

FEDERATION OF MALAYA.

No. 7 of 1950.

• THE REGISTRATION OF SCHOOLS ORDINANCE, 1950

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

T.ABDUL RAHMAN	{ <i>Yang di-Pertuan Besar of Negeri Sembilan</i>	HENRY GURNEY, <i>High Commissioner,</i>
		28th, February, 1950.

TENGKU ALAM SHAH

(IN MALAY)

Sultan of Selangor

27th February, 1950.

* Ordinan ini telah dimansuhkan oleh Education Ordinance, 1952 - No.63 tahun 1952. Lihat muka surat 102

An Ordinance to provide for the Registration of
Schools and of their Managers and Teachers.

[6th March, 1950.]

IT IS HEREBY ENACTED by the High Commissioner
of the Federation of Malaya and Their Highnesses the
Rulers of the Malay States with the advice and consent
of the Legislative Council as follows:

Short title.

*1. This Ordinance may be cited as the Registration of
Schools Ordinance, 1950

Interpretation.

2. In this Ordinance unless the context otherwise
requires—

“Correspondence School” means an institution or
business in which instruction or teaching is given by
means of correspondence delivered by hand or through
the Postal Services;

“Director”, “Deputy Director” and “Assistant Direc-
tor”, means the Director of Education, Federation of
Malaya, the Deputy Director of Education, Federation
of Malaya and an Assistant Director of Education, Fed-
eration of Malaya, respectively;

“Gazette” means the appropriate State or Settlement
Gazette;

“Inspector”, “Assistant Inspector” and “Medical
Officer” means an Inspector of Schools, an Assistant
Inspector of Schools and a Medical Officer for Schools
respectively appointed under sub-section (4) of section 3
of this Ordinance;

“Manager” means any person who actively takes part
in the administration of the revenues or property or in the
management of the school, and, in the case of a corre-
spondence school, includes the authors, editors, business
managers and examiners employed in preparing or issu-
ing lessons or in correcting returned answers;

“Register” means a register kept under the provisions
of section 6 of this Ordinance and includes any register
kept in accordance with any Ordinance or Enactment
repealed by this Ordinance; and “registered” means
entered upon such register;

* Ordinan ini telah dimansuhkan oleh Education Ordinance, 1952 -
No.63 tahun 1952. Lihat muka surat 102

"Registrar" and "Assistant Registrar" means a Registrar of Schools and an Assistant Registrar of Schools respectively appointed under sub-section (1) of section 3 of this Ordinance;

"Schools", subject to the provisions of sub-section (4) of section 24 of this Ordinance, means a place where ten or more persons are being or are habitually taught, whether in one or more classes, or, in the case of a correspondence school, the place or places where instruction is prepared or where the answers are examined or corrected but does not include any place where the teaching is of a purely religious character or any school exempted under section 4 of this Ordinance from the provisions of this Ordinance:

Provided that where teaching is carried on in a place or part of a place under more than one separate management and under different names, such place shall be deemed to be, for the purposes of this Ordinance, a separate school in respect of each separate management and each such school and the managers and teachers thereof shall be separately registered under this Ordinance;

"Supervisor" means the manager appointed or deemed to be the supervisor of the school under section 8 or 17 of this Ordinance;

"Teacher" means a person who teaches pupils in a school or who prepares or issues lessons or corrects returned answers in a correspondence school and includes a manager or supervisor of a school who teaches in such school.

3. (1) The High Commissioner may from time to time appoint for any State or Settlement a Registrar of Schools and such number of Assistant Registrars of Schools as the High Commissioner may consider necessary for the purposes of this Ordinance.

Appointment
of Officers.

(2) Every Registrar and Assistant Registrar appointed under this section shall be under the orders and direction of the Director.

(3) The Director and the Deputy Director and any Assistant Director, when present in any State or Settlement, may exercise therein any of the powers conferred upon a Registrar or Assistant Registrar for such State or Settlement by this Ordinance or by any regulations made thereunder.

(4) The Ruler in Council of any State and the High Commissioner in respect of any Settlement may appoint such persons as they may think fit to be Inspectors of Schools, Assistant Inspectors of Schools and Medical Officers for Schools for the purposes of this Ordinance in such State or Settlement, as the case may be.

(5) Every person appointed under this section shall be deemed to be a public servant within the meaning of the Penal Code.

(6) An Assistant Registrar shall exercise such of the powers and perform such of the duties conferred or imposed upon a Registrar under this Ordinance as may be prescribed.

Power of
High
Commissioner
in Council to
exempt schools.

4. (1) The High Commissioner in Council may, by order, exempt any school or class or category of schools from all or any of the provisions of this Ordinance, either absolutely or subject to such conditions as he may think fit to impose, and may, at any time, at his discretion, revoke any such exemption or cancel, alter or add to any such conditions.

(2) Nothing in this Ordinance shall apply to any school wholly maintained or wholly managed or controlled by the Government.

All schools
to be
registered.

5. (1) Every school shall be registered under this Ordinance.

(2) Any person who shall act as manager of, or teacher in, a school which is not registered under this Ordinance shall be guilty of an offence against this Ordinance:

Provided that nothing in this sub-section shall be deemed to make it unlawful for any person to do any act or thing necessary for the purpose of obtaining the registration of a school under this Ordinance.

(3) Both the owner and the occupier of any house, building or other place, the whole or part of which, to the knowledge of such owner or occupier, is being used as a school which he knows or has reason to believe to be an unregistered school, shall be guilty of an offence against this Ordinance, unless he shall prove that he took all reasonable steps in his power to prevent such house, building or other place or part thereof being so used or reported that such premises were being so used to the officer in charge of the nearest police station.

6. Every Registrar shall keep or cause to be kept a register or registers in such form as may be prescribed by the Director in which shall be entered, in respect of every school registered in the State or Settlement for which he is appointed—

Register of schools.

- (a) the address of such school;
- (b) the name of the school, under which instruction or teaching is carried on in such school;
- (c) the name and address of the supervisor and of every other manager of such school;
- (d) the name and address of every teacher employed or engaged in teaching in such school;
- (e) such other particulars in relation to such school or to the managers of, or teachers in, such school or otherwise, as may be prescribed.

7. (1) An application for the registration of a school, opened or intended to be opened in any State or Settlement, may be made to the Registrar for such State or Settlement by a manager of such school on behalf of the managers.

Application for registration of school.

(2) Every such application shall be substantially in the Form A set out in the First Schedule to this Ordinance and shall be accompanied by applications for registration as a manager of, or teacher in, such school, as the case may be, duly completed in accordance with section 13 of this Ordinance, by every person named in such application as a manager of or teacher in such school.

8. No school shall be registered until a manager has been appointed by the managers of the school to be supervisor of such school for the purposes of this Ordinance, and a copy of such appointment, in writing, signed by the managers, has been submitted to the Registrar:

No school to be registered unless a supervisor has been appointed.

Provided that, when a school has not more than one manager, such manager shall be deemed to be the supervisor of the school.

9. (1) The Registrar may refuse to register a school if it appears to him—

Refusal of registration of a school.

- (a) that the school is unsanitary, or is for reasons of health unsuitable for use as a school, or that the area provided for the open air recreation of the pupils is inadequate or unsatisfactory, or that the school building or any part thereof is unsuitable by reason of danger from fire or that it is otherwise a dangerous building; or
 - (b) that such school is likely to be used for the purpose of political propaganda detrimental to the interests of the Federation or of the public, or for the purpose of instruction detrimental to the interests of the public or of the pupils, or as a meeting place for an unlawful society; or
 - (c) that the supervisor appointed by the managers is not a fit or proper or responsible person to act as supervisor for the purposes of this Ordinance; or
 - (d) that any manager or teacher named in the application form has been refused registration under section 14 of this Ordinance; or
 - (e) that the existing educational facilities are already adequate in the area in which it is proposed to open such school; or
 - (f) that the opening of such school would be detrimental to the interests of the Federation or of the public.
- (2) The Registrar, in his discretion, may require as a condition precedent to the registration of any school—
- (a) that security be given to his satisfaction that such school will not be used for any of the purposes referred to in paragraph (b) of sub-section (1) of this section, or that any person, refused registration as a manager of, or teacher in, such school, will not act as such manager or teacher;
 - (b) that the managers, or one or more of such managers as the Registrar may determine, make a cash deposit, not exceeding in all one thousand dollars, or enter into a bond in a like amount, with one or two sureties approved by the Registrar, as security for

the observance by the managers and teachers of such school of the provisions of this Ordinance and of any regulations made thereunder;

- (c) that a written scheme, constitution or deed of trust be prepared and executed by the proper parties thereto, providing for the management of the school and the administration of its property and revenues in a manner which the Director may consider satisfactory, and that a copy of such written scheme, constitution or deed of trust be submitted to him;
- (d) that the school be rendered sanitary or suitable for use or that the area provided for open air recreation be rendered adequate or satisfactory or that the building be rendered safe;
- (e) that a fit and proper and responsible person be appointed as supervisor;
- (f) that another manager or teacher be appointed and apply for registration in place of any manager or teacher named in the application form and refused registration under section 14 of this Ordinance.

(3) When under the provisions of this section the Registrar refuses to register a school or imposes any condition precedent to such registration, he shall inform the applicant by notice in writing that registration is refused or that it is subject to conditions and shall, in each case, specify in such notice the grounds on which such registration is refused or the conditions on which registration will be granted and shall notify the applicant that he has a right of appeal against such refusal or against the imposition of any such condition in the manner set out in the following sub-section.

(4) Any applicant aggrieved by the refusal of the Registrar to register such school or by the imposition of any condition precedent to the registration of such school may, within fourteen days of the notice being served on him in accordance with sub-section (3) of this section, appeal to the Ruler in Council of the State or to the High Commissioner in Nominated Council of the Settlement, as the case may be, in accordance with the provisions of section 32 of this Ordinance.

Registration
of schools.

10. Subject to the provisions of section 9 of this Ordinance, the Registrar shall, upon an application for the registration of any school duly made in accordance with the provisions of section 7 of this Ordinance, after such inquiry as he may think necessary, register it and issue to the supervisor thereof a certificate of registration in the Form B set out in the First Schedule to this Ordinance.

Certificate
and list of
managers and
teachers of
school to be
exhibited.

11. (1) A copy of the certificate issued under the provisions of section 10 of this Ordinance and a list of the names of the registered managers of, and registered teachers in, the school, in such languages as the Registrar may direct, shall be exhibited in a conspicuous place in such school.

(2) If any breach of sub-section (1) of this section is committed in any school, the managers of such school shall be guilty of an offence against this Ordinance.

Managers
and teachers
to be
registered.

12. (1) No person shall act as a manager of, or teacher in, any registered school, unless he is registered under this Ordinance as a manager or teacher in respect of such school:

Provided that, nothing in this sub-section shall make it unlawful for any person to act as a manager of a registered school in the place of any registered manager retiring or ceasing to act as manager, if such person applies, under section 13 of this Ordinance, for registration as such manager within seven days of his commencing to act as manager, and notice of the refusal of such application has not been served upon him.

(2) Any person acting as a manager or teacher in contravention of sub-section (1) of this section shall be guilty of an offence against this Ordinance.

Form of
applications
for registra-
tion of
managers
and teachers.

13. (1) Every application for registration as a manager of a school shall be in the Form C set out in the First Schedule to this Ordinance.

(2) Every application for registration as a teacher in a school shall be in the Form D set out in the First Schedule to this Ordinance.

Refusal of
registration
as a
manager or
teacher

14. The Registrar may in his absolute discretion refuse to register any person as a manager of, or teacher in, a school if—

- (a) such person has been convicted by any Court of competent jurisdiction in the Federation or elsewhere of an offence punishable with imprisonment, or of an offence under this Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony; or
- (b) such person shall have been a manager of, or a teacher in, any school, declared to be an unlawful school under the provisions of this Ordinance or of any previous written law relating to the registration of schools or of any similar law in force in the Colony at the time when such declaration was made; or
- (c) the Registrar has reasonable grounds to believe that such person has, at any time, acted as a manager of, or teacher in, any school in contravention of the provisions of this Ordinance or of any previous written law relating to the registration of schools or of any similar law in force in the Colony; or
- (d) it appears to the Registrar that it will be prejudicial to the interests of the Federation or of the public or of the pupils of the school that such person should be so registered; or
- (e) in the case of a person applying to be registered as a teacher, such person's qualifications to act as such teacher are in the opinion of the Registrar, inadequate; or
- (f) such person has made a false or misleading statement in a material particular in his application for registration:

Provided that any person who has been refused registration as a manager of or a teacher in a school under the provisions of this section may present a petition appealing against such refusal to the High Commissioner in Council who may at his discretion give directions (if any) to the Registrar as to the registration of such person as the High Commissioner in Council after consideration of such petition may think just, and the Registrar shall comply with such directions accordingly.

Registration
of managers
and teachers.

15. (1) Subject to the provisions of section **14** of this Ordinance, the Registrar shall, upon an application duly made, in accordance with the provisions of section **13** of this Ordinance, for the registration of any person as the manager of, or teacher in, a registered school or in a school in respect of which an application for registration is pending before him, after such inquiry as he may think necessary, register such person accordingly, and shall inform him in writing that he has been so registered, and shall, in the case of a person registered as a teacher, issue to him a certificate in the Form E set out in the First Schedule to this Ordinance.

(2) Where any application for registration as a manager or teacher is refused under the provisions of section **14** of this Ordinance, notice of such refusal shall be given forthwith to the applicant by the Registrar.

Change in
management
or staff to be
reported by
the
supervisor.

16. (1) Upon any registered manager or registered teacher of a registered school retiring or ceasing to act as such manager or teacher, or upon any person, not already registered as such, commencing to act as a manager of, or teacher in, such school, the supervisor shall, within twenty days of the happening of such event, report such event in writing to the Registrar with whom such school is registered.

(2) Any supervisor failing or neglecting to report such event in contravention of the provisions of this section or making any report, knowing the same to be false in a material particular, shall be guilty of an offence against this Ordinance.

(3) The Registrar, upon receiving a report under sub-section (1) of this section that any manager or teacher has retired or ceased to act, shall forthwith strike such manager or teacher off the register and shall serve such manager or teacher with a notice in writing informing him of such action.

Supervisor
of registered
school.

17. (1) The supervisor of a registered school shall be the person through whom all correspondence about the school with the Registrar or an Assistant Registrar or the Director shall be conducted.

(2) Immediately upon any supervisor of any registered school ceasing to act as supervisor of such school, the managers thereof shall appoint a fit and proper and responsible registered manager of such school to be

supervisor in his place, and shall forthwith notify the Registrar, with whom such school is registered, of such appointment.

(3) If such managers shall fail or neglect to appoint such supervisor or shall fail or neglect to notify the Registrar of such appointment, every manager of such school shall be guilty of an offence against this Ordinance.

18. Any manager of a school who—

- (a) acts with any other person, acting as a manager, whom he knows or has reason to believe to be acting in contravention of the provisions of this Ordinance; or
- (b) employs or permits any person to act as a teacher in such school, other than a person registered as a teacher in such school under this Ordinance,

Offence for manager knowingly to act with an unregistered manager or to employ an unregistered teacher.

shall be guilty of an offence against this Ordinance.

19. (1) If any registered manager or registered teacher shall—

- (a) at any time, whether before or after the date of his registration, be or have been convicted by any competent Court in the Federation or elsewhere of an offence punishable with imprisonment; or
- (b) at any time, whether before or after the date of his registration, have been a manager of or teacher in any school, declared under this Ordinance or any previous written law relating to the registration of schools or any law in force in the Colony corresponding to this Ordinance to be an unlawful school, at the time when such declaration was made; or
- (c) at any time, whether before or after the date of his registration, be or have been convicted by any competent Court in the Federation of an offence under this Ordinance, or any previous written law relating to the registration of schools; or
- (d) after the date of his registration, appear to the Registrar with whom he is registered to be a

Power of Registrar to strike managers and teachers off the register.

person who ought not, in the interests of the Federation or of the public or of the pupils of such school, to remain a manager of or teacher in such school as the case may be; or

- (e) have obtained his registration as manager or teacher by reason of any false or misleading particular or particulars contained in his application for registration.

the Registrar with whom such manager or teacher is registered may strike such manager or teacher off the register:

Provided that no person shall be struck off the register under the provisions of paragraphs (a), (b) and (c) of this sub-section by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before such date.

(2) When any manager or teacher has been struck off the register under sub-section (1) of this section, the Registrar shall forthwith inform him by notice in writing that he has been so struck off, and of the grounds on which he has been so struck off and shall notify him that he has a right of appeal against such striking off in accordance with the provisions of the following sub-section.

(3) Any manager or teacher struck off the register under sub-section (1) of this section may, within fourteen days of the notice being served on him in accordance with sub-section (2) of this section, appeal to the Ruler in Council of the State or the High Commissioner in Nominated Council of the Settlement, as the case may be, in accordance with the provisions of section 32 of this Ordinance.

Inspection of
registered
schools.

20. (1) The Registrar shall, at least once in every year, personally inspect or cause to be inspected by an Assistant Registrar, Inspector or Assistant Inspector, every school, registered under this Ordinance in his State or Settlement, for the purpose of ascertaining that the provisions of this Ordinance or of any regulations made thereunder have been and are being complied with.

(2) The Registrar may require, at least once in every year, a copy of all instruction material given by a correspondence school, registered under this Ordinance in his State or Settlement, to be submitted to him.

21. (1) A Registrar, Assistant Registrar, Inspector or Assistant Inspector may, at any time, enter in or upon any registered school for the purpose of carrying out such inspection or examination, including the inspection and examination of books, as he may consider necessary, and may remove and detain any books, documents or other articles, found in such school, for the purpose of further examination, or any books, documents or other articles so found which, in the opinion of the officer carrying out such inspection, may furnish evidence of the commission of an offence against this Ordinance or any regulation made under this Ordinance or which contain or are connected with political propaganda detrimental to the interest of the Federation or of the public or used for the purposes of instruction detrimental to the interests of the pupils or which may furnish evidence that the school is or has been used as a meeting place for an unlawful society; and such Registrar or other officer lawfully carrying out an inspection under this sub-section may, if ingress into such school or any part thereof cannot be obtained and none of the registered managers of or teachers in such school can be found to open such school or such part thereof or any receptacle therein, in order to effect such ingress or inspection, break open any outer or inner door or window of any such school or any locked receptacle found therein.

Powers of
Registrar,
etc., in
respect of
registered
schools.

(2) The Registrar at any time and any officer whilst lawfully carrying out an inspection of a registered school under the provisions of this Ordinance may require any registered manager of, or registered teacher in, any registered school or any pupil of such school or any person found within such school to produce for his inspection any books or documents, relating to the management of or to the teaching carried on in such school, which are in his possession or under his control, and to furnish the Registrar or such officer with such information, relating to such management or teaching as the Registrar or officer may demand and which it is within the power of such person to furnish and, in the case of a registered teacher, to produce for inspection his certificate of registration as a teacher under this Ordinance and in the case of any manager, teacher, pupil or any person who is found within such school to produce for inspection any identity card issued to such manager, teacher, pupil or person under the provision of any written law in force

relating to the registration of residents within the Federation or any area in the Federation.

(3) Any person who—

- (a) obstructs or impedes the Registrar or any officer lawfully carrying out an inspection of a registered school under this Ordinance in the lawful exercise of any of his powers under this section; or
- (b) refuses to produce any book, document or identity card or refuses to furnish any information in contravention of the provisions of sub-section (2) of this section or furnishes any information which is false in a material particular and which he knows to be false or does not believe to be true,

shall be guilty of an offence against this Ordinance.

Search of
unregistered
premises.

22. (1) Where a Registrar or any public officer, specially authorised by him in that behalf in writing, or any police officer, not below the rank of Inspector, has reasonable cause to believe that any house, building or other place has been or is being used as a school which is not registered under this Ordinance, the Registrar or such public officer or such police officer, accompanied by such persons as he may deem expedient, may enter in or upon such house, building or place and may search therein and may seize and detain any books, documents or other articles found therein which may furnish evidence of the commission of an offence against this Ordinance or which appear to be the property of or to have been used in connection with a school not registered under this Ordinance and may, for such purposes, if, after notice of his authority and purpose and demand of admittance upon the occupier thereof or the person residing or having charge thereof, admittance cannot otherwise be obtained, break open any outer or inner door or window or any locked receptacle therein which he suspects to contain any article which may be liable to seizure under this section.

(2) Any person who obstructs or impedes any Registrar or officer in the exercise of his powers under sub-section (1) of this section shall be guilty of an offence against this Ordinance.

23. (1) If it appears to the Registrar that any regulation made under this Ordinance has not been complied with in any registered school, he may, by notice in writing served on the supervisor of such school, direct the supervisor to take, within such time, not less than fourteen days, as may be prescribed in such notice, such measures as may be specified therein to comply with such regulation.

Procedure if
regulations
not complied
with.

(2) The supervisor of such school may, within fourteen days of the notice being served upon him, appeal to the Ruler in Council of the State or the High Commissioner in Nominated Council of the Settlement in which such school is registered as the case may be, in accordance with the provisions of section 32 of this Ordinance.

(3) If, within the time prescribed in such notice, the specified measures have not been taken to the satisfaction of the Registrar and no appeal has been lodged under the provisions of sub-section (2) of this section, the Registrar may strike such school off the register, and such school and the managers and teachers thereof shall thereupon cease to be registered.

(4) If upon an appeal under the provisions of sub-section (2) of this section it is ordered by the Ruler in Council or the High Commissioner in Nominated Council, as the case may be, that the specified measures or any of them or any other measures shall be taken by the supervisor of the school, such measures shall be taken by the supervisor within such time as may be specified in such order, and, in default thereof, the Ruler in Council or the High Commissioner in Nominated Council, as the case may be, shall direct the Registrar to strike such school off the register, and thereupon such school and the managers and teachers thereof shall cease to be registered.

24. (1) If it shall appear to the Registrar that any school is being used for the purpose of political propaganda detrimental to the interests of the Federation or of the public or for the purpose of instruction detrimental to the interests of the pupils or as the meeting place of an unlawful society, it shall be lawful for the Registrar to cause a notice to be served on the supervisor of such school, giving particulars of the matters alleged against the school and calling upon him to show cause, within a period to be specified in the notice, why the school should not be declared to be unlawful.

Registrar
may declare
certain
schools
unlawful.

(2) A supervisor desiring to show cause why a school should not be declared to be unlawful may deliver to the Registrar, within the time specified in the notice, a written statement in the English or Malay language of the grounds on which he relies.

(3) If within the time specified in the notice no such written statement has been delivered, or the Registrar, after considering the written statement delivered and making such further enquiry, if any, as he may consider necessary or desirable, is satisfied that the school is being used for either of the said purposes or as such meeting place, the Registrar may declare the school to be an unlawful school.

(4) Any person aggrieved by any declaration made under sub-section (3) of this section may present a petition appealing against such declaration to the High Commissioner in Council who may at his discretion after consideration of such petition, make any such declaration upon such terms and conditions as he may think just and upon the revocation of such declaration the Registrar shall subject to the directions of the High Commissioner in Council reinstate in the register the school or any manager or teacher thereof struck off under the provisions of section 25 of this Ordinance and return to any teacher so reinstated his certificate of registration as a teacher thereof issued to him under the provisions of section 15 of this Ordinance.

(5) For the purpose of this section and of paragraph (b) of section 14, paragraph (b) of sub-section (1) of section 19, and of sections 26 and 27 of this Ordinance, a "school" shall be deemed to include any place in which teaching is carried on, irrespective of the number of persons taught, and any place in which material for instruction by correspondence is prepared or returned answers examined.

Cancellation
of registration

25. When a declaration has been made under sub-section (3) of section 24 of this Ordinance that a school is an unlawful school, the Registrar shall, unless such declaration has been revoked if the school is registered, strike the school and the managers thereof and every teacher therein off the register, and thereupon the school, and the managers thereof and every teacher therein shall be struck off the register.

26. (1) When a declaration has been made under sub-section (3) of section 24 of this Ordinance that a school is an unlawful school, and so long as such declaration remains unrevoked it shall be lawful for the Registrar or any public officer, specially authorised in that behalf in writing by the Registrar, accompanied by such persons as he may deem expedient, to enter the school and for that purpose to use force, if necessary, and to search for, remove and destroy the sign-boards, seals, chops, banners and other insignia of the school and any book or other document which contains political propaganda detrimental to the interests of the Federation or of the public.

Registrar
may remove
insignia, etc.

(2) For the purpose of any entry or search under this section the Registrar or such public officer may break open any outer or inner door of the school or any locked receptacle therein which he suspects to contain any article which he is by this section empowered to destroy.

27. Any person who acts as manager of, or as a teacher in, a school which has been declared under sub-section (3) of section 24 of this Ordinance to be unlawful shall unless such declaration has been revoked be guilty of an offence against this Ordinance.

To be
manager,
etc. of
unlawful
school an
offence.

28. (1) With the approval of the Ruler in Council of the State or of the High Commissioner in Nominated Council of the Settlement, as the case may be, in which any school is registered, the Registrar may strike off the register any school if he is satisfied—

Power of
Registrar to
strike school
off the
register.

- (a) that the school is, for reasons of health, no longer suitable for use as a school, or that the school building or any part thereof is no longer safe for use as a school or is a dangerous building; or
- (b) that the registration of such school was obtained by reason of any false or misleading particular or particulars contained in the application for its registration; or
- (c) that an offence against this Ordinance has subsequent to the registration thereof been committed by any manager of, or teacher in, such school in relation to the management or teaching therein; or

- (d) that there is no supervisor of such school or that the supervisor appointed by the managers of such school is not a fit or proper or responsible person.

(2) No school shall be struck off the register under this section unless notice in writing of the intention of the Registrar to strike such school off the register and giving particulars of the grounds on which it is proposed to strike off such school and calling upon the managers to show cause within a period of not less than fourteen days specified in such notice why such school should not be struck off has been served upon the supervisor of such school.

(3) Any manager desiring to show cause why a school should not be struck off may deliver to the Registrar within the time specified in such notice a written statement in the Malay or English language of the grounds on which he relies, and the Registrar, unless, after considering such statement, he is of opinion that such school should not be struck off the register, shall submit forthwith such statement to the Ruler in Council or the High Commissioner in Nominated Council, as the case may be.

Defunct
schools.

29. (1) If the Registrar has reason to believe that any school registered in his State or Settlement, has ceased to exist, he may publish, in the *Gazette*, a notice calling upon the registered managers of such school to furnish him with proof of its existence within one month from the date of such notice.

(2) If at the expiration of one month the Registrar is satisfied that the school has ceased to exist, he shall cause a notification to that effect to be published in the *Gazette*, and the school shall be deemed to have ceased to exist from the date of such publication, and the Registrar shall thereupon strike the school and the managers and teachers thereof off the register.

Teachers
struck off
the register
to surrender
certificates of
registration

30. (1) When a teacher has been struck off the register under the provisions of this Ordinance, such teacher shall, where there is no right of appeal against such striking off, immediately upon receipt of notice thereof, or, where there is a right of appeal, immediately upon the expiration of the time limited for such appeal where he has not exercised that right and, in any other case, immediately upon receiving notice that his appeal has

been rejected, surrender to the Registrar his certificate of registration as a teacher issued to him under the provisions of section 15 of this Ordinance.

(2) Any teacher failing to surrender his certificate in contravention of the provisions of sub-section (1) of this section shall be guilty of an offence against this Ordinance.

31. (1) Any notice, order or communication, required to be or which may be sent to or served on any manager or teacher of any school under this Ordinance, may be served by letter, addressed to such manager or teacher at his registered address or at the registered address of the school, as the Registrar may deem fit.

Service of
notices, etc.

(2) Any notice, order or communication, required to be or which may be sent to or served upon the supervisor of any school, may be served on the supervisor by letter addressed to such supervisor at his registered address or at the registered address of the school:

Provided that if such supervisor cannot be found or if no supervisor has been appointed, such notice, order or communication may be served upon or addressed to that teacher or manager who, in the opinion of the Registrar, is in charge of such school at such teacher or manager's registered address, or may be served by affixing such notice, order or communication upon a conspicuous part of the school premises, as the Registrar may deem fit.

(3) Any notice, order or communication required to be or which may be sent or served upon any person applying for registration of a school or as a manager or teacher may be served by letter addressed to such person at the address stated in his form of application.

32. Where any appeal to a Ruler in Council or to the High Commissioner in Nominated Council is brought under this Ordinance —

Appeals.

- (a) the grounds of appeal shall be concisely stated in writing in the Malay or English language and shall be delivered to the Clerk of the State or Settlement Council, as the case may be, who shall, in turn, give the appellant seven clear days' notice of the hearing of the appeal;
- (b) the appellant may, if he so desires, be present at the hearing of the appeal and be heard in

support thereof either in person or by advocate;

- (c) the Registrar may, if he so desires, be present at the hearing of the appeal and may be heard in support thereof either in person or by the Attorney-General, Solicitor-General or a Federal Counsel;
- (d) the decision of the Ruler in Council or of the High Commissioner in Nominated Council, as the case may be, upon any appeal shall be final;
- (e) no costs shall in any case be awarded either against or in favour of the Registrar or of the Government.

Owner and occupier of premises on which a school struck off the register, etc., was carried on to take all lawful steps to prevent such premises continuing to be used for such school

33. (1) Where under section 9 of this Ordinance the Registrar has refused to register a school and the time for appealing against such refusal has expired, or where any appeal against such refusal has been rejected, or where any school is struck off the register under section 25 or 28 of this Ordinance, the Registrar may, at the expiration of such time or upon the rejection of such appeal or upon the striking off of such school, as the case may be, serve or cause to be served personally on the owner and the occupier of the premises referred to in such application or on which such school, so struck off, was carried on, a notice of the refusal of such application or of the striking off of such school.

(2) Upon receipt of such notice, it shall be the duty of the owner and the occupier of the premises to take such steps within his power as may be lawful and necessary to prevent such premises being used as such school.

(3) Where any school struck off the register under section 25 of this Ordinance is reinstated in such register under the provisions of sub-section (4) of section 24 of this Ordinance the Registrar shall forthwith give notice to the owner and the occupier of the premises in which such school is carried on of such reinstatement and from and after the date of such reinstatement the provisions of sub-section (2) of this section shall not apply to such school so long as it remains upon the register.

(4) Any owner and any occupier failing or neglecting to take any such steps, in contravention of the provisions of sub-section (2) of this section, shall be guilty of

an offence and shall be liable to a fine not exceeding five hundred dollars and to a further fine not exceeding fifty dollars for each day on which such premises were to his knowledge used as such school after such notice had been served upon him.

34. (1) Any person who —

Penalties.

- (a) in making any application under this Ordinance for the registration of a school or for registration as a manager or teacher, makes any false statement which he knows to be false or does not believe to be true or, by the intentional suppression of any material fact, furnishes any information which is misleading; or
- (b) is guilty of an offence under sub-section (3) of section **21** or sub-section (2) of section **22** of this Ordinance; or
- (c) acts as the manager of or teacher in any school, after such school has, to his knowledge, been struck off the register under section **25** or **28** of this Ordinance; or
- (d) acts as the manager of or teacher in any school, as the case may be, at any time after he has received notice that his application for registration as such manager or teacher has been refused or that he has been struck off the register of such school in accordance with sub-section (3) of section **16** or section **19** or **25** of this Ordinance and, if he shall not have appealed, the time for appealing against such refusal or striking off has expired or, if he shall have appealed, after his appeal is rejected; or
- (e) acts as the manager of or teacher in any unregistered school which is used for the purpose of political propaganda detrimental to the interests of the Federation or of the public.

shall be liable to a fine not exceeding one thousand dollars or to imprisonment of either description for a term not exceeding one year.

(2) Any person guilty of an offence against this Ordinance, for which no other penalty is specifically

provided, shall be liable to a fine of two hundred and fifty dollars for a first offence or five hundred dollars for a second or subsequent offence, and, in the case of a conviction of a manager or teacher for an offence under section 5 or 12 of this Ordinance, shall be liable to a further fine of fifty dollars for each day after the day of conviction in which the offence for which he is charged continues.

Power of
High Commissioner in
Council to
make
regulations.

35. (1) The High Commissioner in Council may make all such regulations as may be necessary for the purpose of carrying out or giving effect to the provisions of this Ordinance throughout the Federation, and, in particular and without prejudice to the generality of the power conferred by this section, may, by such regulations

- (a) prescribe anything that may be prescribed under this Ordinance;
- (b) provide for the hygienic character and proper sanitation of schools and buildings used as or in connection with schools;
- (c) regulate the methods of enforcing discipline in schools;
- (d) prohibit the use, in any school or any specified class of school, of any book the use of which appears undesirable;
- (e) prohibit the import or sale of any school textbook the use of which in schools appears undesirable;
- (f) prohibit the use or delivery to any pupil by any correspondence school or the supply import or sale for use or delivery by any correspondence school of any book lesson instruction or other printed or written matter the use of which by a correspondence school appears undesirable;
- (g) provide for the proper keeping of school registers and books of account at registered schools;
- (h) provide for the medical inspection of pupils in schools and of school premises;
- (i) provide for the control and supervision of subscriptions and collections on behalf of schools;

- (j) provide the distribution and management of grants in aid and prohibit schools in receipt of such grants being conducted for profit;
- (k) require the preparation and execution in respect of any school or class of schools of a written constitution, scheme or deed of trust, providing for the management of such school or the administration of its property or revenues in such manner as the Director may consider satisfactory;
- (l) fix the maxima of fees or other charges made by any school or class of school;
- (m) prescribe penalties for any breach of any such regulations, provided that no such penalty shall exceed the maximum penalty prescribed by sub-section (2) of section 34 of this Ordinance.

(2) All such regulations shall be published in the *Gazette* of the Federation and shall come into force upon the date of publication therein.

(3) If a breach of any such regulation is committed, the supervisor shall be guilty of an offence against such regulation and shall be liable to such penalty as may be prescribed for such breach, and every other manager of, and teacher in, such school who has committed or abetted the commission of such breach shall likewise be guilty of an offence and liable to such penalty.

36. The High Commissioner in Council may, from time to time, cancel, vary or add to any of the forms contained in the First Schedule to this Ordinance.

Power of High Commissioner to amend forms.

37. No person shall be charged with any offence against this Ordinance or against any regulation made thereunder without the previous sanction in writing of the Registrar for the State or Settlement in which such offence is alleged to have been committed or of the Director.

Sanction of Registrar or Director required for prosecution.

38. (1) The Ordinance and Enactments specified in the Second Schedule to this Ordinance are hereby repealed.

Repeal and saving.

(2) Any school, manager or teacher registered under the provisions of the repealed Ordinance or any of the

repealed Enactments shall be deemed to have been registered under this Ordinance and such registration shall continue in force but subject to the provisions of this Ordinance relating to the striking off the register of any such school, manager or teacher.

(3) When no person has been registered or appointed to be supervisor of any such school at the date of the commencement of this Ordinance such school shall be deemed to have ceased to be registered unless, within one month of the commencement of this Ordinance, a manager has been appointed by the managers of such school to be supervisor thereof for the purpose, of this Ordinance and a copy of such appointment in writing signed by the managers has been submitted to the Registrar of the State or Settlement in which such school is situate.

THE FIRST SCHEDULE
THE REGISTRATION OF SCHOOLS ORDINANCE, 1950.
(Section 7.)
FORM A

To the Registrar of Schools,
Education Office,
State / Settlement of.....19.....
Sir,

I herewith submit particulars as under of a school which is proposed to open atand request you to issue a certificate of registration of the same under the Registration of Schools Ordinance.

I enclose applications from the following persons to be registered as managers of or teachers in such school:

- (1).....as manager
(2).....
(3).....as teacher.

The following has been appointed Supervisor.....

I enclose a copy of his appointment in writing.

I am Sir,
Yours faithfully,

(for Managers)

1. Name and address of school.
2. Whether for boys, girls or both
3. The dimensions of each class room
4. The syllabus of each class or standard.
5. The weekly time-table of each class or standard.
6. The times of roll-call
7. The regular holidays.

8. The name, age, qualifications, experience and salary of each teacher
9. The names and addresses of and office held by each manager ...
10. The fees and any remissions or reductions therefrom
11. Any other sources of revenue—
 - (a) from invested funds or landed property
 - (b) from public subscriptions.
 - (c) from private subscriptions
12. The rent of the school premises
13. Any debt or charge on the school.

THE REGISTRATION OF SCHOOLS ORDINANCE, 1950.

(Section 10)

FORM B

This is to certify that the.....school has been registered
under the Registration of Schools Ordinance.

Name of Supervisor.....

State / Settlement of..... Registrar of Schools.
.....19.....

THE REGISTRATION OF SCHOOLS ORDINANCE, 1950.

[Section 13 (1)]

FORM C

To the Registrar of Schools,

State / Settlement of

Sir,

I herewith submit particulars of myself as under and request you to
register me as a manager of theschool, at

My private address is.....

1. Full name.....
2. Age.....
3. Place of birth.....
4. No. of Identity Card.....
5. Office held or proposed to be held in the school.....
6. { I have not previously been registered as a manager of a school
I have been previously registered as a manager at the following schools

Name and address of School

office held

7. I have
have not }

previously applied for registration as
manager of a school

Particulars of previous applications.

(Signed).....

Date.....

THE REGISTRATION OF SCHOOLS ORDINANCE, 1950.

[Section 13 (2)]

FORM D

APPLICATION FOR REGISTRATION AS A TEACHER.

.....19.....

To the Registrar of Schools,
(or Assistant Registrar),
Education Office,
State / Settlement.....

Sir,

I herewith submit particulars of myself as under together with two signed photographs and request you to issue to me a certificate of registration as a teacher under the Registration of Schools Ordinance.

My private address is

.....
Signature of Applicant.

1. Full name { English.....
Chinese (if applicable)
- Alternative name or names { English.....
Chinese (if applicable).....

State whether male or female.....married or single.....

2. Age.....(Date of birth).....

Place of Birth

(a) Country.....

(b) Province.....

(c) Town / Village.....

3. No. of Identity Card.....

4. Natal dialect.....

5. Where educated and qualifications(original certificates are attached).....

6. The names and addresses of all schools where previously employed, stating length of service at each, and particulars of any other previous employment.....

7. Name and address of school at which applicant is at present employed and the period of his engagement.....

8. Subjects taught or proposed to be taught by applicant.....Subjects qualified to teach.....

9. Date and place of first registration.....

10. Whether Federal Citizen Yes / No.....

11. Seal of the school and signature of manager of school at which engaged.....

(Space below to be left blank)

Central Remarks	Regional Remarks

THE REGISTRATION OF SCHOOLS ORDINANCE, 1950.

(Section 15)

FORM E

CERTIFICATE OF REGISTRATION OF TEACHER.

This is to certify that

(Name in English).....

(Name in Chinese) (if applicable).....

Age.....

Born at.....

No. of Identity Card.....

has been registered as a teacher under the Registration of Schools Ordinance, 1950, for the school shown hereunder.

.....
Registrar of Schools

State / Settlement of.....

.....19.....

Qualifications:

Date	Name of School for which	Address of Teacher	Correspondence Number	Initials of Registrar

THE SECOND SCHEDULE

(Section 38)

F.M.S.Cap.159 ...	The Registration of Schools Enactment
S.S.Cap.139 ...	The Registration of Schools Ordinance
Johore Enactment No. 125 ...	The Registration of Schools Enactment
Kedah Enactment No. 98 ...	Enactment No. 98 (Registration of Schools)
Kelantan Enactment No. 26 of 1930	The Registration of Schools Enactment, Enactment, 1930
Perlis Enactment No. 5 of 1352	Registration of Schools Enactment, 1352

Passed in the Legislative Council on the ninth day of February,
1950.

H. R. ELLIS.
Clerk of Council.

FEDERATION OF MALAYA.

No. 63 of 1952.

* THE EDUCATION ORDINANCE, 1952

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

ABU BAKAR BIN ABDULLAH

(IN MALAY)
Sultan of Pahang

G. W. R. TEMPLER,
High Commissioner,

30th, December, 1952.

RAJA YUSSUF
Sultan of Perak.

23rd December, 1952.

* Ordinan ini telah dimansuhkan oleh Education Ordinance, 1957 - No.2 tahun 1957. Lihat muka surat 164

FEDERATION OF MALAYA.
No. 63 of 1952.
THE EDUCATION ORDINANCE, 1952.
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- 1 ... Short title and commencement.
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- 3 ... Appointment of Member in charge of education.
- 4 ... Transfer of property.
- 5 ... Seal.
- 6 ... Department of Education.
- 7 ... Powers and duties of the officers in the Department.
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- 9 ... Educational policy.
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- 13 ... Functions of State and Settlement advisory committees.
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- 18 ... Types of schools and financial assistance.
- 19 ... Grant of certificates to conforming and special agreement schools.
- 20 ... Restriction on establishment of new Government schools.
- 21 ... National schools.
- 22 ... Constitution of managers for special agreement schools.
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- 24 ... Secular instruction.
- 25 ... Appointment and dismissal of teachers.
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- 27 ... Aided employer schools.
- 28 ... Aided employer school premises.
- 29 ... Appeal from order or direction of Member.
- 30 ... Failure to provide school premises or transport.
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- 32 ... Education of children requiring special educational treatment.

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- 33 ... Education otherwise than at school.
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- 34 ... Language of instruction.
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- 36 ... Development plans.
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- 40 ... All schools to be registered.
- 41 ... Register of schools.
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- 47 ... Managers and teachers to be registered.
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- 64 ... Defunct schools.
- 65 ... Teachers struck off the register to surrender certificates of registration.

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- 72 ... Duty of parents to secure the education of their children.
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90 ... Cancellation of certificates.

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First Schedule Conforming Schools (Financial Assistance) Conditions.

Second Schedule Financial Assistance Rules.

Third Schedule Financial Assistance (Capital Grants) Rules.

Fourth Schedule Registration Forms.

Fifth Schedule Repeal.

An Ordinance to make better provision for education and to revise and consolidate the law relating thereto.

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Short title
and com-
mencement.

* 1. This Ordinance may be cited as the Education Ordinance, 1952, and shall come into force on such date (hereinafter called "the appointed date") as the High Commissioner may by notification in the *Gazette* appoint:

Provided that the High Commissioner may by notification in the *Gazette* prescribe different dates (hereinafter called "prescribed dates") for different provisions of this Ordinance and for different areas or localities of the Federation and for the purposes of any such provision, area or locality any reference in any provision of this Ordinance to the appointed date shall be construed as a reference to the prescribed date.

Interpretation.

2. (1) In this Ordinance, unless the context otherwise requires—

"adult education" includes leisure time occupation for persons over eighteen years of age in such organised cultural and vocational training and recreative activities as are suited to the requirements of such persons;

"Chief Education Officer" means the head of the State or Settlement department of education;

"child" means a person who is not over compulsory school age;

"conforming school" means a school which is not a Government school but which the Director certifies to be maintaining standards of accommodation and teaching not below those in a Government school of the same or similar type, and which charges no fees other than those approved by the Director;

* Ordinan ini telah dimansuhkan oleh Education Ordinance, 1957 - No.2 tahun 1957. Lihat muka surat 164

"correspondence school" means an institution or business in which instruction or teaching is given by means of correspondence delivered by hand or through the Postal Services;

"Director" means the Director appointed under section 6 and includes the Deputy Director;

"further education" includes adult education and the elements of education for any child or youth not able to obtain a place in a school during the period when he is of compulsory school age;

"*Gazette*" means the Federation of Malaya Government *Gazette* or the appropriate State or Settlement *Gazette*;

"Governments" where used without qualification, means the Federal and the State and Settlement Governments;

"Government school" means a school wholly maintained and managed by the Federal Government or a State or Settlement Government;

"higher education" means education suitable to the requirements of those who have completed their primary and secondary education;

"manager" means any person who actively takes part in the administration of the revenues or property or in the management of a school, and in the case of a correspondence school, includes the authors, editors, business managers and examiners employed in preparing or issuing lessons or in correcting returned answers;

"medical" includes dental;

"national school" has the meaning assigned to it in section 21;

"non-Government school" means a school other than a Government school;

"official languages of the Federation" mean the languages mentioned in clauses 35 and 63 of the Federation of Malaya Agreement, 1948;

"parent" includes a guardian and any person who has the legal or actual control of a child;

"prescribed officer" means such officer as the Director may prescribe;

"primary education" means education suitable to the requirements of a child of compulsory school age as defined in section 71;

"private school" means a non-Government school which receives no financial aid from the Member or a State or Settlement Government under section 18;

"pupil" where used without qualification, means a person of any age for whom education is provided under this Ordinance;

"register" means a register kept under the provisions of section 41 and shall be deemed to include any register kept in accordance with any Ordinance or Enactment repealed by this Ordinance; and "registered" means entered upon such register;

"Registrar" and "Assistant Registrar" means a Registrar of Schools and an Assistant Registrar of Schools respectively appointed under sub-section (1) of section 38;

"school" subject to the provisions of sub-section (5) of section 60 means a place where ten or more persons are being or are habitually taught, whether in one or more classes, or, in the case of a correspondence school, the place or places where instruction is prepared or where the answers are examined or corrected but does not include any place where the teaching is of a purely religious character or for a purely religious purpose:

Provided that where teaching is carried on in a place or part of a place under more than one separate management and under different names, such place shall be deemed to be, for the purposes of this Ordinance, a separate school in respect of each separate management and each such school and the managers and teachers thereof shall be separately registered under this Ordinance;

"secondary education" means education suitable to the requirements of a youth;

"special agreement school" means a school which is not a Government school and not a conforming school but which complies with the standards prescribed by the Director for special agreement schools;

"supervisor" means the manager appointed or deemed to be the supervisor of the school under section 43 or 53;

"teacher" means a person who teaches pupils in a school or who prepares or issues lessons or corrects returned answers in a correspondence school and includes a manager or supervisor of a school who teaches in such school:

"unlawful school" means a school which being required to be registered under Part IV of this Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony has not been registered or has been duly struck off the register;

"vernacular school" means a school which is not a national school and in which the principal medium of instruction is a vernacular language;

"youth" means a person over compulsory school age as defined in section 71 who has not attained the age of eighteen years.

(2) Where reference is made in this Ordinance to the "appropriate authority" such reference shall, save where the context otherwise requires, be construed to mean the Federal Government or the State and Settlement Governments acting in accordance with the provisions of the Federation of Malaya Agreement, 1948.

(3) Where under this Ordinance any right or duty is expressed to be conferred or imposed on the "Member and the State or Settlement Governments" or on the "Member or the State or Settlement Governments", such right or duty shall be deemed to be conferred or imposed severally on the Member and the Governments, or, the Member or the Governments as the case may be in accordance with the division of executive authority between the Federal Government and the State and Settlement Governments respectively provided in the Federation of Malaya Agreement, 1948:

Provided that any agreement made between the Member acting in accordance with the instructions of the High Commissioner and a State or Settlement Government as to the incidence of such right or duty shall be deemed conclusively to determine, for the purposes of this Ordinance, the incidence of such right or duty as between the Member and the State and Settlement Governments respectively.

(4) Where under this Ordinance any power or duty is conferred or imposed upon the Federal Government or a State or Settlement Government such power or duty may, unless the context otherwise requires, be exercised or performed by the High Commissioner, or by the Menteri Besar or the Resident Commissioner respectively of the State or Settlement in which the power is to be exercised or the duty performed.

PART I.

CENTRAL ADMINISTRATION AND GENERAL PURPOSE.

3. (1) The High Commissioner may appoint a person (hereinafter referred to as the "Member") whose duty it shall be to promote the education of the people of the Federation of Malaya and the progressive development of institutions devoted to that purpose and to secure the effective execution of the national policy of providing a varied and comprehensive educational service in every area.

Appointment
of Member
in charge of
education.

(2) The Member shall for all purposes be a corporation sole under the name of the Member for Education.

4. (1) Any property which, immediately before the prescribed date, was held by an officer of the Government of the Federation for purposes which the High Commissioner shall determine to be educational purposes and was not held for the purpose of a State or Settlement Government, shall upon notification by the High Commissioner in the *Gazette* vest in the Member. Such notification may be made in respect of any property or class of property.

Transfer of
property

(2) The High Commissioner may by order make provision for the transfer to the Member of any other rights and liabilities of the Government of the Federation relating to matters which the High Commissioner deems to be educational.

5. (1) The Member shall have an official seal which shall be authenticated by the Member or any other person authorised by the Member to authenticate the Seal.

Seal

(2) The Seal of the Member shall be officially and judicially noticed and every document purporting to be issued or made by the Member and sealed with the Seal of the Member authenticated as in this section provided

shall in any legal proceedings be deemed to be so made or issued without further proof unless the contrary is shown.

(3) A certificate signed by the Member certifying that any instrument purporting to be made or issued by him was so made or issued shall be conclusive evidence of the fact certified.

Department
of Educa-
tion.

6. (1) For the purposes of this Ordinance there shall be a Department of Education consisting of the Director, the Deputy Director, Assistant Directors and such other officers and servants as the High Commissioner may from time to time appoint.

(2) The Federal Department of Education (hereinafter called "the Department") existing on the day immediately preceding the appointed date shall be deemed to be established under this Ordinance and shall continue accordingly. Every officer or servant holding office in the Department on the aforesaid day shall be deemed to be appointed under this Ordinance and shall continue in office accordingly.

Powers and
duties of
the officers
in the
Department.

7. (1) Subject to the general direction and control of the Member, the Director and other officers of the Department shall execute and shall have power to enforce the provisions of this Ordinance and of the regulations made thereunder.

(2) Where under the provisions of this Ordinance a specific power is conferred upon the Director or any other officer of the Department, the exercise of such power in connection with matters which concern the Federation shall, unless otherwise expressly provided, be subject to the directions of the Member.

Pupils to be
educated in
accordance
with the
wishes of
their
parents.

8. In the exercise and performance of all powers and duties conferred and imposed on them by this Ordinance, the Member and the Department shall have regard to the general principle that, so far as is compatible with the national educational policy, the provision of efficient instruction and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.

9. The aim and purpose of the national educational policy of the Federation is to achieve a sound education of all children in the Federation using in the main, for this purpose, the official languages of the Federation and bringing together pupils of all races in a national type of school with a Malayan orientation:

Educational
policy.

Provided that reasonable facilities for those children whose parents or guardians so desire shall be provided for learning the Chinese language in the medium of Kuo Yu and the Tamil language: and

Provided further that the extent to which each official language is used in achieving the main purpose may vary throughout the Federation.

10. The Member shall at least once in each year, make to the Legislative Council a Report giving account of the exercise and performance of the powers and duties conferred and imposed upon him by this Ordinance and of the composition and proceedings of the Central Advisory Council.

Annual
Report.

PART II CENTRAL ADVISORY COUNCIL, AND ADVISORY COMMITTEES.

11. (1) There shall be a Central Advisory Council on education to advise the Member upon such matters connected with education as it thinks fit, and upon any questions referred to it by him.

Central
Advisory
Council.

(2) The Council shall consist of the Director and such other persons as may be appointed thereto by the High Commissioner in Council. The Director shall be Chairman of the Council and he shall appoint an officer of the Department to be Secretary thereto.

(3) The Council shall, if possible, include persons who have had experience of the statutory system of public education as well as persons who have had experience of educational institutions not forming part of that system.

(4) The High Commissioner in Council shall by regulations make provision as to the term of office and conditions of retirement of the members of the Council and such regulations may provide for the meetings and the procedure of the Council but subject thereto, the meetings and procedure of the Council shall be such as may be determined by it.

Composition
of State and
Settlement
advisory
committees.

12. In each State and Settlement there shall be an advisory committee consisting of the Chief Education Officer of the State or Settlement as Chairman and such other persons as may be appointed by the Ruler in Council or the High Commissioner in Nominated Council as the case may be.

Functions of
States and
Settlement
advisory
committees

13. State and Settlement advisory committees shall give advice and make recommendations to the State and Settlement Governments on such matters as they think fit connected with education within the responsibility of their State or Settlement as the case may be and upon any question referred to the committee by the State or Settlement Governments concerned or by the Member through such State or Settlement Governments.

State and
Settlement
local
advisory
committees.

14. The Ruler in Council in the States or the High Commissioner in Nominated Council in the Settlements may establish local advisory committees consisting of such persons as the Ruler in Council or the High Commissioner in Nominated Council may appoint for the purpose of advising the State or Settlement Governments in connection with any particular area, college, school or educational project or any kinds or types of colleges, schools or educational projects within the responsibility of the State or Settlement Governments; and such local committees shall act under the directions of the State or Settlement Governments.

Special
advisory
committees.

15. The Member may by order constitute special advisory committees for the purpose of advising him in connection with any particular college, school or educational project or any kinds or types of colleges, schools or educational projects, within his responsibility and such committees shall consist of such persons as the Member may appoint.

Terms of
office and
procedure of
committees.

16. The Ruler in Council or the High Commissioner in Nominated Council as the case may be shall, by regulations, make provision as to the term of office and conditions of retirement of the members of State and Settlement advisory committees and such regulations may provide for the meetings and procedure of the committees but subject thereto the meetings and procedure of the committees shall be such as may be determined by them.

PART III.
STATUTORY EDUCATION SYSTEM.

17. The statutory system of public education shall be organised in three progressive stages to be known as primary education, secondary education and higher education, and shall be designed to contribute towards the spiritual, moral, mental and physical development of the community.

Stages of
statutory
system of
education.

18. For the purpose of fulfilling the duties imposed under this Ordinance and in accordance with the provisions of the Federation of Malaya Agreement, 1948, the appropriate authority, in so far as moneys voted or provided for the purpose permit —

Types of
school and
financial
assistance.

- (i) shall establish, maintain and continue to maintain Government schools and colleges of the following types:
 - (a) national schools,
 - (b) secondary schools,
 - (c) vocational schools,
 - (d) special schools,
 - (e) institutions of further education,
 - (f) teacher-training collegesand, when in the opinion of the Member circumstances make it desirable,
 - (g) university colleges;
- (ii) may continue to maintain and extend or establish and maintain Government vernacular and English schools until, in the case of primary schools, they can be replaced by national schools;
- (iii) shall extend —
 - (a) financial assistance in the form of capital grants to conforming schools in the State or Settlement concerned which comply with the conditions set out in the First Schedule;
 - (b) other financial assistance to conforming schools and special agreement schools that comply respectively with the conditions and standards that the Director may from time to time prescribe, in respect of their primary, secondary and

pre-university classes the existence of which the State or Settlement Government concerned, on the advice of the Member, certifies to be necessary for the purpose of education in the Federation;

and such financial assistance shall be extended in accordance with the rules set out in the Second and Third Schedules, which rules and the conditions set out in the First Schedule may be amended, added to or revoked at any time by the High Commissioner in Council and the Director respectively:

Provided that in the exercise of their powers under this section the State and Settlement Governments shall in matters affecting educational policy and expansion consult with the Member.

Grant of certificates to conforming and special agreement schools

19. The State or Settlement Government concerned shall, upon application being made to it, grant a certificate under sub-paragraph (b) of paragraph (iii) of section 18 to any conforming or special agreement school —

- (i) in respect of its primary classes, unless such Government, acting in consultation with the Member, is satisfied that, apart from such conforming or special agreement school, sufficient national schools are already available in the area served by such conforming or special agreement school; and
- (ii) in respect of its secondary classes, unless such Government, acting in consultation with the Member is satisfied that, apart from such conforming or special agreement school, sufficient Government, conforming, or special agreement secondary schools are already available in the area served by such conforming or special agreement school.

Restriction on establishment of new Government schools

20. (1) Where it appears to a State or Settlement Government that the establishment of a new Government national or secondary school by such Government will result in the withdrawal from an existing conforming or special agreement school which is not a national school, of a certificate granted to such school under sub-paragraph (b) of paragraph (iii) of section 18, the State or Settlement Government concerned shall serve the managers of the school which may be so affected with

written notice of its intention to establish a new Government national or secondary school.

(2) The State or Settlement Government concerned shall establish:

(i) such new Government national school only if

- (a) the managers of any existing conforming or special agreement school which is not a national school who have been served with the said written notice under sub-section (1), have failed within one year of the service of such notice to comply, in respect of the primary classes of such school, with the requirements of a national school, or
- (b) the managers of such a school have, before the expiration of such period, informed the State or Settlement Government concerned that it is not their intention to make the primary classes of their school comply with the requirements of a national school;

(ii) such new Government secondary school only if —

- (a) the managers of an existing special agreement school who have been served with written notice under sub-section (1) have failed within one year of the service of such notice to comply, in respect of the secondary classes of such school, with the requirements of a conforming school of the secondary type, or
- (b) the managers of such a school have, before the expiration of such period, informed the State or Settlement Government concerned that it is not their intention to make the secondary classes of their school comply with the requirements of a conforming school of the secondary type.

21. (1) For the purposes of this Ordinance a "national school" is any school providing for children of all races a six-year course of free primary education with a Malayan orientation and appropriate for children between the ages of six and twelve and using in the main for

National
schools.

this purpose the official languages of the Federation and providing facilities for instruction in Kuo Yu and Tamil in accordance with the provisions of this section.

(2) National schools shall be of two types—

- (a) those in which Malay is the main medium of instruction; and
- (b) those in which English is the main medium of instruction.

(3) At a national school in which Malay is the main medium of instruction, instruction in English shall be given to all pupils throughout the whole of the school course. In addition instruction in Kuo Yu and Tamil shall, subject to the provisions of sub-section (5), be available for those pupils whose parents or guardians request instruction in such languages and such instruction shall be available in all years of the school course.

(4) At a national school in which English is the main medium of instruction, instruction in Malay shall be given to all pupils as and from the commencement of the third year of the school course. In addition instruction in Kuo Yu and Tamil shall, subject to the provisions of sub-section (5), be available for those pupils whose parents or guardians request instruction in such languages and such instruction shall be available in all years of the school course.

(5) Instruction in Kuo Yu or Tamil need not be made available at a national school unless there are in such school fifteen or more pupils of the same linguistic standard in such language and whose parents request instruction in it.

*Constitution
of managers
for special
agreement
schools.*

22. For every special agreement school there shall be an instrument providing for the constitution of the body of managers of the school in accordance with the provisions of this Ordinance.

*Conduct of
schools.*

23. The High Commissioner in Council may prescribe regulations of management for any school or type of school and every school shall be conducted in accordance with the appropriate regulations of management so prescribed:

Provided that when making any regulations which directly affect the teaching of religion he shall consult

with such religious bodies or opinion as appears to him appropriate.

24. In every school the secular instruction to be given to the pupils shall for the purpose of and to the extent of ensuring a common policy, be under the control of the Member who after consultation with the Central Advisory Council, may, with the approval of the High Commissioner in Council, make rules controlling the content and form of such instruction.

Secular
instruction.

25. In a non-Government school no teacher shall be suspended without salary or dismissed except by the authority of the Director.

Appointment
and dismissal
of
teachers.

26. If at any time it shall appear to the appropriate authority that any non-Government school is not being satisfactorily administered the appropriate authority may, without prejudice to any other action that may lawfully be taken, appoint additional managers for such period of time as it may consider necessary and the additional managers so appointed shall be deemed to be registered managers of such school and may enter the premises thereof at all reasonable times:

Appropriate
authority
may appoint
additional
managers
for unsatisfactory
non-Government
schools.

Provided that an additional manager appointed by the appropriate authority under this section shall not enjoy any of the profits of such school.

Aided-Employer Schools.

27. (1) The Member may serve a written order upon any employer in a place of employment where ten or more children between the ages of six and twelve years, being dependants of employees on such place of employment, reside, requiring such employer either —

Aided
employer
schools.

- (a) to construct or set apart within a reasonable time to be stated in such order and thereafter so long as ten or more of such children reside on such place of employment, to maintain at his own expense a school building for such children and to appoint and pay a teacher or such number of teachers therefor as the Member may deem necessary, but not in excess of a reasonable number; or
- (b) to make such arrangements as the Member may in such order direct for the provision of transport for the purpose of facilitating the attendance of such children at any school

which is prescribed in the order and which is in the opinion of the Member, within a reasonable distance of such place of employment but not exceeding ten miles therefrom.

(2) Financial assistance, of the same kind, and subject to the same conditions, as is extended to schools under section 18, shall be extended to schools established in pursuance of such order.

Aided
employer
school
premises.

28. (1) It shall be the duty of any employer who has been served with an order of the Member under paragraph (a) of sub-section (1) of section 27 to construct or set apart —

- (a) a school building which conforms to such standards as the High Commissioner in Council may by regulations prescribe;
- (b) a habitable house for a married head teacher and living accommodation for such additional staff as shall be deemed sufficient by the Member but not in excess of a reasonable number; and
- (c) a suitable area of cleared land in the vicinity of the aforesaid school building for use partly as a school playground and partly as a school garden.

(2) Any two or more employers who are subject to an order of the Member under paragraph (a) of sub-section (1) of section 27 shall, if served with an order in writing of the Member requiring them so to do, set apart and jointly construct in the place or places of employment of any one or more of such employers such premises as are referred to in sub-section (1) for the purposes of a common school for the children residing in the places of employment of such employers and the construction or setting aside of such premises in the manner aforesaid shall be deemed to be sufficient compliance with the order of the Member under paragraph (a) of sub-section (1) of section 27.

(3) In the event of any two or more employers who have been served with an order of the Member under the foregoing sub-section failing to determine by mutual consent the apportionment between them of the cost of constructing or setting aside such premises as are referred to in sub-section (1) such apportionment shall

be made in such manner as the High Commissioner in Council may by regulations prescribe.

(4) Any employer who is subject to an order of the Member under sub-section (2) shall make such arrangements for the provision of transport as the Member may direct for the purpose of facilitating the attendance of pupils who are the dependants of the employees of such employer at any common school provided by such employer jointly with any other employer or employers in compliance with the aforesaid order.

29. Any employer aggrieved by any order or direction of the Member made under section 27 or section 28 may within fourteen days of the service of such order or the communication of such direction upon or to him, present a petition appealing against such order or direction to the High Commissioner in Council who may at his discretion, after consideration of such petition, confirm, annul, or vary upon such terms and conditions as he may think just, such order or direction and if so confirmed or varied such order or direction shall thereupon have effect subject to such variations, terms and conditions, if any, as the High Commissioner in Council has imposed.

Employer may appeal from order or direction of Member.

30. (1) Where an employer has in the opinion of the Member failed to comply with an order or direction of the Member made under paragraph (a) of sub-section (1) of section 27 or under sub-section (1) or (2) of section 28, the Member, or any person appointed in writing by the Member, or any inspector appointed under sub-section (2) of section 76 and authorised by the Member so to do, may enter the place of employment with such assistants, servants, implements and materials, and do such acts and things as may be necessary to make good the default of the employer:

Failure to provide school premises or transport.

Provided that where a petition appealing against such order or direction has been presented under section 29 no such right of entry shall arise until the appeal has been determined.

(2) Where an employer has failed to comply with an order or direction of the Member made under paragraph (b) of sub-section (1) of section 27 or under sub-section (4) of section 28 respectively, the Member may make such arrangements as he considers necessary for the provision of transport for the purpose of facilitating the attendance of the children for whose benefit such order or direction was made at the school concerned:

Provided that where a petition appealing against such order or direction has been presented under section 29 no such right to make arrangements for the provision of transport shall arise until the appeal has been determined.

(3) The amount of expenses incurred by the Member in causing any act or thing to be done in a place of employment under sub-section (1) or in making any necessary arrangements under sub-section (2) shall be deemed to be a debt due to the Government of the Federation from the employer and shall be recovered accordingly.

Entry into
places of
employment.

31. Any employer and any person for the time being in charge of a place of employment shall permit the Member, any person appointed in writing by the Member or by a State or Settlement Government or any inspector appointed under section 76 and authorised by the Member or by a State or Settlement Government so to do —

- (a) to enter and inspect all premises constructed or set apart by the employer by order of the Member under paragraph (a) of sub-section (1) of section 27 or under section 28, or
- (b) to enter the place of employment and exercise the powers conferred by sub-sections (1) and (2) of section 30.

Special Schools.

Education
of children
requiring
special
educational
treatment.

32. (1) The High Commissioner in Council may make regulations defining the several categories of children requiring special educational treatment and making provision as to the special methods appropriate for the education of children of each category.

(2) The arrangements made by the Member for the special educational treatment of children of any such category shall, so far as is practicable, provide for the education of children in whose case the disability is serious in special schools appropriate for that category, but where that is impracticable or where the disability is not serious, the arrangements may provide for giving such education in any school which is able and willing to accept such children.

(3) The High Commissioner in Council may by regulations make provision as to the requirements to be

complied with by any special school and such regulations may impose requirements as to the organisation of any special school as a national school.

(4) The regulations made under this section with respect to special schools shall be such as to secure that, so far as practicable, every child in attendance at any such school shall receive religious instruction or shall be withdrawn from attendance at such instruction in accordance with the wishes of his parent.

33. If the Member is satisfied that by reason of any extraordinary circumstances a child is unable to attend a suitable school for the purpose of receiving education, he may make or sanction special arrangements for him to receive education otherwise than at school.

Education
otherwise
than at
school.

Language of Instruction.

34. Subject as herein provided the High Commissioner in Council may make regulations prescribing the language through the medium of which instruction shall be given in any class in any school other than a private school and such regulations shall be made in accordance with the national educational aim.

Language of
instruction.

School Premises.

35. (1) The High Commissioner in Council may make regulations prescribing the standards to which the premises of schools shall conform, and such regulations may prescribe different standards for such descriptions of schools as may be specified in the regulations.

Requirements
as to school
premises.

(2) Subject as hereinafter provided it shall be the duty of the managers of any non-Government school to secure that the premises of that school conform to the standards prescribed for schools of the description to which the school belongs:

Provided that if the Member or a State or Settlement Government acting in consultation with the Member is satisfied with respect to any school that having regard to the nature of the site or to any existing buildings thereon or to other special circumstances affecting the school premises it would be unreasonable in that case to require conformity with the requirements of the regulations in any particular respects, he or it may direct that the school premises shall be deemed to conform to the prescribed standards if in lieu of conforming to the requirements of the regulations in that respect they conform to

such other requirements as may be specified in the direction.

Development Plans.

Development
plans.

36. (1) The State or Settlement Government concerned, may and, if so requested by the Member, shall require a State or Settlement advisory committee to estimate the immediate and prospective needs of its State or Settlement, having regard to the provisions of this Ordinance and of any regulations made thereunder and to prepare and submit to the State or Settlement Government a plan (hereinafter called a "development plan") in such form and relating to such matters as the State or Settlement Government or the Member may direct showing the action which the State or Settlement advisory committee propose should be taken for providing education including further education in the State or Settlement and the successive measures by which it is advised that such action shall be accomplished.

(2) A State or Settlement advisory committee shall, before submitting the development plan to the State or Settlement Government, consult the managers of all conforming or special agreement schools and adult education institutions and bodies which would in the opinion of such committee be materially affected by the execution of the plan, and shall after submitting the plan to the State or Settlement Government, forthwith furnish to the managers of every such school, institution or body such particulars as are, in the opinion of the committee, sufficient to show the manner in which the school, institution or body would be affected by the execution thereof.

(3) Where a development plan has been submitted under this section, the State or Settlement Government shall, if of the opinion that no particulars or insufficient particulars of the plan have been furnished to any person who, in its opinion, would be affected by the execution of the plan, give such directions as it considers expedient for securing that sufficient particulars are so furnished.

(4) A copy of such plan together with the views thereon of the State or Settlement Government shall be transmitted to the Member.

Restrictions on Discontinuance.

37. (1) Subject to the provisions of this section, the managers of a non-Government School which they intend to discontinue shall serve on the State or Settlement Government concerned not less than two years notice of their intention to do so:

Restrictions
on disconti-
nuance of
non-Govern-
ment
schools.

Provided that, except by leave of such State or Settlement Government, no such notice as aforesaid shall be served by the managers of any non-Government school for a period in respect of which financial assistance has been extended by such State or Settlement Government or any former Government authority, and if such State or Settlement Government grants such leave, it may require the repayment of such portion of the amount of such financial assistance as it thinks just.

(2) No such notice as aforesaid shall be withdrawn except with the consent of the State or Settlement Government concerned.

(3) If while any such notice as aforesaid is in force with respect to a non-Government school, the managers of the school inform the State or Settlement Government concerned that they are unable or unwilling to carry on the school until the expiration of the notice, such State or Settlement Government may conduct the school during the whole or any part of the unexpired period of the notice as if it were a Government school, and shall be entitled to the use of the school premises for that purpose, free of any charge:

Provided that the State or Settlement Government concerned shall indemnify the managers against any payment falling to be made by them in respect of the use of the school premises during and in respect of such period or part thereof.

(4) While any school is being conducted by a State or Settlement Government as a Government school under the last foregoing sub-section it shall keep the school premises in good repair, and for all purposes relating to the condition of the school premises, the occupation and use thereof, and the making of alterations thereto, any interest in the said premises which is held for the purposes of the school shall be deemed to be vested in it:

Provided that the managers of the school shall be entitled to the use of the school premises or any part

thereof when not required for the purposes of the school to the like extent as if they had continued to carry on the school during the unexpired period of the notice.

(5) Where any school is discontinued in accordance with the provisions of this section, the duty, if any, of the State or Settlement Government to extend financial assistance to the school under this Ordinance shall determine from the date of such discontinuance.

PART IV. REGISTRATION.

Appointment of Officers.

Appointment
of officers.

38. (1) The High Commissioner may from time to time appoint for any State or Settlement a Registrar of Schools and such number of Assistant Registrars of Schools as the High Commissioner may consider necessary for the purposes of this Ordinance.

(2) Every Registrar and Assistant Registrar appointed under this section shall be under the orders and direction of the Director.

(3) The Director and the Deputy Director and any Assistant Director, when present in any State or Settlement, may exercise therein any of the powers conferred upon a Registrar or Assistant Registrar for such State or Settlement by this Ordinance or by any regulations made thereunder.

(4) Every person appointed under this section shall be deemed to be a public servant within the meaning of the Penal Code.

(5) An Assistant Registrar may exercise such of the powers and shall perform such of the duties conferred or imposed upon a Registrar under this Ordinance as may be prescribed.

Registration of Schools.

Power of
High Com-
missioner
in Council
to exempt
schools.

39. (1) The High Commissioner in Council may, by order, exempt any school or class or category of schools from all or any of the provisions of this part of this Ordinance, either absolutely or subject to such conditions as he may think fit to impose, and may, at any time, at his discretion, revoke any such exemption or cancel, alter or add to any such conditions.

(2) Nothing in this part of this Ordinance shall apply to any Government school or to any school entirely maintained and controlled by Her Majesty's Army, Navy or Air Force.

40. (1) Subject to the provisions of the last preceding section every school shall be registered under this Ordinance.

All schools
to be
registered.

(2) Any person who shall act as manager of, or teacher in, a school which is not registered under this Ordinance shall be guilty of an offence against this Ordinance:

Provided that nothing in this sub-section shall make it unlawful for any person to do any act or thing necessary for the purpose of obtaining the registration of a school under this Ordinance.

(3) Both the owner and the occupier of any house, building or other place, the whole or part of which, to the knowledge of such owner or occupier, is being used as a school which he knows or has reason to believe to be an unregistered school, shall be guilty of an offence against this Ordinance, unless he shall prove that he took all reasonable steps in his power to prevent such house, building or other place or part thereof being so used or reported that such premises were being so used to the officer-in-charge of the nearest police station.

41. Every Registrar shall keep or cause to be kept a register or registers in such form as may be prescribed by the Director in which shall be entered, in respect of every school registered in the State or Settlement for which he is appointed —

Register of
schools.

- (a) the name and address of such school;
- (b) the name and address of the supervisor and of every other manager of such school;
- (c) the name and address of every teacher employed or engaged in teaching in such school;
- (d) such other particulars in relation to such school or to the managers of, or teachers in, such school or to any other matters, as may be prescribed.

Application
for registra-
tion of
school.

42. (1) An application for the registration of a school, opened or intended to be opened in any State or Settlement, may be made to the Registrar for such State or Settlement by a manager of such school on behalf of the managers.

(2) Every such application shall be substantially in the Form A set out in the Fourth Schedule and shall be accompanied by applications for registration as a manager of, or teacher in, such school, as the case may be, duly completed in accordance with section 48, by every person named in such application as a manager of or teacher in such school.

No school
to be regis-
tered unless
a supervisor
has been
appointed.

43. No school shall be registered until the managers of such school have appointed one of their number to be supervisor of such school for the purposes of this Ordinance, and a copy of such appointment, in writing, signed by the managers, has been submitted to the Registrar:

Provided that, when a school has not more than one manager, such manager shall be deemed to be the supervisor of the school.

Refusal of
registration
of a school.

44. (1) The Registrar may refuse to register a school if it appears to him —

- (a) that the school is insanitary, or is for reasons of health unsuitable for use as a school, or that the area provided for the open air recreation of the pupils is inadequate or unsatisfactory, or that the school building or any part thereof is unsuitable by reason of danger from fire or that it is otherwise a dangerous building; or
- (b) that such school is likely to be used for the purpose of political propaganda detrimental to the interests of the Federation or of the public, or for the purpose of instruction detrimental to the interests of the public or of the pupils, or as a meeting place for an unlawful society; or
- (c) that the supervisor appointed by the managers is not a fit or proper or responsible person to act as supervisor for the purpose of this Ordinance; or
- (d) that any manager or teacher named in the application form has been refused registration under section 49; or

- (e) that the existing educational facilities are already adequate in the area in which it is proposed to open such school; or
 - (f) that the opening of such school would be detrimental to the interests of the Federation or of the public.
- (2) The Registrar, in his discretion, may require as a condition precedent to the registration of any school —
- (a) that security be given to his satisfaction that such school will not be used for any of the purposes referred to in paragraph (b) of sub-section (1), or that any person, refused registration as a manager of, or teacher in, such school, will not act as such manager or teacher;
 - (b) that the managers, or one or more of such managers as the Registrar may determine, make a cash deposit, not exceeding in all one thousand dollars, or enter into a bond in a like amount, with one or two sureties approved by the Registrar, as security for the observance by the managers and teachers of such school of the provisions of this Ordinance and of any regulations made thereunder;
 - (c) that a written scheme, constitution or deed of trust be prepared and executed by the proper parties thereto, providing for the management of the school and the administration of its property and revenues in a manner which the Director may consider satisfactory, and that a copy of such written scheme, constitution or deed of trust be submitted to him;
 - (d) that the school be rendered sanitary or suitable for use or that the area provided for open air recreation be rendered adequate or satisfactory or that the building be rendered safe;
 - (e) that a fit and proper and responsible person be appointed as supervisor;
 - (f) that another manager or teacher be appointed and apply for registration in place of any

manager or teacher named in the application form and refused registration under section 49;

- (g) that the name of the school be changed to a name approved by him.

(3) When under the provisions of this section the Registrar refuses to register a school or imposes any condition precedent to such registration, he shall inform the applicant by notice in writing that registration is refused or that it is subject to conditions and shall, in each case, specify in such notice the grounds on which such registration is refused or the conditions on which registration will be granted and shall notify the applicant that he has a right of appeal against such refusal or against the imposition of any such condition in the manner set out in the following sub-section.

(4) Any applicant aggrieved by the refusal of the Registrar to register such school or by the imposition of any condition precedent to the registration of such school may, within fourteen days of the notice being served on him in accordance with sub-section (3), appeal to the Ruler in Council of the State or to the High Commissioner in Nominated Council of the Settlement, as the case may be, in accordance with the provisions of section 66.

Registration
of schools.

45. Subject to the provisions of section 44 the Registrar shall, upon an application for the registration of any school duly made in accordance with the provisions of section 42, after such inquiry as he may think necessary, register it and issue to the supervisor thereof a certificate of registration in the Form B set out in the Fourth Schedule.

Certificate
and list of
managers
and teachers
of school
to be
exhibited.

46. (1) A copy of the certificate issued under the provisions of section 45 and a list of the names of the registered managers of, and registered teachers in, the school, in such languages as the Registrar may direct, shall be exhibited in a conspicuous place in such school.

(2) If any breach of sub-section (1) is committed in any school, the managers of such school shall be guilty of an offence against this Ordinance.

Registration of Managers and Teachers.

47. (1) Except as hereinafter provided in this section, no person shall act as a manager of, or teacher in, any registered school, unless he is registered under this part of this Ordinance as a manager or teacher in respect of such school.

Managers
and teachers
to be
registered.

(2) Any person, other than a person whose application for registration as a manager under this Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony has previously been refused, may act as a manager of a registered school in the place of any registered manager retiring or ceasing to act as manager, if such person applies, under sub-section (1) of section 48 for registration as such manager within seven days of his commencing to act as manager, and notice of the refusal of such application has not been served upon him.

(3) Any person, other than a person whose application for registration as a teacher under this Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony has previously been refused, may act as a teacher in a registered school if such person applies, under sub-section (2) of section 48, for registration as a teacher in such school within seven days of his commencing to act as a teacher therein, and notice of the refusal of such application has not been served upon him.

(4) Any person acting as a manager or teacher contrary to the provisions of this section shall be guilty of an offence against this Ordinance.

48. (1) Every application for registration as a manager of a school shall be in the Form C set out in the Fourth Schedule.

Form of
applications
for registra-
tion of
managers
and
teachers.

(2) Every application for registration as a teacher in a school shall be in the Form D set out in the Fourth Schedule.

49. The Registrar may, subject to the provisions of sub-section (2) of section 38 in his absolute discretion refuse to register any person as a manager of, or teacher in, a school if —

Refusal of
registration
as a manager
or teacher.

- (a) such person was convicted by any Court of competent jurisdiction in the Federation or elsewhere of an offence punishable with imprisonment, or of an offence under this

Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony; or

(b) such person has been a manager of, or a teacher in, any school, which was at the time when such person was so acting struck off the register under section 61 of this Ordinance or under any previous written law relating to the registration of schools or under any similar law in force in the Colony; or

(c) the Registrar has reasonable grounds to believe that such person has, at any time, acted as a manager of, or teacher in, any school in contravention of the provisions of this Ordinance or of any previous written law relating to the registration of schools or of any similar law in force in the Colony; or

(d) it appears to the Registrar that it will be prejudicial to the interests of the Federation or of the public or of the pupils of the school that such person should be so registered; or

(e) in the case of a person applying to be registered as a teacher, such person's qualifications to act as a teacher are in the opinion of the Registrar, inadequate; or

(f) such person has made a false or misleading statement in a material particular in his application for registration:

Provided that any person who has been refused registration as a manager of or a teacher in a school under the provisions of this section may present a petition appealing against such refusal to the High Commissioner in Council who may in his discretion give such directions to the Registrar as to the registration of such person as the High Commissioner in Council after consideration of such petition may think just, and the Registrar shall comply with such directions accordingly.

Registration
of managers
and
teachers.

50. (1) Subject to the provisions of section 49, the Registrar shall, upon an application duly made, in accordance with the provisions of section 48 for the registration of any person as the manager of, or teacher in, a registered school or in a school in respect of which an application for registration is pending before him, after such inquiry as he may think necessary, register such person accordingly, and shall inform him in writing that

he has been so registered, and shall, in the case of a person registered as a teacher, issue to him a certificate in the Form E set out in the Fourth Schedule.

(2) Where any application for registration as a manager or teacher is refused under the provisions of section 49, notice of such refusal shall be given forthwith to the applicant by the Registrar.

51. (1) Notwithstanding the provisions of paragraph (e) of section 49 the Registrar may with the approval of the Director register any person as a teacher in a registered school, subject to the attainment by such person of such qualifications within such period of time and to such other conditions as the Director may determine.

Temporary
registration
of teachers.

(2) The Registrar may at any time cancel the registration of any person registered under the foregoing subsection as a teacher in a registered school who fails to comply with any condition determined by the Director or ceases to act as a teacher in such school.

Changes in registered Managers and Staff.

52. (1) Upon any registered manager or registered teacher of a registered school retiring or ceasing to act as such manager or teacher, or upon any person, not already registered as such, commencing to act as a manager of, or teacher in, such school, the supervisor shall, within twenty days of the happening of such event, report such event in writing to the Registrar with whom such school is registered.

Change in
management
or staff to
be reported
by the
supervisor

(2) Any supervisor who without reasonable excuse fails to comply with the provisions of this section or who makes any report, knowing the same to be false in any material particular, shall be guilty of an offence against this Ordinance.

(3) The Registrar, upon receiving a report under sub-section (1) that any manager or teacher has retired or ceased to act, shall forthwith strike such manager or teacher off the register and shall serve such manager or teacher with a notice in writing informing him of such action.

53. (1) The supervisor of a registered school shall be the person through whom all correspondence about the school with the Registrar or an Assistant Registrar or the Director shall be conducted.

Supervisor
of registered
school.

(2) Immediately upon any supervisor of any registered school ceasing to act as supervisor of such school, the managers thereof shall appoint a fit, proper and responsible registered manager of such school to be supervisor in his place, and shall forthwith notify the Registrar, with whom such school is registered, of such appointment.

(3) If no such appointment is made within seven days of any supervisor ceasing to act, then a supervisor shall be appointed by any person entitled to appoint a manager of such school, or if such appointment be not made before the expiration of a further period of seven days then the Member may appoint a fit, proper and responsible person to be manager and supervisor of such school on behalf of the proprietors thereof. The Registrar with whom such school is registered shall forthwith be notified of any appointment made under this sub-section.

Offence for manager to act with an unregistered manager or to employ an unregistered teacher.

54. Any manager of a school who —

- (a) acts with any other person, acting as a manager, whom he knows or has reason to believe to be acting in contravention of the provisions of this Ordinance; or
- (b) employs or permits any person to act as a teacher in such school, other than a person registered as a teacher in such school under this Ordinance.

shall be guilty of an offence against this Ordinance.

Registrar's Power to strike Managers and Teachers off the Register.

Power of Registrar to strike managers and teachers off the register.

55. (1) If any registered manager or registered teacher shall —

- (a) at any time, whether before or after the date of his registration, be or have been convicted by any competent Court in the Federation or elsewhere of an offence punishable with imprisonment; or
- (b) at any time, whether before or after the date of his registration, have been a manager of or teacher in any school which at the time he was so acting had been struck off the register under section 61 or under any previous written law relating to the registration

of schools or under any similar law in force in the Colony; or

- (c) at any time, whether before or after the date of his registration, be or have been convicted by any competent Court in the Federation or elsewhere of an offence under this Ordinance, or any previous written law relating to the registration of schools or under any similar law in force in the Colony; or
- (d) after the date of his registration, appear to the Registrar with whom he is registered to be a person who ought not, in the interests of the Federation or of the public or of the pupils of such school, to remain a manager of or teacher in such school; or
- (e) have obtained his registration as manager or teacher by reason of any false or misleading particular or particulars contained in his application for registration,

the Registrar with whom such manager or teacher is registered may strike such manager or teacher off the register:

Provided that no person shall be struck off the register under the provisions of paragraphs (a), (b) and (c) by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before such date.

(2) When any manager or teacher has been struck off the register under sub-section (1), the Registrar shall forthwith inform him by notice in writing that he has been so struck off, and of the grounds on which he has been so struck off and shall notify him that he has a right of appeal against such striking off in accordance with the provisions of the following sub-section.

(3) Any manager or teacher struck off the register under sub-section (1) may, within fourteen days of the notice being served on him in accordance with sub-section (2), appeal to the Ruler in Council of the State or the High Commissioner in Nominated Council of the Settlement, as the case may be, in accordance with the provisions of section 66.

56 (1) The Registrar shall, at least once in every year, personally inspect or cause to be inspected by an Assistant Registrar or an Inspector or Assistant Inspector appointed under sub-section (3) of section 76 every school, registered under this Ordinance in his State or Settlement, for the purpose of ascertaining that the provisions of this Ordinance or of any regulations made thereunder have been and are being complied with.

(2) The Registrar may require to be submitted to him, at any time and from time to time, a copy of all instruction material given by a correspondence school, registered under this Ordinance in his State or Settlement.

57. (1) A Registrar, Assistant Registrar, or an Inspector or Assistant Inspector appointed under sub-section (3) of section 76 may, at any time, enter in or upon any registered school for the purpose of carrying out such inspection or examination, including the inspection and examination of books, as he may consider necessary, and may remove and detain any books, documents or other articles, found in such school, for the purpose of further examination, or any books, documents or other articles so found which, in the opinion of the officer carrying out such inspection, may furnish evidence of the commission of an offence against this Ordinance or any regulation made under this Ordinance or which contain or are connected with political propaganda detrimental to the interest of the Federation or of the public or used for the purposes of instruction detrimental to the pupils or which may furnish evidence that the school is or has been used as a meeting place for an unlawful society; and such Registrar or other officer lawfully carrying out an inspection under this sub-section may, if ingress into such school or any part thereof cannot be obtained and none of the registered managers of or teachers in such school can be found to open such school or such part thereof or any receptacle therein, in order to effect such ingress or inspection, break open any outer or inner door or window of any such school or any locked receptacle found therein.

(2) The Registrar at any time and any officer whilst lawfully carrying out an inspection of a registered school under the provisions of this Ordinance may require any registered manager of, or registered teacher in, any registered school or any pupil of such school or any person

found within such school to produce for his inspection any books or documents, relating to the management of or to the teaching carried on in such school, which are in his possession or under his control, and to furnish the Registrar or such officer with such information, relating to such management or teaching as the Registrar or officer may demand and which it is within the power of such person to furnish and, in the case of a registered teacher, to produce for inspection his certificate of registration as a teacher under this Ordinance and in the case of any manager, teacher, pupil or any person who is found within such school to produce for inspection any identity card issued to such manager, teacher, pupil or person under the provision of any written law in force relating to the registration of residents within the Federation or any area in the Federation.

(3) Any person who —

- (a) obstructs or impedes the Registrar or any officer lawfully carrying out an inspection of a registered school under this Ordinance in the lawful exercise of any of his powers under this section; or
- (b) refuses to produce any book, document or identity card or refuses to furnish any information in contravention of the provisions of sub-section (2) or furnishes any information which is false in a material particular and which he knows to be false or does not believe to be true.

shall be guilty of an offence against this Ordinance.

Unregistered Premises.

58. (1) Where a Registrar or any public officer, specially authorised by him in that behalf in writing, or any police officer, not below the rank of Inspector, has reasonable cause to believe that any house, building or other place has been or is being used as a school which is not registered under this Ordinance, the Registrar or such public officer or such police officer, accompanied by such persons as he may deem expedient, may enter in or upon such house, building or place and may search therein and may seize and detain any books, documents or other articles found therein which may furnish evidence of the commission of an offence against this Ordinance or

Search of
unregistered
premises.

which appear to be the property of or to have been used in connection with a school not registered under this Ordinance and may, for such purposes, if after notice of his authority and purpose and demand of admittance upon the occupier thereof or the person residing or having charge thereof, admittance cannot otherwise be obtained, break open any outer or inner door or window or any locked receptacle therein which he suspects to contain any article which may be liable to seizure under this section.

(2) Any person who obstructs or impedes any Registrar or officer in the exercise of his powers under sub-section (1) shall be guilty of an offence against this Ordinance.

Non-compliance with Ordinance or Regulations.

Procedure if
Ordinance or
regulations
not complied
with.

59. (1) If it appears to the Registrar that any provision of, or regulation made under, this Ordinance has not been complied with in any registered school, he may, by notice in writing served on the supervisor of such school, direct the supervisor to take, within such time, being not less than fourteen days, as may be prescribed in such notice, such measures as may be specified therein to comply with such regulation.

(2) The supervisor of such school may, within fourteen days of the notice being served upon him, appeal to the Ruler in Council of the State or the High Commissioner in Nominated Council of the Settlement in which such school is registered, as the case may be, in accordance with the provisions of section 66.

(3) If, within the time prescribed in such notice, the specified measures have not been taken to the satisfaction of the Registrar and no appeal has been lodged under the provisions of sub-section (2), or if such appeal having been made is rejected, the Registrar may strike such school off the register, and such school and the managers and teachers thereof shall thereupon cease to be registered.

(4) If upon an appeal under the provisions of sub-section (2) it is ordered by the Ruler in Council or the High Commissioner in Nominated Council, as the case may be, that the specified measures or any of them or any other measures shall be taken by the supervisor of the school, such measures shall be taken by the supervisor within such time as may be specified in such order,

and, in default thereof the Registrar shall strike such school off the register, and thereupon such school and the managers and teachers thereof shall cease to be registered.

Unlawful Schools.

60. (1) If it appears to the Registrar that any school is being used for the purpose of political propaganda detrimental to the interests of the Federation or of the public or for the purpose of instruction detrimental to the interests of the pupils or as the meeting place of an unlawful society, the Registrar may cause a notice to be served on the supervisor of such school, giving particulars of the matters alleged against the school and calling upon him to show cause, within a period to be specified in the notice, being not less than fourteen days, why the school should not be declared to be unlawful.

Registrar
may declare
certain
schools
unlawful.

(2) A supervisor desiring to show cause why such a school should not be declared to be unlawful may deliver to the Registrar, within the time specified in the notice, a written statement in English or Malay of the grounds on which he relies.

(3) If within the time specified in the notice no such written statement has been delivered, or the Registrar, after considering the written statement delivered and making such further enquiry, if any, as he may consider necessary, is satisfied that the school is being used for either of the said purposes or as such meeting place, the Registrar may declare the school to be an unlawful school and such declaration shall take effect at the expiration of fourteen days after notice thereof has been given to the supervisor in the prescribed manner:

Provided that if within such period of fourteen days a petition of appeal against such declaration has been presented under the provisions of the next succeeding sub-section, the operation of such declaration shall be suspended until the determination of such appeal.

(4) Any person aggrieved by any declaration made under sub-section (3) may within fourteen days of such declaration being made, or within such extended time as the High Commissioner in Council may allow, present a petition appealing against such declaration to the High Commissioner in Council who may in his discretion after consideration of such petition, confirm or annul such declaration or further suspend its operation on such

terms and conditions (if any) as he may think just; and where the operation of such declaration has been so suspended, the Registrar, if he has reason to believe that any such term or condition has been contravened, after giving notice to the supervisor may apply to the High Commissioner in Council for the confirmation of such declaration and the High Commissioner in Council may make such order with regard to such application as he thinks fit. If no such application is made within twelve months of the determination of such appeal or if an application having been made is rejected, the declaration shall be deemed to have been annulled on the expiration of the said period of twelve month

(5) For the purpose of this section and of paragraph (b) of section 49, paragraph (b) of sub-section (1) of section 55 and of section 62, a "school" shall be deemed to include any place in which teaching is carried on, irrespective of the number of persons taught and any place in which material for instruction by correspondence is prepared or returned answers examined.

Cancellation
of registra-
tion.

61. When as a result of a declaration made under sub-section (3) of section 60 a school has become an unlawful school, the Registrar shall forthwith, if such school is a registered school, strike it off the register.

Registrar
may remove
insignia,
etc.

62. (1) When a declaration has been made under sub-section (3) of section 60 and so long as such declaration has not been annulled the Registrar or any public officer, specially authorised by him in that behalf in writing, accompanied by such persons as he may deem expedient, may enter the school and for that purpose use force, if necessary, and search for, remove and destroy the sign-boards, seals, chops, banners and other insignia of the school and any book or other document which contains political propaganda detrimental to the interests of the Federation or of the public.

(2) For the purpose of any entry or search under this section the Registrar or such public officer may break open any outer or inner door of the school or any locked receptacle therein which he suspects to contain any article which he is by this section empowered to destroy.

Power of
Registrar to
strike school
off the
register.

63. (1) With the approval of the Ruler in Council of the State or of the High Commissioner in Nominated Council of the Settlement in which any school is registered, the Registrar may strike off the register any school if he is satisfied —

- (a) that the school is, for reasons of health, no longer suitable for use as a school, or that the school building or any part thereof is no longer safe for use as school, or is a dangerous building; or
- (b) that the registration of such school was obtained by reason of any false or misleading particular or particulars contained in the application for its registration; or
- (c) that an offence against this Ordinance has subsequent to the registration thereof been committed by any manager of, or teacher in, such school in relation to the management or teaching therein; or
- (d) that there is no supervisor of such school or that the supervisor appointed by the managers of such school is not a fit or proper or responsible person.

(2) No school shall be struck off the register under this section unless notice in writing of the intention of the Registrar to strike such school off the register and giving particulars of the grounds on which it is proposed to strike off such school and calling upon the managers to show cause within a period of not less than fourteen days specified in such notice why such school should not be struck off has been served upon the supervisor of such school.

(3) Any manager desiring to show cause why a school should not be struck off may deliver to the Registrar within the time specified in such notice a written statement in the Malay or English language of the grounds on which he relies, and the Registrar, unless, after considering such statement, he is of opinion that such school should not be struck off the register, shall submit forthwith such statement to the Ruler in Council or the High Commissioner in Nominated Council, as the case may be.

(4) When a school has been struck off the register under this section the Registrar shall forthwith serve notice of such striking off upon the supervisor of such school who shall immediately after the service of such notice surrender to the Registrar the certificate of registration issued to such supervisor under section 45 in respect of such school.

(5) Any supervisor failing to surrender the certificate in contravention of the provisions of the foregoing sub-section shall be guilty of an offence against this Ordinance.

Defunct
schools.

64. (1) If the Registrar has reason to believe that any school registered in his State or Settlement has ceased to exist, he may serve on the supervisor of such school, or where such a course is in his opinion impracticable, publish in the *Gazette*, a notice calling upon the registered managers of such school to furnish him with proof of its existence within one month from the date of such notice.

(2) If at the expiration of one month the Registrar is satisfied that the school has ceased to exist, he shall cause a notification to that effect to be published in the *Gazette*, and the school shall be deemed to have ceased to exist from the date of such publication, and the Registrar shall thereupon strike the school and the managers and teachers thereof off the register.

