

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**EDUCATION ACT
(CHAPTER 87)**

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45 of 1957**

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Education Act

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An Act relating to education and registration of schools.

[13th December 1957]

PART I
GENERAL

Short title.

1. This Act may be cited as the Education Act.

Inter-
pretation.

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

“building” includes part of a building;

“committee of management” means the committee of management of a school referred to in section 26;

“Director” means the Director of Education;

“document” includes any book, textbook, exercise book, accounts, counterfoils, pamphlet, publication, newspaper, poster, drawing, sketch, film, film-strip, slide, gramophone record, and other printed, written or recorded matter, whether relating to instruction, recreation, school management or otherwise;

“fees” includes all amounts which a pupil is required to pay with respect to his education at a school;

“functions” includes powers and duties;

“Government school” means a school organised and conducted directly by the Government;

“Government teacher” means a teacher directly employed by the Government;

“higher education” means education beyond the standard normally required for admission to a university;

“manager” of a school means a member of the committee of management of a school;

“medical officer” means a registered medical practitioner in the service of the Government;

“principal” means the headmaster or headmistress of a school;

“public health inspector” means a health inspector of the Ministry of the Environment;

“pupil” means a person of any age receiving instruction in a school;

“register of managers and supervisors”, “register of schools” and “register of teachers” mean the

respective registers maintained by the Director under section 19, and “registered” means entered upon one of those registers;

“school” means according to the context —

- (a) an organisation for the provision of education for 10 or more persons; or
- (b) a place where 10 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;

“school premises” means school buildings and includes school playgrounds and playing fields;

“supervisor” means the manager registered as the supervisor under section 28;

“teacher” means a person who teaches pupils in a school or who prepares or issues lessons or corrects written answers in a correspondence school and includes a principal;

“unlawful society” means a society deemed to be an unlawful society under the provisions of the Societies Act.

Cap. 311.

3. The Minister may by notification in the *Gazette*, if he is satisfied that the teaching in any school is of a purely religious character or that any school is an institution of higher education, exempt that school and the managers or teachers thereof from all or any of the provisions of this Act and may at any time revoke any such exemption.

Exemption.

4. This Act shall not apply to a school —

- (a) maintained partly or wholly by the Vocational and Industrial Training Board established under the Vocational and Industrial Training Board Act;
- or
- (b) registered under Part V of that Act.

Schools to which this Act does not apply.

Cap. 345.

[3A

5. The functions of the Director under the provisions of this Act may be exercised and discharged by such officers of the Ministry of Education as may from time to time be authorised for that purpose by the Minister by notification in the *Gazette*.

Delegation of Director's functions.

[4

PART II

EDUCATION FINANCE BOARD

Establishment and constitution of Education Finance Board.

6.—(1) A Board to be called the Education Finance Board (referred to in this Act as the Finance Board) shall be constituted in Singapore.

(2) The Finance Board shall consist of —

- (a) the Director as Chairman;
- (b) the Permanent Secretary of the Ministry of Finance or his representative; and
- (c) four persons, not being persons holding office of emolument under the Government or Members of Parliament, to be nominated by such educational institutions, organisations or associations as may be approved by the Minister for that purpose and to be appointed by the Minister.

(3) The quorum of the Finance Board shall be 3.

(4) The Minister may appoint a secretary to the Finance Board.

(5) Every member appointed by the Minister shall unless the Minister otherwise directs hold office for a period of 3 years from the date of his appointment:

Provided that the Minister may at any time revoke any such appointment.

(6) On the expiry of the period of office of any member appointed by the Minister, the Minister may reappoint the member for a further period of office.

(7) On the death, bankruptcy, inability to act, resignation, absence from Singapore for more than 3 months or revocation of the appointment, of any member of the Finance Board appointed by the Minister, he shall forthwith cease to be a member of the Finance Board and a new member shall be appointed in accordance with subsection (2).

(8) No act or proceedings of the Finance Board shall be questioned on account of any vacancy on it.

(9) The Finance Board shall meet when so required by the Minister and subject to the provisions of this Act may regulate its own procedure.

7. The duties of the Finance Board shall be — Duties.

- (a) to advise the Minister on the administration of all property or moneys contributed or paid by the Government or otherwise in respect of education;
- (b) to consider the annual estimates for educational purposes prepared by the Director and to make recommendations thereon to the Minister. [6

8. The Minister may make regulations generally for carrying into effect any of the purposes or provisions of this Part. Regulations. [7

PART III

EDUCATIONAL ADVISORY COUNCIL

9.—(1) A council to be called the Educational Advisory Council (referred to in this Act as the Council) shall be constituted in Singapore. Establishment and constitution of Educational Advisory Council.

- (2) The Council shall consist of —
 - (a) the Director as Chairman;
 - (b) all other members of the Finance Board;
 - (c) the medical officer of schools appointed under section 51;
 - (d) the Director of Social Welfare;
 - (e) eight representatives of such educational institutions, organisations or associations, including trade unions of teachers, as are approved by the Minister for that purpose, such representatives to be nominated by their respective institutions, organisations or associations; and
 - (f) six other persons to be appointed by the Minister.

(3) The Minister may appoint a secretary to the Council.

(4) The Council shall elect a Vice-Chairman from among its members. The Vice-Chairman shall hold office only so long as he is a member of the Council:

Provided that the Vice-Chairman may by notice in writing to the Minister resign from his office as Vice-Chairman and shall on such resignation forthwith cease to be Vice-Chairman.

(5) Every member of the Council appointed by the Minister shall unless the Minister otherwise directs hold office for a period of 3 years:

Provided that the Minister may at any time revoke the appointment.

(6) Every member of the Council nominated in accordance with subsection (2) (e) shall unless the Minister otherwise directs hold office for a period of 3 years:

Provided that the institution, organisation or association nominating such a member may at any time revoke the nomination.

(7) On the expiry of the period of office of a member nominated in accordance with subsection (2) (e), the Minister shall request the institution, organisation or association which nominated the member or some other institution, organisation or association approved by the Minister for that purpose, to nominate a representative to be a member of the Council.

