



TRINIDAD AND TOBAGO

No. 28—1951

[L.S.]

I ASSENT,

H. E. RANCE,  
Governor

5th May, 1951.

AN ORDINANCE relating to Private Schools.

Commence-  
ment.

[On Proclamation]

ENACTED by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof.

Enactment.

1. This Ordinance may be cited as the Private Schools Ordinance, 1951, and shall come into force on such day as may be fixed by the Governor by Proclamation.

Short title.

Interpreta-  
tion.

2. In this Ordinance—

“Director” means the Director of Education ;

“private school” means a school or educational class or institution attended by twelve or more children, not being a Government school within the meaning of the Education Ordinance, 1951, and not being a school aided from public funds ;

“proprietor” includes any person who conducts a private school, or on whose behalf a private school is conducted, and also includes the lessee or tenant of the premises where such school is conducted, or the owner of the premises where the premises are not leased or tenanted.

Opening of  
private  
schools.

3. (1) No private school shall after the date of the commencement of this Ordinance be conducted without the approval in writing of the Director.

(2) Any person who after the date of the commencement of this Ordinance wishes to open or conduct a private school shall make application to the Director on a form to be supplied by the Director.

(3) The Director shall approve the opening or conducting of a private school provided that he is satisfied that the requirements of this Ordinance and any regulations made under this Ordinance have been satisfied.

Returns to be  
furnished by  
proprietors,  
and particu-  
lars to be  
registered.

4. (1) Every proprietor of a private school shall within one month of the establishment of such school furnish the Director with a return in writing signed by him in such form as shall be required by the Director and containing the following particulars:—

- (a) the proprietor's full name and address ;
- (b) the situation of the school and whether the proprietor is the owner, or lessee, or tenant of the premises ;
- (c) the number and size of the class rooms ;
- (d) details of the furniture, equipment and appliances to be used in each class room ;
- (e) the area (if any) allotted as a playground ;
- (f) the number and type of latrines to be used in connection with the school ;
- (g) provisions for the supply of drinking water ;

- (h) the hours during which the school is open ;
- (i) the full name and address of every teacher ; and
- (j) such other information as the Director may require for the purpose of making more complete or explicit the foregoing particulars.

(2) Whenever there shall occur any change in the ownership of the school or its location, or any modification in respect of any of the aforesaid particulars, the proprietor shall forthwith furnish the Director with a supplemental return containing the correct particulars.

(3) 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 Director 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) hereof shall be furnished to the Director before such school is re-opened.

(4) In the month of September in each year every proprietor of a private school shall furnish the Director with a return in respect of the previous school year (1st September to 31st August) containing the following particulars :—

- (i) the number of meetings during which the school was opened ;
- (ii) the number of pupils on the roll on the 31st August ;
- (iii) the average attendance for the school year ;
- (iv) the percentage of attendance of the total possible attendances for the pupils on the roll.

(5) The particulars in respect of private schools as required by this Ordinance shall be recorded by the Director in a register to be designated "The Private Schools Register".

5. No person shall be employed in a private school as a teacher or act as a teacher therein if it is shown to the satisfaction of the Governor in Council that he is unsuitable to be in charge of children or to teach them.

Disqualifications as a teacher.

6. (1) Any proprietor of a private school who—

- (a) fails to furnish the returns required by this Ordinance, and in the manner so required ; or
- (b) furnishes a return which he knows to be false or misleading in a material particular ; or

Offences in respect of returns, and employment of teachers.

- (c) knowingly employs as a teacher any person who is disqualified under section 5 of this Ordinance to act as such, or permits such person to act as a teacher,

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

(2) Any person who is disqualified under section 5 of this Ordinance and with knowledge of such disqualification acts as a teacher in a private school shall be guilty of an offence and shall be liable, on summary conviction, to a fine of fifty dollars.

Closure of schools not conducted in accordance with the law.

7. If the proprietor of a private school commits any breach of the provisions of this Ordinance or of any regulations made thereunder, the Director shall give notice in writing to the proprietor requiring him to comply with such provisions or to close down the school within such time as shall be stated in the notice. If the proprietor fails to comply with such notice, the Director may apply to any Magistrate for an order for the closure of the school, and the Magistrate, after hearing the parties, if he is satisfied that the school is not being conducted in accordance with the provisions of this Ordinance or of the regulations, may make such order in the circumstances as he thinks fit, and the proprietor shall, if he fails to comply with the order, be guilty of an offence and shall be liable, on summary conviction, to a fine of five dollars for each day on which he fails to comply with the order.

Director or his representative may visit private schools and make enquiries.

8. (1) The Director or any officer of the Education Department 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 enquiries and discharging such duties as may be imposed on him by this Ordinance or by any regulations made thereunder.

(2) Every person who—

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

shall be guilty of an offence and shall be liable, on summary conviction, to a penalty of fifty dollars.

9. The Governor in Council may make regulations in respect of the following matters :—

Power of  
Governor in  
Council to  
make  
regulations.

- (a) the size of class rooms and their equipment, the number of children that may occupy each class room, and the necessary latrine conveniences to be provided ;
- (b) for the preservation of health and the prevention of the spread of disease among the pupils ;
- (c) for prescribing the registers and other records to be kept by proprietors of private schools and the particulars to be supplied to the Director by them ; and
- (d) generally, for more effectually carrying out the provisions of this Ordinance.

10. The Private Schools Ordinance is hereby repealed.

Repeal  
Ch. 14. No. 3.

Passed in Council this fourth day of May in the year of Our Lord one thousand nine hundred and fifty-one.

HAROLD LEACOCK,  
*Clerk of the Council*