Teachers
struck off
the register
to surrender
certificates
of registra-
tion.

65. (1) When a teacher has been struck off the register under the provisions of this Ordinance, such teacher shall, where there is no right of appeal against such striking off, immediately upon receipt of notice thereof, or, where there is a right of appeal, immediately upon the expiration of the time limited for such appeal where he has not exercised that right and, in any other case, immediately upon receiving notice that his appeal has been rejected, surrender to the Registrar his certificate of registration as a teacher issued to him under the provisions of section 50.

(2) Any teacher failing to surrender his certificate in contravention of the provisions of sub-section (1) shall be guilty of an offence against this Ordinance.

Appeal.

Appeal.

66. Where any appeal to a Ruler in Council or to the High Commissioner in Nominated Council is brought under this Part—

- (a) the grounds of appeal shall be concisely stated in writing in the Malay or English language and shall be delivered to the Clerk of the State or Settlement Council, as the case may be, who shall, in turn, give the appellant seven clear days' notice of the hearing of the appeal:

- (b) unless otherwise provided, the appellant may, if he so desires, be present at the hearing of the appeal and be heard in support thereof either in person or by advocate;
- (c) unless otherwise provided, the Registrar may, if he so desires, be present at the hearing of the appeal and may be heard in support thereof either in person or by the Attorney-General, Solicitor-General or a Federal Counsel;
- (d) the decision of the Ruler in Council or of the High Commissioner in Nominated Council, as the case may be, upon any appeal shall be final;
- (e) no costs shall in any case be awarded either against or in favour of the Registrar or of the Government.

67. (1) Where under section 44 the Registrar has refused to register a school and the time for appealing against such refusal has expired, or where any appeal against such refusal has been rejected, or where any school is struck off the register under section 61 or 63 the Registrar may, at the expiration of such time or upon the rejection of such appeal or upon the striking off such school, as the case may be, serve or cause to be served personally on the owner and the occupier of the premises referred to in such application or on which such school, so struck off, was carried on, a notice of the refusal of such application or of the striking off of such school.

Owner and occupier of premises on which a school struck off the register, etc., was carried on to take all lawful steps to prevent such premises continuing to be used for such school.

(2) Upon receipt of such notice, it shall be the duty of the owner and the occupier of the premises to take such steps within his power as may be lawful and necessary to prevent such premises being used as such school.

(3) Any owner and any occupier failing or neglecting to take any such steps, in contravention of the provisions of sub-section (2), shall be guilty of an offence and shall be liable to a fine of five hundred dollars and to a further fine of fifty dollars for each day on which such premises were to his knowledge used as such school after such notice had been served upon him.

Penalties. 68. Any person who—

- (a) in making any application under this Ordinance for the registration of a school or for registration as a manager or teacher, makes any false statement which he knows to be false or does not believe to be true or, by the intentional suppression of any material fact, furnishes any information which is misleading; or
- (b) Commits an offence under sub-section (3) of section 57 or sub-section (2) of section 58; or
- (c) acts as the manager of or teacher in any school after such school has become an unlawful school as a result of a declaration made under sub-section (3) of section 60; or
- (d) acts as the manager of or teacher in any school, as the case may be, at any time after he has received notice that his application for registration as such manager or teacher has been refused or that he has been struck off the register of such school in accordance with sub-section (3) of section 52 or section 55 or 61 and, if he shall not have appealed, after the time for appealing against such refusal or striking off has expired or, if he shall have appealed, after his appeal is rejected; or
- (e) acts as the manager of or teacher in any unregistered school which is used for the purpose of political propaganda detrimental to the interests of the Federation or of the public,

shall be liable to a fine of one thousand dollars or to imprisonment for a term of one year or to both such fine and imprisonment.

Power of
High Com-
missioner
to amend
forms.

69. The High Commissioner in Council may, from time to time, cancel, vary or add to any of the forms contained in the Fourth Schedule.

PART V
RELIGIOUS INSTRUCTION.

70. (1) Subject as hereinafter provided, instruction in the religion of the parent of each pupil in a Government school or in a conforming school shall be given to that pupil in such school or in convenient proximity thereto, as part of his course of studies in the school, by a person who is an adherent of that religion and who has been duly authorised under section 86:

Religious
instruction.

Provided however that —

- (a) instruction in a particular religion need not be given where there are less than fifteen pupils whose parents are of that religion, and,
 - (b) subject to the provisions of any other written law, attendance of a pupil at any instruction in, or any worship or observance connected with, the religion of his parent shall not be enforced if the parent has voluntarily made a written request to the principal of the school to exempt the pupil from such attendance.
- (2) Unless so requested in writing by a parent of a pupil or if both parents are dead; the person having the legal or actual control of the pupil, the principal or any person for the time being in charge of a Government or a conforming school shall not permit such pupil of the school to attend in the school or in any hostel of the school or in any place of worship situated within the premises of the school, any instruction in, or any worship or observance connected with, a religion which is not the religion of the parent of the pupil, as determined in accordance with the provisions of sub-section (8).
- (3) The time for any instruction in, or for any worship or observance connected with, any religion at a Government or conforming school shall be at the beginning or at the end or at the beginning and the end of the school day, and shall be specified in a time table approved by the Director and kept permanently and conspicuously affixed in every classroom of the school.
- (4) Religious instruction in more than one religion need not be given in a conforming school, provided that the principal or any person for the time being in charge of the school shall ensure that, subject to the provisions

of paragraph (b) of sub-section (1), every pupil in the school shall be free to go elsewhere for religious instruction in the religion of the parent of such pupil at the time set aside for religious instruction in accordance with the provisions of the foregoing sub-section.

(5) A pupil who is not permitted in pursuance of paragraph (b) of sub-section (1), to attend at religious instruction shall, unless his parent otherwise requires, be given moral instruction during the periods in which such pupil would otherwise have attended at religious instruction.

(6) Religious or moral instruction shall be given to such pupils through the medium of Malay, Kuo Yu or Tamil if the parents of fifteen or more of such pupils require it to be given in any one of such languages.

(7) The parent of any pupil in a Government school or a conforming school, who is not receiving religious instruction or moral instruction at such school in pursuance of the foregoing sub-section, shall take such steps as are reasonably possible to ensure that such pupil receives religious instruction elsewhere and any parent who without reasonable excuse fails to do so shall be guilty of an offence against this Ordinance.

(8) For the purposes of this section —

- (a) the definition of "parent" in sub-section (1) of section 2 shall not apply, and
- (b) the religion of the parent of a pupil shall be determined in accordance with the following provisions:
 - (i) Where the father of the pupil, being of sound mind, makes a declaration of his religion, that religion shall be deemed to be the religion of the parent of the pupil;
 - (ii) Where, in the absence of any declaration referred to in the preceding paragraph, the mother of the pupil, being of sound mind, makes a declaration of her religion, that religion shall be deemed to be the religion of the parent of the pupil.
 - (iii) in any case other than those referred to in paragraphs (i) and (ii), and except in

the case of a child of Muslim parents, the religion which any person having legal or actual control of the pupil declares to be the pupil's religion shall be deemed to be the religion of the parent of the pupil.

PART VI COMPULSORY ATTENDANCE.

71. For the purposes of this Part the expression "compulsory school age" means any age between six years 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:

Compulsory
school age.

Provided that the High Commissioner in Council may by order alter the limits of the compulsory school age, directing in such order that the foregoing provisions of this section shall have effect as if for references therein to the age of six or twelve years there were substituted references to such ages or the completion of such school periods or courses as he deems appropriate, and such order may provide different limits for different persons or classes of persons.

72. (1) 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, abilities, and circumstances, either by regular attendance at a national school selected by the parent or otherwise by the provision of such alternative efficient full-time education as the High Commissioner in Council shall by regulations prescribe.

Duty of
parents to
secure the
education
of their
children.

(2) Where, in compliance with any of the provisions of this part, the parent of a child causes such child to attend a national school the right of the parent to select such a school shall be confined to a national school which serves the area in which such child resides:

Provided that, upon application being made to him and on being satisfied that there are special religious or other reasons for so doing, the prescribed officer may authorise the parent to select a national school serving an area other than that in which such child resides.

(3) If the prescribed officer is of the opinion that national school selected by the parent under either of the foregoing sub-sections is unsuitable to the age, abilities and circumstances of the child of such parent, or that the attendance of the child at the school so selected would involve unreasonable expense to the Government of the State or Settlement concerned, the prescribed officer may direct such parent to cause the child to attend a school selected by the prescribed officer, other than a private school.

(4) Notwithstanding anything herein contained no parent of a child of compulsory school age shall be obliged to cause him to receive full-time education, if such child has, to the satisfaction of the prescribed officer, completed the normal course of instruction prescribed for children of compulsory school age:

(5) Where in pursuance of the obligations imposed by this Ordinance a child has entered a primary class in a school after his sixth birthday he shall continue to attend school for a period of six years from the date on which he entered the primary class or until he has completed the primary school course:

Provided that if the prescribed officer certifies that a child is unable to make normal progress within the period of compulsory school age there shall be no obligation to send the child to school from the date of such certificate.

(6) For the purpose of this Ordinance the area served by a national, conforming or special agreement school shall be such area as the State or Settlement Government concerned may by order, on the advice of the Member, prescribe.

73. (1) If it appears to the prescribed officer that the parent of any child of compulsory school age is failing to perform the duty imposed on him by the last foregoing section, it shall be the duty of the prescribed officer to serve upon the parent a notice requiring him, within such time as may be specified in the notice, not being less than fourteen days from the service thereof, to satisfy the prescribed officer that the child is receiving efficient full-time education suitable to his age, abilities and circumstances either by regular attendance at a national school or otherwise.

(2) If, after such a notice has been served upon a parent by the prescribed officer, the parent fails to satisfy him in accordance with the requirements of the

notice that the child to whom the notice relates is receiving efficient full-time education suitable to his age, abilities and circumstances, then, if in the opinion of the prescribed officer it is expedient that he should attend school, he shall serve upon the parent an order in the prescribed form (hereinafter referred to as a "school attendance order") requiring him to cause the child to receive efficient full-time education suitable to his age as a registered pupil at a school named in the order other than a private school:

Provided that before serving such an order upon a parent the prescribed officer shall, when practicable, afford him an opportunity of selecting the school to be named in the order, and if a school is selected by him, that school shall, unless the prescribed officer otherwise directs, be the school named in the order.

(3) If the prescribed officer is of the opinion that the school selected by the parent as the school to be named in a school attendance order is unsuitable to the age, abilities and circumstances of the child with respect to whom the order is to be made, or that the attendance of the child at the school so selected would involve unreasonable expense the prescribed officer may, after giving to the parent notice of his intention to do so, determine what school is to be named in the order.

(4) If at any time while a school attendance order is in force with respect to any child the parent of the child makes application to the prescribed officer requesting that another school be substituted for that named in the order, or requesting that the order be revoked on the ground that arrangements have been made for the child to receive efficient full-time education suitable to his age, abilities and circumstances at a private school or otherwise than at school, the prescribed officer shall amend or revoke the order in accordance with the request unless he is of the opinion that the proposed change of school is unreasonable or inexpedient in the interests of the child, or that no satisfactory arrangements have been made for the education of the child otherwise than at school, as the case may be.

(5) If any person upon whom a school attendance order is served fails to comply with the requirements of the order, he shall be guilty of an offence against this Ordinance unless he proves that he is causing the child to

receive efficient full-time education suitable to his age, abilities and circumstances at a private school or otherwise than at school.

(6) If in proceedings against any person for a failure to comply with a school attendance order that person is acquitted, the Court may direct that the school attendance order shall cease to be in force, but without prejudice to the duty of the prescribed officer to take further action under this section if at any time he is of the opinion that having regard to any change of circumstances it is expedient so to do.

(7) Except as provided by the last foregoing subsection, a school attendance order made with respect to any child shall, subject to any amendment thereof which may be made by the prescribed officer, continue in force so long as the child is of compulsory school age unless revoked by the prescribed officer.

Duty of
parents to
secure regular
attendance
of pupils.

74 (1) If any child of compulsory school age who is a pupil at a school fails to attend regularly thereat, the parent of the child shall be guilty of an offence against this Ordinance.

(2) In any proceedings for an offence against this section in respect of a child who is not a boarder at the school at which he is a pupil, the child shall not be deemed to have failed to attend regularly at the school by reason of his absence therefrom with leave or —

- (a) at any time when he was prevented from attending by reason of sickness or any unavoidable cause; or
- (b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs; or
- (c) if the parent proves that the school at which the child is a pupil is not within walking distance of the child's home and that the parent is unable to arrange for the transport of the child to and from the school, and that no suitable arrangements have been made by the Member either for his transport to and from the school or for boarding accommodation for him at or near the school or for enabling him to become a pupil at a school nearer to his home.

(3) Where in any proceedings for an offence against this section it is proved that the child has no fixed abode, paragraph (c) of the last foregoing sub-section shall not apply, but if the parent proves that he is engaged in any trade or business of such a nature as to require him to travel from place to place and that the child has attended at a school at which he was a pupil as regularly as the nature of the trade or business of the parent permits, the parent shall be acquitted:

Provided that, in the case of a child who has attained the age of seven years, the parent shall not be entitled to be acquitted under this sub-section unless he proves that the child has made at least one hundred and twenty attendances during the period of twelve months ending with the date on which the proceedings were instituted.

(4) In any proceedings for an offence against this section in respect of a child who is a boarder at the school at which he is a pupil, the child shall be deemed to have failed to attend regularly at the school if he is absent therefrom without leave during any part of the school term at a time when he was not prevented from being present by reason of sickness or any unavoidable cause.

(5) In this section the expression "leave" in relation to any school means leave granted by the appropriate officer in a Government school and in a non-Government school by any person authorised in that behalf by the managers of the school, and the expression "walking distance" means two miles measured by the nearest available route.

75. (1) Subject to the provisions of this section any person who commits an offence against section 72 or section 73 shall be liable in the case of a first offence against that section to a fine of fifty dollars, in the case of a second offence against that section to a fine of one hundred dollars and in the case of a third or subsequent offence against that section to a fine of three hundred dollars or to imprisonment for one month or to both such fine and imprisonment.

Enforcement
of school
attendance.

(2) Subject to the provisions of any written law it shall be the duty of the prescribed officer to cause proceedings to be instituted for such offences as aforesaid wherever, in his opinion, the institution of such proceedings is necessary for the purpose of enforcing the duty

imposed upon a parent by this Ordinance to cause his child to receive efficient full-time education suitable to his age, abilities and circumstances.

(3) Where the court before which a prosecution is brought for an offence against the last foregoing section is satisfied that the child in respect of whom the offence is alleged to have been committed has failed to attend regularly at the school at which he is a registered pupil, then, whether or not the parent is convicted, the Court may direct that the child be brought before a juvenile court by the prosecuting authority, and the juvenile court may, if it is satisfied that it is necessary so to do for the purpose of securing the regular attendance of the child at school, make an order which such a court has power to make under section 36 of the Juvenile Courts Ordinance, 1947, in the case of children and young persons in need of care or protection who are brought before it under that section.

(4) Where proceedings have been instituted for an offence against the last foregoing section alleged to have been committed in respect of any child and it appears to the officer by whom the proceedings were instituted that there is reasonable cause to believe that the punishment of the parent would not be sufficient for the purpose of securing the regular attendance of the child at school, it shall be his duty to apply to the court for a direction under the last foregoing sub-section; and where application is so made, such a direction shall be given unless the court is satisfied that no such direction is necessary for the purpose aforesaid.

PART VII. INSPECTION OF EDUCATIONAL ESTABLISHMENTS.

Inspection
of educa-
tional
estab-
lish-
ments.

76. (1) In this Part the expression "educational establishment" means a Government, conforming or special agreement school or college and if the persons responsible for the management of any institution which is not an educational establishment within the foregoing definition request the Member to cause an inspection of that institution to be made under the powers conferred by this section, the institution shall, for the purposes of that inspection, be deemed to be also included within that definition.

(2) For the purpose of ensuring that adequate educational standards are maintained it shall be the duty of the Member to cause inspections to be made of every educational establishment at such intervals as appear to him to be appropriate, and to cause a special inspection of any such establishment to be made whenever he considers such an inspection to be desirable; and for the purpose of enabling such inspection to be made inspectors may be appointed by the High Commissioner on the recommendation of the Member, and persons may be authorised by the High Commissioner to assist such inspectors and to act as additional inspectors:

Provided that the Member shall not be required by virtue of this sub-section to cause inspections to be made of any educational establishment during any period in respect of which he is satisfied that suitable arrangements are in force for the inspection of that establishment otherwise than in accordance with this sub-section.

(3) The Ruler in Council of any State and the High Commissioner in Nominated Council in respect of any Settlement may appoint such persons as they may think fit to be Inspectors of Schools, Assistant Inspectors of Schools and Medical Officers for Schools for the purposes of this Ordinance in such State or Settlement, as the case may be.

(4) No person shall obstruct any person authorised to make an inspection in pursuance of the provisions of this section in the execution of his duty.

(5) The religious instruction given in any Government school shall not be subject to inspection except by an inspector or an additional inspector appointed by the High Commissioner under sub-section (2) or by an Inspector or Assistant Inspector appointed by the State or Settlement Government concerned under sub-section (3).

(6) The religious instruction given in a non-Government school shall not be subject to inspection under the foregoing sub-sections but may be inspected under arrangements made for that purpose by the managers of the school.

PART VIII.
PROVISION OF SERVICES.

Medical
inspection
and treat-
ment of
pupils.

77. (1) It shall be the duty of the Member in so far as it is reasonably practicable so to do, to provide for the medical inspection, at appropriate intervals, of pupils in attendance at any school.

(2) For the purpose of securing the proper medical inspection of the pupils in attendance at any school, any officer of the Department authorised in that behalf by the Director may require the parent of any pupil in attendance at any such school to submit the pupil for medical inspection in accordance with arrangements made by the Member; and any person who fails without reasonable excuse to comply with any such requirement shall be liable to a fine of one hundred dollars.

(3) It shall be the duty of the Member to make such arrangements for securing the provision of free medical treatment for pupils in attendance at any school as are necessary and reasonably practicable for ensuring that comprehensive facilities for such free medical treatment are available to them either under this Ordinance or otherwise.

(4) It shall be the duty of the Member to make arrangements for encouraging and assisting pupils to take advantage of such facilities as aforesaid:

Provided that if the parent of any pupil gives to the Member notice that he objects to the pupil availing himself of any medical treatment provided under this section the pupil shall not be encouraged or assisted so to do.

(5) The Member may give directions to the managers of any school requiring them to provide such reasonable facilities as may be specified in the directions for the purpose of enabling the Member to carry out his functions under this section so, however, that the managers of a school shall not be required by any such directions to incur direct expenditure.

Provision of
meals.

78. The Member shall make such arrangements as are reasonably practicable to provide, in necessitous cases, meals and other refreshment for pupils in attendance at Government and conforming schools; and the High Commissioner in Council may make regulations as to the manner in which and the persons by whom the expense of

providing such meals or refreshment is to be defrayed, as to the facilities to be afforded (including any buildings or equipment to be provided) and as to the services to be rendered by managers and teachers with respect to the provision of such meals or refreshments and as to such other consequential matters as the Member considers expedient, so, however, that such regulations shall not impose upon teachers at any school duties upon days on which the school is not open for instruction, or duties in respect of meals other than the supervision of pupils, and shall not require the managers of a conforming school to incur direct expenditure.

79. (1) Where the appropriate authority is satisfied with respect to any child that primary or secondary education suitable to his age, abilities and circumstances can best be provided for him at any particular school, or is satisfied with respect to any youth that further education should in his case be provided by requiring his continuous attendance at a school but that such education cannot be so provided unless boarding accommodation is provided for him, the appropriate authority may, out of moneys voted for the purpose, provide such board and lodging for such child or youth under such arrangements as it deems fit.

Provision of
board and
lodging.

(2) In making any arrangements under this section for any child or youth, the appropriate authority shall, so far as practicable, give effect to the wishes of the parent of the child or to the wishes of the youth, as the case may be, with respect to the religious denomination of the person with whom he will reside.

80. Where it appears to the appropriate authority that a pupil at any Government or conforming school is unable by reason of the inadequacy of his clothing to take full advantage of the education provided at the school, the appropriate authority may, out of moneys voted for the purpose, provide him with such clothing as, in the opinion of the appropriate authority, is necessary for the purpose of ensuring that he is sufficiently clad while he remains a pupil at the school.

Provision of
clothing at
Government
or conform-
ing schools.

81. (1) Where the appropriate authority has, under the powers conferred by the foregoing provisions of this Ordinance, provided a pupil with board and lodging or with clothing, the appropriate authority shall require the parent to pay to it in respect thereof such sums, if any, as

Recovery
of cost of
boarding
accommoda-
tion and of
clothing.

in the opinion of the appropriate authority he is able without financial hardship to pay:

Provided that —

- (a) where the board and lodging provided for the pupil were so provided under arrangements made by the appropriate authority on the ground that in its opinion education suitable to his age, abilities and circumstances could not otherwise be provided by the appropriate authority for him, no sum shall be recoverable in respect thereof under this section; and
- (b) the appropriate authority, if satisfied that the pupil is in a financial position to pay the whole or any part of a sum recoverable from the parent under this section, may recover that sum or that part thereof from the pupil instead of from the parent.

(2) The sums recoverable under this section shall not exceed the cost to the appropriate authority of providing the board and lodging, or the cost of the clothing provided, as the case may be.

(3) Any sums payable by virtue of this section shall be deemed to be debts due to the appropriate authority and shall be recovered accordingly.

Provision of
transport
facilities.

82. The appropriate authority shall make such arrangements as it considers necessary and reasonably practicable for the provision of transport and otherwise for the purpose of facilitating the attendance of pupils at Government and conforming schools or at any course or class provided in pursuance of a scheme of further education in force for any area.

PART IX. TRAINING OF TEACHERS.

Function
of Member.

83. In so far as moneys voted or provided for the purpose permit, it shall be the duty of the Member to make such arrangements as are necessary and reasonably practicable for the training of teachers for schools and colleges in the Federation; and in the performance of such duty the Member may found and maintain or promote or participate in the foundation and maintenance of teacher training colleges and extend financial assistance thereto.

84. (1) The High Commissioner shall constitute one or more Boards of Studies to advise the Member upon such matters connected with the training of teachers as they think fit, and upon any questions referred to them by the Member.

Board of
Studies.

(2) Each Board of Studies shall consist of the Director, as chairman and such other persons as may be appointed by the High Commissioner in Council.

(3) The High Commissioner in Council shall, by regulations, make provision as to the term of office and conditions of retirement of the members of Boards of Studies and such regulations may provide for the meetings and procedure of such Boards but subject thereto the meetings and procedure thereof shall be such as may be determined by them.

Teachers of Religion.

85. It shall be the duty of the Member to provide, when in his opinion it is necessary and reasonably practicable, facilities for the training of teachers of religion in the art of instruction and methods of teaching.

Training
facilities
for teachers
of religion.

86. No person shall give religious instruction in any school unless the prescribed officer, after such consultation with the appropriate religious authorities as may be prescribed, certifies that such person is competent to give such instruction other than a person holding an authorisation to teach religion issued under any written law.

Teachers
of religion
must hold a
certificate of
competency.

PART X. SCHOLARSHIPS AND RESEARCH. *Scholarships.*

87. (1) For the purpose of enabling deserving pupils or groups of pupils to take advantage without undue hardship to themselves or their parents of any educational facilities available to them, the Governments may, from moneys voted for the purpose —

Scholarships
and assist-
ance to be
given to
deserving
pupils.

- (a) defray such expenses of children attending schools, as may be necessary to enable them to take part in any school activities;
- (b) pay the whole or any part of the fees and expenses payable in respect of children attending schools at which fees are payable;
- (c) grant scholarships, exhibitions, bursaries and other allowances to pupils.

Research.

Educational
research.

88. The Member may make such provision for conducting or assisting the conduct of research as appears to him to be desirable for the purpose of improving educational facilities.

PART XI. MISCELLANEOUS.

Delegation
of powers
to local
authorities.

89. The Member or State or Settlement Government may delegate to a lawfully constituted local authority, subject to such conditions or limitations (if any) as are considered expedient, all or any of the powers, duties or functions conferred or imposed on or vested in the Member or such Government by the provisions of this Ordinance.

Cancellation
of certifi-
cates.

90. (1) Except as hereinafter provided, a certificate granted under any provision of this Ordinance other than a provision of Part IV may at any time be cancelled and withdrawn by the authority which granted such certificate if it appears to such authority that compliance is no longer being made with the conditions or standards required for the grant of such certificate.

(2) No certificate cancelled under the foregoing sub-section shall be withdrawn until the authority which cancelled such certificate has served written notice of such cancellation upon the holder thereof.

(3) When the Director or the prescribed officer has cancelled a certificate granted to a conforming school under sub-section (1) of section 2 or a certificate granted to a religious teacher under section 86 respectively the holder of the certificate may within fourteen days of the service upon him of written notice of such cancellation present a petition appealing against such cancellation to the High Commissioner in Council who may at his discretion after consideration of such petition confirm or annul such cancellation subject to such terms and conditions, if any, as he may deem expedient.

(4) Upon the cancellation of a certificate under sub-section (1) the holder thereof shall, where there is no right of appeal against such cancellation, immediately after the service of notice thereof upon him, or where there is a right of appeal, immediately upon the expiration of the time limited for such appeal where he has not exercised that right and, in any other case, immediately

upon receiving notice that his appeal has been rejected, surrender his certificate to the authority which granted such certificate to the holder.

(5) Any holder of a certificate who fails to surrender such certificate in contravention of sub-section (4) shall be guilty of an offence against this Ordinance.

Service of Notices.

91. (1) Any notice, order or communication, required to be or which may be sent to or served on any manager or teacher of any school under this Ordinance, may be served by letter, addressed to such manager or teacher at his registered address or at the registered address of the school, as the Registrar may deem fit.

Service of
notices, etc.

(2) Any notice, order or communication, required to be or which may be sent to or served upon the supervisor of any school, may be served on the supervisor by letter addressed to such supervisor at his registered address or at the registered address of the school:

Provided that if such supervisor cannot be found or if no supervisor has been appointed, such notice, order or communication may be served upon or addressed to that teacher or manager who, in the opinion of the Registrar, is in charge of such school at such teacher or manager's registered address, or may be served by affixing such notice, order or communication upon a conspicuous part of the school premises, as the Registrar may deem fit.

(3) Any notice, order or communication required to be or which may be sent or served upon any person applying for registration of a school or as a manager or teacher may be served by letter addressed to such person at the address stated in his form of application.

(4) Any notice, order or communication required to be or which may be sent to or served upon any person other than the persons specified in the foregoing sub-section may be served by letter addressed to such person at his usual or last known place of residence.

Power of High Commissioner in Council to make Regulations.

92. (1) The High Commissioner in Council may make regulations either for the Federation generally, or for a defined area or areas specially, for the purpose of giving effect to the principles and provisions of this Ordinance:

Regulations.

Provided that no regulation shall be made under this section in pursuance of any policy discriminating against any particular school or type of school.

(2) In particular, and without prejudice to the generality of the powers conferred by the foregoing subsection, the High Commissioner in Council may make regulations for or in respect of all or any of the following matters:

- (a) the establishment, maintenance, continuance or discontinuance of special schools;
- (b) the admission to schools, the course and curricula of studies other than religious studies, and the books and apparatus to be used therein;
- (c) discipline in schools;
- (d) the prohibition of the use in any school or any specified class of school of any book the use of which appears undesirable;
- (e) the prohibition of the import or sale of any school text book the use of which in schools appears undesirable;
- (f) the prohibition of the use or delivery to any pupil by any correspondence school or the supply import or sale for use or delivery by any correspondence school of any book lesson instruction or other printed or written matter the use of which by a correspondence school appears undesirable;
- (g) the establishment, maintenance, continuance or discontinuance of teacher-training and university colleges and the conditions governing the admission of students thereto;
- (h) the payment of financial assistance to deserving pupils or groups of pupils and the award and tenure of scholarships, exhibitions and free places in schools;
- (i) technical, agricultural and commercial education;
- (j) the payment or remission of fees in respect of attendance at any school or class of school;

- (k) the duties of managers and the manner of their performance;
- (l) the hygienic character and proper sanitation of schools and buildings used as or in connection with schools;
- (m) the health and well-being of children attending schools, including the supply of free books to the children of poor parents attending such schools;
- (n) the medical inspection of pupils in schools and of school premises;
- (o) the control and supervision of subscriptions and collections on behalf of schools;
- (p) the duration of school terms, the days on which, and the hours during which children shall attend school, and the days which shall be observed as holidays by all schools or any specified school or class of schools;
- (q) the proper keeping of school registers and books of account at registered schools;
- (r) the education of adults;
- (s) the appointment, registration, grading, suspension and removal of teachers and the qualifications required of and the salaries to be paid to teachers;
- (t) the appointment of officers to secure the attendance at schools of children of compulsory school age and where necessary, for the payment of the salaries of such officers;
- (u) the power of such officers to demand and obtain information with regard to children of compulsory school age who are required to attend school under this Ordinance, and to require the production of such children before them for inspection;
- (v) the entry by such officers upon any premises and the search thereof for the purpose of gaining or verifying information with regard to any such children;

- (w) the determination of what shall be a suitable area of cleared land to be set aside by an employer under paragraph (c) of sub-section (1) of section 28;
- (x) the manner of apportionment between any two or more employers of the cost of school premises constructed or set aside by such employers in compliance with an order of the Member made under sub-section (2) of section 28;
- (y) all matters stated or required in this Ordinance to be prescribed;
- (z) provision for the infliction in the event of a contravention of any such regulation, or of any regulation made in pursuance of any power conferred elsewhere in this Ordinance, of the penalty of a fine not exceeding one thousand dollars or of imprisonment for a term not exceeding six months or both such fine and imprisonment; and in the case of a continuing offence, an additional fine not exceeding one hundred dollars per day.

Offences

93. Any person who commits an offence against this Ordinance for which no special penalty is provided shall be liable on conviction to a fine of one thousand dollars or to six months imprisonment or to both such fine and imprisonment.

Repeal

94. The Enactments and Ordinances specified in the Fifth Schedule are hereby repealed:

Provided that all appointments, rules, regulations and orders made, and all certificates granted under the provisions of any Enactment or Ordinance repealed by this Ordinance and in force at the commencement of this Ordinance shall continue in force and have effect as if they had been made or granted under this Ordinance until other provision shall be made under this Ordinance.

FIRST SCHEDULE.

(Section 18.)

CONFORMING SCHOOLS

(FINANCIAL ASSISTANCE) CONDITIONS.

1. These Conditions may be cited as the Conforming Schools (Financial Assistance) Conditions.

Citation.

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

Interpretation.

“approved experience” means experience approved by the Director of Education;

“area served by the school” means the area from time to time prescribed by order of the State or Settlement Government concerned on the advice of the Member in accordance with section 72 (6) to be the area served by the school;

“Government school” when mentioned in relation to a conforming school means a Government school of the same type as the conforming school;

“lay teacher” means a teacher other than a missionary teacher;

“missionary teacher”; means a teacher who is member of a religious order or a teacher engaged by a religious body for work which includes a missionary element;

“proprietor” means the proprietor or body of persons responsible for the management of a conforming school;

“similar school” means a school of the same type as the conforming school;

“the Ordinance” means the Education Ordinance, 1952.

3. Financial assistance shall be extended to a conforming school under the Ordinance only if the State or Settlement Government concerned is satisfied that such school complies with the provisions of the Ordinance and with the following conditions:

Conditions.

(i) the proprietor of the school shall have received and retained the approval of the Director of Education;

(ii) the proprietor of the school shall manage the school subject to such conditions and

requirements as are imposed by the provisions of the Ordinance for similar schools;

- (iii) the premises, site and equipment of the school shall have received and retained the approval of the Director of Education;
- (iv) the conditions for admission and dismissal of pupils shall be the same as those applicable to a Government school, except that in respect of admission to the primary classes of the school the proprietor may give preference with respect to admission to children of a particular religion or religious denomination residing within the area served by the school;
- (v) the curriculum in the school shall be equivalent to that in a Government school, except that the proprietor of the school may give or allow to be given on the school premises religious instruction of one particular kind only; provided that in such circumstances the proprietor shall allow children of other religions to go elsewhere for religious instruction;
- (vi) the language through the medium of which instruction is given in the school shall be the same as in a Government school and the language instruction available in the school shall be equivalent to the language instruction prescribed for similar schools by the provisions of the Ordinance;
- (vii) the hours and periods of instructions in the school and the school terms and holidays shall be the same as for a Government school save that religious obligatory holidays may be observed;
- (viii) every teacher employed in the school by the proprietor shall have received and retained the approval of the Director of Education and the salary and allowances paid to a lay teacher shall be the same as that paid to a Government teacher of equivalent qualification and approved experience;

- (ix) a missionary teacher may be employed in the school only with the approval of the Director of Education and shall be paid an allowance in accordance with the rates prescribed by the Chief Secretary and the Member;
- (x) every teacher employed in the school shall be eligible for leave on the same conditions as a teacher in a Government school.

SECOND SCHEDULE.

(Section 18.)

FINANCIAL ASSISTANCE RULES.

1. These Rules may be cited as the Schools Financial Assistance Rules. Citation.
2. In these Rules unless the context otherwise requires — Interpretation.

“approved revenue” means such part of the revenue of a school as shall be approved by the Director of Education;

“approved salaries” means the emoluments, including salaries and allowances which may from time to time be approved by the Chief Secretary and the Member for the various categories of school staff;

“staff” includes such clerks, gardeners, and other subordinate staff as may be approved by the Director of Education;

“the Ordinance” means the Education Ordinance, 1952.

RATES OF FINANCIAL ASSISTANCE.

3. The financial assistance to be extended to conforming and special agreement schools under section 18 of the Ordinance shall consist of one or both of the following types of payment: Types of financial assistance.
 - (a) an annual grant payable by monthly instalments amounting to the difference between the total of the approved salaries of the school staff and the approved revenue of the school;
 - (b) a monthly capitation allowance at rates to be determined by the Member and published

in the *Gazette* and calculated according to the number of pupils enrolled in the school or according to such particular number thereof as the Member may from time to time determine.

Absent pupils.

4. No such capitation allowance shall be payable in any one month in respect of any free pupil who has been absent from the school during the whole of the preceding month unless the education officer prescribed for the purpose by the Director is satisfied that such absence was due to sickness or some other reasonable cause.

Financial assistance to be extended to conforming and special agreement schools.

5. Subject to the provisions of section 18 of the Ordinance there shall be extended:

- (a) to a conforming national school or a conforming English secondary school the financial assistance specified in paragraphs (a) and (b) of Rule 3;
- (b) to a conforming vernacular school the financial assistance specified in paragraph (a) of Rule 3; and
- (c) to a special agreement school the financial assistance specified in paragraph (b) of Rule 3.

THIRD SCHEDULE.

(Section 18.)

FINANCIAL ASSISTANCE (CAPITAL GRANTS) RULES.

Citation

1. These Rules may be cited as the Schools Financial Assistance (Capital Grants) Rules.

Interpretation

2. For the purposes of these Rules "improvements" means such improvements in equipment or in the premises and buildings of a conforming school or such other improvements generally as the Director may from time to time approve.

Capital grants in respect of improvements, etc.

3. Financial assistance may, subject to the provisions of section 18 of the Education Ordinance, 1952, be extended in the form of a capital grant to a conforming school where such a school incurs a substantial capital outlay in respect of improvements or in respect of new school buildings or structural repairs, extensions to, or replacement of existing school buildings and the managers of such a school apply in writing to the State or

Settlement Government concerned for such financial assistance.

4. Upon the making of any such application the applicant may be required to furnish such particulars relating to the application as the State or Settlement Government concerned may consider expedient.

Particulars
relevant to
application.

5. No application for a capital grant under Rule 3 shall be considered unless:

Conditions
precedent to
application.

- (a) in the opinion of the State or Settlement Government concerned the moneys required by the applicant cannot reasonably be expected to be provided from other sources;
- (b) the buildings concerned stand or are to be erected on land held under a title that restricts its user to educational purposes for such period as may be prescribed by the State or Settlement Government concerned;
- (c) the proposed improvements, buildings, repairs, or extensions to existing buildings conform with the requirements which the Member may lay down from time to time for educational buildings and equipment;
- (d) where the application relates to a proposed new school building or an extension of an existing school building, such building or extension conforms with a scheme of educational development approved by the Member; and
- (e) the applicant furnishes full particulars of the funds already at the disposal of the school for the purpose under consideration.

6. The making of any grant under these Rules and the amount of such grant shall be in the absolute discretion of the State or Settlement Government concerned acting after consultation with the Member.

Approval of
the Member.

FOURTH SCHEDULE.
THE EDUCATION ORDINANCE, 1952.
(Section 42.)

FORM A.
APPLICATION FOR REGISTRATION OF SCHOOL.

.....19.....

To the Registrar of Schools,
Education Office,
State/Settlement of.....

Sir,

I herewith submit particulars as under of a school which it is proposed to open atand request you to issue a certificate of registration of the same under the Education Ordinance, 1952.

I enclose applications from the following persons to be registered as managers of or teachers in such school :

- (1)as manager
(2)
(3)as teacher.

The following has been appointed Supervisor.....
I enclose a copy of his appointment in writing.

I am, Sir,
Yours faithfully,

.....
(for Managers.)

1. Name and address of school
2. Whether for boys, girls or both
3. The dimensions of each class room
4. The syllabus of each class or standard
5. The weekly time-table of each class or standard
6. The times of roll-call
7. The regular holidays
8. The name, age, qualifications, experience and salary of each teacher
9. The names and addresses of and office held by each manager.....
10. The fees and any remissions or reductions therefrom
11. Any other sources of revenue—
 - (a) from invested funds or landed property
 - (b) from public subscriptions
 - (c) from private subscriptions
12. The rent of the school premises
13. Any debt or charge on the school

THE EDUCATION ORDINANCE, 1952.

(Section 45.)

FORM B.

CERTIFICATE OF REGISTRATION OF SCHOOL.

This is to certify that the..... school has been registered under the Education Ordinance, 1952.

Name of Supervisor.....

.....
Registrar of Schools.

State/Settlement of.....
.....19.....

THE EDUCATION ORDINANCE, 1952.

[Section 48 (1).]

FORM C.

APPLICATION FOR REGISTRATION AS A MANAGER.

To the Registrar of Schools,

State/Settlement of.....

Sir,

I herewith submit particulars of myself as under and request you to register me as a manager of the..... school, at.....

My private address is

1. Full name

2. Age

3. Place of birth

4. No. of Identity Card

5. Office held or proposed to be held in the school

6. { I have not previously been registered as a manager of a school

{ I have been previously registered as a manager at the following schools

Name and address of School.

Office held

.....

.....

7. I $\frac{\text{have}}{\text{have not}}$ { previously applied for registration as manager of a school.

Particulars of previous application.

Signed.....

Date.....

THE EDUCATION ORDINANCE, 1952.

[Section 48 (2).]

FORM D.

APPLICATION FOR REGISTRATION AS A TEACHER.

To the Registrar/Assistant Registrar of Schools,
Education Office,
State/Settlement.....

1. Full name in English:
2. Full name in Chinese (if applicable):
3. Alternative name or names (all names must be stated):
English: Chinese (if applicable):
4. Present home address:
5. Date of birth: 6. Natal Dialect:
7. Birth place. Country: Province:
District: Town/Village:
8. If not born in Malaya, state year of entry into the country:
9. If applicant has left Malaya at any time, complete the following:

Date of Leaving Malaya.	Country or countries visited.	Date of return to Malaya.

10. Identity Card details No.: Date of issue:
Place of issue:
11. If you are a Federal Citizen, state Certificate No.:
Date of issue:
12. Details of Education. (Attach Original Certificate, if any):

Name and address of school, college, etc.	Date of Entry.	Date of leaving.	Qualifications.
(1)			
(2)			
(3)			
(4)			
(5)			

13. *Details of previous and present employment:*

Name and address of employer.	Date of starting.	Date of finishing.	Nature of employment.
(1)			
(2)			
(3)			
(4)			
(5)			

14. subjects taught by applicant:

15. Any other subjects the applicant proposes to teach:

16. Referees: (Two persons must be named who are resident in Malaya and have known the applicant for the past 5 years or for substantially the whole period that the applicant has been resident in Malaya if that period is less than 5 years.)

Name and address of referee.	Occupation.
(1)	
(2)	

17. *Details of First Registration as a Teacher in Malaya or Singapore.*

Date:

Place:

NOTE.—Penalties are imposed by the Ordinance upon persons who give false information in this application and applicants are reminded of section 55 (1) (e) of the Ordinance which reads, "If any registered manager or teacher shall have obtained his registration as manager or teacher by reason of any false or misleading particulars contained in his application for registration, the Registrar with whom such manager or teacher is registered may strike such manager or teacher off the register."

Date:

(Signature of Applicant.)

To be completed by Manager of school at which applicant is now employed.

Date:

School Seal:

(Signature of Manager.)

To be completed by State/Settlement Office.

Remarks and Recommendations:

Date:

(Signature of Registrar/Assistant Registrar.)

To be completed by Federal Headquarters.

Result of application:

HQ Index No. Noted:

Applicant Advised:

Application form returned to Registrar:

THE EDUCATION ORDINANCE, 1952.

(Section 50.)

FORM E.

CERTIFICATE OF REGISTRATION OF TEACHER.

This is to certify that

(Name of English)

(Name of Chinese) (if applicable)

Age.....

Born at.....

No. of Identity Card.....

has been registered as a teacher under the Education Ordinance, 1952,
for the school shown hereunder.

.....
Registrar of Schools.

State/Settlement of.....

.....19.....

Qualifications:

Date.	Name of School for which registered.	Address of Teacher	Correspondence No.	Initials of Registrar.

FIFTH SCHEDULE.

(Section 94.)

REPEAL.

Enactment or Ordinance.

Short Title.

F.M.S. Cap. 161... ..

The School Attendance Enactment.

S.S. Cap. 135... ..

The School Attendance Ordinance.

Johore Enactment No. 25 ...

The School Attendance Enactment.

Kelantan Enactment No. 8 of 1922

The School Attendance Enactment,
1922.

Kedah Enactment No. 107 ...

Enactment No. 107 (School
Attendance).

Trengganu Enactment No. 2
of 1342

The School Attendance (Muham-
madan Children) Enactment.

Perlis Enactment No. 2 of 1335

The School Attendance Enactment,
1335.

F. of M. No. 7 of 1950

The Registration of Schools Ordinance,
1950.

Passed in the Legislative Council on the twenty-first day of
November, 1952.

RAJA AYOUB,
Clerk of Council.

FEDERATION OF MALAYA.

No. 2 of 1957.

• THE EDUCATION ORDINANCE, 1957

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

T.ALAM SHAH,

(IN JAWI)

Sultan of Selangor

D.C.MACGILLIVRAY,
High Commissioner,

14th April, 1957.

RAJA YUSSUF
Sultan of Perak

10th April, 1957

• Ordinan ini telah dimansuhkan oleh Education Act, 1961 - No.43 tahun 1961.
Lihat muka surat 264

FEDERATION OF MALAYA

No. 2 OF 1957

THE EDUCATION ORDINANCE, 1957

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An Ordinance to revise the law relating to education.

[]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Short title
and com-
mencement.

- * 1. This Ordinance may be cited as the Education Ordinance, 1957, and shall come into force on such date (hereinafter called "the appointed date") as the High Commissioner may by notification in the *Gazette* appoint:

Provided that the High Commissioner may by notification in the *Gazette* prescribe different dates (hereinafter called "prescribed dates") for different provisions of this Ordinance and for different areas or localities of the Federation and for the purposes of any such provisions, area or locality any reference in any provisions of this Ordinance to the appointed date shall be construed as a reference to the prescribed date.

Interpreta-
tion.

2. In this Ordinance unless the context otherwise requires—

"age" where used with respect to a child means the age attained by such child on the first day of January in the year in question;

"appropriate authority" means in respect of primary and trade school education other than that provided in special schools, the local education authority; and in respect of education not within the responsibility of any local education authority, the Minister;

"approved fees" means fees approved by the High Commissioner in Council;

"approved staff" means teachers, employees and other persons employed with the approval of the Minister at rates of salaries and allowances as prescribed or approved by the Minister;

* Ordinance ini telah dimansuhkan oleh Education Act, 1961 - No. 43 tahun 1961. Lihat muka surat 264

"assisted school" and "assisted educational institution" mean respectively a school and educational institution in receipt of grant-in-aid and such a school or educational institution is said to be "maintained";

"capital grant" means a payment from public funds to an educational institution for the provision of land or buildings or for the alteration to or extension of existing premises or for the provision of furniture or equipment;

"Chief Adviser" means the Chief Education Adviser appointed under the provisions of section 10;

"Chief Education Officer" means a Chief Education Officer appointed under the provisions of sub-section (1) of section 17;

"Chief Inspector" means the Chief Inspector of Schools appointed under the provisions of sub-section (1) of section 92;

"child" means a pupil attending or eligible to attend a primary school, a trade school or a secondary school;

"Chinese language" means the Chinese language in the form of Kuo Yu;

"correspondence school" means an educational institution or business in which instruction or teaching is given by means of correspondence delivered by hand or through the postal services;

"Council" means the National Joint Council for Teachers established under the provisions of section 98;

"development plan" has the meaning assigned to it in section 27;

"educational institution" means any institution or organisation established to promote education or administer schools and includes a school;

"employee" means a person other than a manager or a governor or a teacher employed or actively taking part in work connected with the running or the administration of a school but does not include a domestic servant or a person engaged in the repair, maintenance or upkeep of premises;

"existing school" means a school in existence on the day immediately preceding the appointed date;

"further education" means education for persons beyond the ages prescribed for admission to or retention in primary or secondary schools and a "centre of further education" means a school where such education is provided;

"governor" means any person who actively takes part in the administration of the revenues or property or in the management of a school other than a primary or trade school;

"grant-in-aid" means any payment from public funds other than a capital grant made to an educational institution;

"higher education" means education suitable to the requirements of those who have completed their primary and secondary education;

"instrument of government" means a document as specified in section 43;

"instrument of management" means a document as specified in section 43;

"local education authority" means an authority established under the provisions of section 13;

"manager" means a person who actively takes part in the administration of the revenues or property or in the management of a primary school or trade school;

"medical" includes dental;

"Minister" means the Minister charged with the responsibility for education;

"Ministry" means the department of the government established under the provisions of section 10;

"National language" means the Malay language;

"National type secondary school" means a secondary school providing a five-year course of secondary education in which the National language, the English language, the Chinese language or the Tamil language or any two of such languages are used as the medium of instruction and in which the National language and the English language are compulsory subjects of instruction when such languages are not used as a medium of instruction;

Provided that where pupils pass from a primary school using one language medium to a secondary school using another language medium it shall be permissible for the secondary school to provide for such pupils a transitional class for a year before the commencement of the secondary school course;

"officer of the Ministry" means an officer appointed under the provisions of section 10 or sub-section (1) of section 17;

"parent" includes a guardian and any person who has the legal or actual control of a child;

"primary school" means a school providing for children of all races a six-year course of primary education appropriate for children between the ages of six and thirteen years;

"pupil" where used without qualification means a person of any age for whom education is provided under this Ordinance;

"Registrar" means in relation to any school the Registrar of Schools appointed under the provisions of sub-section (2) of section 57 in respect of the State or Settlement in which the school is situate and includes the Registrar-General of Schools and the Deputy Registrar-General of Schools appointed under the provisions of sub-section (1) of section 57;

"school" means a place where ten or more persons are being or are habitually taught whether in one or more classes or, in the case of a correspondence school, the place or places where instruction is prepared or where answers are examined or corrected but does not include any place where the teaching is of a purely religious character or for a purely religious purpose;

Provided that where a school under one management provides primary, trade school, secondary and further education or any two or more of such classes of education it shall, unless the Registrar by writing under his hand shall otherwise declare, be deemed to be a separate school in respect of each such class of education and the school and the managers or governors thereof shall be separately registered under this Ordinance; and

Provided that, where teaching is carried on in a place or part of a place under more than one separate management under different names, such place shall be deemed

to be for the purposes of this Ordinance a separate school in respect of each separate management and each such school and the managers or governors thereof shall be separately registered under this Ordinance;

"secondary school" means a school providing a course of secondary education for children between the ages of twelve and nineteen years;

"special fee" means a fee charged in respect of a pupil in addition to an approved fee as set out in section 107;

"special school" means a school providing special educational treatment for pupils under a disability;

"standard primary school" means a primary school in which the medium of instruction is the National language and in which the English language is a compulsory subject of instruction and in which facilities for the teaching of the Chinese and Tamil languages shall be made available if the parents of fifteen children in the school so request;

"standard type primary school" means a primary school in which the medium of instruction is the Chinese, Tamil or English language and in which the National language and the English language if not the medium of instruction are compulsory subjects of instruction and in which facilities for the teaching of the Chinese and Tamil languages if not the medium of instruction shall be made available if the parents of fifteen children in the school so request;

"State or Settlement Authority" means the Ruler in Council in a State and the High Commissioner in Settlement Executive Council in a Settlement;

"Syndicate" means the Federation of Malaya Examinations Syndicate established under the provisions of section 51;

"teacher" means a person who teaches pupils in a school or who prepares or issues lessons or corrects returned answers in a correspondence school;

"trade school" means a school providing instruction in handicrafts, elementary agriculture, elementary horticulture, animal husbandry, domestic science or matters of a like nature for children who have completed the primary school course.

PART I
ADMINISTRATION AND GENERAL PURPOSE

3. The educational policy of the Federation is to establish a national system of education acceptable to the people as a whole which will satisfy their needs and promote their cultural, social, economic and political development as a nation, with the intention of making the Malay language the national language of the country whilst preserving and sustaining the growth of the language and culture of peoples other than Malays living in the country.

Educational policy.

4. In the exercise and performance of all powers and duties conferred and imposed by this Ordinance, regard shall be had to the general principle that, so far as is compatible with the educational policy of the Federation, the provisions of efficient instruction and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.

Pupils to be educated in accordance with the wishes of their parents.

5. It shall be the duty of the Minister to secure the effective execution of the educational policy of the Federation including the progressive development of educational institutions where the National language is the medium of instruction.

Duty of Minister.

6. (1) The Minister shall be for all purposes a corporation sole under the name "Minister for Education, Federation of Malaya".

Minister to be a corporation sole.

(2) The Minister shall have an official seal which shall be authenticated by the Minister or any other person authorised by the Minister to authenticate the seal.

(3) The seal of the Minister shall be officially and judicially noticed and every document purporting to be issued or made by the Minister and sealed with the seal of the Minister authenticated as in this section provided shall in any legal proceedings be deemed to be so made or issued without further proof unless the contrary is shown.

(4) A certificate signed by the Minister certifying that any instrument purporting to be made or issued by him was so made or issued shall be conclusive evidence of the fact certified.

7. (1) Any property which immediately before the appointed date was held in the name of the Member for Education shall vest in the Minister.

Transfer of property.

(2) Any property which, immediately before the appointed date, was held by an officer of the Government for purposes which the High Commissioner shall determine to be educational purposes and was not held for the purpose of a State or Settlement Government, shall upon notification by the High Commissioner in the *Gazette* vest in the Minister and such notification may be made in respect of any property or class of property.

(3) The High Commissioner may by order make provision for the transfer to the Minister of any other rights or liabilities of the Government relating to matters which the High Commissioner deems to be educational.

Power of Minister to prevent unreasonable exercise of functions.

8. If the Minister is satisfied, either upon a complaint by any person or otherwise, that any local education authority or the managers or governors of any school, have acted or are proposing to act unreasonably with respect to the exercise of any power conferred or the performance of any duty imposed by or under this Ordinance, he may, notwithstanding any provision rendering the exercise of the power or the performance of the duty contingent upon the opinion of the authority or of the managers or governors, after consultation with the State or Settlement Authority, give such directions in writing as to the exercise of the power or the performance of the duty as appear to him to be expedient and the local education authority or the managers or governors as the case may be shall comply with the same accordingly.

Powers of Minister in the event of failure to discharge duties.

9. If the Minister is satisfied, either upon a complaint by any person interested or otherwise, that any local education authority or the managers or governors of any school have failed to discharge any duty imposed upon them by this Ordinance, the Minister may, after consultation with the State or Settlement Authority, make an order declaring the local education authority or the managers or governors; as the case may be, to be in default in respect of that duty and giving such directions for the purpose of enforcing the execution thereof as appear to the Minister to be expedient.

The Ministry of Education.

10. There shall be a Ministry of Education under the charge of the Minister which shall consist of a Chief Education Adviser, a Secretary, Deputy Chief Education Advisers and such other officers as may be necessary. All such officers shall be appointed by the High Commissioner.

11. (1) There shall be established for the purposes of this Ordinance a body to be known as the Board of Education to advise the Minister upon such matters connected with education as it thinks fit and upon any questions referred to it by him.

Board of
Education.

(2) The Board of Education shall consist of the Chief Adviser and such other persons as may be appointed members thereof by the Minister by notification published in the *Gazette*.

(3) The Minister shall nominate a member to be chairman of the Board and shall appoint an officer of the Ministry to be secretary thereto.

(4) The High Commissioner in Council shall by regulations make provision for the number, nature, term of office and conditions of retirement of members of the Board and such regulations may provide for the meetings and the procedure of the Board but subject thereto, the meetings and procedure shall be such as may determined by it.

12. The Minister may by notification published in the *Gazette*, constitute a special advisory committee in respect of any particular educational institution or educational project or of any particular class of educational institution within his responsibility for the purpose of advising him on matters relating thereto and such committee shall consist of such persons as the Minister may appoint.

Special
advisory
committees

Local Education Authorities

13. (1) The State or Settlement Authority may, by order notified in the *Gazette*, declare any local authority to be the local education authority for the area of such local authority.

Establish-
ment of
local
education
authorities.

(2) Where it appears to the State or Settlement Authority that the establishment of a joint board as the local education authority for the area of two or more local authorities would tend to diminish expense or to increase efficiency or would otherwise be of public advantage, the State or Settlement Authority may by order notified in the *Gazette*, constitute a joint education board consisting of members appointed by such local authorities and direct that the board shall be the local education authority for the areas of such local authorities.

(3) The State or Settlement Authority may, by order notified in the *Gazette*, constitute an area education board to be the local education authority for any area specified in such order not being an area in respect of which there is for the time being established a local education authority under the provisions of sub-section (1) or (2) of this section.

(4) The State or Settlement Authority shall, by order notified in the *Gazette*, appoint a State education board or a Settlement education board as the case may be to be the local education authority for every area within the State or Settlement in respect of which a local education authority is not for the time being established under the provisions of sub-section (1), (2) or (3) of this section.

Local
education
authorities
to be bodies
corporate

14. (1) Every local education authority not being a body corporate established under any other written law which is declared or established under the provisions of section 13 shall be a body corporate by such name as shall be specified in the order constituting it and shall have perpetual succession and power to hold land for the purposes of its functions under this Ordinance and may sue and be sued in such name and may do all other things incidental or appertaining to a body corporate not inconsistent with the provisions of this Ordinance.

(2) Every local education authority specified in sub-section (1) of this section shall have a common seal which shall bear such device as the local education authority with the consent of the State or Settlement Authority may approve and such seal may from time to time be broken, changed, altered and made anew by the local education authority with the approval of the State or Settlement Authority as the local education authority shall think fit.

(3) Until a seal is provided by a local education authority under this section a stamp bearing the name of the local education authority may be used as a common seal.

(4) The common seal or the stamp referred to in sub-section (3) of this section so long as it is used as the common seal shall be in the custody of such person as the local education authority shall direct and all deeds, documents and other instruments requiring the seal of such local education authority shall be sealed with the seal or stamp of such local education authority in the presence

of such persons as the local education authority shall, with the approval of the State or Settlement Authority, direct, who shall sign every deed, document or other instrument to which such seal or stamp is affixed and such signing shall be sufficient evidence that such seal or stamp was duly and properly affixed and that the same is or is used as the lawful seal of such local education authority.

(5) The seal or stamp of every local education authority specified in sub-section (1) of this section shall be officially and judicially noticed.

15. An order made under the provisions of section 13 may make provision in respect of—

Contents of
orders
establishing
local
education
authorities.

(i) in the case of a local education authority—

(a) the transfer or appointment to the service of the local education authority of persons in the service of the Government or the Government of a State or Settlement and the terms and conditions of any such transfer or appointment:

Provided that a person in the service of the Government shall not be transferred or appointed without the consent of the Minister; and

Provided further that a person in the service of the Government or the Government of a State or Settlement shall not be transferred or appointed without his consent.

(b) the transfer and administration of property other than private property and the adjustment of accounts and the apportionment of liabilities:

Provided that property held for the purposes of the Government shall not be transferred without the consent of the Minister; and

(ii) in the case of a joint education board or an area education board or a State education board or a Settlement education board—

(a) the composition of the board and the appointment and term of office of members of the board;

- (b) the regulation of meetings and proceedings of the board and the determination of the manner in which the expenses of the board are to be defrayed.

Amendment
of orders
establishing
local
education
authorities

16. (1) The State or Settlement Authority may by order vary or cancel any order made by it under the provisions of section 13 constituting a local education authority and where it cancels any such order it shall make provision for the transfer of the officers of the local education authority and the transfer of the powers, functions, property and liabilities thereof.

(2) A copy of any order made under the provisions of section 13 or this section shall be laid on the table of the Council of the State or the Settlement Council of the Settlement as the case may be.

Education Officers

Chief
education
officers.

17. (1) There shall be for each State and Settlement a Chief Education Officer who shall be an officer of the Ministry appointed by the State or Settlement Government with the concurrence of the Minister.

(2) A Chief Education Officer may attend, or may nominate a representative to attend, the meetings of any local education authority or education committee in the State or Settlement.

Local
education
officers

18. (1) A local education authority may with the approval of the Minister and with the concurrence of the Mentri Besar in a State or the Resident Commissioner in a Settlement appoint an officer to be called the Municipal Education Officer or the Council Education Officer or the State Education Officer or the Local Education Officer as may be appropriate, who shall perform such duties as shall be assigned to him by the local education authority:

Provided that the Minister may at the request of a local education authority appoint an officer of the Ministry to carry out such duties.

(2) A local education authority may appoint or employ such other officers as it may deem necessary for the performance of its functions under this Ordinance.

Education Committees

19. A Local education authority may establish an education committee for the efficient discharge of its functions with respect to education.

Establishment of education committees.

20. The State or Settlement Authority may, at the request of two or more local education authorities in a State or in a Settlement, by order published in the *Gazette* establish a joint education committee to consider matters of common interest to such local education authorities and to exercise on their behalf all or any of the functions permitted by this Ordinance to be exercised by an education committee.

Joint education committees.

21. (1) Where two or more local education authorities in different States or in a State and a Settlement or in different States and a Settlement desire to form a joint education committee the Minister may, with the consent of the State or Settlement Authorities concerned, make an order in a form approved by such State and Settlement Authorities, establishing a joint education committee for the purposes set out in section 20 and any such order shall be published in the *Gazette*.

Joint education committees for local education authorities in different States and Settlements.

(2) An order made under this section shall not be varied without the consent of the State or Settlement Authorities which consented to the same nor shall it be cancelled in the absence of such consent except on a request to that intent in writing to the Minister by any such Authority and on the expiry of a period of twelve months from the date of any such request.

22. Any order made under the provisions of section 20 or 21 may, subject to the provisions of this Ordinance, make provision for the composition of the joint education committee, the matters to be referred to it, the functions of the local education authorities concerned to be exercised by it and any incidental and consequential matters with respect to the appointment and functions of sub-committees or otherwise as the State or Settlement Authorities concerned shall deem desirable.

Contents of orders establishing joint education committees.

23. (1) Subject to the provisions of sub-section (3) of this section an education committee or a joint education committee may include persons who are not members of a local education authority.

Composition of education committees.

(2) Every education committee and joint education committee shall include persons of experience in educational matters and persons acquainted with the educational conditions prevailing in the area for which it acts.

(3) A majority of the members of an education committee shall be members of the local education authority or the local education authorities for which it is established.

Delegation
of powers to
education
committees.

24. Subject to the provisions of section 22 a local education authority may authorise an education committee to exercise on its behalf any of its functions under this Ordinance with respect to education except the power to borrow money or to raise a rate or to charge special fees.

Sub-
committees.

25. Subject to the provisions of section 22 an education committee, with the consent of the local education authority or local education authorities for which it is established, may—

- (a) appoint sub-committees; and
- (b) authorise any such sub-committees to exercise any of the functions of the committee under this Ordinance on its behalf.

PART II

STATUTORY EDUCATION SYSTEM

Primary and Trade School Education

Primary
schools,
trade schools
and centres
of further
education
providing
primary
education.

26. (1) A local education authority established on the appointed date shall, subject to the provisions of this Ordinance, maintain all existing primary schools and existing trade schools in its area which were in receipt of grant-in-aid or other similar financial assistance from the Government on the day immediately preceding the appointed date; and a local education authority established subsequent to such date shall, subject to the provisions of this Ordinance, maintain all assisted primary schools, assisted trade schools and assisted centres of further education for providing primary education and trade school education in its area.

(2) A local education authority may establish or take over and maintain in its area other primary schools or trade schools or centres of further education for providing primary education and trade school education.

(3) A primary school other than a standard primary school or a standard type primary school shall be maintained only for such period as the Minister shall deem

sufficient to enable such school to conform to the requirements of a standard primary school or a standard type primary school.

Development Plans for Primary and Trade School Education

27. Every local education authority shall within one year after the appointed date or within such extended period as the Minister may in any particular case allow, prepare and submit through the State or Settlement Authority to the Minister a plan, in this Ordinance referred to as a "development plan", in such form as the Minister may direct showing the action which the authority proposes to take to secure that there shall be sufficient schools available for providing primary and trade school education in its area and the schools available for an area shall not be deemed sufficient unless they are sufficient in number, character and equipment to afford for all pupils such variety of instruction, including practical instruction and training as may be desirable having regard to their different ages, abilities and aptitudes and of the different periods for which they may be expected to remain at school.

Development plans to be submitted to the Minister.

28. A development plan shall specify—

- (i) the schools in receipt of grant-in-aid and any proposed changes with respect to such payments;
- (ii) the alterations, by reason of the provisions of this Ordinance or of any rules made thereunder, required in the premises furnishings or equipment of any school and the amount of any capital grant required to meet the cost of the same;
- (iii) the additional schools required for the area and the capital grants required to meet the cost of providing the same;
- (iv) the measures proposed for meeting the needs of pupils who require special educational treatment;
- (v) the arrangements proposed for the provision of boarding schools or accommodation;
- (vi) other measures including measures in regard to the provision of further education which

Information to be contained in development plans.

the local education authority proposes to take to secure the provision of primary and trade school education; and

- (vii) such other particulars of the proposals of the local education authority with respect to schools for providing primary and trade school education as the Minister may require.

Other local education authorities and managers and governors of school affected to be given particulars of plans.

29. (1) Where it appears to a local education authority that another local education authority or a school whether within or without the area of the authority will be affected by the execution of a development plan, it shall furnish to such other local education authority or the managers or governors of such school such particulars relating to the plan as are sufficient to show the manner in which the local education authority or the school will be affected by the execution thereof.

(2) Where a development plan has been submitted to the Minister and he is of the opinion that no particulars or insufficient particulars of the development plan have been furnished under the provisions of sub-section (1) of this section to any person, who in his opinion would be affected by the execution thereof, he shall give such directions as he considers expedient for securing that particulars are so furnished.

(3) A local education authority or the managers or governors of a school claiming that it or they will be affected adversely by the execution of a development plan may within two months after being furnished with particulars thereof lodge objection in writing with the Minister.

Approval of development plans.

30. After considering any objection to a development plan made in accordance with the provisions of section 29 and after making in the development plan such modifications, as after consultation with the local education authority he considers necessary or expedient for the purpose of securing that the development plan makes proper provision for the immediate and prospective needs of the area with respect to primary and trade school education, the Minister shall after consultation with the State or Settlement Authority concerned, approve the plan.

31. (1) After approving the development plan for the area of any local education authority, the Minister shall make an order or orders specifying the primary schools and trade schools which it shall be the duty of the local education authority to maintain in the area and any such order may specify any other measures to be taken by the local education authority for securing that there shall be sufficient schools available for providing primary and trade school education and the local education authority shall comply with the order accordingly.

Local
education
orders.

(2) An order made under the provisions of this section shall be called a local education order and shall be published in the *Gazette*.

32. (1) Local education orders for an area shall regulate the duties of the local education authority in respect of matters therein mentioned and may by order be cancelled or amended by the Minister whenever in his opinion the cancellation or amendment thereof is expedient by reason of any change or proposed change of circumstances:

Amendment
of local
education
orders

Provided that, before cancelling or amending a local education order for any area in such manner as to vary the duties of a local education authority in any respect not either provided for by the development plan approved for the area or by proposals approved by him under the provisions of section 34, the Minister shall give to any local education authority and to the managers or governors of any school which, in his opinion, would be affected by the cancellation or amendment, notice of the cancellation or amendment proposed to be made and shall consider any objection made to him, within two months after the service of the notice, by such local education authority or by such managers or governors.

(2) If a local education authority is aggrieved by a local education order made under the provisions of section 31 or section 34 or by an order of cancellation or amendment of such an order, the order or order of cancellation or amendment shall be laid before the Legislative Council as soon as may be thereafter and if the Legislative Council at its next meeting resolves that the order or order of cancellation or amendment be annulled the same shall cease to have effect but without prejudice to anything previously done thereunder or to the making of any new order or order of cancellation or amendment.

*Establishment and Discontinuance of Primary
Schools and Trade Schools*

Proposals to
be submitted
to the
Minister.

33. (1) Where a local education authority proposes
- (i) to establish a new primary school or trade school or centre of further education for providing primary or trade school education; or
 - (ii) to maintain any primary school or trade school or centre of further education for providing primary or trade school education which for the time being is not being maintained by the local education authority; or
 - (iii) to cease to maintain any primary school or trade school or centre of further education for providing primary or trade school education; or
 - (iv) to transfer for the purposes of regrouping or otherwise a school or schools from one place to another,

and proposals to that intent have not been approved in the development plan for the area, the authority may submit such proposals through the State or Settlement Authority to the Minister.

(2) After proposals have been submitted to the Minister under the provisions of this section the local education authority by whom the proposals are submitted shall forthwith give public notice of the proposals in manner prescribed by the Minister and any local education authority or the managers or governors of any school or any ten or more persons resident in the area claiming that it or they will be adversely affected by the execution thereof, may, within two months after the first publication of the notice, submit to the Minister objection to the proposals.

Approval of
proposals

34. The Minister may after considering objections raised under the provisions of section 33 and after consultation with the State or Settlement Authority concerned, approve proposals submitted to him under the provisions of that section or approve such proposals subject to any modification he deems desirable and make a local education order or amend any such order then existing giving effect to the proposals accordingly.

Compulsory Primary Education

35. (1) A local education authority may, with the approval of the Minister, declare primary education to be obligatory for children in any age category specified in the regulations made under the provisions of section 36 in its area or part thereof and the provisions of such regulations shall apply to such children in such area.

Local education authorities may declare primary education obligatory in their areas.

(2) Before granting approval under the provisions of sub-section (1) of this section the Minister shall be satisfied that the local education authority is in a position to meet the additional expenditure to be incurred consequent on any such declaration.

36. (1) The High Commissioner in Council may make regulations for the introduction and enforcement of compulsory primary education which shall have effect in any area or part thereof which is the subject of a declaration made under the provisions of sub-section (1) of section 35.

Regulations to be made by the High Commissioner in Council for compulsory primary education

(2) The regulations made under the provisions of sub-section (1) of this section shall specify the children or age categories of children for whom primary education may be obligatory.

Secondary Schools and Other Educational Institutions

37. The Minister shall, subject to the provisions of this Ordinance, maintain all existing secondary schools which were in receipt of grant-in-aid or other similar financial assistance from the Government on the day immediately preceding the appointed date and may, subject to the provisions of this Ordinance, establish or take over and maintain other secondary schools in so far as moneys voted or provided for the purpose permit:

Secondary schools.

Provided that a secondary school other than a National type secondary school shall be maintained only for such period as the Minister shall deem sufficient to enable such school to conform to the requirements of a National type secondary school.

38. (1) The Minister may, subject to the provisions of this Ordinance, maintain or establish and maintain in so far as money is voted or provided for the purpose the educational institutions following:

Other educational institutions.

- (i) technical colleges or technical institutes;

- (ii) special schools;
- (iii) institutions of higher education and educational research;
- (iv) centres of further education other than centres of further education for providing primary and trade school education;
- (v) teacher training colleges;
- (vi) university colleges;
- (vii) other educational institutions the establishment or maintenance whereof is not otherwise provided for in this Ordinance.

(2) The Minister shall maintain any of the educational institutions specified in sub-section (1) of this section which were on the day immediately preceding the appointed date in receipt of grant-in-aid or other similar financial assistance from the Government.

The Minister may cease to maintain educational institutions.

39. The Minister may cease to maintain any National type secondary school or any educational institution maintained pursuant to the provisions of section 38 on the service of one year's notice to that effect on the governors of such secondary school or on the governors or other persons responsible for the management of such educational institution:

Provided that nothing in this section shall prejudice the right of the appropriate authority to suspend or cancel or cause to be suspended or cancelled the payment of grant-in-aid to the managers or governors or other persons responsible for the management of an educational institution who have failed to comply with the provisions of this Ordinance or any regulations or rules made thereunder.

Restriction on the Discontinuance of Schools

Discontinuation of assisted schools provided at the public expense.

40. (1) The managers or governors of an assisted school the premises for which have been provided or partly provided by the appropriate authority or by the Government or by the Government of a State or Settlement shall not discontinue such school except with the permission of the appropriate authority.

(2) If the appropriate authority grants permission to discontinue a school under the provisions of this section it may impose such conditions as it considers just—

- (i) in regard to the repayment of the whole or part of the expenditure incurred by the appropriate authority or the Government or the Government of the State or Settlement as may be appropriate in providing the premises;
- (ii) in regard to the transfer of the premises to or the vesting of the same in the appropriate authority or the Government or the Government of the State or Settlement as may be appropriate on payment to such persons as may be entitled of such portion of the value thereof as may be proper having regard to the extent to which the premises were provided other than at the expense of the appropriate authority or the Government or the Government of the State or Settlement as may be appropriate;
- (iii) in regard to the date on which the school shall be discontinued.

41. (1) The managers or governors of an assisted school other than an assisted school as specified in section 40 may discontinue such school on serving a notice on the appropriate authority giving one year's notice of the intention to discontinue the school and on expiry of such notice.

Discontin-
uance
of other
assisted
schools.

(2) A notice served under the provisions of this section shall not be withdrawn except with the consent of the appropriate authority.

(3) If, while any such notice is in force with respect to an assisted school, the managers or governors of the school inform the appropriate authority that they are unable or unwilling to carry on the school until the expiration of the notice the appropriate authority may maintain the school during the whole or part of the unexpired period of the notice and shall be entitled to the use of the school premises free of charge for that purpose.

(4) While any school is being maintained by the appropriate authority under the provisions of sub-section (3) of this section, it shall keep the school premises in good repair and for all purposes relating to the condition of the school premises, the occupation and use thereof and the making of alterations thereto, any interest in the

said premises which is held for the purposes of the school shall be deemed to be vested in the appropriate authority:

Provided that the managers or governors of the school shall be entitled to the use of the school premises or any part thereof when not required for the purposes of the school to the like extent as if they had continued to carry on the school during the unexpired period of the notice.

Appropriate authority to cease to maintain discontinued schools.

42. Where any school is discontinued in accordance with the provisions of section 40 or 41 the duty of the appropriate authority to maintain the school shall be extinguished.

Management of Schools

Instruments of management and instruments of government.

43. (1) In every primary school and trade school there shall be an instrument, in this Ordinance referred to as "the instrument of management", constituting a body of managers with a chairman, in this Ordinance referred to respectively as "the managers" and "the chairman of the managers" and setting out rules, in this Ordinance referred to as "rules of management", for the management of the school by the managers not inconsistent with the provisions of this Ordinance or any regulations or rules made thereunder.

(2) For every school other than a primary school or a trade school there shall be an instrument, in this Ordinance referred to as "the instrument of government", constituting a body of governors with a chairman, in this Ordinance referred to respectively as "the governors" and "the chairman of the governors" and setting out rules, in this Ordinance referred to as "articles of government", for the management of the school by the governors not inconsistent with the provisions of this Ordinance and any regulations or rules made thereunder.

(3) Every school shall be managed in strict accordance with its rules of management or articles of government as the case may be.

Manner of making instruments of management and instruments of government to be prescribed.

44. An instrument of management or an instrument of government shall be made, amended or cancelled in such manner as may be prescribed by rules made by the Minister:

Provided that any such instrument or any amendment or cancellation of such an instrument shall not have effect unless it is approved in writing by the local education authority in the case of a school providing primary

or trade school education and by the Minister and the Mentri Besar in a State or the Resident Commissioner in a Settlement in the case of a secondary school and by the Minister in the case of any other school or educational institution.

45. (1) If the Minister has reasonable grounds to believe that discipline in a school is not being adequately maintained or that the terms of the instrument of management or of the instrument of government of a school or any provisions of this Ordinance or of any regulations or rules made thereunder are being wilfully disregarded in respect of a school or in the case of an assisted school that the property or funds of the school are not being properly administered, he may appoint by name such number of additional managers or governors of such school as he shall think fit and such additional managers or governors shall for all purposes be deemed to be managers or governors of such school and shall have and exercise all such rights and powers as may by any written law or other instrument be conferred upon the managers or governors of such school:

Power of the Minister to appoint managers or governors.

Provided that the Minister may in his discretion at any time remove any such additional manager or governor.

(2) Additional managers or governors appointed under the provisions of this section shall be exempted from registration under the provisions of Part III of this Ordinance.

Provision of Services

46. (1) Subject to any regulations made under the provisions of this section the appropriate authority may render assistance to pupils or to any class of pupils in assisted schools.

Appropriate authority to render assistance.

(2) Such assistance may extend to the granting of bursaries, scholarships or the provision of accommodation, books, medical or dental services, or assistance whether financial or otherwise for the purpose of enabling such pupils to take full advantage of the educational facilities available to them or for the purpose of promoting their health and well-being.

(3) The High Commissioner in Council may make regulations in respect of matters relating to the rendering of assistance by the appropriate authority for the purposes specified in this section.

Medical
inspection
of pupils.

47. In particular and without prejudice to the generality of the powers conferred by section 46 the appropriate authority shall, so far as it is reasonable and practicable so to do, provide for the medical inspection at appropriate intervals of pupils of assisted schools and an officer authorised in that behalf by the authority may require the parent or guardian of a pupil of any such school to cause such pupil to attend for medical inspection in accordance with arrangements made by the authority; and any person who fails without reasonable excuse to comply with any such requirement shall be guilty of an offence against this ordinance and shall be liable on conviction to a fine not exceeding one hundred dollars.

Boarding
facilities and
provision of
text-books.

48. In particular and without prejudice to the generality of the powers conferred by section 46 the appropriate authority may —

- (i) where pupils cannot reasonably be provided with primary or secondary education unless boarding accommodation is provided, render such assistance in regard to the provision of such accommodation as may be necessary having regard to the financial circumstances of the parents or guardians of such pupils;
- (ii) make such arrangements as it considers practicable for the provision of text-books to necessitous pupils.

Religious Instruction

Pupils
professing
the Islamic
religion.

49. Where in an assisted school there are fifteen or more pupils professing the Islamic religion such pupils shall be instructed by religious teachers approved by the State or Settlement Authority in the tenets of that religion for at least two hours each week within the hours of general instruction and the managers or governors of the school shall make such arrangements as may be necessary for this purpose:

Provided that the managers or governors of two or more schools may make arrangements for such instruction to be given to the pupils professing the Islamic religion in such schools jointly.

50. The managers or governors of an assisted school may provide otherwise than out of funds made available by the appropriate authority for the instruction of the pupils or any of them in such school in a religion other than the Islamic religion:

Teaching of religions other than the Islamic religion.

Provided that no pupil shall attend instruction in a religion other than instruction in the religion which he professes except with the written consent of his parent.

Examinations

51. (1) There shall be established a body corporate to be known as "the Federation of Malaya Examinations Syndicate". The Syndicate shall have perpetual succession and may sue and be sued in its said name and may do all other things incidental or appertaining to a body corporate not inconsistent with the provisions of this Ordinance.

The Federation of Malaya Examinations Syndicate.

2) The Syndicate shall be responsible to the Minister for all matters relating to examinations.

52. (1) The Syndicate shall consist of a chairman who shall be appointed by the High Commissioner and who shall hold office at his pleasure and such members being persons with experience in educational matters appointed by the High Commissioner as may be determined pursuant to the provisions of sub-section (2) of this section.

Composition of the Syndicate.

(2) The High Commissioner in Council shall by regulations make provisions for the number, nature, term of office and conditions of retirement of members of the Syndicate.

(3) The Controller of Examinations appointed under the provisions of section 54 shall be secretary to the Syndicate.

53. (1) The Syndicate shall have a common seal which shall bear such device as the Syndicate may approve and such seal may from time to time be broken, changed, altered and made anew by the Syndicate as the Syndicate may think fit.

Common seal.

(2) Until a seal is provided by the Syndicate under this section a stamp bearing the inscription "The Federation of Malaya Examinations Syndicate" may be used as the common seal.

(3) The common seal or the stamp referred to in sub-section (2) of this section so long as it is used as the common seal shall be in the custody of the chairman and all deeds, documents and other instruments requiring the seal of the Syndicate shall be sealed with the seal or stamp of the Syndicate in the presence of the chairman and of a member of the Syndicate authorised by the Syndicate to act in that behalf, who shall sign every such deed, document or other instrument to which such seal or stamp is affixed and such signing shall be sufficient evidence that such seal or stamp was duly and properly affixed and that the same is or is used as the lawful seal of the Syndicate.

(4) The seal or stamp of the Syndicate shall be officially and judicially noticed.

The Controller of Examinations.

54. (1) There shall be a Controller of Examinations appointed by the High Commissioner who shall be responsible for the conduct of examinations subject to the by-laws made under the provisions of section 55.

(2) The High Commissioner may appoint such officers to act under the orders and direction of the Controller as may be necessary.

Syndicate to make by-laws.

55. The Syndicate may with the approval of the Minister make by-laws for or in respect of the following matters:

- (i) the examinations to be held which examinations shall include in secondary schools —
 - (a) an examination to be termed "The Federation of Malaya Lower Certificate of Education" to be held at such stage in the secondary school course as shall be prescribed in the by-laws; and
 - (b) an examination for a national certificate of education to be termed "The Federation of Malaya Certificate of Education" to be held at the end of the secondary school course;
- (ii) the times and places at which examinations are to be held;
- (iii) the qualifications and conditions for entry for examinations;

- (iv) the fees to be paid for entry for examinations;
- (v) the syllabuses for examinations and the conduct thereof;
- (vi) the meetings and procedure of the Syndicate; and
- (vii) the audit of accounts of the Syndicate.

56. Examination fees prescribed under the provisions of the last preceding section shall be paid into the revenues of the Government:

Examination fees may be paid to the Syndicate.

Provided that the High Commissioner in Council may by order declare that as from a date to be appointed by him all or part of such examination fees shall be paid to the Syndicate.

PART III REGISTRATION *Appointment of Officers*

57. (1) The High Commissioner shall appoint a Registrar-General of Schools and may appoint a Deputy Registrar-General of Schools.

Appointment of Registrar-General and other officers.

(2) The High Commissioner shall, in a State with the concurrence of the Mentri Besar and in a Settlement with the concurrence of the Resident Commissioner, appoint a Registrar of Schools and such Assistant Registrars of Schools as may be considered necessary for the purposes of this Ordinance.

(3) An officer of the Ministry, provided such officer is authorised in that behalf by the Registrar-General, may exercise any of the powers conferred on the Registrar by this Ordinance or any regulations or rules made thereunder.

(4) The Deputy Registrar-General and the Registrars and the Assistant Registrars appointed under the provisions of this section and any officer exercising any of the powers of the Registrar under the provisions of sub-section (3) of this section whilst exercising such powers shall be under the orders and direction of the Registrar-General.

(5) An Assistant Registrar may exercise any of the powers and perform any of the duties of the Registrar as may be provided in this Ordinance or as may be prescribed in rules made by the Minister.

All officers
to be public
servants.

58. Every person appointed under the provisions of section 57 or any person exercising the powers of the Registrar by virtue of the provisions of sub-section (3) thereof whilst exercising such powers shall be deemed to be a public servant for the purposes of the Penal Code.

Registration of Schools

Registers.

59. The Registrar shall keep or cause to be kept a register or registers in such form as may be prescribed in rules made by the Minister in which shall be entered and recorded in respect of every registered school the name and address of such school and such particulars in relation to the school or the managers or governors or teachers or employees thereof as the Minister shall prescribe in rules and any change or alteration which may from time to time be effected in regard to any particular recorded.

Application
for registra-
tion of a
school.

60. (1) An application for the registration of a school intended to be opened shall be made to the Registrar by persons applying to be managers or governors thereof.

(2) Every such application shall be in such form as may be prescribed in rules made by the Minister and shall be accompanied by applications for registration as a manager or governor of such school by every person named in such application in accordance with the provisions of section 76.

(3) No school shall be registered until the persons making application have appointed one of their number to be the intended chairman of the managers or governors for the purposes of this Ordinance and a certificate of such appointment signed by such persons has been submitted to the Registrar.

All schools
to be
registered.

61. Subject to the provisions of this Ordinance every school, not being a school exempted from registration under the provisions of section 114, shall be registered.

Registration.

62. (1) Subject to the provisions of this Ordinance the Registrar shall, upon an application for registration of any school duly made in accordance with the provisions of section 60, after such inquiry as he may think necessary, register it and issue to the chairman of the managers or governors thereof a certificate of registration in a form to be prescribed in rules made by the Minister.

(2) The certificate of registration shall describe the buildings of the school, the number of rooms to be used for the purposes of instruction and the maximum number of pupils who may be taught in each room.

(3) No extension or additions to the buildings of any school or diminution of the size of the buildings or of the number of the rooms used for the purposes of instruction shall be made without the written authority of the Registrar.

(4) The chairman of the managers or governors of a school shall cause a copy of the certificate of registration issued under the provisions of this section to be exhibited in a conspicuous place in the school.

63. (1) The persons responsible for the management of any school registered or exempted from registration under the provisions of any written law on the day immediately preceding the appointed date shall apply for registration under the provisions of section 60.

Schools
registered or
exempted
under
existing
written law.

(2) Any such school shall be deemed to be registered under this Ordinance for a period of three months from the appointed date or provided that an application is made pursuant to sub-section (1) of this section, until such date as registration may be refused under the provisions of section 64 and any appeal against such refusal under the provisions of section 66 determined and dismissed whereupon such school shall cease to be registered:

Provided that nothing in this section shall prejudice the right of the Registrar to impose any condition precedent to registration under this Ordinance pursuant to section 65 or to cancel the registration of the school under the provisions of section 67, 68, 69 or 72.

Refusal of registration

64. The Registrar may refuse to register a school if he is satisfied —

Grounds of
refusal.

- (i) that the school is insanitary, or is for reasons of health unsuitable for use as a school, or that the area provided for the open air recreation of the pupils is inadequate or unsatisfactory, or that the school buildings or any part thereof are unsuitable by reason of danger from fire or that they are otherwise dangerous buildings; or

- (ii) that the number of pupils to be enrolled in the proposed school or in any class thereof will exceed the number prescribed in rules made by the Minister; or
- (iii) that such school is likely to be used for a purpose detrimental to the interests of the Federation or of the public, or for the purpose of instruction detrimental to the interests of the public or of the pupils, or as a meeting place for an unlawful society; or
- (iv) that the person appointed as intended chairman of the managers or governors is not a fit or proper or responsible person to act as chairman for the purpose of this Ordinance; or
- (v) that any person applying for registration as a manager or governor of the school is or has been refused registration under the provisions of section 78 or has been struck off the register under section 80 of this Ordinance;
- (vi) that the name under which the school is to be registered is, in his opinion, undesirable; or
- (vii) that the existing educational facilities are already adequate in the area in which it is proposed to open such school; or
- (viii) that application has not been made in the prescribed manner or that a false or misleading statement in a material particular has been made in any application.

Registration
subject to
conditions.

65. The Registrar, in his discretion, may require as a condition precedent to the registration of any school—

- (i) that the school be rendered sanitary or suitable for use as a school or that the area provided for open air recreation be rendered adequate or satisfactory or that the buildings be rendered safe;
- (ii) that a fit and proper and responsible person be appointed as intended chairman of the managers or governors;
- (iii) that another person applies for registration as a manager or governor in the place of any

person named in the application for registration and refused registration as a manager or governor; or

- (iv) that the name of the school be changed to a name approved by him.

66. (1) When under the provisions of section 64 or section 65 the Registrar refuses to register a school or imposes any condition precedent to such registration, he shall inform the applicant by notice in writing that registration is refused or that registration will be granted subject to conditions and shall, in each case, specify in such notice the grounds on which such registration is refused or the conditions on which registration will be granted.

Notice of refusal and appeal.

(2) Any applicant aggrieved by the refusal of the Registrar to register a school or by the imposition of any condition precedent to the registration of a school may, within twenty-one days of the notice being served on him in accordance with sub-section (1) of this section, appeal to the Minister.

Cancellation of Registration

67. (1) If it appears to the Registrar that a registered school is not being managed in accordance with the terms of its instrument of management or instrument of government or that any provision of, or regulation or rule made under, this Ordinance has not been complied with in any such school, he may, by notice in writing served on the chairman of the managers or governors, direct the chairman to take, within such time not being less than twenty-one days as may be prescribed in such notice, such measures as may be specified therein to comply with such terms or such provision or regulation or rule.

Provisions of instrument or of the Ordinance or regulations or rules not complied with.

(2) The chairman of the managers or governors of such school may, within twenty-one days of the notice being served upon him, appeal to the Minister.

(3) If within the time prescribed in such notice the specified measures have not been taken to the satisfaction of the Registrar and no appeal has been made under the provisions of sub-section (2) of this section, or if such appeal having been made is rejected the Registrar may strike such school off the register.

68. (1) The Registrar may serve on the chairman of the managers or governors of a school a notice of intention to cancel the registration of such school if he is satisfied that it is expedient so to do on any of the grounds following —

- (i) that the school is insanitary or is for reasons of health unsuitable for use as a school or that the area provided for the open-air recreation of the pupils is inadequate or unsatisfactory or that the school buildings or any part thereof are unsuitable by reason of danger from fire or that they are otherwise dangerous buildings; or
- (ii) that the managers or governors have wilfully disregarded the terms of the instrument of management or instrument of government of the school; or
- (iii) that discipline in the school cannot be adequately maintained; or
- (iv) that the registration of the school was obtained by reason of any false or misleading particulars contained in the application for its registration; or
- (v) that an offence against this Ordinance has subsequent to the registration thereof been committed by any manager or governor or employee or teacher in such school in relation to the management or teaching therein; or
- (vi) that there is no chairman of the managers or governors of such school or that the chairman appointed is not a fit or proper or responsible person.

(2) If the Minister shall file with the Registrar a report under the hand of the Chief Inspector certifying that, in his opinion, the education provided or the instruction given in a school is unsatisfactory for reasons specified in such report the Registrar shall serve a notice of intention to cancel the registration of such school on the chairman of the managers or governors thereof.

(3) A notice of intention to cancel the registration of a school served pursuant to the provisions of sub-section

(1) of this section shall give particulars of the grounds on which it is proposed to cancel registration and a notice served under the provisions of sub-section (2) of this section shall have annexed thereto a copy of the report therein mentioned.

(4) The chairman of the managers or governors of a school on whom a notice pursuant to the provisions of sub-section (1) or (2) of this section is served may within twenty-one days of the notice being served upon him appeal to the Minister.

(5) If no appeal has been lodged under the provisions of sub-section (4) of this section, or if such appeal having been made is rejected, the Registrar may strike such school off the register.

69. (1) If it appears to the Registrar that any school is, or is likely to be, used for a purpose detrimental to the interests of the Federation or of the public or for the purpose of instruction detrimental to the interests of the public or of the pupils or as the meeting place of an unlawful society, the Registrar may cause a notice to be served on the chairman of the managers or governors of such school giving particulars of the matters alleged against the school and calling upon him to show cause, within a period to be specified in the notice, being not less than twenty-one days, why the school should not be declared to be unlawful.

Unlawful
schools.

(2) The chairman if he desires to show cause why such school should not be declared to be unlawful may deliver to the Registrar, within the time specified in the notice, a written statement in the Malay or English language of the grounds on which he relies.

(3) If within the time specified in the notice no such written statement has been delivered, or the Registrar, after considering the written statement delivered and after making such inquiry as he may consider necessary, is satisfied that the school is or is likely to be used for the said purposes or as such a meeting place, the Registrar may declare the school to be an unlawful school and such declaration shall take effect at the expiration of twenty-one days after notice thereof has been given to the chairman of the managers or governors:

Provided that if within such period of twenty-one days a petition of appeal against such declaration has been

presented under the provisions of sub-section (5) of this section, the Minister may, in his discretion, suspend the operation of such declaration until the determination of the appeal subject to such terms and conditions as he may deem fit.

(4) Notwithstanding the provisions of sub-section (1), (2) and (3) of this section the Registrar, if he is satisfied at any time that a school is being used for a purpose detrimental to the interests of the Federation or of the public or for the purpose of instruction detrimental to the interests of the public or of the pupils or as a meeting place of an unlawful society and that the circumstances so require, may declare the school to be unlawful and such declaration shall take effect forthwith.

(5) Any person aggrieved by any declaration made under the provisions of sub-section (3) or (4) of this section may, within twenty-one days of such declaration being made or within such extended time as the Minister may allow, appeal against such declaration to the Minister and the Minister may in his discretion after consideration of such appeal, confirm, cancel or annul such declaration or suspend or further suspend its operation on such terms and conditions as he may think just.

(6) When as result of a declaration made under the provisions of this section a school has become an unlawful school the Registrar shall forthwith strike it off the register.

Declaration
suspended
by the
Minister

70. Where the operation of a declaration has been suspended under the provisions of sub-section (3) or (5) of section 69, the Registrar, if he has reason to believe that any term or condition to which the suspension was subject has been contravened, may, after giving notice to the chairman of the managers or governors of the school concerned, apply to the Minister for the confirmation of the declaration and the Minister may make such order with regard to such application as he thinks fit. If no such application is made or if an application or applications having been made are rejected, the declaration shall be deemed to have been annulled on the expiration of a period of twelve months from the date of determination of the appeal.

Registrar's
powers of
entry and
search

71. (1) When a declaration has been made under the provisions of section 69 and so long as such declaration

has not been cancelled or annulled, the Registrar or an Assistant Registrar or any public officer specially authorised by the Registrar in that behalf in writing, accompanied by such persons as he may deem necessary, may enter a school or any part thereof and search for, remove and destroy signboards, banners, seals, chops and other insignia and any books, documents or other articles detrimental to the interests of the Federation or the public or which he has reasonable cause to believe belong to an unlawful society or to be in any way connected therewith.

(2) For the purpose of any entry or search under the preceding sub-section the Registrar or the Assistant Registrar or such public officer may cause to be broken open any outer or inner door of the school or part thereof or any locked receptacle therein which he suspects contains any article which he is by the provisions of this section empowered to remove or destroy.

72. (1) If the Registrar has reason to believe that any registered school has ceased to exist, he may serve on the chairman of the managers or governors of such school, a notice calling upon such chairman to furnish him with proof of its existence within one month from the date of such notice.

Defunct
schools.

(2) If at the expiration of one month the Registrar is satisfied that the school has ceased to exist, he shall thereupon strike it off the register.

73. When a school has been struck off the register under the provisions of section 67, 68, 69 or 72 the Registrar shall forthwith serve a notice of such striking off upon the chairman of the managers or governors of such school and the school and the chairman and the managers or governors and each individual manager or governor and every employee thereof shall thereupon cease to be registered; and the chairman of the managers or governors of such school shall immediately after the service of the notice surrender to the Registrar the certificate of registration of the school and the instrument of management or instrument of government thereof and the chairman and the managers or governors and every employee shall immediately surrender to the Registrar their certificates of registration issued under this Ordinance.

School
struck off
the register
to cease to
be registered.

Provisional Registration

Provisional certificates of registration and permits to act as manager, etc.

74. (1) On receipt of an application for registration of a school under the provisions of section 60 the Registrar may, in his discretion, pending investigation of the application issue to the intended chairman of the managers or governors a provisional certificate of registration in respect of such school.

(2) The Registrar may, in his discretion, issue permits to act as a manager or governor or employee of a school to a person who—

(i) has applied for registration as a manager or governor or employee, as the case may be, of a school in respect of which a provisional certificate of registration has been issued;

(ii) is required temporarily to act as a manager or governor or employee of a registered school.

(3) Provisional certificates of registration and permits shall be issued in such form and subject to such conditions as may be prescribed or authorised by rules made by the Minister:

Provided that any such provisional certificate or any such permit may at the absolute discretion of the Registrar be revoked at any time by notice in writing under the hand of the Registrar served on the person to whom the certificate or permit was issued.

Registration of Managers, Governors and Employees

All managers, governors and employees to be registered.

75. Subject to the provisions of this Ordinance every person who acts as a manager or a governor or an employee of a school not being a person exempted from registration under the provisions of section 45 or 114 or a person in possession of a permit so to act under the provisions of section 74 shall be registered as a manager or governor or employee as the case may be in respect of such school.