(8) On the expiry of the period of office of a member of the Council appointed by the Minister, the Minister may reappoint the member for a further period.

(9) On the death, bankruptcy, inability to act, resignation, absence from Singapore for more than 3 months or revocation of the nomination or appointment of any member of the Council nominated or appointed in accordance with subsection (2) (e) or (f), he shall forthwith cease to be a member of the Council and a new member shall be nominated or appointed in accordance with subsection (2) (e) or (f), as the case may be.

(10) No act or proceedings of the Council shall be questioned on account of any vacancy on it. [8

Meetings and
procedure.

10.—(1) The Council shall meet at least 4 times in every year in the months of March, June, September and December, and may meet at such other times as may be considered necessary.

(2) The quorum of the Council shall be 12.

(3) Subject to the provisions of this Act the Council may regulate its own procedure. [9

11. The Council shall advise the Minister upon any matter of educational policy or development which may be referred to it by the Minister or which it may itself propose. Duties.
[10]

12.—(1) The Council may appoint from among its members a Standing General Purposes Sub-committee and determine the number of members and the functions of the sub-committee. Power to appoint sub-committees.

(2) In addition to the Standing General Purposes Sub-committee the Council may, subject to any directions of the Minister, appoint such and so many other sub-committees consisting either wholly or partly of members of the Council as the Council thinks fit.

(3) The Council may delegate to the Standing General Purposes Sub-committee or to any sub-committee appointed under subsection (2) such of its functions as the Council thinks fit for the purposes for which the sub-committee was appointed.

(4) The Director or such other person as he may from time to time appoint shall be a member of every sub-committee appointed under subsection (2). [11]

PART IV

SCHOOLS APPEALS BOARD

13.—(1) A board to be called the Schools Appeals Board (referred to in this Act as the Appeals Board) shall be established in Singapore. Establishment and constitution of Appeals Board.

(2) The following shall be members of the Appeals Board:

- (a) a Chairman, who shall not hold any office of emolument under the Government, to be appointed by the Minister;
- (b) two persons to be nominated by such institutions of higher education as may be approved for that purpose by the Minister;
- (c) two registered teachers, not being Government teachers, and two registered managers, to be appointed by the Minister; and
- (d) two other persons to be appointed by the Minister.

(3) The Minister may appoint a secretary to the Appeals Board.

(4) Every member of the Appeals Board appointed by the Minister shall unless the Minister shall otherwise direct hold office for a period of 3 years:

Provided that the Minister may at any time revoke any such appointment.

(5) Every member of the Appeals Board nominated in accordance with subsection (2) (b) shall unless the Minister otherwise directs hold office for a period of 3 years:

Provided that the institution of higher education which nominated a member may at any time revoke the nomination.

(6) On the expiry of his period of office a member of the Appeals Board may be reappointed or with the approval of the Minister be renominated.

(7) On the death, bankruptcy, inability to act, resignation, absence from Singapore for more than 3 months or revocation of the nomination or appointment of any member of the Appeals Board, he shall forthwith cease to be a member of the Appeals Board and a new member shall be nominated or appointed in accordance with subsection (2), as the case may be. [12

Procedure of
Appeals
Board.

14.—(1) The procedure of the Appeals Board shall be in accordance with the provisions of Part XII.

(2) The quorum of the Appeals Board shall be 5:

Provided that no appeal which concerns the registration of a manager or teacher shall be proceeded with unless one of the members present is a registered manager or registered teacher, as the case may be.

(3) No member of the Appeals Board shall take part in the hearing of an adjourned appeal who was not present at all previous hearings of the appeal.

(4) The proceedings of the Appeals Board shall not be open to the public.

(5) No act or proceedings of the Appeals Board shall be questioned on account of any vacancy on it.

(6) Subject to the provisions of this Act the Appeals Board may regulate its own procedure. [13

15. It shall be the duty of the Appeals Board to hear and decide all appeals from the decisions of the Director under this Act other than those expressly excepted under section 48 (2) (a): Duties.

Provided that the Appeals Board shall not hear an appeal from any Government teacher other than an appeal against the cancellation of his registration as a teacher. [14

16. In the exercise of its functions the Appeals Board shall have the following powers: Powers.

- (a) to take evidence on oath;
- (b) to summon any person to attend any hearing of the Appeals Board to give evidence or produce any document or other article in his possession:

Provided that no person shall be bound to answer any question or produce any document in respect of any matter which would have been protected from disclosure on the ground of privilege if the proceedings had been held in any court;

- (c) to order an inspection of any school premises; and
- (d) to enter and view any school premises. [15

17. Any person who being summoned to attend as a witness or to produce any document or other article at a hearing of the Appeals Board refuses or neglects to do so or refuses to answer any questions put to him by or with the concurrence of the Appeals Board shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$500 or to imprisonment for a term not exceeding 3 months or to both: Offences and penalties.

Provided that no person shall be bound to incriminate himself or to answer any question or produce any document in respect of any matter which would have been protected from disclosure on the ground of privilege if the proceedings had been held in any court. [16

18. The Appeals Board may at its request be assisted in the conduct of an appeal by a legal officer appointed by the Attorney-General to act as legal assessor. Legal assessor. [17

PART V

REGISTERS OF SCHOOLS, MANAGERS AND TEACHERS

Registers of
schools, etc.

19.—(1) The Director shall keep separate registers in which shall be entered —

- (a) the name of every school other than schools exempted from registration under section 3;
- (b) the name of every manager and of the supervisor of every such registered school;
- (c) the name of every teacher registered under Part VIII; and
- (d) the name of every teacher to whom an authorisation to teach as an unregistered teacher has been issued under Part IX.

(2) The Director shall enter in the registers such other particulars as may from time to time appear to him to be necessary. [18

Offences.

