c) if he is excluded from attendance at school under any Act or under the regulations;
- (d) if he is absent temporarily as authorised under regulations.

Appointment of School attendance officers.

78. School attendance officers shall be appointed for local education districts established by the Minister under section 10.

Jurisdiction and responsibility of officers appointed by the Public Service Commission.

79. A school attendance officer has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children of compulsory school age in any district.

Powers of officers.

- 80.** (1) A school attendance officer may,
- (a) enter without warrant any place where children may be employed or congregated;
 - (b) at the request of the parent apprehend and deliver to the school from which he is absent or to his parent, without warrant, any child found illegally absent from school.
- (2) A school attendance officer shall report monthly to the Supervisor concerned on the prescribed form.
- (3) A school attendance officer shall perform his duties under the direction of the Supervisor or Supervisors concerned, and shall, subject to the supervision of the Supervisor carry out all instructions and directions.

(4) A school attendance officer shall inquire into every case of failure to attend school within his knowledge or when requested so to do by the Supervisor or Principal of a school, and shall give written warning of the consequences of such failure to the parent of a child who is not attending school as required, and shall also give written notice to the parent to cause the child to attend school forthwith.

81. (1) Every Principal of a public or private school shall— Reports and information

- (a) report in accordance with the regulations to the proper school attendance officer, and in the case of a primary school also to the Supervisor concerned, the names, ages and residences of all pupils of compulsory school age who have not attended school as required;
- (b) furnish the school attendance officer with such other information as the officer requires for the enforcement of compulsory school attendance;
- (c) report to the school attendance officer every case of suspension or expulsion.

(2) Where a child of compulsory school age has not attended school as required and there is no school attendance officer appointed for the local education district in which the child resides, the Supervisor concerned shall notify the parent of the child of the requirements of section 76. Where no school attendance officer

82. (1) A parent of a child of compulsory school age who neglects or refuses to cause the child to attend school is, unless the child is legally excused from attendance, guilty of an offence and on summary conviction is liable to a fine of twenty-five dollars. Liability of parent.

(2) The magistrate may, instead of imposing a fine, require a person convicted of an offence under subsection (1) to give a bond in the sum of one hundred dollars, with one or more sureties to be approved by the magistrate, conditioned that the person shall, after the expiration of five days, cause the child to attend school as required. Bond for attendance.

83. (1) Prosecutions under section 82 may be instituted by the school attendance officer concerned. Proceedings to be taken by attendance officers.

(2) In prosecutions under section 82, a certificate as to the attendance or non-attendance at school of any child, signed or purporting to be signed by the Principal of the

school, is *prima facie* evidence of the facts stated therein without any proof of the signature or appointment of the Principal.

Proof of age.

(3) Where a person is charged under subsection (7) of section 75 or under section 82 in respect of a child who is alleged to be of compulsory school age and the child appears to the magistrate to be of compulsory school age, the child shall, for the purposes of such prosecution, be deemed to be of compulsory school age unless the contrary is proved.

PART IV

MISCELLANEOUS AND GENERAL

Regulations.

84. (1) Every public school shall conform to the standards and comply with such requirements as are prescribed.

(2) Subject to the provisions of this Act, the Minister may from time to time, make such regulations as are necessary or expedient for the due control and administration of assisted schools.

(3) Regulations made under this section may—

(a) as respects assisted schools;

(i) prescribe the course of study;

(ii) provide for the management thereof.

(b) as respects private schools, prescribe the conditions and the manner in which such schools may become public schools,

(4) The Minister may make regulations providing for the general control, management, organisation and conduct of intermediate schools and intermediate departments attached to secondary schools including the admission of pupils their attendance and their courses of study.

(5) The control and management of private schools shall be conducted by the persons responsible therefor in accordance with regulations in that behalf made by the Minister.

(6) The Minister may make regulations for the control and management of private schools and in particular in respect of the following matters—

(a) the size of class rooms and their equipment, the number of children that may occupy each

- class room, and the necessary toilet facilities to be provided;
- (b) the safety, preservation of health and the prevention of the spread of disease among the pupils;
 - (c) the registers and other records to be kept by proprietors of private schools and the particulars to be supplied to the Minister by them;
 - (d) the suitability of premises;
 - (e) the suitability of the curriculum and courses and methods of instruction;
 - (f) generally, for more effectively carrying out the provisions of this Act respecting private schools.
- (7) The Minister may, from time to time, make regulations for all or any of the following purposes—
- (a) defining the branches of further education, and the subjects to be taught in classes in further education, and the course and number of hours of instruction therein, and providing for examinations therein;
 - (b) providing for the mode in which applications for sums payable in respect of classes, scholarships, subsidies, and grants in aid under the provisions of this Act relating to further education shall be made;
 - (c) providing for the establishment of bursaries in any subjects of instruction under the provisions of this Act relating to further education, and prescribing the amounts and tenure thereof, and the conditions subject to which they may be awarded and held;
 - (d) such other matters as he deems necessary in order to give full effect to the intention of the provisions of this Act relating to further education.
- (8) The Minister may from time to time make regulations for all or any of the following purposes—
- (a) defining the categories of children requiring special education; providing for the mode of determining which children come within any category and for the examination of children