Form of application.

76. Every application for registration as a manager or governor or employee of a school shall be in such form as shall be prescribed in rules made by the Minister.

Registration as manager or governor or employee.

77. Subject to the provisions of this Ordinance the Registrar shall, upon an application duly made in accordance with the provisions of section 76 and after such enquiry as he may think necessary register a person as a manager or governor or employee in a school, and shall

issue to such person a certificate of registration in a form to be prescribed in rules made by the Minister.

Refusal and Cancellation of Registration

78. (1) The Registrar may in his discretion refuse to register any person as a manager or governor or employee of a school if —

Grounds of
refusal of
registration.

- (i) such person has been convicted by any court of competent jurisdiction in the Federation or elsewhere of an offence punishable with imprisonment or of an offence under this Ordinance or under any written law relating to the registration of teachers or under any previous written law relating to the registration of schools or teachers or under any similar law in the Colony; or
- (ii) such person when a registered manager, governor, employee or teacher of any school was struck off any register established by this Ordinance or by any written law relating to the registration of teachers or by any previous written law relating to the registration of schools or teachers or of any similar law in the Colony; or
- (iii) such person has, at any time, acted as a manager or governor or employee or teacher of any school in contravention of the provisions of this Ordinance or of any written law relating to the registration of teachers or of any previous written law relating to the registration of schools or teachers or of any similar law in the Colony; or
- (iv) it appears to the Registrar that it will be prejudicial to the interests of the Federation or of the public or of the pupils of the school that such person should be so registered; or
- (v) such person has not made application in the prescribed manner or has made a false or misleading statement in a material particular in his application for registration.

(2) The Registrar shall refuse to register any person as a manager or governor who, in his opinion is under the age of twenty-one years.

(3) When under the provisions of this section the Registrar refuses to register an applicant for registration as a manager or governor or employee he shall inform the applicant by notice in writing and specify in such notice the grounds on which registration is refused.

Appeal
against
refusal to
register.

79. Any person who has been refused registration as a manager or governor or employee in a school under the provisions of section 78 may, within twenty-one days of the notice being served upon him in accordance with subsection (3) thereof, appeal to the Minister.

Power of
Registrar to
strike off the
register

80. The Registrar may strike off the register any manager or governor or employee registered therein who —

- (i) at any time, whether before or after the date of his registration, has been or shall have been convicted by any competent court in the Federation or elsewhere of an offence punishable with imprisonment; or
- (ii) at any time, whether before or after the date of his registration, has acted or shall have acted as a manager or governor or employee or teacher in any school which at the time of his so acting is struck off the register under the provisions of this Ordinance or under any previous written law relating to the registration of schools or under any similar law in the Colony; or
- (iii) at any time, whether before or after the date of his registration, has been or shall have been convicted by any competent court of an offence under this Ordinance, or under any written law relating to the registration of teachers or any previous written law relating to the registration of schools or teachers or under any similar law in the Colony; or
- (iv) after the date of his registration, appears to the Registrar to be a person who ought not, in the interests of the Federation or of the public or of the pupils of a school, to remain a manager or governor or employee of such school; or
- (v) has obtained his registration as a manager or governor or employee in any school by reason of any false or misleading particular or

particulars contained in his application for registration:

Provided that no person shall be struck off the register under the provisions of paragraphs (i), (ii) and (iii) of this section by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before such date.

81. (1) Upon any manager or governor or employee of a school retiring or ceasing to act as such, the chairman of the managers or governors of the school shall, within twenty-one days of the happening thereof, report such event in writing to the Registrar.

Retirement
of managers,
governors
and
employees.

(2) The Registrar, upon receiving a report under the provisions of sub-section (1) of this section, shall forthwith strike such manager or governor or employee as the case may be off the register.

82. (1) When any person has been struck off the register under the provisions of section 80 or 81 the Registrar shall forthwith inform him in writing that he has been so struck off and of the grounds or reasons therefor.

Persons
struck off
register to
cease to be
registered.

(2) On being struck off the register such person shall cease to be registered and shall forthwith after service of the notice under the provisions of sub-section (1) of this section surrender to the Registrar the certificate of registration issued to him under the provisions of this Ordinance as manager or governor or employee as the case may be.

83. Any person struck off the register under the provisions of section 80 or 81 may within twenty-one days of the notice under the provisions of sub-section (1) of section 82 being served upon him appeal to the Minister.

Appeal
against
striking off
the register.

Inspection of Schools by the Registrar

84. (1) The Registrar or an Assistant Registrar shall, at least once in every year, inspect every school, registered under this Ordinance for the purpose of ascertaining that the provisions of this Ordinance and of the regulations and rules made thereunder have been and are being complied with and shall submit a report of such inspection to the appropriate authority.

Inspections
to be made
once a year.

(2) The Registrar or an Assistant Registrar may require to be submitted to him from time to time, a copy

of all instructional material issued by a correspondence school, registered under this Ordinance.

85. (1) The Registrar or an Assistant Registrar may, at any time, enter in or upon any registered school for the purpose of carrying out such inspection or examination of books, documents or other articles as he may consider necessary and may remove and detain any books, documents or other articles which appear to him to be detrimental to the interests of the Federation or of the public or likely to be used for the purposes of instruction detrimental to the pupils or which appear to him may furnish evidence that the school is or has been used as a meeting place for an unlawful society or which in his opinion may furnish evidence of the commission of an offence under this Ordinance; and the Registrar or Assistant Registrar lawfully carrying out an inspection under this sub-section may, if ingress into such school or any part thereof or into any locked receptacle therein cannot after reasonable enquiry be readily obtained, cause to be broken open any outer or inner door or window of any such school or any locked receptacle found therein.

(2) The Registrar or an Assistant Registrar at any time whilst lawfully carrying out an inspection of a school under the provisions of this Ordinance may require any manager or governor or employee or teacher or pupil of such school or any person found within such school to produce for his inspection any books or documents or articles relating to the management of or to the teaching carried on in such school, which are in the possession or under the control of such manager, governor, employee, teacher, pupil or person, and to furnish the Registrar with such information relating to such management or teaching as the Registrar may demand and which it is within the power of such manager, governor, employee, teacher, pupil or person to furnish; and may require a teacher to produce for inspection his certificate of registration as a teacher, and may require a manager or governor or employee to produce for inspection his certificate of registration under this Ordinance and may require a manager, governor, teacher, employee or pupil or any person who is found within such school to produce for inspection any identity card issued to such manager, governor, teacher, employee or pupil or person under the provisions of any written law in force relating to the registration of residents within the Federation or any area in the Federation or in the Colony.

86. (1) Where the Registrar or an Assistant Registrar or any public officer, authorised by the Registrar in that behalf in writing, or any police officer not below the rank of Inspector, has reasonable cause to believe that any house, building or other place has been or is being used as a school which is required to be registered under this Ordinance and is not so registered, the Registrar or Assistant Registrar or such public officer or such police officer, accompanied by such persons as he may deem necessary, may enter in or upon such house, building or place and may search therein and may seize and detain any books, documents or other articles found therein which may furnish evidence of the commission of an offence against this Ordinance or which appear to be the property of or to have been used in connection with a school not registered under this Ordinance and may for such purposes, if after reasonable enquiry, admittance cannot otherwise readily be obtained, cause to be broken open any outer or inner door or window of such house, building or place or any locked receptacle therein which he suspects to contain any article which may be liable to seizure under this section.

Search of
unregistered
premises.

(2) Both the owner and the occupier of any house, building or other place, the whole or part of which to the knowledge of such owner or occupier is being used as such a school, shall be guilty of an offence against this Ordinance unless he shall prove that he took all reasonable steps in his power to prevent such house, building or other place or part thereof being so used or reported that such premises were being so used to the officer in charge of the nearest police station.

Registration of Pupils

87. The managers or governors of a school shall cause to be kept in accordance with rules made by the Minister a register containing the prescribed particulars with respect to all pupils at the school and such rules may make provision for enabling such registers to be inspected, for enabling extracts therefrom to be taken for the purposes of this Ordinance by persons duly authorised in that behalf under the rules and for requiring the persons by whom any such register is required to be kept to make to the appropriate authority such periodical or other returns as to the contents thereof as may be expedient.

Registration
of pupils
at schools.

Service of Notices

Service of
notices, etc.

88. (1) Any notice, order or communication, required to be or which may be sent to or served on any chairman of the managers or governors or any manager or governor or employee of any school registered under this Ordinance, may be served by letter addressed to such chairman, manager, governor or employee at the registered address of the school or may be served by affixing such notice, order or communication upon a conspicuous part of the school premises as the Registrar may deem fit:

Provided that if a chairman of the managers or governors of a school has not been appointed, a notice, order or communication for service on a chairman may be addressed to or served upon the manager or governor who, in the opinion of the Registrar, is in charge of such school.

(2) Any notice, order or communication required to be or which may be sent or served upon any person applying for registration of a school or as a manager or governor may be served by letter addressed to such person at the address stated in his form of application.

(3) Any notice, order or communication required to be or which may be sent to or served upon any person other than persons specified in the foregoing sub-section may be served by letter addressed to such person at his last recorded or last known place of residence.

Offences in
relation to
registration.

89. (1) Any person who —

- (i) in making application under this Ordinance for the registration of a school or for registration as a manager or governor or employee or otherwise for the purpose of inducing the Registrar to exercise or refrain from exercising his powers under this Ordinance makes any statement which he knows to be false or does not believe to be true or by the intentional suppression of any material fact, furnishes any information which is misleading; or
- (ii) being a person required to be registered as a manager or governor or employee under the provisions of section 75 acts as a manager or governor or employee without being so registered; or

- (iii) being a manager or governor of a school suffers or permits any person to act as manager or governor or as an employee who is not registered under the provisions of this Ordinance; or
- (iv) acts as manager or governor or employee in an unlawful school; or
- (v) obstructs or impedes the Registrar or an Assistant Registrar or any public officer or police officer in the exercise of the powers conferred upon any such officer under the provisions of section 71, 85 or 86; or
- (vi) refuses to produce any book document or article or refuses to furnish information in contravention of the provisions of sub-section (2) of section 85 or furnishes any information which is false in a material particular and which he knows is false or does not believe to be true; or
- (vii) being the owner or occupier of a house or building or other place contravenes the provisions of sub-section (2) of section 86,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment:

Provided that in the case of an offence under (iii) or (iv) it shall be a defence if the person shall prove that having taken all reasonable precautions against committing such offence he did not know or have any reasonable grounds to suspect that such person was not registered or that such school was unlawful as the case may be.

(2) Any person who —

- (i) being chairman of the managers or governors of a school fails to cause a copy of the certificate of registration of the school to be exhibited in accordance with the provisions of sub-section (4) of section 62; or
- (ii) fails to surrender to the Registrar any certificate of registration or instrument under the

provisions of section 73 or sub-section (2) of section 82; or

- (iii) being chairman of the managers or governors of a school contravenes the provisions of sub-section (1) of section 81,

shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding one hundred dollars.

Appeal

Minister
to decide
appeals
after
investi-
gation.

90. (1) On an appeal being made to the Minister from a decision of the Registrar under the provisions of this Ordinance, the Minister shall appoint such persons as he shall consider suitable as a Committee of Enquiry to investigate the facts and to report to him thereon.

(2) After considering the report of the Committee of Enquiry appointed under the provisions of sub-section (1) of this section, the Minister shall decide the matter of such appeal and make such order thereon as to him shall seem appropriate.

(3) The decision of the Minister on an appeal shall be final.

Minister
to make
rules for
Committees
of Enquiry.

91. (1) The Minister may make rules prescribing the practice and procedure to be followed in connection with any investigation made by any Committee of Enquiry appointed under the provisions of sub-section (1) of section 90.

(2) Such rules may confer on the Committee of Enquiry power —

- (i) to procure and receive all such evidence written or oral and to examine all such persons including the appellant as witnesses as the Committee of Enquiry may consider desirable;
- (ii) to require the evidence of any witness to be given on oath or affirmation or by statutory declaration;
- (iii) to summon any persons including the appellant to attend and give evidence notwithstanding the provisions of any other written law;

- (iv) to admit any evidence written or oral which might be inadmissible in civil or criminal proceedings;
- (v) to exclude the public from any investigation or any part thereof and if the Committee of Enquiry considers it in the public interest so to do to receive evidence in the absence of the appellant:

Provided that where evidence is received in the absence of the appellant the Committee of Enquiry shall communicate to the appellant the substance of such evidence so far as it may be compatible with the public interest so to do and shall in every such case include in the report to the Minister a statement of the circumstances in which such evidence was received.

(3) No person required to give evidence before a Committee of Enquiry shall be obliged to disclose the name or address of any person who has given information in confidence to any public officer in relation to any facts which are the subject of investigation nor shall any person be obliged to state any matter which in his opinion might lead to the discovery of the person who has given such information.

PART IV THE INSPECTORATE OF SCHOOLS

92. (1) The High Commissioner shall appoint a Chief Inspector of Schools and may appoint such other Inspectors of Schools as may be necessary.

Appointment
of Chief
Inspector
and
Inspectors.

(2) All Inspectors shall be under the orders and direction of the Chief Inspector.

(3) Every person appointed under this section shall be deemed to be a public servant for the purpose of the Penal Code.

93. (1) The Chief Inspector shall be responsible, except in respect of religious studies, for ensuring that an adequate standard of teaching is developed and maintained in schools and the Chief Inspector and Inspectors may give professional advice to local education authorities and managers and governors of schools and any teacher on matters relating to teaching and teaching methods.

Duties of the
Inspectorate.

(2) The Chief Inspector or an Inspector shall not be empowered to issue any order or direction to the managers or governors or the staff of any school.

Inspection
of schools.

94. The Chief Inspector shall inspect or cause to be inspected by an Inspector or Inspectors, registered schools at such intervals as he shall deem appropriate and shall inspect or cause to be inspected any particular school at any time when requested so to do by the Minister.

Reports by
the Chief
Inspector
and
Inspectors.

95. (1) Reports made by the Chief Inspector and reports made by an Inspector endorsed by the Chief Inspector with such comment as he shall deem appropriate in respect of every school inspected under the provisions of the last preceding section shall be rendered to the Minister,

(2) Such reports shall be confidential documents and may be made available to those concerned with the administration of the school concerned including any teacher in the discretion of the Minister:

Provided that any report so made available shall be made available in its entirety.

Powers of
the Chief
Inspector
and
Inspectors.

96. (1) For the purpose of making any inspection under the provisions of section 94 the Chief Inspector or an Inspector may any time enter in or upon any registered school and may require any chairman of the managers or governors or any manager or governor or any teacher or employee or person found in such school to produce for his inspection any time-table, syllabus or record pertaining to subjects taught or to be taught or any book or document or article relating to or which in the opinion of the Chief Inspector or the Inspector may relate to the teaching carried on in such school and to furnish the Chief Inspector or the Inspector with such information relating to the teaching in the school as the Chief Inspector or the Inspector may demand and which it is within the power of such chairman, manager, governor, teacher, employee or person to furnish.

(2) Any person who impedes or obstructs the Chief Inspector or an Inspector in the exercise of the powers conferred on him by this section or refuses to produce any time-table, syllabus, record, book, document or article or to furnish information in contravention of the provisions of sub-section (1) of this section or furnishes any information which is false in a material particular or

which he knows is false or does not believe to be true shall be guilty of an offence against this Ordinance and shall be liable on conviction to a fine not exceeding five hundred dollars.

PART V CONDITIONS OF SERVICE AND APPOINTMENT OF TEACHERS

97. The Minister may make rules prescribing the salaries, allowances and conditions of service to be granted to teachers in standard primary schools, standard type primary schools, National type secondary schools and in such other assisted schools in receipt of grant-in aid for payment of salaries and allowances of teachers as he shall deem appropriate:

Conditions of service of certain teachers to be determined by the Minister.

Provided that the rules shall not extend to the prescribing of any scheme or schemes for the payment of superannuation, allowances, pensions or gratuities to teachers who retire or otherwise cease to hold office as teachers; and

Provided further that a teacher in a school to which the rules shall apply and who on the coming into force of such rules is employed as a government servant or is otherwise subject to a salary scheme or scheme of service established by the Government, may elect, subject to such conditions and within such period as may be prescribed in the rules, to remain subject to such salary scheme or scheme of service.

98. (1) There shall be established a body to be known as the National Joint Council for Teachers for the purpose of advising the Minister upon salaries, allowances and conditions of service of teachers as it shall think fit and upon any questions referred to it by him.

The National Joint Council for Teachers.

(2) The Minister shall seek the recommendation of the Council prior to making any rule under the provisions of section 97 varying any established or existing salary scheme or conditions of service applicable to teachers or any class of teachers but shall not be bound to act on such recommendation.

99. (1) The Council shall consist of a president who shall be an officer in the public service appointed by the High Commissioner and who shall hold office at his pleasure and such members appointed by the High Commissioner as may be determined pursuant to the provisions of sub-section (2) of this section.

Constitution of the Council.

(2) The number, nature, term of office and conditions of retirement of members of the Council shall be such as may be prescribed by regulations made in that behalf by the High Commissioner in Council.

The Council
may make
by-laws.

100. The Council may with the approval of the High Commissioner in Council make by-laws governing its meetings and procedure and such by-laws shall provide for the formation of committees of the Council and for the exercise by such committees of such functions of the Council as the Council shall deem appropriate.

Appointment
of teachers.

101. (1) Teachers shall be appointed in every school subject to the provisions of this Ordinance and any regulations and rules made thereunder and in accordance with the instrument of management or instrument of government of such school.

(2) No teacher in an assisted school shall be dismissed without the approval of the appropriate authority.

PART VI FINANCIAL MATTERS IN RELATION TO SCHOOLS

Reports to
Legislative
Council.

102. In the month of July or so soon thereafter as may be practicable in each year the Minister shall make to the Legislative Council a report setting out the expenditure on educational services for the year immediately preceding and the policy for educational expenditure in the year next ensuing.

Local
education
authorities
to establish
funds.

103. Every local education authority shall establish a fund into which shall be paid all moneys made available for the provision of primary education and trade school education in its area and shall pay therefrom, subject to the provisions of this Ordinance and of any regulations or rules made thereunder, the salaries and allowances of the approved staff of such local education authority and other expenses incurred by it and grant-in-aid and capital grants to assisted schools and assisted educational institutions within its responsibility.

Contribu-
tion from
the Govern-
ment.

104. (1) There shall be paid to every local education authority out of the funds provided by the Legislative Council for that purpose a contribution towards the payment of the salaries and allowances of the approved staff of the local education authority and towards the payment of grant-in-aid to assisted primary schools,

assisted trade schools and assisted centres of further education for providing primary and trade school education in its area.

(2) Such contribution shall be paid into the fund of such authority established under section 103.

105. The amount of the contribution payable to a local education authority under the provisions of section 104 shall be determined in such manner as may be prescribed by regulations made by the High Commissioner in Council and any such contribution shall be paid subject to such conditions and limitations as may be prescribed by such regulations.

Amount and conditions of payment of contributions.

106. (1) The expenses of a local education authority in carrying out its duties under this Ordinance shall so far as they cannot otherwise be provided for out of moneys available for such purpose be paid out of moneys raised by education rates imposed in accordance with the provisions of this section.

Education rates.

(2) Where the local education authority is a local authority, such local authority shall, so far as may be necessary, impose a separate annual rate for the purpose of defraying the expenses of educational services within its area and such rate shall be made, assessed and levied in like manner as the rates imposed for the purposes of the local authority.

(3) Where the local education authority is a joint education board or an area education board or a State education board or a Settlement education board, each local authority within the area of such local education authority shall, so far as may be necessary, impose a separate annual rate for the purpose of defraying such share of the expenses of the local education authority as may be determined by the local education authority and any such rate shall be made, assessed and levied in like manner as the rates imposed for the purposes of the local authority.

(4) Where in any State the area or part of the area of a local education authority is not within the area of a local authority, the Ruler in Council shall by notification in the *Gazette*, declare such area or part of such area, as the case may be, to be an education rate area and may in such notification impose an annual rate not exceeding one dollar an acre upon land within such area for the purpose of defraying, as the case may be, either the

expenses of the local education authority or such share in such expenses as is not required to be borne by a local authority within such area.

(5) Any rate imposed pursuant to the provisions of sub-section (4) of this section shall be payable without demand by the proprietors of land in the area together with the rent due to the State for the current year and may be recovered in the manner provided for the recovery of such rent.

F.M.S.
Cap. 138.

(6) For the purposes of this section "proprietor" has the meaning ascribed to it by the Land Code of the Federated Malay States or by corresponding written law in any other Malay State.

(7) All moneys derived from the imposition of a rate for the purpose of defraying the expenses of educational services within the area of a local education authority shall be paid into the fund of such authority established under the provisions of section 103.

Special fees.

107. (1) A local education authority may in respect of pupils enrolled in a particular assisted educational institution or in respect of pupils enrolled in assisted educational institutions in a specified area within the area of such local education authority, charge special fees in addition to the approved fees for the purpose of defraying the expenses of educational services:

Provided that a special fee shall not in any case exceed an amount of fifty per centum of the approved fee and provided that such a fee shall not be charged to a pupil in respect of whom the approved fee is remitted under regulations made by the High Commissioner in Council.

(2) All such special fees shall be paid into the fund of the local education authority established under section 103.

Rates and
special fees
to be applied
if practicable
in areas
where raised
or collected.

108. Where a rate is imposed in a particular area or where special fees are charged in a particular educational institution or in educational institutions in a particular area, the moneys, raised or collected in respect of such rate or special fees shall so far as is practicable be applied by the local education authority to educational services in the area or in the educational institution or educational institutions in which such moneys were so raised or collected.

109. The amount of the grant-in-aid payable to an assisted school or an assisted educational institution by the appropriate authority shall be determined in such manner as may be prescribed by regulations made by the High Commissioner in Council and any such grant-in-aid and any capital grant payable to a school or educational institution from funds provided by the Legislative Council for that purpose or from other public funds shall be paid subject to such conditions and limitations as may be prescribed by such regulations.

Payment of
grant-in-aid
and capital
grants.

PART VII MISCELLANEOUS

110. Where any immovable property not being State or Crown land or reserved land is needed for the purposes of an educational institution the Ruler in Council in a State or the High Commissioner in Settlement Executive Council in a Settlement may, if he thinks fit direct the acquisition of such property and in such case, such property may be acquired in accordance with the provisions of any written law relating to the acquisition of land for a public purpose for the time being in force in the State or Settlement in which such property is situate; and any declaration required under any such written law that such land is so needed may be made notwithstanding that compensation is to be paid out of the funds of the appropriate authority or the funds of the educational institution and any such declaration shall have effect as if it were a declaration that such land is needed for a public purpose made in accordance with such written law.

General
power to
acquire land.

111. (1) The Minister may make rules prescribing the standards to which the premises of educational institutions shall conform and such rules may prescribe different standards for such descriptions of educational institutions as may be specified in the rules.

Require-
ments as to
premises.

(2) The managers or governors or persons responsible for the management of an educational institution shall secure that the premises of the institution conform to the standards prescribed for institutions of the description to which the same belongs:

Provided that if the Minister is satisfied with respect to any educational institution that having regard to the nature of the site or to any existing buildings thereon or to other special circumstances affecting the premises it

would be unreasonable in that case to require conformity with the requirements of the rules in any particular respect, he may direct that the premises shall be deemed to conform to the prescribed standards if in lieu of conforming to the requirements of the rules in that respect the premises conform to such other requirements as may be specified in the direction.

A pupil may be enrolled in only one assisted school.

112. Except with the permission of the appropriate authority, a pupil who is enrolled as a pupil in an assisted school shall not whilst so enrolled, be enrolled in any other assisted school or assisted schools.

Curricula of studies.

113. The High Commissioner in Council may make regulations prescribing the subjects and matters, not being religious studies, on which instruction may be given in schools and such regulations shall, so far as is reasonably practicable, cause to be provided in all primary schools and in all secondary schools curricula of studies of common content.

Exemption from the provisions of the Ordinance.

114. (1) Nothing in this Ordinance shall apply to any educational institution entirely maintained and controlled by Her Majesty's army, navy or air force or any manager or governor or employee thereof.

(2) The High Commissioner in Council may by order exempt any educational institution or any class of educational institution and the managers or governors or employees thereof from all or any of the provisions of this Ordinance either absolutely or subject to such conditions as he may think fit to impose and may at any time in his discretion revoke any such exemption or cancel or alter or add such conditions.

Power to make Regulations and Rules

Rules to be made by the Minister.

115. The Minister may make rules for or in respect of any of the matters following:

- (i) the particulars to be contained in any development plan submitted under the provisions of section 27 or in any proposals submitted under the provisions of section 33 and the procedure for submitting any such development plan or such proposals and the manner of giving public notice of the same;
- (ii) the admission of pupils to educational institutions and the keeping of registers of pupils in such institutions;

- (iii) the duration of school terms, the days on which and the hours during which children shall attend school and the days which shall be observed as holidays by all schools or any specified school or class of schools;
- (iv) the number of pupils to be enrolled in any school or class and the numbers of pupils to be accommodated or given instruction in any building or dormitory or classroom or other place;
- (v) the hygienic character and proper sanitation of schools and buildings used as or in connection with schools;
- (vi) the management of educational institutions and the duties of managers or governors or other persons responsible for the management of such institutions;
- (vii) the defining of the several categories of children requiring special educational treatment and the methods appropriate for the education of children in each category in special schools or otherwise;
- (viii) the form in which any register for the registration of schools or managers or governors or employees shall be kept or maintained and the procedure for the issue of extracts therefrom;
- (ix) the procedure to be followed and fees deemed proper to be levied on application for the registration of a school or for registration as a manager or governor or employee of a school, the documents to be produced and the manner of registration;
- (x) the procedure to be followed and fees deemed proper to be levied on the issue of certificates of registration in respect of schools or of certificates of registration to managers, governors and employees and on the issue of provisional certificates of registration and permits under the provisions of section 74;
- (xi) the information to be supplied from time to time to the Registrar by the managers or

governors or employees of schools registered under this Ordinance;

- (xii) the procedure to be followed for the alteration or amendment of certificates of registration or permits specified in paragraph (x) of this section and the replacement of such certificates or permits which are lost or defaced;
- (xiii) the procedure to be followed and the consequences which shall ensue on the cancellation of a certificate of registration;
- (xiv) the manner in which appeals shall be made to the Minister from decisions of the Registrar and the fees to be paid in respect of any appeal;
- (xv) all matters stated or required in this Ordinance to be prescribed by the Minister;
- (xvi) the forms which may be used for carrying out the provisions of Part III of this Ordinance and which may be used in connection with any matter stated or required in this Ordinance to be prescribed by the Minister;

Regulations
to be made
by the High
Commissioner in
Council.

116. The High Commissioner in Council may make regulations for or in respect of all or any of the matters following:

- (i) discipline in schools and any activities of pupils whether in a school or not which in the opinion of the High Commissioner in Council may have an effect on the discipline of a school;
- (ii) the circulation by a pupil or pupils whether within an educational institution or not of any magazine, pamphlet or printed or written matter of a like nature;
- (iii) the establishment, organisation, management, control and dissolution of societies and associations of pupils or pupils and teachers whether within an educational institution or not;
- (iv) the books and apparatus to be used in schools;

- (v) the prohibition of the use in any school or any specified class of school of any book, the use of which appears undesirable;
- (vi) the prohibition of the use or delivery to any pupil by any correspondence school or the supply, import or sale for use or delivery by any correspondence school of any book, lesson, instruction or other printed or written matter the use of which by a correspondence school appears undesirable;
- (vii) the determination of approved fees to be charged in respect of attendance at any assisted school or any class of assisted school and the payment or remission of such fees;
- (viii) the audit of accounts of the funds of local education authorities established under the provisions of section 103;
- (ix) the keeping of books of account and the audit of accounts in assisted schools and assisted educational institutions;
- (x) the manner of transferring or vesting any property transferred or vested under the provisions of this Ordinance and the manner of registering a title to any such property;
- (xi) all matters stated or required in this Ordinance to be prescribed by the High Commissioner in Council and any matter for carrying into effect this Ordinance, not being a matter for which provision is made for the making of rules or by-laws, as to which he may deem it expedient to make regulations.

117. The Minister and the High Commissioner in Council in any regulations or rules made respectively under the provisions of section 115 or section 116, may make provision for the infliction in the event of a contravention of any regulation or rule or of any regulation or rule made in pursuance of any power conferred elsewhere in this Ordinance of the penalty of a fine not exceeding one thousand dollars or of imprisonment for a term not exceeding six months or of both such fine and imprisonment.

Rules and regulations may prescribe penalties for contravention thereof.

118. The Ordinances and Enactments specified in the Schedule to this Ordinance are hereby repealed:

Provided that all appointments, regulations, rules and orders made and all certificates granted thereunder and in force at the commencement of this Ordinance shall continue in force and have effect as if they had been made or granted under this Ordinance until other provision shall be made under this Ordinance.

SCHEDULE

(Section 118)

REPEAL

F. of M. No.63 of 1952....	....	The Education Ordinance, 1952
S.S. Cap. 136 ....	....	The Education Board Ordinance
F.M.S. Cap. 160...	....	The Education Rate Enactment
Kedah Enactment No. 2 of 1367 ....	....	The Education Rate Enactment, 1367 (1948)
Trengganu Enactment No. 2 of ....	....	The Education Rate Enactment 1949

Passed in the Legislative Council on the seventh day of March, 1957.

SHEIKH HUSSEIN,
Clerk of the Legislative Council

FEDERATION OF MALAYA.

No. 3 of 1957.

* THE REGISTRATION OF TEACHERS ORDINANCE, 1957

Their Highnesses the Rulers of the
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

T. ALAM SHAH,

(IN JAWI)

Sultan of Selangor

D. C. MACGILLIVRAY,
High Commissioner,

14th April, 1957.

RAJA YUSSUF
Sultan of Perak.

10th April, 1957

* Ordinan ini telah dimansuhkan oleh Education Act, 1961 - No.43 tahun 1961.
Lihat muka surat 264

FEDERATION OF MALAYA
No. 3 OF 1957
THE REGISTRATION OF TEACHERS
ORDINANCE, 1957
ARRANGEMENT OF SECTIONS

Section

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27. Regulations to be made by the High Commissioner in Council.

An Ordinance to revise the law relating to the registration of teachers.

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States, with the advice and consent of the Legislative Council as follows:

Short title
and
commencement.

*1. This Ordinance may be cited as the Registration of Teachers Ordinance, 1957, and shall come into force on such date (hereinafter referred to as the appointed date) as the High Commissioner may by notification in the *Gazette* appoint.

Interpretation.

2. In this Ordinance unless the context otherwise requires —

“certificate” means a certificate of registration issued under the provisions of section 10;

“manager or governor” means any person who actively takes part in the administration of the revenues or property or in the management of a school;

“Minister” means the Minister charged with responsibility for education;

“pupil” means a person of any age receiving instruction in a school;

“registered” means entered upon the register;

“Registrar” means the Registrar of Teachers appointed under the provisions of sub-section (2) of section 3 for the area in which is situate the school in which a teacher or a person applying for registration as a teacher teaches or proposes to teach;

“Registrar-General” means the Registrar-General of Teachers appointed under the provisions of sub-section (1) of section 3 and includes the Deputy Registrar-General of Teachers appointed under the same sub-section;

* Ordinari ini telah dimansuhkan oleh Education Act, 1961 - 43 tahun 1961. Lihat muka surat 264

"school" means a place where ten or more persons are being or are habitually taught, whether in one or more classes or, in the case of a correspondence school, the place or places where instruction is prepared or where the answers are examined or corrected but does not include any place where the teaching is of a purely religious character or for a purely religious purpose;

"teacher" means a person who teaches pupils in a school or who prepares or issues lessons or corrects returned answers in a correspondence school and a 'registered teacher' means a teacher registered under the provisions of section 10;

"the register" means the register or registers kept under the provisions of section 4.

3. (1) The High Commissioner shall appoint a Registrar-General of Teachers and may appoint a Deputy Registrar-General of Teachers.

Appointment
of Registrar-
General
and other
officers.

(2) The High Commissioner shall appoint for each State and Settlement or for each of the several areas within a State or Settlement specified by him a Registrar of Teachers.

(3) The Deputy Registrar-General and every Registrar shall be under the direction of the Registrar-General.

(4) All officers appointed under the provisions of this section shall be deemed to be public servants for the purposes of Penal Code.

REGISTRATION

4. The Registrar-General shall cause to be kept and maintained in such form as may be prescribed a register or registers of teachers in which shall be entered such particulars as may be prescribed relating to any registered teacher.

Register of
teachers.

5. (1) Application for registration as a teacher shall be made to the Registrar in manner prescribed.

All teachers
to be
registered.

(2) No person other than a registered teacher or a person deemed to be registered under the provisions of section 16 or a person in possession of a permit to teach issued under the provisions of section 18 or a person exempted from registration under the provisions of section 26 shall teach in any school.

6. (1) The Registrar may refuse to register a teacher if he is satisfied that such teacher —

- (i) has not made application in the manner prescribed; or
- (ii) is under the age of eighteen years; or
- (iii) has no qualifications to be a teacher or qualifications which in the opinion of the Registrar are inadequate for such a purpose; or
- (iv) has made a false or misleading statement in a material particular in the prescribed form of application; or
- (v) suffers from some physical or mental defect or disease rendering him in the opinion of the Registrar unsuitable to be a teacher; or
- (vi) has been convicted by a court of competent jurisdiction in the Federation or elsewhere of an offence punishable with imprisonment or of an offence under this Ordinance, or under the Education Ordinance, 1952, or under any written law relating to the registration of teachers or schools or under any similar law in the Colony; or
- (vii) has been struck off the register or any register established under any written law in the Federation or in the Colony for the registration of teachers or managers or governors of or persons employed in schools; or
- (viii) has wilfully acted as a teacher in contravention of the provisions of this Ordinance or has wilfully acted as a teacher or manager or governor of or as a person employed in a school in contravention of the provisions of any written law in the Federation or the Colony relating to the registration of teachers, managers, governors or other persons employed or concerned with schools.

(2) The Registrar may, with the concurrence of the Minister, refuse to register a teacher who is not a citizen of the Federation of Malaya.

7. The Registrar shall refuse to register a teacher if he is satisfied that —

Duty of Registrar to refuse registration.

- (i) such teacher is likely to promote or foster in a school some unlawful purpose or a purpose prejudicial to or incompatible with peace, welfare or good order in the Federation; or
- (ii) it will be prejudicial to the interests of the Federation or of the public or of pupils that such teacher should be registered.

8. The Registrar shall refuse to register a teacher if he is directed to refuse to register such teacher by the Registrar-General:

Duty of Registrar to refuse registration when directed by Registrar-General.

Provided that the Registrar-General shall give such direction only if he is satisfied that any one or more of the grounds set out in section 6 or section 7 are applicable to such teacher and provided that the concurrence of the Minister has been obtained if the grounds specified in sub-section (2) of section 6 shall apply.

9. (1) When the Registrar refuses to register a teacher under the provisions of section 6, 7 or 8 he shall by notice in writing inform the teacher to that effect and shall in each case specify the grounds on which registration is refused.

Notice of refusal to register.

(2) Any teacher aggrieved by the refusal of the Registrar to register him on any of the grounds mentioned in section 6, 7 or 8 may, within twenty-one days of the notice being served on him in accordance with the provisions of this section, appeal to the Minister.

10. Subject to the provisions of this Ordinance the Registrar shall, upon application by a teacher duly made in accordance with the provisions of section 5 and after such inquiry as he may deem necessary, register such teacher and issue to him a certificate of registration as a teacher in manner prescribed.

Certificates of registration.

11. (1) The Registrar may in his discretion at any time by writing under his hand endorsed on a certificate relating to a registered teacher or by notice in writing to any teacher, impose in respect of such teacher conditions under which such teacher may teach or continue to teach.

Power of Registrar to impose conditions.

(2) The conditions imposed in accordance with the provisions of sub-section (1) of this section may specify —

- (i) the school in which such teacher may teach;
- (ii) the area in the Federation within which such teacher may teach;
- (iii) the type of school in which such teacher may teach;
- (iv) the language or languages of instruction which may be employed by such teacher; and
- (v) the subjects which such teacher may teach and the standards or forms of pupils to whom he may give instruction.

(3) The Registrar may, subject to the provisions of sub-sections (1) and (2) of this section by further endorsement or notice, as the case may be, cancel, alter or add to any conditions imposed in respect of such teacher.

(4) A teacher who is aggrieved by the imposition of any condition under the provisions of this section, not being a condition imposed pursuant to section 14, may appeal to the Minister who shall make such decision in the matter as he shall think just and such decision shall be final:

Provided that notwithstanding any such appeal such condition shall continue in force and be observed by all persons affected thereby until and except in so far as the same is cancelled by a decision of the Minister under this sub-section.

Cancellation
of registration
after notice.

12. (1) The Registrar may, if he is satisfied that it is expedient so to do on any of the grounds set out in paragraphs (iv), (v), (vi), (vii) and (viii) of sub-section (1) of section 6 or on any of the grounds set out in section 7 or if he is satisfied that a registered teacher has committed a breach of or has failed to comply with any condition imposed under the provisions of section 11 serve on such teacher a notice of intention to cancel the registration of such teacher.

(2) If the Registrar is satisfied that a registered teacher has ceased to teach in any school in the Federation or has been absent from the Federation for a continuous period exceeding two years he may serve on such teacher a notice of intention to cancel the registration of such teacher.

(3) The Registrar shall serve a notice as specified in sub-section (1) or (2) of this section on a registered teacher if he is directed so to do by the Registrar-General:

Provided that the Registrar-General shall give such direction only if he is satisfied that any one or more of the grounds specified in sub-section (1) or (2) of this section are applicable to such teacher.

(4) A notice served pursuant to the provisions of sub-section (1) or (2) or (3) of this section shall give particulars of the grounds on which it is proposed to cancel the registration of a registered teacher.

(5) A teacher on whom a notice pursuant to the provisions of this section is served may, within twenty-one days, appeal to the Minister.

(6) If no appeal is made within the period specified in sub-section (5) of this section or if an appeal having been made is rejected, the Registrar shall cancel the registration of such teacher.

(7) No cancellation of registration shall be made under the provisions of this section on any of the grounds set out in paragraphs (v), (vi), (vii) or (viii) of sub-section (1) of section 6 by reason of any fact occurring before the date of registration of a teacher and disclosed to the Registrar before such date.

13. (1) If the Registrar-General is satisfied that a registered teacher is promoting or fostering or is concerned with the promoting or fostering of some unlawful purpose or any purpose prejudicial to or incompatible with peace, welfare or good order in the Federation or if he is satisfied that a registered teacher has committed a breach of or has failed to comply with any condition imposed in respect of such teacher under the provisions of section 11, he shall direct the Registrar to serve a notice on such teacher cancelling forthwith the registration of such teacher and the Registrar on being so directed shall serve immediately on such teacher a notice to that effect and cancel the registration of such teacher.

Cancellation
of registration
without notice.

(2) A notice served pursuant to the provisions of sub-section (1) of this section shall specify the grounds on which registration is cancelled.

(3) A teacher on receipt of a notice cancelling his registration under the provisions of this section may,

within twenty-one days of the notice being served upon him, appeal to the Minister.

(4) An appellant appealing under the provisions of sub-section (3) of this section, being a teacher in a school receiving grant-in-aid for payment of its teachers and whose appeal is allowed, shall be entitled to receive pay and allowances for the period commencing from the date of cancellation of his registration until the date of determination of the appeal.

Appeals
allowed
subject to
conditions.

14. If upon an appeal under the provisions of section 9 or 12 or 13 it is ordered that a teacher shall be registered or be deemed to be registered under the provisions of section 16 or shall continue to be registered or deemed to be registered as aforesaid subject to specified conditions the Registrar shall impose such conditions in accordance with provisions of section 11.

Striking off
the register.

15. When the registration of a registered teacher has been cancelled under the provisions of section 12 or 13 the Registrar shall forthwith strike such teacher off the register and serve a notice of such striking off upon such teacher and such teacher shall thereupon cease to be registered; and such teacher shall immediately after the service of the notice surrender to the Registrar his certificate.

Teachers
registered
or exempted
under
previous law.
No. 63 of
1952.

16. (1) Subject to the provisions of sub-section (3) of this section, every teacher who on the day immediately preceding the appointed date was a teacher in a Government school as defined in the Education Ordinance, 1952, or in a school exempted from registration under the provisions of that Ordinance, or who was registered as a teacher under the provisions of any written law on such date shall be deemed to be registered as a teacher:

Provided that the Registrar may require any such teacher by notice under his hand to furnish to him within such time as shall be specified in such notice such particulars as in his opinion are necessary to enable him to register such teacher in accordance with the provisions of section 10.

(2) When the Registrar is in possession of particulars consequent on a notice served under the provisions of sub-section (1) of this section or otherwise which in his opinion are sufficient to enable him to register under the provisions of section 10 a teacher deemed to be registered he shall register such teacher in manner specified in that section.

(3) Any teacher specified in sub-section (1) of this section who fails to furnish particulars to the satisfaction of the Registrar pursuant to a notice served under the provisions of that sub-section within the period specified in such notice shall forthwith cease to be deemed to be registered.

(4) The provisions of this section shall not apply to a teacher who on the day immediately preceding the appointed date held a provisional or temporary certificate of registration or who was a student teacher undergoing training in accordance with a scheme approved by the Minister.

17. (1) If the Registrar-General is satisfied that a teacher deemed to be registered under the provisions of section 16 should cease to be deemed to be registered on any one or more of the grounds specified in section 13 he may direct the Registrar to serve a notice on such teacher declaring that such teacher shall no longer be deemed to be registered and the Registrar on being so directed shall serve immediately on such teacher a notice to that effect and such teacher shall thereupon forthwith cease to be deemed to be registered.

Teachers deemed to be registered may cease to be deemed to be registered.

(2) A notice served pursuant to the provisions of sub-section (1) of this section shall specify the grounds on which the declaration is made.

(3) A teacher on receipt of a notice served pursuant to sub-section (1) of this section may, within twenty-one days of the notice being served upon him, appeal to the Minister.

(4) An appellant appealing under the provisions of sub-section (3) of this section, being a teacher in a school receiving grant-in-aid for payment of its teachers and whose appeal is allowed, shall be entitled to receive pay and allowances for the period commencing from the date of service of the notice specified in sub-section (1) of this section until the date of determination of the appeal.

PERMITS TO TEACH

18. (1) The Registrar may issue a permit to teach to the following persons not being registered teachers or teachers deemed to be registered under the provisions of section 16 —

Issue of permits.

- (i) student teachers undergoing training as teachers in accordance with any scheme approved by the Minister;

- (ii) teachers who have applied for registration and whose applications are pending;
- (iii) any person who is required to act temporarily as a teacher.

(2) Permits to teach shall be in such form and subject to such conditions as may be prescribed.

(3) A permit may at the absolute discretion of the Registrar be revoked at any time by notice in writing under the hand of the Registrar served on the holder thereof.

APPEALS

Minister to decide appeals after investigation.

19. (1) On an appeal being made to the Minister from a decision of the Registrar under the provisions of this Ordinance not being an appeal under the provisions of sub-section (4) of section 11, the Minister shall appoint such persons as he shall consider suitable as a Committee of Enquiry to investigate the facts and to report to him thereon.

(2) After considering the report of the Committee of Enquiry appointed under the provisions of sub-section (1) of this section, the Minister shall decide the matter of such appeal and make such order thereon as to him shall seem appropriate.

(3) The decision of the Minister on an appeal shall be final.

Minister to make rules as to manner of making appeal.

20. The Minister may make rules prescribing the manner in which appeals shall be made to him and the fees to be paid in respect of any appeal.

Minister to make rules for Committees of Enquiry.

21. (1) The Minister may make rules prescribing the practice and procedure to be followed in connection with any investigation made by any Committee of Enquiry appointed under the provisions of sub-section (1) of section 19.

(2) Such rules may confer on the Committee of Enquiry power —

- (i) to procure and receive all such evidence written or oral and to examine all such persons including the appellant as witnesses as the Committee of Enquiry may consider desirable;

- (ii) to require the evidence of any witness to be given on oath or affirmation or by statutory declaration;
- (iii) to summon any person including the appellant to attend and give evidence notwithstanding the provisions of any other written law;
- (iv) to admit any evidence written or oral which might be inadmissible in civil or criminal proceedings;
- (v) to exclude the public from any investigation or any part thereof and if the Committee of Enquiry considers it in the public interest so to do to receive evidence in the absence of the appellant:

Provided that where evidence is received in the absence of the appellant the Committee of Enquiry shall communicate to the appellant the substance of such evidence so far as it may be compatible with the public interest so to do and shall in every such case include in the report to the Minister a statement of the circumstances in which such evidence was received.

(3) No person required to give evidence before a Committee of Enquiry shall be obliged to disclose the name or address of any person who has given information in confidence to any public officer in relation to any facts which are the subject of investigation nor shall any person be obliged to state any matter which in his opinion might lead to the discovery of the person who has given such information.

MISCELLANEOUS

22. A certificate or a certificate of registration as a teacher issued under the provisions of any former written law or any document evidencing registration or exemption from registration as a teacher under such law or any permit to teach issued under the provisions of section 18 whether in the possession of the person to whom it relates or of some other person shall within seven days be surrendered to the Registrar —

*Surrender of
certificates.*

- (i) on cancellation or revocation of such certificate, document or permit or on a declaration made under the provisions of section 17

that the teacher to whom the same relates is no longer deemed to be registered;

- (ii) on the person to whom such certificate, document or permit relates ceasing to teach for a period exceeding two years or on the death of such person;
- (iii) on the person to whom such certificate, document or permit relates leaving the Federation for a period exceeding two years; and
- (iv) on demand by the Registrar by writing under his hand for the purpose of alteration, amendment, endorsement or replacement.

Duty of
teacher to
notify
change of
employment.

23. (1) Every registered teacher and every teacher deemed to be registered under the provisions of section 16 shall within seven days of commencing to teach in any school report in writing to the Registrar the name of the school in which he is a teacher or acting as a teacher and the date on which he commenced teaching in such school.

(2) Every registered teacher and every teacher deemed to be registered under the provisions of section 16 shall within seven days report in writing to the Registrar any change as to the school in which he is a teacher or acting as a teacher or in the case of such registered teacher or such teacher deemed to be registered as aforesaid ceasing to be or to act as a teacher his address for the time being.

Service of
notices.

24. Any notice or order or communication required to be or which may be sent to or served on a registered teacher or on a teacher deemed to be registered under the provisions of section 16 may be served by letter addressed to the school or address last reported to the Registrar under the provisions of section 23.

Penalties.

25. Any person who —

- (i) in making application for registration or otherwise for the purpose of inducing the Registrar or the Registrar-General to exercise or refrain from exercising his powers under this Ordinance makes to the Registrar any statement which he knows to be false or does not believe to be true or by the intentional suppression of any material fact furnishes any information which is misleading; or

- (ii) not being a registered teacher or a teacher deemed to be registered under the provisions of section 16 or a teacher to whom a permit to teach has been issued under the provisions of section 18 or a person exempted from registration under the provisions of section 26 acts as a teacher in any school; or
- (iii) suffers or permits or employs to act as a teacher a person not being a registered teacher or a teacher deemed to be registered under the provisions of section 16 or a teacher to whom a permit to teach under the provisions of section 18 has been issued or a person exempted from registration under the provisions of section 26; or
- (iv) acts as a teacher in an unregistered school or in a school declared to be unlawful under the provisions of any written law; or
- (v) being a registered teacher or a teacher deemed to be registered under the provisions of section 16 teaches in any school in contravention of any condition imposed under the provisions of section 11 or being the holder of a permit to teach issued under the provisions of section 18 teaches in any school in contravention of any condition imposed by such permit; or
- (vi) suffers or permits or employs a registered teacher or a teacher deemed to be registered under the provisions of section 16 to teach in any school in contravention of any condition relating to such teacher imposed under the provisions of section 11 or suffers or permits or employs the holder of a permit to teach issued under the provisions of section 18 to teach otherwise than in accordance with the conditions imposed by such permit; or
- (vii) fails to surrender a certificate, document or permit in accordance with the provisions of section 22; or
- (viii) being a registered teacher or a teacher deemed to be registered under the provisions of section 16 fails to make a report to

the Registrar in accordance with the provisions of section 23,

shall be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Exemption
from
registration

26. (1) Nothing in this Ordinance shall apply to teachers in any school entirely maintained by Her Majesty's Army, Navy or Air Force.

(2) The High Commissioner in Council may by order exempt any teachers or the teachers in any school or any class of schools from all or any of the provisions of this Ordinance either absolutely or subject to such conditions as he may think fit to impose and may at any time in his discretion revoke any such exemption or cancel or alter or add to such conditions.

Regulations
to be made
by the High
Commissioner
in
Council

27. The High Commissioner in Council may make regulations for or in respect of all or any of the matters following:

- (i) the form in which the register shall be kept or maintained and the procedure for the issue of certified copies of entries made therein;
- (ii) the procedure to be followed on application for registration, the information to be supplied and the documents to be produced to the Registrar by an applicant and the manner of registration;
- (iii) the information to be supplied from time to time to the Registrar by a registered teacher;
- (iv) the procedure to be followed for endorsement, alteration or amendment of certificates and the replacement of lost or defaced certificates or permits to teach;
- (v) the procedure to be followed and the consequences which shall ensue on the cancellation or revocation of a certificate or permit to teach or on a declaration made under the provisions of section 17;
- (vi) the forms which may be used for the carrying out of the provisions of this Ordinance;

- (vii) any fees deemed proper to be levied on application for registration or on the issue of a certificate or of a permit to teach or otherwise in regard to any matter mentioned in this Ordinance; and
- (viii) all matters stated or required in this Ordinance to be prescribed other than matters which may be prescribed under the provisions of section 20 or 21 and any matters for carrying into effect the provisions of this Ordinance, whether similar or not to those in this section mentioned, as to which he may deem it expedient to make regulations.

Passed in the Legislative Council on the seventh day of March, 1957.

SHEIKH HUSSEIN,
Clerk of the Legislative Council

FEDERATION OF MALAYA
Act of Parliament
No. 43 OF 1961
EDUCATION ACT, 1961

Akta Pelajaran 1961 diperluaskan ke Negeri Sarawak dan Negeri Sabah dengan beberapa ubahsesuaian dan berkuatkuasa mulai 1.1.1976 atas nama:

- (i) Perintah Akta Pelajaran (Perluasan ke Sarawak), 1975-PU(A) 425. Lihat muka surat 291
Education Act (Extension to Sarawak) Order, 1975-
PU(A) 425. Lihat muka surat 300
- (ii) Perintah Akta Pelajaran (Perluasan ke Sabah), 1976-PU(A) 176.
Lihat muka surat 309
Education Act (Extension to Sabah) Order, 1976-PU(A) 176.
Lihat muka surat 324

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FEDERATION OF MALAYA

Act of Parliament

No. 43 OF 1961

EDUCATION ACT, 1961

An Act to amend and consolidate the law relating to education.

2 of 1957.

WHEREAS the educational policy of the Federation originally declared in the Education Ordinance, 1957, is to establish a national system of education which will satisfy the needs of the nation and promote its cultural, social, economic and political development:

AND WHEREAS it is considered desirable that regard shall be had, so far as is compatible with that policy, with the provision of efficient instruction and with the avoidance of unreasonable public expenditure, to the general principle that pupils are to be educated in accordance with the wishes of their parents:

AND WHEREAS further provision is required for securing the effective execution of the said policy, including in particular provision for the progressive development of an educational system in which the national language is the main medium of instruction:

NOW, THEREFORE, BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

Short title
and
commencement.

1. This Act may be cited as the Education Act, 1961, and shall come into force on such date (hereinafter in this Act called "the appointed date") as the Minister may by notification in the *Gazette* appoint:

Provided that the Minister may by notification in the *Gazette* prescribe different dates (hereinafter called "prescribed dates") for different provisions of this Act and for different areas or localities of the Federation, and for the purposes of any such provisions, area or locality any reference in any provision of this Act to the appointed date shall be construed as a reference to the prescribed date.

PART I
INTERPRETATION

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

“age” where used with respect to a child means the age attained by such child on the first day of January in the year in question;

“approved fees” means fees approved by the Minister;

“approved staff” means teachers, employees and other persons employed with the approval of the Minister at prescribed rates of salaries and allowances or at such rates approved by the Minister;

“assisted school” and “assisted educational institution” mean respectively a school and an educational institution in receipt of grant-in-aid;

“capital grant” means a payment from public funds to an educational institution for —

- (a) the provision of land or buildings;
- (b) the alteration to or extension of existing premises;
- (c) the provision of furniture or equipment for new, altered or extended premises;
- (d) such other purposes as may be prescribed;

“Chief Education Officer” means a Chief Education Officer appointed under section 3;

“Chief Inspector” means the Chief Inspector of Schools appointed under sub-section (1) of section 6;

“Chinese language” means the form of the Chinese language commonly known as Mandarin;

“continuation school”, or *sekolah pelajaran lanjutan*, means a post-primary school —

• Seksyen 2 dipinda oleh:

- (i) Education (Amendment) Act, 1965 - No. 4 tahun 1965. Lihat muka surat 271
- (ii) Education (Amendment) Act, 1972 - Act A 111. Lihat muka surat 279

- (a) providing a two or three-year course of post-primary education immediately following the primary school course; and
- (b) using the national language as the medium of instruction:

Provided that the English language may be used as the medium of instruction in any such school until such date as may be prescribed by regulations;

"correspondence school" means an organisation, institution or business providing instruction or teaching by means of correspondence delivered by hand or through the postal services;

"educational institution" means any place (including a school) where, in the carrying on of the work of any organisation or institution, persons are or are habitually taught, whether in one or more classes, except that it does not include any place where the teaching is of a purely religious character or for purely religious purposes;

"employee" means a person, other than a manager or a governor or a teacher, employed or actively taking part in work connected with the running or the administration of an educational institution, but does not include a domestic servant or a person engaged in the repair, maintenance or upkeep of premises;

"existing school" means a school in existence on the day immediately preceding the appointed date;

"further education" means education (other than education in secondary schools, continuation schools, special schools or institutions of higher education) for persons beyond the ages prescribed for retention in primary schools, and a "centre of further education" means an educational institution where further education is provided;

"governor" means any person who actively takes part in the administration of the revenues or property or in the management of an educational institution other than a primary school, not being a member of the approved staff of such institution;

"grant-in-aid" means any payment from public funds, other than a capital grant, made to an educational institution;

"higher education" means education suitable to the requirements of those who have completed their secondary education;

"instrument" means an instrument of management or government as specified in section 27, as circumstances may require;

"local education area" means any area declared to be a local education area by any order made under section 106;

"local education authority" means an authority established under section 107;

"Local Inspector of Schools" means a Local Inspector of Schools appointed under section 7;

"manager" means a person who actively takes part in the administration of the revenues or property or in the management of a primary school, not being a member of the approved staff of such school;

"medical" includes dental;

"Minister" means the Minister charged with the responsibility for education;

"Minister of Finance" means the Minister charged with the responsibility for finance under the Financial Procedure Ordinance, 1957;

"national primary school", or *sekolah kebangsaan*, means a fully-assisted primary school —

- (a) providing a six-year course of primary education appropriate for children between the ages of six and eleven years;
- (b) using the national language as the main medium of instruction;
- (c) in which the English language is a compulsory subject of instruction; and
- (d) in which facilities for the teaching of the Chinese or Tamil language shall, if it is reasonable and practicable so to do, be made available if the parents of fifteen children in the school so request;

"national-type primary school", or *sekolah jenis kebangsaan*, means a fully-assisted primary school —

- (a) providing a six-year course of primary education appropriate for children between the ages of six and eleven years;
- (b) using the English, Chinese or Tamil language as the main medium of instruction;
- (c) in which the national language is a compulsory subject of instruction;
- (d) in which the English language is, if not the main medium of instruction, a compulsory subject of instruction; and
- (e) in which facilities for the teaching of the Chinese or Tamil language (if not the main medium of instruction) shall, if it is reasonable and practicable so to do, be made available if the parents of fifteen children in the school so request;

"national secondary school", or *sekolah menengah kebangsaan*, means a fully-assisted secondary school —

- (a) providing a five-year course of secondary education appropriate for children between the ages of twelve and nineteen years;
- (b) using the national language as the main medium of instruction;
- (c) in which the English language is a compulsory subject of instruction;
- (d) in which facilities for the teaching of the Chinese or Tamil language shall, if it is reasonable and practicable so to do, be made available if the parents of fifteen children in the school so request; and
- (e) preparing pupils for such examinations as may be prescribed;

and includes any school complying with the foregoing requirements and providing, for pupils from a primary school using a language other than the national language as the main medium of instruction, a transitional class for one year before the commencement of the secondary school course;

"national-type secondary school", or *sekolah menengah jenis kebangsaan*, means a fully-assisted secondary school —

- (a) providing a five-year course of secondary education appropriate for children between the ages of twelve and nineteen years;
- (b) using the English language as the main medium of instruction;
- (c) in which the national language is a compulsory subject of instruction;
- (d) in which facilities for the teaching of the Chinese or Tamil language shall, if it is reasonable and practicable so to do, be made available if the parents of fifteen children in the school so request; and
- (e) preparing pupils for such examinations as may be prescribed;

and includes any school complying with the foregoing requirements and providing, for pupils from a primary school using a language other than English as the main medium of instruction, a transitional class for one year before the commencement of the secondary school course;

"non-standard primary school" means any assisted primary school which is not a national primary school or a national-type primary school;

"parent" includes a guardian and any person who has the legal or actual control of a child;

"place" means any place, whether public or private;

"prescribed" means prescribed by or under rules made by the Minister;

"primary school" means a school providing a six-year course of primary education appropriate for children between the ages of six and eleven years;

"pupil" where used without qualification means a person of any age for whom education or training is being provided;

"rating authority" means any local authority empowered under the provisions of any written law (other than this Act) to levy rates;

"registered teacher" means any teacher whose name is entered on the register of teachers kept under section 74;

"Registrar" means in relation to any educational institution the Registrar of Schools appointed under sub-section (2) of section 4 in respect of the area in which the institution is situate, and includes the Registrar-General;

"Registrar-General" means the Registrar-General of Schools appointed under sub-section (1) of section 4, and includes the Deputy Registrar-General of Schools appointed under that sub-section;

"Registrar of Teachers" means the Registrar of Teachers appointed under sub-section (2) of section 5 for the area in which is situate the educational institution in which a teacher or a person applying for registration as a teacher teaches or proposes to teach, and includes the Registrar-General of Teachers;

"Registrar-General of Teachers" means the Registrar-General of Teachers appointed under sub-section (1) of section 5 and includes the Deputy Registrar-General of Teachers appointed under that sub-section;

"rural extension school", or *sekolah lanjutan kampung*, means a fully-assisted secondary school providing a course of secondary education with a rural bias, for children who have completed a course in a primary school;

"school" means—

- (a) a place where ten or more persons are or are habitually taught, whether in one or more classes; or
- (b) in the case of a correspondence school, the place or places where instruction is prepared or where answers are examined or corrected,

but does not include any place where the teaching is of a purely religious character, or for a purely religious purpose:

Provided that —

- (i) Where a school provides primary, trade school, secondary and further education or any two or more of such classes of education, the Registrar may direct that it shall be treated, for the purposes of the provisions of this Act relating to management or government, as

two or more schools of such descriptions as he may direct, but if he does not so direct it shall be treated as a single school of such description as he may specify;

- (ii) Where teaching is carried on in a place or part of a place under more than one separate management under different names, the place or part shall be deemed for the purposes of this Act to be a separate school in respect of each separate management, and each such school and the managers or governors thereof shall be separately registered under this Act;

"secondary school" means a school providing a course of secondary education appropriate for children between the ages of twelve and nineteen years;

"special school" means a school providing special educational treatment for pupils under a disability;

"State Authority" means the Ruler or Governor of a State;

"teacher" means a person who —

- (a) teaches pupils in a school or educational institution; or
- (b) prepares or issues lessons or corrects returned answers in a correspondence school,

and includes a head teacher;

"Unified Teaching Service" consists of all teachers subject to the Education (Salaries and Appointments) Rules, 1961, or any other rules for the time being in force in lieu of those Rules.

PART II

ADMINISTRATION

Chief
Education
Officers.

3. There shall be for each State, or for such other area of the Federation as may be specified by the Minister, a Chief Education Officer, who shall be appointed by the Yang di-Pertuan Agong.

4. (1) The Yang di-Pertuan Agong shall appoint a Registrar-General of Schools and may appoint a Deputy Registrar-General of Schools.

Registrar-General of Schools and other officers.

(2) The Minister shall appoint a Registrar of Schools for each State, and may appoint such Assistant Registrars of Schools as may be considered necessary for the purposes of this Act.

(3) An officer under the administrative control of the Minister may, provided such officer is authorised in that behalf by the Registrar-General, exercise any of the powers conferred on the Registrar by this Act or any rules or regulations made thereunder.

(4) The Deputy Registrar-General and the Registrars and the Assistant Registrars appointed under this section, and any officer exercising any of the powers of the Registrar under sub-section (3) whilst exercising such powers, shall be under the direction and control of the Registrar-General.

(5) An Assistant Registrar may exercise any of the powers and perform any of the duties of the Registrar as may be provided in this Act or as may be prescribed.

5. (1) The Yang di-Pertuan Agong shall appoint a Registrar-General of Teachers, and may appoint a Deputy Registrar-General of Teachers.

Registrar-General and other Registrars of Teachers.

(2) The Minister shall appoint for each State, or for each of the several areas within a State specified by him, a Registrar of Teachers.

(3) The Deputy Registrar-General of Teachers and every Registrar of Teachers shall be under the direction and control of the Registrar-General of Teachers.

6. (1) The Yang di-Pertuan Agong shall appoint a Chief Inspector of Schools for the Federation.

Federal Inspector of Schools.

(2) There shall be appointed such other Inspectors of Schools for the Federation as the Minister may consider necessary for the purposes of this Act.

(3) All Inspectors of Schools appointed under sub-section (2) shall be subject to the direction and control of the Chief Inspector of Schools.

Local
Inspectors
of Schools.

7. (1) There shall be appointed for such areas as the Minister may direct such Local Inspectors of Schools as the Minister may consider necessary.

(2) Local Inspectors of Schools shall be subject to the direction and control of the Chief Education Officer.

Controller of
Examinations.

8. (1) The Yang di-Pertuan Agong shall appoint a Controller of Examinations, and may appoint such other officers, to act under the general direction and control of the Controller of Examinations, as he may consider necessary for the purposes of this Act.

(2) The Controller of Examinations shall, subject to the provisions of any by-laws made under section 120, be responsible for the conduct of examinations for the purposes of this Act.

Power of
Minister to
issue general
directions.

9. The Minister may from time to time give any officer appointed under this Part directions of a general character, and not inconsistent with the provisions of this Act, as to the exercise of the powers and discretions conferred on him by, and the duties required to be discharged by him under, this Act and any rules and regulations made thereunder, in relation to all matters which appear to him to affect the education policy of the Federation, and such officer shall give effect to every such direction.

Power of
Minister to
issue special
directions.

*10. The Minister may from time to time give any manager, governor, employee or head teacher of any school or educational institution directions, not inconsistent with the provisions of this Act or of any rules or regulations made thereunder, in relation to any matter in respect of which rules may be made under this Act, and such manager, governor, employee or head teacher shall give effect to every such direction.

Special
Committees.

11. The Minister may constitute a special committee, consisting of such persons as the Minister may appoint, in respect of —

- (a) any particular educational institution or class of educational institutions; or
- (b) any educational matter or project,

* Seksyen 10 dipinda oleh Education (Amendment) Act, 1972 - Akta A111. Lihat muka surat 280

for the purpose of advising him on matters relating thereto, and may in his discretion confer on any such committee all or any of the powers conferred on a Committee of Enquiry by section 114.

12. (1) If the Minister is satisfied either upon a complaint by any person or otherwise, that in any school or educational institution —

Powers of the Minister in relation to exercise of functions, etc.

- (a) the managers or governors have acted or are proposing to act unreasonably with respect to the exercise of any power conferred or the performance of any duty imposed by or under this Act, or
- (b) the managers or governors have failed to discharge any duty imposed upon them by or under this Act,

the Minister may —

- (i) give such directions in writing as to the exercise of the power or the performance of the duty as appear to the Minister to be expedient, with which directions it shall be the duty of the managers or governors to comply; or
- (ii) suspend or dismiss all or any of the managers or governors and (notwithstanding the provisions of any instrument relating to such school or institution) appoint such person or persons as he may think fit to have and to exercise all the functions of such managers or governors for such period as the Minister may direct.

(2) If at any time, for any school or educational institution, there is no board of managers or governors constituted under this Act the Minister may appoint such person or persons as he may think fit to exercise the functions of managers or governors for the school or institution for such period as the Minister may direct.

PART III

EDUCATION ADVISORY BOARDS

Chapter 1 - National Education Advisory Board

National
Education
Advisory
Board.

13. (1) There shall be established for the purposes of this Act a National Education Advisory Board.

(2) The National Education Advisory Board shall consist of a chairman and such other persons as may be appointed by the Minister.

(3) Each member of the National Education Advisory Board shall hold office for such term, and subject to such conditions, as may be specified in his letter of appointment.

(4) Any appointment made in pursuance of this section shall be notified in the *Gazette*.

Functions of
National
Education
Advisory
Board.

14. (1) The Minister may refer to the National Education Advisory Board for its advice any matter relating to education.

(2) The National Education Advisory Board shall, when any matter is referred to it under sub-section (1), consider such matter and submit to the Minister its advice thereon.

Chapter 2 - State and Local Education Advisory Boards

State and
Local Educa-
tion Advisory
Boards.

15. (1) There shall be established for the purposes of this Act in and for each State, or for such other area of the Federation as may be specified by the Minister, a State or Local Education Advisory Board.

(2) A State or Local Education Advisory Board shall consist of a chairman and such other persons as may be appointed by the Minister.

(3) Each member of a State or Local Education Advisory Board shall hold office for such term, and subject to such conditions, as may be specified in his letter of appointment.

(4) Any appointment made in pursuance of this section shall be notified in the *Gazette*.

16. (1) The Minister may refer to a State or Local Education Advisory Board for its advice any matter relating to primary education in the State or area, and any other matter relating to education within the area of the Board which the Minister may think fit to refer to the Board.

Functions
of State
or Local
Education
Advisory
Boards.

(2) A State or Local Education Advisory Board shall, when any matter is referred to it under sub-section (1), consider such matter and submit to the Minister its advice thereon.

(3) A State or Local Education Advisory Board may submit to the Minister its advice on any matter relating to primary education in the State.

Chapter 3 - General

17. (1) The Minister may attend, and may nominate representatives to attend, any meeting of the National Education Advisory Board, or of any State or Local Education Advisory Board, or of any committee of any such Board.

Right of
attendance.

(2) The Chief Education Officer may attend, and may nominate representatives to attend, any meeting of a State or Local Education Advisory Board, or of any committee thereof.

(3) References in this section to a committee of a Board include references to a joint committee of two or more Boards which is established in accordance with section 18.

18. The National Education Advisory Board, and any State or Local Education Advisory Board, may, subject to any rules made under paragraph (m) of section 116, make by-laws providing for —

By-laws.

- (a) the meetings and procedure of the Board;
- (b) the establishment, with the approval of the Minister, of joint committees of two or more Boards to consider matters of common interest to such Boards;
- (c) the appointment of committees and sub-committees of the Board, and the exercise by such committees and sub-committees of any functions of the Board;

- (d) the appointment to any such joint committee, committee or sub-committee of persons not being members of any of the Boards in question.

PART IV
STATUTORY EDUCATION SYSTEM
Chapter 1 — Stages of Education

Stages of
education

***19.** For the purposes of this Act the stages of the statutory education system shall be as follows—

- (a) primary education;
- (b) secondary education; and
- (c) education in the educational institutions referred to in paragraphs (b) to (c) of section 25.

Chapter 2—Primary Education

Primary
Education

20. It shall be the duty of the Minister to secure the provision of primary education in—

- (a) national primary schools;
- (b) national-type primary schools.

Establish-
ment and
maintenance
of Primary
Schools

21. (1) The Minister, may, subject to the provisions of this Act, establish national primary schools and national-type primary schools and shall, subject to such provisions, maintain all such schools.

(2) Where at any time the Minister is satisfied that a national-type primary school may suitably be converted into a national primary school he may by order direct that the school shall become a national primary school.

Compulsory
primary
education

22. The Yang di-Pertuan Agong may, where he is satisfied that sufficient places exist in national primary schools or national-type primary schools in the Federation or any part thereof, make regulations providing for —

• Seksyen 19 dipinda oleh:

- (i) Education (Amendment) Act, 1965 - No. 4 tahun 1965. Lihat muka surat 271
- (ii) Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 280

- (a) the introduction and enforcement of compulsory free primary education in the Federation or in such part thereof as may be specified by the regulations;
- (b) the age categories of children for whom and the schools or areas in respect of which primary education shall be compulsory;
- (c) the duties of the parents of such children to secure the children's attendance at primary schools, the enforcement of such attendance and the imposition of penalties upon any parents failing to comply with the regulations;
- (d) such other matters as the Yang di-Pertuan Agong may consider necessary or expedient for ensuring the due attendance of children in primary schools.

Chapter 3 - Secondary Education

***23.** It shall be the duty of the Minister to secure the provisions of education in secondary schools of the following descriptions:

Secondary education.

- (a) *sekolah2 pelajaran lanjutan* or, in English, continuation schools;
- (b) *sekolah2 lanjutan kampung* or, in English, rural extension schools;
- (c) national secondary schools;
- (d) national-type secondary schools;
- (e) secondary trade schools;
- (f) secondary technical schools;
- (g) secondary schools of such other descriptions as the Minister may from time to time direct.

24. The Minister may, subject to the provisions of this Act, establish any of the schools referred to in section 23, and shall, subject to such provisions, maintain all such schools.

Establishment and maintenance of secondary schools.

* Seksyen 23 dipinda oleh Education (Amendment) Act, 1965 - No. 4 tahun 1965. Lihat muka surat 272

Chapter 4 - Other Educational Institutions

Educational institutions.

***25.** (1) The Minister may, subject to the provisions of this Act, establish and maintain educational institutions of the following descriptions: —

- (a) special schools;
- (b) technical colleges;
- (c) institutions of higher education and educational research;
- (d) centres of further education;
- (e) teacher training institutions;
- (f) other educational institutions, the establishment or maintenance whereof is not otherwise provided for in this Act.

(2) The Minister may pay grant-in-aid to schools, not established by him, falling within paragraphs (a) to (e) of the foregoing sub-section.

Power of Yang di-Pertuan Agong to transfer responsibility for educational institution from one Minister to another Minister.

***26.** The Yang di-Pertuan Agong may by order direct that the responsibility of the Minister in respect of any such description of educational institution falling within section 25, or any such particular institution falling within that section, as may be specified in the order shall devolve upon such other Minister as may be so specified, and the provisions of this Act shall have effect, in relation to any such description of institution or particular institution, as the case may be, as if for references to the Minister there were substituted references to that other Minister.

Chapter 5 - Management of Schools and Educational Institutions

Instruments of management and government.

27. Subject to the provisions of this Act and in particular the provisions as to exemptions, there shall be —

- (a) an instrument of management for every primary school, constituting a board of managers, with a chairman, for the management

• Seksyen 25(1) dipinda oleh Education (Amendment) Act, 1971 - Akta.A.48. Lihat muka surat 277
• Seksyen 26A dan 26B ditambah kepada Seksyen 26 oleh Education (Amendment) Act, 1972 - Akta A111. Lihat muka surat 280

of the school by the managers in a manner not inconsistent with the provisions of this Act and of any rules and regulations made thereunder;

- (b) an instrument of government for every educational institution (other than a primary school), constituting a board of governors, with a chairman, for the management of the institution by the governors in a manner not inconsistent with the provisions of this Act and of any rules and regulations made thereunder.

28. An instrument of management or government shall be made, amended or cancelled in such manner as may be prescribed.

Manner of making instruments.

29. Subject to the provisions of this Act and in particular the provisions as to exemptions, every school and educational institution shall be managed or governed in strict accordance with its instrument of management or government.

Educational institutions to be regulated by instrument.

30. (1) If the Minister is satisfied —

Power of Minister to appoint managers or governors.

- (a) that discipline in any school or educational institution is not being adequately maintained; or
- (b) that the terms of the instrument of the school or institution are being wilfully disregarded; or
- (c) that any provision of this Act or of any rules or regulations made thereunder is being wilfully disregarded; or
- (d) in the case of a school or institution in receipt of a grant-in-aid, that the property or funds of the school or institution are not being properly administered,

he may appoint by name such additional managers or governors of such school or institution as he may think fit.

(2) The Minister may in his discretion at any time remove any additional manager or governor appointed under sub-section (1).

(3) Any additional managers or governors appointed for any school or educational institution under sub-

section (1) shall for all purposes be deemed to be managers or governors of such school or institution, and shall have all such rights and powers as may by any written law or other instrument be conferred upon the managers or governors of such school or institution.

(4) Any additional managers or governors appointed under sub-section (1) shall be exempted from registration under Part V.

Appointment
of teachers
under
instrument
and Act.

31. Subject to the provisions of this Act and any rules made thereunder, teachers in a school or educational institution shall be appointed in accordance with the instrument of management or government.

Restriction
on dismissal
of teachers
in assisted
schools.

***32.** No teacher in an assisted school or educational institution shall be dismissed without the approval of the Minister.

Chapter 6 - Provision of Services

Power of
Minister
to render
assistance.

***33.** (1) Subject to any regulations under this Act, the Minister may render assistance in respect of pupils or any class of pupils in assisted schools and educational institutions.

(2) Any assistance rendered under sub-section (1) may extend to the granting of bursaries and scholarships, the provision of accommodation, transport, books, medical and dental services, and assistance, whether financial or otherwise, for the purpose of enabling such pupils to take full advantage of the educational facilities available to them or for the purpose of promoting their health and well-being.

Medical
inspection
of pupils.

***34.** (1) Without prejudice to the generality of the powers conferred by section 33 the Minister shall, so far as it is reasonable and practicable so to do, provide for the medical inspection at appropriate intervals of pupils of assisted schools and educational institutions.

* Seksyen 32, 33 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 282

* Seksyen 32A ditambah kepada Seksyen 32 oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 282

* Seksyen 34 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 282

(2) An officer authorised in that behalf by the Minister may require the parent or guardian of a pupil of any assisted school or educational institution to cause the pupil to attend for medical inspection in accordance with arrangements made by the authority; and any person who fails without reasonable excuse to comply with any such requirement shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding one hundred dollars.

35. Without prejudice to the generality of the powers conferred by section 33, the Minister may, where pupils cannot reasonably be provided with the requisite education or training unless boarding accommodation is provided, make such arrangements for such accommodation (whether free or subject to such charges as the arrangements provide) as he may consider appropriate.

Boarding facilities.

**Chapter 7 - Religious Instruction in Assisted Schools*

*36. (1) Where in an assisted school there are fifteen or more pupils professing the Islamic religion, such pupils shall be instructed in the tenets of that religion by religious teachers approved by the State Authority.

Teaching of the Islamic religion.

(2) The instruction required in any school under sub-section (1) shall be for a period of at least two hours in each week within the hours of general instruction of the school (or within such other hours as the Minister may in the case of any particular school appoint).

(3) The managers or governors of any school required to provide instruction under this section shall make such arrangement as may be necessary for the purpose:

Provided that the managers or governors of two or more assisted schools may, with the approval of the Registrar, make arrangements for such instruction to be given to the pupils professing the Islamic religion in such schools jointly.

* Seksyen 36 dan tajuk kepada Chapter 7 of Part IV dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 282,283

Expenses of instruction in the Islamic religion.

*37. (1) The cost of any instruction required to be given in any assisted primary school under section 36 shall, subject to the provisions of sub-section (2), be defrayed from moneys provided by the Legislature of the State in which the school is situate.

* (2) The Government of the Federation shall contribute towards the cost of the instruction required to be given in any assisted primary school under section 36 in the form of a capitation grant, payable at such rate as may be determined by the Minister after consultation with the National Finance Council, in respect of each pupil professing the Islamic religion attending the school.

(3) The cost of any instruction required to be given in any assisted secondary school under section 36 shall be defrayed from moneys provided by Parliament.

Teaching of religions other than Islam.

*38. The managers or governors of an assisted school may provide for the instruction of the pupils of the school, or any of them, in a religion other than the Islamic religion:

Provided that —

(a) no such provision shall be defrayed from monies provided by Parliament;

(b) no pupil shall attend instruction in a religion other than that which he professes, except with the written consent of his parent.

* Seksyen 37 (1) dan 37 (2) dipinda oleh Education (Amendment) Act, 1963 - No.32 of 1963 - Lihat muka surat 266

* Seksyen 37 dipinda oleh Education (Amendment) Act.1972 - Akta A 111 - Lihat muka surat 283

* Seksyen 37 dipinda oleh Education (Amendment) Act.1974 - Akta A 260 - Lihat muka surat 290

* Seksyen 38 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 283

Chapter 8 - General

39. Except in so far as moneys are voted or provided for the purpose by Parliament or otherwise, nothing in this Part shall be deemed to impose any duty upon the Minister to establish or maintain any school or institution under this Part or to maintain wholly or partially any school or institution.

Saving relating to the Minister.

40. Nothing in this Part shall be deemed to prohibit the establishment and maintenance of any school or educational institution which is not in receipt of any grant-in-aid or other financial assistance from any Government or public authority in the Federation:

Saving relating to private schools and institutions.

Provided that every such school or institution shall comply with the provisions of this Act and of all rules, regulations and by-laws made thereunder and applicable thereto.

41. The Minister may cease to maintain any school or educational institution maintained pursuant to the provisions of this Act on the service on the managers or governors or other persons responsible for the management of such school or institution of one year's notice to that effect.

Power to cease to maintain schools and educational institutions.

Provided that nothing in this section shall prejudice the rights of the Minister to suspend or cancel or cause to be suspended or cancelled the payment of grant-in-aid to the managers or governors or other persons responsible for the management of a school or educational institution who have failed to comply with the provisions of this Act or of any rules or regulations made thereunder.

*42. (1) The managers or governors of any school or educational institution which is in receipt of any grant-in-aid and the premises of which have been provided or partly provided by any Government or public authority shall not discontinue the school or institution except with the permission of the Minister.

Discontinuance of assisted schools and educational institutions.

(2) If the Minister grants permission to discontinue a school or institution under sub-section (1) he may impose such conditions as he considers just —

* Seksyen 42 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 283

- (a) in regard to the payment of the whole or part of the expenditure incurred by any Government in providing the premises;
- (b) in regard to the transfer of the premises to or the vesting of the premises in any public authority or Government, on payment to such persons or for such purposes as appear to the Minister appropriate of such portion of the value of the premises as may be proper, having regard to the extent to which the premises were provided otherwise than at the expense of the said authority or government;
- (c) in regard to the disposal of the movable property of the school or institution;
- (d) in regard to the date on which the school or institution shall be discontinued.

(3) Where any school or educational institution is discontinued in accordance with the provisions of this section any duty of the Minister to maintain the school or institution shall be extinguished.

Discontinuance of assisted educational institution not provided at public expense.

*43. (1) The managers or governors of an assisted educational institution (other than an assisted school or institution referred to in sub-section (1) of section 42 may discontinue the institution on serving on the Minister a notice of their intention to discontinue the institution on the expiry of the period specified in the notice.

(2) A notice served under sub-section (1)—

- (a) shall provide a period of notice of at least one year, unless the Minister shall, in his discretion, permit the giving of any lesser period of notice; and
- (b) shall not be withdrawn, except with the consent of the Minister.

(3) The Minister may, while any notice served under sub-section (1) is in force in respect of an assisted educational institution, give such directions as he may think just in regard to the disposal of any movable property of

* Seksyen 43 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 284

the institution which has been provided by the Government or by any public authority, and the managers or governors of the institution shall give effect to any such direction.

(4) If, while any notice served under sub-section (1) is current in respect of an assisted educational institution, the managers or governors inform the Minister that they are unable or unwilling to carry on the institution until the expiration of the notice, the Minister may maintain the institution during the whole or part of the unexpired period of the notice, and shall be entitled to the use of the institution premises, and any furniture, equipment and supplies provided for use in the institution, free of charge for that purpose.

(5) While any educational institution is being maintained by the Minister under sub-section (4) he shall keep the institution premises in good repair, and for all purposes relating to the condition of the institution premises, the occupation and use thereof and the making of alterations thereto, any interest in the said premises which is held for the purposes of the institution shall be deemed to be vested in the Minister:

Provided that the managers or governors of the institution shall be entitled to the use of the institution premises when not required for the purposes of the institution, to the like extent as if they had continued to carry on the institution during the unexpired period of the notice.

(6) Where any educational institution is discontinued in accordance with the provisions of this section any duty of the Minister to maintain the institution shall be extinguished.

PART V

REGISTRATION OF SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS

Chapter 1 - Registration of Schools and Educational Institutions

44. Subject to the provision of this Act, and in particular to the provisions as to exemption, every school and educational institution shall be registered under this Act.

All schools
and educational
institutions
to be
registered.

Registers.

45. The Registrar shall keep or cause to be kept a register, in such form as may be prescribed, in which shall be entered and recorded in respect of every registered school and educational institution —

- (a) the name and address of the school or institution;
- (b) such particulars in relation to the school or institution, and the managers or governors and teachers thereof, as may be prescribed; and
- (c) any change or alteration which may from time to time be effected in regard to any entry in the register.

Applications
for regis-
tration.

***46.** (1) An application for the registration of a school or educational institution shall be made to the Registrar by the persons applying to be registered as managers or governors thereof.

(2) Every application under sub-section (1) —

- (a) shall be in such form as may be prescribed; and
- (b) shall be accompanied by applications for registration as a manager or governor of the school or educational institution by every person named in the application under sub-section (1).

Restriction
on registration.

47. No school or educational institution shall be registered until —

- (a) the persons making application for registration have appointed one of their number to be the chairman of the managers or governors for the purposes of this Act; and
- (b) a certificate of the appointment, signed by those persons, has been furnished to the Registrar.

* Seksyen 46 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 285

*48. (1) On receipt of an application for registration of a school or educational institution under section 46 the Registrar may, in his discretion, pending investigation of the application, issue to the person who is to act as chairman of the managers or governors a provisional certificate of registration in respect of such school or institution.

Provisional
certificates
of registration.

(2) Provisional certificate of registration shall be issued in such form and subject to such conditions as may be prescribed.

(3) A provisional certificate may at the discretion of the Registrar be revoked at any time by notice in writing under the hand of the Registrar served on the person to whom the certificate was issued.

*49. (1) Subject to the provisions of this Act the Registrar shall, upon an application for registration of any school or educational institution duly made and after such inquiry as he may think necessary, register it and issue to the chairman of the managers or governors thereof a certificate of registration in the prescribed form.

Registration.

(2) A certificate of registration of a school or educational institution shall —

- (a) describe the buildings of the school or institution;
- (b) specify which rooms are to be used for the purposes of instruction;
- (c) specify the maximum number of pupils who may be taught in each room; and
- (d) contain such other information as may be prescribed.

* Seksyen 48, 49 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 285

(3) No extensions or additions to the buildings of any school or educational institution or diminution of the size of the buildings, and no change in the rooms to be used for the purposes of instruction in the school or institution, shall be made without the written authority of the Registrar.

(4) The chairman of the managers or governors of a school or educational institution shall cause a copy of the certificate of registration issued under this section to be kept exhibited in a conspicuous place in the school or institution.

Refusal of
registration.

50. The Registrar may refuse to register a school or educational institution if he is satisfied —

- (a) that the school or institution is insanitary, or is for reasons of health unsuitable for use as a school or educational institution, or that no, or no adequate and satisfactory, area is provided for the open-air recreation of the pupils, or that the school or institution buildings or any part thereof are unsuitably sited, or are unsuitable by reason of danger from fire or are otherwise dangerous buildings; or
- (b) that the number of pupils to be enrolled in the proposed school or institution or in any class thereof will exceed the prescribed number; or
- (c) that the school or institution is likely to be used for a purpose detrimental to the interests of the Federation or of the public, or for the purpose of instruction detrimental to the interests of the public or of the pupils, or as a meeting place for an unlawful society; or
- (d) that the person appointed to be chairman of the managers or governors or to be head teacher is not a fit or proper or responsible person to act as chairman or head teacher, as the case may be; or
- (e) that any person applying for registration as a manager or governor of the school or institution is or has been refused registration under section 62 or 63 or has been struck off the register under section 66; or

- (f) that the name under which the school or institution is to be registered is, in his opinion, undesirable; or
- (g) that the existing educational facilities are already adequate in the area in which it is proposed to open the school or institution; or
- (h) that a statement which was false or misleading in a material particular has been made in or in connection with the application for registration.

51. The Registrar, in his discretion, may require as a condition precedent to the registration of any school or educational institution —

Registration subject to conditions.

- (a) that such steps as he may specify be taken to provide adequate equipment for the school or institution, or for rendering it suitable for use as such, or for providing an adequate or satisfactory area for open air recreation, or for rendering the building safe;
- (b) that a fit and proper and responsible person be appointed to be chairman of the managers or governors or to be head teacher;
- (c) that another person apply for registration as a manager or governor in the place of any person named in the application for registration and refused registration as a manager or governor; or
- (d) that the name of the school or institution be changed to a name approved by the Registrar.

52. (1) When the Registrar refuses to register a school or educational institution under the provisions of section 50 or imposes any condition precedent to such registration under the provisions of section 51, he shall inform the applicant by notice in writing that registration is refused or that registration will be granted subject to conditions and shall, in each case, specify in the notice the grounds on which registration is refused or the conditions on which registration will be granted.

Notice of refusal or of registration subject to conditions and appeal.

(2) Any applicant aggrieved by the refusal of the Registrar to register a school or institution or by the

imposition of any condition precedent to the registration of a school or institution may, within twenty-one days of the notice being served on him in accordance with subsection (1), appeal to the Minister.

Grounds for
cancellation
of registra-
tion.

Chapter 2 - Cancellation of Registration

***53.** (1) The Registrar may serve on the chairman of the managers or governors of a school or educational institution a notice of intention to cancel the registration of the school or institution if he is satisfied that it is expedient so to do on any of the grounds following:—

- (a) the grounds specified in paragraph (a) of section 50;
- (b) that the managers or governors have wilfully disregarded the terms of the instrument of management or government of the school or institution;
- (c) that discipline in the school or institution is not being adequately maintained;
- (d) that the registration of the school or institution was obtained by reason of any mistake or of any false or misleading statement;
- (e) that an offence against this Act has, since the registration of the school or institution, been committed by any manager or governor or employee or teacher in the school or institution in relation to the management or teaching therein;
- (f) that there is no chairman of the managers or governors of the school or institution or that the chairman or head teacher appointed is not a fit or proper or responsible person.

• Seksyen 53 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 285

(2) If the Minister transmits to the Registrar a report under the hand of the Chief Inspector certifying that, in the Chief Inspector's opinion, the education provided or the instruction given in a school or educational institution is unsatisfactory for reasons specified in the report, the Registrar shall serve on the chairman of the managers or governors a notice of intention to cancel the registration of the school or institution.

(3) A notice of intention to cancel the registration of a school or educational institution served under sub-section (1) shall give particulars of the grounds on which it is proposed to cancel registration, and a notice served under sub-section (2) shall have annexed thereto a copy of the report of the Chief Inspector.

(4) Where a notice under sub-section (1) or (2) is served on a person he may within twenty-one days of the notice being served upon him appeal to the Minister.

(5) If no appeal has been lodged under sub-section (4), or if such an appeal having been made is rejected, the Registrar may strike the school or educational institution off the register.

*54. (1) If it appears to the Registrar that any school or educational institution is, or is likely to be, used —

Unlawful
schools and
institutions.

(a) for a purpose detrimental to the interests of the Federation or of the public; or

(b) for the purpose of instruction detrimental to the interests of the public or of the pupils; or

(c) as the meeting place of an unlawful society,

the Registrar may cause a notice to be served on the chairman of the managers or governors of the school or institution giving particulars of the matters alleged against the school or institution and calling upon him to show cause, within a period to be specified in the notice, being not less than twenty-one days, why the school or institution should not be declared to be unlawful.

(2) The chairman, if he desires to show cause why the school or educational institution should not be declared to be unlawful, may deliver to the Registrar,

* Seksyen 54 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 285

within the time specified in the notice, a written statement, in the national or English language, of the grounds on which he relies.

(3) If within the time specified in the notice served under sub-section (1) no written statement has been delivered under sub-section (2), or if the Registrar, after considering the written statement delivered and after making such inquiry as he may consider necessary, is satisfied that the school or educational institution is being or is likely to be used for the said purposes or as such a meeting place, the Registrar may declare the school or institution to be an unlawful school or educational institution, and the declaration shall take effect at the expiration of twenty-one days after notice thereof has been given to the chairman of the managers or governors:

Provided that if within the said period of twenty-one days, or within such extended time as the Minister may allow, an appeal against the declaration has been presented under sub-section (4), the Minister may, in his discretion, suspend the operation of the declaration until the determination of the appeal, subject however to such conditions as he may deem fit.

(4) Any person aggrieved by any declaration made under sub-section (3) may, within twenty-one days of the declaration being made or within such extended time as the Minister may allow, appeal against the declaration to the Minister and the Minister may confirm or annul the declaration, or may direct that it shall not have effect if such conditions as he may impose are complied with during the next twelve months.

(5) When as a result of a declaration made under this section a school or educational institution has become an unlawful school or institution the Registrar shall forthwith strike it off the register.

Breach of
conditions
imposed
under
section 54.

*55. Where any condition has been imposed under sub-section (3) or (4) of section 54, the Registrar, if he has reason to believe that the condition has been contravened, may, after giving notice to the chairman of the managers or governors of the school or educational institution concerned, apply to the Minister for the termina-

* Seksyen 55 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 286

tion of the suspension under sub-section (3) or the annulment of the direction under sub-section (4), as the case may be, and the Minister may make such order with regard to the application as he thinks fit; and if such a direction is annulled the declaration under section 54 shall thereupon take effect.

56. (1) When a declaration has been made under section 54, and so long as the declaration has not been annulled, the Registrar or an Assistant Registrar or any public officer specially authorised by the Registrar in that behalf in writing, accompanied by such persons as he may deem necessary, may enter a school or educational institution or any part thereof and search for, remove and destroy signboards, banners and other insignia, seals and other devices for authenticating documents, and any books, documents or other articles appearing to him detrimental to the interests of the Federation or the public or which he has reasonable cause to believe belong to an unlawful society or to be in any way connected therewith.

Registrar's powers of entry and search.

(2) For the purpose of any entry or search under sub-section (1) the Registrar or the Assistant Registrar or any public officer referred to in that sub-section may cause to be broken open any outer or inner door or window of the school or educational institution or part thereof or any locked receptacle therein which he suspects to contain any article which he is by the provisions of this section empowered to remove or destroy.

*57. (1) If the Registrar has reason to believe that any registered school or educational institution has ceased to exist, he may serve on the chairman of the managers or governors of such school or institution a notice calling upon such chairman to furnish him with proof of its existence within one month from the date of such notice.

Defunct schools and institutions.

(2) If at the expiration of one month the Registrar is satisfied that the school or institution has ceased to exist, he shall thereupon strike it off the register.

(3) If in a case falling under sub-section (1) the Registrar is unable, after all reasonable inquiry, to find any person on whom a notice under that sub-section may

* Seksyen 57 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 286

be served, he may strike the school or institution off the register.

School or institution struck off the register to cease to be registered.

***58.** When a school or educational institution has been struck off the register under this Chapter the Registrar shall forthwith serve a notice of the striking off upon the chairman of the managers or governors of the school or institution, and the school or institution and the chairman and the managers or governors and each individual manager or governor and every employee thereof shall thereupon cease to be registered; and the chairman of the managers or governors shall immediately after the service of the notice surrender to the Registrar the certificate of registration of the school or institution and the instrument of management or instrument of government thereof, and the chairman and the managers or governors and every employee shall immediately surrender to the Registrar their certificates of registration issued under this Act:

Provided that where an appeal is brought a certificate or instrument need not be surrendered until the appeal has been rejected.

Chapter 3 - Registration of Managers, etc.

All managers, governors and employees to be registered.

59. Subject to the provisions of this Act, and in particular to the provisions as to exemptions, every person who acts as a manager or a governor or an employee of school or educational institution shall be registered as a manager or governor or employee, as the case may be, in respect of the school or institution.

Form of application.

60. Every application for registration as a manager or governor or employee of a school or educational institution shall be in the prescribed form.

Registration as manager or governor or employee.

61. (1) Subject to the provisions of this Act the Registrar shall, upon an application duly made and after such enquiry as he may think necessary, register a person as a manager or governor or employee in a school or educational institution, and shall issue to him a certificate of registration in the prescribed form.

* Seksyen 58 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 286

(2) The Registrar may, in his discretion, issue —

- (a) to a person applying for registration under this Chapter (whether on the registration of a school or subsequently);
- (b) to a person needed to act temporarily as manager, governor or employee,

a permit, in such form as may be prescribed, to act in that capacity, and while such a permit is in force the person to whom it relates shall be deemed to be registered under this Chapter.

(3) A permit under sub-section (2) may be revoked by the Registrar at any time, and, in the case of a person applying for registration, shall cease to be in force on the registration under this Chapter of the person to whom it relates.