20. Any person who —

- (a) acts as the manager of a school which is neither registered nor exempted from registration under this Act;
- (b) as manager of a registered school employs or permits the employment of any unregistered teacher in the school except as provided under Part IX; or
- (c) teaches in an unregistered school or teaches in a registered school without having obtained either registration as required by section 35 or authority to teach as an unregistered teacher under section 41 or permission to teach under section 44, or continues to teach after the cancellation under section 39 of his registration as a teacher or under section 43 of his authority to teach as an unregistered teacher or under section 44 of his permission to teach as an unregistered teacher,

shall be guilty of an offence and shall be liable on conviction to the penalties hereinafter provided. [19

PART VI

REGISTRATION OF SCHOOLS

21. Subject to section 3, no school shall be carried on unless it is registered under this Act. [20 Schools to be registered.]

22.—(1) The Director shall cause every Government school to be registered. Application.

(2) An application for the registration of a school other than a Government school shall be made to the Director by a person intending to become a manager of the school and the Director may grant the application with or without conditions, or may refuse the application giving reasons for his refusal.

(3) Every such application shall be substantially in the Form 1 set out in the Schedule and shall be accompanied by applications for registration as managers of and teachers in the school, as the case may be, completed in accordance with sections 31 and 36 respectively by every person named in the application as managers of, or as teachers in, the school. [21

23.—(1) Upon an application for the registration of a school the Director after such inquiry as may be necessary shall — Registration of a school.

- (a) register the school;
- (b) inform the applicant in writing of the conditions, if any, under which the school may be registered; or
- (c) if the application is refused, specify the provision of this Act under which the application is refused.

(2) The conditions referred to in subsection (1) may include the acceptance by the persons proposed as managers of the school of a constitution, written scheme or deed of trust providing for the management of the school and the administration of the property and revenues as proposed by the Director in each case and the execution of the constitution, written scheme or deed of trust by the proper parties thereto.

(3) When a school is registered, the Director shall issue to the supervisor thereof a certificate of registration in the

Form 2 set out in the Schedule in which shall be specified the premises in which the school may be conducted and the supervisor shall cause a copy of the certificate together with a list drawn up in such languages as may be determined by the Director of the names of the —

- (a) supervisor;
- (b) registered managers;
- (c) registered teachers; and
- (d) unregistered teachers, if any, who are authorised or permitted to teach in that school,

to be exhibited in a conspicuous place in every building in which the school is to be conducted.

(4) No school shall be opened for instructional purposes until the certificate of registration has been issued by the Director and exhibited with the list referred to in subsection (3). [22

Grounds for refusal to register a school.

24. The Director may refuse to register a school if —

- (a) adequate educational facilities already exist in the area in which it is proposed to open the school;
- (b) the proposed school premises constitute a dangerous building or are or are likely to be structurally unsuitable for use as a school;
- (c) the fire precautions in the proposed school premises are inadequate;
- (d) the proposed school premises are insanitary or for reasons of health unsuitable for use as a school;
- (e) the area provided for the open air recreation of pupils is inadequate or unsatisfactory;
- (f) the proposed school does not conform to the regulations made under this Act;
- (g) the proposed fees are excessive, having regard to the cost of maintaining and conducting the proposed school and the standard of education to be provided;
- (h) the qualifications and experience of the proposed teachers are not adequate to ensure the efficient conduct of the proposed school;
- (i) the proposed salaries of the teachers are not adequate to ensure the efficient performance of their duties;

- (j) the proposed school is designed to accommodate more than 1,200 pupils in any one session;
- (k) the constitution of the proposed committee of management is not such as to ensure the efficient administration of the proposed school;
- (l) the supervisor recommended by the proposed committee of management is not a fit and proper person to act as a supervisor;
- (m) the proposed school has previously been refused registration or the registration thereof has been cancelled either under this Act or under any previous written law relating to the registration of schools;
- (n) the proposed school is likely to be used for a purpose detrimental to the interests of Singapore or of the public;
- (o) the proposed school is likely to be used for the purpose of instruction detrimental to the interests of the public or of the pupils;
- (p) the proposed school is likely to be used as a meeting place of an unlawful society;
- (q) the name under which the school is to be registered is against the interests of Singapore; or
- (r) in the application for registration a statement has been made or information has been furnished which is false in a material particular or by reason of the omission of a material particular.

[23

25.—(1) The Director may cancel the registration of any school —

- (a) on any of the grounds on which he would have been entitled to refuse registration under section 24, other than that set out in paragraph (a) thereof;
- (b) if satisfied that the school has ceased to exist;
- (c) if the supervisor of the school has failed to comply with a direction addressed to him under section 54;
- (d) if satisfied that the committee of management of the school is not efficiently administering the school; or

Grounds for cancellation of registration of a school.

(e) if satisfied that discipline in the school has not been or cannot be adequately maintained.

(2) If the registration of all the managers of a school has been cancelled, the Director shall cancel the registration of the school. [24

PART VII

MANAGEMENT OF SCHOOLS — SUPERVISORS AND MANAGERS

Committees
of manage-
ment.

26.—(1) Every school other than a Government school shall be administered by a committee of management:

Provided that if any school has only one manager the duties to be discharged by the committee of management shall be discharged by that manager.

(2) Except with the approval in writing of the Director, no committee of management shall exceed 9 persons in number.

(3) The committee of management shall be responsible for ensuring that the provisions of this Act, of the regulations made thereunder and of the terms of any constitution, written scheme or deed of trust approved for the school under section 23 are complied with. [25

Director
may appoint
managers or
additional
managers.

27.—(1) If, at any time the Director is satisfied that a school is not being satisfactorily managed, he may appoint additional managers for such time as he may consider necessary, and the additional managers shall be deemed to be registered managers of the school and shall have power to enter the school premises at any time.

(2) If at any time in the opinion of the Director, by reason of resignation, death or any other cause, a school is left without an effective committee of management, the Director may require a new committee of management to be formed and may appoint such managers as he considers necessary to secure the continuance of the school until the names of the managers to constitute the new committee of management have been submitted and accepted for registration. [26

Registration
and with-
drawal of
registration
of supervisor.

28.—(1) The committee of management of a school shall recommend for registration one of their members to be the supervisor of the school.

(2) The Director may withhold registration if he is not satisfied that the person recommended is a fit and proper person to act as supervisor for the purposes of this Act.