- who come within that category; and prescribing the general type of special education appropriate to children who come within any category;
- (b) prescribing the conditions for the recognition for purposes of financial assistance under section 40 of special classes or services providing special education or services or facilities supplementing special education;
 - (c) providing for the expenditure of such money as may from time to time be appropriated by Parliament for the purpose of special education and for the establishment, maintenance, and management of special schools, classes, clinics and services established under section 39;
 - (d) providing for the grading and staffing of special schools, classes, clinics, and services providing special education;
 - (e) providing for the general control, organization, management, and inspection of special schools, classes, clinics, and services providing special education and defining the courses of instruction therein;
 - (f) providing for the training of such teachers for the purposes of special education;
 - (g) providing for the furnishing of such reports and returns in respect of special schools, classes, clinics, and services providing special education as the Minister may from time to time require;
 - (h) providing for such other matters as may be deemed necessary in order to give full effect to the intention of the provisions of this Act relating to special education.
- (9) The Minister may from time to time make regulations for all or any of the following purposes—
- (a) providing for the control, organization, management and conduct of teachers' colleges;
 - (b) prescribing the divisions into which students of teachers' colleges are to be classified, and the conditions for the selection of students for those divisions, and for their admission to or continuation in and removal from teachers' colleges in those divisions;

- (c) prescribing the courses and curricula for students of the various divisions in teachers' colleges;
- (d) providing for the certification of teachers completing courses of training.

(10) For the purpose of administering any regulations made under paragraph (b) of subsection (9), the Minister shall have power to remove and to exercise disciplinary control over persons admitted to teachers' colleges in any division.

(11) Subject to the provisions of this Act, the Governor-General may from time to time make regulations for all or any of the following purposes:—

- (a) prescribing the staff of teachers (including part-time teachers) to be employed in secondary schools and technical institutes;
- (b) prescribing conditions of payment of remuneration, increments, and fees that may be paid to members of the Teaching Service;
- (c) prescribing conditions subject to which leave of absence may be granted to teachers; and authorizing, subject to such conditions as may be prescribed, the payment of remuneration, in whole or in part, during such leave;
- (d) prescribing rates of allowances that may be paid towards the cost of, or incidental to the removal of members of the Teaching Service on transfer from one school to another;
- (e) authorizing the making of advances in assistance of teachers' college students during their period of training, and prescribing the conditions as to payment and other conditions subject to which such advances may be made.

(12) Any regulations made under this section may, in so far as they prescribe any rates of salaries or allowances, be made to come into force before or after the date of the making thereof or on that date.

General
regulation-
making power.

85. The Minister may make regulations generally for the purpose of carrying this Act into effect and in particular for prescribing anything that is by this Act required to be prescribed.

Offences and Penalties

Penalty for
obstructing
execution of
Act.

86. A person who wilfully obstructs any person acting in the execution of this Act, or of any regulation, Order or warrant made or issued thereunder is, in any case for which no other provision is made by this Act, liable to a fine of twenty-five dollars and for each subsequent offence to a further fine of fifty dollars.

Offences and
penalties.

87. (1) A person who contravenes or fails to comply with any of the provisions of this Act, is guilty of an offence, and any person guilty of an offence against this Act, except where the provisions by or under which the offence is created provides the penalty to be imposed, is liable on summary conviction to a fine of two hundred and fifty dollars, and in the case of a continuing offence to a further fine of twenty-five dollars for each day during which the offence continues after conviction therefor.

(2) Regulations made under this Act may contain provisions for imposing on any person contravening the regulations, a fine, recoverable on summary conviction of two hundred and fifty dollars in respect of each offence and, in the case of a continuing offence, a further fine of twenty-five dollars for each day during which the offence continues after conviction therefor.

Continuing
offences and
penalties.

88. Where provision is made by or under this Act for the imposition of a daily penalty in respect of a continuing offence, the court by which a person is convicted of the original offence may fix a reasonable period from the date of conviction for compliance by the defendant with any directions given by the court and, where a court has fixed such a period, the daily penalty shall not be recoverable in respect of any day before the expiration thereof.

89. The following Ordinances are hereby repealed:

(a) the Education Ordinance;

(b) the Compulsory Education Ordinance;

(c) the Private Schools Ordinance.

Repeal.

Ch. 14. No. 1

Ch. 14. No. 3

Ch. 14. No. 2

90. This Act shall come into operation on a date to be fixed by proclamation of the Governor-General published in the *Gazette*. Commencement.