62. (1) The Registrar may refuse to register any person as a manager or governor or employee of a school or educational institution if —

*Grounds of
refusal of
registration.*

- (a) that person has been convicted, in the Federation or elsewhere, of an offence and sentenced to a term of imprisonment or has been convicted of an offence against this Act or under any previous written law relating to the registration of schools or teachers or under any similar law in Singapore; or
- (b) the said person, when a registered manager, governor, employee or teacher of any school or educational institution has been (otherwise than by reason only of a school or institution having ceased to exist) struck off any register established under this Act or under the corresponding provisions of any previous written law or any similar law in Singapore; or
- (c) it appears to the Register that it will be prejudicial to the interests of the Federation or of the public or of the pupils of the school or educational institution that such person should be so registered; or
- (d) the said person has made a statement false or misleading in a material particular in or in

connection with his application for registration or has intentionally suppressed any fact material to that application.

(2) The Registrar shall refuse to register any person as a manager or governor who in his opinion is under the age of twenty-one years.

(3) The Registrar may, with the concurrence of the Minister, refuse to register a manager or governor or employee of a school or educational institution who is not a citizen of the Federation.

Duty of Registrar to refuse registration when directed by Registrar-General.

63. The Registrar shall refuse to register any person as a manager or governor or employee of a school or educational institution if directed so to do by the Registrar General:

Provided that the Registrar-General shall not give such a direction unless he is satisfied that one or more of the grounds set out in section 62 are applicable and, if the grounds for giving a direction are those specified in sub-section (3) of that section, that the Minister concurs.

Notice of refusal to register.

64. When under the provisions of section 62 or 63 the Registrar refuses to register an applicant for registration as a manager or governor or employee he shall inform the applicant by notice in writing specifying the grounds on which registration is refused.

Appeal against refusal to register.

65. Any person who has been refused registration as a manager or governor or employee in a school or educational institution may, within twenty-one days of the notice being served upon him in accordance with section 64, appeal to the Minister.

Power of Registrar to strike off the register

66. (1) The Registrar may strike off the register any manager or governor or employee who—

- (a) at any time, whether before or after the date of his registration, has been convicted, in the Federation or elsewhere, of an offence and sentenced to a term of imprisonment; or
- (b) at any time, whether before or after the date of registration, has acted as a manager or governor or employee or teacher in any school or educational institution which has been struck off the register under the provisions of this Act or under any previous written law relating to the registration of

schools or under any similar law in Singapore and was not restored to the register at the time of his so acting; or

- (c) at any time, whether before or after the date of his registration, has been convicted of an offence against this Act, or under any previous written law relating to the registration of schools or teachers or under any similar law in Singapore; or
- (d) appears to the Registrar to be a person who ought not, in the interests of the Federation or of the public or of the pupils, to remain a manager or governor or employee; or
- (e) has obtained his registration in consequence of any mistake or any false or misleading particulars furnished in or in connection with his application for registration:

Provided that no person shall be struck off the register under the provisions of paragraph (a), (b) or (c) by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before that date.

(2) The Registrar may, with the concurrence of the Minister, strike off the register any manager or governor who is not a citizen of the Federation.

(3) The Registrar shall strike any manager, governor or employee off the register if directed so to do by the Registrar-General:

Provided that the Registrar-General shall not give such a direction unless he is satisfied that one or more of the grounds specified in sub-section (1) or (2) are applicable and, if the grounds for giving a direction are those specified in sub-section (2), that the Minister concurs.

67. (1) Upon any manager or governor or employee of a school or educational institution retiring or ceasing to act as such, the managers or governors of the school or institution shall, within twenty-one days of the happening thereof, report the event in writing to the Registrar.

*Retirement
of managers,
governors and
employees.*

(2) The Registrar, upon receiving a report under the provisions of sub-section (1), shall forthwith strike the manager or governor or employee, as the case may be, off the register.

Persons struck off register to cease to be registered.

68. (1) When any person has been struck off the register under the provisions of section 66 or 67 the Registrar shall forthwith inform him in writing that he has been so struck off and of the grounds or reasons therefor.

(2) On being struck off the register such person shall cease to be registered and shall forthwith after service of the notice under the provisions of sub-section (1) surrender to the Registrar the certificate of registration issued to him under the provisions of this Act or of any previous law relating to the registration of schools as manager or governor or employee, as the case may be.

Appeal against striking off the register.

69. Any person struck off the register under the provisions of section 66 or 67 may, within twenty-one days of the notice under sub-section (1) of section 68 being served upon him, appeal to the Minister; and if such an appeal is made it shall be a sufficient compliance with sub-section (2) of section 68 to surrender the certificate on the appeal being rejected.

Chapter 4 - Registration of Pupils

Registration of pupils.

*70. The managers or governors of a school or educational institution shall cause to be kept, in accordance with such rules as may be prescribed, a register containing the prescribed particulars with respect to all pupils at the school or institution.

Chapter 5 - Inspection of Schools and other Educational Institutions by the Registrar

Inspections to be made from time to time.

71. (1) The Registrar or an Assistant Registrar shall from time to time inspect every school and educational institution registered under this Act for the purpose of ascertaining that the provisions of this Act and of the regulations and rules made thereunder have been and are being complied with.

(2) The Registrar or an Assistant Registrar may require to be submitted to him, at such intervals as he may specify, a copy of instructional material issued by a correspondence school registered under this Act or of such descriptions of such material as he may specify.

* Seksyen 70 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 286

72. (1) The Registrar or an Assistant Registrar may at any time —

Powers of Registrar on inspection of registered schools and educational institutions.

- (a) enter in or upon any registered school or educational institution for the purpose of carrying out such inspection or examination of books, documents or other articles as he may consider necessary; and
- (b) remove and detain any books, documents or other articles which appear to him to be detrimental to the interests of the Federation or of the public or likely to be used for the purposes of instruction detrimental to the pupils or which appear to him likely to furnish evidence that the school or educational institution is or has been used as a meeting place for an unlawful society or which in his opinion may furnish evidence of the commission of an offence under this Act; and
- (c) where he is lawfully carrying out an inspection under this sub-section and ingress into the school or educational institution or any part thereof, or access to the contents of any locked receptacle therein, cannot after reasonable enquiry be readily obtained, cause to be broken open any outer or inner door or window of any such school or institution or any locked receptacle found therein.

(2) The Registrar or an Assistant Registrar at any time whilst lawfully carrying out an inspection of a school or educational institution under the provisions of this Act may —

- (a) require any person being a manager, governor, employee, teacher or pupil of such school or institution, or any person found within the school or institution, to produce for his inspection any books or documents or articles relating to the management of or to the teaching carried on in such school or institution, which are in that person's possession or under his control;
- (b) require any such person as aforesaid to furnish the Registrar with such information

relating to management or teaching as the Registrar may demand and which it is within that person's power to furnish;

- (c) require a teacher to produce for inspection his certificate of registration as a teacher or his permit to teach;
- (d) require a manager or governor or employee to produce for inspection his certificate of registration under this Act or permit under section 61;
- (e) require a manager, governor, teacher, employee or pupil or any person who is found within the school or institution to produce for inspection any identity card issued to him under the provisions of any written law in force relating to the registration of residents within the Federation or any area in the Federation or in Singapore.

Search of
unregistered
premises.

73. Where the Registrar or an Assistant Registrar, or any public officer authorised by the Registrar in that behalf in writing, or any police officer not below the rank of Inspector, has reasonable cause to believe that any house, building or other place has been or is being used as a school or educational institution which is required to be registered under this Act and is not so registered, the Registrar or Assistant Registrar or such public officer or such police officer, accompanied by such persons as he may deem necessary, may —

- (a) enter and search the house, building or place; and
- (b) seize and detain any books, documents or other articles found therein which appear likely to furnish evidence of the commission of an offence against this Act or which appear to be the property of or to have been used in connection with a school or educational institution not registered under this Act; and
- (c) for such purposes, if after reasonable enquiry, access cannot otherwise readily be obtained, cause to be broken open any outer or inner door or window of the house, building or

place or any locked receptacle therein which he suspects to contain any article which may be liable to seizure under this section.

PART VI

REGISTRATION OF TEACHERS

Chapter 1 - Registration of Teachers

74. The Registrar-General of Teachers shall cause to be kept and maintained in such form as may be prescribed a register of teachers in which shall be entered such particulars as may be prescribed.

Register of teachers.

75. Subject to the provisions of this Act, and in particular the provisions as to exemption, no person other than —

Limitation on persons teaching.

- (a) a registered teacher; or
- (b) a person in whose case a permit is in force under section 89; or
- (c) a student in any educational institution for the training of teachers and under the direct control of the Minister,

shall teach in any school or educational institution.

76. Application for registration as a teacher shall be made to the Registrar of Teachers in the prescribed manner.

Application for registration.

77. (1) The Registrar of Teachers may refuse to register a person under this Chapter if satisfied that that person —

Power of Registrar of Teachers to refuse registration.

- (a) is under the age of eighteen years; or
- (b) has no qualifications to teach or qualifications which in the opinion of the Registrar are inadequate for the purpose; or
- (c) has made a false or misleading statement in a material particular in or in connection with his application for registration or has intentionally suppressed any fact material thereto; or
- (d) suffers from some physical or mental defect or disease rendering him in the opinion of the Registrar of Teachers unsuitable to be a teacher; or

- (e) has been convicted, in the Federation or elsewhere, of an offence and sentenced to a term of imprisonment, or has been convicted of an offence against this Act, or under any previous written law relating to the registration of teachers or schools, or under any similar law in Singapore; or
- (f) has been struck off the register or any register established under any written law in the Federation or in Singapore for the registration of teachers or managers or governors of or persons employed in schools or educational institutions.

(2) The Registrar of Teachers may, with the concurrence of the Minister, refuse to register a teacher who is not a citizen of the Federation.

Duty of Registrar to refuse registration.

78. The Registrar of Teachers shall refuse to register a person under this Chapter if he is satisfied that —

- (a) that person is likely to promote or foster in a school or educational institution some unlawful purpose or a purpose prejudicial to or incompatible with peace, welfare or good order in the Federation; or
- (b) it will be prejudicial to the interests of the Federation or of the public or of pupils that the said person should be registered.

Duty of Registrar of Teachers to refuse registration when directed by the Registrar-General of Teachers.

79. The Registrar of Teachers shall refuse to register a person under this Chapter if he is directed to refuse to register him by the Registrar-General of Teachers:

Provided that the Registrar-General shall not give such a direction unless he is satisfied that one or more of the grounds set out in section 77 or 78 are applicable and, if the grounds for giving a direction are those specified in sub-section (2) of section 77, that the Minister concurs.

Notice of refusal to register.

80. When the Registrar of Teachers refuses to register a person under the provisions of section 77, 78 or 79 he shall by notice in writing inform the said person of the refusal, specifying the grounds thereof.

Appeal against refusal to register

81. Any teacher aggrieved by the refusal of the Registrar of Teachers to register him on any of the grounds mentioned in section 77, 78 or 79 may, within twenty-one days of the notice being served on him in accordance with the provisions of section 80, appeal to the Minister.

82. Subject to the provisions of this Act the Registrar of Teachers shall, upon application for registration under this Chapter duly made and after such inquiry as he may deem necessary, register the applicant and issue to him a certificate of registration as a teacher in the prescribed manner.

Registration
of teachers.

83. (1) The Registrar of Teachers may in his discretion at any time, by writing under his hand endorsed on a certificate relating to a registered teacher or by notice in writing to any teacher, impose in respect of him conditions under which he may teach or continue to teach.

Power of
Registrar
to impose
conditions.

(2) The conditions imposed in accordance with the provisions of sub-section (1) may specify —

- (a) the school or educational institution in which the teacher may teach;
- (b) the area in the Federation within which, and the type of school or educational institution in which, he may teach;
- (c) the language or languages of instruction which he may use;
- (d) the subjects which he may teach and the standards or forms or groups of pupils to whom he may give instruction.

(3) The Registrar of Teachers may by further endorsement or notice cancel, alter or add to any conditions imposed under this section.

(4) A teacher who is aggrieved by the imposition of any condition under this section, not being a condition imposed pursuant to section 86, may appeal to the Minister:

Provided that notwithstanding any such appeal the condition shall continue in force until and except in so far as it is cancelled by the Minister.

84. (1) If the Registrar of Teachers is satisfied —

Cancellation
of registration
after notice.

- (a) that it is expedient so to do on any of the grounds set out in paragraphs (c) to (f) of sub-section (1) of section 77 or any of the grounds set out in section 78; or
- (b) that a registered teacher has committed a breach of or has failed to comply with any condition imposed under section 83; or

- (c) that a registered teacher has ceased to teach in any school or educational institution in the Federation for a continuous period exceeding two years, or
- (d) that a teacher was registered by reason of a mistake,

he may serve on the teacher a notice of intention to cancel his registration.

(2) The Registrar of Teachers shall serve a notice as specified in sub-section (1) on a registered teacher if he is directed so to do by the Registrar-General of Teachers:

Provided that the Registrar-General of Teachers shall not give such a direction unless he is satisfied that at least one of the grounds specified in sub-section (1) is applicable.

(3) A notice served pursuant to the provisions of sub-section (1) or (2) shall specify the grounds on which it is proposed to cancel the registration of a registered teacher.

(4) A teacher on whom a notice pursuant to the provisions of this section is served may, within twenty-one days appeal to the Minister.

(5) If no appeal is made within the period specified in sub-section (4) or if an appeal having been made is rejected, the Registrar of Teachers shall cancel the registration and serve on the teacher a notice informing him that the registration has been cancelled.

(6) No cancellation of registration shall be made under the provisions of this section on any of the grounds set out in paragraphs (d) to (f) of sub-section (1) of section 77 by reason of any fact occurring before the date of registration of a teacher and disclosed to the Registrar of Teachers before that date.

Cancellation
of registration
without
notice.

85. (1) If the Registrar-General of Teachers is satisfied that a registered teacher —

- (a) is promoting or fostering or is or has been concerned with the promoting or fostering of some unlawful purpose or any purpose prejudicial to or incompatible with peace, welfare or good order in the Federation; or

- (b) has committed a breach of or has failed to comply with any condition imposed in respect of him under section 83,

and that by reason thereof it is desirable that he should cease to teach, the Registrar-General of Teachers shall serve, or shall direct the Registrar of Teachers to serve, a notice on the teacher cancelling his registration forthwith, and the Registrar-General of Teachers or the Registrar of Teachers shall thereupon cancel the registration.

(2) A notice served pursuant to the provisions of sub-section (1) shall specify the grounds on which registration is cancelled.

(3) A teacher on receipt of a notice cancelling his registration under the provisions of this section may, within twenty-one days of the notice being served upon him, appeal to the Minister.

(4) An appellant appealing under the provisions of sub-section (3), being a teacher in a school or educational institution receiving grant-in-aid for payment of its teachers and whose appeal is allowed, shall be entitled to receive pay and allowances for the period commencing from the date of cancellation of his registration until the date of determination of the appeal.

86. If upon an appeal under this Chapter it is ordered that a teacher shall be registered, or shall continue to be registered, subject to specified conditions the Registrar of Teachers shall impose those conditions under section 83.

Appeals allowed subject to conditions.

87. When the registration of a registered teacher has been cancelled under the provisions, of section 84 or 85, and a notice has been served under sub-section (5) of section 84 or sub-section (1) of section 85, as the case may be, the Registrar of Teachers shall forthwith strike such teacher off the register, and such teacher shall thereupon cease to be registered and shall immediately after the service of the notice surrender to the Registrar of Teachers his certificate:

Striking off the register.

Provided that in the case of an appeal under section 85 it shall be a sufficient compliance with this section if the certificate is surrendered on the appeal being rejected.

88. (1) Subject to the provisions of this section, every teacher who on the day immediately preceding the appointed date was deemed to be registered as a teacher under the Registration of Teachers Ordinance, 1957, shall until registered under this Act as a teacher be deemed to be so registered and accordingly to be a registered teacher for the purposes of this Act.

(2) The Registrar of Teachers may require any teacher deemed to be registered under the Registration of Teachers Ordinance, 1957, by notice under his hand to furnish to him within such time as shall be specified in such notice such particulars as in his opinion are necessary to enable him to register such teacher in accordance with section 82.

(3) When the Registrar of Teachers is in possession of particulars consequent on a notice served under the provisions of sub-section (2) or otherwise which in his opinion are sufficient to enable him to register under section 82 a teacher deemed to be registered he shall register such teacher in manner specified in that section.

(4) Any teacher specified in sub-section (2) who fails to furnish particulars to the satisfaction of the Registrar of Teachers pursuant to a notice served under the provisions of that sub-section within the period specified in such notice shall forthwith cease to be deemed to be registered.

(5) References in this Chapter to cancellation of the registration of a teacher shall include references to directing that a teacher shall cease to be deemed to be registered under this Act, and references therein to an order that a teacher shall be registered or continue to be registered shall include references to an order that a teacher shall be deemed to be registered or shall continue to be deemed to be registered.

Chapter 2 - Permits to Teach

89. (1) The Registrar of Teachers may issue a permit to teach to the following persons, not being registered teachers —

- (a) student teachers (other than those specified in paragraph (c) of section 75 undergoing training as teachers in accordance with any scheme approved by the Minister;

- (b) teachers who have applied for registration and whose applications are pending;
 - (c) any person who is needed to act temporarily as a teacher.
- (2) Permit to teach shall be in such form and subject to such conditions as may be prescribed.

(3) A permit may at the discretion of the Registrar of Teachers be revoked at any time by notice in writing under the hand of the Registrar of Teachers served on the holder thereof, without specifying the grounds on which such permit is revoked.

Chapter 3 - Miscellaneous

90. A certificate of registration as a teacher issued under this Act or the provisions of any former written law or any document evidencing registration or exemption from registration as a teacher or that a teacher is deemed to be registered under such law, or any permit to teach issued under section 89, whether in the possession of the person to whom it relates or of some other person, shall within seven days be surrendered to the Registrar of Teachers —

Surrender of certificates.

- (a) in the case of any such document or permit, on cancellation or revocation;
- (b) on the person to whom such certificate, document or permit relates ceasing to teach in any school or educational institution in the Federation for a continuous period exceeding two years, or on the death of such person;
- (c) on demand by the Registrar of Teachers by writing under his hand for the purpose of alteration, amendment, endorsement or replacement;
- (d) in the case of a permit, on the expiration of its period of validity.

91. (1) Every registered teacher shall within seven days of commencing to teach in any school or educational institution report in writing to the Registrar of

Duty of teacher to notify change of employment.

Teachers the name of the school or institution in which he is teaching and the date on which he commenced teaching in such school or institution.

(2) Every registered teacher on ceasing to teach in a school or educational institution shall within seven days report in writing to the Registrar or Teachers the fact that he has ceased to teach there and his address for the time being.

PART VII

THE NATIONAL JOINT COUNCIL FOR TEACHERS

Establishment
of National
Joint Council
for Teachers.

***92.** There shall be established a body to be known as the National Joint Council for Teachers.

Constitution
of the
Council.

***93.** The Council shall consist of—

- (a) a Chairman, who shall be an officer in the public service appointed by the Minister, and who shall hold office at his pleasure; and
- (b) such other members, appointed by the Minister, as may be determined according to such rules as may be prescribed.

Functions
of the
Council

***94.** The Council shall be charged with the duty of discussing and negotiating salaries and conditions of service in the Unified Teaching Service and of discharging such other functions as the Yang di-Pertuan Agong may by regulations provide; and such regulations may provide for arrangements for arbitration proceedings in cases where the Council fails to agree.

Reference to
Council of
proposals to
make certain
rules.

***95.** The Yang di-Pertuan Agong shall refer to the Council before making any rules under this Act varying any established or existing salary scheme or conditions of service applicable to teachers in the Unified Teaching Service.

* Seksyen 92, 93, 94, 95 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 287

PART VIII

THE INSPECTORATE OF SCHOOLS

Chapter 1 The Federal Inspectorate

96. The Chief Inspector of schools shall—

Duties of
the Chief
Inspector

- (a) be responsible in collaboration with such authorities as the Minister may appoint, for ensuring that (to the extent of the powers conferred on him by or under this Act) an adequate standard of teaching is developed and maintained in schools;
- (b) inspect schools or cause schools to be inspected by an Inspector of Schools at such intervals as he shall deem appropriate;
- (c) when directed so to do by Minister, inspect any school or educational institution, or cause such school or institution to be inspected;
- (d) undertake such other duties in relation to the inspection of schools or educational institutions as the Minister may direct or as may be prescribed.

97. The Chief Inspector and any Inspector of Schools may give advice to managers and governors of schools and educational institutions and to teachers, on matters relating to teaching and teaching methods.

Advisory
powers of
Inspectors.

98. The Chief Inspector or any Inspector of Schools shall not, except to the extent to which he may be authorised by regulations under this Act, issue any order or direction to the managers or governors or staff of any school or educational institution.

Restriction
on orders of
Inspectors.

99. (1) The Chief Inspector shall render to the Minister a report on every school or educational institution inspected pursuant to the provisions of section 96 and, where such report is made by an Inspector of Schools, shall endorse thereon such comments as he shall deem appropriate.

Reports by
Inspectors.

(2) Any report on any school or educational institution rendered under sub-section (1) shall be a confidential document but may, in the discretion of the Minister,

be made available to those responsible for the administration of such school or institution and any teacher therein;

Provided that any such report so made available shall be made available in its entirety.

Chapter 2 - The Local Inspectorate

Duties of
a Local
Inspector.

100. A local Inspector of Schools shall—

- (a) be responsible, in collaboration with such authorities as the Minister may appoint, for ensuring that (to the extent of the powers conferred on him by or under this Act) an adequate standard of teaching is maintained in schools;
- (b) inspect schools or cause such schools to be inspected at such intervals as he shall deem appropriate;
- (c) when directed so to do by the Chief Education Officer of the State or area, inspect any school or educational institution, or cause such school or institution to be inspected;
- (d) undertake such other duties in relation to the inspection of schools or educational institutions as the Chief Education Officer may direct.

Powers of
Local
Inspector

101. A Local Inspector of Schools may—

- (a) give advice to managers and governors of schools or educational institutions and teachers on matters relating to teaching and teaching methods;
- (b) subject to the approval of the Chief Education Officer of the State or area, issue orders or directions relating to the organisation of any school or educational institution, and not inconsistent with the provisions of this Act or of any rules, regulations or directions made or given thereunder, to the managers or governors or staff of such school or institution: and the managers, governors or staff, as the case may be, shall give effect to such orders or directions.

102. (1) A Local Inspector of Schools shall render to the Chief Education Officer of the State or area a report on every school or educational institution inspected pursuant to the provisions of section **103**.

Reports
by Local
Inspectors.

(2) Any report on any school or institution rendered under sub-section (1) shall be a confidential document but may, in the discretion of the Chief Education Officer, be made available to those responsible for the administration of such school or institution, and any teacher therein:

Provided that any such report so made available shall be made available in its entirety.

Chapter 3 - General

103. For the purpose of making any inspection of any school or educational institution under section **96** or **100** the Chief Inspector and any Inspector of Schools and any Local Inspector of Schools (hereinafter in this section referred to as an "Inspector") may—

General
powers of
Inspectors.

- (a) at any time enter any school or institution;
- (b) require any chairman of the managers or governors, or any manager or governor, or any teacher or employee or person found in such school or institution—
 - (i) to produce for his inspection any timetable, syllabus or record pertaining to subjects taught or to be taught or any book, document or article relating to or which in the opinion of the Inspector may relate to the teaching carried on in or the organisation of such school or institution;
 - (ii) to furnish the Inspector with such information relating to the teaching in or the organisation of the school or institution as the Inspector may demand, and which it is within the power of such chairman, manager, governor, teacher, employee or person to furnish.

PART IX FINANCE

Grant-in-aid and capital grants to be subject to such conditions etc., as may be prescribed.

104. Any grant-in-aid or capital grant payable under this Act to any school or educational institution from funds provided by Parliament for that purpose shall be paid subject to such conditions and limitations as may be prescribed by regulations.

Local contributions towards expenses of education provided under this Act

***105.** (1) Towards meeting the expenses of the provision of education under this Act incurred in any year to which this section applies, the Minister may require State authorities or rating authorities or both to make such contributions in that year, recoverable as a debt due to the Federal Government, as may be specified in the requirement.

(2) This section applies to the first year after the passing of this Act, and to any subsequent year as respects which, not later than the end of August in the previous year, the Yang di-Pertuan Agong declares that he is satisfied that having regard to the general financial situation of the Federation and to the development of education in different parts of the Federation it is expedient that this section should apply to the said subsequent year.

(3) The Yang di-Pertuan Agong may by order provide for empowering authorities required to make contributions under this section to raise moneys for or towards meeting such contributions by the levying of rates, or of contributions from rating authorities, or otherwise as may be provided by the order.

(4) An order under the foregoing sub-section may contain such incidental and consequential provisions as appear to the Yang di-Pertuan Agong requisite for the purposes of the order.

(5) All receipts of the Minister under this section shall be paid into the Consolidated Fund of the Federation.

* Seksyen 105 telah dimansuhkan oleh Education (Amendment) Act, 1963 - No.32 tahun 1963. Lihat muka surat 269

PART X

LOCAL EDUCATION AUTHORITIES

Chapter 1 - Local Education Authorities

106. The Yang di-Pertuan Agong may, after consultation (except in the case of the Municipality of Kuala Lumpur) with the State Authority, by order notified in the *Gazette* declare the State, or any part thereof specified in the order, to be a local education area, and direct that the responsibility for such schools or educational institutions or class or description of schools or institutions within such local education area as may be specified in such order shall devolve upon the local education authority established for such area.

Local
education
areas.

107. (1) As soon as possible after the declaration of any local education area the State Authority with the approval of the Minister, or in the case of the Municipality of Kuala Lumpur the Minister, shall by order notified in the *Gazette* establish a local education authority for such local education area.

Establishment
of local
education
authority.

(2) A copy of any order made by a State Authority under sub-section (1) shall be laid upon the table of the Legislative Assembly of the State.

108. If the Minister is satisfied, either upon a complaint by any person or otherwise, that—

Power of
Minister
in relation to
powers
and duties of
local
education
authority.

- (a) any local education authority has acted or is proposing to act unreasonably with respect to the exercise of any power conferred or the performance of any duty imposed by or under this Act; or
- (b) any local education authority has failed to discharge any duty imposed upon it by or under this Act,

he may, after consultation (in the case of any local education authority established for any area other than the municipality of Kuala Lumpur) with the State Authority, give such directions in writing as to the exercise of such power or the performance of such duty as appears to him to be expedient, and the local education authority shall thereupon comply with such directions accordingly.

109. (1) Every local education authority shall be a body corporate by such name as shall be specified in the order made under section **107**, and shall have perpetual succession and power to hold land for the purposes of its functions under this Act and may sue and be sued in such name and may do all other things incidental or appertaining to a body corporate not inconsistent with the provisions of this Act.

(2) Every local education authority shall have a common seal, which shall bear such device as the local education authority with the consent of the Minister may approve, and such seal may from time to time be broken, changed, altered and made anew by the local education authority with the approval of the Minister, as the local education authority shall think fit.

(3) Until a seal is provided by a local education authority under this section a stamp bearing the name of the local education authority may be used as a common seal.

(4) The common seal or the stamp referred to in sub-section (3) so long as it is used as the common seal shall be in the custody of such person as the local education authority shall direct and all deeds, documents and other instruments requiring the seal of such local education authority shall be sealed with the seal or stamp of such local education authority in the presence of such persons as the local education authority shall, with the approval of the Minister, direct, who shall sign every deed, document or other instrument to which such seal or stamp is affixed and such signing shall be sufficient evidence that such seal or stamp was duly and properly affixed and that the same is or is used as the lawful seal of such local education authority.

(5) The seal or stamp of every local education authority specified in sub-section (1) shall be officially and judicially noticed.

110. (1) A local education authority may, with the approval of the Minister, appoint an officer, to be called the State Education Officer, the Local Education Officer, the Municipal Education Officer, the Council Education Officer, or by such other title as the Minister may approve, who shall perform such duties as shall be assigned to him by the authority:

Provided that the Minister may, at the request of a local education authority, appoint an officer of his Ministry to carry out such duties.

(2) A local education authority may appoint or employ such other officers as it may deem necessary for the performance of its functions under this Act.

Chapter 2 - General

111. The Yang di-Pertuan Agong may make rules for the purpose of giving effect to the provisions of this Part, and, without prejudice to the generality of such power, may by such rules provide for—

Rules as to
local education
authorities.

- (a) the manner in which any order made under section 107 shall be made, varied or revoked;
- (b) the names of local education authorities and the composition, number, qualifications and terms of office of members of local education authorities;
- (c) the regulation of meetings and proceedings of local education authorities, the establishment of education committees and joint education committees of two or more local education authorities, the powers and functions of such committees, and the delegation to such committees of the powers of local education authorities;
- (d) the financial procedure and audit of the accounts of local education authorities;
- (e) the transfer, secondment or appointment to the service of a local education authority of persons in the service of the Government or the Government of a State or of any local authority, and the terms and conditions of any such transfer, secondment or appointment;

Provided that a person—

- (i) in the service of the Government shall not be transferred, seconded or appointed without his consent and the consent of the Minister;

- (ii) in the service of the Government of a State shall not be transferred, seconded or appointed without his consent and the consent of the State Authority;
- (iii) in the service of a local authority shall not be transferred, seconded or appointed without his consent and the consent of the local authority;
- (f) the transfer and administration of property other than private property, and the adjustment of accounts and apportionment of liabilities:

Provided that property held for the purposes of the Government shall not be transferred without the consent of the Minister;

- (g) the application to local education authorities, with or without such modifications as may be prescribed by such rules, of such provisions of this Act as may be so prescribed, and the conferring on local education authorities, subject to such conditions as may be so prescribed and to any order made under section 107, of any of the powers or duties conferred or imposed on the managers or governors of any school or educational institution, or on the Minister, by this Act;
- (h) the manner in which the expenses of local education authorities are to be defrayed;
- (i) the levying of fees by local education authorities;
- (j) the preparation by local education authorities of development plans for the provision of education within their areas, and the form and content of and method of approval and implementation of such plans;
- (k) the establishment and discontinuance of schools or educational institutions by local education authorities;
- (l) the levying of rates by local education authorities for the purpose of carrying out their

powers and functions under this Act, including the methods by which such rates shall be imposed by rating authorities on behalf of local education authorities, the property on which such rates shall be imposed and the manner in which such rates shall be paid;

- (m) where any order made under section 107 is revoked, the winding up of any local education authority, the transfer of the officers of such authority, and the transfer of the powers, functions, property and liabilities thereof.

112. Every local education authority shall render to the Minister such reports and returns as may be prescribed, and shall give the Minister such information as he may require for the purpose of the exercise of his functions under this Act.

Reports and returns.

PART XI

APPEALS

113. (1) On an appeal being made to the Minister from a decision of the Registrar or from a decision of the Registrar of Teachers, not being an appeal under sub-section (4) of section 83, the Minister unless he allows the appeal forthwith shall appoint such persons as he shall consider suitable as a Committee of Enquiry to investigate the facts and to report to him thereon.

Minister to decide appeals after investigation.

(2) After considering the report of any Committee of Enquiry appointed under sub-section (1), the Minister shall decide the matter of such appeal, and make such order thereon as to him shall seem appropriate.

(3) The decision of the Minister on an appeal shall be final.

114. Subject to any rules under this Act and to the next following section, or to any direction to the contrary by the Minister, a Committee of Enquiry shall have power—

Powers of Committee of Enquiry.

- (a) to procure and receive all such evidence, written or oral, and to examine all such persons (including the appellant) as witnesses as the Committee of Enquiry may consider desirable;

- (b) to require the evidence of any witness to be given on oath or affirmation or by statutory declaration;
- (c) to summon any person including the appellant to attend and give evidence notwithstanding the provisions of any other written law;
- (d) to admit any evidence written or oral notwithstanding that it would be inadmissible in civil or criminal proceedings; and
- (e) to exclude the public from any investigation or any part thereof and if the Committee of Enquiry considers it in the public interest so to do to receive evidence in the absence of the appellant:

Provided that where evidence is received in the absence of the appellant the Committee of Enquiry shall communicate to the appellant the substance of such evidence so far as it may be compatible with the public interest so to do and shall in every such case include in the report to the Minister a statement of the circumstances in which such evidence was received.

Evidence before
Committee of
Enquiry.

115. (1) No person required to give evidence before a Committee of Enquiry shall be obliged to disclose the name or address of any person who has given information in confidence to any public officer in relation to any facts which are the subject of investigation nor shall any person be obliged to state any matter which in his opinion might lead to the discovery of the person who has given such information.

(2) No person required to give evidence as aforesaid shall be obliged to give any evidence which would tend to incriminate him.

PART XII

RULES, REGULATIONS AND BY-LAWS

Power of the
Minister to
make rules.

***116.** The Minister may make rules for or in respect of all or any of the following matters:—

* Seksyen 116 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 287

- (a) the admission of pupils to schools or educational institutions, the keeping of registers of pupils in such schools or institutions, the age limits and conditions under which pupils may be retained in any school or institution or in any class in such institutions;
- (b) the durations of terms of educational institutions, the days on which and the hours during which pupils shall attend such schools or institutions and the days which shall be observed as holidays by all schools or institutions or any specified school or institution or class of school or institution;
- (c) the number of pupils to be enrolled in any school or educational institution or class and the numbers of pupils to be accommodated or given instruction in any building, dormitory, classroom or other place;
- (d) the hygienic character and proper sanitation of schools or educational institutions and buildings used as or in connection with schools or educational institutions;
- (e) the management of schools or educational institutions, and the duties of managers or governors or other persons responsible for the management of such schools or institutions;
- (f) the defining of the several categories of pupils requiring special educational treatment and the methods appropriate for the education of pupils in each category in special schools or otherwise;
- (g) the form in which any register for the registration of schools or other educational institutions or managers or governors or employees shall be kept or maintained and the procedure for the issue of extracts therefrom;
- (h) the procedure to be followed and fees deemed proper to be levied on application for the registration of a school or other educational institution or for registration as a manager

or governor or employee of a school or educational institution, the documents to be produced and the manner of registration;

- (i) the procedure to be followed and fees deemed proper to be levied on the issue of certificates of registration in respect of schools or other educational institutions or of certificates of registration to managers, governors and employees and on the issue of provisional certificates of registration and of permits under section 61;
- (j) the information to be supplied from time to time to the Registrar by the managers or governors or employees of schools or educational institutions;
- (k) the procedure to be followed for the alteration or amendment of certificates of registration or permits specified in paragraph (i) of this section and the replacement of such certificates or permits which are lost or defaced;
- (l) the procedure to be followed and the consequences which shall ensue on the cancellation of a certificate of registration;
- (m) the number, nature, term of office and conditions of retirement of members and the procedure and functions of the National Education Advisory Board and State and Local Education Advisory Boards;
- (n) discipline in schools and other educational institutions and any activities of pupils whether in a school or institution or not which in the opinion of the Minister may have an effect on the discipline of a school or educational institutions;
- (o) the subjects and matters, not being studies relating to the religion of the Federation, on which instruction may or shall be given in schools and other educational institutions and the times to be devoted to the study of each subject taught in schools or educational institutions;

Provided that regulations made under this paragraph shall, so far as is reasonably practicable, cause to be provided in all primary and secondary schools curricula of studies of common content;

- (p) the number, nature, term of office and conditions of retirement of members of the National Joint Council for Teachers;
- (q) the establishment, organisation, management, control and dissolution of societies and associations of pupils or pupils and teachers whether within a school or educational institution or not;
- (r) the books and apparatus to be used in schools and other educational institutions, and the methods of purchase of such books and apparatus;
- (s) the provision of meals and other refreshment for pupils in schools and other educational institutions;
- (t) the provision of facilities for the transport of pupils in schools and other educational institutions;
- (u) the prohibition of the use in any school or other educational institution or any specified class of school or institution of any book, the use of which appears undesirable;
- (v) the prohibition of the use or delivery to any pupil by any correspondence school or the supply, import or sale for use or delivery by any correspondence school of any book, lesson, instruction or other printed or written matter the use of which by a correspondence school appears undesirable;
- (w) the keeping of books of account and the audit of accounts in assisted schools and assisted educational institutions;
- (x) the standards and uses to which the premises of schools or educational institutions shall conform, and prescribing different standards and uses for such descriptions of

schools or educational institutions as may be specified in such rules;

- (y) the registration of pupils in schools and other educational institutions, the inspection of the registers of such pupils, the taking of extracts from such registers for the purposes of this Act by persons duly authorised in that behalf under such rules, and the making to such authority as may be prescribed by such rules, by the persons by whom such registers are required to be kept, of such periodical or other returns as to the contents of such register as may be expedient;
- (z) the employment, with or without remuneration, of pupils of schools or educational institutions for such extra-curricular activities as the Minister may prescribe;
- (aa) the form in which the register of teachers kept under section 74 shall be kept or maintained, and the procedure for the issue of certified copies of entries made therein;
- (bb) the procedure to be followed on application for registration as a teacher, the information to be supplied and the documents to be produced to the Registrar of Teachers by an applicant and the manner of registration;
- (cc) the information to be supplied from time to time to the Registrar of Teachers by a registered teacher;
- (dd) the procedure to be followed for endorsement, alteration or amendment of certificates of registration as a teacher issued under section 82 and the replacement of lost or defaced certificates or permits to teach;
- (ee) the procedure to be followed and the consequences which shall ensue on the cancellation or revocation of a certificate of registration as a teacher issued under section 82 or of a permit to teach;
- (ff) any fees deemed proper to be levied on application for registration as a teacher under

Part VI or on the issue of a certificate or of a permit to teach or otherwise in regard to any matter mentioned in Part VI;

- (gg) the practice and procedure to be followed in connection with any investigation made by any Committee of Enquiry appointed under sub-section (1) of section 113;
- (hh) the manner in which appeals shall be made to the Minister from decisions of the Registrar or the Registrar of Teachers and the fees to be paid in respect of any appeal;
- (ii) the forms which may be used for carrying out the provisions of this Act and which may be used in connection with any matter stated or required in this Act to be prescribed by the Minister.

*117. (1) The Yang di-Pertuan Agong may, subject to the provision of section 95, make rules for or in respect of the salaries, allowances and conditions of service of teachers in schools and educational institutions generally, or in such assisted schools and assisted educational institutions in receipt of grant-in-aid for payment of salaries and allowances of teachers as he may deem appropriate.

Power to make rules relating to salaries, provident fund schemes, etc.

(2) Rules under this section may provide—

- (a) for the establishment and management, as from such date (whether before or after the passing of this Act) as may be specified in the rules, of a contributory provident fund, and for the transfer to that fund of contributions or parts of contributions paid into the Employees Provident Fund in anticipation of the establishment of the first mentioned fund; or

* Seksyen 117 dipinda oleh:

- (i) Education (Amendment) Act, 1965 - No.4 tahun 1965. Lihat muka surat 272
- (ii) Education (Amendment) Act, 1968 - No.23 tahun 1968. Lihat muka surat 276
- (iii) Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 288

- (b) for the payment of pensions, allowances or gratuities to teachers who retire or otherwise cease to hold office as teachers:

Provided that a teacher in a school or educational institution to which such rules shall apply and who on the coming into force of such rules is employed as a government servant or is otherwise subject to a salary scheme or scheme of service established or recognised by the Government may elect subject to such conditions and within such period as may be prescribed in the rules, to remain subject to such salary scheme or scheme of service.

(3) The following provisions shall apply to any rules made by virtue of sub-section (2) :—

- (a) no donation, contribution, gratuity, allowance or other payment payable under such rules, nor any right or interest acquired by any person to any gratuity, allowance or other payment thereunder, shall be assignable or transferable or liable to be attached, sequestered or levied upon for or in respect of any debt or claim whatsoever, other than a debt due to the Government;
- (b) any moneys paid under any such rules on the death of any person shall be deemed to be impressed with a trust in favour of the persons entitled thereto under the will or intestacy of such deceased person, but shall not be deemed to form part of his estate or be subject to his debts;
- (c) any person may by his will or by a memorandum under his hand appoint a trustee or trustees of the moneys payable on his death under any such rules, and may provide for the appointment of a new trustee or trustees of such moneys and for the investment thereof;
- (d) if at the time of the death of any person or at any time afterwards there is no trustee of such moneys or it is expedient to appoint a new trustee or trustees, then and in any such case a trustee or trustees or a new trustee or trustees may be appointed by the High Court or a Judge thereof;

- (e) the receipt of a trustee or trustees duly appointed, or in default of any such appointment the receipt of the legal personal representative of a deceased person, shall be a discharge for any moneys payable on his death under any such rules;
- (f) no donation, contribution or interest paid under any such rules shall be subject to the debts of the contributor, nor shall such donation, contribution or interest be paid to the Official Assignee on the bankruptcy of a contributor under any such rules, but if such contributor is adjudicated a bankrupt or is declared insolvent by judgment of the Court, such donation, contribution or interest shall, subject to the provisions of such rules, be deemed to be impressed with a trust in favour of the persons entitled thereto on the death of the contributor;
- (g) the bankruptcy of a contributor shall not affect the making of deductions from the salary of the contributor in accordance with any such rules, but such deductions shall continue to be made notwithstanding the provisions of any written law, and the portion of salary so deducted shall be deemed not to form part of his after-acquired property;
- (h) any teacher who is a contributor under any such rules shall, if he is dismissed from service as a teacher for fraud or dishonesty or misconduct which involves pecuniary loss to his employers, or retires from or resigns his office with intent to escape discharge or dismissal in consequence of such fraud, dishonesty or misconduct, forfeit, subject to such conditions as may be provided by the rules, all or any part of his contributions and the interest accrued thereon, as his employers in their discretion think fit.

***118.** The Yang di-Pertuan Agong may make regulations for or in respect of all or any of the matters following:—

- (a) the circulation by a pupil or pupils, whether within a school or educational institution or not, of any magazine, pamphlet or printed or written matter of a like nature;
- (b) the establishment, organisation, management and control of an Examinations Syndicate, and the vesting in any such Syndicate of all or any of the powers conferred on the Minister by section 126, subject to any such conditions and limitations as may be provided by the regulations;
- (c) the manner of determining the amount of grants-in-aid payable to assisted schools or assisted educational institutions and local education authorities;
- (d) the conditions and limitations upon or subject to which grants-in-aid or capital grants shall be paid to schools and educational institutions and local education authorities;
- (e) the determination of approved fees to be charged in respect of attendance at any assisted school or assisted educational institution or any class of assisted school or assisted educational institution and the payment or remission of such fees;
- (f) the form in which contributions may be required under section 105, and the furnishing of information relevant to determining the amount of such contributions;

* Seksyen 118 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 288

- (g) The manner of transferring or vesting any property transferred or vested under the provisions of this Act and the manner of registering a title to any such property;
- (h) all matters stated or required in this Act to be provided by regulations or by the Yang di-Pertuan Agong and any matter for carrying into effect this Act, not being a matter for which provision is made for the making of rules or by-laws, as to which he may deem it expedient to make regulations.

119. Any rules or regulations made under this Part may provide for the infliction in the event of a contravention of any specified rule or regulation of a penalty not exceeding a fine of one thousand dollars or imprisonment for a term of six months or both; and references in this Act to an offence against this Act shall include references to any contravention for which a penalty is provided under this section.

Rules and regulations may prescribe penalties for contravention thereof.

*120. The Minister may make by-laws for or in respect of all or any of the following matters:—

Power of Minister to make by-laws

- (a) the examinations to be held for the purposes of this Act, which examinations shall include in relation to secondary schools—
 - (i) an examination, to be termed the "*Secondary Schools Entrance Examination*" or "*Pepereksaan Masok Sekolah Menengah*", to be held for the purpose of qualifying for admission to a secondary school;
 - (ii) an examination to be termed the "*Lower Certificate of Education*" or "*Sijil Rendah Pelajaran*", to be held at such stage in the secondary course as shall be prescribed by rules; and

* Seksyen 120(a)(i) telah dimansuh oleh Education (Amendment) Act, 1965 - No.4 tahun 1965. Lihat muka surat 272

(iii) an examination for a national certificate of education, to be termed the "Certificate of Education" or "Sijil Pelajaran", to be held at the end of the secondary school course;

- (b) the times and places at which examinations shall be held, and the qualifications and conditions of entry for examinations;
- (c) the fees to be paid for entry for examinations;
- (d) the syllabuses for and language media of examinations;
- (e) the conduct of examinations.

PART XIII

OFFENCES AND PENALTIES

Offences and penalties relating to registration of schools and educational institutions.

***121.** (1) Any person who—

- (a) in making application under this Act for the registration of a school or educational institution or for registration as a manager or governor or employee, or otherwise for the purpose of inducing the Registrar to exercise or refrain from exercising his powers under this Act, makes any statement which he knows to be false or does not believe to be true or by the intentional suppression of any material fact, furnishes any information which is misleading; or
- (b) being a person required to be registered as a manager or governor or employee under the provisions of section 59 acts as a manager or governor or employee without being so registered; or
- (c) being a manager or governor of a school or educational institution suffers or permits any person to act as manager or governor or as an employee who is not registered under the provisions of this Act; or

* Seksyen 121 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 289

- (d) acts as manager or governor or employee in an unlawful school or educational institution; or
- (e) obstructs or impedes the Registrar or an Assistant Registrar or any public officer or police officer in the exercise of the powers conferred upon any such officer under section 56, 72 or 73; or
- (f) being the owner or occupier of any premises, and having reasonable cause to believe that the premises or a part thereof are being used as a school or educational institution which is required to be registered under this Act but is not so registered, fails to take all reasonable steps to prevent such use, or
- (g) refuses to produce any book, document or article, or refuses to furnish information in contravention of the provisions of subsection (2) of section 72 or furnishes any information which is false in a material particular and which he knows is false or does not believe to be true,

shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment:

Provided that in the case of an offence under paragraph (c) or (d) it shall be a defence if the person shall prove that having taken all reasonable precautions against committing such offence he did not know or have any reasonable grounds to suspect that such person was not registered or that such school or educational institution was unlawful as the case may be.

(2) Any person who—

- (a) being chairman of the managers or governors of a school or educational institution fails to cause a copy of the certificate of registration of the school or institution to be exhibited in accordance with the provisions of subsection (4) of section 49; or

- (b) fails to surrender to the Registrar any certificate of registration or instrument under the provisions of section 58 or sub-section (2) of section 68; or
- (c) being chairman of the managers or governors of a school or educational institution contravenes the provisions of sub-section (1) of section 67,

shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding one hundred dollars.

Offences and penalties relating to registration of teachers.

122. Any person who—

- (a) in making application for registration or otherwise for the purpose of inducing the Registrar of Teachers to exercise or refrain from exercising his powers under this Act makes any statement which he knows to be false or does not believe to be true or by the intentional suppression of any material fact furnishes any information which is misleading; or
- (b) acts as a teacher in any school or educational institution in contravention of section 75; or
- (c) suffers or permits or employs a person to act as a teacher in contravention of that section; or
- (d) acts as a teacher in an unregistered school or educational institution or in a school or institution declared to be unlawful under the provisions of any written law; or
- (e) being a registered teacher teaches in any school or educational institution in contravention of any condition imposed under section 83 or being the holder of a permit to teach issued under section 89 teaches in any school or educational institution in contravention of any condition imposed by such permit; or
- (f) suffers or permits or employs a registered teacher to teach in any school or educational institution in contravention of any

condition relating to such teacher imposed under section 83 or suffers or permits or employs the holder of a permit to teach issued under section 89 to teach otherwise than in accordance with the conditions imposed by such permit; or

- (g) fails to surrender a certificate, document or permit in accordance with section 90; or
- (h) being a registered teacher fails to make a report to the Registrar in accordance with the provisions of section 91,

shall be liable on conviction of an offence under sub-section (a) to (f) to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding one year or to both such fine and imprisonment, and on conviction of an offence under sub-section (g) or (h) to a fine not exceeding one hundred dollars.

123. Any person who—

- (a) impedes or obstructs the Chief Inspector of Schools, an Inspector of Schools or a State or Local Inspector of Schools in the exercise of any powers conferred on him by section 103;
- (b) refuses to produce any time-table, syllabus, record, book, document or article, or to furnish information, in contravention of the provisions of section 103; or
- (c) furnishes any information which is false in a material particular and which he knows to be false or does not believe to be true,

Offences and penalties relating to the Inspectorate.

shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding five hundred dollars.

PART XIV

MISCELLANEOUS

Officers to
be public
servants.
F.M.S.
Cap. 45.

124. Every person appointed under or lawfully exercising the powers of any person appointed under Part II shall be deemed to be a public servant for the purpose of the Penal Code.

Requirements
as to
premises.

125. The managers or governors or persons responsible for the management of a school or an educational institution shall secure that the premises of the school or institution conform to such standards as may be prescribed by rules for schools or institutions of the description to which the same belongs:

Provided that if the Minister is satisfied with respect to any school or educational institution that having regard to the nature of the site or to any existing buildings thereon or to other special circumstances affecting the premises it would be unreasonable in that case to require conformity with the requirements of the rules in any particular respect, he may direct that the premises shall be deemed to conform to the prescribed standards if in lieu of conforming to the requirements of the rules in that respect the premises conform to such other requirements as may be specified in the direction.

A pupil
may be
enrolled in
only one
assisted
school or
institution.

***126.** Except with the permission of the Registrar, a pupil who is enrolled as a pupil in an assisted school or assisted educational institution shall not whilst so enrolled, be enrolled in any other assisted school or assisted institution or assisted schools or assisted institutions.

Power to
exempt
schools or
educational
institutions
from
provisions
of the Act.

127. The Minister may by order exempt any school or educational institution or any class of school or educational institution and the managers or governors or employees thereof from all or any of the provisions of this Act either absolutely or subject to such conditions as he may think fit to impose, and may at any time in his discretion revoke any such exemption or cancel or alter or add to such conditions.

Power to
exempt
teachers
from
registration
under the
Act.

128. The Minister may by order exempt any teacher, or the teachers in any school or educational institution or class of schools or educational institutions, from all or any of the provisions of **Part VI** of this Act, either

* Seksyen 126 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 289

absolutely or subject to such conditions as he may think fit to impose, and may at any time in his discretion revoke any such exemption or cancel or alter or add to such conditions.

***129.** Any notice, order or communication, required to be or which may be sent to or served on—

Service of
notices, etc.

- (a) any chairman of the managers or governors or any manager or governor or employee of any school or educational institution registered under this Act, may be served by letter addressed to such chairman, manager, governor or employee at the registered address of the school or institution or may be served by affixing such notice, order or communication upon a conspicuous part of the premises of the school or institution as the Registrar may deem fit:

Provided that if a chairman of the managers or governors of a school or educational institution has not been appointed, a notice, order or communication for service on a chairman may be addressed to or served upon the manager or governor who, in the opinion of the Registrar, is in charge of such school or institution;

- (b) any person applying for registration of a school or educational institution or as a teacher or as a manager or governor or employee may be served by letter addressed to such person at the address stated in his form of application;

- (c) a registered teacher may be served by letter addressed to the school or educational institution or address last reported to the Registrar of Teachers under section 91;

- (d) the holder of a permit under section 89 may be served by letter addressed to the school or educational institution in respect of which the permit was issued;

- (e) any person other than persons specified in paragraphs (a) to (d) may be served by letter addressed to such person at his last recorded or last known place of residence.

* Seksyen 129 dipinda oleh Education (Amendment) Act, 1972 - Akta A 111. Lihat muka surat 289

PART XV

TRANSITIONAL AND REPEAL

Succession
to property
of Minister
for Education.

130. (1) Subject to the provisions of this section and to any direction by the Minister, all immovable property which immediately before the appointed date was vested in the Minister for Education incorporated by section 6 of the Education Ordinance 1957, shall on the appointed date vest in the Federal Lands Commissioner.

(2) Subject to the provisions of this section and to any direction by the Minister, all movable property which immediately before the appointed date was vested in the Minister for Education incorporated by section 6 of the Education Ordinance, 1957, shall on the appointed date vest in the Federation.

(3) Subject to the provisions of sub-section (1) and (2), all rights, obligations and liabilities relating to any matter which immediately before the appointed date were the responsibility of the Minister for Education incorporated by section 6 of the Education Ordinance, 1957, shall on that date devolve on the Minister.

Succession
to property
of Federation
of Malaya
Examinations
Syndicate

131. (1) On the appointed date the Federation of Malaya Examinations Syndicate established by section 51 of the Education Ordinance, 1957 (hereinafter in this section called "the Syndicate") shall be wound up in such manner as the Minister may appoint, and the term of office of every person who is immediately before such appointed date, a member of such Syndicate, shall thereupon determine.

(2) Subject to the provisions of sub-section (1), all rights, obligations and liabilities relating to any matter which immediately before the appointed date were the responsibility of the Syndicate shall on that date devolve on the Minister.

Winding-up
of existing
Local
Education
Authorities.

132. (1) On the appointed date every Local Education Authority incorporated under section 14 of the Education Ordinance, 1957, shall be dissolved, and the appointments of all persons who immediately before such date were members of such authorities shall thereupon determine.

(2) Subject to the provisions of this section and to any direction by the Minister, all immovable property which immediately before the appointed date was vested in any Local Education Authority incorporated under section

14 of the Education Ordinance, 1957, shall on the appointed date vest in the Federal Lands Commissioner.

(3) Subject to the provisions of this section and to any direction by the Minister, all movable property which immediately before the appointed date was vested in any Local Education Authority incorporated under section 14 of the Education Ordinance, 1957, shall on the appointed date vest in the Federation, and shall, subject to any such direction, be held in trust for and shall be applied to the purposes of education within the area of such authority.

(4) Subject to the provisions of sub-section (2) and (3), all rights, obligations and liabilities relating to any matter which immediately before the appointed date were the responsibility of any Local Education Authority incorporated under section 14 of the Education Ordinance, 1957, shall on that date devolve on the Federation; and any obligation or liability arising thereunder shall be met from any property of the authority vested in the Federation under the provisions of sub-section (3), to the extent to which funds are available therefrom.

133. On the appointed date all schools or educational institutions which, immediately before such date were—

Change of
title of
certain
educational
institutions.

- (a) standard primary schools shall become *sekolah2 kebangsaan*, or national primary schools, for the purposes of this Act;
- (b) standard type primary schools shall become *sekolah2 jenis kebangsaan*, or national type primary schools, for the purposes of this Act;
- (c) technical institutes shall become secondary trade or technical schools, as the Minister may direct.

134. Subject to the provisions of this Act, the Minister shall continue to assist all educational institutions other than—

Assistance
to existing
educational
institutions.

- (a) existing primary schools referred to in section 135, and
- (b) existing secondary schools referred to in section 136,

which were in receipt of grant-in-aid or other similar financial assistance from the Government or from public

funds on the day immediately preceding the appointed date.

Maintenance
of existing
primary
schools.

135. (1) The Minister shall, where he considers that adequate primary education is not otherwise provided in any area, maintain, subject to the provisions of this Act, any existing primary school (not being a national or national type primary school) which was immediately before the appointed date in receipt of grant-in-aid or other financial assistance from the Government or public funds:

Provided that any such school shall cease to be maintained as soon as the Minister is satisfied that adequate primary education is otherwise provided in the area in which such school is situated.

(2) Where any such primary school is replaced by another such school, the Minister may treat the new school as an existing school for the purposes of this section if in his opinion the circumstances require it to be so treated.

Cesser of
maintenance
of existing
partially assisted
secondary
schools.
*L.N. 35 of
1958*
Dissolution
of Board of
Education.

136. The Minister shall cease to maintain any existing secondary school which was, immediately before the appointed date, in receipt of partial grant-in-aid under the Schools (Financial Assistance) Regulations, 1958.

137. The Board of Education established by section 11 of the Education Ordinance, 1957, shall be dissolved on the appointed date.

Saving
concerning
certain
exempted
schools etc.

138. Until such date as the Yang di-Pertuan Agong may by notification in the *Gazette* appoint—

(a) all schools and educational institutions exempt from the provisions of the Education Ordinance, 1957, by sub-section (1) of section 114 thereof shall be exempt from the provisions of this Act; and

(b) any teacher exempt from the provisions of the Registration of Teachers Ordinance, 1957, by sub-section (1) of section 26 thereof shall be exempt from the provisions of Part VI of this Act.

Repeal
2 of 1957
3 of 1957.

139. The Education Ordinance, 1957, and the Registration of Teachers Ordinance, 1957, are hereby repealed:

Provided that all appointments, regulations, rules, by-laws, exemptions, directions and orders made or having effect as if they had been made, all registers kept, and all certificates granted or having effect as if they had been granted thereunder, and in force at the commencement of this Act, shall continue in force and have effect as if they had been made, kept or granted under this Act, until other provisions shall be made under this Act.

140. Nothing in this Act shall be deemed to affect the exercise by the Minister of Finance of the powers conferred upon him by section 6 of the Financial Procedure Ordinance, 1957, in respect of the management of the Consolidated Fund and the supervision, control and direction of matters relating to the financial affairs of the Federation.

Power of
the Minister
of Finance.

*[Received the Royal Assent on
the 11th day of November, 1961.]*

FEDERATION OF MALAYA

Act of Parliament

No. 32 of 1963

EDUCATION (AMENDMENT) ACT, 1963

An Act to amend the Education Act, 1961, as regards the cost of religious instruction in assisted schools and as regards local contributions towards the cost of providing education, and to make further provision for financial assistance to Muslim institutions providing education.

[12th September, 1963.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Raayat in Parliament assembled, and by the authority of the same, as follows:

Short title
and con-
struction.
43 of 1961.

1. (1) This Act may be cited as the Education (Amendment) Act, 1963.

(2) This Act shall be construed as one with the Education Act, 1961.

Cost of
instruction
in the
Islamic
religion in
assisted
schools.

2. In section 37 of the Education Act, 1961, for sub-sections (1) and (2) (under which the cost of providing in assisted primary schools the Islamic religious instruction required by section 36 is to be defrayed by the State subject to a federal contribution based on the number of pupils professing the Islamic religion) there shall be substituted in relating to the year 1963 and subsequent years the following sub-sections:

“(1) In respect of the cost of any instruction required to be given in any assisted school under section 36 there shall be made the payments provided for by sub-sections (2) and (3), subject to the condition that, in determining the amount of any payment by reference to the cost actually incurred, any part of that cost which the Minister is satisfied was unreasonable shall be disregarded.

(2) In respect of the cost in any year of any instruction required to be given in any

assisted primary school under section 36 the Federal Government shall make a contribution equal to one half of the cost of such instruction incurred in the preceding year."

(Note: Section 2(1) and (2) has been incorporated into Section 37(1) and (2) of the Education Act, 1961).

3. (1) Subject to such conditions and limitations as the Minister thinks fit, financial assistance by way of grant may be given out of moneys provided by Parliament to any Muslim institution which is not maintained by the Minister under the Education Act, 1961, or by the government of a State and which either is a school within the meaning of that Act or is only not such a school because the teaching there is of a purely religious character or for a purely religious purpose.

Financial assistance to non-government Muslim schools

(2) Sub-section (1) shall be deemed to have had effect in relation to financial assistance given before the passing of this Act.

*4. (1) This section shall have effect for any year as respects which not later than the end of August in the previous year the Yang di-Pertuan Agong declares that having regard to the general financial situation of the Federation and to the development of education in different parts of the Federation, he is satisfied that it is expedient for this section to have effect in that year; and in the following sub-sections—

Substituted by section 2, No. 33 of 1966 Education rates.

'local authority' means any Municipality, Town Board, Town Council or Rural Board, but does not include—

(a) any local council; or

(b) any Rural District Councils of Malacca Tengah, Jasin or Alor Gajah.

'areas outside local authorities' means in relation to any State other than Malacca areas outside the jurisdiction of a local authority; and in relation to the State of

* Seksyen 4 dipinda oleh Education (Amendment) Act, 1966 - No. 33 tahun 1966. Lihat muka surat 273

Malacca means areas under the jurisdiction of the Rural District Councils of Malacca Tengah, Jasin and Alor Gajah;

'rent' includes any sum payable in respect of immovable property in any period not exceeding one year for having interest in or right to occupy or use such immovable property; and

'year' means a year in which this section has effect

(2) Towards meeting the expenses in any of the provision of education under the Education Act, 1961, there shall be raised by means of rates which shall be imposed on immovable property in the manner provided by the following sub-sections.

(3) As respects areas of local authorities the Minister shall allocate for each of such areas for any year such sum as he considers appropriate; and the Minister shall before the beginning of the previous October notify the rating authority for any such areas of the sum so allocated and there shall be made such addition to the general rate levied by the rating authority in the year as appears to that authority necessary to raise that sum.

(4) The addition made under sub-section (3) to the general rate levied by a rating authority shall for all purposes of charge, collection and recovery and of the rights against third parties of a person paying or liable to pay such addition, be treated as forming part of that general rate; and the sum so allocated for areas of any local authority in any year shall be payable into the revenue of the Federation by such instalments and at such times as may be notified to the rating authority by the Minister and shall be recoverable from the rating authority as a debt due to the Federation.

(5) As respects areas outside local authorities there shall be imposed and collected for any year such rates as the Minister considers appropriate in respect of any immovable property situated therein; and the Minister shall before the beginning of the previous October notify the State Authority concerned of such rates.

(6) The rates under sub-section (5)—

- (a) shall be charged on any immovable property according to acreage notwithstanding its value or that no quit rent of any kind is payable in respect of such property and the

Minister may impose different rates in respect of property in different areas or of different descriptions;

- (b) shall for all purposes of collections and recovery be treated as if it were rent payable to the State in respect of the property on which it is charged;

(7) In the case of any default in the payment of the rates under sub-section (5) the amount shall be recoverable by the Collector of Land Revenue in the same manner and to the same extent as the collection and recovery of quit rent payable to the State in respect of any immovable property and the provisions of any written law relating to the collection and recovery of quit rent shall apply.

(8) The rates under sub-section (5) together with the particulars generally or in particular cases of the property subject to the rates or those of the person or persons liable to pay such rates shall be notified in the State *Gazette* and such rates shall be payable to the Collector of Land Revenue within whose district the property charged with that rate is situated.

(9) All moneys raised under this section shall be paid to the revenue of the Federation.

5. (1) Section 4 shall have effect in place of section 105 of the Education Act, 1961, and accordingly section 105 is hereby repealed.

Repeal of
Education
Act, 1961,
s. 105,
and valida-
tion and
appropria-
tion of
certain
rates for
1962 and
1963

(2) Subject to sub-section (4), where before the beginning of August, 1963, there has been imposed by a rating authority (within the meaning of section 4) a rate by way of education rate for the year 1962 or 1963, that rate shall be deemed to have been validly imposed and (so far as not already recovered) may be levied, collected and recovered accordingly.

(3) Subject to sub-section (4), an amount equal to the proceeds to a rating authority of any such rate imposed by the authority as is mentioned in sub-section (2) shall be paid by the authority to the Minister and shall be held on the trusts of and be paid into the appropriate trust account established for the purposes of sub-section (3) of section 132 of the Education Act, 1961 (which provided for property of a local education authority, on its dissolution, to be applied for purposes of education in its area).

(4) Sub-section (2) and (3) shall not have effect in relation to any rate where before the beginning of August, 1963, the rating authority has determined to make repayment of or allow credit for the amounts paid on account of the rate as being amounts not properly payable.

*[Received the Royal Assent
on the 9th day of
September, 1963.]*

MALAYSIA

Act of Parliament

No.4 of 1965

EDUCATION (AMENDMENT) ACT, 1965

An Act to amend the Education Act, 1961.

(1st January, 1965.)

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

1. (1) This Act may be cited as the Education (Amendment) Act, 1965, and shall be deemed to have come into force on the 1st day of January, 1965.

Short title,
commence-
ment and
application.

(2) This Act shall apply only to the States of Malaya.

2. Section 2 of the Education Act, 1961 (hereinafter referred to as "the principal Act") is hereby amended—

Amendment
of section 2,
43 of 1961

(a) by deleting the definitions of "continuation school" and "rural extension school", and in the definition of "further education" the words "continuation schools";

(b) by inserting (in the places required by the alphabetical order) the following new definitions—

"lower secondary education" means a three-year course designed to ascertain the abilities and aptitudes of a child who has completed a six-year course of primary education;

"secondary education" means education comprising of lower secondary education and upper secondary education;

"upper secondary education" means education suitable to the abilities and aptitudes of a child who has completed a lower secondary education.

3. There shall be substituted for section 19 of the principal Act the following—

Amendment
of section
19

"Stages of
Education.

19. For the purposes of this Act, the stages of the statutory education system shall be as follows:

- (a) primary education;
- (b) lower secondary education;
- (c) upper secondary education; and
- (d) education in the educational institutions referred to in paragraphs (b) to (c) of section 25."

Amendment
of section
23

4. Section 23 of the principal Act is hereby repealed and the following substituted therefor:

"Secondary
Education.

23. It shall be the duty of the Minister to secure the provision of education in national secondary schools and national-type secondary schools of the following descriptions—

- (a) lower secondary schools;
- (b) upper secondary academic schools;
- (c) upper secondary trade schools;
- (d) upper secondary technical schools; and
- (e) upper secondary vocational schools; and
- (f) secondary schools of such other descriptions as the Minister may from time to time direct."

Amendment
of section
117

5. Section 117 of the principal Act is hereby amended by inserting immediately after the word "management" in paragraph (a) of sub-section (2), the words "(whether by a body corporate or otherwise)".

Repeal of
section
120(a)(i).

6. Sub-paragraph (i) of paragraph (a) of section 120 of the principal Act is hereby repealed.

*(Received the Royal Assent
on the 18th day of
January, 1965)*

MALAYSIA
Act of Parliament
No. 33 of 1966

EDUCATION (AMENDMENT) ACT, 1966

An Act to amend section 4 of the Education (Amendment) Act, 1963.

[14th April, 1966.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Education (Amendment) Act, 1966.

Citation.

2. The Education (Amendment) Act, 1963 is amended by substituting for section 4 thereof the following—

Amendment
of section 4
32 of 1963

4. (1) This section shall have effect for any year as respects which not later than the end of August in the previous year the Yang di-Pertuan Agong declares that having regard to the general financial situation of the Federation and to the development of education in different parts of the Federation he is satisfied that it is expedient for this section to have effect in that year; and in the following sub-sections—

"Education
rates.

'local authority' means any Municipality, Town Board, Town Council or Rural Board, but does not include—

(a) any local council; or

(b) any Rural District Councils of Malacca Tengah, Jasin or Alor Gajah.

'areas outside local authorities' means in relation to any State other than Malacca areas outside the jurisdiction of a local authority; and in relation to the State of Malacca means areas under the jurisdiction of the Rural District Councils of Malacca Tengah, Jasin and Alor Gajah;

'rent' includes any sum payable in respect of immovable property in any period not exceeding one year for having interest in or right to occupy or use such immovable property; and

'year' means a year in which this section has effect.

(2) Towards meeting the expenses in any year of the provision of education under the Education Act, 1961, there shall be raised by means of rates which shall be imposed on immovable property in the manner provided by the following sub-sections.

(3) As respects areas of local authorities the Minister shall allocate for each of such areas for any year such sum as he considers appropriate; and the Minister shall before the beginning of the previous October notify the rating authority for any such areas of the sum so allocated and there shall be made such addition to the general rate levied by the rating authority in the year as appears to that authority necessary to raise that sum.

(4) The addition made under sub-section (3) to the general rate levied by a rating authority shall for all purposes of charge, collection and recovery and of the rights against third parties of a person paying or liable to pay such addition, be treated as forming part of that general rate; and the sum so allocated for areas of any local authority in any year shall be payable into the revenue of the Federation by such instalments and at such times as may be notified to the rating authority by the Minister and shall be recoverable from the rating authority as a debt due to the Federation.

(5) As respects areas outside local authorities there shall be imposed and collected for any year such rates as the Minister considers appropriate in respect of any immovable property situated therein; and the Minister shall before the beginning of the previous October notify the State Authority concerned of such rates.

(6) The rates under sub-section (5)—

- (a) shall be charged on any immovable property according to acreage notwithstanding its value or that no quit rent of any kind is payable in respect of such property and the Minister may impose different rates in respect of property in different areas or of different descriptions;
- (b) shall for all purposes of collection and recovery be treated as if it were rent payable to the State in respect of the property on which it is charged;

(7) In the case of any default in the payment of the rates under sub-section (5) the amount shall be recoverable by the Collector of Land Revenue in the same manner and to the same extent as the collection and recovery of quit rent payable to the State in respect of any immovable property and the provisions of any written law relating to the collection and recovery of quit rent shall apply.

(8) The rates under sub-section (5) together with the particulars generally or in particular cases of the property subject to the rates or those of the person or persons liable to pay such rates shall be notified in the *State Gazette* and such rates shall be payable to the Collector of Land Revenue within whose district the property charged with that rate is situated.

(9) All moneys raised under this section shall be paid to the revenue of the Federation.*

3. The repeal of the provisions of section 4 of the Education (Amendment) Act, 1963 shall not invalidate any act done by any person in the due and proper exercise of the duties powers functions or rights imposed or conferred by that Act; and in particular rates imposed and collected or liable to be collected by virtue of that Act in respect of any property in any area to which that section of that Act applied shall notwithstanding the repeal of the said section be deemed to be validly imposed and collected. Saving

*[Received the Royal Assent
on the 14th day of
April, 1966.]*

MALAYSIA

Act of Parliament

No. 23 of 1968

EDUCATION (AMENDMENT) ACT, 1968

An Act to amend the Education Act, 1961.

[11th July, 1968]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the Education (Amendment) Act, 1968.

Amendment
of section
117
43 of 1961

2. Section 117 of the Education Act, 1961 is hereby amended by inserting—

(a) after sub-section (1) the following new sub-section—

“(1A) The Yang di-Pertuan Agong may make rules for or in respect of the salaries, allowances and conditions of service of the staff of the Teachers' Provident Fund Board.”;

(b) after the words, “gratuities to teachers”, appearing in paragraph (b) of sub-section (2), the words, “or the staff of the Teachers' Provident Fund Board”;

(c) after the words, “teacher in a school or educational institution” appearing in the proviso to sub-section (2), the words, “or a member of the staff of the Teachers' Provident Fund Board”;

(d) after the words, “any teacher” appearing in paragraph (h) of sub-section (3), the words, “or any member of the staff of the Teachers' Provident Fund Board”.

[Received the Royal Assent
on the 29th day of
June, 1968.]

LAWS OF MALAYSIA

Act A48

EDUCATION (AMENDMENT) ACT, 1971

An Act to amend the Education Act, 1961.

[30th April, 1971.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Education (Amendment) Act, 1971.

Short title.

2. The Education Act, 1961 is hereby amended by substituting for sub-section (1) of section 25 thereof the following—

Amendment.
43/61.

“(1) The Minister may, subject to the provisions of this Act, establish and maintain educational institutions of the following description—

- (a) colleges, other than colleges with the status of University Colleges established or deemed to be established under the Universities and University Colleges Act, 1971;
- (b) teacher training colleges;
- (c) junior colleges;
- (d) centres of further education;
- (e) special schools; and
- (f) other educational institutions, the establishment or maintenance whereof is not provided under this Act or the Universities and University Colleges Act, 1971.”.

3. The Emergency (Essential Powers) Ordinance No. 75, 1971 is hereby repealed.

LAWS OF MALAYSIA

Act A111

EDUCATION (AMENDMENT) ACT, 1972

An Act to amend the Education Act, 1961, *inter alia* to make provisions for the establishment of the Central Board and the winding-up of boards of managers and governors in fully assisted schools in order to give effect to certain recommendations of the Royal Commission on the Teaching Services in West Malaysia.

[4th April, 1972.]

BE IT ENACTED by the Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Ra'ayat in Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Education (Amendment) Act, 1972.

Amendments.
43/61

2. The Education Act, 1961 is hereby amended as specified in the Schedule hereto.

Saving.

3. The winding-up of the school boards of managers and governors in fully assisted schools and educational institutions under the new section 26A and the repeal of the provisions of Part VII of the Education Act, 1961 (dealing with the National Joint Council for Teachers) shall not invalidate any act done by any person in the due and proper exercise of the duties, powers, functions or rights imposed or conferred by any instrument of management or government or the Act.

ACT A111
SCHEDULE
(Section 2)

(Amendments to Education Act, 1961)

1. Section 2—

- (a) Substitute for the definitions “assisted school” and “assisted educational institution” the following—

“assisted school” and “assisted educational institution” mean respectively a school and an educational institution in receipt of partial grant-in-aid;

- (b) Insert immediately after the word “governor” appearing in the definition “employee” the words “or a member of the board or committee set up by the Minister under subsection (4) of section 26A”;

- (c) Insert (in the place required by the alphabetical order) the following new definitions—

“Education Service” means a service under the general public service of the Federation;

“fully assisted school” and “fully assisted educational institution” mean respectively a school and an educational institution in receipt of full grant-in-aid;

“premises” means any building used as a school or an educational institution and includes any building for the purpose of providing accommodation and other facilities for pupils and other staff of the school or institution but does not include any land occupied therewith;

- (d) Insert immediately after the word “rules” appearing in the definition “prescribed” the words “or regulations”;

- (e) Substitute for the definition “school” the following—

“school” means—

- (a) a place where ten or more persons are or are habitually taught whether in one or more

classes and includes a kindergarten, nursery school and a training centre for teachers in kindergarten and nursery school; or

- (b) in the case of a correspondence school, the place or places where instruction is prepared or where answers are examined or corrected.

but does not include any place where the teaching is of purely religious character or for a purely religious purpose or where the Registrar is satisfied that the teaching or instruction provided is not educational as envisaged in this Act; and

- (f) Delete the definition "Unified Teaching Service".

2. Section 10—

Substitute for section 10 the following—

- 10.** The Minister may from time to time give any member of the Central Board established under Part VII of this Act, manager, governor, any member of the board or committee set up by the Minister under sub-section (4) of section 26A, employee or head teacher of any school or educational institution directions, not inconsistent with the provisions of this Act or of any rules or regulations made thereunder, in relation to any matter in respect of which rules or regulations may be made under this Act, and such member, manager, governor, employee or head teacher shall give effect to every such direction."

3. Section 19—

Substitute for the words "(b) to (e)" appearing in paragraph (d) thereof the words "(a) to (d)".

4. New section 26A—

Immediately after the words "Chapter 5 - Management of Schools and Educational Institutions" insert the following—

- 26A.** (1) On the date to be determined by the Minister, every board of managers and governors in any fully assisted school or fully assisted educational institution shall be wound-up in such manner as the Minister may determine; and thereupon it shall cease to employ and to be the employers of teachers and other employees and every instrument of management or government

"Power of Minister to issue special direction

"Winding-up of board of managers and governors.

pertaining to such school or educational institution shall cease to have effect.

(2) Upon the winding-up of the board—

(a) the Minister may give such directions as he may think just—

(i) in regard to the payment of the whole or part of the expenditure incurred by any Government or public authority in providing the premises; and

(ii) in regard to the disposal of any movable property of the school or institution which has been provided by the Government or by any public authority;

(b) the Minister may cause the immovable property of the school or institution to be acquired for use as a school or an educational institution in accordance with the law relating to the acquisition of land.

(3) Subject to the provisions of sub-section (1) and (2), all rights, obligations and liabilities relating to any matter which immediately before the date determined by the Minister under sub-section (1) were the responsibility of the board, shall on that date devolve on the Central Board established under section 92.

(4) The Minister may from time to time set up a board or a committee in a fully assisted school or a fully assisted educational institution whose constitution and functions shall be prescribed by the Minister.

(5) After the winding-up of the board reference to board of managers and governors or managers and governors or persons responsible for the management of a school or educational institution in this Act shall not include any board or committee or any member of such board or committee set up by the Minister under sub-section (4)."

5. New section 26B—

Immediately after the new section 26A insert the following —

26B. After the winding-up of the Board of managers and governors under section 26A, the provisions of sections 12, 27, 28, 29, 30, 31, 46 (2) (b), 47 and 58 (1), shall not apply to any fully assisted school and fully assisted educational institution".

"Certain provisions shall not apply to fully assisted school and educational institution"

6. Section 32—

Substitute for section 32 the following—

"Restriction
on dismissal of
teachers in
schools in
receipt of
grant-in-aid

32. No teacher other than a member of the Education Service in a school or an educational institution in receipt of grant-in-aid shall be dismissed without the approval of the Minister.

7. New section 32A—

Immediately after section 32 insert the following—

"Posting of
head teachers.

- 32A. (1) The board or committee set up by the Minister under sub-section (4) of section 26A in a fully assisted school or a fully assisted educational institution to which a head teacher has been posted may, within thirty days from the date of such posting, appeal to the Minister in writing against the posting.
- (2) The decision of the Minister on the appeal shall be final.

8. Section 33—

Delete the word "assisted" appearing in sub-section (1) thereof and insert immediately after the word "institutions" appearing in the same sub-section the words "in receipt of grant-in-aid";

9. Section 34—

- (a) Delete the word "assisted" appearing in sub-section (1) thereof and insert immediately after the word "institutions" appearing in the same sub-section the words "in receipt of grant-in-aid";
- (b) Delete the word "assisted" appearing in sub-section (2) thereof and insert immediately after the word "institution" appearing in the same sub-section the words "in receipt of grant-in-aid".

10. Chapter 7 of Part IV—

Substitute for the heading thereof the following—

"Chapter 7— Religious Instruction in Schools in receipt of grant-in-aid".

11. Section 36—

- (a) Substitute for the words “an assisted school” appearing in sub-section (1) thereof the words “a school in receipt of grant-in-aid”.
- (b) Insert immediately after the word “governors” wherever it appears in sub-section (3) thereof the words “or other persons responsible for the management”; and
- (c) Delete the word “assisted” appearing in the proviso to sub-section (3) thereof and insert immediately after the word “schools” appearing in the second line of the same proviso the words “in receipt of grant-in-aid”.

12. Section 37—

- (a) Delete the word “assisted” appearing in sub-section (1) thereof and insert immediately after the word “school” appearing in the same sub-section the words “in receipt of grant-in-aid”;
- (b) Delete the word “assisted” appearing in sub-section (2) thereof and insert immediately after the word “school” appearing in the same sub-section the words “in receipt of grant-in-aid”; and
- (c) Delete the word “assisted” appearing in sub-section (3) thereof and insert immediately after the word “school” appearing in the same sub-section the words “in receipt of grant-in-aid”.

13. Section 38—

Substitute for the words “The managers or governors of an assisted school” appearing therein the following—

“The managers or governors or other persons responsible for the management of a school in receipt of grant-in-aid, as the case may be,”.

14. Section 42—

- (a) Substitute for the words appearing in the marginal note thereof the following—

"Discontinuance of schools and educational institutions in receipt of grant-in-aid"; and

- (b) Insert immediately after word "governors" appearing in sub-section (1) thereof the words "or other persons responsible for the management".

15. Section 43—

- (a) Substitute for the words appearing in the marginal note thereof the following—

"Discontinuance of educational institution in receipt of grant-in-aid not provided for at public expense";

- (b) Substitute for the words "The managers or governors of an assisted educational institution (other than an assisted school or institution referred to in sub-section (1) of section 42)" appearing in sub-section (1) thereof, the following—

"The managers or governors or other persons responsible for the management of an educational institution in receipt of grant-in-aid (other than the school or institution referred to in sub-section (1) of section 42)";

- (c) Substitute for the words "an assisted educational institution" appearing in sub-section (3) thereof the following words "an educational institution in receipt of grant-in-aid";
- (d) Insert immediately after the word "governors" appearing in sub-section (3) thereof the words "or other persons responsible for the management";
- (e) Substitute for the words "an assisted educational institution" appearing in sub-section (4) thereof the words "an educational institution in receipt of grant-in-aid";
- (f) Insert immediately after the word "governors" appearing in sub-section (4) thereof the words "or other persons responsible for the management of the institution"; and

- (g) Insert immediately after the word "governors" appearing in the proviso to sub-section (5) thereof the words "or other persons responsible for the management".

16. Section 46—

Insert immediately after the word "thereof" appearing at the end of sub-section (1) thereof the words "or by the persons who will be responsible for the management thereof".

17. Section 48—

Insert immediately after the word "governors" appearing in sub-section (1) thereof the words "or to the person responsible for the management thereof".

18. Section 49—

- (a) Insert immediately after the word "thereof" appearing in sub-section (1) thereof the words "or to the person responsible for the management thereof"; and
- (b) Insert immediately after the word "governors" appearing in sub-section (4) thereof the words "or other persons responsible for the management".

19. Section 53—

- (a) Insert immediately after the word "governors" appearing in the second line of sub-section (1) thereof the words "or on any person responsible for the management";
- (b) Insert immediately after the word "teacher" appearing in paragraph (e) of sub-section (1) thereof the words "or by any person responsible for the management"; and
- (c) Insert immediately after the word "governors" appearing in sub-section (2) thereof the words "or on any other person responsible for the management thereof".

20. Section 54—

- (a) Insert immediately after the word "governors" appearing in sub-section (1) thereof the words "or on any other person responsible for the management";

- (b) Insert immediately after the word "chairman" appearing in sub-section (2) the words "or any other person responsible for the management thereof"; and
- (c) Immediately after the word "governors" appearing in sub-section (3) insert the words "or to any other person responsible for the management thereof".

21. Section 55—

Insert immediately after the word "governors" appearing therein the words "or to any other person responsible for the management".

22. Section 57—

Insert immediately after the word "governors" appearing in sub-section (1) thereof the words "or on any other person responsible for the management".

23. Section 58—

Re-number the existing provision as sub-section (1) and add the following new sub-section (2)—

- "(2) when a fully assisted school or educational institution has been struck off the register under this Chapter the Register shall forthwith serve a notice of the striking off upon the persons responsible for the management of the school or institution, and the school or institution shall thereupon cease to be registered ; and the persons responsible for the management thereof shall immediately after the service of the notice surrender to the Registrar the certificate of registration of the school or institution:

Provided that where an appeal is brought a certificate need not be surrendered until the appeal has been rejected".

24. Section 70—

Insert immediately after the word "governors" appearing therein the words "or other persons responsible for the management".

25. PART VII—Sections 92, 93, 94 and 95—

Delete the whole provisions of Part VII and substitute therefor the following—

PART VII
THE CENTRAL BOARD

92. (1) There shall be established a Board to be called the "Central Board".

Establishment of the Central Board

(2) The Board shall be a body corporate with perpetual succession and a common seal.

93. The members of the Central Board shall be such persons as may be appointed by the Yang di-Pertuan Agong and shall consist of—

Constitution of the Board

(a) a Chairman; and

(b) five other members of whom at least two shall be persons from outside the public service.

94. (1) Subject to such conditions and restrictions as may be imposed by the Minister, the Board may employ such category of teachers and other employees and for such period as may be prescribed and shall carry out such other duties as the Minister may determine.

Powers of the Board

(2) Subject to the provisions of sections 32 and 32A, the Board shall have exclusive jurisdiction over its employees in respect of deployment and discipline.

95. The Board may, with the approval of the Minister, delegate subject to such conditions and restrictions as it may consider necessary, the exercise of all or any of the powers or the performance of all or any of the duties conferred upon it by or under this Act to any authority or to any committee or to any person described by name or office".

Powers of delegation.

26. Section 116—

(a) Insert immediately after the words "terms of" appearing in paragraph (b) thereof the words "schools or";

(b) Insert immediately before the word "management" appearing in the first line of paragraph (c) thereof the words "establishment and";

- (c) Substitute for paragraph (p) thereof the following—

“(p) the nature, terms of office, conditions of retirement and duties of members of the Central Board and its employees, as the case may be, and other matters relating thereto;”;

- (d) Insert immediately after the word “teachers” appearing in paragraph (q) thereof the words “or teachers and parents”;

- (e) Substitute for paragraph (w) the following—

“(w) the keeping of books of account and the audit of accounts in schools and educational institutions in receipt of grant-in-aid;” and

- (f) Substitute a semi-colon for the full-stop appearing at the end of paragraph (ii) thereof and thereafter add the following—

“(jj) the establishment, organisation, management, control and dissolution of sports council, body or committee at the school, district, state and national level.”.

27. Section 117—

Substitute for sub-section (1) the following—

“Power to make rules relating to salaries, provident fund schemes, etc

117. (1) The Yang di-Pertuan Agong, may make rules for or in respect of salaries, allowances and conditions of service of teachers in schools and educational institutions generally, or in such schools and educational institutions in receipt of grant-in-aid for payment of salaries and allowances of teachers as he may deem appropriate”.

28. Section 118—

- (a) Substitute for paragraph (c) the following—

“(c) the manner of determining the amount of grant-in-aid payable to schools or educational institutions in receipt of grant-in-aid and local education authorities;” and

- (b) Substitute for paragraph (e) the following—

- "(c) the determination of approved fees to be charged in respect of attendance at schools and educational institutions generally, or in such schools and educational institutions in receipt of grant-in-aid or any class of school and educational institution in receipt of grant-in-aid and the payment or remission of such fees;"

29. Section 121—

- (a) Insert immediately after the word "governor" wherever it appears in paragraph (c) of subsection (1) thereof the words "or a person responsible for the management"; and
- (b) Insert immediately after the word "governors" appearing in paragraph (a) of subsection (2) thereof the words "or being persons responsible for the management".

30. Section 126—

Substitute for section 126 the following—

126. Except with the permission of the Registrar a pupil who is enrolled as a pupil in a school or educational institution in receipt of grant-in-aid shall not whilst so enrolled, be enrolled in any other school or institution which is in receipt of grant-in-aid."

"A pupil may be enrolled in only one school or institution in receipt of grant-in-aid"

31. Section 129—

- (a) Insert immediately after the words "governor or" appearing in the second line of paragraph (a) thereof the words "any person responsible for the management or any"; and
- (b) Insert immediately after the word "employee" appearing in the fifth line of paragraph (a) thereof the words "or person".

UNDANG-UNDANG MALAYSIA

Akta A260

AKTA PELAJARAN (PINDAAN) , 1974

Suatu Akta untuk meminda Akta Pelajaran, 1961.

[1hb.July, 1974.]

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

Tajuk ringkas
dan mula
berkuatkuasa.

1. Akta ini bolehlah dinamakan Akta Pelajaran (Pindaan), 1974 dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1 haribulan Julai, 1974.

Pindaan bagi
seksyen 37
43/61

2. Seksyen 37 Akta Pelajaran, 1961 adalah dengan ini dipinda—

- (a) dengan menggantikan perkataan-perkataan "sub-sections (2) and (3)" yang terdapat dalam seksyen-kecil (1) dengan perkataan-perkataan "subsections (2) and (4)"; dan
- (b) dengan menggantikan seksyen-seksyen-kecil (2) dan (3) dengan seksyen-seksyen-kecil (2), (3) dan (4) yang baru yang berikut—

" (2) Where any instruction required to be given in any primary school in receipt of grant-in-aid under section 36, was given in a class managed by the State Government, the Federal Government shall, in respect of the cost in any year of such instruction, make a contribution equal to one half of the cost incurred in the preceding year.

(3) The Federal Government may with the concurrence of the State Authority, manage a class where instruction is required to be given under section 36 in any primary school in receipt of grant-in-aid.

(4) The cost of any instruction under subsection (3) and of any instruction required to be given under section 36 in any secondary school in receipt of grant-in-aid shall be defrayed from moneys provided by Parliament".

AKTA MALAYSIA

PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 74 Akta Malaysia, Yang di-Pertuan Agong dengan ini membuat perintah yang berikut:

26/63

1. Perintah ini bolehlah dinamakan **Perintah Akta Pelajaran (Perluasan ke Sarawak), 1975**, dan hendaklah mula berkuatkuasa pada 1hb Januari, 1976 (kemudian daripada ini disebut "the appointed date").

Nama dan mula berkuatkuasa.

2. Akta Pelajaran, 1961 (kemudian daripada ini disebut Akta itu), kecuali seksyen-seksyen 27, 28, 29, 30, 31, 60, 61, 62, 66, 130, 131, 132, 135, 136, 137, 138 dan 139 adalah dengan ini diperluaskan ke Sarawak dan hendaklah mempunyai kuatkuasa di Sarawak dengan ubahsuaian-ubahsuaian yang dinyatakan dalam Jadual:

Perluasan dan ubahsuaian. Akta 43/61

Dengan syarat bahawa apa-apa perundangan-kecil yang dibuat dibawah Akta itu hendaklah mula berkuatkuasa di Sarawak hanya pada tarikh yang ditetapkan oleh Menteri melalui pemberitahu dalam Warta Sarawak dan Menteri boleh menetapkan tarikh-tarikh yang berlainan bagi mula berkuatkuasanya bahagian-bahagian yang berlainan perundangan-kecil itu.

3. Ordinan Pelajaran, 1961 Sarawak (kemudian daripada ini disebut Ordinan yang dimansuhkan itu) adalah dengan ini dimansuhkan:

Pemansuhan dan perkecualian. Swk. 20/61.

Dengan syarat bahawa apa-apa perundangan-kecil yang telah dibuat di bawah Ordinan yang dimansuhkan itu dan yang berkuatkuasa sebelum sahaja pemansuhan itu dan segala perbuatan yang telah dilakukan di bawah Ordinan yang dimansuhkan itu atau di bawah mana-mana perundangan-kecil itu hendaklah terus berkuatkuasa sehingga diubah atau dibatalkan atau sehingga peruntukan lain dibuat di bawah Akta itu.

JADUAL

UBAHSUAIAN YANG DIBUAT KEPADA AKTA ITU DALAM PEMAKAIANNYA YANG DIPERLUASKAN KE SARAWAK

Ubahsuaian-ubahsuaian Am:

1. Gantikan tiap-tiap sebutan mengenai "managers" atau "board of managers" dengan "Committee of Management".

2. Tiap-tiap sebutan mengenai "governor" atau "governors". (termasuk takrif bagi "governor" dalam seksyen 2) hendaklah dipotong.
3. Gantikan tiap-tiap sebutan mengenai "Chief Education Officer" dengan "Director of Education".

Ubahsuaian-ubahsuaian tertentu:

Seksyen

Ubahsuaian

- 2 Masukkan takrif baru yang berikut mengikut susunan abjad yang sesuai:

G.N.No
S 90/55

"'aided school'" means a school in receipt of grants approved under the Grant Code (Regulations) 1956, but does not include a government school:

"'appointed date'" means the date of the coming into force of this Act in Sarawak;

"'unaided school'" means a school other than an aided school;".

- 12 1. Potong seksyen-kecil (2) dan gantikan dengan—

"(2) If at any time, for any school or educational institution there is no Committee of Management or if by reason of resignation, death or any other cause any school or educational institution is in the opinion of the Registrar left without an adequate Committee of Management the Registrar may require a new Committee of Management to be appointed and, until the names of the members of the new Committee of Management have been submitted and accepted for registrations he may appoint such person or persons as he may think fit to exercise the functions of the Committee of Management for such period as he may direct."

2. Tambah seksyen-kecil baru yang berikut—

"(3) Every person appointed under subsection (1) or (2) shall be deemed to be a registered manager of the school or educational institution and shall have all the powers of a manager including power to enter the school premises at any time".

27 hingga 29 se-
muanya termasuk

Gantikan dengan yang berikut—

Administra-
tion of aided
and govern-
ment schools.

27. (1) Every aided school and govern-
ment school shall be administered by the
Director of Education or by a person
appointed by him.

(2) The provisions of subsections (2),
(3) and (4) of section 29 shall apply *mutatis
mutandis* to the Director of Education or to
the person appointed by him under subsec-
tion (1), as the case may be, as they apply to
a Committee of Management referred to in
section 29.

Committee of
Management
in aided
school.

28. (1) Every aided school shall have a
Committee of Management which shall con-
sist of the registered managers of the school:

Provided that if any aided school has only
one manager that manager shall be deemed
to be the Committee of Management.

(2) The Committee of Management
referred to in subsection (1) shall have only
advisory powers over the aided school.

Committees
of Manage-
ment.

29. (1) Every unaided school shall be
administered by a Committee of Manage-
ment which shall consist of the registered
managers of the school:

Provided that if any school has only one
manager that manager shall be deemed to
be the Committee of Management.

(2) The Committee of Management
shall be responsible for ensuring that the
provisions of this Act and any rules, regula-
tions and by-laws made thereunder, the pro-
visions of any subsidiary legislation still in
force in Sarawak, and the terms of any
existing constitution, written scheme or deed
of trust approved for the school are com-
plied with.

(3) The Committee of Management
shall be responsible for ensuring that any
requirement imposed by the Registrar under
section 51 is observed.

(4) The Registrar may attend any meeting of a Committee of Management."

60 hingga 62

semuanya termasuk

Gantikan dengan yang berikut—

"Application
for registra-
tion of
manager.

60. Every application for registration as the manager of a school shall be made to the Registrar in the Form in the Schedule and shall be signed by the applicant.

Registration of
managers

61. When application has been made under section 60 for registration as a manager of a school, the Registrar shall, subject to the provisions of section 62 and after such inquiry as he may think necessary, register the applicant as a manager of the school of which he seeks to be a manager and shall inform the applicant in writing that he has been so registered.

Ground for
refusal to
register a
manager and
for cancel-
ling or sus-
pending
registration.