(3) If at any time it appears to the Director that the supervisor is no longer a fit and proper person to act as supervisor, he may withdraw registration and that person shall forthwith cease to be the supervisor of the school.

[27]

- 29.** The duties of the supervisor of a school shall be — Duties of supervisor.
- (a) to conduct all correspondence with the Director concerning the administration of the school;
 - (b) to report to the Director forthwith by notice in writing the resignation of any manager of the school;
 - (c) to report to the Director forthwith by notice in writing —
 - (i) the appointment of any registered teacher as a principal of, or as a teacher in, the school; and
 - (ii) the termination of the appointment of the principal of, or of a teacher in, the school;
 - (d) to report to the Director by notice in writing any change in the salary paid to the principal of, or to any teacher in, the school; and
 - (e) to perform such other duties as may be laid down in the constitution, written scheme or deed of trust approved for the school or in regulations made under this Act. [28]

30.—(1) If the Director withholds or withdraws registration of the supervisor recommended by the committee of management of a school or if the registered supervisor ceases to act as such because of his resignation, illness, absence, cancellation of his registration as manager or other cause, or if the registered supervisor is no longer acceptable as such to the majority of the committee of management, the committee of management shall forthwith recommend for registration another of their members as supervisor of the school. Absence from duty, etc., of supervisor.

(2) If at any time for any cause there is no supervisor of a school or the supervisor has ceased for any cause to act as such, then pending registration of a supervisor or of another person as supervisor, all the duties and responsibilities of the supervisor under this Act and the regulations made thereunder shall be discharged by and be vested in the committee of management and if there is only one manager and he for any cause is unable to perform the duties, then they shall be discharged by and be vested in the principal of the school. [29]

Managers of a school to be registered.

31.—(1) Every manager of a school other than a manager appointed by the Director under section 27 shall be registered.

(2) Every application for registration as a manager of a school shall be made to the Director in the Form 3 set out in the Schedule and shall be countersigned by the supervisor of the school concerned if one has been appointed. [30]

Registration of managers.

32. When application has been made under section 31 for registration as a manager of a school the Director shall, subject to section 33 and after such inquiry as may be 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. [31]

Grounds for refusal to register a manager.

33. The Director may in his discretion refuse to register any person as a manager of a school if —

- (a) the person has been convicted before any court of competent jurisdiction in Singapore or in Malaysia or in any part of the Commonwealth, of an offence punishable with imprisonment or of an offence under this Act or under any previous written law relating to education or the registration of schools or under any similar law in force at any time in Malaysia;
- (b) the person has previously been refused registration as a manager under either this Act or any previous written law relating to education or the registration of schools or any similar law in force at any time in Malaysia, or having been so registered has had his registration cancelled;

- (c) the person is not of good character;
- (d) the person has not the experience, knowledge, interest and skill to manage a school;
- (e) the person has at any time under any written law made a statement false or misleading in a material particular in an application for registration as manager or teacher; or
- (f) it will be prejudicial to the interests of Singapore or of the public or of the pupils of the school that the person should be so registered. [32]

34. The Director may cancel the registration of any manager of a school —

Grounds for the cancellation of registration as a manager.

- (a) on any of the grounds on which he would have been entitled to refuse registration under section 33 (a), (b) and (e);
- (b) if he has ceased to act as a manager or to perform the duties of a manager satisfactorily;
- (c) if he has contravened any of the provisions of this Act or the regulations made thereunder;
- (d) if, having qualified as a manager by reason of an interest in the school of which he is manager, he ceases to have that interest in the school;
- (e) if the registration of the school of which he is manager is cancelled;
- (f) if he is evading his responsibilities as a manager; or
- (g) if he is a person who ought not in the interests of Singapore or of the public or of the pupils of the school to remain a manager. [33]

PART VIII

REGISTRATION OF TEACHERS

35. No person shall teach or be employed as a teacher in a school other than a school exempted from the provisions of this Act unless he is either a registered teacher or is authorised or permitted to teach under Part IX. [34]

Prohibition of teaching by unauthorised persons.

36. Application for registration as a teacher shall be made to the Director in the Form 4 set out in the Schedule and shall be accompanied by the documents therein specified. [35]

Application for registration.

Registration
of a teacher.

37. Subject to section 38 on receiving an application duly made for registration as a teacher, and after such inquiry as may be necessary the Director shall if satisfied register the applicant and issue to him a certificate of registration in the Form 5 set out in the Schedule or authority to teach as an unregistered teacher in accordance with section 41 or a permit to teach in accordance with section 44. [36

Grounds for
refusal to
register a
teacher.

38. The Director may refuse to register a person as a teacher if the applicant —

- (a) is not of good character;
- (b) has been convicted before any court of competent jurisdiction in Singapore or in Malaysia or in any part of the Commonwealth, of an offence punishable with imprisonment or of an offence under this Act or under any previous written law relating to education or the registration of schools or under any similar law in force at any time in Malaysia;
- (c) has previously been refused registration as a manager on grounds which would also have precluded his registration as a teacher, or has been refused registration as a teacher under this Act or any previous written law relating to education or the registration of schools or any similar law in force at any time in Malaysia;
- (d) has been struck off the register on the cancellation of his registration as a teacher under this Act or under any previous written law relating to education or the registration of schools or under any similar law in Malaysia, unless the cancellation of his registration as a teacher has taken place because of his resignation or because the school in which he was employed has ceased to exist;
- (e) is unable to furnish evidence of medical fitness to the satisfaction of a medical officer of schools appointed in accordance with section 51;
- (f) has at any time under any written law made a statement false or misleading in a material particular in an application for registration as a teacher or in information supplied in connection with the application;

- (g) is likely to influence his pupils in a manner prejudicial to their welfare or to the public interest; or
- (h) does not possess the minimum qualifications prescribed in the regulations made under this Act.

[37]

39. The Director may cancel the registration of a teacher —

Grounds for cancellation of registration of a teacher.

- (a) on any of the grounds on which he would have been entitled to refuse registration under section 38;
- (b) if he is satisfied that the teacher has been guilty of professional misconduct;
- (c) if he is satisfied that the teacher is not competent to perform the duties of a teacher; or
- (d) if the teacher has contravened any of the provisions of this Act or any regulations made thereunder.