		FIRST SCHEDULE		(Section 53)
		Classification of Offices in the Teaching Service		
		<i>Old Title of Post</i>	<i>New Title of Post</i>	
			RANGE 4	
	Pupil Teacher			Pupil Teacher
			RANGE 9	
	Assistant Teacher Grade II			Assistant Teacher I
			RANGE 13	
	Librarian Grade II			Library Assistant I
			RANGE 15A	
	Assistant Teacher Grade I (Untrained) Non-Graduate Master/Mistress			Assistant Teacher II Assistant Teacher II
			RANGE 19	
	School Attendance Officer			School Attendance Officer
			RANGE 23	
	Librarian Grade I			Library Assistant II
			RANGE 25	
	Assistant Supervisor, School Meals			School Meals Supervisor I
			RANGE 25A	
	Assistant Teacher, Grade I (Trainee) Non-Graduate Master/Mistress/Lecturer Assistant Lecturer Assistant Teacher (Special Grade)	}		Teacher I
			RANGE 26	
	Audio Visual Broadcasting Technician			Education Broadcasting Technician
			RANGE 28	
	Specialist Teacher Non-Graduate Master Grade I Cricket Coach Netball Coach Physical Education Officer (Not holders of Teachers' Diploma)	}		Special Teacher I
	Drama Officer			Cultural Officer I
			RANGE 28A	
	—			*Vice Principal I
			RANGE 30	
	Supervisor of School Meals			School Meals Supervisor II

*New Post

FIRST SCHEDULE—Continued

<i>Old Title of Post</i>	<i>New Title of Post</i>
RANGE 31A	
Senior Librarian	Librarian I
Audio Visual Broadcasting Officer	Educational Broadcasting Officer I
Assistant Art Officer } Music Officer }	Cultural Officer II
Teacher of the Mentally Handicapped	Guidance Instructor of the Mentally Handicapped
Specialist Teacher } Physical Education Officer } Athletic Coach } Dance and Physical Training Instructor } (Holders of Teachers' Diploma)	Special Teacher II
RANGE 34A	
Head Teacher	Principal I
Specialist Teacher (Head Teacher)	*Special Teacher III
RANGE 38A	
Regional Librarian	Librarian II
Graduate Master/Mistress	Teacher II
Art Officer	Cultural Officer III
Graduate Master/Mistress	Educational Broadcasting Officer II
RANGE 40A	
Inspector of Schools	Schools Supervisor I
RANGE 43A	
Second Master/Mistress	Vice Principal II
Dean of Women Students	Dean of Women Students
Head of Department (T.C. & T.I.)	Head of Department (T.C. & T.I.)
Deputy Librarian	Librarian III
Lecturer, School Broadcasting	Director of School Broadcasting
RANGE 44	
Examinations Officer	Examinations Officer
RANGE 45A	
Vice Principal (T.C. & T.I.)	Vice Principal III
Senior Inspector of Schools	Schools Supervisor II
Director of Culture	Director of Culture
RANGE 49A	
Principal (Sec. T.C. & T.I.)	Principal II
RANGE 54	
Librarian	Principal Librarian
RANGE 56A	
Principal (T.C. & T.I.)	Principal III
Inspector of Schools (Sec.)	Schools Supervisor III
RANGE 59	
Assistant Director of Education } Principal Education Officer }	Assistant Education Officer
RANGE 66	
Chief Education Officer	Chief Education Officer

*Applicable to present holders only

SECOND SCHEDULE

(Section 74)

MATTERS TO BE PROVIDED FOR IN THE RULES OF AN ASSOCIATION FORMED PURSUANT TO SUBSECTION (2) OF SECTION 72 OF THE ACT AND OF AN EXISTING ASSOCIATION

1. The name of the Association and the place of meeting for its business.
2. The whole of the objects for which the Association is to be established, the purposes for which its funds shall be applicable, and the conditions under which any member may become entitled to any benefit assured thereby, and the fines and forfeitures to be imposed on any member of the Association.
3. The manner of making, altering, amending, and rescinding rules.
4. A provision for the appointment and removal of a general committee of management, of a trustee, treasurer, and other officers.
5. A provision for the investment of the funds, and for an annual or periodical audit of accounts.
6. The inspection of the books and names of members of the Association by every person having an interest in its funds.
7. The manner of dissolution.
8. The protection of voting rights of members of the Association and the general conduct of elections.
9. The powers, duties and functions of the Executive Committee of the Association.
10. Disputes between members of the Association and the Executive Committee thereof.
11. A prohibition against admission to membership with respect to a member of the Teaching Service who is a member of an appropriate recognized association.

Passed in the House of Representatives this 14th day of January, 1966.

G. R. LATOUR
Clerk of the House of Representatives

Passed in the Senate this 14th day of December, 1965.

A. A. DARLINGTON
Acting Clerk of the Senate