62. The Registrar may refuse to register any person as a manager of a school if—

(a) such person has not satisfied the Registrar that he has the experience, knowledge, interest or skill to manage the school;

(b) he is satisfied that such person cannot or is unlikely to be able to carry out satisfactorily the duties of a manager by reason of his other commitments or for any other reasonable cause;

(c) such person has not attained the age of twenty-five years;

(d) except where the proposed manager is a local council, such person is a body corporate;

(e) such person has been convicted within the ten years prior to the application—

(i) in Malaysia, of any offence punishable with imprisonment without the option of a fine or of any offence against this Act, or against any rules, regulations or by-laws made thereunder or against any former law relating to

education; or

- (ii) in any other part of the Commonwealth, of any offence punishable with such imprisonment or of any offence under any law relating to education in force in that part of the Commonwealth;
- (f) such person has previously been refused registration as a manager under this Act, or has previously been refused registration as a manager or supervisor under any former law relating to education, or under any such law at any time in force in any part of the Commonwealth;
- (g) such person has his registration as a manager cancelled under this Act, or had his registration as a manager or supervisor cancelled under any former law relating to education, or under any such law in force in any part of the Commonwealth;

Provided that this paragraph shall not apply if such cancellation was caused solely by reason of his resignation or because the school in which he acted as supervisor, or of which he was a manager, ceased to exist;

- (h) such person has not satisfied the Registrar that he is of good character;
- (i) he is satisfied that it will be prejudicial to the interests of Malaysia, or of the inhabitants of the area which the school or proposed school will serve or of the pupils or proposed pupils there that such person should be so registered; or
- (j) such person is an employee or proposed employee of the Committee of Management or proposed Committee of Management."

66 Gantikan dengan yang berikut—

"Cancellat-
ion or
suspension
of registration
of manager.

66. (1) The Registrar may cancel the registration of any manager—

- (a) on any of the grounds on which he would have been entitled to refuse registration under paragraph (e), (f), (g), (h), or (i) of section 62;
- (b) if he is satisfied that such manager has ceased to act as such or has ceased to perform his duties satisfactorily; or
- (c) if the registration of the school of which he is manager is cancelled.

(2) The Registrar may suspend the registration of a manager for any period not exceeding six months on any of the grounds on which he would have been entitled to cancel his registration as such manager."

66 Masukkan seksyen baru yang berikut—

"Offences by
unregistered
or unauthorised
persons.

66A. Any person other than—

- (a) a registered manager; or
- (b) a registered teacher; or a person issued with a permit under section 89 of this Act, acting under and in accordance with his terms of service as such; or
- (c) the Director of Education or the person appointed by him under subsection (1) of 27;

who takes any part in the administration or management of any school shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or a fine of one thousand dollars or both.

Provided that with the permission in writing of the Registrar, any person

may act as a manager of such school without being registered as such for a period not exceeding one month."

133 Potong dan gantikan dengan—

"Change of title of certain educational institutions.

133. On the appointed date all schools or educational institutions which immediately before that date were—

- (a) sekolah-sekolah rendah Kerajaan or Government primary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah Kebangsaan or national primary schools;
- (b) sekolah-sekolah rendah Kerajaan or Government primary schools not using Bahasa Malaysia as the main medium of instruction and all sekolah-sekolah rendah bantuan or Government-aided primary schools shall become sekolah-sekolah jenis kebangsaan or national type primary schools; and
- (c) vocational schools shall become upper secondary vocational schools,

for the purposes of this Act."

134 Potong dan gantikan dengan—

"Assistance to existing educational institutions.

134. Subject to the provisions of this Act, the Minister shall continue to assist all schools and educational institutions which were in receipt of grants-in-aid or other similar financial assistance (whether capital or recurrent or both capital and recurrent) from the Government of Sarawak or public funds in Sarawak on the day immediately preceding the appointed date."

135 Masukkan seksyen baru yang berikut—

"Saving.

135. (1) All government schools shall on the appointed date be deemed to be registered under this Act.

(2) All members of Committees of

Management registered under the repealed Ordinance shall on the appointed date be deemed to be registered under this Act.

(3) All government teachers shall on the appointed date be deemed to be registered under this Act.

(4) All teachers registered under the repealed Ordinance shall on the appointed date be deemed to be registered under this Act.

(5) All permits issued under section 30 of the repealed Ordinance and in force on the day immediately before the appointed date shall on the appointed date be deemed to have been issued under section 89 of this Act.

Jadual Baru. Tambah Jadual yang berikut:

SCHEDULE

FORM

(Section 60)

APPLICATION FOR REGISTRATION AS A MANAGER
OF A SCHOOL

EDUCATION ACT, 1961

Address.....
Date.....

The Registrar,
Education Department,
Kuching

Registered name and number of school or proposed name.....
Address

1. I submit particulars of myself and request you to register me as a manager of the school.

2. Particulars—

- (a) Name and National Registration Identity Card No
- (b) Address
- (c) Date and place of birth.....

- (d) Length of residence in Sarawak
- (e) Occupation.....
- (f) Educational qualifications
- (g) Experience in or knowledge of Educational matters
- (h) Special interest in the above school
- (i) Any other schools of which I am a registered manager

3. I declare that—

- (a) I am normally resident in Sarawak for at least nine months in each year;
- (b) I am a person of good character and have never been convicted of an offence punishable with imprisonment without the option of a fine;
- (c) I have never previously been refused registration as a manager of any school or as a teacher, or been refused permission to teach, or having been so registered or given permission had my registration or permission cancelled;
- (d) I am able to carry out the duties as a manager of the
school and I am familiar with the provisions of the Education Act, 1961, and the rules, regulations and by-laws made or deemed to have been made thereunder.

4. The contents of this application are true to the best of my knowledge and belief.

(Signed)
(Applicant)

Diperbuat pada 22 haribulan Disember, 1975.

[P.N.(PU²) 243; KP (S).0311/7/Jld.II/(55).]

Dengan Perintah,

DR MAHATHIR BIN MOHAMAD
Menteri Pelajaran

(Akan dibentangkan dalam tiap-tiap satu Majlis Parlimen menurut seksyen 74
(9) Akta Malaysia.)

MALAYSIA ACT

IN exercise of the powers conferred by section 74 of the Malaysia Act, the Yang di-Pertuan Agong hereby makes the following order: 26/63.

1. This order may be cited as the **Education Act (Extension to Sarawak) Order, 1975**, and shall come into force on the 1st day of January, 1976 (hereinafter referred to as the appointed date). Citation and commencement

2. The Education Act, 1961 (hereinafter referred to as the Act), except sections 27, 28, 29, 30, 31, 60, 61, 62, 66, 130, 131, 132, 135, 136, 137, 138, and 139 is hereby extended to Sarawak and shall have effect therein with the modifications set out in the Schedule: Extension and modification. Act 43/61

Provided that any subsidiary legislation made under the Act shall come into force in Sarawak only on such date as the Minister may by notification in the Sarawak *Gazette* appoint and the Minister may appoint different dates for the coming into force of different parts of such subsidiary legislation.

3. The Education Ordinance, 1961 of Sarawak (hereinafter referred to as the repealed Ordinance) is hereby repealed: Repeal and saving. S.w.k. 20/61

Provided that any subsidiary legislation made under the repealed Ordinance and in force immediately before the repeal and all acts done under the repealed Ordinance or under any such subsidiary legislation shall continue to have effect until varied or revoked or until other provision is made under the Act.

SCHEDULE

MODIFICATIONS TO BE MADE TO THE ACT IN ITS EXTENDED APPLICATION TO SARAWAK

General Modifications:

1. For every reference to "managers" or "board of managers" there shall be substituted a reference to "Committee of Management".
2. Every reference to "governor" or "governors" (including the definition of "governor" in section 2) shall be deleted.
3. For every reference to "Chief Education Officer"

there shall be substituted a reference to "Director of Education".

Specific Modifications:

Section	Modification
2	Insert in the appropriate alphabetical order the following new definitions:
<i>G.N.No. S.90/55</i>	"aided school" means a school in receipt of grants approved under the Grant Code (Regulations) 1956, but does not include a government school;
	"appointed date" means the date of the coming into force of this Act in Sarawak;
	"unaided school" means a school other than an aided school;".

12 1. Delete subsection (2) and substitute—

"(2) If at any time for any school or educational institution there is no Committee of Management or if by reason of resignation death or any other cause any school or educational institution is in the opinion of the Registrar left without an adequate Committee of Management the Registrar may require a new Committee of Management to be appointed and, until the names of the members of the new Committee of Management have been submitted and accepted for registrations he may appoint such person or persons as he may think fit to exercise the functions of the Committee of Management for such period as he may direct."

2. Add the following new subsection—

"(3) Every person appointed under subsection (1) or (2) shall be deemed to be a registered manager of the school or educational institution and shall have all the powers of a manager including power to enter the school premises at any time."

27 to 29 inclusive Substitute the following—

"Administration of aided and government schools" 27. (1) Every aided school and government school shall be administered by the Director of Education or by a person

appointed by him.

(2) The provisions of subsections (2), (3) and (4) of section 29 shall apply *mutatis mutandis* to the Director of Education or to the person appointed by him under subsection (1), as the case may be, as they apply to a Committee of Management referred to in section 29.

Committee of
Management
in aided
school.

28. (1) Every aided school shall have a Committee of Management which shall consist of the registered managers of the school:

Provided that if any aided school has only one manager that manager shall be deemed to be the Committee of Management.

(2) The Committee of Management referred to in subsection (1) shall have only advisory powers over the aided school.

Committee of
Management.

29. (1) Every unaided school shall be administered by a Committee of Management which shall consist of the registered managers of the school:

Provided that if any school has only one manager that manager shall be deemed to be the Committee of Management.

(2) The Committee of Management shall be responsible for ensuring that the provisions of this Act and any rules, regulations and by-laws made thereunder, the provisions of any subsidiary legislation still in force in Sarawak and the terms of any existing constitution, written scheme or deed of trust approved for the school are complied with.

(3) The Committee of Management shall be responsible for ensuring that any requirement imposed by the Registrar under section 51 is observed.

(4) The Registrar may attend any meeting of a Committee of Management."

60 to 62 inclusive

Substitute the following—

"Application
for registra-
tion of
manager.

60. Every application for registration as the manager of a school shall be made to the Registrar in the Form in the Schedule and shall be signed by the applicant.

Registration
of managers.

61. When application has been made under section 60 for registration as a manager of a school, the Registrar shall subject to the provisions of section 62 and after such inquiry as he may think necessary, register the applicant as a manager of the school of which he seeks to be a manager and shall inform the applicant in writing that he has been so registered.

Grounds for
refusal to
register a
manager and
for cancelling
or suspending
registration.

62. The Registrar may refuse to register any person as a manager of a school if—

- (a) such person has not satisfied the Registrar that he has the experience, knowledge, interest or skill to manage the school;
- (b) he is satisfied that such person cannot or is unlikely to be able to carry out satisfactorily the duties of a manager by reason of his other commitments or for any other reasonable cause;
- (c) such person has not attained the age of twenty-five years;
- (d) except where the proposed manager is a local council, such person is body corporate;
- (e) such person has been convicted within the ten years prior to the application—
 - (i) in Malaysia, of any offence punishable with imprisonment without the option of a fine or of any offence against this Act, or against any rules, regulations and by-laws made thereunder, or against any former law relating to education; or
 - (ii) in any other part of the Common-

wealth, of any offence punishable with such imprisonment or of any offence under any law relating to education in force in that part of the Commonwealth;

- (f) such person has previously been refused registration as a manager under this Act, or has previously been refused registration as a manager or supervisor under any former law relating to education or under any such law at any time in force in any part of the Commonwealth;
- (g) such person has had his registration as a manager cancelled under this Act or had his registration as a manager or supervisor cancelled under any former law relating to education, or under any such law in force in any part of the Commonwealth:

Provided that this paragraph shall not apply if such cancellation was caused solely by reason of his resignation or because the school in which he acted as supervisor, or of which he was a manager, ceased to exist;

- (h) such person has not satisfied the Registrar that he is of good character;
- (i) he is satisfied that it will be prejudicial to the interests of Malaysia, or of the inhabitants of the area which the school or proposed school will serve, or of the pupils or proposed pupils thereof, that such person should be so registered; or
- (j) such person is an employee or proposed employee of the Committee of Management or proposed Committee of Management."

66 Substitute the following—

"Cancellation
or suspension
of registration
of manager.

66. (1) The Registrar may cancel the

registration of any manager—

- (a) on any of the grounds on which he would have been entitled to refuse registration under paragraph (e), (f), (g), (h) or (i) of section 62;
 - (b) if he is satisfied that such manager has ceased to act as such or has ceased to perform his duties satisfactorily; or
 - (c) if the registration of the school of which he is manager is cancelled.
- (2) The Registrar may suspend the registration of a manager for any period not exceeding six months on any of the grounds on which he would have been entitled to cancel his registration as such manager."

66A Insert the following new section—

"Offences by
unregistered or
unauthorised
persons.

66A. Any person other than—

- (a) a registered manager; or
- (b) a registered teacher; or a person issued with a permit under section 89 of this Act, acting under and in accordance with his terms of service as such; or
- (c) the Director of Education or the person appointed by him under subsection (1) of 27.

who takes any part in the administration or management of any school shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or a fine of one thousand dollars or both:

Provided that, with the permission in writing of the Registrar, any person may act as a manager of such school without being registered as such for a period not exceeding one month."

133 Delete and substitute—

133 Delete and substitute—

"Change of
title of
certain
educational
institutions.

133. On the appointed date all schools or educational institutions which immediately before that date were—

- (a) sekolah-sekolah rendah Kerajaan or Government primary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah Kebangsaan or national primary schools;
- (b) sekolah-sekolah rendah Kerajaan or Government primary schools not using Bahasa Malaysia as the main medium of instruction and all sekolah-sekolah rendah bantuan or Government-aided primary schools shall become sekolah-sekolah jenis Kebangsaan or national type primary schools; and
- (c) vocational schools shall become upper secondary vocational schools.

for the purposes of this Act."

134 Delete and substitute—

"Assistance
to existing
educational
institutions.

134. Subject to the provisions of this Act, the Minister shall continue to assist all schools and educational institutions which were in receipt of grants-in-aid or other similar financial assistance (whether capital or recurrent or both capital and recurrent) from the Government of Sarawak or public funds in Sarawak on the day immediately preceding the appointed date".

135 Insert the following new section—

"Saving.

135. (1) All government schools shall on the appointed date be deemed to be registered under this Act.

(2) All members of Committees of Management registered under the repealed

Ordinance shall on the appointed date be deemed to be registered under this Act.

(3) All government teachers shall on the appointed date be deemed to be registered under this Act.

(4) All teachers registered under the repealed Ordinance shall on the appointed date be deemed to be registered under this Act.

(5) All permits issued under section 30 of the repealed Ordinance and in force on the day immediately before the appointed date shall on the appointed date be deemed to have been issued under section 89 of this Act.”.

New Schedule Add the following Schedule—

SCHEDULE

FORM

(Section 60)

APPLICATION FOR REGISTRATION AS A MANAGER OF A SCHOOL EDUCATION ACT, 1961

Address

Date

The Registrar,
Education Department,
Kuching

Registered name and number of school, or proposed name.

Address

1. I submit particulars of myself and request you to register me as a manager of the school.
2. Particulars—
 - (a) Name and National Registration Identity Card No
 - (b) Address
 - (c) Date and place of birth
 - (d) Length of residence in Sarawak
 - (e) Occupation
 - (f) Educational qualifications
 - (g) Experience in or knowledge of Educational matters

- (h) Special interest in the above school.
- (i) Any other schools of which I am a registered manager
3. I declare that—
- (a) I am normally resident in Sarawak for at least nine months in each year;
- (b) I am a person of good character and have never been convicted of an offence punishable with imprisonment without the option of a fine;
- (c) I have never previously been refused registration as a manager of any school or as a teacher, or been refused permission to teach, or, having been so registered or given permission, had my registration or permission cancelled;
- (d) I am able to carry out the duties as a manager of the school and I am familiar with the provisions of the Education Act, 1961, and the rules, regulations and by-laws made or deemed to have been made thereunder.
4. The contents of this application are true to the best of my knowledge and belief.

(Signed)
(Applicant)

Made this 22nd day of December, 1975.
[P.N.(PU2)243,KP.(S)0311/7/Jld.11/(55).]

By Command,

DR MAHATHIR BIN MOHAMAD,
Minister of Education

(To be laid before each House of Parliament pursuant to section 74 (9) of the Malaysia Act.)

AKTA MALAYSIA

PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 74 Akta Malaysia, Yang di-Pertuan Agong membuat perintah yang berikut:

26/63

1. Perintah ini bolehlah dinamakan **Perintah Akta Pelajaran (Perluasan ke Sabah) 1976**, dan hendaklah disifatkan sebagai telah mula berkuatkuasa pada 1hb Januari, 1976 (kemudian daripada ini disebut "appointed date").

Nama dan mula berkuatkuasa.

2. Akta Pelajaran 1961 (kemudian daripada ini disebut Akta itu), kecuali seksyen-seksyen 130, 131, 132, 138 dan 139, adalah diperluaskan ke Sabah dan hendaklah mempunyai kuatkuasa di Sabah dengan ubahsuaian-ubahsuaian yang dinyatakan dalam Jadual:

Perluasan dan pengubahsuaian.
Akta 43.

Dengan syarat bahawa apa-apa perundangan-kecil yang dibuat di bawah Akta itu hendaklah mula berkuatkuasa di Sabah hanya pada tarikh yang ditetapkan oleh Menteri melalui pemberitahu dalam Warta Sabah dan Menteri boleh menetapkan tarikh-tarikh yang berlainan bagi mula berkuatkuasanya bahagian-bahagian yang berlainan perundangan kecil itu.

3. Ordinan Pelajaran 1961 Sabah (kemudian daripada ini disebut Ordinan yang dimansuhkan itu) adalah dimansuhkan:

Pemansuhan dan kecualian.
Sabah 9/61

Dengan syarat bahawa apa-apa perundangan kecil yang dibuat di bawah Ordinan yang dimansuhkan itu dan yang berkuatkuasa sebelum sahaja pemansuhan itu dan segala perbuatan yang dilakukan di bawah Ordinan yang dimansuhkan itu atau di bawah mana-mana perundangan kecil itu hendaklah terus berkuatkuasa sehingga diubah atau dibatalkan atau sehingga peruntukan lain dibuat di bawah Akta itu.

JADUAL

PENGUBAHSUAIAN YANG HENDAK DIBUAT KEPADA AKTA ITU DALAM PEMAKAIANNYA YANG DIPERLUASKAN KE SABAH

Ubahsuaian-ubahsuaian Am:

1. Tiap-tiap rujukan mengenai "board of managers" hendaklah digantikan dengan rujukan mengenai "Committee of Management".
2. Tiap-tiap rujukan mengenai "governor", "governors" atau "board of governors" (termasuklah takrif "governor" dalam seksyen 2)

hendaklah dipotong.

3. Tiap-tiap rujukan mengenai "Chief Education Officer" hendaklah digantikan dengan rujukan mengenai "Director of Education".
4. Tiap-tiap rujukan mengenai "Central Board" hendaklah digantikan dengan rujukan mengenai "Sabah Central Board".
5. Tiap-tiap rujukan mengenai "instrument of management or government" dan "instrument" hendaklah digantikan dengan rujukan mengenai "instrument of management"; dan takrif "instrument" dalam seksyen 2 Akta itu hendaklah dipotong.

Ubahsuaian-ubahsuaian tertentu:

- | Seksyen | Ubahsuaian |
|--------------------------|---|
| 2 (a) | masukkan takrif baru yang berikut mengikut susunan abjad yang sesuai—

"appointed date" means the date of the coming into force of this Act in Sabah;

"unassisted school" and "unassisted educational institution" mean respectively, a school or an educational institution other than an assisted or fully assisted school, or an assisted or fully assisted educational institution.

(b) Gantikan takrif "State Authority" dengan yang berikut—

"State Authority" means the Ruler or Governor of a State and includes, in Sabah, the Yang di-Pertua Negara. |
| 6 (3) | Tambah proviso yang berikut—

"Provided that the Director of Education, Sabah may act on behalf of the Chief Inspector of Schools." |
| 12 1. | Potong seksyen-kecil (2) dan gantikan dengan yang berikut—

(2) If at any time, for any school or educational institution there is no Committee of Management or if by reason of resignation, death or any other cause any school or educational institution is in the opinion of the Registrar left without an adequate Committee of Management the Registrar may require a new Committee of Management to be appointed |

and until the names of the members of the new Committee of Management have been submitted and accepted for registrations he may appoint such person or persons as he may think fit to exercise the functions of the Committee of Management for such period as he may direct."

2. Tambah seksyen-kecil baru yang berikut—

'(3) Every person appointed under subsection (1) or (2) shall be deemed to be a registered manager of the school or educational institution and shall have all the powers of a manager including power to enter the school premises at any time".

27 hingga 31
termasuk kedua-
duanya

Potong dan gantikan dengan yang berikut—

*Instruments
of manage-
ment.*

27. On such date as the Minister may by notification in the *Gazette* appoint, and subject to the provisions of this Act and, in particular, the provisions as to exemptions, there shall be an instrument of management for every unassisted school and unassisted educational institution constituting a Committee of Management with a Chairman, for the management of the unassisted school or unassisted educational institution by the managers in a manner not inconsistent with the provisions of this Act and of any rules, regulations or by-laws made thereunder.

*Manner of
making
instruments.*

28. An instrument of management shall be made, amended or cancelled in such manner as may be prescribed.

*Unassisted
schools and
unassisted
educational
institutions
to be
regulated by
instrument.*

29. Subject to the provisions of this Act, and, in particular, the provisions as to exemptions, every unassisted school and unassisted educational institution shall be managed in strict accordance with its instrument of management.

*Power of
Minister
to appoint
managers.*

30. (1) If the Minister is satisfied—

- (a) that discipline in any school or educational institution is not being adequately maintained;
- (b) that the terms of the instrument of management of any unassisted

school or unassisted educational institution are being wilfully disregarded;

- (c) that any provision of this Act or of any rules or regulations made thereunder is being wilfully disregarded; or
- (d) in the case of a school or educational institution in receipt of a grant-in-aid, that the property or funds of the school or educational institution are not being properly administered,

he may appoint by name such additional managers of such school or educational institution as he may think fit.

- (2) The Minister may in his discretion at any time remove any additional manager appointed under subsection (1).
- (3) Any additional manager appointed for any school or educational institution under subsection (1) shall for all purposes be deemed to be a manager of such school or educational institution, and shall have all such rights and powers as may by any written law or other instrument be conferred upon the managers of such school or educational institution.
- (4) Any additional manager appointed under subsection (1) shall be exempted from registration under Part V.

Appointment of teachers under instrument and Act.

- 31. Subject to the provisions of this Act and any rules made thereunder, teachers in an unassisted school or unassisted educational institution shall be appointed in accordance with the instrument of management."

31A hingga 31C Termasuk kedua-duanya

*Administra-tion of assisted and fully assisted schools and assisted and fully assisted educational institutions

- 31A. (1) Every assisted and fully assisted school and assisted and fully assisted educational institution shall be administered by the Director of Education or by a person or persons appointed by him.

- (2) The provisions of subsections (2), (3) and (4) of section 31c shall apply *mutatis mutandis* to the Director of Education or to the person or persons appointed by him under subsection (1), as the case may be, as they apply to a Committee of Management referred to in section 31c.

Committee of Management in assisted school and assisted educational institution.

- 31B. (1) Every assisted school and assisted educational institution shall have a Committee of Management which shall consist of the registered managers of the school or educational institution:

Provided that if any assisted school or assisted educational institution has only one manager that manager shall be deemed to be the Committee of Management.

- (2) Subject to section 137, the Committee of Management referred to in subsection (1) shall have only advisory powers over the assisted school or assisted educational institution:

Committee of Management in unassisted school and unassisted educational institution.

- 31C. (1) Every unassisted school and unassisted educational institution shall be administered by a Committee of Management which shall consist of the registered managers of the school or educational institution, as the case may be:

Provided that if any unassisted school or unassisted educational institution has only one manager that manager shall be deemed to be the Committee of Management.

- (2) The Committee of Management referred to in subsection (1) shall be responsible for ensuring that the provisions of this Act and any rules, regulations and by-laws made thereunder, the provisions of any subsidiary legislation relating to education still in force in Sabah and the terms of any

instrument of management approved for the unassisted school or unassisted educational institution are complied with.

- (3) The Committee of Management referred to in subsection (1) shall be responsible for ensuring that any requirement imposed by the Registrar under section 51 is observed.
- (4) The Registrar may attend any meeting of a Committee of Management referred to in subsection(1)".

60 hingga 62
termasuk kedua-
duanya

Potong dan gantikan dengan yang berikut—

'Application
for registra-
tion of
manager.

60. Every application for registration as the manager of an assisted or unassisted school or an assisted or unassisted educational institution shall be made to the Registrar in the Form in the Schedule and shall be signed by the applicant.

Registration
of managers.

61. When application has been made under section 60 for registration as a manager of an assisted or unassisted school or an assisted or unassisted educational institution, the Registrar shall, subject to the provisions of section 62 and after such enquiry as he may think necessary, register the applicant as a manager of the school or educational institution of which he seeks to be a manager and shall inform the applicant in writing that he has been so registered.

Grounds for
refusal to
register a
manager.

62. The Registrar may refuse to register any person as a manager of an assisted or unassisted school or an assisted or unassisted educational institution if—

- (a) such person has not satisfied the Registrar that he has the experience, knowledge, interest or skill to manage the school or educational institution;
- (b) he is satisfied that such person is not or is unlikely to be able to carry out

satisfactorily the duties of a manager by reason of his other commitments or for any other cause;

- (c) such person has not attained the age of twenty-five years;
- (d) such person is a body corporate;
- (e) such person has been convicted, in Malaysia or elsewhere, of an offence and sentenced to a term of imprisonment or has been convicted of an offence against this Act, or against any rules, regulations and by-laws made thereunder or under any previous written law relating to education or under any similar law in Sabah;
- (f) such person has previously been refused registration as a manager or governor under this Act, or has previously been refused registration as a manager or supervisor under any previous written law relating to education in Sabah, or under any similar law at any time in force elsewhere;
- (g) such person has had his registration as a manager or governor struck off under this Act, or has had his registration as a manager or supervisor cancelled under any previous written law relating to education in Sabah, or under any similar law at any time in force elsewhere;

Provided that this paragraph shall not apply if such striking off or cancellation was caused solely by reason of his resignation or because the school in which he acted as supervisor, or of which he was a manager, ceased to exist;

- (h) such person has not satisfied the Registrar that he is of good character;
- (i) he is satisfied that it will be prejudicial to the interests of Malaysia, or

of the inhabitants of the area which the school or educational institution or proposed school or educational institution will serve, or of the pupils or proposed pupils thereof, that such person should be so registered;

- (j) such person is an employee or proposed employee of the Committee of Management, or proposed Committee of Management; or
- (k) it appears to him that such person is not resident in Sabah for at least nine months in each year."

66 Potong dan gantikan dengan yang berikut—

"Striking off the register or suspension of registration of manager."

66. (1) The Registrar may strike off the register any manager—

- (a) on any of the grounds on which he would have been entitled to refuse registration under paragraph (b), (j) or (k) of section 62;
- (b) if he is satisfied that such manager has ceased to act as such or has ceased to perform his duties satisfactorily;
- (c) if, after such manager has been registered, the Registrar is not satisfied that he is a person of good character;
- (d) if he is satisfied that it will be prejudicial to the interests of Malaysia, or of the inhabitants of the area which the school is serving, or of the pupils thereof, that such manager should continue to be so registered;
- (e) such person has been convicted, in Malaysia or elsewhere, of an offence and sentenced to a term of imprisonment or has been convicted of an offence against this Act, or against any rules, regulations and by-laws made thereunder or under any previous written law relating to education or under any similar law in Sabah;

- (f) if such manager after the date of registration, has acted as a manager in any school or educational institution which has been struck off the register or the registration of which has been cancelled under the provisions of this Act or cancelled under any law relating to the registration of schools in Sabah and which was not restored to the register at the time of his so acting;
- (g) if such manager after the date of registration has obtained his registration in consequence of any mistake or any false or misleading particulars furnished in or in connection with his application for registration; or
- (h) if the school or educational institution of which he is manager is struck off the register or its registration cancelled;

Provided that no person shall be struck off the register by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before that date.

(2) The Registrar may suspend the registration of a manager for any period not exceeding six months on any of the grounds on which the Registrar would have been entitled to strike him off the register or cancel his registration as manager."

66A Tambah seksyen baru yang berikut—

*Offences by
unregistered
or
unauthorized
person.

66A. Any person other than—

- (a) a registered manager;
- (b) a registered teacher; or a person issued with a permit under section 89 of this Act, acting under and in accordance with his terms of service as such; or
- (c) the Director of Education or the per-

son appointed by him under subsection (1) of section 31A;

who takes any part in the administration or management of any school or educational institution shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or a fine of one thousand dollars or both;

Provided that, with the permission in writing of the Registrar, any person may act as a manager of such school or educational institution without being registered as such for a period not exceeding one month."

93 Masukkan " after consulting the State Authority," selepas "Yang di-Pertuan Agong"

Bab 2A, 102A dan 102B Tambah Bab dan seksyen baru yang berikut selepas seksyen 102—

"Bab 2A-Inspection by Director, etc.

Inspection
of schools and
educational
institution.

102A. The Director of Education may inspect personally or cause to be inspected by any officer in his Department any school or educational institution for the purpose of ascertaining whether the provisions of this Act or any rules, regulations or by-laws made thereunder are being complied with, or whether the terms of the instrument of management of any unassisted school or unassisted educational institution are being complied with, or whether such school or educational institution is being properly or efficiently conducted.

Power to
direct
remedial
measures

102B. If it appears to the Director of Education that any provision of this Act has not been complied with in any school or educational institution or that any such school or educational institution is not being properly or efficiently conducted, he may, without prejudice to any other powers vested in him, by notice in writing addressed to the Chairman of the Committee of Management, direct the Committee of Management to take, within a time to be stated in the notice,

such measures as are in the notice specified in order that such provision may be complied with or that the school or educational institution may be properly or efficiently conducted."

103 Potong dan gantikan dengan—

^aGeneral
powers of
Inspectors.

103. For the purpose of making any inspection of any school or educational institution under section 96, 100 or 102A the Chief Inspector, any Inspector of Schools, any Local Inspector of Schools, the Director of Education or any officer referred to under section 102A (hereinafter in this section referred to as an Inspector) may—

- (a) at any time enter any school or educational institution;
- (b) require any Chairman of the Committee of Management, or any manager, or any teacher or employee or person found in such school or educational institution—
 - (i) to produce for his inspection any timetable, syllabus or record pertaining to subjects taught or to be taught or any book, document or article relating to or which in the opinion of the Inspector may relate to the teaching carried on in or the organisation of such school or educational institution;
 - (ii) to furnish the Inspector with such information relating to the teaching in or the organisation of the school or educational institution as the Inspector may demand, and which it is within the power of such Chairman, manager, teacher, employee or person to furnish;
 - (c) to remove for further examination any book, document or other article which he has reason to suspect is evidence of the commission of an offence against this Act, or

against any rules, regulations and by-laws made thereunder or of a ground for striking off or cancellation, of registration of any nature under this Act; and

- (d) to do such other things as are necessary for the purposes of inspection.

133 Potong dan gantikan dengan—

'Change
of title of
certain
educational
institution.

133. On the appointed date all schools or educational institutions which immediately before that date were—

- (a) sekolah-sekolah rendah Kerajaan or State primary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah Kebangsaan or National primary schools;
- (b) sekolah-sekolah rendah Kerajaan or State primary schools not using Bahasa Malaysia as the main medium of instruction and all sekolah-sekolah rendah bantuan or Government-aided primary schools shall become sekolah-sekolah jenis Kebangsaan or National type primary schools;
- (c) sekolah-sekolah menengah Kerajaan or State secondary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah menengah Kebangsaan;
- (d) sekolah-sekolah menengah bantuan or grant aided secondary schools not using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah menengah jenis Kebangsaan;
- (e) vocational schools shall become upper secondary vocational schools,

for the purposes of this Act."

134 Potong dan gantikan dengan yang berikut—

*Assistance
to existing
schools and
educational
institutions.

134. Subject to the provisions of this Act, the Minister shall continue to assist all schools which were in receipt of grant-in-aid or other similar financial assistance (whether capital or recurrent or both capital and recurrent) from the Government of Sabah or public funds in Sabah on the day immediately preceding the appointed date."

136 dan 137 Potong dan gantikan dengan seksyen-seksyen baru yang berikut—

*Saving

136. (1) All State schools shall, on the appointed date, be deemed to be registered under this Act.

(2) All members of Committees of Management registered under the repealed Ordinance shall, on the appointed date, be deemed to be registered under this Act.

(3) All government teachers shall, on the appointed date, be deemed to be registered under this Act.

(4) All teachers registered under the repealed Ordinance shall, on the appointed date, be deemed to be registered under this Act.

(5) All unregistered teachers employed by schools by virtue of authorities issued under section 29 of the repealed Ordinance and in force on the day immediately before the appointed date shall, on the appointed date, be deemed to be teachers issued with permits to teach under section 39 of this Act.

Transitional

137. Any Management Committee which immediately before the appointed date was the employer of any teacher or other person in any school which on the appointed date becomes an assisted school shall continue to be the employer of such teacher or other person until other provision is made."

Jadual Baru Tambah Jadual yang berikut—

"SCHEDULE

FORM

(Section 60)

APPLICATION FOR REGISTRATION AS A MANAGER OF AN
ASSISTED OR UNASSISTED SCHOOL OR AN ASSISTED OR
UNASSISTED EDUCATIONAL INSTITUTION

EDUCATION ACT 1961

Address

Date

The Registrar,
Education Department,
Kota Kinabalu

Registered name and number of school/educational institution, or proposed name
.....

Address

1. I submit particulars of myself and request you to register me as a manager of the
school/educational institution.

2. Particulars—

(a) Name and National Registration Identity Card No

(b) Address

(c) Date and place of birth

(d) Length of residence in Sabah

(e) Occupation

(f) Educational qualifications

(g) Experience in or knowledge of educational matters

(h) Special interest in the above school/educational institution

(i) Any other school/educational institution of which I am a registered
manager

3. I declare that—

(a) I am normally resident in Sabah for at least nine months in each year ;

- (b) I am a person of good character and have never been convicted of an offence punishable with imprisonment;
- (c) I have never previously been refused registration as a manager, governor or supervisor of any school/educational institution or as a teacher, or been refused permission to teach, or, having been so registered or given permission, had my registration or permission cancelled or struck off;
- (d) I am able to carry out the duties as a manager of the school/educational institution and I am familiar with the provisions of the Education Act 1961, and the rules, regulations and by-laws made or deemed to have been made thereunder.

4. The contents of this application are true to the best of my knowledge and belief.

(Signed). "
(Applicant)

Diperbuat pada 19 haribulan Mei, 1976.

[P.N.(PU2)243.KP(S)0311/7/Jld.11(81).]

Dengan Perintah,

DR MAHATHIR BIN MOHAMAD.
Menteri Pelajaran

(Akan dibentangkan dalam tiap-tiap satu Majlis Parlimen menurut seksyen 74 (9) Akta Malaysia.)

MALAYSIA ACT

IN exercise of the powers conferred by section 74 of the Malaysia Act, the Yang di-Pertuan Agong makes the following order:

26/63

1. This order may be cited as the **Education Act (Extension to Sabah) Order 1976**, and shall be deemed to have come into force on the 1st day January, 1976 (hereinafter referred to as the appointed date).

Citation and commencement.

2. The Education Act 1961 (hereinafter referred to as the Act), except sections 130, 131, 132, 138 and 139, is extended to Sabah and shall have effect therein with the modifications set out in the Schedule:

Extension and modification.

Act 43

Provided that any subsidiary legislation made under the Act shall come into force in Sabah only on such date as the Minister may by notification in the Sabah *Gazette* appoint and the Minister may appoint different dates for the coming into force of different parts of such subsidiary legislation.

3. The Education Ordinance 1961 of Sabah (hereinafter referred to as the repealed Ordinance) is repealed:

Repeal and saving.

Sabah 9/61

Provided that any subsidiary legislation made under the repealed Ordinance and in force immediately before the repeal and all acts done under the repealed Ordinance or under any such subsidiary legislation shall continue to have effect until varied or revoked or until other provision is made under the Act.

SCHEDULE

MODIFICATIONS TO BE MADE TO THE ACT IN ITS EXTENDED APPLICATION TO SABAH

General Modifications:

1. For every reference to "board of managers" there shall be substituted a reference to "Committee of Management".
2. Every reference to "governor", "governors" or "board of governors" (including the definition of "governor" in section 2) shall be deleted.
3. For every reference to "Chief Education Officer" there shall be substituted a reference to "Director of Education".
4. For every reference to "Central Board" there shall

be substituted a reference to "Sabah Central Board".

5. For every reference to "instrument of management or government" and "instrument" there shall be substituted a reference to "instrument of management" and the definition of "instrument" in section 2 of the Act shall be deleted.

Specific Modifications:

Section	Modification
2	<p>(a) Insert in the appropriate alphabetical order the following new definitions:</p> <p>“appointed date” means the date of the coming into force of this Act in Sabah;</p> <p>“unassisted school” and “unassisted educational institution” mean respectively, a school or an educational institution other than an assisted or fully assisted school, or an assisted or fully assisted educational institution.”.</p> <p>(b) Substitute the following for the definition of “State Authority”—</p> <p>“State Authority” means the Ruler or Governor of a State and includes, in Sabah, the Yang di-Pertua Negara.”.</p>
6 (3)	<p>Add the following proviso—</p> <p>“Provided that the Director of Education, Sabah may act on behalf of the Chief Inspector of Schools.”</p>
12	<p>1. Delete subsection (2) and substitute the following—</p> <p>“(2) If at any time, for any school or educational institution there is no Committee of Management or if by reason of resignation, death or any other cause any school or educational institution is in the opinion of the Registrar left without an adequate Committee of Management the Registrar may require a new Committee of Management to be appointed and, until the names of the members of the new Committee of Management have been submitted and accepted for registrations he may appoint such person or persons as he may think</p>

fit to exercise the functions of the Committee of Management for such period as he may direct."

2. Add the following new subsection—

"(3) Every person appointed under subsection (1) or (2) shall be deemed to be a registered manager of the school or educational institution and shall have all the powers of a manager including power to enter the school premises at any time."

27 to 31 inclusive

Delete and substitute the following—

Instruments of management.

27. On such date as the Minister may by notification in the Gazette appoint, and subject to the provisions of this Act and, in particular, the provisions as to exemptions, there shall be an instrument of management for every unassisted school and unassisted educational institution constituting a Committee of Management, with a Chairman, for the management of the unassisted school or unassisted educational institution by the managers in a manner not inconsistent with the provisions of this Act and of any rules, regulations or by-laws made thereunder.

Manner of making instruments.

28. An instrument of management shall be made, amended or cancelled in such manner as may be prescribed.

Unassisted schools and unassisted educational institutions to be regulated by instrument.

29. Subject to the provisions of this Act and, in particular, the provisions as to exemptions, every unassisted school and unassisted educational institution shall be managed in strict accordance with its instrument of management.

Power of Minister to appoint managers.

30. (1) If the Minister is satisfied—

- (a) that discipline in any school or educational institution is not being adequately maintained;
- (b) that the terms of the instrument of management of any unassisted school or unassisted educational institution are being wilfully disregarded;

- (c) that any provision of this Act or of any rules or regulations made thereunder is being wilfully disregarded; or
- (d) in the case of a school or educational institution in receipt of a grant-in-aid, that the property or funds of the school or educational institution are not being properly administered,

he may appoint by name such additional managers of such school or educational institution as he may think fit.

- (2) The Minister may in his discretion at any time remove any additional manager appointed under subsection(1).
- (3) Any additional manager appointed for any school or educational institution under subsection (1) shall for all purposes be deemed to be a manager of such school or educational institution, and shall have all such rights and powers as may by any written law or other instrument be conferred upon the managers of such school or educational institution.
- (4) Any additional manager appointed under subsection (1) shall be exempted from registration under Part V.

Appointment
of teachers
under
instrument
and Act.

- 31. Subject to the provisions of this Act and any rules made thereunder, teachers in an unassisted school or unassisted educational institution shall be appointed in accordance with the instrument of management."

31A to 31C inclusive

'Administra-
tion of
assisted and
fully assisted
schools and
assisted and
fully assisted
educational
Institutions.

Add the following new sections—

- 31A. (1) Every assisted and fully assisted school and assisted and fully assisted educational institution shall be administered by the Director of

Education or by a person or persons appointed by him.

- (2) The provisions of subsections (2), (3) and (4) of section 31C shall apply mutatis mutandis to the Director of Education or to the person or persons appointed by him under subsection (1), as the case may be, as they apply to a Committee of Management referred to in section 31C.

Committee of Management in assisted school and assisted educational institution.

- 31B. (1) Every assisted school and assisted educational institution shall have a Committee of Management which shall consist of the registered managers of the school or educational institution:

Provided that if any assisted school or assisted educational institution has only one manager that manager shall be deemed to be the Committee of Management.

- (2) Subject to section 137, the Committee of Management referred to in subsection (1) shall have only advisory powers over the assisted school or assisted educational institution.

Committee of Management in unassisted school and unassisted educational institution.

- 31C. (1) Every unassisted school and unassisted educational institution shall be administered by a Committee of Management which shall consist of the registered managers of the school or educational institution, as the case may be:

Provided that if any unassisted school or unassisted educational institution has only one manager that manager shall be deemed to be the Committee of Management.

- (2) The Committee of Management referred to in subsection (1) shall be responsible for ensuring that the provisions of this Act and any rules, regulations and by-laws made thereunder, the provisions of any subsidiary legis-

lation relating to education still in force in Sabah and the terms of any instrument of management approved for the unassisted school or unassisted educational institution are complied with.

- (3) The Committee of Management referred to in subsection (1) shall be responsible for ensuring that any requirement imposed by the Registrar under section 51 is observed.
- (4) The Registrar may attend any meeting of a Committee of Management referred to in subsection(1)."

60 to 62 inclusive Delete and substitute the following—

'Application
for registra-
tion of
manager

60. Every application for registration as the manager of an assisted or unassisted school or an assisted or unassisted educational institution shall be made to the Registrar in the Form in the Schedule and shall be signed by the applicant.

Registration
of managers

61. When application has been made under section 60 for registration as a manager of an assisted or unassisted school or an assisted or unassisted educational institution, the Registrar shall, subject to the provisions of section 62 and after such enquiry as he may think necessary, register the applicant as a manager of the school or educational institution of which he seeks to be a manager and shall inform the applicant in writing that he has been so registered.

Grounds for
refusal to
register a
manager.

62. The Registrar may refuse to register any person as a manager of an assisted or unassisted school or an assisted or unassisted educational institution if—
- (a) such person has not satisfied the Registrar that he has the experience,

knowledge, interest or skill to manage the school or educational institution;

- (b) he is satisfied that such person is not or is unlikely to be able to carry out satisfactorily the duties of a manager by reason of his other commitments or for any other cause;
- (c) such person has not attained the age of twenty-five years;
- (d) such person is a body corporate;
- (e) such person has been convicted, in Malaysia or elsewhere, of an offence and sentenced to a term of imprisonment or has been convicted of an offence against this Act, or against any rules, regulations and by-laws made thereunder or under any previous written law relating to education or under any similar law in Sabah;
- (f) such person has previously been refused registration as a manager or governor under this Act, or has previously been refused registration as a manager or supervisor under any previous written law relating to education in Sabah, or under any similar law at any time in force elsewhere;
- (g) such person has had his registration as a manager or governor struck off under this Act, or has had his registration as a manager or supervisor cancelled under any previous written law relating to education in Sabah, or under any similar law at any time in force elsewhere:

Provided that this paragraph shall not apply if such striking off or cancellation was caused solely by reason of his resignation or because the school in which he acted as supervisor, or of which he was a manager, ceased to exist;

- (h) such person has not satisfied the

Registrar that he is of good character;

- (i) he is satisfied that it will be prejudicial to the interests of Malaysia, or of the inhabitants of the area which the school or educational institution or proposed school or educational institution will serve, or of the pupils or proposed pupils thereof, that such person should be so registered;
- (j) such person is an employee or proposed employee of the Committee of Management or proposed Committee of Management; or
- (k) it appears to him that such person is not resident in Sabah for at least nine months in each year."

66 Delete and substitute the following—

"Striking off the register or suspension of registration of manager.

66. (1) The Registrar may strike off the register any manager—

- (a) on any of the grounds on which he would have been entitled to refuse registration under paragraph (b), (j) or (k) of section 62;
- (b) if he is satisfied that such manager has ceased to act as such or has ceased to perform his duties satisfactorily;
- (c) if, after such manager has been registered the Registrar is not satisfied that he is a person of good character;
- (d) if he is satisfied that it will be prejudicial to the interests of Malaysia, or of the inhabitants of the area which the school is serving, or of the pupils thereof, that such manager should continue to be so registered;
- (e) such person has been convicted, in Malaysia or elsewhere, of an offence and sentenced to a term of imprisonment or has been convicted of an offence against this Act, or against

any rules, regulations and by-laws made thereunder or under any previous written law relating to education or under any similar law in Sabah;

- (f) if such manager after the date of registration, has acted as a manager in any school or educational institution which has been struck off the register or the registration of which has been cancelled under the provisions of this Act or cancelled under any law relating to the registration of schools in Sabah and which was not restored to the register at the time of his so acting;
- (g) if such manager after the date of registration has obtained his registration in consequence of any mistake or any false or misleading particulars furnished in or in connection with his application for registration; or
- (h) if the school or educational institution of which he is manager is struck off the register or its registration cancelled:

Provided that no person shall be struck off the register by reason of any fact or matter occurring before the date of his registration and which was disclosed to the Registrar before that date.

- (2) The Registrar may suspend the registration of a manager for any period not exceeding six months on any of the grounds on which the Registrar would have been entitled to strike him off the register or cancel his registration as manager.*

66A Add the following new section-

*Offences by
unregistered
or
unauthorized
person

66A. Any person other than—

- (a) a registered manager;

(b) a registered teacher; or a person issued with a permit under section 89 of this Act, acting under and in accordance with his terms of service as such; or

(c) the Director of Education or the person appointed by him under subsection (1) of section 31A;

who takes any part in the administration or management of any school or educational institution shall be guilty of an offence and shall be liable on conviction to imprisonment for six months or a fine of one thousand dollars or both;

Provided that, with the permission in writing of the Registrar, any person may act as a manager of such school or educational institution without being registered as such for a period not exceeding one month.'

93 Insert ' after consulting the State Authority' after 'Yang di-Pertuan Agong'.

Chapter 2A, 102A Add the following new Chapter and sections after-
and 102B section 102—

'Chapter 2A - Inspection by Director, etc.

Inspection
of schools and
educational
institution.

102A. The Director of Education may inspect personally or cause to be inspected by any officer in his Department any school or educational institution for the purpose of ascertaining whether the provisions of this Act or any rules, regulations or by-laws made thereunder are being complied with, or whether the terms of the instrument of management of any unassisted school or unassisted educational institution are being complied with, or whether such school or educational institution is being properly or efficiently conducted.

Power to
direct remedial
measures.

102B. If it appears to the Director of Education that any provision of this Act has not been complied with in any school or educational institution or that any such school or educational institution is not being properly or efficiently conducted, he may without prejudice to any other powers vested in him, by

notice in writing addressed to the Chairman of the Committee of Management, direct the Committee of Management to take, within a time to be stated in the notice, such measures as are in the notice specified in order that such provision may be complied with or that the school or educational institution may be properly or efficiently conducted.'

103 Delete and substitute—

"General powers of inspectors.

103. For the purpose of making any inspection of any school or educational institution under section 96, 100 or 102A the Chief Inspector, any Inspector of Schools, any Local Inspectors of Schools, the Director of Education or any officer referred to under section 102A (hereinafter in this section referred to as an Inspector) may—

- (a) at any time enter any school or educational institution;
- (b) require any Chairman of the Committee of Management, or any manager, or any teacher or employee or person found in such school or educational institution—
 - (i) to produce for his inspection any timetable, syllabus or record pertaining to subjects taught or to be taught or any book, document or article relating to or which in the opinion of the Inspector may relate to the teaching carried on in or the organisation of such school or educational institution;
 - (ii) to furnish the Inspector with such information relating to the teaching in or the organisation of the school or educational institution as the Inspector may demand, and which it is within the power of such Chairman, manager, teacher, employee or person to furnish;
- (c) to remove for further examination any book, document or other article

which he has reason to suspect is evidence of the commission of an offence against this Act, or against any rules, regulations and by-laws made thereunder or of a ground for striking off or cancellation, of registration of any nature under this Act; and

- (d) to do such other things as are necessary for the purposes of inspection.'

133 Delete and substitute—

"Change of title of certain educational institution.

133. On the appointed date all schools or educational institutions which immediately before that date were—

- (a) sekolah-sekolah rendah Kerajaan or State primary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah Kebangsaan or National primary schools;
- (b) sekolah-sekolah rendah Kerajaan or State primary schools not using Bahasa Malaysia as the main medium of instruction and all sekolah-sekolah rendah bantuan or Government-aided primary schools shall become sekolah-sekolah jenis Kebangsaan or National type primary schools;
- (c) sekolah-sekolah menengah Kerajaan or State secondary schools using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah menengah Kebangsaan;
- (d) sekolah-sekolah menengah bantuan or grant aided secondary schools not using Bahasa Malaysia as the main medium of instruction shall become sekolah-sekolah menengah jenis Kebangsaan;
- (e) vocational schools shall become upper

secondary vocational schools.

for the purposes of this Act.'

134 Delete and substitute the following-

"Assistance
to existing
schools and
educational
institutions.

134. Subject to the provisions of this Act, the Minister shall continue to assist all schools which were in receipt of grants-in-aid or other similar financial assistance (whether capital or recurrent or both capital and recurrent) from the Government of Sabah or public funds in Sabah on the day immediately preceding the appointed date.'

136 and 137 ... Delete and substitute the following new sections—

"Saving.

136. (1) All State schools shall, on the appointed date, be deemed to be registered under this Act.

(2) All members of Committees of Management registered under the repealed Ordinance shall, on the appointed date be deemed to be registered under this Act.

(3) All government teachers shall, on the appointed date, be deemed to be registered under this Act.

(4) All teachers registered under the repealed Ordinance shall, on the appointed date, be deemed to be registered under this Act.

(5) All unregistered teachers employed by schools by virtue of authorities issued under section 29 of the repealed Ordinance and in force on the day immediately before the appointed date shall, on the appointed date, be deemed to be teachers issued with permits to teach under section 89 of this Act.

Transitional

137. Any Management Committee which immediately before the appointed date was the employer of any teacher or other person in any school which on the appointed date becomes an assisted school shall continue to be the employer of such teacher or other person until other provision is made.'

New Schedule Add the following Schedule—

'SCHEDULE
FORM
(Section 60)

APPLICATION FOR REGISTRATION AS A MANAGER OF AN
ASSISTED OR UNASSISTED SCHOOL OR AN ASSISTED OR
UNASSISTED EDUCATIONAL INSTITUTION

EDUCATION ACT 1961

Address.....
Date.....

The Registrar,
Education Department,
Kota Kinabalu

Registered name and number of school/educational institution, or proposed name.....

Address.....

1. I submit particulars of myself and request you to register me as a manager of the school/educational institution.

2. Particulars—

(a) Name and National Registration Identity Card No.....

(b) Address.....

(c) Date and place of birth.....

(d) Length of residence in Sabah.....

(e) Occupation.....

(f) Educational qualifications.....

(g) Experience in or knowledge of educational matters.....

(h) Special interest in the above school/educational institution.....

(i) Any other school/educational institution of which I am a registered manager.....

3. I declare that—

(a) I am normally resident in Sabah for at least nine months in each year;

(b) I am a person of good character and have never been convicted of an offence punishable with imprisonment;

- (c) I have never previously been refused registration as a manager, governor or supervisor of any school/educational institution or as a teacher or been refused permission to teach, or, having been so registered or given permission, had my registration or permission cancelled or struck off;
- (d) I am able to carry out the duties as a manager of the school/educational institution and I am familiar with the provisions of the Education Act 1961, and the rules, regulations and by-laws made or deemed to have been made thereunder.

4. The contents of this application are true to the best of my knowledge and belief.

(Signed),
(Applicant)

Made this 19th day of May, 1976.
[P.N.(PU2) 243; K.P. (S) 0311/7/Jld.II(81)]

By Command,

DR MAHATHIR BIN MOHAMAD,
Minister of Education

(To be laid before each House of Parliament pursuant to section 74(9) of the Malaysia Act.)

KAEDAH DAN PERATURAN

Akaun Dan Odit

EDUCATION ACT, 1961

43 of '61

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister of Education hereby makes the following rules:

Citation

1. These Rules may be cited as the **Education (Accounts and Audit) Rules, 1962.**

Accounts

2. The Managers or Governors, or other persons responsible for the management, of an assisted educational institution shall cause to be kept proper accounts and other records in such form as may be required by the Minister of all financial matters pertaining to the assisted educational institution and shall have prepared and submitted for audit not later than the 31st day of March each year a statement of account in respect of the financial year immediately preceding.

Audit

3. (1) Unless the Minister, before the beginning of the financial year to which the accounts relate, directs that the accounts of any assisted educational institution or of any class of such institution or of any class of such institutions shall be audited by any person authorised by him, the accounts of every assisted educational institution shall be audited by auditors appointed by the Managers or Governors, or other persons responsible for the management, of such institutions and approved by the Minister.

Provided that in respect of the accounts for the financial year 1962, the Minister may issue such direction at any time before the end of 1962.

(2) Where the accounts are to be audited by auditors appointed by the Managers or Governors, or other persons responsible for the management, of an assisted educational institution under paragraph (1) of this Rule, the Managers or Governors, or other persons responsible for the Management, of such institution shall, not later than the 30th of June of the following year, cause a copy of the statement of account of the assisted educational institution to be transmitted to the Minister, together with a copy of any report made by the auditors on such statement or on the accounts and such certificate as the Minister may require relating to such statement or to such accounts.

(3) Where the Minister has directed under paragraph (1) of this Rule that the accounts of an assisted

educational institution or of any class of such institutions shall be audited by any person authorised by him, the Managers or Governors, or other persons responsible for the management, of such institutions shall transmit the statement of account to the Minister in accordance with Rule 2.

4. Any person auditing the accounts of any assisted educational institution or any class of such institutions under Rule 3 shall have access at all reasonable times to all records, books, vouchers, documents, cash, stamps, securities, stores or other property subject to his audit.

Powers
of
Audit-
ors.

5. Whether or not auditors have been appointed by the Managers or Governors, or other persons responsible for the management, of an assisted educational institution in accordance with para (1) of Rule 3, the Minister may, in respect of the accounts of the assisted educational institution for any financial year or part thereof, appoint any person as additional auditor to audit such accounts.

Addi-
tional
audit-
ors.

Made this 29th day of October 1962

[K.P. 0204/13: AG.FM. 250/54-192/D]

(ABDUL HAMID KHAN)
Minister of Education

Bantuan Kewangan

**FEDERATION OF MALAYA
THE EDUCATION ORDINANCE, 1957**

(No. 2 of 1957)

SCHOOLS (FINANCIAL ASSISTANCE) REGULATIONS, 1957

IN exercise of the powers conferred by sections **105** and **109** and paragraph (viii), (ix) and (xi) of section **116** of the Education Ordinance, 1957, the Yang di-Pertuan Agong hereby makes the following regulations:

Citation
and com-
mencement.

***1.** These regulations may be cited as the **Schools (Financial Assistance) Regulations, 1958**, and shall come into operation on the 1st day of January, 1958.

Interpretations.

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

“annual recurrent expenditure” means all expenditure of annual grant-in-aid other than expenditure upon personal emoluments;

“educational project” means any undertaking for the provision of schools or other educational institutions or their appurtenances;

“fund” when used in relation to a local education authority means, the fund established by such local education authority under the provisions of section **103** of the Ordinance;

No. 21 of
1951

“salaries” include allowances and any employer's contribution required to be made to the Employees Provident Fund established by or to an approved fund as defined in the Employees Provident Fund Ordinance, 1951;

“full grant-in-aid” means grant-in-aid determined in accordance with the provisions of paragraph (1) of regulation 13;

“partial grant-in-aid” means grant-in-aid determined in accordance with the provisions of paragraph (2) of regulation 13.

No financial
assistance
except on
conditions

3. (1) No school or other educational institution shall be eligible for any financial assistance except upon the following conditions—

* Peraturan-peraturan ini telah dimansuhkan oleh Education (Grants) Regulations, 1962 - L.N. 299 Lihat muka surat 366

- (a) that the managers or governors shall comply with the provisions of the Ordinance and all rules and regulations, orders and directions made or given thereunder;
- (b) that the managers or governors shall not deny admission of any child on the ground of race or religion;
- (c) that the managers or governors shall if requested by the Minister provide facilities for teachers in training under any scheme approved by the Minister;
- (d) that the managers or governors shall employ teachers with such qualifications as the Minister may from time to time stipulate;
- (e) that not less than three managers or governors of the school or other educational institution shall be nominated by the Minister in the case of an educational institution maintained by the Minister or by the local education authority in the case of an educational institution maintained by a local education authority;
- (f) that the managers or governors shall, if so required, appoint to any vacancy in the lay teaching staff a teacher nominated by the Minister either from a pool of new entrants to the profession from the teaching establishments under his direction or from other teachers directly under his control.

(2) Where the Minister is not satisfied that the conditions set out in paragraph (1) are being complied with in any assisted school or other assisted educational institution such school or institution shall cease to be eligible for financial assistance.

4. (1) Subject to the provisions of regulation 3 a school or other educational institution shall be eligible for full grant-in-aid where the Minister is satisfied—

Eligibility for
grant-in-aid

- (a) that the standards of teaching and teaching equipment are adequate; and
- (b) that the cost of maintaining buildings in a proper state of repair will not having regard

to all the circumstances constitute an unreasonable charge upon public funds:

and in any other case a school or other educational institution shall be eligible for partial grant-in-aid only.

(2) The Minister may before making a decision under paragraph (1) take into consideration any report made to him at his request by the Minister for Works or any report by an Inspector of Schools, and may make such other enquiry as he deems fit.

5. Where the Minister has authorised the payment of grant-in-aid to any school or other educational institution he shall, by notification in the *Gazette* declare such school or other educational institution to be maintained.

PAYMENT TO LOCAL EDUCATION AUTHORITIES

Authorisation
of contribu-
tion to local
education
authorities

6. Subject to the provisions of these Regulations the Minister shall authorise payment to every local education authority out of the funds provided each year by the Federal Legislative Council for the purpose, of a contribution determined in accordance with Regulation 7 towards the payment of salaries and allowances of approved staff of the local education authority and towards grant-in-aid for every school or other educational institution required to be maintained by it under the provisions of the Ordinance or of any local education order made under the provisions of section 31 of the Ordinance.

Determination
of contribu-
tions

7. (1) The contribution to a local education authority authorised by the Minister under the provisions of Regulation 4 shall consist of sums determined as follows:

- (i) In respect of the salaries and allowances of approved staff of the local education authority, a sum equal to that disbursed by the local education authority in respect of such salaries and allowances.
- (ii) In respect of payment of full grant-in-aid for schools maintained by the local education authority—
 - (a) a sum equal to that disbursed for salaries of the approved staff of the schools less an amount equal to the total approved fees, whether collected or not, of pupils enrolled in the schools and less any other amount not exceeding that of any other income

accruing to the schools as may be specified by the Minister;

- (b) a sum equal to the approved fees of the pupils of the schools in respect of whom fees are remitted by regulations made by the Yang di-Pertuan Agong; and
 - (c) such sum, which may vary from area to area and from year to year, as shall be determined by the Board computed in respect of each pupil enrolled in the schools and/or in respect of each classroom of the schools as the Board shall decide.
- (iii) In respect of payment of partial grant-in-aid for schools or other educational institutions, a sum equal to the approved fees of pupils of schools or institutions in respect of whom fees are remitted by regulations made by the Yang di-Pertuan Agong and a sum or sums computed in such one or more of the ways following as the Minister may decide in each particular case—
- (a) a sum equal to such proportion of that disbursed for salaries of the approved staff of the school or institution as the Minister shall determine;
 - (b) such sum, which may vary from area to area and from year to year, as shall be determined by the Minister computed in respect of each pupil enrolled in the school or institution and/or in respect of each classroom of the school as the Minister shall decide;
 - (c) a sum determined by the Minister.

(2) Without prejudice to the provisions of Regulations 3 and 21 where the funds voted for education by the Federal Legislative Council for a particular year are not less in amount than the funds voted for education in the year immediately preceding, any payment towards grant-in-aid in respect of a school or institution for that particular year shall not be less in amount than ninety per cent of the payment towards grant-in-aid in respect of such school or institution for the year immediately preceding.

Board of
Assessment.

8. (1) For the purpose of assessing the sum to be authorised under the provisions of sub-paragraph (ii) (c) of paragraph (1) of Regulation 7, there shall be constituted a Board of Assessment which shall consist of the Minister, who shall be Chairman, and the Ministers charged with the responsibility for finance and local government respectively.

(2) The Minister shall appoint an officer of the Ministry to be Secretary of the Board.

(3) The Board may make rules governing its own procedure.

Authorisation
and determination
of
capital grants.

9. (1) Subject to the provisions of these Regulations—

(a) the Minister shall authorise the payment to a local education authority, from funds made available by Legislative Council, of any capital grant required for the purpose of covering the cost of giving effect to a local education order in respect of any school or other educational institution or project within the responsibility of such local education authority; and

(b) the Minister may, from funds made available as aforesaid, authorise payment to a local education authority of a capital grant of such amount as the Minister may determine for such other purpose in respect of any school or other educational institution or project within the responsibility of such local education authority as he shall approve.

(2) Any such capital grant paid to a local education authority shall be applied for the purposes for which it was granted and, if not so applied, shall be refunded in whole or in part.

Advances.

10. The Minister with the concurrence of the Minister of Finance may authorise the payment of advances to a local education authority against any contribution or capital grant the amount of which cannot for the time being be determined.

Payments

11. Payments made under the provisions of Regulations 6, 9 and 10 of these Regulations shall be paid into

the fund of the local education authority to whom they are made and shall be made in such manner and at such times as the Minister shall direct.

PAYMENT OF GRANT-IN-AID AND CAPITAL GRANTS TO SCHOOLS AND EDUCATIONAL INSTITUTION

12. (1) Subject to the provisions of these Regulations, the Minister shall authorise payment of grant-in-aid determined in accordance with Regulation 13 to the managers or governors of, or other persons responsible for the management of schools and/or other educational institutions maintained by him pursuant to the Ordinance, from funds made available each year by Legislative Council for the purpose.

Authorisation
of grant-in-
aid.

(2) Subject to the provisions of these Regulations, a local education authority shall authorise payment of grant-in-aid to the managers or governors of, or other persons responsible for the management of every school or other educational institution required to be maintained by it pursuant to the provisions of the Ordinance or of any local education order made thereunder from the fund of the local authority.

13. (1) Full grant-in-aid authorised each year by the appropriate authority for a maintained school shall consist of sums determined as follows:

Determination
of grant-in-
aid.

- (i) a sum equal to that disbursed for salaries of the approved staff of the school less an amount equal to the total approved fees whether collected or not, of pupils enrolled in the school and less any other amount not exceeding that of any other income accruing to the school as may be specified by the appropriate authority;
- (ii) a sum equal to the approved fees of pupils of the school in respect of whom fees are remitted by regulations made by the Yang di-Pertuan Agong; and
- (iii) such sum, which may vary from area to area and from year to year, as shall be determined by the appropriate authority computed in respect of each pupil enrolled in the school and/or in respect of each classroom of the school as the appropriate authority shall decide.

(2) Partial Grant-in-aid authorised each year by the appropriate authority for a school or other educational institution, shall consist of a sum equal to the approved fees of pupils of the school or institution in respect of whom fees are remitted by regulations made by the Yang di-Pertuan Agong and sums computed in such one or more of the ways following as the appropriate authority may decide in each particular case:

- (i) a sum equal to such part of that disbursed for salaries of the approved staff of the school or institution as the appropriate authority shall determine;
- (ii) such sum, which may vary from area to area and from year to year, as shall be determined by the appropriate authority computed in respect of each pupil enrolled in the school or institution and/or in respect of each classroom of the school or institution as the appropriate authority shall decide;
- (iii) a sum paid in each month of the year determined by the appropriate authority.

Authorisation
and determina-
tion of capital
grants.

14. Subject to the provisions of these Regulations—

- (a) the Minister may authorise payment, from funds made available by Legislative Council for the purpose, of a capital grant of such amount as he may determine to such persons as he shall specify for such purposes with respect to a school or other educational institution or project within his responsibility as he shall approve; and
- (b) a local education authority may authorise payment of a capital grant from its funds of such amount as it may determine to such persons as it shall specify for such purposes with respect to a school or other educational institution or project within its responsibility as it shall approve.

Advances

15. The Minister with the concurrence of the Minister of Finance, or local education authority as the case may be, may authorise payment of advances against any grant-in-aid or capital grant for which a school or other educational institution shall be eligible the amount of which cannot for the time being be determined.

16. The Minister or the local education authority, as the case may be, when authorising any payment under the provisions of Regulation 12, 14 or 15 of these Regulations, may give directions not inconsistent with the provisions of the Ordinance or any regulations or rules made thereunder as to the manner in which such payment shall be applied.

Appropriate authority may give directions as to application of payments.

17. Payments authorised under the provisions of Regulations 12, 14 and 15 of these Regulations shall be made in such manner and at such times as the appropriate authority shall direct.

Payments

18. (1) Every local education authority and the managers or governors of or other persons responsible for the management of an assisted school or other educational institution shall cause to be kept proper accounts and other records in such form as may be required by the Minister in the case of a local education authority or by the appropriate authority in the case of a school or other educational institution of all financial matters pertaining to such local education authority or school or other educational institution, as the case may be, and shall have prepared not later than the first day of July each year, a statement of account in respect of the financial year immediately preceding.

Audit of accounts.

(2) (i) The accounts of every local education authority shall be audited by auditors appointed by such local education authority and approved by the Minister.

(ii) The accounts of every assisted school or other educational institution shall be audited by auditors appointed by the managers or governors of or other persons responsible for the management of such school or other educational institution and approved by the appropriate authority.

(3) After the end of each financial year and as soon as accounts have been audited, every local education authority and the managers or governors of, or other persons responsible for the management of an assisted school or other educational institution shall cause a copy of the statement of account of the authority or of the school or other educational institution to be transmitted to the Minister, in the case of a local education authority, or to the appropriate authority in the case of a school or other educational institution, together with a copy of any report made by the auditors on such statement or on the accounts.

(4) A local education authority shall on demand make available to the Minister a copy of any statement of account and any auditors' report pertaining thereto relating to any assisted school or other educational institution within its responsibility.

Estimates.

19. (1) Every local education authority shall, at such time and in such manner as the Minister shall require, submit to the Minister estimates of proposed income and expenditure in respect of the payment of salaries and allowances of approved staff employed by it and in respect of payments towards grant-in-aid for schools or other educational institutions within its responsibility for the year next following the year in which such estimates are submitted.

(2) The managers or governors of, or other persons responsible for the management of an assisted school or other educational institution or a school or other educational institution claiming grant-in-aid shall, at such time and in such manner as the appropriate authority shall require, submit to the appropriate authority estimates of proposed income and expenditure for the year next following the year in which such estimates are submitted.

(3) Estimates shall be submitted in respect of any proposed authorisation of a capital grant and such estimates shall, unless the Minister or the appropriate authority, as the case may be, shall otherwise permit, be in respect of proposed expenditure for the year second following that in which such estimates are submitted.

(4) No grant-in-aid or capital grant shall be authorised for payment to or in respect of a school or other educational institution by the appropriate authority and no contribution or capital grant shall be authorised for payment to a local education authority by the Minister until estimates pursuant to the provisions of this Regulation have been submitted and approved by the appropriate authority or the Minister as the case may be.

Payments to be made only to registered schools in accordance with the Ordinance.

20. (1) No payment by way of grant-in-aid and no capital grant shall be made to the managers or governors or a school or other educational institution unless such school or other educational institution is registered in accordance with the provisions of section 61 of the Ordinance or unless a provisional certificate of registration has been issued in respect of the school or other educational institution in accordance with the provisions of

section 74 thereof and no such payment shall be made except in respect of a school or other educational institution to which the appropriate authority is obliged or permitted to grant financial assistance pursuant to the provisions of the Ordinance.

(2) Notwithstanding the provisions of paragraph (1) of this Regulation where a registered school or other educational institution has ceased to be registered or where any obligation on the part of the appropriate authority to maintain a school or other educational institution has ceased, the Minister may, by the issue of a certificate under his hand, authorise a payment, in such manner as shall be specified in the certificate, in settlement of any liability incurred by such school or other educational institution prior to the date on which it ceased to be registered or prior to the date on which the obligation to maintain it ceased as the case may be and which liability would theretofore have been properly chargeable to grant-in-aid or to a capital grant.

21. The Minister may by order reduce, suspend or cancel the payment of any grant-in-aid or capital grant where the conditions upon which such grant is paid are not complied with, or the circumstances in which such grant was authorised have altered, or where the money paid is misapplied; and as from the date of the order any such grant shall cease:

Cancellation
of payments.

Provided that where such a grant has been cancelled and the Minister is satisfied that it is necessary or expedient that liabilities properly incurred by a school or other educational institution in expectation of such a grant should be settled he may by the issue of a certificate under his hand authorise a payment or payments to be made in such manner as shall be satisfied in the certificate in settlement or partial settlement of the liabilities.

22. As from the date of the coming into force of these Regulations no payment from public funds to or in respect of a school or other educational institutions or in respect of any project shall be made otherwise than under and in accordance with these Regulations.

Expenditure
not to exceed
one twelfth
without
approval.

EXPENDITURE OF MANAGERS OR GOVERNORS

23. The managers or governors of a school shall not spend in any one month more than one-twelfth of the sum paid to them by way of grant-in-aid to meet annual recurrent expenditure without the approval in writing of the appropriate authority.

Made this 9th day of January, 1958.

[M.E.O.8B/57.AG.FM.250/54LV/A.]

By Command,

MOHAMED KHIR JOHARI,
Minister of Education

EDUCATION ORDINANCE, 1957
SCHOOLS (FINANCIAL ASSISTANCE)
(AMENDMENT) REGULATIONS, 1960

IN exercise of the powers conferred by sections 105, 109 and 116 of the Education Ordinance, 1957, the Minister hereby makes the following Regulations:

2 of 1957.

*1. These Regulations may be cited as the **Schools (Financial Assistance) (Amendment) Regulations, 1960**, and shall come into operation on the 1st day of November, 1960.

Citation and commencement.

2. Regulation 3 of the Schools (Financial Assistance) Regulations, 1958, is hereby amended by deleting the word "that" appearing in the first line of condition (e) of paragraph (1) thereof and by substituting therefor the words "that except as otherwise approved by the Minister in special circumstances".

Amendment of Regulation 3. L.N. 35/58

Made this 1st day of November, 1960.
[M.E.O.0114/(23);A.G.O.1456.]

ABDUL HAMID KHAN BIN HAJI SAKHWAT ALI
KHAN,
Acting Minister of Education

*Peraturan-Peraturan ini telah dimansuhkan oleh Education (Grants) Regulations, 1962 - LN.299. Lihat muka surat 366

EDUCATION ORDINANCE, 1957

2 of 1957
L.N. 332/58

IN exercise of the powers conferred by sections **105** and **109** and paragraphs (viii), (ix) and (xi) of section **116** of the Education Ordinance, 1957, the Minister hereby makes the following regulations:

Citation and
commence-
ment.

***1.** These regulations may be cited as the **Schools (Financial Assistance) (Amendment) Regulations, 1961**, and shall be deemed to have come into operation on the first day of January, 1959.

Amendment of
regulation 2,
L.N. 35/58

2. Regulation 2 of the Schools (Financial Assistance) Regulations, 1958 (hereinafter in these regulations referred to as "the principal Regulations") is hereby amended by the substitution of the following for the definition of "salaries" contained therein:

" 'salaries' includes allowances and any employer's contributions and any agreed additional contribution required or agreed to be made to the Employees Provident Fund established by or to an approved fund as defined in the Employees Provident Fund Ordinance, 1951:"

21 of 1951

Amendment of
regulation 7.

3. Paragraph (1) of regulation 7 of the principal Regulations is hereby amended —

- (a) by inserting the words "or other educational institutions" immediately after the word "schools" in line 1 of sub-paragraph (ii) thereof;
- (b) by inserting the words "or from school to school" immediately after the words "to area" in line 1 of item (c) of sub-paragraph (ii) thereof;
- (c) by deleting the words "each pupil" and "class-room of" appearing in lines 3, 4 and 5 of item (c) of sub-paragraph (ii) thereof and substituting therefor the words "approved pupils" and "each class in" respectively;
- (d) by inserting the following two items immediately after item (c) in sub-paragraph (ii) thereof:

*Peraturan-Peraturan ini telah dimansuhkan oleh Education (Grants) Regulations, 1962 - L.N. 299. Lihat muka surat 366

“(d) such further sums as may be approved by the Board in respect of rates and rents;

(e) such further sums as may be approved by the Board in respect of each pupil residing in school hostels controlled by the Local Education Authority.”; and

(c) by deleting the words “area to area”, “each pupil” and “each classroom” appearing in lines 1, 3 and 5 respectively of item (b) of sub-paragraph (iii) thereof and substituting therefor the words “school to school”, “approved pupils” and “each class” respectively.

4. Regulations 10 of the principal Regulations is deleted and the following substituted therefor:

Substitution of regulation 10

10. The Minister with the concurrence of the Minister of Finance may authorise interim payments to a local education authority on account of any contribution or capital grant the amount of which cannot for the time being be determined.”

“Interim payments.

5. Regulation 12 of the principal Regulations is amended by inserting immediately after paragraph (2) the following new paragraph:

Amendment of regulations 12.

“(3) Subject to the provisions of these Regulations, any sum payable under Regulation 13 in respect of actual expenditure on the maintenance of buildings of schools or institutions may be paid by the appropriate authority to the Public Works Department in cases where the Public Works Department is responsible for the maintenance of such buildings of schools or institutions.”

6. Regulation 13 of the principal Regulations is amended —

Amendment of regulation 13.

(a) by inserting the words “or other educational institution” immediately after the word ‘school’ in line 2 of paragraph (1) thereof;

(b) by deleting the words “area to area” in line 1 of sub-paragraph (iii) of paragraph (1) thereof and substituting therefor the words “school to school or institution to institution”; and by deleting the words “computed in respect of each pupil enrolled in the school and/or in

respect of each classroom of the school as the appropriate authority shall decide”;

- (c) by deleting the words “area to area” in line 1 of sub-paragraph (ii) of paragraph (2) thereof and substituting therefor the words “school to school or institution to institution”; and by deleting the words “computed in respect of each pupil enrolled in the school or institution and/or in respect of each classroom of the school or institution as the appropriate authority shall decide”; and (d) by deleting subparagraph (iii) of paragraph (2).

Amendment of
regulation 14

- 7. Paragraph (a) of regulation 14 of the principal Regulations is amended by deleting the words “Legislative Council” and substituting therefor the word “Parliament”.

Amendment of
regulation 15

- 8. Regulation 15 of the principal Regulations is amended —

- (a) by deleting the words “payment of advances against” in lines 2 and 3 and substituting therefor the words “interim payments on account of”; and
- (b) by substituting the words “Interim payments” for the word “advances” in the marginal note.

Substitution of
regulation 22

- 9. Regulation 22 of the principal Regulations is hereby deleted and the following substituted therefor:

“Saving
relating to
section 114
of the
Ordinance.

- 22. Where an educational institution is, by any order made under section 114 of the Ordinance, exempt from any provision of the Ordinance, and such provision is a condition of eligibility for any financial assistance or grant-in-aid under regulation 3 or 4 such regulation shall be construed as if such provisions thereof as are inconsistent with any such order shall not, so long as such order is in force and such conditions (if any) as are imposed thereby are complied with, apply in relation to such institution.”

10. Regulation 23 of the principal Regulations is hereby deleted together with the heading "Expenditure of Managers or Governors".

Deletion of
regulation 23.

Made this 28th day of February, 1961.
[AG. 250/54-55/A; MEO. 8B/57 Vol. II]

ABDUL RAHMAN BIN HAJI TALIB,
Minister of Education

EDUCATION ACT, 1961
EDUCATION (GRANTS) REGULATIONS, 1962

43 of 1961

In exercise of the powers conferred by sections 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following regulations:

Citation and commencement.

1. These regulations may be cited as the **Education (Grants) Regulations, 1962**, and shall be deemed to have come into operation on the 1st day of January, 1962.

No grants except upon conditions.

*2. (1) No educational institution shall be eligible for grants except upon the following conditions —

- (a) that the Board shall comply with the provisions of the Act and all rules and regulations, orders and directions made or given thereunder;
- (b) that the Board shall not deny admission to any child on the ground of race or religion;
- (c) that the Board shall if requested by the Minister provide facilities for teachers in training under any scheme approved by the Minister;
- (d) that the Board shall employ teachers with such qualifications as the Minister may from time to time stipulate;
- (e) that except as otherwise approved by the Minister in special circumstances not less than three managers or governors of the Board shall be nominated by the Minister;
- (f) that the teachers and non-teaching staff appointed by the Board shall possess such minimum qualifications and be paid at such rate of salaries and allowances as may be prescribed

* Perenggan (1) dalam Peraturan 2 dipinda oleh Education (Grants) (Amendment) Regulations, 1963, L.N. 170 dan ditambah juga SCHEDULE kepadaanya. Lihat muka surat 367

* Peraturan 2 dipinda oleh Education (Grants) (Amendment) Regulations, 1966 - P.U. 334 dan SCHEDULE seperti pindaan di atas dimansuhkan dan diganti dengan satu SCHEDULE baru. Lihat muka surat 371

or approved under the Act or as may be approved by the Minister; and that the establishment of the educational institution in respect of teachers and non-teaching staff shall not be altered except with the consent of the Minister.

(2) The Minister may stop payment of grants to any educational institution if he is not satisfied that the conditions set out in paragraph (1) are being complied with.

3. Subject to the provisions of Regulation 2, an educational institution shall, at the discretion of the Minister, be eligible for payment of full grant-in-aid where the Minister is satisfied —

Eligibility for
grant-in-aid.

- (a) that the standards of teaching and teaching equipment are adequate; and
- (b) that the premises are suitable for use as an educational institution and in a reasonable state of repair;

and in any other case an educational institution shall, subject to section 136 of the Act be eligible for partial grant-in-aid only.

4. Subject to the provisions of these Regulations, payment of grant-in-aid from funds made available each year by Parliament for the purpose and determined in accordance with Regulation 5 shall be authorised by the Minister and paid to the Board, or other persons responsible for the management, of an educational institution maintained by him pursuant to the Act.

Authorisation
of grant-in-aid.

5. (1) Full grant-in-aid authorised each year by the Minister for an assisted educational institution shall consist of sums determined as follows:

Determination
of grant-in-aid.

- *(i) a sum equal to that disbursed for salaries of the approved staff of the educational institution and less an amount equal to the total approved fees whether collected or not, of pupils enrolled in the educational institution and less any other amount not exceeding that

*Perenggan (i) bagi Peraturan 5 dipinda oleh Education (Grants) (Amendment) Regulations, 1974 - P.U.A. 130. Lihat muka surat 377

of any other income accruing to the educational institution as may be specified by the Minister, together with:

- (ii) a sum equal to the approved fees of pupils of the educational institution in respect of whom fees are remitted by regulations made by the Yang di-Pertuan Agong; and
- (iii) in respect of annually recurrent expenditure other than the salaries of the approved staff of the educational institution, such sum, which may vary from educational institution to educational institution and from year to year, as shall be determined by the Minister.

(2) Partial grant-in-aid authorised each year by the Minister for an educational institution, shall consist of sums computed in such one or more of the ways following as the Minister may decide in each particular case:

- (i) a sum equal to such part of that disbursed for salaries of the approved staff of the educational institution as the Minister shall determine;
- (ii) such sum, which may vary from educational institution to educational institution and from year to year, as shall be determined by the Minister.

Authorisation and determination of capital grants.

*6. Subject to the provisions of these Regulations, the Minister may authorise payment to the Board, or other persons responsible for the management, of an educational institution, from funds made available by Parliament, of a capital grant of such amount as he may determine.

Minister may give directions as to application of payment

7. The Minister, when authorising any payment under the provisions of Regulation 5 or 6 of these Regulations, may give directions not inconsistent with the provisions of the Act or any regulations or rules made thereunder as to the manner in which such payment shall be applied.

*Peraturan 6 dipinda oleh Education (Grants) (Amendment) Regulations, 1968 - P.U. 323. Lihat muka surat 375

Peraturan 6 dipinda dengan diganti oleh Peraturan 6 yang baru oleh Education (Grants) (Amendment) Regulations, 1971 - P.U.A. 334. Lihat muka surat 376

8. Payments authorised under the provisions of Regulations 5 and 6 of these Regulations shall be made in such manner and at such times as the Minister shall direct.

Payments.

9. (1) The Board, or other persons responsible for the management, of an assisted educational institution, or an educational institution claiming grant-in-aid shall, at such time and in such manner as the Minister shall require, submit to the Minister estimates of proposed income and expenditure for the year next following the year in which such estimates are submitted.

Estimates.

(2) Estimates shall be submitted in respect of any proposed authorisation of a capital grant and such estimates shall, unless the Minister shall otherwise permit be in respect of proposed expenditure for the year following that in which such estimates are submitted.

10. (1) No grants shall be paid to the Board of an educational institution unless such educational institution is registered in accordance with the provisions of section 44 of the Act or unless a provisional certificate of registration has been issued in respect of the educational institution in accordance with the provisions of section 48 thereof and no such grants shall be paid except in respect of an educational institution to which the Minister is obliged or permitted to make grants pursuant to the provisions of the Act.

Payments to be made only to registered educational institutions and in accordance with the Act.

(2) Notwithstanding the provisions of paragraph (1) of this Regulation where a registered educational institution has ceased to be registered or where any obligation on the part of the Minister to maintain an educational institution has ceased, the Minister may, by the issue of a certificate under his hand, authorise a payment, in such manner as shall be specified in the certificate, in settlement of any liability incurred by such educational institution prior to the date on which it ceased to be registered or prior to the date on which the obligation to maintain it ceased as the case may be and which liability would theretofore have been properly chargeable to grants.

11. The Minister may reduce, suspend or cancel the payment of a grant to an educational institution where the conditions upon which any grant is paid are not complied with, or the circumstances in which any grant was authorised have altered, or where the money paid is misapplied:

Cancellation of payments.

Provided that where such a grant has been cancelled and the Minister is satisfied that it is necessary or expedient that liabilities properly incurred by an educational institution in expectation of such a grant should be settled he may by the issue of a certificate under his hand authorise a payment or payments to be made in such manner as shall be specified in the certificate in settlement or partial settlement of the liabilities.

Saving
relating
to section 127
of the Act.

12. Where an educational institution is, by any order made under section 127 of the Act, exempt from any provisions of the Act, and such provision is a condition of eligibility for any grants under regulation 2 or 3, such regulation shall be construed as if such provisions thereof as are inconsistent with any such order shall not, so long as such order is in force and such conditions (if any) as are imposed thereby are complied with, apply in relation to such educational institution.

Interpretation

13. In these regulations, unless the context otherwise requires —

“Board” means a Board of an educational institution constituted by an instrument of management of government made under section 27 of the Act;

“full grant-in-aid” means grant-in-aid determined in accordance with the provisions of paragraph (1) of regulation 5;

“Grants” means grant-in-aid or capital grants;

“partial grant-in-aid” means grant-in-aid; determined in accordance with the provisions of paragraph (2) of regulation 5;

L.N 29/62

“Salary” includes allowances and also any payment made by any employer to the Employees Provident Fund established by or to an approved fund as defined in the Employees Provident Fund Ordinance, 1951, or to the Teachers Provident Fund (established by the Teachers Provident Fund) Rules, 1962, except that it does not include so much of any such payment as is recoverable from the employee or would be so recoverable but for any delay in taking steps to recover it being a delay attributable to the employer's default.

Revocation
L.N. 36/58
L.N. 84/61

14. The Schools (Financial Assistance) Regulations, 1958 and the Schools (Financial Assistance) (Amendment) Regulations 1961, are hereby revoked.

Made this 29th day of October, 1962.
[MEO.8B/57/(157)B:A.G.250/54-LV/A.]

By Command,

ABDUL HAMID KHAN
Minister of Education

L.N.170

FEDERATION OF MALAYA
EDUCATION ACT, 1961
EDUCATION (GRANTS) REGULATIONS, 1962

IN exercise of the powers conferred by sections 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following Regulations:

43 of 1961

1. These Regulations may be cited as the **Education (Grants) (Amendment) Regulations, 1963.**

Citation.

2. (1) Paragraph (1) of Regulation 2 of the Education (Grants) Regulations, 1962 (which lays down conditions for the making of grants to educational institutions) is hereby amended by inserting after sub-paragraph (f) the following new sub-paragraph:

Conditions as to instruments of management or government.
L.N.299/62

“(g) that the provisions of the instrument include the provisions required by the Schedule to these Regulations or provisions substantially to the same effect and (so far as not approved under the Education Ordinance, 1957) have been approved by the Registrar.”

(2) The said Regulations are hereby amended by adding as a Schedule thereto the provisions set out in the Schedule to these Regulations.

SCHEDULE

Membership, etc. of Board of Managers or Governors

1. (1) The instrument shall provide for a member of the Board to be Chairman of it and shall either designate the Chairman or state how he is to be appointed or elected.

(2) The instrument shall provide that the head teacher is to be Secretary of the Board.

2. (1) The instrument shall provide for the members of the Board to include —

- (a) the members (if any) required by regulations under the Act to be nominated by the Minister;
 - (b) one or more representatives —
 - (i) of former pupils if or as soon as there are a substantial number of full age;
 - (ii) of parents of pupils;
 - (c) subject to any omission made with the approval of the Registrar, one or more representatives —
 - (i) of any trustees of the educational institution;
 - (ii) of any supporters of the educational institution;
 - (iii) of any religious body in whom is vested the title of the land on which the educational institution stands;
 - (iv) in the case of an educational institution formerly maintained in whole or in part by the government of the State in which it is situated, of the government of that State.
- (2) The instrument shall (unless the composition of the Board is such as to make express provision unnecessary) provide that none of the following shall be a member of the Board —
- (a) any member of the approved staff of the educational institution;
 - (b) except with the approval of the Registrar in special circumstances, any other teacher;
 - (c) any officer of the Ministry of Education;
 - (d) any person carrying on or having a substantial interest in any business in the course of which food, materials or equipment are supplied to the educational institution.
- (3) The instrument shall include provision as to the term of office of members of the Board.

3. (1) The instrument shall provide —
- (a) for ordinary meetings of the Board to be held once at least in every term; and
 - (b) for additional meetings to be held at any time if so required either by the Chairman or by notice in writing delivered to the Secretary by any three members of the Board.
- (2) The instrument shall provide for meetings of the Board to be convened by the Secretary by giving to each member of the Board not less than fourteen days' written notice of the meeting setting out the agenda for the meeting, but may include provision as to the manner in which such notice is to be given.
- (3) The instrument shall provide that at a meeting of the Board no decision shall be taken on any matter not included in the agenda, unless the member presiding allows it to be taken on grounds of urgency, and that a decision so taken on grounds of urgency shall not be binding unless confirmed at the next meeting of the Board.
4. (1) The instrument shall provide that at a meeting of the Board no business other than the adjournment of the meeting shall be transacted in the absence of a quorum specified in the instrument, and shall —
- (a) fix the quorum at a number not less than half the total number of members of the Board; and
 - (b) require that one at least of the members nominated by the Minister (unless the Board does not include any such member) shall be of the quorum.
- (2) The instrument shall provide that at a meeting of the Board every decision shall be taken by the votes of the members present at the meeting and except in the case of a decision to amend the instrument by a majority of those present and voting (the member presiding having a second or casting vote in the case of an equality of votes).
- (3) The instrument shall provide for minutes of the proceedings of the Board and of any committee or sub-committee thereof to be kept in a minute-book.
5. The instrument shall provide that a decision to amend it shall not be taken unless —

- (a) it is taken at a meeting specially convened for the purpose by not less than three months' notice specifying the proposed amendment; and
- (b) it is supported by the votes of not less than two-thirds of the total number of members of the Board.

6. The instrument shall provide that —

- (a) any member of the Board elected or appointed under the instrument shall cease to be a member if he is absent from three consecutive meetings of the Board and does not satisfy the Board that he had reasonable excuse; and
- (b) that the proceedings of the Board shall not be invalidated by any vacancy on the Board or by any defect in the election, appointment or qualification of a member.

7. The instrument shall provide that notices convening meeting of the Board, and the minutes of the proceedings of the Board and of any committee or sub-committee thereof, shall be in such language as the Board may determine, but that if the language is not an official language of the Federation any member of the Board shall, on request, be entitled to receive a translation in an official language.

8. The instrument shall provide for there to be sent to the Registrar a copy of every notice convening a meeting of the Board and two copies of the minutes of the proceedings of the Board, and of any committee or sub-committee thereof, and if the language of the notice or minutes is not an official language of the Federation, for any copy sent to the Registrar to be a translation in an official language.

9. The instrument shall include provision declaring that the educational institution is to be managed in accordance with the Act, and the rules and regulations made and directions given thereunder.

Made this 28th day of June, 1963.

[AG.FM.250/54-192/C.]

By Command,

HAJI ABDUL HAMID KHAN,
Minister of Education

P.U.334

EDUCATION ACT, 1961
EDUCATION (GRANTS) (AMENDMENT) REGULATIONS,
1966

43 of 1961

IN exercise of the powers conferred by sections 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following regulations:

1. These regulations may be cited as **Education (Grants) (Amendment) Regulations, 1966**, and shall be deemed to have come into force on 11th July, 1963.

Citation and
commence-
ment.

2. Regulations 2 of the Education (Grants) Regulations, 1962 (hereinafter referred to as "the principal Regulations") is hereby amended —

Amendment of
Regulation
L.N. 299/62
L.N. 170/63

(a) by substituting for sub-paragraph (g) of paragraph (1) thereof the following new sub-paragraph:

"(g) that the provisions of the instrument of management or the instrument of government as the case may be include the provisions required by the Schedule and Regulations or provisions substantially to the same effect and have been approved by the Registrar; that for the purpose of ensuring that the provisions of this paragraph have been complied with, the Registrar may require such instrument to be amended."

3. The Schedule to the principal Regulations is hereby repealed and the following new Schedule substituted therefor:

Amendment
of Schedule.

SCHEDULE
PROVISIONS TO BE INCLUDED IN THE INSTRUMENT OF
MANAGEMENT OR INSTRUMENT OF GOVERNMENT

An Instrument of Management or Instrument of Government shall provide —

I. In respect of membership etc. of Board of Managers or Governors:

(A) that a member of the Board shall be designated, appointed or elected as the Chairman of such Board;

(B) that the headteacher shall be the Secretary of the Board, but he shall not be a member thereof;

(C) that the membership of the Board shall include —

(a) not less than three members to be nominated by the Minister of Education;

(b) not more than three elected representatives from each of the following categories —

(i) former pupils of the educational institution who are of full age;

(ii) parents of pupils who are in the educational institution;

(c) subject to the approval of the Registrar, not more than three representatives from one or more of the following categories —

(i) to be elected by trustees of the educational institution,

(ii) to be elected by supporters of the educational institution,

(iii) of any religious body in whom is vested the title to the land on which the educational institution is situated,

(iv) in the case of an educational institution formerly maintained in whole or in part by a Government of the State, of the Government of that State;

(D) Unless the composition of the Board is such as to make express provision unnecessary, that none of the following shall be a member of the Board —

- (a) any member of the approved staff (teachers and non-teachers) of the educational institution;
 - (b) except with the approval of the Registrar in special circumstances, any other teacher;
 - (c) any officer of the Ministry of Education;
 - (d) any person carrying on or having a substantial interest in any business in the course of which food, materials or equipment or books are supplied to the educational institution;
- (E) that the term of office of a member of the Board shall not exceed three years;
- (F) that a member of the Board whether elected or appointed shall cease to be a member if he absents from three consecutive meetings of the Board without the approval of the Board;
- (G) that the proceedings of the Board shall not be invalidated by reason of any vacancy in the Board or by any defect in the election or appointment of a member.

2. In respect of meetings of the Board —

- (A) that ordinary meetings of the Board shall be held at least once in every school term;
- (B) that additional meetings of the Board shall be held at such time or times as required by the Chairman or at the request in writing by any three members of the Board;
- (C) that any special meeting shall be convened if the Registrar so require;
- (D) that the meetings of the Board shall be convened by the Secretary by giving to each member of the Board not less than fourteen days' written notice of the meeting setting out the agenda for the meeting but may include provision as to the manner in which such notice is to be given;
- (E) that at a meeting of the Board no decision shall be taken on any matter not included in the agenda, unless the member presiding allows it to be taken on grounds of urgency and that such a decision shall not be binding until and unless confirmed at the next succeeding meeting of the Board;

(F) that at a meeting of the Board no business other than the adjournment of the meeting shall be transacted in the absence of a quorum specified in the instrument, and shall fix the quorum at a number not less than half the total number of members of the Board;

(G) that at a meeting of the Board every decision shall be taken by the votes of the members present at the meeting and, except in the case of a decision to amend the instrument by a majority of those present and voting (the Chairman having a second or casting vote in the case of an equality of votes);

(H) that a secret ballot shall be taken at a meeting of the Board if the members present so request;

(I) that minutes of all proceedings of the Board and of any committee or sub-committee thereof shall be entered in a minute-book;

(J) that the Chairman shall preside at all meetings of the Board and in his absence a member elected from amongst those present at a meeting;

(K) that the notices convening meetings of the Board and the minutes to be maintained in accordance with (I) above shall be in the language medium of the educational institution and in the National or English Language;

(L) that there shall be sent to the Registrar a copy of every notice convening a meeting of the Board and two copies of the minutes of the proceedings of the Board or of any committee or sub-committee thereof either in the National or English Language;

(M) that the Registrar or his representative may attend and participate at any meeting of the Board without the power of voting.