[38]

PART IX

EMPLOYMENT OF UNREGISTERED TEACHERS

40.—(1) An unregistered teacher may teach in a school only if an authority or a permit has been issued in accordance with section 41 or 44 respectively.

Authority or permit required to employ unregistered teacher.

(2) Subject to section 44, an unregistered teacher shall not be employed in any school unless at the time of application there is no suitable registered teacher available for employment in the school in which he is to be authorised to teach.

[39]

41.—(1) If the supervisor of a school or person who applies for registration of a school is of opinion that there is not available a suitable registered teacher for employment in the school whereof he is supervisor or in the proposed school, he may make application to the Director in the Form 6 set out in the Schedule for authority to employ a person to teach who is not registered as a teacher and for authority for that person to teach as an unregistered teacher.

Method of application and limitations to be applied.

(2) Subject to section 42 and after such inquiry as may be necessary, the Director may issue to the applicant an

authority in writing in the Form 7 set out in the Schedule and shall issue to the unregistered teacher a copy thereof and that copy shall be deemed to be the unregistered teacher's authority to teach.

(3) Such authority shall state the school in which and the period for which the unregistered teacher may teach and may at the discretion of the Director impose limitations as to the subjects and classes which he may teach. [40]

Grounds for refusal to authorise unregistered teacher.

42. The Director may refuse to authorise the employment of an unregistered teacher —

- (a) on any of the grounds on which he would have been entitled to refuse to register a person as a teacher under section 38 (a) to (g); or
- (b) if there is available for employment in the school concerned a suitable registered teacher. [41]

Grounds for cancellation of authority to teach.

43.—(1) The Director may cancel the authority to employ any unregistered teacher —

- (a) on any of the grounds on which he would be entitled to cancel the registration of a teacher under section 39; or
- (b) if a registered teacher with the required qualifications becomes available.

(2) The Director shall cancel the authority to employ any unregistered teacher when the employment which is authorised is terminated. [42]

Director may issue permit to teach.

44.—(1) Notwithstanding anything in this Act, the Director may in his discretion and for special reasons issue a permit to any person to teach as an unregistered teacher.

(2) The permit issued under subsection (1) may be cancelled at any time by notice in writing under the hand of the Director served on the holder thereof. [43]

PART X

GENERAL PROCEDURE ON REGISTRATION AND CANCELLATION OF REGISTRATION OF SCHOOLS, MANAGERS AND TEACHERS

Medical examination of teacher.

45. Before registering a person as a teacher or granting authority or a permit for him to teach as an unregistered

teacher, the Director may require him to submit to a medical examination. [44

46. Whenever any application is made for registration of a school or of a manager or of a teacher or for authority to employ an unregistered teacher the Director may require the applicant to make such further declaration or supply such further particulars as may seem to him necessary and any statement so made or information so furnished shall be deemed to be embodied in the application under consideration. [45

General power on any application for registration.

47. An applicant for registration of a school who receives notice from the Director under section 23 of the conditions under which the school may be registered may within 14 days of the receipt of the notice and in accordance with section 56 appeal through the Director to the Appeals Board against the imposition of all or any of such conditions. [46

Procedure relating to conditions of registration.

48.—(1) Whenever the Director has come to a decision in the exercise of his discretion under section 24, 25, 28, 33, 34, 38, 39, 42, 43 or 54, he shall serve notice in writing thereof upon each person who as applicant, supervisor, manager, teacher or unregistered teacher, as the case may be, appears to him to be directly and adversely affected by his decision stating the grounds for the decision, due regard being had to the requirements of public security, and shall supply to each such person a copy of this section and of sections 49, 56, 57, 58, 59 and 60.

Procedure upon refusal to register, cancellation of registration, etc.

(2) Any person who as applicant, supervisor, manager, teacher or unregistered teacher is adversely affected by such decision may within 14 days of the service of the notice appeal by notice in writing through the Director in accordance with section 56 —

- (a) in cases where the decision has been made under section 24 (*n*), (*o*) or (*p*), 25 (1) (*a*) or (*e*), 33 (*f*), 34 (*f*) or (*g*), 38 (*g*) or 39 (*a*) to the Minister;
- (b) in all other cases to the Appeals Board constituted under section 13:

Provided that the Minister may direct that any appeal made to him shall be heard by the Appeals Board. [47

Cancellation of registration to involve immediate suspension unless Director otherwise permits.

49.—(1) A school in respect of which registration is cancelled under section 25 shall cease to be carried on with effect from the date of service of notice under section 48:

Provided that the Director in his discretion and subject to such conditions as he may think fit may by notice in writing to the supervisor permit the school to be carried on until the determination of any appeal from the cancellation.

(2) A supervisor, manager or teacher who receives notice under section 48 (1) of an adverse decision of the Director under section 28, 34 or 39 respectively, and an unregistered teacher who receives such notice under section 43, shall be suspended from duty with effect from the date of service of the notice:

Provided that the Director may in his discretion and subject to such conditions as he may think fit by notice in writing withhold the suspension until the determination of any appeal.

(3) A supervisor, manager or teacher who receives notice under section 48 (1) of an adverse decision of the Director under section 25, 28, 34, 39 or 43 shall deliver to the Director any certificate of registration or any authority to teach or copy thereof issued to him under the provisions of this Act, whether or not notice of appeal under section 48 (2) has been given and before any such notice is given.

Adverse decision not to be carried out until determination of appeal.

(4) An adverse decision of the Director shall not be carried out other than as provided in subsections (1), (2) and (3) until any appeal relating thereto has been determined or the prescribed time for notice thereof has elapsed.

[48]

Unlawful to assemble in school whose registration is cancelled, and powers of police to enter.

50. Where the Director has cancelled the registration of a school and has not under the proviso to section 49 (1) permitted the school to be carried on it shall be an offence for any pupil of the school or for any other person without the written authority of the Director to be or to assemble on the premises thereof, and in every case to which this section applies it shall be lawful for any police officer to enter upon those premises and for such purpose to use such force as appears to him to be necessary.