3. In respect of a decision to amend the Instrument of Management or Government —

(a) that it is taken at a meeting specially convened for the purpose by not less than three months' notice specifying the proposed amendment;

(b) that it is supported by the votes of not less than two-thirds of the total number of members of the Board; and

(c) that it is subsequently approved by the Registrar.

4. The Instrument shall also include provision declaring that the educational institution is to be managed in accordance with the Education Act, 1961, and the rules and regulations made and directions given thereunder.

Made this 17th day of August, 1966.

[AG.2689/3,KP.0204/14/A.]

By Command,

MOHD. KHIR JOHARI,
Minister of Education

P.U.323

EDUCATION ACT, 1961
EDUCATION (GRANTS) (AMENDMENT) REGULATIONS, 1968

In exercise of the powers conferred by section 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following regulations:

43 of 1961.

1. These regulations may be cited as the **Education (Grants) (Amendment) Regulations, 1968**, and shall be deemed to have come into force on the 1st day of January, 1962.

Citation and commencement

2. Regulation 6 of the Education (Grants) Regulations, 1962, is hereby amended by the substitution thereof with the following:

Amendment of regulation 6.

"6. Subject to the provision of these Regulations, the Minister may authorise payment to the Board, or other persons responsible for the management of an educational institution, from funds made available by Parliament of:

- (i) a capital grant of such amount as he may determine;
- (ii) a supplementary grant-in-aid or a supplementary capital grant to meet any loss in respect of the original grant-in-aid or capital grant determined under regulations 5

and this regulation provided that a supplementary grant-in-aid or a supplementary capital grant shall not be paid unless the Minister is satisfied that withholding of such supplementary grant will disrupt the running of the institution."

Made this 15th day of July, 1968

(KP.1573/23/A.PN.2689/6)

By Command,

MOHAMED KHIR JOHARI,
Minister of Education.

P.U.(A)334

EDUCATION ACT, 1961

43/61

IN exercise of the powers conferred by sections 104 and 118 of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following regulations:

Citation and
commence-
ment

1. These Regulations may be cited as the **Education (Grants) (Amendment) Regulations, 1971**, and shall be deemed to have come into force on the 1st day of January, 1971.

Amendment
of
regulation 6
L.N. 299/62
L.N. 323/68

2. The Education (Grants) Regulations, 1962, are hereby amended by substituting for regulation 6 thereof the following new regulation:

"Capital
grant,
supplementary
grant-in-aid
or capital
grant and
special
grant-in-aid
for legal aid.

6. (1) Subject to the provisions of these Regulations, the Minister may, from time to time authorise payment to the Board, or other persons responsible for the management of an educational institution, from funds made available by Parliament of any one or more of the following grants:

- (i) a capital grant of such amount as he may determine;
- (ii) a supplementary grant-in-aid or a supplementary capital grant to meet any loss in respect of the original grant-in-aid or capital grant determined under regulation 5 and this regulation provided that a supplementary grant-in-aid or a supplementary

capital grant shall not be paid unless the Minister is satisfied that the withholding of such supplementary grant will disrupt the running of the institution.

(2) Notwithstanding the provision of regulation 5 and paragraph (1) of this regulation, the Minister may, from time to time, authorise payment to the Board or other persons responsible for the management of an educational institution from funds made available by Parliament of special grants-in-aid to provide legal aid to enable the Board or a member of the Board or a teacher or an employee to retain and instruct an advocate and solicitor for the purpose of legal proceedings in connection with matters arising out of the duties of the Board or the duties of such member, teacher or employee in his respective capacity as such.

(3) For the purpose of paragraph (2) of this regulation the words 'employee' and 'teacher' shall not include an employee who is in the Government service or a Government teacher respectively."

Made this 27th day of September, 1971.

[KP.Sulit0811/A.PN(PU2)73.]

By Command,
HUSSEIN ONN,
Minister of Education

P.U.(A)130

EDUCATION ACT, 1961
EDUCATION (GRANTS) (AMENDMENT) REGULATIONS,
1974

43/61

IN exercise of the powers conferred by section 104 and 118 of the Education Act, 1961 the Yang di-Pertuan Agong hereby makes the following regulations:

1. These regulations may be cited as the **Education (Grants) (Amendment) Regulations, 1974** and shall be deemed to have come into force on 1st January, 1973.

Citation and
commence-
ment.

2. Paragraph (i) of Regulation 5 of the Education (Grants) Regulations, 1962 is hereby amended —

Amendment of
L.N.299/62.

(a) by substituting for sub-paragraph (i) thereof the following new sub-paragraph —

“(i) a sum equal to that disbursed for salaries of the approved staff of the educational institution; and”;

(b) by deleting sub-paragraph (ii) thereof; and

(c) by renumbering sub-paragraph (iii) thereof as sub-paragraph (ii).

Made this 26th day of February, 1974.
[KP.Sulit1587/14;P.N.(PU2)73.]

By Command,

MOHAMED BIN YAACOB,
Minister of Education

Disiplin

THE EDUCATION ORDINANCE, 1952
(No. 63 of 1952)

* SCHOOLS (DISCIPLINE) REGULATIONS, 1956

IN exercise of the powers conferred upon him by paragraphs (c) and (z) of sub-section (2) of section 92 of the Education Ordinance, 1952, the High Commissioner in Council hereby makes the regulations following:

Short title and application.

1. These Regulations may be cited as the **Schools (Discipline) Regulations, 1956**, and shall be applicable to all schools other than correspondence schools:

Provided that the High Commissioner in Council may exempt any school or class of schools from all or any of the provisions of these Regulations.

Appointment of head-teachers.

2. (1) The managers of every school shall appoint a teacher to be head teacher in such school:

L.N. 66 of 1951

Provided that any teacher appointed to be head teacher under the provisions of the Schools (General) Regulations, 1951 and holding such appointment immediately before the coming into force of these Regulations shall be deemed to have been duly appointed head teacher under these Regulations.

(2) Subject to the provisions of the proviso to paragraph (1) of this Regulation no head teacher shall be appointed at any time after the coming into force of these Regulations without the consent first obtained of the Registrar.

(3) The Registrar shall enter the name of the teacher appointed to be head teacher of any school in the register as the name of the head teacher of such school.

(4) Upon the head teacher of a school retiring or ceasing to act as head teacher, the supervisor of the school shall, within twenty days of such head teacher retiring or ceasing to act, report such event in writing to the Registrar, who shall thereupon make such entries in the register as may be necessary.

*Peraturan-Peraturan ini telah dimansuhkan oleh Education (School Discipline) Regulations, 1959 - L.N. 452. Lihat muka surat 389

3. The head teacher of a school shall be responsible to the managers for the discipline of the school and for such purpose shall have authority over the other teachers and pupils of the school.

Responsibility
of head teacher
for discipline.

4. For the purposes of maintaining discipline among pupils the head teacher shall have power to inflict such ordinary school punishments as may be necessary or expedient:

Powers of
head teacher.

Provided that (a) Corporal punishment of girl pupils is prohibited: and

(b) Corporal punishment of boys by a teacher or other member of the staff shall be limited to blows with a light cane on the palm of the hand or on the buttocks over the clothes and shall be inflicted only by the head teacher or by his express authority given in the specific case. A record of all such punishments inflicted shall be kept confidentially in a form approved by the Registrar.

5. The head teacher of a school may from time to time, subject to such conditions or limitations as he may think fit, delegate disciplinary authority and powers of punishment to other teachers in such school or to such pupils as he may appoint for such purpose but save as aforesaid no teacher or pupil shall exercise such authority or powers except under the express directions of the head teacher in a particular case:

Delegation of
powers by
head teacher

Provided that the power of inflicting corporal punishment shall not be delegated to any person other than a registered teacher.

6. (1) The head teacher may suspend a pupil from attendance at the school or expel a pupil from the school for any reason he shall deem sufficient.

Powers of
head teacher
to suspend or
expel pupils.

(2) The parent or guardian of any pupil suspended from attendance at or expelled from the school under this Regulation may appeal to the managers who may make such order as they shall deem fit:

Provided that the head teacher shall be entitled to attend and express his views at any meeting of the managers called to consider any such appeal; and

Provided further that an order of the head teacher expelling a pupil from the school shall not be rescinded without the concurrence of the Registrar.

Powers of the Registrar to require expulsion.

7. (1) When it appears to the satisfaction of the Registrar to be necessary or desirable for the purpose of maintaining discipline or order in any school or when he is so directed by the Director of Education the Registrar may by order in writing require the supervisor of such school to cause any pupil to be expelled from the school and the supervisor and the head teacher shall forthwith comply with such order.

(2) A copy of such order shall be sent by the Registrar to the parent or guardian or any one of the parents or guardians of such pupil.

(3) A parent or guardian of any pupil who is under the age of twenty-one may by petition in writing presented within one month of the date of the service upon him of the copy of the order, appeal to the Minister for Education, who may, after such inquiry as he may think necessary, cancel any such order and direct such pupil to be re-admitted to such school.

(4) A pupil who has been required to be expelled from any school by an order made in accordance with the provisions of this Regulation shall not thereafter unless such order shall have first been cancelled —

(a) enter or be allowed to enter the premises of such school or

(b) be admitted as a pupil of any other school without the permission of the Director of Education.

Service of notices, etc

8. The provisions of section 91 of the Ordinance shall apply to the service of any notice or order required to be given or sent under these Regulations.

Penalties.

9. (1) Any person doing any act in contravention of or failing to comply with the requirements of regulation 6 or 7 or any order made thereunder shall be guilty of an offence against these Regulations and liable to a fine of five hundred dollars or to imprisonment not exceeding three months or to both such fine and imprisonment.

(2) Any person doing any act in contravention of or failing to comply with the requirements of any other provisions of these Regulations shall be guilty of an offence and liable to a fine not exceeding fifty dollars for a first offence or one hundred dollars for a second or subsequent offence.

10. Regulations 3, 45 and 46 of the Schools (General) Regulations, 1951, are hereby cancelled.

Repeal
L.N.66 of
1951

Made this 28th of December, 1956.

A. S. H. KEMP,
Clerk of Federal Executive Council

FEDERATION OF MALAYA

EDUCATION ORDINANCE, 1957

EDUCATION (SCHOOL DISCIPLINE) REGULATIONS, 1959

2 of 1957

IN exercise of the powers conferred by section 116 of the Education Ordinance, 1957, the Minister hereby makes the following regulations:

Short title and application.

1. These Regulations may be cited as the **Education (School Discipline) Regulations, 1959**, and shall be applicable to all schools other than —

(a) schools exempted from registration under sub-section (2) of section 114 of the Ordinance; and

(b) correspondence schools.

Interpretation

*2. In these regulations, unless the context otherwise requires —

“Registrar-General” means the Registrar-General of Schools appointed under sub-section (1) of section 57 of the Ordinance;

“Registrar” means a Registrar of Schools appointed under sub-section (2) of section 57 of the Ordinance.

Appointment of head teachers.

*3. (1) The managers or governors of every school shall appoint a teacher to be head teacher in such school:

L.N. 452 of 1956

Provided that any teacher appointed or deemed to be appointed to be head teacher under the provisions of the Schools (Discipline) Regulations, 1956, and holding such appointment immediately before the coming into force of these Regulations shall be deemed to have been duly appointed head teacher under these Regulations.

(2) Subject to the provisions of the proviso to paragraph (1) no head teacher shall be appointed at any time after the coming into force of these Regulations without the prior consent in writing of the Registrar.

(3) The Registrar shall enter the name of the teacher appointed to be head teacher of any school in the register as the name of the head teacher of such school.

* Peraturan 2,3 dipinda oleh Education (School Discipline) (Amendment) Regulations, 1980 - P.U.A.130. Lihat muka surat 392

(4) Upon the head teacher of a school retiring or ceasing to act as head teacher, the managers or governors of the school shall, within twenty days of such head teacher retiring or ceasing to act, report such event in writing to the Registrar, who shall thereupon make such entries in the register as may be necessary.

(5) In this regulation 'register' means the register kept under section 59 of the Ordinance.

*4. The head teacher of a school shall be responsible to the managers or governors for the discipline of the school and for such purpose shall have authority over the other teachers and pupils of the school.

Responsibility
of head teacher
for discipline

5. (1) For the purposes of maintaining discipline among pupils the head teacher shall have power to inflict such ordinary school punishments as may be necessary or expedient:

Powers of head
teacher.

Provided that —

- (a) corporal punishment of girl pupils is prohibited; and
- (b) corporal punishment of boys by a teacher or other member of the staff shall be limited to blows with a light cane on the palm of the hand or on the buttocks over the clothes and shall be inflicted only by the head teacher or by his express authority given in the specific case.

(2) A record of all punishments inflicted under paragraph (1) shall be kept confidentially in a form approved by the Registrar.

6. The head teacher of a school may from time to time, subject to such conditions or limitations as he may think fit, delegate disciplinary authority and powers of punishment to other teachers in such school or to such pupils as he may appoint for such purpose; but save as aforesaid no teacher or pupil shall exercise such authority or powers except under the express directions of the head teacher in a particular case:

Delegation of
powers by head
teacher.

Provided that the power of inflicting corporal punishment shall not be delegated to any person other than a registered teacher.

* Peraturan 4 dipinda oleh Education (School Discipline) (Amendment) Regulations, 1980 - P.U.A.130. Lihat muka surat 392

Pupils not to
take part in
electoral
activities.

*7. (1) No pupil under the age of twenty-one years attending any school shall —

- (a) canvass for votes on behalf of any political party or organisation or any candidate at an election;
- (b) with a view to supporting or opposing any political party or organisation or the candidature of any individual as against any other or others at any election, address or interrupt any lawful public meeting;
- (c) distribute or cause to be distributed any political literature or documents or other propaganda on behalf of or in support of a political party or organisation or having reference to any candidate engaged in contesting any election;
- (d) persistently interrupt the proceedings of any lawful public meeting in a manner likely to prevent the transaction of the business for which the meeting was convened;
- * (e) take part in any procession organised or held with a view to supporting or opposing any political party or organisation, or any candidate engaged in contesting any election.

(2) In this regulation 'election' means the election of a member of the Dewan Ra'ayat a Legislative Assembly or any local authority.

Power of head
teacher to
suspend or
expel pupils.

8. Whenever it appears to the satisfaction of the head teacher of any school —

- (a) to be necessary or desirable for the purpose of maintaining discipline or order in any school that any pupil should be suspended or expelled; or

* Peraturan 7 dipinda oleh Education (School Discipline) (Amendment) Regulations, 1960 - LN. 134. Lihat muka surat 390

* Perenggan (1) (e) kepada Peraturan 7 diganti dengan peruntukan baru oleh Education (School Discipline) Rules, 1967 - LN.440. Lihat muka surat 391

(b) that any pupil has contravened the provisions of regulation 7, he may by order suspend such pupil from attendance at such school for such period as he may think fit, or expel him from such school.

***9. (1) Whenever —**

Powers of the Registrar to require expulsion.

- (a) it appears to the satisfaction of a Registrar to be necessary or desirable for the purpose of maintaining discipline or order in any school; or
- (b) a Registrar is so directed by the Registrar-General; or
- (c) a Registrar is satisfied that a breach of regulation 7 has been committed:

he may by order in writing require the managers or governors of any school to cause any pupil to be expelled from the school, and the managers or governors, as the case may be, and the head teacher, shall forthwith comply with such order.

(2) A copy of such order shall be sent by the Registrar to the parents or guardians, or to any one of the parents or guardians of such pupil.

***10. (1)** The parent or guardian of any pupil suspended from attendance at or expelled from the school under paragraph (a) of regulation 8 may appeal to the managers or governors, who may make such order thereon as they deem fit:

Appeals.

Provided that —

- (a) the head teacher shall be entitled to attend and express his views at any meeting of the managers or governors called to consider any such appeal; and
- (b) an order of the head teacher expelling a pupil from the school shall not be rescinded without the concurrence of the Registrar.

(2) The parent or guardian of any pupil expelled from any school by any order made under paragraph (b)

* Peraturan 9 dan 10 dipinda oleh Education (School Discipline) (Amendment) Regulations, 1980 - P.U.A. 130. Lihat muka surat 393

of regulation 8, or regulation 9 may, within one month of the date of such expulsion or of the date of service on him of the order referred to in paragraph (2) of regulation 9, whichever be the longer, appeal to the Minister in accordance with the provisions of sections 90 and 91 of the Ordinance.

Endorsement
of expulsion
on leaving
certificate

11. The leaving certificate of every pupil who has been expelled from the school under the provisions of regulation 8 or 9 shall be endorsed by the head teacher with an endorsement to the effect that the pupil has been expelled under the provisions of these Regulations.

Condition for
re-admission

12. A pupil who has been expelled from any school by an order made under regulation 9 shall not thereafter (unless such order shall have first been cancelled by the authority making it) —

(a) enter or be allowed to enter the premises of such school; or

(b) be admitted as a pupil of any other school, without the permission of the Registrar-General.

Power to close
schools etc.
in certain
circumstances

13. (1) Where, in the opinion of a Registrar, it is necessary or desirable on account of any disorder or indiscipline on the part of any of the pupils or students of any school that such school should be temporarily closed, a Registrar may, by order in writing, close such school for such period, not exceeding one month from the date of the said order as he may deem necessary.

(2) No person shall without reasonable cause enter or attempt to enter or remain upon the premises or any part thereof used as or in connection with any school in respect of which an order made under paragraph (1) is in force.

(3) Any police officer may, without warrant enter and search any school or any part of the premises used as or in connection with such school in respect of which an order has been made under paragraph (1) of this regulation and may remove therefrom any person found therein; and, in order to effect an entrance into any part of such premises, such police officer may use such force as may be necessary to break open any outer or inner door or window thereof if, after indication of his authority and purpose and a demand for admittance duly made, he cannot otherwise obtain admittance.

(4) Any order made under paragraph (1) may at any time during its continuance be cancelled by the Minister, but without prejudice to the previous validity of the order or to anything done thereunder or to the power of a Registrar to make a new order under this regulation.

***14.** Any pupil who fails to comply with any order made under regulation 8 or 9, or who contravenes the provisions of regulation 12 and any person who fails to comply with the provisions of regulation 11 or paragraph (2) of regulation 13, shall be liable to a fine not exceeding five hundred dollars or to imprisonment not exceeding three months or to both such fine and imprisonment; and any person who fails to comply with the provisions of any other regulation shall be liable to a fine not exceeding fifty dollars for a first offence and one hundred dollars for a second or subsequent offence.

Penalties.

***15.** The Minister may by order exempt any school or class of school and the managers or governors or employees thereof from all or any of the provisions of these regulations either absolutely or subject to such conditions as he may think fit to impose, and may at any time in his discretion revoke any such exemption or cancel or alter or add to such conditions.

Power of exemption.

16. The Schools (Discipline) Regulations, 1956 are hereby revoked.

Revocation of L.N 452/56

Made this 20th day of February, 1959.

[M.E. 040; AG. FM. Y/26/64/8; AG.FM. Y/98/6-Vol. III/4]

MOHAMED KHIR JOHARI,
Minister of Education

* Peraturan 14 dan 15 dipinda oleh Education (School Discipline) (Amendment) Regulations, 1980 - PU. A. 130 Lihat muka surat 393

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957

2 of 1957 EDUCATION (SCHOOL DISCIPLINE) REGULATIONS, 1959
IN exercise of the powers conferred by section 116 of the
Education Ordinance, 1957 the Minister hereby makes
the following Regulations:

Citation and
application.

1. These Regulations may be cited as the **Education (School Discipline) (Amendment) Regulations, 1960**, and shall be applicable to all schools other than:

- (a) schools exempted from registration under sub-section (2) of section 114 of the Ordinance.
- and (b) correspondence schools.

Amendment in
Principal
Regulations
L.N. 61/59

2. Regulation 7 of the Education (School Discipline) Regulations, 1959, is hereby amended:

- (a) by inserting the words 'or political' after the word 'electoral' in the marginal note; and
- (b) by inserting a comma after the word 'organisation' appearing in sub-paragraph (a) of paragraph (1) thereof.

Made this 13th day of June, 1960.
[M.E.O. 040; AG. FM. Y. 26/64]

ABDUL RAHMAN BIN HAJI TALIB,
Minister of Education

EDUCATION ACT, 1961
EDUCATION (SCHOOL DISCIPLINE) RULES,
1967

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister hereby makes the following rules: 43 of 1961

1. These rules may be cited as the **Education (School Discipline) Regulations, 1967.** Citation
2. There shall be substituted for paragraph (1) (e) of regulation 7 of the Education (School Discipline) Regulations, 1959, the following: Amendment
L.N. 61/1959
 - (e) take part in any procession or assembly organized or held with a view to supporting or opposing any political party or organisation or any political view or any candidate at an election'.

Made this 23rd day of August, 1967
[K.P.Y. 012/13; AG.Y. 26/64.]

MOHD. KHIR JOHARI,
Minister of Education.

EDUCATION ACT 1961
EDUCATION (SCHOOL DISCIPLINE) (AMENDMENT)
RULES 1980

Act 43/61 **IN** exercise of the powers conferred by section 116 of the Education Act 1961, the Minister makes the following rules:

Citation and commencement.
1. (1) These Rules may be cited as the **Education (School Discipline) (Amendment) Rules 1980** and shall, subject to paragraph (2), be deemed to have come into force on 1st March 1980.

(2) Rule 8 shall come into force on the date immediately following the date of the publication of these Rules in the Gazette.

Interpretation
 L.N. 61/59 **2.** In these Rules, 'regulation' means a regulation of the Education (School Discipline) Regulations 1959.

Amendment of regulation 2. **3.** Regulation 2 is amended by inserting before the interpretation of 'Registrar-General' the following interpretation of 'appointing authority' —

* "appointing authority" means the person or body responsible for the time being for appointing any person to be the head teacher of a school;

Amendment of regulation 3 **4.** Regulation 3 is amended —

(a) by deleting paragraph (1);

(b) by substituting for paragraph (2) the following paragraph (2) —

“(2) Upon appointing a person to be the head teacher of a school, the appointing authority shall, as soon as may be, inform the Registrar of such appointment”; and

(c) by substituting for the words “managers or governors of the school shall, within twenty days of such head teacher retiring or ceasing to act,” in paragraph (4) the words “appointing authority shall, as soon as may be,”

Amendment of regulation 4. **5.** Regulation 4 is amended by deleting the words 'to the managers or governors'.

6. Regulation 9 is amended by deleting the words 'the managers or governors of any school to cause' and the words 'and the managers or governors as the case may be,' in paragraph (1).

Amendment of
regulation 9

7. Regulation 10 is amended —

Amendment
of regulation
10

- (a) by substituting for the words 'managers or governors' in paragraph (1) the word 'Registrar';
- (b) by substituting for the words 'they deem fit:' in paragraph (1) the words 'he deems fit'; and
- (c) by deleting provisoes (a) and (b) to paragraph (1)

8. Regulation 14 is amended by substituting respectively for the words 'five hundred dollars', 'three', 'fifty dollars' and 'one hundred dollars' in lines five and eight the words 'one thousand ringgit', 'six', 'one hundred ringgit' and 'two hundred ringgit'.

Amendment
of regulation
14

9. Regulation 15 is amended by deleting the words "and the managers or governors or employees thereof":.

Amendment
of regulation
15

Made the 24th April 1980.

[KP.(Pentd) 5051: PN.(PU2) 243]

DATUK MUSA HITAM.
Minister of Education

Kursus Pengajian

FEDERATION OF MALAYA
THE EDUCATION ORDINANCE, 1952
(No. 63 of 1952)

IN exercise of the powers conferred upon him by paragraphs (b) and (z) of sub-section (2) of section 92 of the Education Ordinance, 1952, the High Commissioner in Council hereby makes the following regulations:

Citation and
commence-
ment.

1. These Regulations may be cited as the **Schools (Courses of Studies) Regulations, 1956**, and shall come into force on such date as the High Commissioner may by notification in the Gazette appoint:

Provided that the High Commissioner may by notification in the *Gazette* appoint different dates for the bringing into force of any these Regulations.

Interpretation

*2. (1) In these Regulations unless the context otherwise requires —

'head-teacher' means a headmaster or principal or other teacher entrusted by the managers of a school with the preparation of syllabuses and courses of studies for pupils and the direction of teachers;

'Registrar' means in relation to any school the Registrar or Assistant Registrar appointed in respect of the State or Settlement in which such school is situate;

'subject' means a specified branch of learning other than the study of a religion;

'schedule' means a list of subjects taught in a school and an 'approved schedule' means a schedule deemed to be approved as specified in paragraph (2) of regulation 6;

'syllabus' means a statement of matters to be taught in a subject to pupils or to a particular class of pupils of a school during the course of a year or such lesser period as may be specified and an 'approved syllabus' means a syllabus deemed to be approved as specified in paragraph (2) of regulation 6;

'time-table' means a statement showing the subjects to be taught to the pupils of a school in each school day of a school term and specifying the periods during which such

* Peraturan 2 dipinda oleh Schools (Courses of Studies) (Amendment) Regulations, 1959 - L.N. 126 Lihat muka surat 400

subjects will be taught and the names of the teachers giving instruction and an 'approved time-table' means a time-table deemed to be approved as specified in paragraph (2) of regulation 6.

(2) The terms 'teacher', 'school' and 'manager' shall have the same meaning as those ascribed to such terms when used in the Education Ordinance, 1952, by subsection (1) of section 2 thereof.

*3. The subjects to be taught in all schools in the Federation and except in the case of correspondence schools the time to be devoted to the study of each subject during each week of a school term shall be such as may be approved from time to time by the High Commissioner in Council.

Subjects taught to be approved by the High Commissioner in Council

*4. The syllabuses in respect of subjects to be taught in all schools in the Federation shall be such as may be approved from time to time by the High Commissioner in Council.

Syllabuses to be approved by the High Commissioner in Council

5. (1) The head-teacher of a school shall have immediately available for inspection by the Registrar a schedule of all subjects taught in the school and syllabuses in respect of such subjects.

Schedules syllabuses and time-tables to be available for inspection.

(2) The head-teacher of a school, not being a correspondence school, shall have immediately available for inspection by the Registrar the school time-table for the current term.

(3) The Registrar may require a head-teacher by notice in writing under his hand to submit to him within fourteen days a copy of such schedule and such syllabuses and such time-table or any of them.

6. (1) Subject to any direction given under the provisions of regulation 3 or regulation 4 the Registrar may alter or amend any schedule or syllabus or time-table of a school and the schedule or syllabus or time-table so altered or amended shall thereupon be applied to such school.

Registrar may alter schedules syllabuses or time-tables.

(2) A schedule or syllabus or time-table not inconsistent with any direction given under the provisions of regulation 3 or regulation 4 and a schedule or syllabus or

Approved schedules syllabuses and time-tables.

* Peraturan 3 dan 4 dipinda oleh School (Courses of Studies) (Amendment) Regulations, 1959 - LN.126. Lihat muka surat 400

time-table as altered or amended by the Registrar under the provisions of this Regulation shall be deemed to be an approved schedule or an approved syllabus or an approved time-table as the case may be.

Teachers to have available copies of approved syllabuses.

7. (1) Every teacher in a school shall have immediately available for inspection by the Registrar copies of the approved syllabuses pertaining to the subjects and pupils for which he is responsible.

Teachers' Record Book.

(2) Every teacher in a school, not being a correspondence school, shall keep and maintain a record book, which shall be immediately available for inspection by the Registrar, in which shall be recorded by him not later than the last school day of each week of the school terms the part or parts of the approved syllabuses to be implemented in the week next ensuing in respect of the subjects and pupils for which he is responsible in conformity with the approved time-table for such week.

Translation of schedules, syllabuses, etc. to be available.

8. If any schedule, syllabus, time-table or any entry in a record book or any copy thereof required under the provisions of regulations 5 and 7 to be made available for inspection or submitted to the Registrar is prepared in a language other than the Malay language or the English language there shall be made available or submitted on demand a true translation in the Malay language or English language.

Time-tables to be exhibited

9. The head-teacher of a school shall cause to be exhibited in a conspicuous place in the school a copy of the school time-table for the current term signed by him.

Penalties.

10. In every school instruction shall be given to pupils in strict accordance with an approved schedule and approved syllabuses and any teacher who gives instruction to pupils or any person who suffers or permits a teacher to give instruction to pupils otherwise than in accordance with an approved schedule or an approved syllabus shall be guilty of an offence against these Regulations and shall be liable on conviction to a fine of one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment and in the case of a continuing offence to an additional fine of fifty dollars for each day or part of a day during which the offence continues after the day upon which a conviction was had.

11. Any teacher or head-teacher contravening the provisions of regulations 5,7,8 or 9 shall be liable on conviction to a fine of one hundred dollars.

*12. (1) The High Commissioner may by order exempt a school or any class or category of schools from the provisions of all or any of these Regulations. Exemption from Regulations.

(2) Nothing in these Regulations shall apply to a school entirely maintained and controlled by Her Majesty's Army, Navy or Air Force.

13. Regulation 47 of the Schools (General) Regulations, 1951, is hereby revoked. Repeal.

Made this 10th day of December, 1956
[M. for E. O. 91/56]

A. S. H. KEMP,
Clerk of Federal Executive Council

* Peraturan 12 dipinda oleh Schools(Courses of Studies) (Amendment) Regulations, 1959- LN. 126. Lihat muka surat 400

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957

2 of 1957

IN exercise of powers conferred by section 113 of the Education Ordinance, 1957, the Minister hereby makes the following regulations:

Citation

1. These regulations may be cited as the **Schools (Courses of Studies) (Amendment) Regulations, 1959.**

L.N. 451 of
1956
Amendment of
Regulation 2

2. Regulation 2 of the Schools (Courses of Studies) Regulations, 1956 (hereinafter in these Regulations referred to as 'the principal Regulations') is hereby amended by inserting immediately before the definition of 'Registrar' the following new definition:

" 'Minister' means the Minister charged with responsibility for education;"

Amendment of
Regulations
3,4 and 12

3. Regulations 3, 4 and 12 of the principal Regulations are hereby amended by substituting for the words 'High Commissioner in Council' or 'High Commissioner' wherever they occur the word 'Minister'.

Made this 14th day of April, 1959.
[M.E.O. 91/56/Vol. III; A.G. 558]

MOHAMED KHIR JOHARI,
Minister of Education

Majalah Sekolah

**FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957**

2 of 1957

IN exercise of the powers conferred by section 116 of the Education Ordinance, 1957, the Yang di-Pertuan Agong hereby makes the following regulations:

Citation

1. These regulations may be cited as the **Schools (Magazines) Regulations, 1958**, and shall come into operation on the 15th July, 1958.

Interpretation.

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

'school magazine' means any publication containing news, intelligence, reports of occurrences, or any remarks, observations or comments, in relation to such news, intelligence or occurrences or to any other matter of interest, contributed by pupils or by pupils and teachers of any school or schools, printed in any language for publication, distribution or circulation at regular or irregular intervals in any school or schools and includes any petition, handbill or statement circulated among the pupils of the school but does not include announcements or notices regarding routine school activities authorised by the head teacher as part of the normal activities of the school:

'printing' and expressions referring to printing include writing, lithography, typewriting, photography and other modes of representing or reproducing words or objects in visible form:

2 of 1957

'Registrar' has the meaning assigned to it by section 2 of the Education Ordinance, 1957.

Approval for magazine

3. (1) No school magazine shall be published, distributed or circulated in any school except with the prior approval of the head teacher.

(2) Before giving approval for the publication and circulation of a school magazine, the head teacher shall

- (i) satisfy himself that the magazine is not likely to prejudice the maintenance of the discipline of the school or any measures taken for securing the public safety in the Federation and the maintenance of public order therein;

- (ii) approve the membership of an editorial board of pupils or of pupils and teachers who will be responsible for producing the school magazine;
- (iii) appoint a teacher or teachers to be the adviser or advisers to an editorial board consisting of pupils only with power to attend all meetings thereof;
- (iv) make suitable arrangements for the business management of the school magazine, for accounts to be kept and for the proceeds of sales exceeding the cost of production to be deposited in a school bank account under his control;
- (v) satisfy himself that no pupil of the school will be compelled to buy the magazine;
- (vi) satisfy himself that magazine is primarily concerned with school affairs, and that its circulation will be primarily among schools;
- (vii) ascertain the name and address of the printer of the magazine and the name of the State in which it is printed.

(3) Nothing shall be published in a school magazine which has not been approved by the head teacher or an adviser appointed by him.

4. (1) The head teacher shall notify the Registrar of any school magazine which he has approved within ten days of giving his approval and supply such particulars as the Registrar may request.

Notifica-
tion of
Registrar.

(2) The head teacher shall send one copy of every issue of a school magazine approved by him to the Registrar.

5. (1) If the Registrar is satisfied that any school magazine has published or is likely to publish matter prejudicial to the discipline of any school or detrimental to the interests of the Federation or of the public he may at any time make an order in writing directing that such a school magazine shall cease to be published, distributed or circulated, as the case may be, and it shall be the duty of the head teacher and governors or managers of the school to take such measures as may be necessary for the enforcement of any such order.

Powers of
Registrar

(2) The Registrar shall make an order under subsection (1) of this regulation if he is instructed to do so by the Minister.

Expulsion

6. (1) A head teacher may expel any pupil —

- (i) who publishes, distributes or circulates or attempts to publish, distribute or circulate a school magazine without his prior approval; or
- (ii) who publishes, distributes or circulates any school magazine containing any matter which has not been approved by him or by an adviser in accordance with Regulation 3 (3).

(2) A head teacher may expel any pupil who publishes, distributes or circulates or attempts to publish, distribute or circulate a school magazine contrary to an order made by the Registrar under Regulation 5, and the Minister or the Registrar may, notwithstanding that such pupil may not have been convicted of an offence against these Regulations require by order in writing the Head teacher to cause such pupil to be expelled from the school.

Penalty

7. Any person who contravenes or abets the contravention of any of these Regulations shall be liable on conviction to a fine not exceeding one thousand dollars or if such person is at the date of the commission of the offence over the age of 21 years to such fine or imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made this 15th day of July, 1958.

[M.E.O. 8G/57; AG. 250/54-LV/E]

By Command,
MOHD KHIR JOHARI,
Minister

Pelajaran Lanjutan Separuh Masa

FEDERATION OF MALAYA
THE EDUCATION ORDINANCE, 1952
(No. 63 of 1952)

IN exercise of the powers conferred upon him by section 92 of the Education Ordinance, 1952, the High Commissioner in Council hereby makes the following Regulations —

Citation 1. These Regulations may be cited as the **Education (Part-time Further Education) Regulations, 1955.**

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

“course” means a course of instruction organised for the purpose of further education and consisting of one or more lessons, demonstrations or lectures:

“further education” includes—

- (a) part-time education, or leisure time occupation of persons over 18 years of age in such organised cultural and vocational training and recreative activities as are suited to the requirements of such persons; and
- (b) part-time elementary education for any child or youth not able to obtain a place in a school during the period when he is of compulsory school age, or for any youth desirous of supplementing such education as he may already have received;

“grants” means financial assistance authorised by the Member from moneys voted for the purposes of further education:

“responsible body” means any person or body of persons responsible for or prepared to undertake the provision and maintainance of facilities for further education to whom the Member may make a grant.

PART I

RULES APPLICABLE TO RESPONSIBLE BODIES

Application
of Part I

3. The provisions of this Part shall apply to responsible bodies only.

Power to make
grants

4. The Member may make grants to responsible bodies upon such conditions as he may in each case determine in

aid of expenditure upon courses or in aid of the general expenditure of such bodies.

5. A grant or any part thereof may at any time in relation to any course be withheld, limited to a specified period, or withdrawn on such grounds as the Member may deem sufficient after consultation with the responsible body concerned.

Withholding,
etc., of grants

6. Conditions as to duration of courses, enrolment therefor and attendance thereat may be prescribed by the Member for each course in respect of which a grant has been made after consultation with the responsible body concerned.

Conditions of
grants.

7. The minimum remuneration for instructors and the scale of grant based thereon may be fixed by the Member for each course in respect of which a grant has been made after consultation with the responsible body concerned.

Instructors

PART II
RULES APPLICABLE TO COURSES ORGANISED
BY GOVERNMENT
AND BY RESPONSIBLE BODIES

8. The provisions of this Part shall apply to courses organised by Government and to courses organised by responsible bodies in respect of which a grant has been made.

Application
of Part II

9. Arrangements for charging students' fees for each course or type of course shall be submitted to the Member for his information, as and when required.

Fees

10. Qualifications of teachers giving instruction at courses shall be such as shall be approved by the Chief Education Officer.

Qualifications
of teachers

11. Such records and registers shall be kept and such information and returns furnished as the Member may from time to time require.

Keeping of
record

12. Every course shall be open to such inspection as the Member may direct.

Inspection.

Dated this 17th day of May, 1955.
[M. for E. 90/53]

A. S. H. KEMP,
Clerk of Federal Executive Council.

Pelancongan Sekolah

FEDERATION OF MALAYA

THE EDUCATION ORDINANCE, 1957

(No. 2 OF 1957)

THE SCHOOLS (TOURS) REGULATIONS, 1957

IN exercise of the powers conferred upon him by paragraph (i) of section 116 of the Education Ordinance, 1957, the High Commissioner in Council hereby makes the following regulations:

Citation.

1. These regulations may be cited as the **Schools (Tours) Regulations, 1957.**

Interpretation.

2. (1) In these Regulations unless the context otherwise requires —

“pupil” means a pupil as defined in the Ordinance who has attained the age of twelve years;

“member of a tour” means any pupil or teacher who undertakes or intends to undertake a tour;

“a tour” means, subject to the provisions of this Regulation a journey undertaken, or intended to be undertaken, by five or more pupils or five or more teachers and pupils (whether or not travelling together, separately or in company with other persons) where such journey is so undertaken, or intended to be undertaken, by five or more of such pupils or teachers and pupils as a group or for the purpose of effecting as a group some object common to five or more of such pupils or teachers and pupils as the case may be;

L.N.452/56.

“head teacher” means the head teacher of a school appointed under the School (Discipline) Regulations, 1956 or under any corresponding regulations made under the Ordinance.

(2) In determining whether any journey is a tour as defined in paragraph (1) no account shall be taken of any pupil or teacher who is undertaking or intending to undertake such journey where such journey is —

- (a) entirely within the State or Settlement in which his school is situated; or
- (b) for the sole purpose of travelling between his school and his home when going or returning on holiday or of attending any funeral or

marriage of a member of his family or any other family event or ceremony.

3. (1) Every member of a tour other than a tour sponsored by his own head teacher, shall supply to his own head teacher not less than six weeks before the commencement of the tour, the following particulars in writing:

Particulars to be supplied to head teacher.

- (a) the object of the tour;
- (b) the names of all other members of the tour whether or not belonging to his own school;
- (c) the place or places to be visited and the approximate date or dates of such visit or visits;
- (d) the names and addresses of every person responsible for the collection or expenditure of money in connection with the tour:

Provided that a head teacher may, in his discretion, nominate a single member of a tour to supply the particulars required by this paragraph; and

Provided further that a head teacher may accept the particulars less than six weeks before the commencement of the tour if he is satisfied there is reasonable cause for the delay.

(2) For the purposes of this Regulation a head teacher is deemed to sponsor a tour if he arranges a tour, or in the interest of pupils, arranges or assists in arranging a proposed tour reported to him under the provisions of this Regulation.

4. The head teacher of any school may, in writing, require any person responsible for the collection or expenditure of money in connection with a tour, to give a written statement containing the following particulars:

Collection and disbursement of money.

- (a) the source or sources of money to be expended on the tour specifying the amounts expected or received from each source;
- (b) details of the estimated expenditure.

5. (1) A head teacher shall forbid a pupil of his own school to participate in a tour unless he is satisfied that the pupil has the consent of his parents to participate,

Powers and duties of head teacher.

and may in his discretion, require such consent to be in writing.

(2) A head teacher may, in any event, forbid any member of his own school to participate in a tour and in such event such member shall not participate in the tour.

(3) A head teacher shall, unless he has forbidden all members of his own school to participate in a tour, or unless there are no members of his own school participating in a tour, supply to the Registrar in writing five weeks before the commencement of any tour of which he has knowledge, the following particulars —

- (a) the particulars specified in Regulation 4;
- (b) the name of any teacher appointed by him to supervise or assist in the supervision of pupils;
- (c) the name of any member of his own school whom he has forbidden to participate; and
- (d) the name and address of any person responsible for the collection or expenditure of money in connection with the tour, the source or sources of money to be expended on the tour specifying the amounts expected or received from each source and the details of the estimated expenditure.

Permission or
prohibition
by the
Registrar.

6. (1) A Registrar on receipt from a head teacher of the particulars specified in Regulation 5 may in writing

- (a) permit the tour to take place subject to such conditions as he shall specify;
- (b) prohibit the tour, in which event no member of the tour shall proceed on the tour; or
- (c) require the head teacher to supply further particulars concerning the tour and the arrangements therefor;

Provided that where the particulars specified in Regulation 5 are supplied by a head teacher less than five weeks before the commencement of a tour, the Registrar may in his absolute discretion accept them for consideration, or may reject them, in which case he shall in writing prohibit the tour and in such event no member of the tour shall proceed on the tour.

(2) The permission or prohibition referred to in this Regulation shall be communicated in writing by the Registrar to every head teacher concerned who shall be responsible for making the contents of such communication known to every member of his own school in so far as it affects such member.

(3) No person shall proceed on a tour except with the permission in writing of the Registrar given under the provisions of Regulation 7.

7. (1) Without prejudice to the generality of the provisions of Regulation 6 the Registrar may require —

Powers of the Registrar.

- (a) any particular place or places be omitted from the itinerary of the tour;
- (b) that a teacher or teachers or an additional teacher or teachers be appointed to supervise the pupils;
- (c) that any named pupil or teacher shall not participate.

(2) The Registrar may also —

- (a) require the chairman of the managers or governors of a school to deposit with the Registrar such sum not exceeding five hundred dollars as the Registrar shall determine; or
- (b) may require the said chairman to enter into a bond with or without sureties for a sum not exceeding five hundred dollars as the Registrar shall determine,

and any such sum deposited shall be forfeited, or any such bond shall be estreated if the pupils or teachers fail to comply with any condition imposed by the Registrar, or whilst on tour engage in any activity which, in the opinion of the Minister, is detrimental to discipline or good order in the school:

Provided that the Registrar shall not require the chairman of the managers or governors of any school to make a deposit or enter into a bond in respect of any tour if such tour is not sponsored by the head teacher of such school.

8. The Registrar may, in writing, require any person responsible for the collection or expenditure of money in

Statement of accounts.

connection with a tour to give a written statement containing the following particulars —

- (a) the source or sources of money expended on the tour specifying the amounts received from or owed by each source;
- (b) details of the expenditure in connection with the tour.

Disposal of
surplus money

9. The Registrar may make an Order directed to any person responsible for the collection or expenditure of money in connection with a tour with regard to the disposal of money remaining after the expenses of the tour have been paid; and any person to whom such an Order is directed shall comply with the same.

Penalty

10. Any person who contravenes or abets the contravention of any of these Regulations shall be liable on conviction to a fine not exceeding one thousand dollars or if such person is at the date of the commission of the offence over the age of 21 years to such fine or imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made this 9th day of July, 1957.

[M.for E.O.8D/57.AG 250/54-LV/H.]

E.O. LAIRD,

Clerk of Federal Executive Council

Pendaftaran Guru

FEDERATION OF MALAYA
THE REGISTRATION OF TEACHERS ORDINANCE, 1957
(No. 3 OF 1957)

IN exercise of the powers conferred upon him by section 27 of the Registration of Teachers Ordinance, 1957, the High Commissioner in Council hereby makes the following regulations:

- | | |
|-------------------------------|---|
| Citation. | 1. These Regulations may be cited as the Teachers (Registration) Regulations, 1957 , and shall come into force and take effect from the appointed date as defined in the Ordinance. |
| The register. | 2. (1) The Registrar-General shall cause to be kept and maintained pursuant to section 4 of the Ordinance a register of teachers which shall contain as respects all teachers registered under the Ordinance the particulars set out in Form I of the Schedule to these Regulations.

(2) Every entry and every alteration or amendment with respect to an entry shall be signed or initialled by the Registrar-General. |
| Application for registration. | 3. (1) An applicant for registration as a teacher shall submit to the Registrar in triplicate an application in Form II of the Schedule to these Regulations and the following:

<div style="margin-left: 40px;"> <p>(a) six photographs of the applicant (passport size) signed on the reverse by the applicant and certified by the head teacher of a school or other person acceptable to the Registrar;</p> <p>(b) a Certificate of Birth or other evidence acceptable to the Registrar as to the age of the applicant;</p> <p>(c) documents substantiating the academic qualifications of the applicant;</p> <p>(d) two references as to the character of the applicant by persons who have known the applicant personally for the five years immediately preceding the date of the application;</p> <p>(e) a medical certificate by a registered medical practitioner certifying that the applicant is</p> </div> |

free from any physical or mental defect or disease which might affect the applicant's ability to perform the duties of a teacher or setting out the nature of any such defect or disease and the extent to which it will prejudice his carrying out such duties; and

(f) the fee prescribed in Regulation 14.

(2) The Registrar shall acknowledge in writing every application and issue a receipt for the fee submitted therewith.

(3) An applicant shall supply to the Registrar such further information with regard to the contents of his application and documents submitted therewith as the Registrar shall require.

(4) For the purposes of this Regulation and Regulation 11 "academic qualification" shall mean any degree, diploma or certificate evidencing the satisfactory completion of a course of training or study.

4. If an application appears to him to be made in manner prescribed in Regulation 3, the Registrar shall forward to the Registrar-General two copies of such application together with all documents submitted therewith and such information relating to the matter as the Registrar-General shall require.

Application to be forwarded to the Registrar-General.

5. If the Registrar-General, on examination of an application and the documents and information submitted to him pursuant to Regulation 4 or if after such investigation or inquiry with respect thereto as he shall make or cause to be made, is satisfied that an applicant may be registered or that such applicant may be registered subject to the imposition of any conditions specified in section 11 of the Ordinance, then he shall cause to be recorded in the register particulars of the applicant and shall forward to the Registrar for issue to the applicant a certificate in Form III of the schedule to these Regulations or direct the Registrar to issue to the applicant such a certificate and on the issue of a certificate the applicant will thereupon be a registered teacher.

Registration.

6. If on receipt of an application made under the provisions of Regulation 3 and after such inquiry with respect thereto as he shall consider necessary the Registrar is satisfied that such application is not made in the manner prescribed and that he should refuse to register the applicant pursuant to section 9 of the Ordinance or if he

Refusal of registration.

is directed to refuse to register an applicant by the Registrar-General pursuant to section 8 thereof, he shall issue to the applicant a notice of refusal to register.

Striking off
the register

7. A copy of any notice issued by the Registrar pursuant to section 15 of the Ordinance striking a teacher off the register shall be sent to the Registrar-General who shall cause to be recorded in the register the cancellation of the registration of the teacher.

Permits to
teach

8. (1) Permits to teach issued by the Registrar shall specify the category of the person as set out in (i), (ii) or (iii) of paragraph 1 of section 18 of the Ordinance to whom it is issued and every permit shall be issued subject to the payment of the fee prescribed in Regulation 14 and subject to conditions as shall be specified with regard to

- (a) the period for which the permit shall be valid which period shall not extend beyond the 31st day of December of the year in which the permit is issued;

Provided that no condition with respect to the period of validity shall prejudice the right of the Registrar to revoke the permit under the provisions of paragraph (3) of section 18 of the Ordinance;

- (b) the school or schools in which a permit holder shall be permitted to teach;
- (c) the subjects or matters on which the permit holder shall be permitted to give instruction;
- (d) the forms or classes or pupils which the permit holder shall be permitted to teach; and
- (e) the language or languages which the permit holder shall be permitted to use as his medium of instruction.

(2) Permits to teach shall be in Form IV of the Schedule to these Regulations.

(3) The Registrar may by writing under his hand endorsed on a permit or by notice in writing renew any permit to teach or alter or amend any conditions subject to which a permit is issued or alter or amend any other particulars recorded thereon.

9. Without prejudice to the right of the Registrar to revoke a permit to teach under the provisions of paragraph (3) of section 18 of the Ordinance, a permit to teach issued to a teacher pending registration shall be deemed to be revoked on such teacher becoming a registered teacher or on an appeal by such teacher under the provisions of paragraph (2) of section 9 of the Ordinance being dismissed.

Permits deemed to be cancelled in certain cases.

10. Any notice or order or communication required to be or which may be sent to or served on the holder of a permit to teach may be served by letter addressed to the school or any school in which such permit holder is authorised to teach.

Service of notices.

11. (1) Any report made pursuant to section 23 of the Ordinance by a teacher or a teacher deemed to be registered to the effect that such teacher has commenced or has ceased teaching in a school shall be submitted to the Registrar in duplicate in Form V or Form VI of the Schedule to these Regulations as shall be appropriate.

Information to be supplied to Registrar.

(2) A teacher who has filed an application for registration or a registered teacher shall submit a report in duplicate to the Registrar specifying any change as respects his academic qualifications occurring subsequent to the filing of his application for registration and when any additional such qualification is reported there shall be filed appropriate documents substantiating the same.

(3) The Registrar on receipt of any report made pursuant to this Regulation shall forthwith forward a copy to the Registrar-General who will cause an appropriate entry to be made in the register.

12. (1) No alteration or amendment shall be made to any certificate or permit to teach except under the hand of the Registrar.

Alterations on certificates and permits.

(2) If the Registrar shall make any endorsement alteration or amendment on a certificate or by notice served under the provisions of paragraph (3) of section 11 of the Ordinance, cancel, alter or add to any conditions imposed with respect to a teacher he shall forthwith inform the Registrar-General who shall cause appropriate entry to be made in the register.

13. (1) The Registrar may issue to a registered teacher or to the holder of a permit to teach on payment of the fee prescribed in Regulation 14 a replacement certificate or a replacement permit to teach in lieu of a certificate or permit to teach which has been lost, destroyed, defaced or which for any other reason the Registrar shall deem sufficient requires to be replaced:

Provided that where a certificate or permit to teach is alleged to be lost or destroyed, the registered teacher or the permit holder, as the case may be, before being issued with a replacement certificate or replacement permit shall file with the Registrar a statutory declaration setting out the circumstances of the loss and declare that to the best of his knowledge and belief the certificate or permit cannot be found or recovered; and

Provided further that where a replacement certificate or replacement permit to teach is issued for any reason which in the opinion of the Registrar does not arise from the negligence of the registered teacher or permit holder, the Registrar may remit any fee payable.

(2) Except where a certificate or permit to teach is lost or destroyed a replacement certificate or replacement permit shall be issued under the provisions of paragraph (1) only on the surrender of such certificate or permit.

Fees.

(3) Where a replacement certificate or replacement permit to teach is issued in lieu of a certificate or permit to teach which has been lost, the certificate or permit which is lost shall be deemed to be cancelled for the purposes of section 22 of the Ordinance.

*14. (1) The fees following shall be payable —

- (a) by an applicant for registration on submitting his application\$5.00
- (b) for the issue or renewal of a permit to teach\$1.00
- (c) for the issue of a replacement certificate or permit to teach under the provisions of Regulation 13... ..\$2.00

(2) Fees shall be credited to the revenues of the Government of the Federation.

* Perenggan (1) kepada Peraturan 14 dipinda oleh Teachers (Registration) (Amendment) Regulations, 1958 - LN.88. Lihat muka surat 431

SCHEDULE
THE TEACHERS (REGISTRATION) REGULATIONS, 1957
FORM I
FORM OF THE REGISTER

[Regulation 2 (1)]

Name of teacher in full

Chinese Characters

Other names

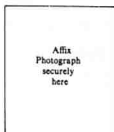
Present address

.....

Date of birth.....N.R.I.C. No.....

Place of birth: Country.....District.....

Town/Village



*Federal Citizenship

State Nationality

Certificate No.....

Date of

issue.....

Name in which certificate is to be issued

if different from those given above.....

Academic qualifications

1.

2. Signature of applicant

3.

4. Date

* Delete where inapplicable

Subjects qualified to teach

Restriction if any imposed under
section 11

1.

2. Date

Registrar

3.

4.

FOR OFFICIAL USE ONLY

1st Change

2nd Change

3rd Change

4th Change

5th Change

6th Change

7th Change

8th Change

9th Change

10th Change

11th Change

12th Change

Observation or remarks:

Form compared and checked
with application form.

Initials.....

Date.....

Form of Application for Registration as a Teacher
[Regulation 3 (1)]

APPLICATION FOR REGISTRATION AS A TEACHER
THE REGISTRATION OF TEACHERS ORDINANCE, 1957.

PART I—(To be completed by applicant)
To the REGISTRAR OF TEACHERS.

I herewith submit particulars of myself as under and request you to register me as a teacher in the Federation of Malaya.

1. Full name in English.
2. Sex.

3. Full name in Chinese Characters (for those of Chinese race)

In Chinese characters (for those of Chinese race).

†6. Present home address.

†7. If married, name, address and occupation of spouse:

8. Date of birth: _____ 9. Natal Dialect: _____

10. Birthplace: Country: Province:
District: Town/Village:

11. (To be completed if applicant was born outside Malaya).
I first entered Malaya in:

12. I have never left Malaya except on the occasions stated below:

Date of leaving Malaya	Country or countries visited	Date of return to Malaya

423

13. Identity card details:

No.:

Date of issue:

Place of issue:

14. (a) If applicant is a Federal Citizen state:

Certificate No:

Date of issue:

(b) If applicant is a State National state:

Certificate No.:

Date of issue:

15. FULL DETAILS OF EDUCATION. (All schools and colleges attended to be entered. Attach original certificates if any):

Name and address of school, college, etc.	Date of entry	Date of leaving	Qualifications
(1)			
(2)			
(3)			
(4)			

16. Details of all employment (Educational and Non-Educational).

Name and address of school or other employer	Date of starting	Date of finishing	Nature of employment
(1)			
(2)			
(3)			
(4)			
(5) Present employment:			

17. I am not engaged in any employment or business other than as a teacher, except as detailed below:

Nature of employment or business	Name and address of employer

18. Have you ever been refused registration or struck off the register as teacher, Manager, Governor, or employee of a school? If so give full details.

19. Subjects which applicant is qualified to teach and for which a certificate of registration is requested:

Subject or subjects	In what language medium	In what type of school
(a)		
(b)		
(c)		

20. REFERENCES: (Two references as to the character of the applicant by persons who have known the applicant personally for the five years immediately preceding the date of the application).

Name and address of referees whose letters of recommendation are attached	Occupation	Period during which referee has known applicant personally
(1)		
(2)		

21. I attach a medical certificate as required by Regulation 3 (1) (e) of the Teachers (Registration) Regulations, 1957, signed by
a registered Medical practitioner, of

Date

(Signature of Applicant)

This form is to be completed IN TRIPLICATE and must be accompanied by 6 small similar photographs of applicant. One photograph is to be securely affixed to each copy of the form and the remaining photographs are to be signed and certified on the reverse as requested by Regulation 3 (1) (a).

WARNING—The attention of the applicant is drawn to section 25 of the Registration of Teachers Ordinance, 1957 concerning the penalties for making a false or misleading statement on this form.

PART II—(To be completed by the Chairman of the Board of Governors or Managers of the school at which applicant is to be employed.)

The applicant has been engaged to teach in School
with effect from

Date:

.....
Name and address of School

.....
(Signature of Chairman)

PART III—*(To be completed by the Registrar of Teachers for the area in which the school is situated:)*

- (a) Applicant's former H.Q. Index No. (If known) CR.
(b) Applicant holds a permit to teach No.
Recommendations if any under section II of the Ordinance.

Subject	Medium	Type of School

Date:

.....
Signature of Registrar of Teachers

PART IV —

FOR REGISTRAR GENERAL'S OFFICE USE ONLY

Approved Qualifications:

Subject	Medium	Type of School	<i>Application Approved:</i>	
			App. notified	19
			C/Regn. No	
			Dated:	19

FORM III
CERTIFICATE OF REGISTRATION AS A TEACHER
(Regulation 5)

FEDERATION OF MALAYA

CERTIFICATE OF REGISTRATION AS A TEACHER

Date of issue19..... No

The holder of this Certificate of Registration as a Teacher has been registered as a teacher in accordance with section 10 of the Registration of Teachers Ordinance, No. 3 of 1957.

This certificate is valid for teaching in a School through the medium of the following subjects:

.....

Registrar-General of Teachers.
Ministry of Education,
Federation of Malaya

Issued on the day of 19.....

PARTICULARS OF THE HOLDER

Name

Name in Chinese
 if applicable.

Sex

Place of birth

Date of birth

Federal Citizenship No or State Nationality No

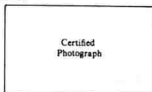
Signature of the holder

Identity Card No

Qualifications:

(1) Academic

(2) Professional



APPOINTMENTS HELD

Date	Name of School	Address of School	Reference	Signature of Registrar

NOTICE

The attention of the holder of this Certificate is drawn to the Registration of Teachers Ordinance, 1957, and in particular to sections 22, 23 and 25 of the Ordinance.

FORM IV
PERMIT TO TEACH
(Regulation 8)

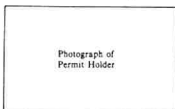
FEDERATION OF MALAYA

PERMIT TO TEACH FOR AN UNREGISTERED TEACHER
THE REGISTRATION OF TEACHERS ORDINANCE, 1957
(Section 18)

M.
(Full name)

of
is hereby authorised to teach the subjects listed below in the School
at

This permit expires on the day of 19
Limitations as to subject and classes:



.....
Registrar of Teachers

Education Office,
.....

.....
Date

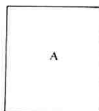
This permit is to be surrendered on demand to the Registrar of Teachers and the following receipt given if a Registration Certificate is issued:

Received from the Registrar of Teachers.

Registration Certificate No.

.....
Date

.....
Signature of Teacher



FOR OFFICE USE ONLY

Date received by Registrar:

Date received by Reg. General:

FORM V

[Regulation 11 (1)]

FEDERATION OF MALAYA

THE REGISTRATION OF TEACHERS ORDINANCE, 1957

REPORT UNDER SECTION 23 (1)

To the Registrar of Schools *
 of the State/Settlement of *
 I (name in full) *
[Name in Chinese (if applicable)]

Address *
 wish to report that I have been employed as a teacher in the *
 address of school *
 with effect from *

I enclose herewith my Teacher's Certificate of Registration No.
 for endorsement.

Signature of Head Teacher

Signature of Teacher

Date

Date

This form together with the Teacher's Certificate of Registration should be
 sent by REGISTERED POST.

NOTE

A registered teacher or a teacher deemed to be registered is bound by virtue of
 section 23 of the Registration of Teachers Ordinance, 1957, within 7 days of
 commencing to be employed in a school to report the fact to the Registrar.

B

FOR OFFICE USE ONLY

Date received by Registrar:

Date received by Reg. General:

FORM VI

Regulation II (1)

FEDERATION OF MALAYA

THE REGISTRATION OF TEACHERS ORDINANCE, 1957

REPORT UNDER SECTION 23 (2)

To the Registrar of Schools *
of the State/Settlement of*

I (name in full) *
[Name in Chinese (if applicable)]

* Use Block Capitals.

Ceased to be employed at the:

Name of School *

Address of School *

on (give the last date of employment)

My Teacher's Registration Certificate No. is †

I return herewith my Permit to Teach No. †

My future address until further notice will be

.....
Signature of Head Teacher

.....
Signature of Teacher

.....
Date

.....
Date

* Use Block Capitals

* Delete one of these as applicable

NOTE

A registered teacher or a teacher deemed to be registered is bound by virtue of section 23 of the Registration of Teachers Ordinance, 1957, within 7 days of ceasing to be employed at a school to report the fact to the Registrar of Teachers.

Made this 28th day of April, 1957

[M. for E.O.81/57; A.G.944]

A.S.KEMP,

Clerk of Federal Executive Council

FEDERATION OF MALAYA
THE REGISTRATION OF TEACHERS
ORDINANCE, 1957
(No. 3 of 1957)

IN exercise of the powers conferred by section 27 of the Registration of Teachers Ordinance, 1957, the Yang di-Pertuan Agong hereby makes the following regulations:

1. These Regulations may be cited as the **Teachers(Registration) (Amendment) Regulations, 1958.** Citation.

2. Paragraph (1) of Regulation 14 of the Teachers (Registration) Regulations, 1957, is hereby amended by adding thereto the following proviso — Amendment of
Regulation 14.
L.N. 237 of
1957.

“Provided that the Minister may in his discretion waive or reduce any fee chargeable under any of the above items.”

Made this 13th day of February, 1958.

[M.E.O.81/57/(32) AG.944].

By Command,
MOHAMED KHIR JOHARI,
Minister of Education.

Pendaftaran Sekolah

THE EDUCATION ORDINANCE, 1957
(No. 2 of 1957)

SCHOOLS (REGISTRATION) RULES, 1958

IN exercise of the powers conferred upon him by sub-section (5) of section 57, sub-section (3) of section 74 and paragraphs (viii) to (xiii), inclusive and paragraphs (xv) and (xvi) of section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

Citation

1. These rules may be cited as the **Schools (Registration) Rules, 1958.**

Powers of Assistant Registers

2. An Assistant Registrar of Schools appointed under the provisions of sub-section (2) of section 57 of the Ordinance may exercise the powers and perform the duties conferred or imposed upon the Registrar by the Ordinance and these Rules, except such powers or duties as are conferred or imposed by sections 64 to 70 inclusive, and section 80 of the Ordinance.

Registers.

3. (1) The Registrar shall cause to be kept and maintained a register of schools for the area for which he is appointed or separate registers for such areas therein as the Registrar-General shall specify.

(2) A register shall contain the particulars in relation to registered schools and shall be in the form specified in the First Schedule to these Rules.

(3) It shall be the duty of the Registrar to cause the register to be amended as and when there is any change in the particulars relating to any school and each such amendment shall be initialled by the Registrar.

Applications for registration.

4. (1) Application for registration of a school pursuant to section 60 or section 63 of the Ordinance shall be made in Form 'A' in the Second Schedule to these Rules.

(2) Application for registration as a manager or governor or employee of a school pursuant to section 76 of the Ordinance shall be made in Form 'B' in the Second Schedule to these Rules.

(3) Applications shall be accompanied by the appropriate fee specified in Rule 11.

5. (1) A certificate of registration of a school issued pursuant to section 62 of the Ordinance shall be in the form set out in the Third Schedule to the Rules.

Certificates
of Regis-
tration.

(2) A certificate of registration issued pursuant to section 77 of the Ordinance in respect of a manager or governor or employee in a school shall be in the form set out in the Fourth Schedule to these Rules.

6. (1) A provisional certificate of registration in respect of a school issued pursuant to sub-section (1) of section 74 of the Ordinance shall be in Form 'A' in the Fifth Schedule to these Rules.

Provisional
certifica-
tion of
registration
and
permits.

(2) A permit to act as a manager or governor or employee issued pursuant to sub-section (2) of section 74 of the Ordinance shall be in Form 'B' in the Fifth Schedule to these Rules.

(3) A provisional certificate of registration in respect of a school or a permit to act as a manager or governor or employee may be issued on payment of the fee prescribed in Rule 11 and shall be subject to the condition that the same shall be valid for the period therein specified which period shall not extend beyond a period of six calendar months following the date of issue:

Provided that on the expiration of any period of validity the Registrar may by writing under his hand endorsed on a certificate or permit renew the same for a further period;

And provided further that nothing contained in this Rule shall prejudice the power of the Registrar to revoke any such provisional certificate or permit in accordance with the provisions of the proviso to sub-section (3) of section 74 of the Ordinance.

7. When any extension or addition to the buildings of a school or diminution of the size of buildings or of the number of rooms used for the purposes of instruction has been made with the written authority of the Registrar under the provisions of section 62 of the Ordinance, the Chairman of such school shall forthwith return to the Registrar the certificate of registration in respect thereof for amendment or for the issue by the Registrar of a new certificate of registration.

Changes
with respect
to premises.

Surrender
of certi-
ficates or
permits for
alteration
etc.

8. (1) A certificate of registration or a provisional certificate of registration or any permit issued by the Registrar under the provisions of the Ordinance or these Rules, whether or not it is in the possession of the chairman of the school to which it relates or the person to whom it relates shall be surrendered to the Registrar on demand by the Registrar for the purpose of alteration, amendment, endorsement or replacement.

(2) No alteration, amendment or endorsement shall be made to any such certificate or permit except under the hand of the Registrar.

Replace-
ment
certificate
and permit

9. The Registrar may issue, on payment of the fee prescribed in Rule 11, a replacement certificate, provisional certificate or permit in lieu of any certificate or permit issued under the provisions of the Ordinance or these Rules which has been lost, destroyed, defaced or which for any other reason the Registrar shall deem sufficient requires to be replaced:

Provided that where a certificate or permit is alleged to be lost or destroyed the person entitled to such certificate or permit before being issued with a replacement certificate or permit shall file with the Registrar a statutory declaration setting out the circumstances of the loss and declare that to the best of his knowledge and belief the certificate or permit cannot be found or recovered:

And provided further that where a replacement certificate or permit is required for any reason which in the opinion of the Registrar does not arise from the negligence of the person entitled thereto, the Registrar may remit any fee payable in respect of the issue thereof.

Penalties

10. Any person failing to comply with the provisions of Rule 7 or 8 shall be liable on conviction to a fine not exceeding one hundred dollars.

Fees

11. The fees following shall be payable provided that the Minister may, in his discretion, waive the payment of fees by any governor or manager:

On application for registration of a school \$2.00

On application for registration as a manager or
governor or employee \$1.00

On the issue of a provisional certificate of registra-
tion of a school (or a permit to act as a
manager or governor or employee) .. \$1.00

On the issue of any replacement certificate or per-
mit under the provision of Rule 9 .. \$2.00

Dated this 23rd day of January, 1958.

[M. for 24E/57; AG. 250/54-LV/F]

MOHAMED KHIR BIN JOHARI,
Minister of Education

First Schedule
Rule 3
THE EDUCATION ORDINANCE, 1957
SECTION 59 REGISTER OF SCHOOLS

No.....

Local Education Authority

Name of School

(Chinese Characters).....

Address of School

Assistance ☐ Fully assisted ☐ Partially assisted ☐ Independent

Type of Course(s) ☐ Primary ☐ Secondary ☐ Trade or Technical

☐ Further Education ☐ Higher Education ☐ Pre-school or Kindergarten

Type of School ☐ Standard Primary ☐ Standard-type Primary ☐ Non-standard primary

☐ Trade ☐ National-type secondary ☐ Other secondary ☐ Technical Institute

☐ Night School or Evening Classes ☐ Boys ☐ Girls ☐ Mixed

Language Medium Main Subsidiary

Reference Provisional Certificate (If any) No.....dated.....

Certificate of Registration No.....dated.....

Instrument of Government or Management No.....dated.....

File for particulars

Signature of Registrar.....

Date.....

SECOND SCHEDULE

Rule 4 (1)

FORM "A"

THE EDUCATION ORDINANCE, 1957

SECTION 60 (2) APPLICATION FOR REGISTRATION OF A SCHOOL

To:

The Registrar of Schools,
Education Office,
.....

Dear Sir,

I submit below particulars of a School

*which is deemed to be registered under section 63 (2)

*which it is proposed to open at the address given below and request you to issue a certificate of registration for the same under the Education Ordinance, 1957.

Yours faithfully,

(Signed).....

*for Governors, Managers or persons
responsible for the management.*

Date.....19.....

(* Delete whichever is inapplicable)

(Where boxes ☐ are shown against any question please indicate the appropriate answer by "checking" the relevant box thus ☒)

1. Name of School 1.....

(Chinese Characters)

2. Address of School 2.....

(cont.)

(Form A—cont.)

3. Assistance received 3. ☐ Full ☐ Partial ☐ Nil
4. Type of Course(s) to be provided 4. ☐ primary ☐ Secondary ☐ Trade or Technical
☐ Further Education ☐ Higher Education ☐ Pre-school or Kindergarten
5. Type of Schools intended to follow 5. ☐ Standard Primary ☐ Standard-type Primary ☐ Non-standard Primary
☐ Trade ☐ National-type secondary ☐ Other secondary ☐ Technical Institute
☐ Night School or Evening Classes ☐ Boys ☐ Girls ☐ Mixed
6. Language Medium 6. Main.....Subsidiary.....
7. Chairman 7. (a) Name
(b) Address
8. Head Teacher 8. (a) Name
(b) Address
9. Fees Proposed 9. (a) Tuition \$ (b) Boarding \$ (c) Others \$
10. Remission or reduction of fees proposed 10.
11. Other sources of revenue 11. (a) From invested funds or landed property \$
(b) From public subscriptions \$
(c) From private subscriptions \$
12. Rent of School premises 12. \$ p.m.
13. Debts or charges on school 13.

INSTRUCTIONS TO APPLICANT

Please note that the following must be attached to the application:

- (a) A fee of \$2
- (b) A copy of the appointment, in writing, of the Chairman, or if elected, an extract of the minutes of the meeting at which he was elected signed by at least 2 members of the Board.
- (c) A plan of the school premises indicating the number allotted to each room used for purposes of instruction.
- (d) A list, numbered to correspond with the plan, of each room used for purposes of instruction with the dimensions of each.
- (e) A list setting out the name, age, qualifications, experience and salary of each teacher or each intended teacher.
- (f) A list setting out the name and address of each governor or manager.
- (g) A copy or draft of the Instrument of Government or Management.
- (h) The application forms for registration of all governors or Managers.

and if requested by the Registrar:

- (i) The syllabus and time-table for every class.

*SECOND SCHEDULE

FORM "B"

Rule 4 (2)

THE EDUCATION ORDINANCE, 1957

SECTION 76 APPLICATION FOR REGISTRATION AS A MANAGER, GOVERNOR OR EMPLOYEE OF A SCHOOL

[Note- This form is to be completed in triplicate unless otherwise indicated.]

* Second Schedule dipinda oleh Schools (Registration) (Amendment) Rules, 1958 - L.N. 326 Lihat muka surat 447

To:
The Registrar/Assistant Registrar of Schools,
Education office,
.....

I submit hereunder particulars of myself and request you to register me as a
*governor/manager/employee of the
school at.....

(* Delete whichever is inapplicable)

PART I—TO BE COMPLETED BY THE APPLICANT

NOTE—If the applicant is concurrently registered IN THIS STATE as a
manager/governor/employee of a school, give here the number [No.]
of the certificate of registration held, and attach the certificate to this application.

If the applicant has already submitted an application to be registered as a
manager/governor/employee of another school IN THIS STATE, for which
registration has not yet been completed, state here the name and address of the
school for which application was made:

..... school at.....

In either such case it will only be necessary to complete ONE copy of this
application, and entries of particulars under Nos.2 to 9 below will NOT be
required:

- | | |
|---|-----------------------|
| 1. (a) Full name in English | 1. (a) |
| (b) Full name in Chinese (if applicable) | (b) |
| 2. (a) Alternative name/s in English | 2. (a) |
| (b) Alternative name/s in Chinese (if applicable) | (b) |
| [ALL names must be stated] | |
| 3. Present home address | 3. |
| 4. (a) Date of birth | 4. (a) .....(b) |
| (b) Place of birth | |
| 5. Occupation or business | 5. |
| 6. If employed | 6. (a) .....(b) |
| (a) Name of employer | (b) |
| (b) Address of employer | ..... |
| 7. (a) Identity Card number | 7. (a) .....(b) |
| (b) Date of issue | (c) |
| (c) Place of issue | |
| 8. If Federal Citizen or State National state | 8. (a) .....(b) |
| (a) Certificate Number | |
| (b) Date of issue | |

9. (To be completed if applicant has ever previously been registered as a governor, manager, employee or teacher of a school in the Federation or in the Colony of Singapore).

Name and address of school	Date		Whether as Governor, Manager, Employee or Teacher
	From	To	

Date.....19.....

Signature of applicant

PART II—TO BE COMPLETED BY THE CHAIRMAN OF THE SCHOOL IN THE CASE OF GOVERNORS OR MANAGERS

The applicant has been nominated/elected/appointed by.....
under paragraph.....of the Instrument

of ^{*Government}
^{*Management} of the school.

He replaces.....
who has *ceased to act/retired.

Signature of Chairman

School Stamp

Date.....

(* Delete whichever is inapplicable).

PART III—TO BE COMPLETED BY THE HEAD TEACHER OR CHAIRMAN IN THE CASE OF EMPLOYEES

The applicant has been appointed by the *governor/managers of the school as
.....
(State capacity in which he will be employed)

Date.....

Signature

Title

(* Delete whichever is inapplicable)

PART IV—TO BE COMPLETED BY SUCH OTHER OFFICER AS THE REGISTRAR MAY REQUIRE TO ADVISE REGARDING THE APPLICANT

File Reference No.

REMARKS:.....
.....
.....

PART V—FOR OFFICIAL USE ONLY

Decision of Registrar

Date
Signature

Applicant advised

Certificate No. issued on 19.....

Registrar/Assistant Registrar

**THIRD SCHEDULE
Rule 5 (1)**

Reference

THE EDUCATION ORDINANCE, 1957

SECTION 62 CERTIFICATE OF REGISTRATION OF A SCHOOL

No.

This is to certify that the School
 has been registered under the Education Ordinance, 1957.

The rooms to be used for the purposes of instruction and the maximum number of pupils who may be taught in each room is as follows:

Number of rooms on plan	Description of room (e.g. classroom Science Laboratory, etc.)	Number of Pupils	Number of room on plan	Description of room (e.g. classroom Science Laboratory, etc.)	Number of Pupils

The maximum number of pupils who may be accommodated in the School for purposes of teaching is

Date
Registrar of Schools

State/Local Education Authority

**FOURTH SCHEDULE
Rule 5 (2)**

Reference

THE EDUCATION ORDINANCE, 1957

**SECTION 77 CERTIFICATE OF REGISTRATION OF A GOVERNOR,
MANAGER OR EMPLOYEE**

No.

This is to certify that

Jadual Ketiga & Keempat dipinda oleh Schools (Registration) (Amendment) Rules, 1958 - L.N.326 - Lihat muka surat 448.

.....
(Chinese Characters if applicable)

has been registered under the Education Ordinance, 1957 as $\frac{^a}{an}$
..... of the School(s) listed in the attached
schedule.

Date

.....
Registrar of Schools

.....
State/Local Education Authority

SCHEDULE

Name and address of the school	Date registered	Registrar's initial	Date retired or ceased to act	Registrar's initial	

(* Delete whichever is inapplicable)

FIFTH SCHEDULE

Rule 6 (1)

FORM "A"

REFERENCE

THE EDUCATION ORDINANCE, 1957

SECTION 74 PROVISIONAL CERTIFICATE OR REGISTRATION
OF A SCHOOL

No.

This is to certify that the

.....(School)

has been provisionally registered under the Education Ordinance, 1957.

Name of Chairman

This provisional certificate will be cancelled on
if the school has not by then been registered. Provisional registration may be
revoked at any time by a notice in writing under the hand of the Registrar [Section
74 (3)]

This provisional registration is subject to the following conditions:

Date

.....
Registrar of Schools

.....
State/Local Education Authority

Jadual Kelima dipinda oleh Schools (Registration) (Amendment) Rules, 1958 -
LN.326 - Lihat muka surat 448.

FIFTH SCHEDULE

Rule 6 (2)

FORM "B"

Reference

THE EDUCATION ORDINANCE, 1957.

SECTION 74 PERMIT TO ACT AS A MANAGER, GOVERNOR OR EMPLOYEE
No.

This is to certify that

(Chinese Characters if applicable)

of

is permitted to act as a

of the

School at

Unless revoked at an earlier date by the Registrar this permit will expire on

Date.

Registrar of Schools

.....
State/Local Education Authority

Jadual Kelima dipinda oleh Schools (Registration) (Amendment) Rules, 1958 -
L.N. 326 - Lihat muka surat 448.

**FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957
SCHOOLS (REGISTRATION) RULES, 1958**

2 of 1957. IN exercise of the powers conferred by sub-section (5) of section 57, sub-section (3) of section 74 and paragraphs (viii) to (xiii) inclusive and paragraphs (xv) and (xvi) of section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

Citation **1. These Rules may be cited as the Schools (Registration) (Amendment) Rules, 1958.**

Amendment of Second Schedule. L.N. 57/58. **2. The Second Schedule to the Schools (Registration) Rules, 1958 (hereinafter in these Rules referred to as "the principal Rules") is hereby amended-**

- (a) by deleting the word "all" appearing in item (h) under the heading "INSTRUCTIONS TO APPLICANT" of Form "A" thereof;
- (b) by substituting for the words "The Registrar/ Assistant Registrar of Schools" appearing in the heading of Form "B" thereof the words "Registrar of Schools".
- (c) by substituting for the Note appearing in Part I of Form 'B' thereof the following new Note:

"NOTE.- If any of the following conditions apply it will only be necessary to complete ONE copy of this application, and the entry of particulars under No. 2 and Nos. 4 to 9 below will NOT be required:

- (a) If the applicant is concurrently registered IN THIS STATE as a manager/ governor/employee of a school, in which case give here the number [No.] of the certificate of registration held, and attach the certificate to this application.
- (b) If the applicant has already submitted an application to be registered as a manager/governor/employee of another school IN THIS STATE for which registration has not yet been completed, in which case state here

the name and address of the school
for which application was made:

.....School at

- (c) If the applicant has been officially nominated by or on behalf of the Minister of Education, or the Mentri Besar or Chief Minister of the State, or the local education authority, in accordance with the school's instrument of management/government.
- (d) by deleting Part IV of Form "B" thereof; and
- (e) by renumbering Part V of Form "B" thereof as Part IV.

3. The Schedule set out in the Schedule to the principal Rules are hereby amended as specified in the second column of the Schedule.

Amend-
ment of
Schedules.

SCHEDULE

(Rule 3)

Schedule	Amendment
Third Schedule	For the words "Registrar of Schools" wherever they occur at the foot of the Forms thereof substitute the words "Registrar of Schools,". Delete the words "State/Local Education Authority" wherever they appear at the foot of the Forms thereof.
Fourth Schedule	
Fifth Schedule Form A Form B	

Made this 21st day of October, 1958.
[M. of E.O. 24E/57; A.G. 250/54-LV/F]

MOHAMED KHIR JOHARI,
Minister of Education

Pengurusan/ Pengelolaan Sekolah Bantuan

FEDERATION OF MALAYA
THE EDUCATION ORDINANCE, 1957

(No. 2 of 1957)

In exercise of the powers conferred by section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

Citation.

*1. These rules may be cited as the **Assisted Schools (Management) Rules, 1958.**

Responsibility
for manage-
ment.

2. The managers/governors shall be responsible for the proper management of the school in accordance with the Education Ordinance, 1957, and the rules and regulations made thereunder, and the provisions of any other written law applicable thereto and the instrument of management of such school; and shall observe all conditions and limitations imposed in connection with the payment of grant in aid or any capital grant made pursuant to section 109 of the Education Ordinance, 1957.

Type and
character of
school not to
be altered
without
approval.
Control by
head Teacher.

3. The managers/governors shall not, without the approval of the appropriate authority in writing, alter the type or educational character of the school.

4. Subject to any lawful direction given by the managers/governors in the discharge of their duty under these Rules, the head teacher shall have control of the organisation of the school and shall ensure discipline; and for these purposes shall have authority over other teachers, pupils and employees of the school.

Head Teacher
to attend
meetings.

5. The head teacher shall attend the meetings of the managers/governors for the purpose of advising them upon matters under his control.

Occasional
holidays.

6. The head teacher may with the consent of the managers/governors grant occasional holidays not exceeding four days in any one year.

Teaching
vacancies to
be notified
to Minister.

7. Whenever a vacancy occurs in the lay teaching staff of a school, the managers/governors shall inform the Minister.

* Kaedah-kaedah ini telah dimansuhkan oleh Assisted Schools (Management) Rules, 1962 -LN. 326 Lihat muka surat 461

8. The managers/governors shall, if the Minister has no person to nominate to the vacancy, cause such vacancy to be advertised in such newspapers as the Minister may from time to time prescribe.

Teaching vacancies to be advertised.

9. For the purpose of advising the managers/governors upon the appointment of a lay teacher, there shall be established within one month of the date upon which this instrument comes into force a selection committee which shall be a standing committee of the managers/governors and shall consist of-

Establishment of Selection Committee for each school.

- (a) the Chairman of the managers/governors;
- (b) two managers/governors nominated by the managers/governors;
- (c) two managers/governors nominated by the grant-in-aid authority;
- (d) the head teacher.

10. The managers/governors shall appoint a teacher to a vacancy after receiving the recommendations of the selection committee.

Appointment of lay teachers.

11. Whenever a vacancy occurs in the staff, other than the lay staff of a school, the head of the religious teaching order/mission may with the approval of the Minister appoint a member of the religious teaching order/missionary teacher to such vacancy.

Appointment of teachers who are members of religious teaching order or mission.

12. The managers/governors shall lodge with the Registrar within one month of the date upon which these Rules come into operation a copy of any written contract of service with a teacher employed at the school. Nothing contained in these Rules shall alter or affect in any way the terms of any contract between the managers/governors and a teacher employed at the school made before the date on which these Rules came into operation.

Teachers' contracts.

13. Every teacher employed at the school after the date on which these Rules come into operation shall enter into a written contract of service with the managers/governors; and such contract shall not be valid or binding until it has received the approval of the Minister.

14. The head teacher may suspend a teacher who, in his opinion, is guilty of misconduct or who fails to perform his duties in a satisfactory manner; and in such event the head teacher shall forthwith make a report in writing to

Suspension of teacher.

the managers/governors setting out his reasons for the suspension.

Salary, etc.
during
suspension.

15. Where a teacher is suspended from duty his salary and allowances shall continue until the procedure for his dismissal under these Rules has been concluded.

Teacher may
be required to
show cause.

16. Whenever it appears to the managers/governors that any teacher is guilty of misconduct or is performing his duties in an unsatisfactory manner the managers/governors may, in the manner hereinafter provided, require such teacher to show cause why he should not be dismissed.

Service of
notice.

17. When the managers/governors consider it necessary to require any teacher to show cause why he should not be dismissed they shall issue and cause to be served upon such teacher a notice containing a statement of the reasons why such notice was issued; and such notice shall specify a date not earlier than seven days after the service of such notice, on which the managers/governors intend to consider the matter.

Manner of
shewing
cause.

18. Any teacher served with a notice under these Rules may, for the purpose of shewing cause why he should not be dismissed-

- (a) deliver to the managers/governors within seven days of the date of the service of such notice, a statement in writing; and
- (b) attend the meeting of the managers/governors on the date specified in the notice.

The managers/governors shall consider any statement made by the teacher under this Rule and may make such enquiry as they think fit.

Report to
appropriate
authority.

19. Where the managers/governors are of the opinion that the teacher should be dismissed they shall make a report in writing to the appropriate authority upon the circumstances of the case, and with the approval of such authority, dismiss the teacher.

20. No teacher in the school shall undertake for consideration any office or other employment in addition to his duties at the school without the consent of the managers/governors; and in no case shall the managers/governors consent to the private tuition for consideration of a pupil by a teacher when such pupil is receiving instruction from the teacher at the school.

No Additional
employment
without
consent.

21. The managers/governors of the school may employ or dismiss staff other than teachers after consultation with the head teacher.

Made this 9th day of January, 1958.

[M.E.O. 24A/57; AG. 250/54-LV/B]

MOHAMED KHIR JOHARI,
*Minister of Education,
Federation of Malaya.*

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957
ASSISTED SCHOOLS (MANAGEMENT) RULES,
1958

2 of 1957

IN exercise of the powers conferred by section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

Citation.

*1. These rules may be cited as the **Assisted Schools (Management) (Amendment) Rules, 1958.**

Amend-
ment of
rules 12
and 13
L.N.
33/1958.

2. The Assisted Schools (Management) Rules, 1958, are hereby amended by deleting rules 12 and 13 thereof.

Made this 20th day of September, 1958

[MEO. 24A/57; AG. 250/54-LV/B]

MOHAMED KHIR JOHARI,
Minister of Education

* Kaedah-Kaedah ini telah dimansuhkan oleh Assisted Schools (Management) Rules, 1962 -L.N. 326 Lihat muka surat 461

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957

IN exercise of the powers conferred by section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

2 of 1957.

*1. These rules may be cited as the Assisted Schools (Management) (Amendment) Rules, 1961.

Citation.

2. Rule 7 of the Assisted Schools (Management) Rules, 1958 (hereinafter referred to as the principal Rules) is hereby deleted and the following rule substituted therefor-

Amendment of rule 7
L.N. 33/58.

7. Whenever any vacancy occurs in any teaching post, including the post of head teacher, in the lay teaching staff of any school, the Managers/Governors shall inform the Minister."

"Teaching vacancies to be notified to Minister

3. Rule 8 of the principal Rules is hereby amended:

Amendment of rule 8.

(a) by deleting the words and full-stop "in such newspapers as the Minister may from time to time prescribed." appearing in lines 2 and 3 thereof; and

(b) by substituting therefor the words "in the national newspapers".

4. Rule 9 of the principal Rules is hereby amended by deleting the words "within one month of the date upon which this instrument comes into force" appearing in lines 2 and 3 thereof.

Amendment of rule 9.

Made this 13th day of May, 1961.

[MEO. 24A/57; AG. 250/54 SF LV/B]

ABDUL RAHMAN BIN HAJI TALIB,
Minister of Education

* Kaedah-kaedah ini telah dimansuhkan oleh Assisted Schools (Management) Rules, 1962 - LN. 326. Lihat muka surat 461

EDUCATION ORDINANCE, 1957

2 of 1957

IN exercise of the powers conferred by section 115 of the Education Ordinance, 1957, the Minister of Education hereby makes the following Rules:

Citation.

*1. These Rules may be cited as the Assisted Schools (Management) (Amendment) (No. 2) Rules, 1961.

Amendment
to Rule 8.
L.N. 33/58.
L.N. 208/61.

2. Rule 8 of the Assisted Schools (Management) Rules, 1958, is hereby amended by substituting for the words "no person to nominate to the vacancy" the words "a person to nominate to the vacancy appoint that person, but if not".

Amendment to
Rule 10.

3. At the end of Rule 10 of the said Rules of 1958 there shall be added-

"(2) If the vacancy is for a head teacher or the holder of any other post designated by the Minister as a post of special responsibility to which this paragraph applies, the appointment shall not be made except with the Minister's approval, and if the managers/governors are unable to designate for the appointment a person approved by the Minister, the Minister may nominate a person for them to appoint."

Made this 6th day of December, 1961.

[MEO 024A/57; A.G.F.M. 250/54; SF 55/B]

ABDUL RAHMAN BIN HAJI TALIB,
Minister of Education

* Kaedah-Kaedah ini telah dimansuhkan oleh Assisted Schools (Management) Rules, 1962 - L.N. 326. Lihat muka surat 461

FEDERATION OF MALAYA EDUCATION ACT, 1961

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister of Education hereby makes the following Rules: 43 of 1961

1. These Rules may be cited as the **Assisted Schools (Management) Rules, 1962.** Citation

2. In these Rules — Interpretation.

“Board” means a Board of Managers in the case of a primary school or a Board of Governors in the case of an educational institution other than a primary school.

“instrument” means an instrument of management in the case of a primary school or an instrument of government in the case of an educational institution other than a primary school.

3. These Rules shall apply to all schools in receipt of full grant-in-aid under the Education (Grants) Regulations, 1962, and to special schools. Application.
L.N.299/62

4. The Board shall be responsible for the proper management of the school in accordance with the Act, and the Rules and Regulations made and directions given thereunder, and the provisions of any other written law applicable thereto and the instrument of the school; and shall observe all conditions and limitations imposed in connection with the payment of grant-in-aid or any capital grant made pursuant to section 104 of the Act. Responsibility
for
management.

5. The Board shall not, without the approval of the Minister in writing, alter the type or educational character of the school. Type and
character of
school not to
be altered
without
approval.

6. Subject to any lawful direction given by the Board in the discharge of its duty under these Rules, the head teacher shall have control of the organisation of the school and shall ensure discipline; and for these purposes shall have authority over other teachers, pupils and employees of the school. Control by
head teacher.

7. The head teacher shall attend the meetings of the Board for the purpose of advising it upon matters under his control. Attendance
at Board
meetings
by head
teacher.

Occasional
holidays.

8. The head teacher may with the consent of the Board grant occasional holidays not exceeding four days in any one year, provided that such holidays shall not be granted immediately before or after any school vacation nor shall they, except with the consent of the Chief Education Officer, be granted on any two successive days.

Teaching
vacancies

9. Whenever any vacancy occurs in any teaching post, including the post of head teacher, in the lay teaching staff of the school, the Board shall inform the Minister and —

- (i) if the Minister has a person to nominate to the vacancy, the Board shall appoint that person; or
- (ii) if the Minister has no person to nominate to the vacancy, the Board shall cause the vacancy to be advertised in accordance with such directions as the Minister may issue from time to time;

Provided that the Board may, with the consent of the Minister, appoint a teacher on a temporary basis pending the making of an appointment under these Rules.

Selection
Committee.

10. (1) For the purpose of advising the Board upon the appointment of a lay teacher, there shall be established a selection committee of the Board which shall consist of —

- (a) the Chairman of the Board;
- (b) two managers or governors nominated by the Board;
- (c) the head teacher.

(2) The head teacher shall not attend any meeting of the Selection Committee at which his own appointment is under consideration.

(3) The Chairman of the Board shall inform the Chief Education Officer, at least seven days beforehand of the date on which any meeting of the Selection Committee is to be held and the Chief Education Officer or his representative or a person nominated by him may attend any meeting of the Selection Committee in an advisory capacity.

11. (1) The Board may, after considering a list of all applicants together with a report and recommendations submitted to it by the Selection Committee, appoint any teacher to a vacancy.

Appointment
of lay
teachers.

(2) If the vacancy is for a head teacher or the holder of any other post designated by the Minister as a post of special responsibility to which this paragraph applies, the appointment shall not be made except with the Minister's approval, and if the Board is unable to designate for the appointment a person approved by the Minister, the Minister may nominate a person for it to appoint.

12. Whenever a vacancy occurs in the teaching staff, other than the lay teaching staff of a school, the head of the religious teaching order or mission may with the approval of the Minister in each case appoint a member of the religious teaching order or a missionary teacher to the vacancy.

Appointment
of teachers
who are
members of
religious
teaching
order or
mission.

13. The Board may, after consultation with the head teacher, appoint or dismiss staff other than teachers.

Appointment
or dismissal
of non-
teaching staff.
Suspension of
teacher.

14. (1) The head teacher may after consultation with the Chairman of the Board suspend a teacher who, in his opinion, is guilty of misconduct or who fails to perform his duties in a satisfactory manner; and in such event the head teacher shall forthwith make a report in writing to the Board setting out his reasons for the suspension.

(2) The Board may after consultation with the Chief Education Officer suspend the head teacher if, in its opinion, he is guilty of misconduct or fails to perform his duties in a satisfactory manner; and in such event the Board shall forthwith make a report in writing to the Minister setting out its reasons for the suspension.

Suspension of
head teacher.

15. Where the head teacher or any teacher is suspended from duty his salary and allowances shall continue until the procedure for his dismissal under these Rules has been concluded.

Salary, etc.
during
suspension.

16. Whenever it appears to the Board that the head teacher or any teacher is guilty of misconduct or is performing his duties in an unsatisfactory manner, the Board may, in the manner hereinafter provided, require the head teacher or teacher to show cause why he should not be dismissed.

Teacher may
be required
to show cause.

Service of
notice.

17. When the Board considers it necessary to require the head teacher or any teacher to show cause why he should not be dismissed it shall issue and cause to be served upon him a notice containing a statement of the reasons why the notice was issued and such notice shall specify a date, not earlier than twenty-one days after the service of the notice, on which the Board intends to consider the matter.

Manner of
showing
cause.

18. (1) The head teacher or any teacher served with a notice under these Rules may, for the purpose of showing cause why he should not be dismissed —

- (a) deliver to the Board, within fourteen days of the date of the service of the notice, a statement in writing; and
- (b) attend and be given a hearing at the meeting of the Board on the date specified in the notice.

The Board shall consider any statement made by the head teacher or teacher under this Rule and may make such enquiry as it thinks fit.

(2) The head teacher or teacher may if he so desires be accompanied by a serving teacher selected by him, and in such case the Board shall permit that serving teacher to be heard in defence of the head teacher or teacher.

(3) The Chairman of the Board shall inform the Chief Education Officer, at least seven days beforehand, of the date of the meeting and the Chief Education Officer or his representative or a person nominated by him may attend the meeting as an observer.

Report to
Minister.

19. Where the board is of the opinion that the head teacher or teacher should be dismissed the Board shall make a report in writing to the Minister upon the circumstances of the case, and, with the approval of the Minister, dismiss him.

Additional
employment.

20. The head teacher or any teacher may, with the written consent of the Board, and subject to any directions on the matter issued by the Minister from time to time, undertake for consideration any employment in addition to his duties at the school:

Provided that in no case shall the Board consent to the private tuition for consideration of a pupil by the

head teacher or any teacher when such pupil is receiving instruction from him at the school.

21. Rules 14 to 20 inclusive shall not apply to any teacher who is a Government servant.

Teacher who is a Government servant.