[49]

PART XI

INSPECTION OF REGISTERED SCHOOLS AND
EXAMINATION OF UNREGISTERED PREMISES

51. The President may by notification in the *Gazette* appoint by name or office —

- (a) any officer of the Ministry of Education to be an inspector of schools;
- (b) any medical officer to be a medical officer of schools; and
- (c) any public health inspector to be a health inspector of schools,

each of whom for the purpose of this Act shall be deemed to be an inspector of schools. [50]

Appointment of persons deemed to be inspectors.

52. It shall be the duty of the Director to cause to be inspected by an inspector of schools periodically every registered school for the purpose of ascertaining whether the provisions of this Act and any regulations made thereunder are being complied with and whether the school is being properly and efficiently conducted. [51]

Schools to be inspected at least once a year.

53.—(1) For the purpose of carrying out the provisions of this Act and any regulations made thereunder it shall be lawful for the Director or any officer empowered under section 5 or any inspector of schools to enter any school premises and to examine all documents found on those premises and to remove them for further examination.

Powers of Director and inspectors on inspecting schools.

(2) If the school premises or any building therein is closed and if none of the registered managers nor any of the registered teachers or unregistered teachers of the school can be found to open those premises or building then the Director or any officer empowered under section 5 or any inspector of schools may enter therein using force if necessary.

(3) In the case of instruction given by means of correspondence delivered by hand or through the postal services the Director may require to be submitted to him a copy of all documents used, or intended to be used, for the purpose of instruction.

(4) The Director at any time and any officer empowered under section 5 while lawfully carrying out an inspection of a registered school may require any registered manager of, or registered teacher or unregistered teacher authorised or permitted to teach in, any registered school or any pupil of the school or any person found within the school to produce for his inspection any document in his possession or under

his control which relates to the management or teaching or pupil activities of the school and to furnish the Director or that officer with such information relating to the management or teaching or pupil activities of the school as the Director or that officer may demand and which it is within the power of the person to furnish and in the case of a teacher to produce for inspection his certificate of registration or his authority or permit to teach under this Act. [52

Power to direct remedial measures.

54.—(1) If it appears to the Director that any provisions of this Act or any regulations made thereunder have not been complied with in any school or that any school 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 supervisor direct him to take within a time to be stated in the notice such measures as are in the notice specified, in order that the provisions may be complied with or that the school may be properly or efficiently conducted.

(2) The Director may in his discretion in any particular case cause a copy of any such notice to be sent to each of the other managers of the school.

(3) The supervisor of any school receiving the notice may, within the time specified in the notice as the time within which the measures specified are to be taken, appeal to the Appeals Board as provided in section 56. [53

Powers of Director and inspector in searching for unregistered schools.

55.—(1) The Director or any officer empowered under section 5 or any inspector of schools or any other person specially authorised in that behalf by the Director may enter, accompanied by such persons as he may consider expedient and using force for that purpose if necessary, any house, building or other place which he has reasonable cause to believe is occupied by an unregistered school and may search for and seize and remove any document or other article which may appear to him to be the property of or to have been used in connection with the unregistered school.

(2) For the purpose of any entry or search under this section the Director or any officer empowered under section 5 or any inspector of schools or other authorised person under subsection (1) may break open any outer or inner door of the house, building or other place or any

locked receptacle therein which he has reasonable cause to believe contains any document or other article which is the property of or has been used in connection with the unregistered school. [54

PART XII

APPEALS

56.—(1) Any person wishing to appeal against any decision of the Director shall within the period prescribed deliver to the Director two copies of a written statement addressed either to the Minister or to the Appeals Board, as the case may require, stating concisely the grounds for his appeal. Procedure on appeals.

(2) On receiving such statement the Director shall forthwith forward it to the Minister or the secretary of the Appeals Board, as the case may require.

(3) As soon as may be after receiving such statement the Minister or the secretary of the Appeals Board, as the case may require, shall give to the appellant and the Director at least 14 days notice of the date of hearing the appeal.

[55

57. At the hearing of the appeal whether by the Minister or by the Appeals Board the appellant or his duly authorised representative as also the Director or an officer duly appointed by him for that purpose shall be entitled to be present and to be heard. Appellant and Director or their representatives may be present at appeal.

[56

58. The onus of proving that the grounds stated by the Director under section 48 for his decision are not correct or do not justify such decision shall be upon the appellant. Onus of proof on appellant.

[57

59. Except with the consent of the Minister or of the Appeals Board, as the case may be, neither the Director nor the appellant may at the hearing rely upon any grounds other than those stated by the Director in accordance with section 48 or by the appellant in accordance with section 56. Appeal to be argued on grounds stated.

[58

Decisions on
appeals.

60.—(1) The Minister or the Appeals Board, as the case may be, may confirm, set aside or modify the decision against which the appeal is made.

(2) The decision of the Minister or the Appeals Board, as the case may be, shall be communicated to the Director, who shall forthwith inform the appellant in writing of that decision.

(3) The decision of the Minister or the Appeals Board made under this section shall be final and conclusive and shall not be questioned in any court. [59

PART XIII

REGULATIONS, OFFENCES, NOTICES, INDEMNITY, ETC.

Regulations.

61.—(1) The Minister may make regulations generally for all matters regarding the conduct and efficiency of schools and for carrying out the provisions of this Act and without prejudice to such general powers may make regulations providing for —

- (a) the hygienic character and the proper sanitation of schools or buildings;
- (b) the methods of enforcing discipline in schools;
- (c) the prohibition in schools of the use of any document which appears to him unsuitable or prejudicial to the interests of Singapore;
- (d) the prohibition of the importation into Singapore of any school textbooks the use of which appears to him prejudicial to the interests of Singapore;
- (e) the prohibition of the use of school premises for any purpose which appears to him prejudicial to the interests of Singapore;
- (f) the proper keeping of school registers and books of account;
- (g) the medical inspection of pupils in schools and of school premises;
- (h) the control and supervision of subscriptions and collections on behalf of schools or pupils;
- (i) the conditions under which Government grants-in-aid shall be given or continue to be given;
- (j) the provision in any school of a constitution, written scheme or deed of trust setting forth the

rules in accordance with which the affairs of the school are to be conducted;

- (k) the control of fees and other charges made by schools; and
- (l) the prescribing of anything that may be prescribed under this Act.

(2) All regulations made under this Act shall be published in the *Gazette* and shall be presented to Parliament as soon as possible after publication and if a resolution is passed pursuant to a motion notice whereof has been given for a sitting day not later than the first available sitting day of Parliament next after the expiry of one month from the date when the regulations are so presented annulling the regulations or any part thereof as from a specified date, the regulations or such part thereof, as the case may be, shall thereupon become void as from that date but without prejudice to the validity of anything previously done thereunder or to the making of any new regulations.

(3) If a breach of any such regulation is committed, every manager of or teacher in any school in which the breach is committed who has committed or abetted the commission of the breach whether directly or through negligence shall be guilty of an offence. [60

62.—(1) Any person who —

Penalties.

- (a) acts as manager of or teacher in a school which is not registered or exempted from registration under section 3;
- (b) in making an application under this Act for the registration of a school or for registration as manager or teacher or for authority to employ an unregistered teacher, makes any false statement which he knows to be false or does not believe to be true or which he makes recklessly or, by the intentional suppression of any material fact, furnishes information which is misleading;
- (c) obstructs or impedes the Director or any officer lawfully carrying out an inspection of a registered school in the lawful exercise of any of his powers under this Act;

- (d) in contravention of section 53 refuses to produce any document or refuses to furnish any information 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;
- (e) acts as a manager of a school without having been registered as a manager, or as a teacher without having been registered as a teacher or given authority or permission to teach as an unregistered teacher; or
- (f) except as provided for in section 49 continues to act as the supervisor or manager of a school or as a teacher in a school which is carried on after the Director has issued a notice under section 48 cancelling its registration,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding one year or to both.

(2) Any person guilty of an offence under this Act or against the regulations made thereunder for which no other penalty is specifically provided, shall be liable on conviction to a fine not exceeding \$500 for a first offence or \$1,000 for a second or subsequent offence under this Act, and if he is a manager or teacher convicted of an offence under section 20 or 23 (3), shall be liable to a further fine not exceeding \$100 for every day during which the offence continues after conviction. [61]

Service of notices.

63. Whenever in this Act or in the regulations made thereunder provision is made for the service upon any person of a notice in writing, it shall be sufficient service if the notice is served personally or sent by registered post to his last known address, and whenever the person to be served is a supervisor and cannot readily be found it shall be sufficient service to affix the notice to the building of the school of which he is the supervisor. [62]

No person to be charged except on complaint of Director.

64. No person shall be charged with any offence under this Act or any regulations made thereunder except on the complaint of the Director. [63]

65. The Minister may, from time to time, cancel, vary or add to any of the forms set out in the Schedule. [64 Power to amend forms in Schedule.

66.—(1) Any school, manager or teacher registered under the provisions of the Registration of Schools Ordinance and any Government teacher appointed before the date of the commencement of this Act shall be deemed to have been registered under this Act and such registration shall continue in force but subject to the provisions of this Act relating to the striking off the register of any such school, manager or teacher. Savings. 1955 Ed. Cap. 203.

(2) When no person has been registered as the supervisor of any school registered at the date of the commencement of this Act the school shall be deemed to have ceased to be registered unless, within one month of such date, a manager has been recommended by the committee of management of the school to be supervisor thereof for the purpose of this Act and duly registered under section 28.

(3) All the estate and interest in any movable or immovable property and all rights, liabilities, authorities, powers, privileges or immunities which hitherto vested in or might be had or exercised by the Finance Board constituted and established under the provisions of the Education Ordinance shall be deemed to have passed to and be vested in or be applicable to and exercised by the Accountant-General. 1955 Ed. Cap. 202.

[65

THE SCHEDULE

FORM 1

The Education Act

(Chapter 87)

Application for Registration of a School

Address

Date

The Director of Education,
Ministry of Education,
Singapore.

I wish to open a school particulars of which are set out below and request that it be registered and a certificate of registration be issued.

2. Particulars:

- (a) Proposed name of school —
 - (i) in Roman characters
 - (ii) in Chinese characters

(where applicable)
- (b) Proposed address of school
- (c) Whether the school owns its premises or not
- (d) If the school does not own its premises the conditions under which it occupies them (i.e. period of lease, amount of rent, etc.)
- (e) Whether a —
 - (i) day school
 - (ii) night school
 - (iii) correspondence school.
- (f) Approximate enrolment —
 - (i) boys
 - (ii) girls
- (g) Whether or not —
 - (i) a full time primary school
 - (ii) a full time secondary school
- (h) If neither a full time primary or full time secondary school, the nature of the school
- (i) Whether it is intended to apply for Government aid
- (j) Proposed monthly fee:

... Year to ... Year	... Year to ... Year	... Year to ... Year
\$	\$	\$

Section
22 (3).

THE SCHEDULE — *continued*

FORM 1 — *continued*

(k) Proposed terminal fee:

Particular purpose	Amount	
	... Year to ... Year	... Year to ... Year
	\$	\$

(l) Proposed hours of classroom instruction:

... Year to ...Year	... Year to ... Year	... Year to ... Year

3. I attach plan (with dimensions) of proposed building.

4.—(a) I attach applications for registration as manager of the school from the following persons:

- (i)
- (ii)
- (iii)
- (iv)
- (v)

(b) is recommended as Supervisor.

5. I attach applications for employment for the following registered teachers:

Name	Identity Card No.	Name	Identity Card No.
(i)		(xi)	
(ii)		(xii)	
(iii)		(xiii)	
(iv)		(xiv)	
(v)		(xv)	
(vi)		(xvi)	
(vii)		(xvii)	
(viii)		(xviii)	
(ix)		(xix)	
(x)		(xx)	

6. I attach applications for employment from the following persons together with their applications for registration as teachers:

Name	Identity Card No.	Name	Identity Card No.
(i)		(iv)	
(ii)		(v)	
(iii)		(vi)	

THE SCHEDULE — *continued*FORM 1 — *continued*

7. I attach application for authority to teach as unregistered teachers from the following persons:

<i>Name</i>	<i>Identity Card No.</i>	<i>Name</i>	<i>Identity Card No.</i>
(i)		(iv)	
(ii)		(v)	
(iii)		(vi)	

8. I attach proposed syllabus for each class.

9. I attach a statement of the amount of time in hours and minutes to be devoted weekly to the different subjects.

(Signed)

Section
23 (3).