22. Subject to the instrument of the school there shall be no discrimination, on the grounds of sex, marital status, race or religion, in the appointment of any lay teacher or of any member of the non-teaching staff of the school.

No discrimination.

23. The following Rules are hereby revoked:

Revocation.

The Assisted Schools (Management) Rules, 1958	L.N.33/58
The Assisted Schools (Management) (Amendment) Rules, 1958	L.N.291/58
The Assisted Schools (Management) (Amendment) Rules, 1961	L.N.208/61
The Assisted Schools (Management) (Amendment) (No. 2) Rules, 1961.	L.N.371/61

Made this 22nd day of November, 1962.

(M.E.24G/57/AG.250/54 SFLV/B)

ABDUL RAHMAN BIN HAJI TALIB
MINISTER OF EDUCATION.

**Pengurusan/
Pengelolaan
Sekolah
Bantuan
(Pengecualian)**

EDUCATION ORDINANCE, 1957
• ORDER UNDER SECTION 114

2 of 1957 IN exercise of the powers conferred by section 114 of the Education Ordinance, 1957, the Minister hereby makes the following order:

L.N.35/58 All schools in respect of which full grant-in-aid or partial grant-in-aid or a capital grant has been authorised by an appropriate authority under the Schools (Financial Assistance) Regulations, 1958, and in respect of which no body of managers or governors is for the time being constituted, are hereby exempted until further notice from the requirements of sections 43 to 45 inclusive and Part III of the Ordinance upon the following conditions —

- (i) that the responsibility for the management of the school shall be undertaken by a head teacher approved or appointed by the Registrar of Schools; and
- (ii) that the funds of the school shall be under the joint control of the head teacher and one or more other persons, who shall not be public officers, approved for the purpose by the Registrar of Schools.

Made this 22nd day of July, 1959.

(AG.250/54-LV/A.ME 116)

2

MOHAMED KHIR JOHARI,
Minister of Education.

* Perintah ini telah dimansuhkan oleh Perintah (Pengecualian) Yayasan Pelajaran, 1969 - PU.A.52. Lihat muka surat 465

ACT PELAJARAN, 1961

PERENTAH DI BAWAH SEKSHEN 127

PADA menjalankan kuasa2 yang diberi oleh sekshen 127 Act Pelajaran, 1961, Menteri dengan ini membuat perentah yang berikut:

43/1961

1. Perentah ini boleh-lah di-namakan **Perentah (Pengechualian) Yayasan Pelajaran, 1969**, dan hendak-lah di-sifatkan sa-bagai telah mula berkuatkuasa pada 1 hari-bulan Januari, 1962.

2. Semua sekolah yang telah di-benarkan menerima pemberian bantuan penoh atau sa-bahagian pemberian bantuan atau suatu pemberian modal oleh pehak-berkuasa yang berkenaan di-bawah Peratoran2 (Pemberian) Pelajaran, 1962 dan yang pada masa itu tidak ada apa2 lembaga pengurus atau lembaga pengelola ditubuhkan bagi-nya adalah dengan ini di-kechualikan sahingga di-beritahu kelak daripada kehendak2 sekshen 27 hingga 30 termasuk kedua2-nya dan Bahagian 5 Act tersebut dengan sharat2 yang berikut -

P.U.299/1962

- (i) bahawa tanggung-jawab atas pengurusan sekolah itu hendak-lah di-jalankan oleh sa-orang guru besar yang di-luluskan atau dilantek oleh Pendaftar Sekolah; dan
- (ii) bahawa wang2 sekolah itu hendaklah terletak di-bawah kawalan bersama guru besar-nya dan sa-orang atau beberapa orang lain, yang bukan pegawai 'awam, yang di-luluskan bagi maksud itu oleh Pendaftar Sekolah atau di-bawah apa2 atoran lain yang di-luluskan oleh Menteri.

3. Perentah yang di-buat di bawah sekshen 114 Ordinan Pelajaran, 1957 yang di-siarkan sa-bagai P.U. 264 tahun 1959 adalah dengan ini di-batalkan.

P.U.264/1959

Di-perbuat pada 21 haribulan Januari, 1969.

(K.P.1573/3; P.N. 2689)

MOHAMED KHIR JOHARI,
Menteri Pelajaran.

EDUCATION ACT, 1961
ORDER UNDER SECTION 127

43/1961

IN exercise of the powers conferred by section 127 of the Education Act, 1961, the Minister hereby makes the following order:

1. This order may be cited as the **Educational Institutions (Exemption) Order, 1969**, and shall be deemed to have come into operation on the 1st day of January, 1962.

L.N.299/1962

2. All schools in respect of which full grant-in-aid or partial grant-in-aid or a capital grant has been authorised by an appropriate authority under the Education (Grants) Regulations, 1962, and in respect of which no board of managers or governors is for the time being constituted, are hereby exempted until further notice from the requirements of sections 27 to 30 inclusive and Part V of the Act upon the following conditions —

- (i) that the responsibility for the management of the school shall be undertaken by a head teacher approved or appointed by the Registrar of Schools; and
- (ii) that the funds of the school shall be under the joint control of the head teacher and one or more other persons, who shall not be public officers, approved for the purpose by the Registrar of Schools or under any other arrangement approved by the Minister.

L.N.264/1959

3. The Order made under section 114 of the Education Ordinance, 1957 published as L.N. 264 of 1959 is hereby revoked.

Made this 21st day of January, 1969.

(K.P.1573/3/P.N.2689)

MOHAMED KHIR JOHARI,
Minister of Education.

Penubuhan Institusi Pendidikan

ORDINAN (KUASA² PERLU) DHARURAT
1969

(Ordinan 1 dan Ordinan 2)

PERATORAN² PERLU (YAYASAN PELAJARAN
TINGGI), 1969

Pada menjalankan kuasa² yang di-beri di-bawah sekshen 2 Ordinan No. 1 (Kuasa² Perlu) Dharurat, 1969, Pengarah Gerakan yang di-tetapkan di-bawah sekshen² Ordinan No. 2 (Kuasa² Perlu) Dharurat, 1969, dengan ini membuat peratoran² yang berikut:

Nama 1. Peratoran² ini boleh-lah di-namakan **Peratoran² Perlu (Yayasan Pelajaran Tinggi), 1969.**

Tafsiran 2. Dalam Peratoran² ini, melainkan jika kandungan ayat-nya menghendaki ma'ana yang lain —

“pelajaran tinggi” erti-nya pelajaran yang diadakan oleh sa-suatu yayasan pelajaran tinggi dan sa-saorang yang hendak masuk ka-yayasan itu hendak-lah mempunyai kelulusan akademik sa-kurang²-nya Sijil Pelajaran Malaysia atau Sijil Persekolahan Tinggi atau yang sa-taraf;

“yayasan pelajaran tinggi” erti-nya sa-suatu tempat (tidak kira apa nama-nya di-sebut) di-mana, pada menjalankan kerja bagi mana² orang, pertubohan atau yayasan, orang² ada-lah di-ajar atau pada lazim-nya di-ajar pelajaran tinggi sama ada dalam satu kelas atau beberapa kelas; dan

“orang” ada-lah termasuk kumpulan orang sama ada di-perbadankan atau tidak.

Pemakaian 3. Peratoran² ini tidak-lah di-pakai bagi yayasan pelajaran tinggi yang di-tubuhkan di-bawah Akta Pelajaran, 1961, atau di-bawah Akta Universiti Malaya, 1961.

Menubuh
yayasan
pelajaran
tinggi,
dsb
di-larang

4. Walau apa pun undang² bertulis yang berlawanan —

(a) tiada sa-siapa jua boleh menuboh, membentok atau mengadakan, atau melakukan apa² jua atau menjalan-kan apa² kegiatan bagi maksud menuboh atau membentok atau terhadap penubohan atau pembentokan sa-suatu yayasan pelajaran tinggi; dan

- (b) tiada sa-siapa jua boleh memungut, memberi atau menerima apa² wang, sumbangan, pemberian atau derma, atau melakukan apa² perbuatan atau menjalankan apa² kegiatan bagi maksud membentok atau menuboh sa-suatu yayasan pelajaran tinggi,

melainkan kebenaran bertulis telah di-dapati terlebih dahulu daripada Menteri Pelajaran.

5. Walau apa pun peruntokan yang berlawanan dalam mana² undang², tiada sa-siapa jua boleh membuka, menjalankan, mengurus atau menyenggara apa² kelas untuk mengajar dan mempelajar pelajaran tinggi melainkan kelas itu di-jalankan, di-urus atau di-senggara oleh suatu yayasan pelajaran tinggi yang di-sebutkan dalam peratoran 3 atau yang mengenai-nya kebenaran bertulis telah di-dapati daripada Menteri Pelajaran di-bawah peratoran 4.

Larangan membuka dan menjalankan kelas² untuk pelajaran tinggi.

6. Walau apa pun undang² bertulis yang berlawanan, tiada sa-siapa jua boleh menuboh, menjalankan, mengurus atau menyenggara sa-suatu yayasan pelajaran tinggi dengan mengguna perkataan "universiti" atau "maktab" melainkan ia ada-lah suatu yayasan pelajaran tinggi yang di-sebut dalam peratoran 3 atau yang mengenai-nya kebenaran bertulis telah di-dapati daripada Menteri Pelajaran di-bawah peratoran 4.

Larangan mengguna perkataan "universiti" atau "maktab".

7. Sa-siapa jua yang tidak mematuhi peruntokan² peratoran 4, 5 dan 6 ada-lah melakukan suatu kesalahan dan apabila di-thabitkan boleh-lah di-kenakan denda sa-banyak sa-puloh ribu ringgit atau penjara sa-lama tempoh lima tahun atau kedua²-nya denda dan penjara itu.

Penalti.

8. Tiap² kesalahan di-bawah Peratoran² ini hendak-lah di-sifatkan sa-bagai suatu kesalahan yang boleh di-tangkap dalam erti Kanun Achara Jenayah.

Kesalahan yang boleh di-tangkap

Diperbuat pada 3 haribulan Julai, 1969.

TUN HAJI ABDUL RAZAK BIN DATO' HUSSEIN,
Pengarah Gerakan.

**EMERGENCY (ESSENTIAL POWERS)
ORDINANCE, 1969**

(Ordinance 1 and Ordinance 2)

**ESSENTIAL (HIGHER EDUCATIONAL
INSTITUTION) REGULATIONS, 1969**

In exercise of the powers conferred under section 2 of the Emergency (Essential Powers) Ordinance No. 1, 1969, the Director of Operations designated under section 2 of the Emergency (Essential Powers) Ordinance No. 2 1969 hereby makes the following regulations:

Citation 1. These regulations may be cited as the **Essential (Higher Educational Institution) Regulations, 1969.**

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

“higher education” shall mean the education provided by a higher educational institution, the admission into which requires the minimum of academic qualifications of a Malaysia Certificate of Education or a Higher School Certificate or the equivalent thereof;

“higher educational institution” shall mean any place (howsoever described) where, in the carrying on of the work of any person, organization or institution, persons are or are habitually taught higher education whether in one or more than one class; and

“person” shall include a body of persons, corporate or unincorporated.

Application 3. These Regulations shall not apply to a higher educational institution established under the Education Act, 1961, or under the University of Malaya Act, 1961.

Prohibition of establishment of a higher educational institution, etc.

4. Notwithstanding any written law to the contrary —

(a) no person shall establish, form or promote or do anything or carry on any activities for the purpose of establishing or forming or towards the establishment or formation of a higher educational institution; and

(b) no person shall collect, give or receive any moneys, contributions, gifts or donations, or do any act or carry on any activities for the purpose of formation or establishment of a higher educational institution,

Unless a written permission therefore shall have first been obtained from Minister of Education.

5. Notwithstanding the provisions of any written law to the contrary, no person shall open, run, manage or maintain any class for the teaching and learning of higher education unless such class is being run, managed or maintained by a higher educational institution referred to in regulation 3 or in respect of which a written permission has been obtained from the Minister of Education under regulation 4.
6. Notwithstanding any written law to the contrary, no person shall establish, run, manage or maintain a higher educational institution by the use of the word "university" or "college" unless it is a higher educational institution referred to in regulation 3 or in respect of which a written permission has been obtained from the Minister of Education under regulation 4.
7. Any person who fails to comply with the provisions of regulations 4, 5 and 6 shall be guilty of an offence and on conviction shall be liable to a fine of ten thousand dollars or to imprisonment for a term of five years or to both.
8. Every offence under these Regulations shall be deemed to be seizable within the meaning of the Criminal Procedure Code.

Prohibition of opening and running classes for higher education.

Prohibition of use of words "university" or "college"

Penalty.

Seizable offence.

Made this 3rd day of July, 1969.

TUN HAJI ABDUL RAZAK BIN DATO' HUSSEIN
Director of Operations

Peraturan Am Persekolahan

FEDERATION OF MALAYA
THE REGISTRATION OF SCHOOLS
ORDINANCE, 1950.

SCHOOLS (GENERAL) REGULATIONS.

IN exercise of the powers conferred upon him by Section 35 of the Registration of Schools Ordinance, 1950, the High Commissioner in Council hereby makes the following regulations:

PRELIMINARY.

1. These regulations may be cited as the **Schools (General) Regulations, 1951.**
2. In these regulations unless the context otherwise requires-

"Boarding School" means a school in connection with which hostels, dormitories or other rooms or premises are provided for the housing or lodging of some or all of the pupils of that school out of school hours, whether such hostels, dormitories, or other rooms or premises are in or part of the same building or group of buildings as the classrooms or not;

"boarders" means the pupils of a boarding school for whom housing or lodging accommodation is provided;

"dormitory" means any room provided as sleeping accommodation for boarders;

"English School" means a school in which the instruction is given through the medium of the English language;

"head teacher" in relation to any School means the teacher for the time being appointed to be head teacher of the School under Regulation 3 of these Regulations;

"inclusive monthly fee" means the monthly sum of money charged by the manager of a school in respect of tuition of a pupil and (for those schools where, in the opinion of the Registrar or an Assistant Registrar, proper facilities exist) shall include all incidentals such as medical fees, fees for laboratory, library, games, entertainment and the like;

"infectious disease" means an infectious disease within the meaning of the Quarantine Enactment of the Federated Malay States;

"Medical Officer" in relation to a School means a medical officer for Schools appointed under section 3 of the Ordinance;

"the Ordinance" means the Registration of Schools Ordinance, 1950;

"Registrar" and "Assistant Registrar" means in relation to any school the Registrar or Assistant Registrar appointed in respect of the State or Settlement in which such school is situate;

"school" includes a boarding school;

"tenement-house" means any house or building used for human habitation and let out or intended to be let out in flats, apartments, single rooms or cubicles to separate tenants.

*3. (1) The Managers of every school shall appoint a fit, proper and responsible teacher to be the head teacher in such school who shall be responsible for the teaching and discipline of the school and shall, subject to the directions of the Supervisor, have authority over the other teachers and pupils of the School for such purpose.

Appointment
of head
teacher.

(2) The name of the teacher appointed to be head teacher under this Regulation shall be communicated by the Supervisor without delay to the Registrar, who shall enter such name in the Register as the name of the head teacher.

(3) Upon any head teacher retiring or ceasing to act as head teacher or upon any other teacher being appointed in the place of the head teacher whose name is entered on the register, the Supervisor shall, within twenty days of such head teacher retiring or ceasing to act or of such other teacher commencing to act, report such event in writing to the Registrar, who shall thereupon make such entries in the Register as may be necessary.

4. (1) The Registrar may, by notice in writing to the Supervisor require the Managers of any school, within such time as may be specified in the notice, to prepare, execute and submit to him for his approval a written constitution in accordance with which the school shall be managed.

Constitution.

*Peraturan 3 dibatalkan oleh Schools (Discipline) Regulations, 1956 - L.N. 452. Lihat muka surat 383

(2) Every such constitution shall, unless the Registrar otherwise directs-

- (a) show the qualifications required for entry on the list of school supporters under Regulation 62 of these Regulations;
- (b) provide for the election of the Managers at stated periods and for the mode of procedure in such election;
- (c) define the powers and duties of the Managers, specify the times and places at which meetings of the Managers shall be held, and provide for the voting and procedure at such meetings, the keeping of minutes and records thereof and any quorum which may be required;
- (d) define the powers and duties of the Supervisor and of each other manager and of the head teacher;
- (e) provide for the holding and administration of the property of the school, the collection, banking and administration of its revenue and the keeping and audit of accounts; and
- (f) provide for such other matters in relation to the management of the school and the administration of the property and revenues of the school as the Registrar may specify in such notice.

(3) The Registrar may require by notice to the Supervisor any such constitution to be altered or amended, in such manner as he may specify, and such constitution shall be altered or amended accordingly by the Managers.

(4) Every such constitution when approved by the Registrar shall be binding upon the school and the Managers and teachers thereof and shall not be altered or amended without the prior approval in writing of the Registrar.

(5) Any Manager or teacher who contravenes or fails to comply with or abets any contravention of the provisions of this Regulation or of the constitution after its approval shall be liable to a fine not exceeding two

hundred and fifty dollars for a first offence or five hundred dollars for a second or subsequent offence.

(6) Any Manager dissatisfied by any requirement or decision of the Registrar under this Regulation may appeal, within one month of such requirement or decision being communicated to the Supervisor, to the Director, whose decision shall be final.

REQUIREMENTS FOR SCHOOL BUILDINGS AND PREMISES.

5. (1) The Registrar may call upon the Supervisor of any school registered in the State or Settlement for which he is appointed to supply a description of the premises used or authorised to be used as such school and the dimensions of every building, house and classroom and of any area provided for recreation of such school and a plan or copy of a plan, either drawn or photographic, of such premises and the Registrar shall enter such description in the Register.

Registration
of school
premises

(2) Where it is intended by the Managers of any registered school that any premises should be used or occupied by the school other than or additional to the premises entered on the register, such premises shall not be so used or occupied until an application for registration in respect thereof has been made under section 7 of the Ordinance and such premises have been duly registered under the Ordinance.

6. (1) The Registrar may refuse to enter in the Register as the name of any school sought to be registered in the State or Settlement for which he is appointed any name which in his opinion is misleading or unsuitable.

(2) At or near the entrance to every School there shall be prominently displayed a board or other form of notice bearing in conspicuous lettering the registered name of the school in either Roman or Jawi characters.

Registered
name.

7. No new school building shall be erected and no structural alterations or additions to any existing school building shall be made unless and until the plans for such new school building or for alterations or additions to an existing school building have been approved by the Registrar.

Approval of
plans.

8. The Registrar shall approve no plan in which the latrine accommodation and sanitary arrangements are in his opinion or in the opinion of a Medical Officer inadequate or unsatisfactory.

No alteration
without
approval of
Registrar.

9. No structural alteration of the premises of any school and no alterations in the latrine accommodation or sanitary arrangements of such school, or in the accommodation, ventilation or lighting of any classroom thereof shall be made without the previous consent in writing of the Registrar.

10. The Registrar may by notice in writing to the Supervisor of any school require the Managers thereof so to alter or add to the school premises as to ensure that they comply with the provisions of these Regulations.

Repainting.

11. The Managers shall, if so required to do by the Registrar but not oftener than once in six months, cause the whole or any part of the school premises to be colour-washed or repainted in a tint approved by the Registrar.

Alteration
may be
required by
Registrar.

12. The Registrar may by notice in writing to the Supervisor require the Managers to carry out within such time as is stated in the notice such works as are in the opinion of the Medical Officer necessary to bring the school to a sanitary condition or such works as are in the opinion of the Registrar necessary for the safety of pupils and teachers.

HEALTH REQUIREMENTS for SCHOOLS.

Ventilation
and light.

13. The Registrar shall not approve any plan showing any classroom, or room to be used as such which is in his opinion inadequately ventilated or lighted or which has windows or other external openings of a total area less than one-fifth of the floor-space.

14. The Registrar may by notice in writing to the Supervisor of any school require the Managers thereof to cause the windows and external openings of any classroom or room used as such to be enlarged so that the total area of such windows or openings shall be not less than one-fifth of the floor-space of the room into which they open, and the Managers shall also cause to be made such other alterations in the ventilating or lighting arrangements of any classroom or room used as such as the Registrar may require.

Space.

15. The Registrar shall not approve any plan showing any classroom, or room to be used as such, in which the superficial area for each person to be accommodated is less than 15 square feet or of which any part of the ceiling is less than 12 feet above the floor unless the Medical Officer certifies that a height of less than 12 feet will not be detrimental to the health of the persons using such classroom or room.

16. The Registrar may withhold his approval of any plan in which:

Miscellaneous
requirements.

- (a) the area provided for open-air recreation is in his opinion, inadequate or unsatisfactory; or
- (b) the messing and kitchen accommodation for the pupils are, in his opinion, inadequate or unsatisfactory; or
- (c) the washing and bathing arrangements for the pupils are, in his opinion, inadequate or unsatisfactory.

17. If in the opinion of the Registrar:

- (a) the area provided in any school for open-air recreation is inadequate or unsatisfactory; or
- (b) the messing and kitchen accommodation for the pupils in any school are inadequate or unsatisfactory; or
- (c) the washing and bathing arrangements for the pupils are inadequate or unsatisfactory; or
- (d) the control for purposes of hygiene and discipline of vendors of food or other refreshment is unsatisfactory,

the Registrar may, by notice in writing to the Supervisor of such school, require the Managers thereof to cause such area or accommodation or arrangements or control to be enlarged or increased or improved to the satisfaction of the Registrar.

18. If in the opinion of the Registrar the latrine accommodation of any school is inadequate or unsatisfactory, the Registrar may, by notice in writing to the Supervisor of such school, require the Managers thereof to cause the latrine accommodation to be increased or improved to the satisfaction of the Registrar.

Latrine
accommoda-
tion.

19. Should it appear to a Medical Officer that the water provided for the use of the pupils or teachers of any school is insufficient or unwholesome, he shall report accordingly to the Registrar who may, by notice in writing to the Supervisor of such school, require the Managers thereof to increase or improve the supply of water in such manner and within such time as shall be stated in the notice or to adopt any precautions regarding the use of such water as the Medical Officer may direct.

Water
supply

ADDITIONAL HEALTH REQUIREMENTS FOR BOARDING SCHOOLS.

Dormitory
accommoda-
tion.

20. (1) In every boarding school a superficial dormitory area of at least 55 square feet shall be provided for each boarder and no part of the ceiling of any dormitory shall be less than 12 feet above the floor, unless a Medical Officer certifies that a height of less than 12 feet will not be detrimental to the health of those using the dormitory.

(2) No dormitory shall be in a tenant-house unless the Registrar in writing so permits.

(3) In every boarding school the dormitory accommodation shall be of such adequate standard and so maintained as to satisfy the reasonable requirements of the Registrar.

Accommoda-
tion certifi-
cate.

21. In every dormitory or room used as such, there shall be displayed a certificate duly signed by an officer appointed under Section 3 of the Ordinance specifying the maximum number of persons to be accommodated in that room at any one time. No person other than an officer duly appointed as aforesaid shall remove, deface, cancel or alter such certificate.

22. No more than the maximum number of persons as set out in the aforesaid certificate shall be permitted to occupy any dormitory or room used as such without the written sanction of the Registrar.

Appointment
of Matron.

23. The Managers of every boarding school shall, if so required by the Registrar, by notice in writing to the Supervisor thereof, appoint a matron or other suitable person to be in charge of the boarders.

Sick room.

24. Every boarding school shall have a suitable room set aside for sole use as a sanatorium or sick room.

Cleansing
of dormitories.

25. Every dormitory or room used as such shall be cleaned at least once in every day in such manner as may be prescribed by the Registrar and the floors shall be treated at least once a week with a dust-laying disinfectant.

CLASS ROOM ACCOMMODATION AND EQUIPMENT.

Identification.

26. At the entrance to every classroom or room used as such, there shall be prominently affixed a board or other form of notice bearing an identification number or letter for such room. This number or letter must correspond to

the number or letter on the plan required under paragraph (1) of Regulation 5 of these Regulations.

27. The maximum number of pupils to be accommodated in any classroom or room used as such shall be reckoned on the basis of 180 cubic feet of internal space per pupil, provided that in making this calculation no height in excess of 12 feet shall be reckoned, and provided that only such portions of the room shall be considered as are in the opinion of an officer duly appointed under Section 3 of the Ordinance, sufficiently well-lighted to ensure that pupils can work without injury to their eyesight.

Maximum
accommoda-
tion

28. In every classroom or room used as such, there shall be displayed a certificate signed by an officer duly appointed under Section 3 of the Ordinance, specifying the maximum number of pupils to be accommodated in that room at any one time. No person other than an officer duly appointed as aforesaid shall remove, deface or cancel or alter such certificate.

Accommoda-
tion certificate.

29. No more than the maximum number of pupils as set out in the aforesaid certificate shall be permitted at any one time to occupy any classroom or room used as such without the written sanction of the Registrar.

30. Not more than 40 pupils shall be taught at one time by one teacher, except when classes are massed together for the purposes of physical training or singing or such other purposes as may be approved by the Registrar.

Maximum size
of class

31. A separate attendance register for each classroom shall be kept in a form to be approved by the Registrar.

Attendance
Register.

32. No person other than teachers, supervisors, and pupils shall during school hours be permitted to occupy a classroom or room used as such.

Use of class-
room.

33. The Supervisor shall submit for the approval of the Registrar a pattern of any desks and seats to be provided for the use of the pupils, and he shall also, if so required in writing, substitute desks and seats of an approved type for those already in use.

Desks and
seats.

34. In a school where technical subjects are taught, the Managers shall provide adequate equipment and apparatus to the satisfaction of the Registrar.

Technical
equipment.

Protection of
eye-sight.

35. (1) Unless the Registrar shall otherwise order, the Supervisor shall cause the pupils' desks to be arranged so that the light falls upon the left of the pupils.

(2) If so ordered by the Registrar, the Supervisor shall cause to be provided black boards having a dull matt surface either black or green. Letters written on such boards shall not be less than one inch in height.

(3) The reading type used in English school text-books shall be double pica point (22 points) for primary classes and pica (12 points) for all other classes unless the Registrar shall direct otherwise.

(4) Every room in use shall be kept adequately lighted. Any artificial light, provided shall be such as complies with the requirements for the time being of the Medical Officer.

CLEANLINESS AND HEALTH.

Teachers and
pupils
Classrooms,
etc.

36. Teachers and pupils must be clean and tidy.

37. Every classroom or room used as such shall be swept out at the conclusion of each day's work and the floors shall be treated once a week with a dust-laying disinfectant. The School buildings, grounds and premises shall be kept clean and all gutters and drains thereof shall be cleaned daily.

No eating or
smoking in
class-rooms.

38. The Supervisor or teacher in charge of any classroom or room used as such shall not suffer or permit any food to be cooked or eaten or tobacco to be smoked in any such classroom or room used as such during school hours.

Spitting

39. Spitting is prohibited on school premises.

Medical
inspection of
premises.

40. (1) A Medical Officer or any person provided with and, if required, exhibiting the authority in writing of a Medical Officer may at any reasonable time enter and inspect the premises of any school for the purpose of ascertaining whether the school is being kept in a sanitary condition, and shall send a copy of his report to the Registrar.

(2) In addition to any other powers conferred upon him under these Regulations, a Medical Officer may at any reasonable time, but not more than once in any one year, after giving reasonable notice of his intention to do so, enter any school and conduct a medical survey of the physical condition and health of the pupils thereof and may for that purpose examine the person of any pupil.

(3) A Medical Officer may at any time by notice in writing require the Supervisor of any boarding school to submit to him a detailed statement of the general diet provided for the pupils of such school and may from time to time require such Supervisor to amend or supplement such diet. Food shall be provided to pupils in accordance with such statement as so amended or supplemented. A Medical Officer or any person provided with and, if required, exhibiting the authority in writing of a Medical Officer may at any reasonable time enter the premises of any boarding school and inspect the food provided for the pupils thereat and may inspect any premises of such school in which food is stored or prepared.

41. (1) A Medical Officer, or any person provided with and, if required, exhibiting the authority in writing of a Medical Officer, may examine in any school the person and clothing of any pupil or teacher attending the school, provided that females over the age of 10 years shall not be examined by a male person except with their consent and with the consent of the head teacher and in the presence of a female teacher.

Medical
inspections
and examina-
tions.

(2) If on such examination, the Medical Officer or any such authorised person as aforesaid is of the opinion that the person or clothing of any pupil or teacher is infected with vermin or in a foul or filthy condition he may give notice in writing to the Supervisor requiring him to exclude such pupil or teacher from the school until such time as the person and clothing of the pupil or teacher have been cleansed to the satisfaction of the Medical Officer or other such authorised person and the Supervisor shall exclude such pupil or teacher accordingly.

(3) The Registrar may at any time require a registered teacher to present himself to a Medical Officer or to any medical practitioner approved by the Registrar for examination and the Supervisor if required by the Registrar shall cause such teacher to be excluded from the school until such examination has taken place and until a Medical Officer has certified that the teacher may be permitted to return.

42. (1) A Medical Officer or any person provided with and, if required, exhibiting the authority in writing of a Medical Officer, may examine at any reasonable time, and shall examine at least once in every year, every

person employed in any boarding school or school food canteen, in cooking, preparing or handling articles of food intended for the consumption of pupils of the school.

(2) If on such examination the Medical Officer or any such authorised person as aforesaid is of the opinion that any person so employed is suffering from any infections or contagious disease of such a nature or is otherwise in such a state of health that it appears undesirable for such person to be so employed, the Medical Officer or any such authorised person may give notice in writing to the Supervisor requiring that such person shall not be so employed either permanently or for such time as may be specified in the notice or that such person shall be employed only in accordance with such conditions as may be specified in the notice and the Supervisor shall comply with the requirements of such notice accordingly.

(3) The Supervisor shall take all reasonable steps to ensure that every person so employed is examined in accordance with the provisions of this Regulation at least once in every year.

(4) When any notice given under paragraph (2) of this Regulation requires any person mentioned therein not to be employed in cooking, preparing or handling articles of food such person shall not obtain similar employment in any other boarding school or school food canteen without the prior permission of the Medical Officer.

43. (1) The head teacher shall ascertain the cause of absence of any pupil who is absent for more than one schoolday.

Infectious
diseases to
be reported.

(2) The head teacher shall report at once to the Medical Officer any suspected or known case of infectious disease amongst teachers, pupils or employees or when he suspects or knows that any of his pupils, teachers or employees have been in contact with a case of infectious disease.

Exclusion of
persons
suffering from
infectious
diseases.

44. (1) If a Medical Officer or any person duly authorised under the Ordinance certifies that any teacher, pupil or employee should be excluded from any specified school by reason of his suffering or having recently suffered from any infectious or contagious disease or by reason of his having been in contact with or living in the same house as a person suffering or having recently suffered from an infections or contagious disease, the Supervisor shall cause such teacher, pupil or

employee to be excluded from the school for such period as the Medical Officer or other such authorised person shall deem necessary.

(2) No Supervisor or other Manager or head teacher or teacher shall knowingly admit to the school in respect of which he is registered any teacher or child or employ any person excluded from any other school under or by virtue of these preceding Regulations during the period of such exclusion.

(3) If in any school there has been reported or found a case of infectious disease amongst the teachers, pupils or employees of that school, the Registrar may, on the advice of a Medical Officer, order the closure of that school for such period as he may consider necessary.

**DISCIPLINE: TIME-TABLE AND CURRICULUM:
EMERGENCY DRILL.**

***45.** Corporal punishment of girl pupils is prohibited.

***46.** Corporal punishment of boys by a teacher or other member of the staff shall be limited to blows with a light cane on the palm of the hand or on the buttocks over the clothes, and shall be inflicted only by the head teacher or by his express authority given in the specific case. A record of all such punishments inflicted shall be kept confidentially in a form approved by the Registrar.

Corporal
punishment.

***47.** All time-tables and syllabuses shall be submitted for the approval of the Registrar and no alteration to any time-table or syllabus shall be made by any person without the approval of the Registrar.

Approval of
time-tables,
etc.

48. The Supervisor shall report to the Registrar any change in the hours of teaching in the school.

Hours of
teaching.

49. The head teacher of every registered school when required by the Registrar shall draw up a scheme for the rapid and orderly evacuation of the school by the pupils thereof in case of fire or other alarm. A copy of the scheme shall be prominently displayed in the school and the head teacher shall make sure that all members of the teaching staff are acquainted with it and in particular with their own duties under the scheme.

Emergency
evacuation of
schools.

*Peraturan 45, 46 dibatalkan oleh Schools (Discipline) Regulations, 1956 -LN. 452.Lihat muka surat 383

*Peraturan 47 dimansuhkan oleh Schools (Courses of Studies) Regulations, 1956- LN. 451.Lihat muka surat 399

50. All classes of the school shall be instructed and practised in the behaviour expected of them in time of alarm and shall be practised in taking up the positions or performing the duties assigned to them under the scheme. Occasional alarms shall be given for the purpose of practising the pupils in carrying out the scheme without warning.

51. The scheme of emergency drill shall:

- (a) detail positions to be taken up by each class on the alarm being given;
- (b) detail persons to be responsible for getting each class safely out of the building and for executing other duties required including ascertaining that no pupil is left in any part of the building; and
- (c) emphasize the necessity for avoiding running and for strict silence on the part of all except those who have to give orders.

LEAVING CERTIFICATES.

Leaving
certificate

52. Every pupil other than a pupil whose fees have not been paid in full shall upon leaving any school be issued by the head teacher thereof with a Leaving Certificate in a form approved by the Registrar. Every such Certificate shall bear the registered name of the School followed immediately by the words "Government Aided School" or "Private School" as the case may be in letters of the same size and nature as those used for the name of the School.

USE OF SCHOOL PREMISES.

Approval of
Registrar
required for
inspections.

53. No person other than a registered Manager of, or teacher in any school or any other person authorised in that behalf by virtue of the provisions of the Ordinance or of these Regulations shall be allowed on the school premises at any time for the purpose of addressing the pupils or teachers thereof or lecturing, teaching, examining or distributing pamphlets or other literature or taking any part in the conduct of school or classroom activities, or making any educational inspection or investigation, unless such person has received the written approval of the Registrar.

Improper use
of premises.

54. (1) No school (to which the Ordinance applies) or part of the premises of any such school shall be used:

(A) for the purpose of political propaganda aimed at, or likely to affect, the pupils of such school:

(B) unless the consent in writing of the Registrar has been previously obtained —

(i) for any meeting concerned with politics or political propaganda; or

(ii) for a meeting place, office, headquarters or correspondence address of, or for any other purpose in connection with, any trade union or any society within the meaning of the Societies Ordinance, 1949, or union other than —

No. 23 of 1949.

(a) a lawful society whose objects are to further education or to promote the interests of young people or whose membership is confined to past or present members of the school; or

(b) a lawful society from which or from the trustees of which the school premises have been leased or by which or by the trustees of which such school has been licensed to occupy or use such premises.

(2) No school (to which the Ordinance applies) or part of the premises of any such school shall be used for gaming, gambling or the holding of any lottery.

SCHOOL RETURNS: SCHOOLS FEES: SCHOOL ACCOUNTS: HOLIDAYS.

55. (1) The Supervisor shall send to the Registrar as soon as is possible in each case, notice of all holidays it is intended to give, including any special holidays given in honour of any particular event, and of all dates on which the usual work of the school will be suspended. Such notice should reach the Registrar not less than ten days before the intended holiday.

Notice of
school
holidays.

(2) The Registrar may by notice in writing to the Supervisor forbid the granting of any holiday and the Supervisor shall thereupon ensure that the usual work of the school is continued on that day.

(3) The Registrar may by notice in writing to the Supervisor of any school require that a holiday should be given on any day specified in such notice and the Supervisor shall ensure that such holiday is given accordingly.

56. The Supervisor shall, if required to do so, send to the Registrar before the end of March in every calendar year, a return on the form shown in Appendix 'A' of these Regulations.

57. (1) The Supervisor of every school shall submit to the Registrar when required by him, particulars of the inclusive monthly fee.

(2) Upon receipt of such particulars the Registrar shall cause the name of the manager, the name and address of the school, and the particulars of the inclusive monthly fee to be published in the *Gazette*.

(3) No manager or teacher shall demand or accept payment of any school fees whatsoever other than the inclusive monthly fee.

(4) The inclusive monthly fee shall be paid monthly in advance and not otherwise unless permitted by the Registrar.

(5) The payment of every sum of money by or on behalf of a pupil to a manager or teacher shall be forthwith acknowledged in writing by such manager or teacher on a proper form of receipt.

(6) The Supervisor of every school shall keep proper books of account. Such account books shall be available at all reasonable times for inspection by the Registrar or any person authorised by him.

(7) No change in the inclusive monthly fee shall be made without the written approval of the Registrar.

(8) No manager or teacher shall appeal to pupils for charitable subscriptions or make collections in his school for presents or gratuities or for any other purpose without the previous permission of the Registrar.

(9) No manager or teacher shall hold any class on school premises during the school holidays without the previous permission of the Registrar.

(10) In every classroom there shall be kept conspicuously exhibited a framed certificate, signed by the Registrar or some officer on his behalf, stating the inclusive monthly fee for that class. There shall be included in such certificate the following in both English and the language in which the greater part of the teaching in that school is conducted:

"No manager or teacher shall demand or accept payment of any school fees whatsoever, other than the inclusive monthly fee as above stated".

(11) Where books or equipment are sold by or on behalf of the managers or teachers of any school to the pupils thereof there shall be conspicuously exhibited in such place or places as the Registrar may direct a list or lists of the prices at which such books and equipment are so sold together with a notice in both English and the language in which the greater part of the teaching in that school is conducted prominently displayed stating that no pupil is bound to purchase such books or equipment from the school but is entitled to obtain them elsewhere if he so desires.

58. The Registrar may, by notice in writing to the Supervisor of any school, require the managers thereof to submit to him a statement of the income and expenditure of the school for the preceding year on the form shown in Appendix 'B' of these Regulations.

Statement of
income and
expenditure.

59. The Registrar may at any time by notice in writing to the Supervisor of any school require the managers to furnish to him duly audited accounts. For the purpose of this regulation 'duly audited' means audited by an auditor approved by the Registrar.

Accounts.

60. The Supervisor shall, if required to do so, produce to the Registrar all the books and other documents relating to the accounts of the school for the purpose of inspection.

COLLECTIONS AND SUBSCRIPTIONS.

61. (1) Any person may notify the Supervisor of any registered school that he wishes to be entered on the list of school supporters of such school.

(2) A list of such school supporters shall be submitted to the Registrar by the Supervisor within one month of the beginning of the calendar year. Upon the application of the Supervisor the Registrar may if he thinks fit from time to time during the year in which such list is current add to such list the names of any person who notifies the Supervisor that he wishes to be entered on such list.

Schools
supporters and
subscriptions.

(3) No person whose name does not appear upon such list shall in the year during which such list is current

be deemed to be for the purposes of this Regulation a school supporter.

(4) The Supervisor of a school may in the administrative district within which such school is situated collect subscriptions from or circulate subscription lists to the Managers or to the school supporters of such school for periodic subscriptions for the ordinary maintenance and upkeep of such school, but except as aforesaid, no person shall without the written sanction of the Registrar collect subscription, or circulate subscription lists on behalf of any school whether existing within or without the Federation or with a view to the formation of a school either within or without the Federation.

(5) All applications for such sanction shall be made in writing to the Registrar and shall state the object for which the subscription is to be raised, the amount expected or desired to be subscribed, the methods of collection, and the names of all collectors, the names of the person or persons to be responsible for the money collected and for the proper keeping of the accounts; the name of the Bank or other place of deposit into which the money subscribed will be paid, and the person or persons who will control the expenditure of the money so collected. The Registrar may require the applicant to furnish such further information as he may require relating to the finances and management of the school and the purposes and management of the proposed subscription.

(6) The Registrar may withhold his sanction to any application in any case where he is not satisfied that the school in respect of which the application is made is one not run for profit, either of the teachers or any other person, or when it appears to him that the finances of the school are not being properly administered or the school efficiently managed or where he considers that the persons in charge of the subscription are unsuitable or the estimated expenses unreasonable, or the object for which the subscription is to be raised is prejudicial to the interests of the Federation, the public or the pupils of the school.

(7) In giving his sanction to any application under paragraph (4) of this Regulation the Registrar may impose such limitations as he thinks fit as to the area in which subscriptions may be collected, or subscription lists circulated and as to the period for which his consent shall be operative and may fix a date on which full and

final accounts of the subscription, and of all expenses incurred in connection therewith shall be rendered to him and on which all collection books and/or lists shall be returned to him for cancellation and may also require the accounts to be published in a local newspaper.

(8) When sanction for any subscription or collection has been given by the Registrar no collection books, receipt books, books of tickets or subscription lists shall be used for the purposes of the subscription or collection, other than books or lists signed by the Registrar or stamped with his official stamp; and the Registrar may require the names of all collectors to be clearly written in each collection book.

(9) The purposes for which collection was sanctioned shall be fulfilled within a reasonable time of the closing of the subscription lists and accounts shall be submitted for scrutiny to the Registrar. Any balance remaining unspent shall be expended as the Registrar may instruct for the benefit of the pupils of the school. The Registrar may decide what is to be considered a reasonable time in each case.

(10) The provisions of this regulation are in addition to the requirements of any other written law from time to time in force concerning the regulation of house to house and street collections.

DEPOSITS UNDER SECTION 9(2)(b) OF THE ORDINANCE.

62. (1) Any deposit taken under section 9(2)(b) of the Ordinance shall be paid into the Post Office Savings Bank in the name of the Registrar and shall be retained for such period not being less than two years as the Registrar may decide and may be forfeited at the discretion of the Registrar if during that period any Manager or Supervisor or teacher or member of the School Committee of the school is convicted of an offence against the Ordinance or against any Regulations made thereunder.

Deposits
and forfeiture
of deposits.

(2) Any deposit forfeited under the provisions of this Regulation shall be credited to the General revenues of the Federation.

(3) In case the deposit has not been forfeited on the expiry of the period of retention the Registrar shall give authority in writing for the return of the deposit, together with any interest accrued thereon.

(4) A bond taken under section 9(2)(b) of the Ordinance shall be in the form in Appendix 'C' to these Regulations.

(5) Before forfeiting a deposit the Registrar shall, by notice in writing call upon the depositor to show cause within a period to be specified in such notice why the forfeiture should not be made.

CONTROL OF BOOKS TO BE USED IN SCHOOLS.

63. (1) No person shall use in any school any book the use of which has been declared to be undesirable by the High Commissioner by notification in the *Gazette* or the use of which was prohibited by the High Commissioner under or by virtue of any regulations made under the Registration of Schools Enactment of the Federated Malay States and in respect of which such notification was unrevoked immediately before the commencement of the Ordinance.

(2) No person shall import or sell or offer to sell or buy or offer to buy any school textbook declared by the High Commissioner in any notification in the *Gazette* to be a book the use of which in schools appears to be undesirable.

(3) No person shall use or deliver to any pupil in connection with a correspondence school and no teacher in or manager of a correspondence school shall supply, import, sell or deliver or offer to supply, sell or deliver any book lesson, instruction or other printed or written matter the use of which by a correspondence school has been declared by the High Commissioner, by notification in the *Gazette* to be undesirable.

(4) Any person acting in contravention of the provisions of this Regulation shall be liable to a fine not exceeding two hundred and fifty dollars for a first offence or five hundred dollars for a second or subsequent offence.

PENALTIES: RIGHTS OF APPEAL.

64. Any person doing any act in contravention of or failing to comply with the provisions of any of Regulations 6, 11, 27 to 39 (both inclusive), 40 (3), 41 (2), 42 (2), (3) and (4), 43 to 50 (both inclusive), 52 to 61 (both inclusive) shall be guilty of an offence against these Regulations and shall be liable to a fine not exceeding fifty dollars for a first offence or one hundred dollars for a second or subsequent offence.

65. Any supervisor or other manager of any school aggrieved by any decision of the Registrar under Regulations 7, 8, 9, 13, 15 or 16 or by any requirement made by a Registrar under Regulations 10, 12, 14, 17, 18 or by a Medical Officer under Regulation 40 (3) or any depositor whose deposit has been forfeited under Regulation 62 of these Regulations, may appeal, within fourteen days of the service of the notice conveying such decision or requirement or of such forfeiture upon the Supervisor or depositor as the case may be, to the Ruler in Council of the State or the High Commissioner in Nominated Council of the Settlement in which such school is situate, and the decision of the Ruler in Council or High Commissioner in Nominated Council, as the case may be shall be final.

POWERS OF ASSISTANT REGISTRARS.

66. An Assistant Registrar, if authorised in writing by the Registrar, may perform any of the functions imposed and exercise any of the powers conferred upon a Registrar under these Regulations and where such Assistant Registrar is so authorised any reference in such Regulations to a Registrar shall, so far as is necessary and unless the context otherwise requires, be deemed to include a reference to such Assistant Registrar.

APPENDIX "A"

(This form is to be returned to the Registrar before March 31st. in accordance with regulation 56).

To the Registrar of Schools, Education Office,

.....19.....

SIR,

I herewith submit particulars as under of the Managers and Teachers of theSchool, for the year

I am, Sir,
Yours faithfully,

.....
Supervisor.

Name and Address of School:

MANAGERS.

Name.	Natal dialect.	Occupation and address.	Office held.
			Supervisor.
etc.			

TEACHERS.

Name.	Registration No.
etc.	

Hours during which instruction is given.....
Proposed holidays for the year.....

Appendix "B"

Office,

Sir,

I have the honour to forward to you the accompanying form to be filled up with a detailed account of income and expenditure of the school, for which you are the Supervisor. This is required to be furnished in accordance with Regulation 58 of Schools (General) Regulations made under the Registration of Schools Ordinance, 1950.

The form, when filled in, should be returned to this office.

To
Supervisor of School,
.....

I have the honour to be,
Sir
Your obedient servant,

Registrar

APPENDIX "B" —(cont.)

Account of Income and Expenditure of School, for the year ended19..... showing the amount actually received and actually disbursed during the year.

INCOME		\$	c.	EXPENDITURE		\$	c.
Balance on.....19.....	(if in hand)			Balance on.....19.....	(if overdrawn)		
1. School Fees				1. Salaries (a) of Teachers			
2. Amount received from school books, materials, etc. sold to children				(b) of Clerks			
3. Income arising from other sources, viz:				(c) of Servants, etc.			
From				2. Books, Apparatus and Stationery			
From				3. Fuel, Light, Water, Sanitation			
From				4. Replacement of and Repairs to Furniture and Cleaning			
From				5. Repairs to Buildings			
Balance on.....19.....	(if overdrawn)			6. Rent, Rates, Taxes and Insurance			
				7. Other Expenses, viz:			
				On account of			
				On account of			
				Balance on.....19.....	(if in hand)		
Total				Total			

Signed.....
Supervisor of School,
.....

APPENDIX "C"

Bond under Section 9 (2) (b) of the Registration of Schools Ordinance, 1950

By this Bond I/We of

(name)

(address)

(name)

the Manager(s) of the School of

(address)

AND I/We of
(hereinafter called "the sureties") bind myself (ourselves jointly and severally) to the Government of the Federation of Malaya for the payment to it of the sum of dollars(\$).

(In the Settlements)

Sealed with	}	my seal this	day of	19
		our respective seals this	day of	19
		or		

(In the States)

Dated this day of 19

..... Signature.

..... Signature.

Whereas

- (1) The said Managers have applied for the registration of the said School under the provisions of the Registration of Schools Ordinance, 1950
- (2) The Registrar has required as a condition precedent to the registration of such School that the said Managers should execute the above written obligation conditioned as hereinafter expressed; and
- (3) The sureties at the request of the said Managers and with the approval of the Registrar have agreed to become sureties for the said Managers.

Now the above Written Obligation is conditioned to be void in case the managers and teachers for the time being of such school and every one of such managers and teachers for a period of years from the date hereof perform and observe the provisions of the Registrations of Schools Ordinance, 1950, and any Regulations made thereunder so long as the same shall be in force and so far as such provisions are binding upon such managers or teachers. And otherwise shall remain in full force and effect.

Provided always and it is hereby declared that if upon any breach of the condition of the above written bond the Government of the Federation of Malaya shall waive such breach of condition then the security provided by the above written bond shall be and remain in full force and effect notwithstanding such waiver.

Signed (sealed and delivered)* by the
above-named
.....
in the presence of

Signature and Seal
of obligers and
sureties.

(Signatures, addresses and occupation of witnesses).

* Delete in the case of Bonds executed in States.

Persatuan Ibubapa-Guru

AKTA PELAJARAN, 1961
KAEDAH-KAEDAH PERSATUAN IBUBAPA-GURU-GURU,
1973

43/61. PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 116 dalam Akta Pelajaran, 1961, Menteri dengan ini membuat kaedah-kaedah berikut:

Nama. 1. Kaedah-kaedah ini bolehlah dinamakan **Kaedah-kaedah Persatuan Ibubapa-Guru-guru, 1973.**

Tafsiran. 2. Dalam kaedah-kaedah ini, melainkan jika kandungan ayatnya menghendaki makna yang lain —

“ibubapa” termasuklah seseorang penjaga dan mana-mana orang yang mempunyai kawalan di sisi undang-undang atau kawalan yang sebenarnya atas seseorang kanak-kanak:

“Menteri” ertinya Menteri yang bertanggungjawab atas pelajaran:

“pemegang-pemegang jawatan” bagi sesuatu Persatuan ertinya mana-mana orang yang telah dicalun oleh ahli-ahli Persatuan menjadi ahli jawatankuasa Persatuan itu:

“Pendaftar” ertinya Pendaftar Sekolah yang dilantik di bawah seksyen-kecil (2) seksyen 4 dalam Akta Pelajaran, 1961, berkenan dengan kawasan di mana sekolah atau institusi pelajaran itu terletak dan termasuklah Pendaftar Besar Sekolah yang dilantik di bawah seksyen-kecil (1) seksyen 4 dalam Akta Pelajaran, 1961.

Penubuhan
dan
keanggotaan
Persatuan
Ibubapa-
Guru-guru.

*3. (1) Maka hendaklah ditubuhkan di tiap-tiap sekolah dan institusi pelajaran bantuan penuh suatu persatuan yang dinamakan Persatuan Ibubapa-Guru-guru (kemudian daripada ini disebut “Persatuan”) yang mengandungi:

* Kaedah 3 dipinda oleh Kaedah-Kaedah Persatuan Ibubapa-Guru(Pindaan),1983 - P.U.A.286.Lihat muka surat 514

- (a) semua guru yang bekerja di dalamnya;
 - (b) ibubapa-ibubapa murid-murid yang belajar di sekolah atau institusi pelajaran itu;
 - (c) Guru Besar atau Pengetua sekolah atau institusi pelajaran itu sebagai ahli *ex-officio*.
- (2) Tiap-tiap ibubapa dan guru di sekolah atau institusi pelajaran itu hendaklah disifatkan sebagai ahli Persatuan.
- (3) Tiada seseorang ibubapa atau guru dikehendaki membayar apa-apa bayaran sebagai seorang ahli Persatuan.
- (4) Adalah dengan ini ditetapkan bahawa Persatuan itu bukanlah suatu persatuan dalam erti mana-mana undang-undang berhubung dengan pendaftaran pertubuhan-pertubuhan.

4. (1) Maksud-maksud Persatuan ialah —

- (a) untuk mengadakan sesuatu forum dan perkhidmatan bagi kebajikan dan kemajuan murid-murid di sekolah atau institusi pelajaran itu;
- (b) untuk membantu dan menambah usaha sekolah atau institusi pelajaran pada memenuhi kehendak-kehendak dan keperluan-keperluan kebendaan murid-murid dalam kegiatan-kegiatan mereka;
- (c) untuk membolehkan ibubapa-ibubapa dan guru-guru di sekolah atau institusi pelajaran itu bertukar-tukar fikiran dan maklumat mengenai pelajaran pada amnya; dan
- (d) untuk memberi peluang kepada guru-guru dan ibubapa-ibubapa di sekolah atau institusi pelajaran itu berunding antara satu dengan lain berkenaan dengan cara memperbaiki taraf pelajaran anak-anak mereka pada amnya.

Maksud-maksud, tujuan dan batasan-batasan Persatuan.

(2) Tujuan-tujuan Persatuan ialah —

- (a) untuk menentukan supaya murid-murid di sekolah atau institusi pelajaran itu memperoleh faedah maksima daripada kemudahan-kemudahan pelajaran mereka;

- (b) untuk menentukan supaya murid-murid di dalamnya mempunyai sumber-sumber yang perlu untuk membuat kerja-kerja sekolah mereka, baik di rumah mahupun di sekolah atau institusi pelajaran itu; dan
- (c) untuk mewujudkan alam sekeliling yang sebaik-baiknya bagi sekolah supaya membolehkan murid-murid mencapai perkembangan kerohanian, keakhlaan, otak dan jasmani.

(3) Kegiatan-kegiatan Persatuan hendaklah diarahkan kesemuanya kepada kebajikan dan kemajuan murid-murid di sekolah atau institusi pelajaran di mana ianya ditubuhkan.

(4) Persatuan tidak boleh memperluaskan bidangnya kepada perkara-perkara yang berkaitan dengan pekerjaan dan syarat-syarat perkhidmatan guru-guru dan kakitangan-kakitangan lain di sekolah atau institusi pelajaran itu.

(5) Persatuan tidak boleh menjadi jentera bagi menyelesaikan pertikaian atau perkara-perkara lain yang berkaitan di antara Persatuan dan Guru Besar atau Pengetua atau kakitangan sekolah atau institusi pelajaran di mana ianya ditubuhkan atau Jabatan Pelajaran di masing-masing Negeri atau Kementerian Pelajaran atau Kerajaan Negeri atau Persekutuan.

Organisasi dan
pengurusan.

5. (1) Persatuan hendaklah diorganisasikan oleh Guru Besar atau Pengetua sekolah atau institusi pelajaran mengikut mana yang berkenaan.

(2) Persatuan hendaklah diuruskan oleh suatu jawatankuasa mengikut Perlembagaan Persatuan.

(3) Jawatankuasa hendaklah mengandungi tidak kurang daripada 5 dan tidak lebih daripada 15 orang ahli.

Guru Besar
atau Pengetua
hendaklah
menghantar
butir-butir.

6. (1) Jika sesuatu Persatuan telah diorganisasikan oleh seseorang Guru Besar atau Pengetua, maka Guru Besar atau Pengetua itu hendaklah menghantar kepada Pendaftar Sekolah apa-apa butir sebagaimana yang dinyatakan dalam Jadual Pertama kepada Kaedah-kaedah ini.

(2) Perlembagaan atau kaedah-kaedah Persatuan yang dihantar kepada Pendaftar hendaklah mengandungi peruntukan mengenai semua perkara yang

dinyatakan dalam Jadual Kedua kepada Kaedah-kaedah ini.

7. Pendaftar dan wakilnya adalah berhak menghadiri semua mesyuarat Persatuan.

Hak Pendaftar untuk menghadiri mesyuarat dsb.
Klasa Persatuan Ibubapa-Guru-guru untuk memiliki harta dsb.

8. Persatuan adalah mempunyai kuasa untuk mempunyai, mengguna dan melupuskan apa-apa harta alih atau harta takalih yang mana pada pendapatnya dikira akan memudahkan ia menjalankan kuasa-kuasa dan kewajipan-kewajipannya di bawah Kaedah-kaedah ini.

9. (1) Maka hendaklah ditubuhkan oleh Persatuan suatu kumpulan wang ke dalam mana hendaklah dibayar semua derma atau sumbangan daripada mana-mana ahli terhadap tujuan-tujuan Persatuan dan kumpulan wang itu hendaklah diuruskan oleh Persatuan.

Kumpulan-wang dan Odit.

(2) Persatuan hendaklah menyimpan atau mengarahkan supaya disimpan akaun yang sepatutnya dan rekod-rekod yang lain berkenaan dengan perjalanannya dan hendaklah mengarahkan supaya disediakan penyata-penyata kira-kira bagi tiap-tiap tahun kewangan.

(3) Akaun Persatuan hendaklah diodit pada tiap-tiap tahun oleh dua orang yang tidak menjadi ahli-ahli jawatankuasa dan mereka hendaklah dicalon oleh ahli-ahli Persatuan.

10. (1) Guru Besar atau Pengetua sekolah atau institusi pelajaran di mana Persatuan itu ditubuhkan hendaklah bertanggungjawab bagi membekal keperluan-keperluan perkeranian dan alatulis Persatuan itu.

Pentadbiran.

(2) Segala keperluan yang lain bagi Persatuan lain daripada yang disebutkan dalam kaedah-kecil (1) hendaklah menjadi tanggungjawab Persatuan.

11. (1) Jika Pendaftar berpuashati samada atas sesuatu aduan atau atas yang lain-lain bahawa sesuatu Persatuan atau ahli-ahlinya:

Kuasa-kuasa Pendaftar berkaitan dengan penjalanan tugas-tugas.

(a) telah bertindak atau bercadang hendak bertindak secara tidak berpatutan berkenaan dengan menjalankan apa-apa kuasa yang diberi atau berkenaan dengan apa-apa kewajipan yang ditanggungkan oleh Kaedah-kaedah ini atau oleh Perlembagaan atau kaedah-kaedah Persatuan atau

- (b) telah tidak menunaikan mana-mana kewajipan yang ditanggungkan ke atas Persatuan atau ahli-ahlinya oleh atau di bawah Kaedah-kaedah ini.

Pendaftar boleh —

- (i) memberi apa-apa arahan secara bertulis tentang menjalankan kuasa atau menyempurnakan kewajipan sebagaimana yang didapatinya mustahak dan adalah menjadi kewajipan Persatuan atau ahli-ahlinya mematuhi arahan itu; atau
- (ii) menggantung atau membuang semua atau mana-mana pemegang jawatan Persatuan dan (walau apa pun peruntukan mana-mana kaedah atau Perlembagaan Persatuan) melantik seorang atau beberapa orang sebagaimana yang difikirkannya patut bagi mempunyai dan menjalankan semua tugas pemegang-pemegang jawatan Persatuan itu bagi apa-apa tempoh yang diarahkan oleh Pendaftar.

(2) Jika tidak ada seseorang pemegang jawatan pada bila-bila masa bagi mana-mana sekolah atau institusi pelajaran, Pendaftar boleh melantik seorang atau beberapa orang sebagaimana yang difikirkannya patut bagi menjalankan tugas-tugas pemegang jawatan bagi Persatuan itu bagi apa-apa tempoh yang diarahkan oleh Pendaftar.

Tidak boleh bergabung dengan badan-badan di luar sekolah atau institusi pelajaran

12. Persatuan yang ditubuhkan di bawah kaedah 3 tidak boleh bergabung dengan mana-mana parti politik atau badan kesatuan sekerja atau lain-lain pertubuhan atau persatuan yang didaftar atau diperbadankan di bawah mana-mana undang-undang bertulis yang berkuatkuasa berhubung dengannya.

JADUAL PERTAMA
(Kaedah 6 (1))
PERMOHONAN BAGI MENDAFTARKAN SESUATU
PERSATUAN

Kepada:

PENDAFTAR SEKOLAH
d/a Pejabat Pelajaran,
.....

1. Butir-butir mengenai Persatuan ialah:

- (1) Nama
- (2) Tempat di mana urusannya akan dijalankan atau mesyuarat-mesyuaratnya akan diadakan, dan alamat posnya (jika berlainan)
- (3) Bilangan ahli-ahli sekarang ini:
- (4) Tahun kewangan bagi Persatuan itu bermula pada
- (5) Nama-nama (termasuk apa-apa nama lain), nombor-nombor kad pengenalan pendaftaran negara, pekerjaan-pekerjaan dan alamat-alamat pemegang-pemegang jawatan dan jawatan-jawatan yang dipegang oleh mereka

2. Dua salinan Perlembagaan/kaedah-kaedah yang diperakui bagi Persatuan dilampirkan bersama ini.

Bertarikh padaharibulan.....19.....

(Tandatangan)

(Nama)

(Jawatan)

JADUAL KEDUA
(Kaedah 6 (2))
PERLEMBAGAAN DAN KAEDAH-KAEDAH
PERSATUAN

Perkara-perkara yang peruntukan baginya mesti dibuat dalam Perlembagaan atau kaedah-kaedah bagi tiap-tiap Persatuan ialah seperti berikut-

- (a) nama dan pejabat berdaftar atau alamat pos berdaftar bagi Persatuan;
- (b) maksud-maksud dan tujuan-tujuan Persatuan;
- (c) tempat di mana mesyuarat-mesyuarat Persatuan biasanya diadakan, jika sekiranya tempat itu berlainan dengan pejabat berdaftarnya;
- (d) keanggotaan dan cara perlantikan jawatankuasa atau badan pengelola dan nama-nama jawatan kuasa-kuasa dan tugas-tugas pemegang-pemegang jawatan bagi Persatuan;
- (e) punca-punca dari mana Persatuan akan mendapat pendapatannya;
- (f) kuasa atau kuasa-kuasa bagi membelanjakan wang Persatuan;
- (g) penyimpanan akaun-akaun pendapatan dan perbelanjaan Persatuan dan penyiaran akaun-akaun itu kepada anggota-anggotanya tiap-tiap tahun;
- (h) koram yang dikehendaki untuk menjalankan urusan dalam mana-mana mesyuarat Persatuan atau badan pengelolanya;
- (i) mesyuarat agung tahunan dan mesyuarat agung tergepar; dan

- (j) cara bagaimana Perlembagaan atau kaedah-kaedah Persatuan boleh dipinda.

Diperbuat pada 22 haribulan Mei, 1973.

[K.P.10066;P.N.2689/8.]

DATUK HUSSEIN ONN,
Menteri Pelajaran

EDUCATION ACT, 1961
PARENT-TEACHER ASSOCIATION
RULES, 1973

43/61. IN exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister hereby makes the following rules:

Citation. 1. These rules may be cited as the **Parent-Teacher Association Rules, 1973.**

Interpretation. 2. In these Rules, unless the context otherwise requires-

"Minister" means the Minister charged with the responsibility for education;

"officer-bearers" of an Association means any person who has been elected by the members of the Association to be on the committee of such Association.

"parent" includes a guardian and any person who has the legal or actual control of a child;

"Registrar" means the Registrar of Schools appointed under sub-section (2) of section 4 of the Education Act, 1961, in respect of the area in which the school or educational institution is situate and includes the Registrar General of Schools appointed under subsection (1) of section 4 of the Education Act. 1961.

Establishment
and member-
ship of
Parent-
Teacher
Association.

*3. (1) There shall be established in every fully assisted school and educational institution an association to be known as the Parent-Teacher Association (hereinafter referred to as "the Association") consisting of:

- (a) all teachers employed therein;
- (b) the parents of the pupils attending such school or educational institution;
- (c) the Head Teacher or the Principal of the school or educational institution as an ex-officio member.

(2) Every parent and teacher in such school or educational institution shall be deemed to be a member of the Association.

*Kaedah 3 dipinda oleh kaedah-kaedah Persatuan Ibubapa-Guru (Pindaan), 1983 - P.U.A.286. Lihat muka surat 514

(3) No parent or teacher shall be required to pay any fee as a member of the Association.

(4) It is hereby declared that the Association is not a society within the meaning of any law relating to the registration of societies.

4. (1) The aims of the Association shall be-

Aims, objects
and limitations
of the
Association.

- (a) to provide a forum and service for the welfare and progress of pupils in the school or educational institution;
- (b) to assist and complement the efforts of the school or educational institution in meeting the material requirements and needs of the pupils in their activities;
- (c) to enable the parents and teachers in the school or educational institution to exchange ideas and information on education in general; and
- (d) to allow the teachers and parents in the school or educational institution to consult each other as to the manner of improving the standard of education of their children in general.

(2) The objects of the Association shall be-

- (a) to ensure that the pupils in the school or educational institution obtain the maximum benefits from their educational facilities;
- (b) to ensure that the pupils therein have the necessary resources to do their school work, both at home and in the school or educational institution; and
- (c) to create the optimum school environment so as to enable the pupils to develop spiritually, morally, mentally and physically.

(3) The activities of the Association shall be directed wholly to the welfare and development of the pupils in the school or educational institution where it is established.

(4) The Association shall not extend its jurisdiction to matters connected with the employment and condition

of service of teachers and other staff in the school or educational institution.

(5) The Association shall not be the machinery for the settlement of disputes or other related matters as between the Association and the Head Teacher or the Principal or the staff of the school or educational institution where it is established or the Department of Education in the respective State or the Ministry of Education or the State or Federal Government.

Organisation
and manage-
ment.

5. (1) The Association shall be organised by the Head Teacher or the Principal of the school or educational institution as the case may be.

(2) The Association shall be managed by a committee in accordance with the Constitution of the Association.

(3) The committee shall consist of not less than 5 and not more than 15 members.

Submission
of particulars
by Head
Teacher or
Principal.

6. (1) Where an Association has been organised by any Head Teacher or Principal, such Head Teacher or Principal shall submit to the Registrar of Schools such particulars as are set out in the First Schedule to these Rules.

(2) The Constitution or rules of the Association submitted to the Registrar shall contain provision for all matters set out in the Second Schedule to these Rules.

Right of
Registrar to
attend
meetings etc.

7. The Registrar and his representative shall have the right to attend all meetings of the Association.

Power of
Parent-
Teacher
Association
to own
property etc.

8. The Association shall have the power to own, use and dispose any movable or immovable property which in its opinion is calculated to facilitate the proper discharge of its powers and duties under these Rules.

Fund and
Audit.

9. (1) There shall be established by the Association a fund into which shall be paid all donations or contributions from any members towards the objectives of the Association, which fund shall be managed by the Association.

(2) The Association shall keep or cause to be kept proper account and other records in respect of its operation and shall cause to be prepared statement of account in respect of each financial year.

(3) The account of the Association shall be audited annually by two persons not being members of the committee and who shall be elected by the members of the Association.

10. (1) The Head Teacher or the Principal of the school or educational institution where the Association is established shall be responsible for the supply of the clerical and the stationery needs of the Association.

Administration.

(2) All other needs of the Association other than those mentioned in sub-rule (1) shall be the responsibility of the Association.

11. (1) If the Registrar is satisfied, either upon a complaint or otherwise that an Association or its members:

Powers of Registrar in relation to exercise of functions of the Association.

- (a) has acted or are proposing to act unreasonably with respect to the exercise of any of the powers conferred or the performance of any duty imposed by these Rules, or by the Constitution or rules of the Association, or
- (b) has failed to discharge any duty imposed upon the Association or its members by or under these Rules,

the Registrar may-

- (i) give such direction in writing as to the exercise or the performance of the duty as appear to the Registrar to be expedient, with which directions it shall be the duty of the Association or its members to comply; or
- (ii) suspend or dismiss all or any of the office-bearers of the Association and (notwithstanding the provisions of any rule or Constitution of the Association) appoint such person or persons as he may think fit to have and exercise all the functions of such office-bearers of the Association for such period as the Registrar may direct.

(2) If at any time, for any school or educational institution there is no office-bearers in existence the Registrar may appoint such person or persons as he may

No affiliation
with bodies
outside the
school or
educational
institution.

think fit to exercise the functions of office-bearers for the Association for such period as the Registrar may direct.

12. The Association established under rule 3 shall have no affiliation with any political party or trade union body or other organisation or association registered or incorporated under any written law in force relating thereto.

FIRST SCHEDULE
(Rule 6 (1))
APPLICATION FOR THE REGISTRATION
OF AN ASSOCIATION

To:

THE REGISTRAR OF SCHOOLS,
c/o Education Department,

.....

1. The particulars of the Association are

(1) Name

(2) The place where its business is to be carried on or its meeting are to be held, and its postal address (if different)

(3) Present number of members:

(4) The Association's financial year commences on the

(5) The names (including any aliases), national registration identity card numbers, occupations and address of the office-bearers and the offices held by them

2. Two certified copies of the Constitution/rules of the Association are attached.

Dated this day of 19.....

(Signature)

(Name)

(Office)

SECOND SCHEDULE

(Rule 6 (2))

CONSTITUTION AND RULES OF ASSOCIATION

Matters for which provisions shall be made in the Constitution or rules of every Association shall be as follows:

- (a) the name and registered office or registered postal address of the Association;
- (b) the aims and objects of the Association;
- (c) the place where meetings of the Association are ordinarily held, if such place be different from its registered office.
- (d) the composition and method of appointment of the committee or governing body and the designations, powers and function of the office-bearers of the Association;
- (e) the sources from which the Association shall derive its income.
- (f) the authority or authorities for expenditure from the funds of the Association;
- (g) the keeping of accounts of income and expenditure of the Association and the publications of such accounts to its members annually;
- (h) the quorum required for the transaction of business at any meeting of the Association or its governing body;
- (i) the annual general meeting and the extraordinary general meeting; and
- (j) the manner by and which the constitution or rules of the Association may be amended.

Made this 22nd day of May, 1973.

[K.P.10066;P.N.2689/8.]

DATUK HUSSEIN ONN,
Menteri Pelajaran.

P.U.(A) 286.

**AKTA PELAJARAN 1961
KAEDAH-KAEDAH PERSATUAN IBUBAPA-
GURU (PINDAAN) 1983**

PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 116 Akta Pelajaran 1961, Menteri membuat kaedah-kaedah yang berikut:

43/61.

Nama.

Pindaan
kaedah 3 (1).
P.U. (A)
146/73.

1. Kaedah-Kaedah ini bolehlah dinamakan **Kaedah-Kaedah Persatuan Ibubapa-Guru (Pindaan) 1983**.

2. Kaedah 3 Kaedah-Kaedah Persatuan Ibubapa-Guru 1973 adalah dipinda dengan menggantikan perkataan-perkataan "sekolah dan institusi pelajaran bantuan penuh" dalam subkaedah (1) dengan perkataan-perkataan "sekolah bantuan penuh dan institusi pelajaran bantuan penuh".

Diperbuat pada 1hb Julai, 1983.

[K.P.Sulit 10066/(49),PN.(PU)243/2.]

DATUK DR SULAIMAN BIN HAJI DAUD,
Menteri Pelajaran

**EDUCATION ACT 1961
PARENT-TEACHER ASSOCIATION
(AMENDMENT) RULES 1983**

43/61.

In exercise of the powers conferred by section 116 of the Education Act 1961, the Minister makes the following rules:

Citation.

1. These rules may be cited as the **Parent-Teacher Association (Amendment) Rules 1983**.

Amendment
of rule 3 (1).
P.U. (A)
146/73.

2. Rule 3 of the Parent-Teacher Association Rules 1973 is amended by substituting for the words "fully assisted school and educational institution" in sub-rule (1) the words "fully assisted school and fully assisted educational institution".

Made the 1st July 1983.

[K.P.Sulit 10066/(49);P.N.(PU)243/2.]

DATUK DR SULAIMAN BIN HAJI DAUD
Minister of Education

Pertubuhan Sekolah

FEDERATION OF MALAYA
THE EDUCATION ORDINANCE, 1952
(No. 63 of 1952)

REGULATIONS UNDER SECTION 92

IN exercise of the powers conferred by section 92 of the Education Ordinance, 1952, the High Commissioner in Council hereby makes the following regulations:

Citation and
commencement.

1. These regulations may be cited as the **Schools (Societies) Regulations, 1956**, and shall come into force on such day as the High Commissioner may, by notification in the *Gazette*, appoint.

2. In these regulations, unless the context otherwise requires-

"school society" means any club, organisation or association of pupils or pupils and teachers of a school.

3. (1) The office bearers of every school society shall furnish in writing to the Head Teacher or such one of the teachers in the school as the Head teacher may nominate.

(a) a true and complete copy of the constitution and rules of such society; and

(b) a true and complete list of office bearers and members of such society.

(2) Such information shall be furnished within two weeks of the coming into force of these regulations or, in the case of a society formed after the coming into force of these regulations, within two weeks of the first meeting of such society.

Periodical
returns.

4. (1) The office bearers of every school society shall furnish in writing to the Head teacher or such one of the teachers in the school as the Head teacher may nominate, full and complete information of any changes in the constitution or rules or the office bearers or members of the society which have taken place since the date upon which information under Regulation 3 of these regulations was furnished.

(2) Such information shall be furnished within seven days of the date upon which the change to which the information relates took place.

(3) The information required by this and the preceding regulation shall be furnished in writing and shall be verified by the signature of one of the office bearers of the society.

5. Every pupil shall within seven days of the coming into force of these regulations or of his first becoming a member of the school society inform the Head teacher of his school or such one of the teachers in the school as the Head teacher may nominate for this purpose of the name of each school society of which he is or becomes a member and the Head teacher shall keep or cause to be kept a written record of such information.

Information to
be furnished
by pupils.

6. There shall be nominated by the Head teacher of every school a teacher or teachers to act as adviser or advisers to each school society in the school, and the Head teacher shall keep or cause to be kept a written record of the name of every such teacher and the name of the school society to which he has been appointed to act as adviser.

Advisers.

7. (1) The funds of every school society shall be under the control of the Head teacher or of an adviser nominated to the society in accordance with Regulation 6 of these regulations.

Funds.

(2) The Head teacher or such adviser shall keep or cause to be kept proper accounts and shall retain in his custody for a period of not less than six months after the end of each financial year the account books and the supporting receipts and vouchers and shall produce the same to the Registrar or Assistant Registrar of Schools for inspection when required to do so.

8. Every meeting of a school society or of a committee of a school society shall be open to any adviser nominated in respect of the society in accordance with the preceding regulation and to any other teacher nominated for the purpose by the Head teacher.

Meetings to be
open to
advisers.

9. Every Head teacher shall keep or cause to be kept a written record of all information furnished in accordance with the provisions of Regulations 4, 5 and 6 and such record shall be available for inspection by the Registrar or an Assistant Registrar of Schools.

Inspection of
records.

10. (1) The Registrar of Schools or the Head teacher may in his discretion by writing order that any school

Dissolution of
school societies.

society be dissolved where he is satisfied that such society is likely to be used for the purpose of political propaganda detrimental to the interests of the Federation or of the public, or for purposes detrimental to the interests of the public or the pupils or that there has been a breach of any condition specified by an order made under paragraph (2) of this regulation in respect of that society.

(2) The Registrar of Schools or the Head teacher may, in his discretion in like manner, direct that any school society shall thereafter comply with such conditions as to its management, activities, membership or otherwise as may be specified in the order.

(3) Every order under paragraph (1) or (2) of this regulation shall be published by affixing a copy thereof upon the school notice board or in some other prominent place on the school premises.

(4) Upon the publication of an order under paragraph (1) of this regulation the society to which such order relates shall be dissolved forthwith and in default thereof shall thereafter be deemed to have ceased to form part of the curriculum of the school for the purposes of the Societies Ordinance, 1949.

Expulsion of
pupils
contravening
regulations.

11. When it appears to the satisfaction of the Registrar of Schools that any pupil has contravened any of these regulations or has become or remained a member of an unlawful society within the meaning of the Societies Ordinance, 1949, the Registrar may notwithstanding that such pupil may not have been convicted of an offence, require by order in writing the Head teacher to cause such pupil to be expelled from the school.

Penalty.

Any person who contravenes any of these regulations shall be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made this 22nd day of May, 1956

[A.G. F.M.401/53.]

A. S. H. KEMP,
Clerk of Federal Executive Council

THE EDUCATION ORDINANCE, 1952
(No.63 of 1952)
THE SCHOOLS (SOCIETIES) REGULATIONS,
1956

(L.N. No. 179 of 1956)

IN exercise of the powers conferred upon him by Regulation 1 of the Schools (Societies) Regulations, 1956, the High commissioner hereby appoints the 14th day of June, 1956, as the day on which the said Regulations shall come into force.

Dated this 8th day of June, 1956.

[AG/FM/401/53.]

By Command,
T.V.A.BRODIE,
Legal Secretary

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957
(No. 2 of 1957)

REGULATIONS UNDER SECTION 116

IN exercise of the powers conferred by section 116 (iii) of the Education Ordinance, 1957 the Minister hereby makes the following regulations:

Citation. 1. These regulations may be cited as the **Schools (Post Secondary) Societies Regulations, 1960.**

Interpretation. 2. In these regulations, unless the context otherwise requires-

"post secondary school society" means any club, organisation or association of pupils or pupils and teachers of a school set apart for the provision of post secondary training or higher education (hereinafter these regulations referred to as "school society"), and specified in the Schedule hereto.

"Principal" includes a Head teacher or any person appointed to exercise authority and control over the school.

Initial returns. 3. (1) The office bearers of a school society shall furnish in writing to the Principal-

(a) a true and complete copy of the constitution and rules of such society; and

(b) a true and complete list of office bearers and members of such society.

(2) such information shall be furnished within two weeks of the coming into force of these regulations or in the case of the society formed after the coming into force of these regulations, within two weeks of the first meeting of such society.

Periodical returns. 4. (1) The office bearers of every school society shall furnish in writing to the Principal full and complete information of any changes in the constitution or rules or the office bearers of members of the society which have taken place since the date upon which information under Regulation 3 of these regulations was furnished.

(2) Such information shall be furnished within seven days of the date upon which the change to which the information relates took place.

(3) The information required by this and the preceding regulation shall be furnished in writing and shall be verified by the signature of one of the office bearers of the society.

5. The Principal or any teacher nominated by him shall be entitled to participate in the activities of a school society in an advisory capacity. Advisers.

6. Every school society shall keep or cause to be kept proper accounts of its funds. Such accounts shall be submitted to the Principal or his nominee for his inspection at the end of each financial year and at such other times as the Principal or his nominee may require. Funds.

7. Every Principal shall keep or cause to be kept a written record of all information furnished in accordance with the provisions of regulations 3 and 4 and such record shall be available for inspection by the Registrar or an Assistant Registrar of Schools. Inspection of records.

8. (1) The Registrar of Schools or the Principal may, in his discretion, by writing order that any school society be dissolved where he is satisfied that such society is likely to be used for the purpose of political propaganda detrimental to the interest of the Federation or of the public, or for purposes detrimental to the interest of the public or the pupils or that there has been a breach of any condition specified by an order made under paragraph (2) of this regulation in respect of that society. Dissolution of societies.

(2) The Registrar of Schools or the Principal may, in his discretion, in like manner, direct that any school society shall thereafter comply with such conditions as to its management, activities, membership or otherwise as may be specified in the order.

(3) Every order under paragraph (1) or (2) of this regulation shall be published by affixing a copy thereof upon the school notice board or in some other prominent place on the school premises.

(4) Upon the publication of an order under paragraph (1) of these regulation the society to which such order relates shall be dissolved forthwith.

9. Any person who contravenes or fails to comply with any of these regulations shall be liable on conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment. Penalty.

10. The Minister may, by notification in the *Gazette*, add, alter or amend the Schedule hereto.

***SCHEDULE**

1. The Technical College, Kuala Lumpur.
2. The Language Institute, Pantai Valley, Kuala Lumpur.
3. The Malayan Teachers' College, Penang.

Made this 25th day of April, 1960

[M.E.O. Conf. 025/L,AG.FM.075/4/56.]

ABDUL RAHMAN BIN HAJI TALIB,
Minister of Education

Schedule dipinda dan ditambah oleh:

*(i) Schools (Post Secondary) Societies (Amendment) Rules, 1962
- LN. 331. Lihat muka surat 523

*(ii) Schools (Post Secondary) Societies (Amendment) Rules, 1970
- PUA.415. Lihat muka surat 523

EDUCATION ACT, 1961

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister hereby makes the following Rules: 43 of 1961.

1. These Rules may be cited as the **Schools (Post Secondary) Societies (Amendment) Rules, 1962.** Citation.
2. The Schedule to the Schools (Post Secondary) Societies Regulations, 1960 (continued in force by the proviso to section 139 of the Education Act, 1961, as if they had been made under the said Act) is hereby amended by the addition of the following new items: Amendment of Schedule. L.N. 96/60
- "4. The Malayan Teachers College, Pantai Valley, Kuala Lumpur.
5. The Technical Teachers Training College, Kuala Lumpur.
6. The College of Agriculture, Serdang, Selangor."

Made this 17th. day of December, 1962.

(M.E.).025/L,AG.FM.O.75/4/56.)

CAPT. HAJI ABDUL HAMID KHAN,
Minister of Education.

P.U.(A) 415.

EDUCATION ACT, 1961

In exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister hereby makes the following rules: 43/1961.

1. These rules may be cited as the **Schools (Post Secondary) Societies (Amendment) Rules, 1970.** Citation.
2. The Schedule to the Schools (Post Secondary) Societies Regulations, 1960 (continued in force by the proviso to section 139 of the Education Act, 1961, as if they had been made under the said Act) is hereby amended by the addition of the following new items: Amendment of Schedule to L.N.96/60.
- "7. Ungku Omar Polytechnic, Ipoh, Perak.
8. Temenggong Ibrahim Teachers College, Johor Baharu, Johor."

Made this 2nd day of November, 1970.

[K.P.8153;P.N.2689/1.]

HUSSEIN BIN ONN
Minister of Education.

Rayuan Pendaftaran Guru

FEDERATION OF MALAYA
THE REGISTRATION OF TEACHERS
ORDINANCE, 1957

(No. 3 of 1957)

IN exercise of the powers conferred upon him by sections 20 and 21 of the Registration of Teachers Ordinance, 1957, the Minister hereby makes the following rules:

Citation.

1. These rules may be cited as the **Registration of Teachers (Appeal) Rules, 1957.**

Form of
appeal.

2. (1) A teacher wishing to appeal against a decision of the Registrar made under the provisions of the Ordinance (other than a decision made under section 11) shall lodge with the Registrar within twenty-one days from the time of such decision being made a memorandum of appeal in triplicate signed by the teacher as appellant setting out shortly the substance of the decision appealed against and the grounds of appeal.

(2) In addition to the grounds of appeal the appellant shall give the name, occupation and address of any person who in his opinion is able and willing to give evidence on his behalf and shall state shortly the substance of such evidence and the manner in which the person named is prepared to give it.

(3) An appellant may annex to his memorandum of appeal a statement by a person named in accordance with the provisions of paragraph (2):

No.49 of 1949

Provided that any such statement shall be in the form of a declaration made under the provisions of the Statutory Declarations Ordinance, 1949.

(4) On filing a memorandum of appeal the appellant shall pay a fee of \$10.00.

Appeals to
be submitted
to the
minister

3. (1) Subject to the provisions of paragraph (2), the Registrar shall, on receipt of a memorandum of appeal lodged in accordance with the provisions of Rule 2, forward the same and all statements annexed thereto to the Minister, together with a copy of the notice served pursuant to sections 9, 12, 13 or 17 of the Ordinance which has given rise to the appeal and a report under his hand setting out the reasons for the service of such notice.

(2) If the registration of an appellant has been cancelled under the provisions of the Ordinance or if the appellant was a teacher deemed to be registered under the provisions of section 16 of the Ordinance and has ceased to be deemed to be registered following the service of notice under the provisions of section 17 of the Ordinance, the Registrar shall not forward the memorandum of appeal of such appellant to the Minister unless and until the appellant shall have surrendered his certificate or certificate of registration under the provisions of any former written law, if he has been issued with such certificate.

4. (1) If the Minister is satisfied that an appeal has been made in the manner provided by these Rules, he shall appoint a Committee of Enquiry (in these Rules referred to as the Committee) to investigate the facts and to report to him thereon; and shall nominate one of the members of such Committee to be Chairman thereof.

Constitution of
the Committee
of Enquiry.

(2) The Committee shall meet at such places and at such times as the Chairman thereof shall appoint.

*5. The Committee shall have the powers set out in sub-section (2) of section 21 of the Ordinance and for the purpose of any investigation made pursuant to section 19 of the Ordinance the Chairman thereof shall have the powers of a President of the Sessions Court for the summoning and examination of witnesses, the administration of oaths or affirmations and for compelling the production of documents and material objects and the Committee shall be deemed to be a civil court for the purposes of section 129 of the Criminal Procedure Code of the Federated Malay States as extended to apply to the Malay States or of section 139 of the Criminal Procedure Code of the Straits Settlement.

Powers of the
Committee of
Enquiry.

F.M.S. Cap. 6
S.S. Cap. 21.

*6. (1) The Chairman of the Committee shall include in the record of the proceedings all written evidence received and shall make a brief memorandum of the substance of the evidence of every witness as the

Record and
report.

* Kaedah 5, 6 dipinda oleh Registration of Teachers (Appeal) (Amendment) Rules, 1958 - LN 210. Lihat muka surat 528

* Kaedah 5 dipinda oleh Registration of Teachers (Appeal) (Amendment) Rules, 1960 - LN. 164. Lihat muka surat 529

examination of the witness proceeds and such memorandum shall be signed by the Chairman with his own hand and shall form part of the record.

(2) The Chairman on the completion of the investigation shall forward to the Minister the record of the proceedings and a report disclosing the findings of the Committee and its recommendation as to the disposal of the appeal.

Made this 24th day of December, 1957.

[M. for E.O. 8K/57.]

MOHAMED KHIR JOHARI,
Minister for Education

L.N 210

FEDERATION OF MALAYA
REGISTRATION OF TEACHERS ORDINANCE,
1957

REGISTRATION OF TEACHERS (APPEAL)
(AMENDMENT) RULES, 1958

3 of 1957.

In exercise of the powers conferred by section 20 and 21 of the Registration of Teachers Ordinance, 1957, the Minister hereby makes the following rules:

1. These rules may be cited as the **Registration of Teachers (Appeal) (Amendment) Rules, 1958.**

Amendment of
Rule 5.
L.N/6/58/

2. Rule 5 of the Registration of Teachers (Appeal) Rules, 1957, is hereby amended-

(a) by deleting the figure and brackets "(1)" which appear in the first line thereof; and

(b) by deleting all the words following the words "objects" in the seventh line thereof.

3. Rule 6(2) of the Registration of Teachers (Appeal) Rules, 1957, is hereby amended by deleting all the words following the word "Committee" in the third line thereof.

Made this seventh day of July, 1958.

(A.G. 944; M.E.O. 8K/57.)

MOHD. KHIR JOHARI,
Minister of Education.

REGISTRATION OF TEACHERS ORDINANCE,
1957

REGISTRATION OF TEACHERS (APPEAL)
(AMENDMENT) RULES, 1960

In exercise of the powers conferred by section 20 and 21 of the Registration of Teachers Ordinance, 1957, the Minister hereby makes the following rules:

3 of 1957.

1. These rules may be cited as the **Registration of Teachers (Appeal) (Amendment) Rules, 1960.**

Citation.

2. Rule 5 of the Registration of Teachers (Appeal) Rules, 1957, is hereby amended-

Amendment of
Rule 5.
L.N/6/58.
L.N. 210/58.

(a) by substituting a colon for the full-stop at the end thereof; and

(b) by adding the following proviso thereto;

“Provided that no public officer shall be compelled to disclose any evidence which the head of his department considers it to be against the public interest to disclose.”

Made this 9th day of July, 1960.

(M.E.O. 8K/57; A.G.Y. 88/20.)

ABDUL RAHMAN BIN HAJI TALIB
Minister of Education.

Rayuan Pendaftaran Sekolah

FEDERATION OF MALAYA
EDUCATION ORDINANCE, 1957

2 of 1957

IN exercise of the powers conferred by sections 91, 115 (xiv) and 117 of the Education Ordinance, 1957, the Minister hereby makes the following rules:

Citation.

1. These rules may be cited as the **Education (Appeal) Rules, 1959.**

Form of appeal

2. (1) Any person wishing to appeal against a decision of the Registrar shall do so by memorandum of appeal filed with the Registrar within 21 days from the time of service of such decision. The memorandum, which shall be in triplicate, shall be signed by the appellant and shall set out briefly —

- (a) the substance of the decision appealed against;
- (b) the grounds of the appeal;
- (c) the name, occupation and address of any person who, in the opinion of the appellant, is able and willing to give evidence on his behalf, and the substance of such evidence and the manner in which the person named is prepared to give it.

(2) An appellant may annex to his memorandum of appeal statements by the persons named by him under the provisions of paragraph (1) (c):

49 of 1949.

Provided that any such statement shall be in the form of a declaration made under the provisions of the Statutory Declarations Ordinance, 1949.

(3) A fee of ten dollars shall be payable on a memorandum of appeal and shall be paid at the time it is filed.

Appeals to be submitted to the Minister.

3. When a memorandum of appeal has been filed in accordance with the provisions of rule 2, the Registrar shall forward the same and all the statements annexed thereto to the Minister, together with —

- (a) a copy of the notice or writing served or sent by him pursuant to the provisions of section 66, 67, 68, 69, 78 or 82 of the Ordinance which has given rise to the appeal:

(b) the grounds for his decision.

4. The memorandum of appeal (and the other documents specified in rule 3) shall thereupon be referred for investigation and report to the Committee of Enquiry (in these Rules referred to as the Committee) appointed under the provisions of section 90 of the Ordinance.

Investigation.

5. The Committee shall meet at such places and at such times as the Chairman (who shall be nominated by the Minister) shall appoint.

Meetings.

6. (1) The Committee shall have the following powers:

Powers.

(a) all the powers set out in sub-section (2) of section 91 of the Ordinance;

(b) the powers of the President of a Sessions Court for the summoning and examination of witnesses, the administration of oaths and affirmations and for compelling the production of documents and material objects:

Provided that no public officer shall be compelled to disclose any evidence which the head of his department considers it to be against the public interest to disclose.

(2) The Chairman may exercise on behalf of the Committee the powers of the Committee to summon witnesses.

7. The Chairman shall give notice of the meeting to the appellant inviting him to be present and produce his evidence.

Notice of meeting.

8. The quorum for a meeting of the Committee shall be two members, one of whom shall be the Chairman.

Quorum.

9. The Committee may authorise one or more of its members to enquire into any particular matter relating to the investigation, and the member or members so authorised shall, for the purpose of such enquiry, have all the powers of the Committee.

Enquiries by members of the Committee.

10. The Committee may postpone or adjourn the investigation from time to time.

Postponement.

11. The Chairman of the Committee shall include in the record of the proceedings all written evidence received and shall make a brief memorandum of the

Record.

substance of the evidence of every witness as the examination of the witness proceeds and such memorandum shall be signed by the Chairman with his own hand and shall form part of the record.

Findings.

12. On completion of the investigation the Chairman shall forward to the Minister the record of the proceedings and a report disclosing the findings of the Committee.

Exclusion of public

13. In the event of the public being excluded from any investigation or any part thereof, any person present at such investigation or part thereof who without the consent of the Minister communicates or publishes in any manner whatsoever any information that may have come to his knowledge or possession by reason of his presence at such investigation or part thereof shall be guilty of an offence and shall be liable to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

Made this 12th day of March, 1959.

[A.G. 250/54-LV; M.E.O. 24D/57]

MOHAMED KHIR JOHARI,
Minister of Education

Suratcara Pengurusan/ Pengelolaan Sekolah

THE EDUCATION ORDINANCE, 1957

(No. 2 of 1957)

IN exercise of the powers conferred by section 44 of the Education Ordinance, 1957, the Minister of Education hereby makes the following rules:

- Citation. ***1.** These rules may be cited as the **Assisted Schools (Instruments of Management or Government) Rules, 1958.**
- Interpretation. **2.** In these Rules, unless the context otherwise requires

“approving authority” means in respect of a school providing primary or trade school education, the local education authority; in respect of a secondary school, the Minister and the Mentri Besar or the Chief Minister of the State in which the school is situate; and in respect of any other school including a combined school, the Minister;

“combined school” means a school providing primary, trade school, secondary and further education other than further primary education or any two or more of such classes of education, which is registered as one school pursuant to a declaration by the Registrar under the provisions of section 2 of the Ordinance;

“Chairman” means the Chairman of the managers or governors of a school and includes an intended Chairman appointed under the provisions of sub-section (3) of section 60 of the Ordinance or any manager, governor or person for the time being responsible for the management of a school:

“instrument” means the instrument of management in the case of a primary or trade school and the instrument of government in the case of any other school:

“supporters” in relation to a school means persons who make or undertake to make regular payments not less frequently than once a year towards the upkeep of such school, but does not include a person making payments

*Kaedah-kaedah ini telah dimansuhkan oleh Educational Institutions (Instruments of Management or Government) Rules, 1963-LN 171 Lihat muka surat 541

from public funds or a person making payments in respect of fees only.

3. (1) Within one month of the coming into operation of these Rules or within such further period as the Minister may permit the Chairman of every existing school, not being an existing school exempted from the provisions of the Ordinance by the provisions of section 114, shall cause to be prepared and submitted to the appropriate authority an instrument for such school in conformity with the provisions of section 43 of the Ordinance.

Chairman to submit instruments.

(2) The Chairman of a school, other than an existing school, or one exempted from the provisions of the Ordinance by section 114, shall, within one month of the filing of an application for the registration of such school under the provisions of section 60 of the Ordinance, or within such further period as the Minister may permit, cause to be prepared and submitted to the appropriate authority an instrument for such school in conformity with the provisions of section 43 of the Ordinance.

(3) The instrument for every school shall be in a form approved by the Minister and shall be prepared in consultation with the Registrar whose duty it shall be to ensure that the instrument is in the proper form and in conformity with the Ordinance and all rules and regulations made thereunder.

4. The appropriate authority on receipt of an instrument of a school submitted pursuant to rule 3 shall obtain from the approving authority approval thereof in writing, and shall endorse on the instrument a certificate to the effect that such approval has been obtained and thereupon such instrument shall be the instrument of the school.

Approval of instruments.

5. (1) The Chairman of a school shall, from time to time, in order to comply with these rules cause to be prepared and submitted to the appropriate authority amendments to the instrument of such school or a new instrument.

Amendment of instruments and new instruments.

(2) Any amendment to an instrument and any new instrument shall be prepared in the manner provided in paragraph (3) of rule 3.

Approval of
amendments
or of a new
instrument.