FORM 2

*The Education Act**(Chapter 87)*

CERTIFICATE OF REGISTRATION OF SCHOOL

This is to certify that the undermentioned school has been registered under the Education Act.

Registered name of school
(in Roman characters)

Registered name of school
(in Chinese characters where applicable)

Address

.....
Director of Education

Singapore,..... 19

THE SCHEDULE — *continued*

FORM 3

Section
31 (2).

The Education Act
(Chapter 87)

APPLICATION FOR REGISTRATION AS A MANAGER OF A SCHOOL

Address

Date

The Director of Education,
Ministry of Education,
Singapore.

School

Address

1. I submit particulars of myself and request you to register me as a manager of the above School.

2. Particulars:

(a) Name

(b) Address

(c) Date of birth

(d) Occupation

(e) Educational qualifications

(f) Experience in or knowledge of educational matters

(g) Interest in the above school

(h) Any other schools of which a registered manager

3. I declare that —

(a) I am normally resident in Singapore for at least 9 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 of any school or having been so registered had my registration cancelled except as follows:

(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 and the regulations made thereunder.

4. The contents of this application are true to the best of my knowledge, information and belief.

(Signed)

THE SCHEDULE — *continued*

Section 36.

FORM 4

The Education Act

(Chapter 87)

APPLICATION FOR REGISTRATION AS A TEACHER

Address

Date

The Director of Education,
Ministry of Education,
Singapore.

1. I submit particulars of myself and request you to register me as a teacher and to issue me with a certificate of registration.

2. Particulars:

(a) Name (i) in Roman characters
(ii) in Chinese characters
(where applicable)

(b) Aliases (i) in Roman characters
(ii) in Chinese characters
(where applicable)

(c) Sex

(d) Whether married or single

(e) Date of birth

(f) Place of birth

(g) Where educated with dates:

School or University	From	To

(h) Educational qualifications

(i) Previous teaching experience:

School	Classes taught	Subjects taught

3. I attach:

(a) two signed photographs of myself;

(b) medical certificate;

(c) educational certificates.

4. I declare that:

(a) I am a person of good character and have never been convicted of an offence punishable with imprisonment;

THE SCHEDULE — *continued*

FORM 4 — *continued*

(b) I have never previously been refused registration as a manager of any school or as a teacher or having been so registered had my registration cancelled except as follows:
... ..

5. The contents of this application are true to the best of my knowledge, information and belief.

(Signed)

FORM 5

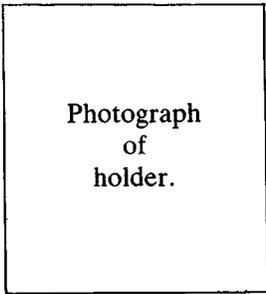
Section 37.

The Education Act

(Chapter 87)

CERTIFICATE OF REGISTRATION OF TEACHER

This is to certify that
whose photograph is affixed hereto has been registered as a teacher under the Education Act.



.....
Director of Education

Singapore,..... 19

THE SCHEDULE — continued

Section 41 (1).

FORM 6
The Education Act
(Chapter 87)

APPLICATION FOR AUTHORITY TO EMPLOY AN UNREGISTERED TEACHER

PART I

(To be completed by the supervisor of the school in which it is desired to employ a person as an unregistered teacher or if the application is made at the same time as application for registration of the school by the person applying for registration of the school).

Address

Date

The Director of Education,
Ministry of Education,
Singapore.

1. I hereby apply for authority to employ —

Name in Roman characters

Name in Chinese characters

(where applicable)

as an unregistered teacher at the School.

2. In my opinion there is no suitable registered teacher available for employment.

3. Part II of this Form sets out full particulars as supplied by which I have checked to the best of my ability.

(Signed)

(Supervisor or applicant for registration of a School)

PART II

(To be completed by the person it is desired to employ as an unregistered teacher).

1. Name (a) in Roman characters

(b) in Chinese characters

(where applicable)

2. Aliases (a) in Roman characters

(b) in Chinese characters

(where applicable)

3. Sex

4. Whether married or single

5. Date of birth

6. Place of birth

THE SCHEDULE — *continued*

FORM 6 — *continued*

PART II — *continued*

7. Where educated with dates:

School or University	From	To

8. Educational qualifications

9. Previous teaching experience:

School	Classes taught	Subjects taught

10. I attach —

- (a) two signed photographs of myself;
- (b) medical certificate;
- (c) educational certificates.

11. I declare that —

- (a) I am a person of good character and have never been convicted of an offence punishable with imprisonment;
- (b) I have never previously been refused registration as a manager of any school or as a teacher or having been so registered had my resignation cancelled except as follows:

12. I am aware that this is an application to teach at the
 School only.

13. The contents of Part II of this Form are true to the best of my knowledge, information and belief.

Signature
 (Unregistered teacher)

Date

THE SCHEDULE — *continued*

Section
41 (2).

FORM 7

The Education Act

(Chapter 87)

AUTHORITY TO EMPLOY AN UNREGISTERED TEACHER

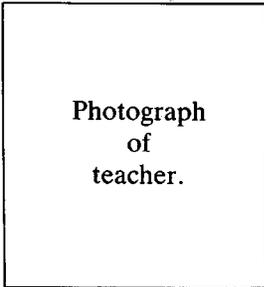
The Supervisor,

..... School.

(Copy to, the teacher.)

Authority is hereby given you to employ
..... whose photograph is affixed hereto as an unregistered
teacher at School.

LIMITATIONS (IF ANY) AS TO SUBJECTS AND CLASSES



.....
Director of Education

Singapore,..... 19