6. The appropriate authority on receipt of a proposed amendment to the instrument of a school or a new instrument shall obtain from the approving authority approval therefor in writing and shall endorse on the instrument a certificate to the effect that such approval has been obtained and thereupon the instrument as amended or the new instrument, as the case may be, shall be the instrument for such school.

Approving
authority
may require
exclusion or
inclusion of
certain
provisions.

7. The approving authority may before approving any instrument or any proposed amendment to an instrument require the alteration or deletion of any rule contained therein inconsistent with any written law and may require a provision to be inserted to give effect in respect of the school to any written law.

Amendment
by Registrar.

8. (1) If the Chairman of a school fails to cause to be prepared and submitted to the appropriate authority within a period of 21 days any necessary amendments to the instrument or a new instrument the Registrar may serve a notice upon such Chairman signifying his intention to prepare and submit such amendment or new instrument.

(2) If on the expiry of seven days from the date of service of the notice mentioned in paragraph (1) of this rule the Chairman of a school on whom such notice has been served has failed to cause to be prepared and submitted to the appropriate authority any necessary amendment to the instrument of the school or a new instrument such necessary amendment or a new instrument may be prepared and submitted to the appropriate authority by the Registrar and for the purpose of these rules any such necessary amendment or new instruments shall be deemed to have been prepared and submitted by the Chairman of the school.

Made this 9th day of January, 1958.

[M.E.O. 24A/57: AG. 250/54-LV/B]

MOHAMED KHIR JOHARI,
*Minister of Education,
Federation of Malaya*

EDUCATION ACT, 1961

IN exercise of the powers conferred by section 28 of the Education Act, 1961, the Minister of Education hereby makes the following Rules: 43 of 1961.

1. These Rules may be cited as the **Educational Institutions (Instruments of Management or Government) Rules, 1963.** Citation.

2. (1) In these Rules, unless the context otherwise requires — Interpretation.

“Chairman” means the Chairman of the managers or governors of an educational institution and includes an intended Chairman to be appointed under the provisions of section 47 of the Act, or any manager, governor or person or the one being responsible for the management of an educational institution;

“instrument” means the instrument of management in the case of a primary school and the instrument of government in the case of any other educational institution.

(2) Nothing in these Rules shall apply to an educational institution exempted by section 127 of the Act from the provisions of section 27 and “educational institution” in these Rules shall accordingly not include an institution so exempted.

3. (1) Where an instrument is required for any educational institutions the Chairman shall submit a draft instrument to the Registrar. Normal manner of making instruments.

(2) The draft instrument shall be in a form approved by the Minister, and shall be prepared in consultation with the Registrar, who if the instrument is for an assisted educational institution, shall give any necessary advice as to the provisions required to be included in it or necessary to secure its approval.

(3) The Registrar shall satisfy himself that any draft instrument submitted to him is in proper form, and that the requirements of section 27 of the Act will be complied with if effect is given to the draft.

(4) If the Registrar is so satisfied, he shall return the draft instrument to the Chairman with a certificate

endorsed on it to the effect that the requirements of this Rule have been complied with.

(5) On the draft instrument being so returned to the Chairman or from any later date specified therein, it shall have effect as the instrument of the educational institution and any previous instrument shall be thereby cancelled.

Normal
manner
of amending
instruments.

4. (1) An instrument may be amended by means of a new instrument cancelling the old instrument and reproducing it with the required amendments or by means of a supplementary instrument.

(2) Rule 3 shall apply to any such new or supplementary instrument, but in the case of a supplementary instrument shall apply with the modification that under paragraph (5) of the Rule the old instrument and the supplementary instrument shall be read as one and together have effect as the instrument of the educational institution.

Making of
general
amendments
by order of
Minister.

*5. The Minister may by order published in the *Gazette* amend the instruments of all educational institutions or of any class of educational institutions, where the amendment is necessitated by any written law; but an amendment so made shall have the same effect only as if made in accordance with Rule 4, and the instrument may be further amended or cancelled accordingly.

Making or
amendment of
instruments in
cases of
default.

*6. (1) Where an educational institution has no instrument or the instrument of an educational institution needs amending to comply with the requirements of section 27 of the Act or with those of some other written law, and the Chairman does not within the period specified in paragraph (3) submit a draft to the Registrar in accordance with Rule 3 or 4, as the case may be, then the Registrar may serve notice on the Chairman that it is intended to proceed under this Rule to prepare and give effect to an instrument for the institution or to amend its instrument, as the case requires.

*Kaedah 5 dimansuhkan oleh Educational Institutions (Instruments of Management or Government) (Amendment) Rules, 1966 - PU 332. Lihat muka surat 542

*Kaedah 6 dipinda oleh kaedah-kaedah yang sama seperti di atas. Lihat muka surat 542

(2) If on the expiry of fourteen days from the service of such a notice the Chairman does not submit the required draft in accordance with Rule 3 or 4, the Registrar may prepare such a draft and endorse thereon a certificate that it is to have effect under this Rule; and on delivery thereof to the Chairman it shall have the like effect as if the draft had been prepared and submitted by the Chairman and returned to him duly certified in compliance with paragraphs (1) to (4) of Rule 3.

(3) The period referred to in paragraph (1) is —

- (a) in the case of an instrument for an educational institution not having one, the period of six months from the coming into force of these Rules or the period of three months from the making under section 46 of the Act of an application for the institution to be registered, whichever period last expires, or such longer period as the Minister may permit; and
- (b) in the case of an amendment to the instrument of an educational institution, the period of one month from the date when the amendment becomes necessary in order that the instrument may comply with the requirements of section 27 of the Act or with those of some other written law.

7. The Assisted Schools (Instruments of Management or Government) Rules, 1958 are hereby revoked.

Revoca-
tion.
L.N.34/58.

Made this 20th day of June, 1963.

[K.P. Sulit 0204/14: AG.FM.250/54 SF. 192/C]

HAJI ABDUL HAMID KHAN.
Minister of Education

EDUCATION ACT , 1961
EDUCATIONAL INSTITUTIONS (INSTRUMENTS OF
MANAGEMENT OR GOVERNMENT)
(AMENDMENT) RULES, 1966

In exercise of the powers conferred by sections 28 and 116 of the Education Act, 1961, the Minister of Education hereby makes the following rules:

1. These rules may be cited as the Educational Institutions (Instruments of Management or Government) (Amendment) Rules, 1966.

Revocation
of Rule 5.
L.N.171/63

2. Rule 5 of the Educational Institutions (Instruments of Management or Government) Rules, 1963 (hereinafter referred to as "the principal Rules") is hereby revoked.

Amendment
of Rule 6.

3. Rule 6 of the principal Rules is hereby amended —

- (a) by substituting for the words "it is intended to proceed" and all the words immediately following in paragraph (1), the words "a draft of the instrument or of the amendments, as the case may be, should be submitted to the Registrar"; and
- (b) by substituting for the words "the Registrar may prepare" and all the words immediately following in paragraph (2), the words "it shall be presumed that the Chairman does not wish that the instrument or amendments aforesaid be made".

Made this 17th day August, 1966.

[AG. 2689/3; KP. 0204/14/A]

MOHD KHIR JOHARI.
Minister of Education

Taman Didikan Kanak-kanak

AKTA PELAJARAN, 1961

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN) (PENDAFTARAN), 1972

43/61. PADA menjalankan kuasa-kuasa yang diberi oleh seksyen 116 Akta Pelajaran, 1961, Menteri dengan ini membuat kaedah-kaedah berikut:

BAHAGIAN I

PERMULAAN

Nama. 1. Kaedah-kaedah ini bolehlah dinamakan **Kaedah-Kaedah Pelajaran (Kindergarten dan Sekolah Asuhan) (Pendaftaran), 1972.**

Tafsiran. 2. Dalam Kaedah-kaedah ini, melainkan jika kandungan ayatnya menghendaki makna yang lain —

“guru” ertinya seseorang yang mengajar murid-murid di mana-mana kindergarten dan sekolah asuhan dan termasuklah seseorang guru besar;

“kindergarten atau sekolah asuhan” walau apapun nama dan gelaran yang diberi kepadanya, ertinya sesuatu tempat di mana sepuluh orang murid-murid atau lebih yang berumur pra-sekolah rendah diajar atau biasanya diajar dalam satu klas atau lebih;

“pekerja” ertinya seseorang, lain daripada seorang pengelola atau seorang ahli lembaga atau jawatankuasa yang ditubuhkan oleh Menteri di bawah seksyen-kecil (4) seksyen 26A Akta itu atau seseorang guru, yang bekerja atau yang mengambil bahagian cergas dalam kerja berhubung dengan perjalanan atau pentadbiran sesuatu kindergarten dan sekolah asuhan, tetapi tidak termasuk seseorang penjawat rumahtangga atau seseorang yang bertugas membaiki, menyenggara atau menjaga premis;

“Pendaftar” berhubung dengan sesuatu Kindergarten dan sekolah asuhan, ertinya Pendaftar Sekolah-sekolah yang dilantik di bawah seksyen-kecil (2) seksyen 4 berkenaan dengan kawasan di mana Kindergarten dan sekolah asuhan itu terletak, dan termasuklah Pendaftar Besar;

“Pendaftar Besar” ertinya Pendaftar Besar Sekolah-sekolah yang di lantik di bawah seksyen-kecil (1) seksyen 4 dan termasuklah Timbalan Pendaftar Besar Guru-guru yang dilantik di bawah seksyen-kecil itu;

"Pendaftar Besar Guru-guru" ertinya Pendaftar Besar Guru-guru yang dilantik di bawah seksyen-kecil (1) seksyen 5 dan termasuklah Timbalan Pendaftar Besar Guru-guru yang dilantik di bawah seksyen-kecil itu;

"Pendaftar Guru-guru" ertinya Pendaftar Guru-guru yang dilantik di bawah seksyen-kecil (2) seksyen 5 bagi kawasan di mana Kindergarten atau sekolah asuhan itu terletak di Kindergarten atau sekolah yang mana seorang guru atau seseorang yang memohon untuk didaftarkan sebagai seorang guru mengajar atau ber-cadang hendak mengajar dan termasuklah Pendaftar Besar Guru-guru.

BAHAGIAN II

PENDAFTARAN

3. Tertakluk kepada peruntukan-peruntukan Akta Pelajaran, 1961 atau sesuatu kaedah atau peraturan yang dibuat di bawahnya, dan khususnya kepada peruntukan-peruntukan mengenai pengecualian, tiap-tiap Kindergarten dan sekolah asuhan dan tiap-tiap pengelola, pekerja dan guru Kindergarten dan sekolah asuhan hendaklah didaftarkan di bawah kaedah-kaedah ini.

Kindergarten dan Sekolah Asuhan, dsb., hendaklah didaftarkan.

BAB 1

Pendaftaran Kindergarten-kindergarten dan Sekolah-sekolah Asuhan, pengelola-pengelola dan pekerja-pekerja di situ

4. (1) Pendaftar hendaklah menyimpan atau mengarahkan supaya disimpan dan disenggara menurut seksyen 45 Akta itu suatu daftar bagi Kindergarten-kindergarten dan sekolah-sekolah asuhan bagi kawasan yang baginya ia dilantik atau daftar-daftar yang berasingan bagi kawasan-kawasan sebagaimana yang ditentukan oleh Pendaftar Besar.

Daftar.

(2) Sesuatu daftar hendaklah mengandungi butir-butir berhubung dengan kindergarten-kindergarten dan sekolah-sekolah asuhan yang didaftarkan dan hendaklah mengikut Borang A dalam Jadual kepada kaedah-kaedah ini.

(3) Tiap-tiap catitan dan tiap-tiap perubahan atau pindaan berkenaan dengan sesuatu catitan hendaklah ditandatangani atau ditandatangani ringkas oleh Pendaftar.

Permohonan
untuk
pendaftaran.

5. (1) Permohonan untuk pendaftaran sesuatu kindergarten dan sekolah asuhan menurut seksyen 46 Akta itu hendaklah dibuat mengikut Borang B dalam Jadual kepada kaedah-kaedah ini.

(2) Permohonan untuk pendaftaran sebagai seorang pengelola atau pekerja bagi sesuatu kindergarten dan sekolah asuhan menurut seksyen 60 Akta itu hendaklah dibuat mengikut Borang C dalam Jadual kepada kaedah-kaedah ini:

(3) Permohonan hendaklah disertai dengan bayaran yang berkenaan sebagaimana yang ditetapkan dalam kaedah 24.

(4) Pendaftar hendaklah mengakuterima dengan bertulis tiap-tiap permohonan dan mengeluarkan suatu resit bagi bayaran yang disampaikan bersamanya.

(5) Seseorang pemohon hendaklah memberi kepada Pendaftar apa-apa maklumat selanjutnya sebagaimana yang dikehendaki oleh Pendaftar berkenaan dengan kandungan permohonannya dan suratan-suratan yang disampaikan bersamanya.

Perakuan
pendaftaran.

6. (1) Sesuatu perakuan pendaftaran mengenai sesuatu kindergarten dan sesuatu sekolah asuhan yang dikeluarkan menurut seksyen 49 Akta itu hendaklah dibuat mengikut Borang D dalam Jadual kepada kaedah-kaedah ini dan adalah sah bagi tempoh yang dinyatakan dalamnya itu melainkan jika dibaharui untuk suatu tempoh selanjutnya.

(2) Sesuatu perakuan pendaftaran yang dikeluarkan menurut seksyen 61 Akta itu berkenaan dengan seseorang pengelola atau pekerja disesuatu kindergarten dan sekolah asuhan hendaklah dibuat mengikut Borang E dalam jadual kepada kaedah-kaedah ini.

Perakuan
sementara
pendaftaran.

7. (1) Sesuatu perakuan sementara pendaftaran berkenaan dengan sesuatu kindergarten dan sekolah asuhan yang dikeluarkan menurut seksyen 48 Akta hendaklah dibuat mengikut Borang F dalam Jadual kepada kaedah-kaedah ini.

(2) Sesuatu permit untuk bertugas sebagai seorang pengelola atau pekerja yang dikeluarkan menurut seksyen-kecil (2) seksyen 61 Akta itu hendaklah dibuat mengikut Borang G dalam Jadual kepada kaedah-kaedah ini.

(3) Sesuatu perakuan sementara pendaftaran berkenaan dengan sesuatu kindergarten atau sesuatu sekolah asuhan atau sesuatu permit untuk bertugas sebagai seorang pengelola atau pekerja boleh dikeluarkan apabila dijelaskan bayaran yang ditetapkan dalam kaedah 24 dan hendaklah tertakluk kepada syarat bahawa perakuan itu hendaklah sah bagi tempoh yang dinyatakan dalamnya itu dan tempoh itu tidak boleh lebih daripada tempoh dua belas bulan kalendar selepas tarikh pengeluaranannya:

Dengan syarat bahawa apabila tamat sesuatu tempoh sahnya Pendaftar boleh dengan bertulis di bawah tandatangannya yang dicatitkan pada sesuatu perakuan atau permit membaharuinya bagi suatu tempoh selanjutnya:

Dan lagi dengan syarat bahawa tiada apa-apa yang terkandung dalam kaedah ini boleh menyentuh kuasa Pendaftar untuk menarik balik sesuatu perakuan sementara atau permit itu mengikut peruntukan-peruntukan seksyen-kecil (3) seksyen 61 dalam Akta itu.

8. Jika apa-apa perluasan, tambahan atau perubahan kepada bangunan sesuatu kindergarten atau sekolah asuhan atau apa-apa pengendalian saiz bangunan itu atau pengurangan bilangan bilik-bilik yang digunakan bagi maksud pengajar telah dibuat dengan kuasa bertulis Pendaftar di bawah peruntukan-peruntukan seksyen 49 Akta itu, Pengerusi lembaga pengelola-pengelola bagi kindergarten atau sekolah asuhan itu hendaklah sertamerta mengembalikan kepada Pendaftar perakuan pendaftaran berkenaan dengannya untuk dipinda atau supaya dikeluarkan oleh Pendaftar suatu perakuan baharu pendaftaran.

Perubahan-perubahan berkenaan dengan premis.

9. (1) Sesuatu perakuan pendaftaran atau sesuatu perakuan sementara pendaftaran atau sesuatu permit yang dikeluarkan oleh Pendaftar di bawah peruntukan-peruntukan Akta itu atau di bawah kaedah-kaedah ini, sama ada atau tidak ia ada dalam milik Pengerusi lembaga pengelola kindergarten atau sekolah asuhan atau orang yang dimaksudkan olehnya itu, hendaklah diserahkan balik kepada Pendaftar apabila diminta oleh Pendaftar bagi maksud perubahan, pindaan, catitan atau penggantian.

Penyerahan balik perakuan-perakuan atau permit untuk diubah, dsb.

(2) Tiada apa-apa perubahan, pindaan atau catitan boleh dibuat kepada sesuatu perakuan atau permit kecuali di bawah tandatangan Pendaftar.

10. Pendaftar boleh mengeluarkan, apabila dijelaskan bayaran yang ditetapkan dalam kaedah 24, suatu perakuan gantian, perakuan sementara atau permit sementara sebagai ganti sesuatu perakuan atau permit yang dikeluarkan dibawah peruntukan-peruntukan Akta itu atau kaedah-kaedah ini, yang telah hilang, binasa, cacat atau yang, kerana sesuatu sebab lain difikirkan menasabah oleh Pendaftar, perlu diganti:

Dengan syarat bahawa jika sesuatu perakuan atau permit dikatakan sebagai hilang atau binasa, orang yang berhak kepada perakuan atau permit itu hendaklah sebelum diberi suatu perakuan gantian atau permit gantian, memfailkan kepada Pendaftar suatu akuan berkanun menerangkan hal keadaan kehilangan itu dan mengaku bahawa sepanjang pengetahuan dan kepercayaannya perakuan atau permit itu tidak boleh dijumpai atau didapatkan balik:

Dan lagi dengan syarat bahawa jika sesuatu perakuan gantian atau permit gantian dikehendaki kerana sesuatu sebab yang pada pendapat Pendaftar tidak berbangkit dari kecuaiian orang yang berhak kepadanya itu, Pendaftar boleh meremitkan apa-apa bayaran yang kena dibayar berkenaan dengan pengeluarannya.

BAB 2

Pendaftaran Guru-guru yang bertugas di Kindergarten-kindergarten dan Sekolah-sekolah Asuhan

Daftar.

11. (1) Pendaftar Besar Guru-guru hendaklah mengarahkan supaya disimpan dan disenggara menurut seksyen 74 Akta itu, suatu daftar guru-guru mengandungi, berkenaan dengan semua guru-guru di kindergarten dan sekolah-sekolah asuhan yang didaftarkan di bawah kaedah-kaedah ini, butir-butir yang dinyatakan mengikut Borang H dalam jadual kepada kaedah-kaedah ini.

(2) Tiap-tiap catitan dan tiap-tiap perubahan atau pindaan berkenaan dengan sesuatu catitan hendaklah ditandatangani atau ditandatangani ringkas oleh Pendaftar Besar Guru-guru.

12. (1) Seseorang pemohon untuk didaftarkan sebagai seorang guru hendaklah menyampaikan kepada Pendaftar Guru-guru dalam tiga salinan suatu permohonan mengikut Borang I dalam Jadual kepada kaedah-kaedah ini dan yang berikut —

Permohonan
untuk
pendaftaran.

- (a) enam keping gambar foto pemohon (saiz paspot) yang ditandatangani disebelah belakangnya oleh pemohon dan diperakui oleh guru besar sesuatu kindergarten atau sekolah asuhan atau seseorang lain yang dapat diterima oleh Pendaftar Guru-guru;
- (b) suatu Perakuan Lahir atau lain-lain keterangan yang dapat diterima oleh Pendaftar Guru-guru mengenai umur pemohon;
- (c) suratan-suratan yang membuktikan kelulusan-kelulusan akademik pemohon;
- (d) dua rujukan mengenai kelakuan pemohon oleh orang-orang yang telah kenal pemohon sendiri selama lima tahun sebelum sahaja tarikh permohonan itu;
- (e) suatu perakuan perubahan oleh seorang pengamal perubahan yang berdaftar memperakui bahawa pemohon adalah bebas dari apa-apa kecacatan anggota atau otak atau penyakit yang mungkin menyentuh kebolehan pemohon menjalankan kewajipan-kewajipan seorang guru atau menyatakan jenis apa-apa kecacatan atau penyakit itu dan setakat mana ia akan menyentuh perjalanan olehnya akan kewajipan-kewajipan itu; dan
- (f) bayaran sebagaimana yang ditetapkan dalam kaedah 24.

(2) Pendaftar Guru-guru hendaklah mengaku terima dengan bertulis tiap-tiap permohonan dan mengeluarkan suatu resit bagi bayaran yang disampaikan bersamanya.

(3) Seseorang pemohon hendaklah memberi kepada Pendaftar Guru-guru apa-apa maklumat selanjutnya sebagaimana yang dikehendaki oleh Pendaftar Guru-guru berkenaan dengan kandungan permohonannya dan suratan-suratan yang disampaikan bersamanya.

(4) Bagi maksud kaedah ini dan kaedah 20 "kelulusan akademik" ertinya sesuatu ijazah, diploma atau sijil yang membuktikan seseorang itu telah genap mengikuti sesuatu kursus latihan atau pengajian dengan memuaskan hati.

Permohonan-
permohonan
hendaklah
dihantar
kepada
Pendaftar
Besar
Guru-guru.

13. Jika pada pendapat Pendaftar Guru-guru sesuatu permohonan telah dibuat dengan cara yang ditetapkan dalam kaedah 12, ia hendaklah menghantar dua salinan permohonan itu kepada Pendaftar Besar Guru-guru bersama dengan semua surat-an yang disampaikan bersamanya dan apa-apa maklumat yang dikehendaki oleh Pendaftar Besar Guru-guru berhubung dengan perkara itu.

Pendaftaran.

14. Jika Pendaftar Besar Guru-guru, apabila memeriksa sesuatu permohonan dan surat-an-surat-an dan maklumat yang disampaikan kepadanya menurut kaedah 13 atau jika selepas sesuatu penyelidikan atau penyiasatan yang dijalankan atau diarahkan olehnya supaya dijalankan berkenaan dengan perkara itu berpuashati bahawa seseorang pemohon boleh didaftarkan atau bahawa pemohon itu boleh didaftarkan tertakluk kepada penguasaan sesuatu syarat yang dinyatakan dalam seksyen 83 Akta itu, maka ia hendaklah mengarahkan supaya butir-butir mengenai pemohon itu direkodkan dalam daftar dan hendaklah menghantar kepada Pendaftar Guru-guru untuk dikeluarkan kepada pemohon suatu perakuan mengikut Borang J dalam Jadual kepada kaedah-kaedah ini atau mengarahkan Pendaftar Guru-guru supaya mengeluarkan sesuatu perakuan itu dan dengan pengeluaran perakuan itu maka pemohon itu akan menjadi seorang guru berdaftar.

Penolakan
pendaftaran.

15. Jika apabila diterima suatu permohonan yang dibuat dibawah peruntukan-peruntukan kaedah 12 dan selepas sesuatu penyiasatan yang difikirkannya perlu berkenaan dengannya, Pendaftar Guru-guru berpuashati bahawa permohonan itu tidak dibuat mengikut cara yang ditetapkan dan bahawa ia patut menolak pendaftaran pemohon itu menurut seksyen 77 dan 78 Akta itu atau jika ia diarahkan supaya menolak pendaftaran seseorang pemohon oleh Pendaftar Besar Guru-guru menurut seksyen 79, ia hendaklah mengeluarkan suatu pemberitahu kepada pemohon itu mengenai penolakan pendaftaran itu.

16. Sesuatu salinan apa-apa pemberitahu yang dikeluarkan oleh Pendaftar Guru-guru menurut seksyen 84 dan 85 Akta itu memotong seseorang guru dari daftar hendaklah dihantar kepada Pendaftar Besar Guru-guru yang akan mengarahkan supaya pembatalan pendaftaran guru itu direkodkan dalam daftar.

Dipotong daripada daftar.

17. (1) Permit-permit untuk mengajar yang dikeluarkan oleh Pendaftar Guru-guru hendaklah menyatakan kategori orang itu sebagaimana dinyatakan dalam (a), (b) atau (c) seksyen-kecil (1) seksyen 89 Akta itu ia yang kepadanya permit itu dikeluarkan dan tiap-tiap permit hendaklah dikeluarkan tertakluk kepada penjelasan bayaran yang ditetapkan dalam kaedah 24 dan tertakluk kepada syarat-syarat yang dinyatakan berkenaan dengan —

Permit-permit untuk mengajar.

- (a) tempoh sahnya permit itu yang mana tidak boleh lebih daripada dua belas bulan kalendar selepas tarikh pengeluarannya:

Dengan syarat bahawa tiada apa-apa yang terkandung dalam kaedah ini boleh menyenituh kuasa Pendaftar Guru-guru untuk mena-rikbalik sesuatu permit itu mengikut peruntukan-peruntukan seksyen-kecil (3) seksyen 89 Akta itu;

- (b) kindergarten atau sekolah asuhan di mana seseorang pemegang permit dibenarkan mengajar;
- (c) perkara-perkara atau hal-hal yang menegenainya pemegang permit dibenarkan memberi pengajaran;
- (d) klas-klas atau murid-murid yang pemegang permit dibenarkan mengajar; dan
- (e) bahasa atau bahasa-bahasa yang pemegang permit dibenarkan mengguna sebagai bahasa pengantarnya.

(2) Permit untuk mengajar hendaklah mengikut Borang K dalam Jadual kepada kaedah-kaedah ini.

(3) Pendaftar Guru-guru boleh dengan bertulis di bawah tandatangannya mencatatkan pada sesuatu permit atau dengan pemberitahu bertulis membaharui sesuatu permit untuk mengajar atau mengubah atau meminda sesuatu syarat yang tertakluk kepadanya sesuatu

permit dikeluarkan, atau mengubah atau meminda apa-apa butir-butir lain yang direkodkan padanya.

Permit-permit
disifatkan
sebagai
terbatal dalam
hal-hal
tertentu.

18. Tanpa menyentuh hak Pendaftar Guru-guru bagi menarik balik sesuatu permit untuk mengajar di bawah peruntukan-peruntukan seksyen-kecil (3) seksyen 89 Akta itu, sesuatu permit untuk mengajar yang dikeluarkan kepada seseorang guru sementara menanti pendaftaran hendaklah disifatkan sebagai ditarikbalik apabila guru itu menjadi seorang guru berdaftar atau apabila suatu rayuan yang dibuat oleh guru itu di bawah peruntukan-peruntukan seksyen 81 Akta itu ditolak.

Penyampaian
pemberitahu.

19. Sesuatu pemberitahu atau perintah atau perhubungan yang dikehendaki atau yang boleh dihantar atau disampaikan kepada pemegang sesuatu permit untuk mengajar boleh disampaikan dengan surat yang dialamatkan kepada kindergarten atau sekolah asuhan mengikut mana yang berkenaan, dimana pemegang permit itu dibenarkan mengajar.

Maklumat
hendaklah
diberi kepada
Pendaftar
Guru-guru.

20. (1) Sesuatu laporan yang dibuat menurut seksyen 91 Akta itu oleh seseorang guru yang bermaksud bahawa guru itu telah mula atau telah berhenti mengajar di kindergarten dan sekolah asuhan hendaklah disampaikan kepada Pendaftar Guru-guru dalam dua salinan mengikut Borang L atau Borang M dalam Jadual kepada kaedah-kaedah ini mengikut yang sesuai.

(2) Seseorang guru yang telah memfailkan suatu permohonan untuk pendaftaran atau seseorang guru berdaftar hendaklah menyampaikan suatu laporan dalam dua salinan kepada Pendaftar Guru-guru menyatakan apa-apa perubahan berkenaan dengan kelulusan-kelulusan akademiknya yang berlaku selepas permohonannya untuk pendaftaran itu difailkan dan apabila sesuatu kelulusan tambahan dilaporkan suratan-suratan yang berkenaan yang membuktikan hal yang demikian itu hendaklah difailkan.

(3) Pendaftar Guru-guru apabila menerima sesuatu laporan yang dibuat menurut kaedah ini, hendaklah segera menghantar satu salinannya kepada Pendaftar Besar Guru-guru yang akan mengarahkan supaya suatu catitan yang sesuai dibuat dalam daftar.

Perubahan-
perubahan
atas peraturan,
perakuan dan
permit-permit.

21. (1) Tiada apa-apa perubahan atau pindaan boleh dibuat kepada sesuatu perakuan atau permit untuk mengajar kecuali di bawah tandatangan Pendaftar Guru-guru.

(2) Jika Pendaftar Guru-guru membuat sesuatu catitan, perubahan atau pindaan pada sesuatu perakuan atau jika dengan pemberitahu yang disampaikan di bawah peruntukan-peruntukan seksyen-kecil (3) seksyen 83 Akta itu, membatalkan, mengubah atau menambah kepada sesuatu syarat yang dikenakan berkenaan dengan seseorang guru ia hendaklah segera memberitahu kepada Pendaftar Besar Guru-guru yang akan mengarahkan supaya catitan yang sesuai dibuat dalam daftar.

22. (1) Pendaftar Guru-guru boleh mengeluarkan kepada seseorang guru berdaftar atau kepada pemegang sesuatu permit untuk mengajar, apabila dijelaskan bayaran yang ditetapkan dari semasa ke semasa, suatu perakuan gantian atau permit gantian untuk mengajar sebagai ganti sesuatu perakuan atau permit untuk mengajar yang telah hilang, binasa, cacat atau yang, kerana sesuatu sebab lain yang difikirkan menasabah oleh Pendaftar Guru-guru, perlu diganti:

Penggantian perakuan atau permit.

Dengan syarat bahawa jika sesuatu perakuan atau permit untuk mengajar dikatakan telah hilang atau binasa, guru berdaftar atau pemegang permit itu, mengikut mana yang berkenaan, sebelum diberi suatu perakuan gantian atau permit gantian hendaklah memfailkan kepada Pendaftar Guru-guru suatu akuan berkanun menyatakan hal keadaan kehilangan itu dan mengaku bahawa pada sepanjang pengetahuan dan kepercayaannya perakuan atau permit itu tidak boleh dijumpa atau didapatkan balik:

Dan lagi dengan syarat bahawa jika sesuatu perakuan gantian atau permit gantian untuk mengajar dikeluarkan bagi sesuatu sebab yang pada pendapat Pendaftar Guru-guru tidak berbangkit daripada kecuaiannya guru berdaftar atau pemegang permit itu, Pendaftar Guru-guru boleh meremitkan apa-apa bayaran yang kena dibayar.

(2) Kecuali jika sesuatu perakuan atau permit untuk mengajar hilang atau binasa suatu perakuan gantian atau permit gantian hendaklah dikeluarkan di bawah peruntukan-peruntukan perenggan (1) hanya apabila perakuan atau permit itu diserahkan balik.

(3) Jika sesuatu perakuan gantian atau permit gantian untuk mengajar dikeluarkan sebagai ganti sesuatu perakuan atau permit mengajar yang telah hilang, perakuan atau permit yang hilang itu hendaklah disifatkan sebagai terbatal bagi maksud-maksud seksyen 90 Akta itu.

BAHAGIAN III

PENGECUALIAN-PENGECUALIAN

Kuasa Menteri
untuk
mengecuali
kindergarten-
kindergarten,
sekolah-sekolah
asuhan dsb

23. Menteri boleh, dengan perintah, mengecualikan sesuatu kindergarten atau sekolah asuhan dan pengelola-pengelola, pekerja-pekerja atau guru-gurunya daripada semua atau mana-mana daripada peruntukan-peruntukan Akta itu atau kaedah-kaedah ini sama ada secara mutlak atau tertakluk kepada sesuatu syarat sebagaimana yang difikirkannya patut dikenakan, dan boleh pada bila-bila masa, menurut budibicaranya, menarik balik sesuatu pengecualian itu atau membatalkan, mengubah atau menambah kepada syarat-syarat itu.

BAHAGIAN IV

BAYARAN

Bayaran

24. Bayaran-bayaran yang berikut hendaklah dibayar dengan syarat bahawa Pendaftar atau Pendaftar Guru-guru mengikut mana yang berkenaan, menurut budibicaranya, melepaskan pembayaran mana-mana bayaran itu:

- (a) Atas permohonan untuk pendaftaran sesuatu kindergarten atau sekolah asuhan\$5.00
- (b) Atas permohonan untuk pendaftaran sebagai seorang pengelola, pekerja atau guru ..\$5.00
- (c) Atas pengeluaran sesuatu perakuan pendaftaran sementara bagi sesuatu kindergarten atau sekolah asuhan (atau sesuatu permit untuk bertugas sebagai seorang pengelola, pekerja atau guru)\$2.00
- (d) Atas pengeluaran mana-mana perakuan gantian atau permit gantian di bawah peruntukan kaedah 10\$5.00

BAHAGIAN V

PENDAFTARAN

Kaedah-kaedah
Sekolah
(Pendaftaran),
1958 dan
Peraturan-
peraturan
Guru-guru
(Pendaftaran),
1957 tidak
dipakai

25. Kaedah-kaedah ini tidak boleh dipakai bagi mana-mana sekolah, pengelola, pengurus, pekerja dan guru yang didaftarkan di bawah Kaedah-kaedah Sekolah (Pendaftaran) 1958 dan Peraturan-peraturan Guru-guru (Pendaftaran), 1957, mengikut mana yang berkenaan.

Bertarikh pada 18 haribulan Disember, 1972.

[K.P. Sulit 10067/(8); P.N.2689/7]

HUSSEIN ONN,
Menteri Pelajaran.

JADUAL
AKTA PELAJARAN, 1961

BORANG A

KAEDAH 2 PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN) (PENDAFTARAN), 1972

(Kaedah 4)

DAFTAR KINDERGARTEN DAN SEKOLAH-SEKOLAH ASUHAN

No.

Nama Kindergarten/Sekolah Asuhan

(Huruf Cina)

Alamat

Jenis Kursus (2)

☐

Kindergarten

☐

Asuhan

Jenis Sekolah

Bahasa Pengantaran

☐

Lelaki

☐

Perempuan

☐

Campur

Rujukan

Utama Tambahan

Perakuan Sementara (jika ada) No bertarikh.....

Perakuan Pendaftaran No bertarikh.....

Suratcara Kerajaan No bertarikh.....

Fail untuk butir-butir

Tandatangan Pendaftar..... bertarikh.....

AKTA PELAJARAN, 1961

BORANG B

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN) (PENDAFTARAN), 1972

(Kaedah 5)

PERMOHONAN UNTUK PENDAFTARAN KINDERGARTEN DAN SEKOLAH ASUHAN

Kepada:-

Pendaftar Sekolah-sekolah,

Jabatan Pelajaran,

Tuan,

Saya kemukakan di bawah ini butir-butir mengenai suatu kindergarten/sekolah asuhan yang dicadangkan hendak dibuka di alamat yang diberi di bawah dan meminta tuan mengeluarkan suatu perakuan pendaftaran baginya dibawah Akta Pelajaran, 1961.

Yang benar,

(tandatangan)
b/p Lembaga Pengelola/orang-orang yang
bertanggungjawab bagi pihak pengurus

Tarikh 19

(Di mana kotak-kotak



terdapat bersententangan dengan sesuatu soalan, sila tanda jawapan yang sesuai dengan "menanda" dalam kotak yang berkaitan itu demikian ini



1. Nama Kindergarten/Sekolah Asuhan 1.
(Huruf Cina)
2. Alamat 2.
3. Jenis Kursus (2) yang akan diadakan 3. ☐ Kindergarten ☐ Sekolah Asuhan
4. Jenis Sekolah yang dicadang hendak diikuti 4. ☐ Lelaki ☐ Perempuan ☐ Campur
5. Bahasa Pengantaraan 5. Utama Tambahan
6. Pengerusi 6. (a) Nama
(b) Alamat
7. Guru Besar 7. (a) Nama
(b) Alamat
8. Bayaran yang dicadangkan 8. (a) Pengajaran \$ (b) Lain-lain
9. Peremitan atau pengurangan bayaran yang dicadangkan 9.
10. Lain-lain sumber pendapatan 10. (a) Dari wang-wang yang dilaburkan atau harta tanah \$
(b) Dari yuran awam \$
(c) Dari yuran persendirian \$

11. Sewa premis Sekolah 11. \$ s.b.
12. Hutang atau chaj ke atas sekolah 12.

ARAHAN-ARAHAN KEPADA PEMOHON

Sila ambil perhatian bahawa yang berikut mestilah disertakan dengan permohonan:

- (a) bayaran sebanyak \$5.00.
- (b) Satu salinan surat perlantikan Pengerusi atau jika dipilih suatu petekan dari minit mesyuarat di mana ia telah dipilih dengan ditandatangani oleh sekurang-kurangnya 2 orang ahli Lembaga.
- (c) Suatu plan premis sekolah itu menunjukkan nombor yang diuntukkan bagi tiap-tiap satu bilik yang digunakan bagi maksud pengajaran.
- (d) Suatu senarai bilik-bilik yang dinomborkan mengikut nombor plan tiap-tiap satu bilik yang digunakan bagi maksud-maksud pengajaran dengan ukuran tiap-tiap satunya.
- (e) Suatu senarai menyatakan nama, umur, kelulusan-kelulusan, pengalaman dan gaji tiap-tiap seorang guru atau tiap-tiap seorang bakal guru.
- (f) Suatu senarai menyatakan nama dan alamat tiap-tiap seorang pengelola.
- (g) Suatu salinan atau draf Suratcara Kerajaan.
- (h) Borang-borang permohonan bagi pendaftaran pengelola; dan jika dikehendaki oleh Pendaftar.
- (i) Sukatan pelajaran dan jadual-waktu bagi tiap-tiap klas.

AKTA PELAJARAN, 1961

BORANG C

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN) (PENDAFTARAN), 1972

(Kaedah 5)

PERMOHONAN UNTUK PENDAFTARAN SEBAGAI PENGELOLA ATAU PEKERJA KINDERGARTEN/SEKOLAH ASUHAN

(Peringatan: Borang ini hendaklah diisi dalam tiga salinan melainkan jika dinyatakan sebaliknya)

Kepada:

Pendaftar Sekolah-sekolah,
Pejabat Pelajaran,

Saya sampaikan bersama ini butir-butir mengenai diri saya dan meminta tuan mendaftarkan saya sebagai pengelola/pekerja bagi *kindergarten/sekolah asuhan di.

BAHAGIAN I

HENDAKLAH DIISI OLEH PEMOHON

PERINGATAN — Jika mana-mana hal yang berikut adalah berkenaan, maka hanya SATU salinan sahaja permohonan ini perlu diisi dan catitan mengenai butir-butir di bawah No. 2 dan No. 4 hingga 9 di bawah ini tidaklah dikehendaki:

- (a) Jika pemohon adalah juga didaftarkan semasa ini DALAM NEGERI INI sebagai pengelola/pekerja sesuatu Kindergarten/Sekolah Asuhan, dan dalam hal yang demikian nyatakan di sini nombor perakuan pendaftaran (No.....) yang dipegang dan kepilkan perakuan itu dengan permohonan ini.
- (b) Jika pemohon telah pun menyampaikan suatu permohonan untuk didaftarkan sebagai seorang pengelola/pekerja sesuatu kindergarten/sekolah asuhan lain DALAM NEGERI INI, dan pendaftaran itu belum lagi selesai, dan dalam hal yang demikian nyatakan di sini nama dan alamat kindergarten/sekolah asuhan yang baginya permohonan itu telah dibuat:

Kindergarten/Sekolah Asuhan
di

- (c) Jika pemohon telah dinamakan dengan rasmi oleh atau bagi pihak Menteri Pelajaran, atau Menteri Besar, atau Ketua Menteri Negeri, atau pihak berkuasa pelajaran tempatan, mengikut suratcara kerajaan.

1. (a) Nama penuh dalam Bahasa Inggeris 1.(a)
- (b) Nama(2) alternatif dalam Bahasa Cina (jika berkenaan) (b)
2. (a) Nama(2) alternatif dalam Bahasa Inggeris 2.(a)
- (b) Nama(2) alternatif dalam Bahasa Cina (jika berkenaan) (b)
3. Alamat rumah sekarang 3.

* Potong mana yang tidak dipakai

4. (a) Tarikh lahir..... 4. (a)
- (b) Tempat lahir..... (b)
5. Pekerjaan atau perniagaan..... 5.
6. Jika bekerja
- (a) Nama majikan..... 6. (a)
- (b) Alamat majikan..... (b)
7. (a) Nombor Kad Pengenalan..... 7. (a)
- (b) Tarikh dikeluarkan..... (b)
- (c) Tempat dikeluarkan..... (c)
8. Jika Warganegara Persekutuan atau Rakyat Negeri nyatakan
- (a) Nombor Sijil..... 8. (a)
- (b) Tarikh dikeluarkan..... (b)

9. (Hendaklah diisi jika pemohon tidak pernah dahulunya didaftarkan sebagai seorang pengelola atau pekerja sesuatu kindergarten/sekolah asuhan di Persekutuan atau Singapura).

Nama dan alamat kindergarten/ sekolah asuhan	TARIKH		Samada sebagai pengelola atau pekerja
	Dari	Hingga	

Tarikh 19

Tandatangan Pemohon

BAHAGIAN II

HENDAKLAH DIISI OLEH PENERUS KANDERGARTEN ATAU SEKOLAH ASUHAN MENGENAI PENGELOLA-PENGELOLA

Pemohon telah dinamakan/dipilih atau dilantik oleh

..... di bawah perenggan

Suratcara Kera jaan sekolah ini.

la menggantikan yang telah

* berhenti bertugas/bersara.

Tarikh

.....
Tandatangan Penerus

Cap Kindergarten atau
Sekolah Asuhan

BAHAGIAN III

HENDAKLAH DIISI OLEH GURU BESAR ATAU PENERUS MENGENAI PEKERJA-PEKERJA

Pemohon telah dilantik oleh Pengelola kindergarten/sekolah asuhan sebagai

.....
(nyatakan jawatan yang baginya la diambil bekerja)

Tarikh

.....
Tandatangan

.....
Nama Jawatan

BAHAGIAN IV:

(BAGI KEGUNAAN RASMI SAHAJA)

Keputusan Pendaftar

Tarikh

.....
Tandatangan

Pemohon diberitahu.

Perakuan No Dikeluarkan pada 19

* POTONG MANA YANG TIDAK BERKENAAN.

AKTA PELAJARAN, 1961

BORANG D

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 6)

PERAKUAN PENDAFTARAN KINDERGARTEN/SEKOLAH ASUHAN

Rujukan.....

No.

Ini adalah memperakui bahawa Kindergarten/Sekolah Asuhan
telah didaftarkan di bawah Akta Pelajaran, 1961.

Bilik-bilik yang hendak digunakan bagi maksud pengajaran dan bilangan maksima murid-murid yang boleh diajar dalam tiap-tiap satu bilik adalah seperti berikut:

Nombor bilik dalam plan	Perihal bilik-bilik	Bilangan murid-murid	Nombor bilik dalam plan	Perihal bilik-bilik	Bilangan murid-murid

Bilangan maksima murid-murid yang boleh dimuatkan dalam Kindergarten/Sekolah Asuhan bagi maksud belajar ialah

Tarikh.....

Pendaftar Sekolah-sekolah

AKTA PELAJARAN, 1961

BORANG E

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

Kaedah 6

PERAKUAN PENDAFTARAN SESEORANG PENGELOLA ATAU PEKERJA

Rujukan: No.

Ini adalah memperakui bahawa

(Huruf Cina jika berkenaan)

telah didaftarkan di bawah Akta Pelajaran, 1961 sebagai seorang
Kindergarten/Sekolah Asuhan yang dinyatakan dalam Jadual yang disertakan.

Tarikh:
Pendaftaran Sekolah-sekolah

JADUAL

Nama dan alamat kindergarten/ sekolah asuhan	Tarikh Didaftarkan	Tandatangan ringkas Pendaftar	Tarikh bersara atau berhenti bertugas	Tandatangan ringkas Pendaftar

AKTA PELAJARAN, 1961

BORANG F

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(kaedah 7)

PERAKUAN SEMENTARA PENDAFTARAN KINDERGARTEN/
SEKOLAH ASUHAN

Rujukan No.

Ini adalah memperakui bahawa Kindergarten/Sekolah Asuhan
..... telah didaftarkan bagi sementara di bawah Akta Pelajaran 1961.

Nama Pengerusi

Perakuan sementara ini akan dibatalkan pada
jika Kindergarten/Sekolah Asuhan ini tidak didaftarkan hingga tarikh itu. Pendaftaran
sementara boleh ditarik balik pada bila-bila masa dengan suatu pemberitahu bertulis di
bawah tandatangan Pendaftar, (Seksyen 48)

Perakuan sementara ini adalah tertakluk kepada syarat-syarat berikut:

Tarikh

Pendaftar Sekolah-sekolah

AKTA PELAJARAN, 1961

BORANG G

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(kaedah 7)

PERMIT UNTUK BERTUGAS SEBAGAI PENGELOLA ATAU PEKERJA

Rujukan No.

Ini adalah memperakui bahawa

(Huruf Cina jika berkenaan)

beralamat

adalah dibenarkan bertugas sebagai seorang

bagi Kindergarten/Sekolah Asuhan

di

Permit ini akan tamat pada melainkan jika

ditarik balik pada tarikh yang lebih awal oleh Pendaftar.

Tarikh

Pendaftar Sekolah-sekolah

AKTA PELAJARAN, 1961

BORANG H

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 11)

DAFTAR GURU-GURU

No.

Nama penuh guru
(Huruf Cina Jika Berkenaan)

Lain-lain nama

Alamat sekarang

Gambarfoto saiz
pasport hendaklah
dilekatkan di sini

Tarikh lahir: KPPN. No.

Tempat lahir: Negeri Daerah

Bandar/Pekan

Sijil* Kewarganegaraan Persekutuan No.
Kerakyatan Negeri

Tarikh dikeluarkan

Nama dalam mana perakuan hendak dikeluarkan jika berlainan daripada yang diberi atas
.....
.....

Kelulusan-kelulusan Akademik

1.

2. Tandatangan pemohon

3. Tarikh

4.

* Potong mana yang tidak berkenaan.

Matapelajaran yang guru berkecualan mengajar

Sekatan, jika ada yang dikenakan di bawah seksyen 83

1.
2.
3.
4.

Pendaftar Guru-guru

Tarikh.

Bagi Kegunaan Pejabat Sahaja

Perubahan pertama	Perubahan kedua	Perubahan ketiga
.....
.....
Perubahan keempat	Perubahan kelima	Perubahan keenam
.....
.....
Perubahan ketujuh	Perubahan kelapan	Perubahan kesembilan
.....
.....
Perubahan kesepuluh	Perubahan kesebelas	Perubahan kedua belas
.....
.....

Pandangan atau catitan:

Borang dibanding dan disemak dengan borang permohonan

Tandatangan ringkas.

Tarikh.

AKTA PELAJARAN, 1961

BORANG 1

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 12)

PERMOHONAN UNTUK PENDAFTARAN SEBAGAI SEORANG GURU
DI KINDERGARTEN DAN SEKOLAH ASUHAN

BAHAGIAN I—(Hendaklah diisi oleh pemohon)

Kepada Pendaftar Guru-guru,

Gambarfoto
pemohon

Tuan,

Bersama ini saya sampaikan butir-butir mengenai diri saya seperti dibawah ini dan meminta tuan supaya mendaftarkan saya sebagai seorang guru di Kindergarten-kindergarten dan sekolah-sekolah asuhan di Malaysia Timor.

1. Nama penuh dalam bahasa Inggeris
(dalam huruf besar)

2. Jantina

3. Nama penuh dalam huruf Cina (jika berkenaan)

4. Lain-lain nama dalam bahasa Inggeris (jika ada)
(dalam huruf besar)

Dalam huruf Cina (jika berkenaan)

5. Nama dalam mana perakuan dikehendaki ditulis, jika berlainan daripada (1)

6. Alamat rumah sekarang
(dalam huruf besar)

7. Jika berkahwin, nama, alamat dan pekerjaan suami/isteri

(dalam huruf besar)

8. Tarikh lahir

9. Loghat ibunda

10. Tempat lahir: Negeri

Daerah

Bandar/Pekan

11. (Hendaklah diisi jika pemohon telah lahir diluar Malaysia Barat)

Saya pertama kali masuk Malaysia Barat pada

12. Saya tidak pernah meninggalkan Malaysia Barat kecuali pada masa-masa yang dinyatakan di bawah ini.

Tarikh Meninggal- kan Malaysia Barat	Negeri atau negeri-negeri yang dilawati	Tarikh kembali ke Malaysia Barat

13. Butir-butir Kad Pengenalan:

No Tarikh di-keluarkan

Tempat dikeluarkan

14. (a) Jika pemohon seorang Warganegara Persekutuan nyatakan:

Sijil No Tarikh dikeluarkan

- (b) Jika pemohon seorang Rakyat Negeri nyatakan:

Sijil No Tarikh dikeluarkan

15. BUTIR-BUTIR MENGENAI PELAJARAN AKADEMIK DAN PROFESIONAL (SEMUA sekolah, kolej dan universiti yang dihadiri hendaklah dicatatkan. Sertakan sijil-sijil asal, jika ada).

Nama dan alamat sekolah, kolej, dsb	Tarikh masuk	Tarikh meninggalkan	Kelulusan

16. BUTIR-BUTIR MENGENAI SEMUA PEKERJAAN (Pelajaran dan Bukan Pelajaran):

Nama dan alamat sekolah atau lain-lain majikan	Tarikh mula	Tarikh tamat	Jenis pekerjaan
(1)			
(2)			
(3)			
(4)			
(5) Pekerjaan sekarang:			

17. Saya tidak bertugas dalam apa-apa pekerjaan atau perniagaan melainkan sebagai seorang guru, kecuali sebagaimana dinyatakan dibawah ini:

Jenis pekerjaan atau perniagaan	Nama dan alamat majikan

18. Pernahkah pendaftaran kamu ditolak atau dipotong dari Daftar sebagai seorang guru, pengurus, pengelola, atau pekerja bagi sesuatu sekolah yang termasuk sesuatu kindergarten dan sekolah asuhan? Jika pernah, beri butir-butir penuh.

19. Matapelajaran-matapelajaran yang pemohon berkecukupan mengajar dan yang baginya suatu perakuan pendaftaran diminta.

Matapelajaran atau matapelajaran-matapelajaran	Dalam bahasa pengantar apakah	Dijenis sekolah apakah
(a)		
(b)		
(c)		

20. RUJUKAN- RUJUKAN:

(Dua rujukan tentang kelakuan pemohon oleh orang yang telah kenal sendiri pemohon selama lima tahun yang lalu sebelum sahaja tarikh permohonan)

Nama dan alamat idirujuk yang surat-surat sokongannya di-sertakan	Pekerjaan	Tempoh lamanya idirujuk telah kenal sendiri pemohon

21. Saya sertakan suatu perakuan perubahan sebagaimana dikehendaki oleh kaedah 12 (1) (e) dalam Kaedah-kaedah Pelajaran (Kindergarten dan Sekolah Asuhan), 1972 yang ditandatangani oleh, seorang Pengawal Perubahan berdaftar beralamat,

Tarikh:

Tandatangan pemohon

PERINGATAN:

Borang ini hendaklah diisi DALAM TIGA SALINAN dan mestilah disertai dengan enam keping gambarfoto pemohon mengikut saiz paspot. Satu gambarfoto hendaklah dilekatkan pada tiap-tiap satu salinan borang dan gambarfoto-gambarfoto yang lebihnya itu hendaklah ditandatangani dan diperakui disebelah belakangnya sebagaimana diminta oleh kaedah 12 (1) (a).

AMARAN:

Pemohon adalah diminta memberi perhatian kepada seksyen 122 Akta Pelajaran, 1961 berkenaan dengan penalti-penalti bagi membuat sesuatu pernyataan yang palsu atau menggelirukan dalam borang ini.

BAHAGIAN II:

(Hendaklah diisi oleh Pengerusi bagi lembaga pengtiola-pengtiola Kindergarten atau Sekolah Asuhan dimana pemohon akan bekerja)

Pemohon telah dipertugaskan mengajar di Kindergarten/Sekolah Asuhan, mulai dari

Nama dan Alamat Kindergarten/Sekolah Asuhan

Tandatangan Pengerusi

Tarikh:

Cap Kindergarten/Sekolah Asuhan

BAHAGIAN III DAN IV adalah bagi kegunaan Pejabat sahaja.

BAHAGIAN III:

(Hendaklah diisi oleh Pendaftar Guru-guru bagi kawasan di mana Kindergarten atau Sekolah Asuhan terletak)

- (a) No. Indeks H.Q. yang dahulu (jika ada) bagi pemohon CR
 (b) Pemohon memegang suatu permit untuk mengajar No.

Sokongan, jika ada di bawah seksyen 83 (1) Akta Pelajaran, 1961.

Matapelajaran	Pengantar	Jenis Kindergarten atau Sekolah Asuhan

Tarikh

Tandatangan Pendaftar
Guru-guru

BAHAGIAN IV—BAGI KEGUNAAN PEJABAT PENDAFTAR BESAR GURU-GURU SAHAJA

Kelulusan-kelulusan yang diluluskan:

Matapelajaran	Pengantar	Jenis Kindergarten atau Sekolah Asuhan

Permohonan diluluskan:

Pemohon Diberitahu

.....19.....

P.P. No

Bertarikh19.....

AKTA PELAJARAN, 1961

BORANG J

KAEDAH-KAEDAH PELAJARAN (KINDERGRTEN DAN SEKOLAH ASUHAN) (PENDAFTARAN), 1972

(Kaedah 14)

PERAKUAN PENDAFTARAN SEBAGAI SEORANG GURU DI KINDERGARTEN DAN SEKOLAH ASUHAN

Tarikh dikeluarkan:19

No.

Pemegang Perakuan Pendaftaran ini sebagai seorang guru telah didaftarkan sebagai seorang guru mengikut seksyen 82 Akta Pelajaran, 1961.

Perakuan ini adalah sah untuk mengajar matapelajaran-matapelajaran yang berikut di Kindergarten/Sekolah Asuhan
melalui bahasa pengantar:

Pendaftaran Besar Guru-guru
Kementerian Pelajaran

Dikeluarkan pada haribulan 19

BUTIR-BUTIR MENGENAI PEMEGANG

Nama:

Nama dalam bahasa Cina jika berkenaan:

Jantina: Tempat lahir:

Tarikh lahir: Kewarganegaraan Persekutuan

No. atau Kerakyatan Negeri No.

Tandatangan Pemegang: Kad Pengenalan No.

Gambarfoto
diperakui

Kelulusan:

- (1) Akademik
- (2) Profesional

JAWATAN-JAWATAN DIPEGANG

Tarikh	Nama Sekolah	Alamat Sekolah	Rujukan	Tandatangan Pendaftar

PEMBERITAHU

Pemegang Perakuan ini adalah diminta mengambil perhatian kepada Akta Pelajaran, 1961 dan khususnya kepada seksyen 90, 91 dan 122 dalam Akta itu.

AKTA PELAJARAN, 1961

BORANG K

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 17)

PERMIT UNTUK MENGAJAR BAGI SESEORANG GURU
TAK BERDAFTAR DI KINDERGARTEN/SEKOLAH ASUHAN

.....
(Nama penuh)

beralamat.....

adalah dengan ini dibenarkan mengajar matapelajaran-matapelajaran yang disenaraikan di
bawah ini di Kindergarten/Sekolah Asuhan.....di.....

Permit ini tamat pada.....haribulan.....19.....

Batasan-batasan mengenai matapelajaran-matapelajaran dan klas-klas:



.....
Pendaftar Guru-guru

Pejabat Pelajaran.....

.....
Tarikh.....

Permit ini hendaklah diserahkan balik apabila diminta kepada Pendaftar Guru-guru dan
resit yang berikut diberi jika suatu Perakuan Pendaftaran dikeluarkan:

Diterima daripada Pendaftar Guru-guru.....

Perakuan Pendaftaran No.....

Tarikh.....

.....
Tandatangan Guru



Bagi Kegunaan Pejabat Sahaja

Tarikh diterima oleh Pendaftar:

.....
Tarikh diterima oleh Pendaftar Besar Guru-guru:
.....

AKTA PELAJARAN, 1961

BORANG L

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 20)

LAPURAN DIBAWAH SEKSYEN 91 (1)

Kepada Pendaftar Guru-guru

Pejabat Pelajaran,

Saya (Nama penuh)

Alamat

hendak melaporkan bahawa saya telah bekerja sebagai seorang guru di Sekolah/
Kindergarten/Sekolah Asuhan

Alamat Sekolah/ Kindergarten/ Sekolah Asuhan

mulai dari

Saya sertakan bersama ini Perakuan Pendaftaran Guru saya No
untuk catitan.

.....
Tandatangan Guru Besar

.....
Tandatangan Guru

Tarikh

Tarikh

Borang ini bersama dengan Perakuan Pendaftaran Guru hendaklah dihantar melalui pos
BERDAFTAR.

PERINGATAN

Seseorang guru berdaftar adalah terikat menurut seksyen 91 Akta Pelajaran, 1961, dalam
tempoh 7 hari selepas mula bekerja di sesuatu sekolah yang termasuk Kindergarten dan
Sekolah Asuhan melaporkan hal itu kepada Pendaftar Guru-guru.

B

Bagi Kegunaan Pejabat Sahaja

Tarikh diterima oleh Pendaftar:

Tarikh diterima oleh Pendaftar Besar Guru-guru:

AKTA PELAJARAN, 1961

BORANG M

KAEDAH-KAEDAH PELAJARAN (KINDERGARTEN DAN SEKOLAH ASUHAN)
(PENDAFTARAN), 1972

(Kaedah 20)

LAPURAN DI BAWAH SEKSYEN 91 (2)

Kepada Pendaftar Guru-guru

Pejabat Pelajaran,

Saya (Nama Penuh)

telah berhenti bekerja di:

Nama Kindergarten/Sekolah Asuhan

Alamat

atau (beri tarikh akhir bekerja)

No. Perakuan Pendaftaran Guru saya ialah

Saya kembalikan bersama ini Permit untuk Mengajar kepunyaan saya No.

Alamat saya masa depan sehingga diberitahu selanjutnya ialah

.....
Tandatangan Guru Besar

.....
Tandatangan Guru

Tarikh

Tarikh

PERINGATAN

Seseorang guru berdaftar adalah terikat menurut seksyen 91 Akta Pelajaran, 1961, dalam tempoh 7 hari selepas berhenti bekerja di sesuatu sekolah yang termasuk kindergarten/sekolah asuhan bagi melaporkan hal itu kepada Pendaftar Guru-guru.

EDUCATION ACT, 1961
EDUCATION (KINDERGARTEN AND NURSERY
SCHOOL) (REGISTRATION)
RULES, 1972

43/61 IN exercise of the powers conferred by section 116 of the Education Act, 1961, the Minister hereby makes the following rules:

PART I

PRELIMINARY

Citation. 1. These rules may be cited as the **Education (Kindergarten and Nursery School) (Registration) Rules, 1972.**

Interpretation. 2. In these rules unless the context otherwise requires—

'employee' means a person, other than a governor or a member of the board or committee set up by the Minister under subsection (4) of section 26A of the Act or a teacher employed or actively taking part in work connected with the running or the administration of a kindergarten and nursery school, but does not include a domestic servant or a person engaged in the repair, maintenance or upkeep of premises;

'kindergarten or nursery school' means notwithstanding the name and style assigned thereto any place where ten or more pupils of pre-primary school age are taught or are habitually taught whether in one or more classes;

'Registrar' means in relation to any kindergarten and nursery school the Registrar of Schools appointed under subsection (2) of section 4 in respect of the area in which the kindergarten and nursery school are situate, and includes the Registrar-General;

'Registrar-General' means the Registrar-General of Schools appointed under sub-section (1) of section 4, and includes the Deputy Registrar-General of Schools appointed under that subsection;

'Registrar of Teachers' means the Registrar of Teachers appointed under subsection (2) of section 5 for the area in which is situate the kindergarten or nursery school in which a teacher or a person applying for registration as a teacher teaches or proposes to teach, and includes the Registrar-General of Teachers;

'Registrar-General of Teachers' means the Registrar-General of Teachers appointed under subsection (1) of section 5 and includes the Deputy Registrar-General of Teachers appointed under that subsection;

'teacher' means a person who teaches pupils in any kindergarten and nursery school and includes a head teacher.

PART II

REGISTRATION

3. Subject to the provisions of the Education Act, 1961, or any rules or regulations made thereunder, and in particular to the provisions as to exemption every kindergarten and nursery school and every governor, employee and teacher of kindergarten and nursery school shall be registered under these rules.

Kinder-
garten and
Nursery
School etc,
be registered

CHAPTER 1

Registration of Kindergartens and Nursery Schools, Governors and Employees Thereat

Register.

4. (1) The Registrar shall keep or cause to be kept and maintained pursuant to section 45 of the Act a register of kindergartens and nursery school for the area for which he is appointed or separate registers for such areas therein as the Registrar-General shall specify.

(2) A register shall contain the particulars in relation to registered kindergartens and nursery schools and shall be in Form A of the Schedule to these rules.

(3) Every entry and every alteration or amendment with respect to an entry shall be signed or initialled by the Registrar.

Application
for registra-
tion.

5. (1) Application for registration of a kindergarten and nursery school pursuant to section 46 of the Act shall be made in Form B of the Schedule to these rules.

(2) Application for registration as a governor or employee of a kindergarten and nursery school pursuant to section 60 of the Act shall be made in Form C of the Schedule to these rules.

(3) Application shall be accompanied by the appropriate fee as specified in rule 24.

(4) The Registrar shall acknowledge in writing every application and issue a receipt for the fee submitted therewith.

(5) An applicant shall supply to the Registrar such further information with regard to the contents of his application and documents submitted therewith as the Registrar shall require.

Certificates
of registration.

6. (1) A certificate of registration of a kindergarten and a nursery school issued pursuant to section 49 of the Act shall be made in Form D of the Schedule to these rules and shall be valid for the period therein specified unless renewed for a further period.

(2) A certificate of registration issued pursuant to section 61 of the Act in respect of a governor or employee in a kindergarten and nursery school shall be made in Form E of the Schedule to these rules.

7. (1) A provisional certificate of registration in respect of a kindergarten and nursery school issued pursuant to section 48 of the Act shall be in Form F of the Schedule to these rules.

Provisional
certificate of
registration.

(2) A permit to act as a governor or employee issued pursuant to sub-section (2) of section 61 of the Act shall be in Form G of the Schedule to these rules.

(3) A provisional certificate of registration in respect of a kindergarten or a nursery school or a permit to act as a governor or employee may be issued on payment of the fee as specified in rule 24 and shall be subject to the condition that the same shall be valid for the period therein specified which period shall not extend beyond a period of twelve calendar months following the date of issue:

Provided that on the expiration of any period of validity the Registrar may by writing under his hand endorsed on a certificate or permit renew the same for a further period:

And provided further that nothing contained in this rule shall prejudice the power of the Registrar to revoke any such provisional certificate or permit in accordance with the provisions of subsection (3) of section 61 of the Act.

8. When any extension, addition or alteration to the building of a kindergarten or nursery school or diminution of the size of the building or of the number of rooms used for the purpose of instruction has been made with the written authority of the Registrar under the provisions of section 49 of the Act, the Chairman of the board of governors of such kindergarten or nursery school shall forthwith return to the Registrar the certificate of registration in respect thereof for amendment or for the issue by the Registrar of a new certificate of registration.

Changes with
respect to
premises.

9. (1) A certificate of registration or a provisional certificate of registration or any permit issued by the Registrar under the provisions of the Act or these rules, whether or not it is in the possession of the Chairman of the board of governors of the kindergarten or nursery school to which it relates or the person to whom it relates, shall be surrendered to the Registrar on demand by the Registrar for the purpose of alteration, amendment, endorsement, or replacement.

Surrender of
certificates
or permits for
alteration,
etc.

(2) No alteration, amendment or endorsement shall be made to any such certificate or permit except under the hand of the Registrar.

Replacement
of certificate
and permit.

10. The Registrar may issue, on payment of the fee as specified in rule 24 a replacement certificate, provisional certificate or permit in lieu of any certificate or permit issued under the provisions of the Act or these rules which has been lost, destroyed, defaced or which for any other reason the Registrar shall deem sufficient requires to be replaced:

Provided that where a certificate or permit is alleged to be lost or destroyed the person entitled to such certificate or permit before being issued with a replacement certificate or permit shall file with the Registrar a statutory declaration setting out the circumstances of the loss and declare that to the best of his knowledge and belief the certificate or permit cannot be found or recovered:

And provided further that where a replacement certificate or permit is required for any reason which in the opinion of the Registrar does not arise from the negligence of the person entitled thereto, the Registrar may remit any fee payable in respect of the issue thereof.

CHAPTER 2

Registration of Teachers in Kindergartens and Nursery Schools

The Register.

11. (1) The Registrar-General of Teachers shall cause to be kept and maintained pursuant to section 74 of the Act a register of teachers which shall contain as respect all teachers in the kindergarten and nursery schools registered under these rules the particulars set out in Form H of the Schedule to these rules.

(2) Every entry and every alteration or amendment with respect to an entry shall be signed or initialled by the Registrar-General of Teachers.

Application
for registra-
tion.

12. (1) An applicant for registration as a teacher shall submit to the Registrar of Teachers in triplicate an application in Form I of the Schedule to these rules and the following —

- (a) six photographs of the applicant (passport size) signed on the reverse by the applicant and certified by the head-teacher of a kindergarten or nursery school or other person acceptable to the Registrar of Teachers;

- (b) a Certificate of Birth or other evidence acceptable to the Registrar of Teachers as to the age of the applicant;
- (c) documents substantiating the academic qualifications of the applicant;
- (d) two references as to the character of the applicant by persons who have known the applicant personally for the five years immediately preceding the date of the application;
- (e) a medical certificate by a registered medical practitioner certifying that the applicant is free from any physical or mental defect or disease which might affect the applicant's ability to perform the duties of a teacher or setting out the nature of any such defect or disease and the extent to which it will prejudice his carrying out such duties; and
- (f) the fee as specified in rule 24.

(2) The Registrar of Teachers shall acknowledge in writing every application and issue a receipt for the fee submitted therewith.

(3) An applicant shall supply to the Registrar of Teachers such further information with regard to the contents of his application and documents submitted therewith as the Registrar of Teachers shall require.

(4) For the purposes of this rule and rule 20 "academic qualification" shall mean any degree, diploma or certificate evidencing the satisfactory completion of a course of training of study.

13. If an application appears to him to be made in manner prescribed in rule 12, the Registrar of Teachers shall forward to the Registrar-General of Teachers two copies of such application together with all documents submitted therewith and such information relating to the matter as the Registrar-General of Teachers shall require.

Application to be forwarded to Registrar-General of Teachers.

14. If the Registrar-General of Teachers, on examination of an application and the documents and information submitted to him pursuant to rule 13 or if after such investigation or inquiry with respect thereto as he shall make or cause to be made, is satisfied that an applicant

Registration.

may be registered or that such applicant may be registered subject to the imposition of any conditions specified in section 83 of the Act, then he shall cause to be recorded in the register particulars of the applicant and shall forward to the Registrar of Teachers for issue to the applicant a certificate in Form J of the Schedule to these rules or direct the Registrar of Teachers to issue to the applicant such a certificate and on the issue of a certificate the applicant will thereupon be a registered teacher.

Refusal of
registration.

15. If on receipt of an application made under the provisions of rule 12 and after such inquiry with respect thereto as he shall consider necessary, the Registrar of Teachers is satisfied that such application is not made in the manner prescribed and that he should refuse to register the applicant pursuant to sections 77 and 78 of the Act or if he is directed to refuse to register an applicant by the Registrar-General of Teachers pursuant to section 79, he shall issue to the applicant a notice of refusal to register.

Striking off
the register.

16. A copy of any notice issued by the Registrar of Teachers pursuant to sections 84 and 85 of the Act striking a teacher off the register shall be sent to the Registrar-General of Teachers who shall cause to be recorded in the register the cancellation of the registration of the teacher.

Permits to
teach.

17. (1) Permits to teach issued by the Registrar of Teachers shall specify the category of the person as set out in (a), (b) or (c) of sub-section (1) of section 89 of the Act to whom it is issued and every permit shall be issued subject to the payment of the fee as specified in rule 24 and subject to conditions as shall be specified with regard to —

- (a) the period for which the permit shall be valid which period shall not extend beyond a period of twelve calendar months following the date of issue:

Provided that nothing contained in this rule shall prejudice the power of the Registrar of Teachers to revoke any such permit in accordance with the provisions of subsection (3) of section 89 of the Act:

- (b) the kindergarten or nursery school in which a permit holder shall be permitted to teach;

- (c) the subjects or matters on which the permit holder shall be permitted to give instruction;
- (d) the classes or pupils which the permit holder shall be permitted to teach; and
- (e) the language or languages which the permit holder shall be permitted to use as his medium of instruction.

(2) Permit to teach shall be in Form 'K' of the Schedule to these rules.

(3) The Registrar of Teachers may by writing under his hand endorsed on a permit or by notice in writing renew any permit to teach or alter or amend any conditions subject to which a permit is issued or alter or amend any other particulars recorded thereon.

18. Without prejudice to the right of the Registrar of Teachers to revoke a permit to teach under the provisions of subsection (3) of section 89 of the Act, a permit to teach issued to a teacher pending registration shall be deemed to be revoked on such teacher becoming a registered teacher or on an appeal by such teacher under the provisions of section 81 of the Act being dismissed.

Permits deemed to be cancelled in certain cases.

19. Any notice or order or communication required to be or which may be sent to or served on the holder of a permit to teach may be served by letter addressed to the kindergarten or nursery school, as the case may be, in which such permit holder is authorised to teach.

Services of notices.

20. (1) Any report made pursuant to section 91 of the Act by a teacher to the effect that such teacher has commenced or has ceased teaching in kindergarten and nursery school shall be submitted to the Registrar of Teachers in duplicate in Form L or Form M of the Schedule to these rules as shall be appropriate.

Information to be supplied to Registrar of Teachers.

(2) A teacher who has filed an application for registration or a registered teacher shall submit a report in duplicate to the Registrar of Teachers specifying any change as respects his academic qualification occurring subsequent to the filing of his application for registration and when any additional qualification is reported there shall be filed appropriate documents substantiating the same.

(3) The Registrar of Teachers on receipt of any report made pursuant to this rule shall forthwith forward

Alterations
on certificates
and permits.

a copy to the Registrar-General of Teachers who will cause an appropriate entry to be made in the register.

21. (1) No alteration or amendment shall be made to any certificate or permit to teach except under the hand of the Registrar of Teachers.

(2) If the Registrar of Teachers shall make any endorsement, alteration or amendment on a certificate or by notice served under the provisions of subsection (3) of section 83 of the Act, cancel, alter or add to any conditions imposed with respect to a teacher he shall forthwith inform the Registrar-General of Teachers who shall cause appropriate entry to be made in the register.

Replacement
of certificates
or permits.

22. (1) The Registrar of Teachers may issue to a registered teacher or to the holder of a permit to teach on payment of the fee as may be prescribed from time to time, a replacement certificate or a replacement permit to teach in lieu of a certificate or permit to teach which has been lost, destroyed, defaced or which for any other reason the Registrar of Teachers shall deem sufficient requires to be replaced:

Provided that where a certificate or permit to teach is alleged to be lost or destroyed, the registered teacher or the permit holder, as the case may be, before being issued with a replacement certificate or replacement permit shall file with the Registrar of Teachers a statutory declaration setting out the circumstances of the loss and declare that to the best of his knowledge and belief the certificate or permit cannot be found or recovered:

And provided further that where a replacement certificate or replacement permit to teach is issued for any reason which in the opinion of the Registrar of Teachers does not arise from the negligence of the registered teacher or permit holder, the Registrar of Teachers may remit any fee payable.

(2) Except where a certificate or permit to teach is lost or destroyed a replacement certificate or replacement permit shall be issued under the provisions of paragraph (1) only on surrender of such certificate or permit.

(3) Where a replacement certificate or replacement permit to teach is issued in lieu of a certificate or permit to teach which has been lost, the certificate or permit which is lost shall be deemed to be cancelled for the purposes of section 90 of the Act.

PART III EXEMPTIONS

23. The Minister may, by order, exempt any kindergarten or nursery school and the governors, employees or teachers thereof from all or any of the provisions of the Act or these rules either absolutely or subject to such conditions as he may think fit to impose, and may at any time, at his discretion revoke any such exemption or cancel or alter or add to such conditions.

Power of Minister to exempt kindergartens, nursery schools, etc.

PART IV FEES

24. The following fees shall be payable provided that the Registrar or the Registrar of Teachers as the case may be may, in his discretion, waive the payment of any fee thereof:

Fees.

- (a) On application for registration of a kindergarten or nursery school\$5.00
- (b) On application for registration as a governor, employee or teacher \$5.00
- (c) On the issue of a provisional certificate of registration of a kindergarten or nursery school (or a permit to act as a governor, employee or teacher) \$2.00
- (d) On the issue of any replacement certificate or permit under the provision of rule 10\$5.00

PART V ADMINISTRATION

25. These rules shall not apply to any school, governor, manager, employee and teacher registered under the School (Registration) Rules, 1958 and the Teachers (Registration) Regulations, 1957 as the case may be.

Non-applicability of School (Registration) Rules, 1958 and Teachers (Registration) Regulations, 1957.

Dated this 18th day of December, 1972.

[KP. Sulit 10067/(8): PN. 2689/7.]

HUSSEIN ONN,
Minister of Education

SCHEDULE
EDUCATION ACT, 1961

FORM A

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION) RULES, 1972

(Rule 4)

REGISTER OF KINDERGARTEN AND NURSERY SCHOOLS

No.

Name of Kindergarten/Nursery School

(Chinese Characters)

Address

☐

Kindergarten

☐

Nursery

Type of Course (s)

Type of School

☐

Boys

☐

Girls

☐

Mixed

Language Medium

Reference

Main Subsidiary

Provisional Certificate (if any) No dated

Certificate of Registration No dated

Instrument of Government No dated

File for particulars

Signature of Registrar dated

EDUCATION ACT, 1961

FORM B

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION) RULES, 1972

(Rule 5)

APPLICATION FOR THE REGISTRATION OF A KINDERGARTEN AND NURSERY SCHOOL

To:

The Registrar of Schools,

Education Office,

Dear Sir,

I submit below the particulars of a kindergarten/nursery school which it is proposed to open at the address given below and request you to issue a certificate of registration for the same under the Education Act, 1961.

Yours Faithfully,

(signed)
*for Board of Governors/persons
responsible for the management*

Dated19

(where boxes ☐ are shown against any question please indicate the appropriate answer by "checking" the relevant box thus ☒).

1. Name of Kindergarten/Nursery School 1.
(Chinese Characters).....
2. Address 2.
3. Type of Course(s) to be provided ☐ Kindergarten ☐ Nursery School
4. Type of School intended to follow 4.
☐ Boys ☐ Girls ☐ Mixed
5. Language Medium 5. Main Subsidiary
6. Chairman 6. (a) Name
(b) Address
7. Head Teacher 7. (a) Name
(b) Address
8. Fees Proposed 8. (a) Tuition \$ (b) Others
9. Remission or reduction of fees proposed 9.
10. Other sources of revenue 10. (a) From invested funds or landed property \$
(b) From public subscriptions \$
(c) From private subscriptions \$

11. Rent of School premises11. \$p.m
12. Debts or charges on school12.

INSTRUCTIONS TO APPLICANT

Please note that the following must be attached to the application:

- (a) A fee of \$5.00.
- (b) A copy of the appointment, in writing, of the Chairman, or if elected, an extract of the minutes of the meeting at which he was elected signed by at least 2 members of the Board.
- (c) A plan of the school premises indicating the number allotted to each room used for purposes of instruction.
- (d) A list, numbered to correspond with the plans of each room used for purposes of instruction with the dimensions of each.
- (e) A list setting out the name, age, qualifications, experience and salary of each teacher or each intended teacher.
- (f) A list setting out the name and address of each governor.
- (g) A copy or draft of the Instrument of Government.
- (h) The application forms for registration of governor and if requested by the Registrar.
- (i) The syllabus and time-table for every class.

EDUCATION ACT, 1961

FORM C

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL)
(REGISTRATION) RULES, 1972

(Rule 5)

APPLICATION FOR REGISTRATION AS A GOVERNOR OR
EMPLOYEE OF A KINDERGARTEN/NURSERY SCHOOLS

(Note: This form is to be completed in triplicate unless otherwise indicated)

To:

The Registrar of Schools,
Education Office,

I submit herewith particulars of myself and request you to register me as a
governor/employee of the*kindergarten/nursery school
at

PART I

TO BE COMPLETED BY THE APPLICANT

NOTE — If any of the following conditions apply, it will only be necessary to
complete ONE copy of this application, and the entry of particulars under No. 2
and Nos. 4 to 9 below will not be required:

(a) If the applicant is concurrently registered IN THIS STATE as a governor/
employee of a Kindergarten/Nursery school, in which case give here the number
(No) of the certificate of registration held, and attach
the certificate to this application.

(b) If the applicant has already submitted an application to be registered as a
governor/employee of another kindergarten/nursery school IN THIS STATE, for
which registration has not yet been completed, in which case state here the name
and address of the kindergarten/nursery school for which application was made:
.....kindergarten/nursery school at

(c) If the applicant has been officially nominated by or on behalf of the Minister
of Education, or the Menteri Besar, or Chief Minister of the State, or the local
education authority, in accordance with the instrument of government.

- | | |
|--|--------------|
| 1. (a) Full name in English | 1. (a) |
| (b) Alternative name/s in Chinese
(if applicable) | (b) |
| 2. (a) Alternative name/s in English | 2. (a) |
| (b) Alternative name/s in Chinese
(if applicable) | (b) |
| 3. Present home address | 3. |

* Delete whichever is inapplicable.

4. (a) Date of birth 4. (a)
 (b) Place of birth (b)
 5. Occupation or business 5.
 6. If employed
 (a) Name of employer 6. (a)
 (b) Address of employer (b)
 7. (a) Identity Card number 7. (a)
 (b) Date of issue (b)
 (c) Place of issue (c)
 8. If Federal Citizen or State National
 state
 (a) Certificate number 8. (a)
 (b) Date of issue (b)
 9. (To be completed if applicant has never previously been registered as a
 governor or employee of a kindergarten/nursery school in the Federation or in
 Singapore).

Name and address of kindergarten/nursery school	Date		Whether as governor or employee
	From	To	

Date 19

Signature of applicant

PART II

TO BE COMPLETED BY THE CHAIRMAN OF THE KINDERGARTEN
OR NURSERY SCHOOL IN THE CASE OF GOVERNORS

The applicant has been nominated/elected/appointed by under
paragraph of the Instrument of Government of the school.

He replaces who has *ceased to act/retired.

.....
Signature of Chairman.

Date

Stamp of Kindergarten/
Nursery School

PART III

TO BE COMPLETED BY THE HEAD TEACHER OR CHAIRMAN
IN THE CASE OF EMPLOYEES

The applicant has been appointed by the Governor of the kindergarten/nursery
school as

(State capacity on which he will be employed)

Date

.....
Signature

.....
Title

PART IV

(FOR OFFICIAL USE ONLY)

Decision of registrar

Date

.....
Signature

Applicant advised.

Certificate No. Issued on. 19

• Delete whichever is inapplicable.

FORM D

(Rule 6)

CERTIFICATE OR REGISTRATION OF A KINDERGARTEN
/NURSERY SCHOOL

Reference No

This is to certify that the Kindergarten/Nursery School
has been registered under the Education Act, 1961

The rooms to be used for the purpose of instruction and the maximum number of pupils who may be taught in each room is as follows:

Number of rooms on plan	Description of rooms	No. of pupils	Number of rooms on plan	Description of rooms	No. of pupils

The maximum number of pupils who may be accommodated in the Kindergarten/
Nursery School for purpose of teaching is

Date

Registrar of Schools

FORM E

(Rule 6)

Reference	No
-----------------	----------

This is to certify that

.....

(Chinese characters if applicable)

has been registered under the Education Act, 1961 as a
of the Kindergarten/Nursery School listed in the attached Schedule.

Date
Registrar of Schools

Name and address of the kindergarten/nursery school	Date Registered	Registrar's Initial	Date retired or ceased to act	Registrar's Initial

EDUCATION ACT, 1961
FORM F
EDUCATION (KINDERGARTEN AND NURSERY SCHOOL)
(REGISTRATION) RULES, 1972
(Rule 7)

PROVISIONAL CERTIFICATE OF REGISTRATION OF
A KINDERGARTEN/NURSERY SCHOOL

Reference..... No.....

This is to certify that the
Kindergarten/Nursery School has been provisionally registered under the Educa-
tion Act, 1961.

Name of Chairman.....

This provisional certificate will be cancelled on.....
if the Kindergarten/Nursery School has not by then been registered. Provisional
registration may be revoked at any time by a notice in writing under the hand of
the Registrar (Section 48).

This provisional registration is subject to the following conditions.

Date
Registrar of Schools

EDUCATION ACT, 1961
FORM G
EDUCATION (KINDERGARTEN AND NURSERY SCHOOL)
(REGISTRATION) RULES, 1972
(Rule 7)

PERMIT TO ACT AS A GOVERNOR OR EMPLOYEE

Reference..... No.....

This to certify that

(Chinese characters if applicable)

of
is permitted to act as a
of the
Kindergarten/Nursery School at

Unless revoked at an earlier date by the Registrar this Permit will expire
on

Date
Registrar of Schools

EDUCATION ACT, 1961

FORM H

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL)
(REGISTRATION) RULES, 1972

(Rule 11)

REGISTER OF TEACHERS

No.

Name of teacher in full
(Chinese Characters if applicable)

Other names

Present Address

Passport sized
photograph to
be affixed
here

Date of Birth

NRIC No.

Place of Birth: Country

District

Town/Village

*Federal Citizenship
State Nationality Certificate No. Date of issue

Name in which certificate is to be issued if different from those given
above

Academic Qualifications

1.
2. Signature of applicant
3. Date
4.

* Delete where inapplicable.

Subject Qualified to Teach

Restriction if any imposed under
section 83

1.

2.

3.

4.

Registrar General of Teachers

Date

For Official Use Only

1st Change

2nd Change

3rd Change

.....

.....

4th Change

5th Change

6th Change

.....

.....

7th Change

8th Change

9th Change

.....

.....

10th Change

11th Change

12th Change

.....

.....

Observation or remarks:

Form compared and checked
with application form.

Initials

Date

EDUCATION ACT, 1961

FORM I

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL)
(REGISTRATION) RULES, 1972

(Rule 12)

APPLICATION FOR REGISTRATION AS A TEACHER
IN KINDERGARTEN AND NURSERY SCHOOL

PART I—(To be completed by applicant)

To the Registrar of Teachers,

Photograph
of applicant

Sir,

I herewith submit particulars of myself as under and request you to register me as a teacher in kindergartens and nursery schools in West Malaysia.

1. Full name in English
(in block capitals)
2. Sex
3. Full name in Chinese characters (if applicable)
4. Other names in English (if any)
(in block capitals)
In Chinese characters (if applicable)
5. Name in which it is desired that certificate of registration should be made out, if different from (1)
6. Present home address
(in block capitals)
7. If married, name, address and occupation of spouse
.....
.....
(in block capitals)
8. Date of birth 9. Natal dialect
10. Place of birth: State
District
Town/Village
11. (To be completed if applicant was born outside West Malaysia.)
I first entered West Malaysia on

12. I have never left West Malaysia except on the occasions stated below:

Date of Leaving West Malaysia	Country or countries visited	Date of returns to West Malaysia

13. Identity Card details:

No Date of issue
Place of issue

14. (a) If applicant is a Federal Citizen state:

Certificate No Date of issue

- (b) If applicant is a State National state:

Certificate No Date of issue

15. FULL DETAILS OF EDUCATION ACADEMIC AND PROFESSIONAL, (All schools, colleges and universities attended to be entered. Attach original certificates, if any).

Name and address of school, college, etc	Date of Entry	Date of leaving	Qualification

16. DETAILS OF ALL EMPLOYMENT (Educational and Non-Educational):

Name and address of school or other employer	Date of starting	Date of finishing	Nature of employment
(1)			
(2)			
(3)			
(4)			
(5) Present employment:			

17. I am not engaged in any employment or business other than as a teacher, except as detailed below:

Nature of employment or business	Name and address of employer

18. Have you ever been refused registration or struck off the Register as a teacher manager, governor, or employee of a school which includes a Kindergarten and nursery school? If so, give full details.

19. Subjects which applicant is qualified to teach and for which a certificate of registration is requested:

Subject or subjects	In what language medium	In what type of school
(a)		
(b)		
(c)		

20. REFERENCES:

(Two references as to the character of the applicant by persons who have known the applicant personally for the five years immediately preceding the date of the application).

Names and addresses of referees whose letters of recommendation are attached	Occupation	Period during which referees have known applicant personally

21. I attach a medical certificate as required by rule 12 (1) (c) of the Education (Kindergarten and Nursery School) (Registration) Rules, 1972 signed by.....
a registered Medical Practitioner, of

Date:

.....
Signature of applicant

NOTE:

This form is to be completed IN TRIPPLICATE and must be accompanied by six passport sized photographs of applicant. One photograph is to be securely affixed to each copy of the form and the remaining photographs are to be signed and certified on the reverse as requested by rule 12 (1) (a).

WARNING:

The attention of the applicant is drawn to section 122 of the Education Act, 1961 concerning the penalties for making a false or misleading statement on this form.

PART II:

(To be completed by the Chairman of the board of governors of the Kindergarten or Nursery School at which the applicant is to be employed)

The applicant has been engaged to teach in the

Kindergarten/Nursery School with effect from

Name and address of Kindergarten/Nursery School

.....
Signature of Chairman

Date:

Stamp of Kindergarten/Nursery
School

PARTS III AND IV are for Office use only

PART III:

(To be completed by the Registrar of Teachers for the area in which the Kindergarten or Nursery School is situated)

(a) Applicant's former H.Q. Index No. (if known) CR

(b) Applicant holds a permit to teach No:

Recommendation, if any under section 83 (1) of the Education Act, 1961.

Subject	Medium	Type of Kindergarten or Nursery School

Date.....

Signature of Registrar
of Teachers

PART IV—FOR REGISTRAR—GENERAL OF TEACHERS' OFFICE USE ONLY

Approved Qualifications:			Application Approved:
Subject	Medium	Type of Kindergarten or Nursery School	App. Notified. 19.....
			R/C No.
			Dated. 19.....

EDUCATION ACT, 1961

FORM J

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION) RULES, 1972

(Rule 14)

CERTIFICATE OF REGISTRATION AS A TEACHER IN KINDERGARTEN AND NURSERY SCHOOLS

Date of issue 19 No

The holder of this Certificate of Registration as a teacher has been registered as a teacher in accordance with section 82 of the Education Act, 1961.

This certificate is valid for teaching in a kindergarten/Nursery School through the medium of the following subjects:

*Registrar-General of Teachers
Ministry of Education*

Issued on the day of 19

PARTICULARS OF THE HOLDER

Name

Name in Chinese if applicable

Sex Place of birth

Date of birth Federal

Citizenship No or State Nationally No

Signature of the holder Identity Card No

Qualifications:

(1) Academic

(2) Professional

Certified
Photograph

APPOINTMENTS HELD

Date	Name of School	Address of School	Reference	Signature of Registrar

NOTICE

The attention of the holder of this Certificate is drawn to the Education Act, 1961, and in particular to section 90, 91 and 122 of the Act.

EDUCATION ACT, 1961

FORM K

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION)
RULES, 1972

(RULE 17)

PERMIT TO TEACH FOR AN UNREGISTERED TEACHER
IN KINDERGARTEN AND NURSERY SCHOOLS

.....
(full name)
of
is hereby authorised to teach the subjects listed below in the
..... Kindergarten/Nursery School at
This permit expires on the day of 19.....
Limitation as to subject and classes:

Photograph
of
permit
holder

.....
Registrar of Teachers

Education Office,

.....
Date

This permit is to be surrendered on demand to the Registrar of Teachers and the following
receipt given if a Registration Certificate is issued:

Received from the Registrar of Teachers.

Registration Certificate No.

Date:
.....

Signature of Teacher

For Office Use Only

Date received by Registrar:

Date received by Registrar-General of Teachers:

EDUCATION ACT, 1961

FORM L

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION)
RULES, 1972

(Rule 20)

REPORT UNDER SECTION 91 (1)

To the Registrar of Teachers
Education Office,
.....

I (Name in full)

Address

wish to report that I have been employed as a teacher in the
..... School/Kindergarten/Nursery School

Address of School/Kindergarten/Nursery School
with effect from

I enclose herewith my Teacher's Certificate of Registration No.
for endorsement.

.....
Signature of Head Teacher

.....
Signature of Teacher

Date

Date

This form together with the Teachers's Certificate of Registration should be sent by
REGISTERED POST.

NOTE

A registered teacher is bound by virtue of section 91 of the Education Act, 1961, within 7
days of commencing to be employed in a school which includes a Kindergarten and Nursery
School to report the fact to the Registrar of Teachers.

For Office Use Only

Date received by Registrar:
.....

Date received by Registrar-General of Teachers:
.....

B

EDUCATION ACT, 1961

FORM M

EDUCATION (KINDERGARTEN AND NURSERY SCHOOL) (REGISTRATION)
RULES, 1972

(Rule 20)

REPORT UNDER SECTION 91 (2)

To the Registrar of Teachers

Education Office,
.....

I (Name in full)

Ceased to be employed at the:

Name of Kindergarten/Nursery School

Address

or (give the last date of employment)

My Teacher's Certificate of Registration No. is

I return herewith my Permit to Teach No.

My future address until further notice will be

.....
Signature of Head Teacher

.....
Signature of Teacher

Date:

Date:

NOTE

A registered teacher is bound by virtue of section 91 of the Education Act, 1961, within 7 days ceasing to be employed at a school which includes a kindergarten and nursery school to report the fact to the Registrar of Teachers.

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5. Assisted Schools (Instruments of Management or Government) Rules, 1958-LN.34.ms.536	Dimansuh oleh Educational Institutions (Instruments of Management or Government) Rules 1963 - LN.171.ms.539
6. Education Ordinance, 1952 No.63 of 1952.ms.31	Dimansuh oleh Education Ordinance, 1957 - No.2 of 1957.ms.103
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8. Order Under Section 114- Education Ordinance, 1957 - LN.264.ms.264	Dimansuh oleh Perintah (Pengecualian) Yayasan Pelajaran 1969 - PU.A.52.ms.465
9. Registration of Schools Ordinance, 1950 - No.7 of 1950.ms.3	Dimansuh oleh Education Ordinance, 1952 - No.63 of 1952.ms.31
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14. Schools (Discipline) Regulations 1956 - LN.452.ms.380	Dimansuh oleh Education (School Discipline) Regulations, 1959 LN.61.ms.384

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- 1950 Registration of Schools Ordinance,1950-No.7 of 1950, ms.3
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- 1955 Education (Part-time Further Education)
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- 1956 Schools (Societies) Regulations,1956-LN 179-180, ms.516
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- 1957 Education Ordinance,1957-No.2 of 1957, ms.103
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- 1958 Assisted Schools (Management) Rules,1958-LN 33, ms.450
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- 1959 Education (School Discipline) Regulations,1959-LN 61, ms.384
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- 1960 Schools (Post Secondary) Societies Regulations,1960-LN 96, ms.520
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- 1961 Education Act,1961-Act 43 of 1961, ms.183
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- Assisted Schools (Management)(Amendment) (No. 2) Rules,1961-LN 371, ms.456
- 1962 Education (Account and Audit) Rules,1962-LN 298, ms.342
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- 1963 Education (Amendment) Act 1963-No.32 of 1963, ms.266
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- 1966 Education (Amendment) Act 1966- No.33 of 1966, ms.273
 Educational Institutions (Instruments of Management or Government) (Amendment) Rules,1966-PU 332, ms.542
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- 1967 Education (School Discipline) Regulations,1967-LN 440, ms.391
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- 1970 Schools (Post Secondary) Societies (Amendment) Rules,1970-PU.A.415, ms.523
- 1971 Education (Amendment) Act,1971-Act A 48, ms.277
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- 1972 Education (Amendment) Act,1972-Act A 111, ms.278
 Kaedah-kaedah Pelajaran (Kindergarten dan Sekolah Asuhan) (Pendaftaran) 1972-PU.A.414, ms.544
 Education (Kindergarten and Nursery School) (Registration) Rules,1972-PU.A.414, ms.576
- 1973 Kaedah-kaedah Persatuan Ibubapa-Guru-Guru,1973-PU.A.146, ms.500
 Parent-Teacher Association Rules,1973-PU.A.146, ms.508
- 1974 Education (Grants) (Amendment) Regulations,1974-PU.A.130, ms.377
 Education (Amendment) Act,1974-Act A 260, ms.290
- 1975 Perintah Akta Pelajaran (Perluasan ke Sarawak),1975-PU.A.425, ms.291
 Education Act (Extension to Sarawak) Order,1975-PU.A.425, ms.300

- 1976 Perintah Akta Pelajaran (Perluasan ke Sabah), 1976-PU.A.176, ms.309
- Education Act (Extension to Sabah) Order, 1976-PU.A.176, ms.324
- 1980 Education (School Discipline) (Amendment) Rules, 1980-PU.A.130, ms.392
- 1983 Kaedah-kaedah Persatuan Ibubapa-Guru (Pindaan), 1983-PU.A.286, ms.514
- Parent-Teacher Association (Amendment) Rules, 1983-PU.A.286, ms.514