



# THE STATUTES OF THE REPUBLIC OF SINGAPORE

## PRIVATE EDUCATION ACT 2009

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# Private Education Act 2009

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An Act to provide for the regulation and accreditation of private education institutions so as to ensure the provision of quality education thereat and for matters connected therewith.

[24/2016]

[1 December 2009: Except Parts 3 to 7;  
21 December 2009: Parts 3 to 7]

## PART 1

## PRELIMINARY

**Short title**

1. This Act is the Private Education Act 2009.

**Interpretation**

2. In this Act, unless the context otherwise requires —  
“advertisement” includes any notice, circular, pamphlet, brochure, prospectus, programme or other document, and

any announcement, notification or intimation, to the public or any section thereof or to any person or persons, made —

- (a) orally or in writing;
- (b) by means of any poster, placard, notice or other document affixed, posted or displayed on any wall, billboard or hoarding or on any other object or thing;
- (c) by means of sound broadcast, television, the Internet or other media; or
- (d) in any other form or manner whatsoever;

“Agency” means the SkillsFuture Singapore Agency established by section 3 of the SkillsFuture Singapore Agency Act 2016;

“Appeals Board” means the Appeals Board constituted under section 24;

“award”, in relation to a private education institution, includes the conferment of any degree, diploma or certificate by the private education institution, whether on its own behalf or otherwise;

“body corporate” includes a limited liability partnership;

“Chief Executive” means the Chief Executive of the Agency appointed under section 38 of the SkillsFuture Singapore Agency Act 2016 and includes any person acting in that capacity;

“company” has the meaning given by section 4(1) of the Companies Act 1967;

“course”, in relation to a private education institution, means a course of study or training programme offered or provided by the private education institution;

“course money” means money that a private education institution receives, directly or indirectly, from —

- (a) a student, or a person (whether within or outside Singapore) who intends to become or who has taken any steps towards becoming a student (called in this Act an intending student); or

(b) another person who pays the money on behalf of the student or intending student,

for a course that the private education institution is providing or offering to provide to the student or intending student;

“director” has the meaning given by section 4(1) of the Companies Act 1967;

“education” includes instruction, training or teaching;

“education institution” means any person that offers to provide, or provides, education, whether by itself or in association or collaboration with or by affiliation with any other person;

“examination service”, in relation to any private education institution, means any test, examination or other method of assessing the level of proficiency, aptitude, skill, knowledge or understanding of a person attending or enrolled in any course provided by the private education institution;

“inspector” means an inspector appointed by the Agency under section 29(1);

“limited liability partnership” has the meaning given by section 2(1) of the Limited Liability Partnerships Act 2005;

“manager” —

(a) in relation to a private education institution that is a body corporate, means any director, partner or member of its board or committee of management which is responsible for the management of the affairs of the body corporate, or other similar officer of the body corporate, and includes any person in accordance with whose directions, instructions or wishes those directors, partners or other members (as the case may be) are accustomed or under an obligation, whether formal or informal, to act;

(b) in relation to a private education institution that is an unincorporated association (other than a partnership), means any member of the governing body of the unincorporated association which is responsible for

the management of the affairs of the unincorporated association, or any person holding a position analogous to that of member of such a governing body;

- (c) in relation to a private education institution that is a partnership, means any partner of the partnership; or
- (d) in relation to a private education institution that is a sole-proprietorship, means the sole-proprietor;

“partner” includes any person purporting to act as a partner;

“partnership” includes a limited partnership within the meaning of the Limited Partnerships Act 2008;

“premises”, in relation to a private education institution (whether registered or unregistered) or a proposed private education institution, means any building, enclosure, ground, open-air space or other place used or to be used by the private education institution or proposed private education institution in connection with the provision of private education;

“prescribed dispute resolution scheme” means a dispute resolution scheme that is prescribed under section 37;

“private education” has the meaning given to it in the Schedule;

“private education institution” means —

- (a) any person that offers to provide or provides private education whether in Singapore or elsewhere, whether or not the person offers to provide or provides the private education —
  - (i) for profit;
  - (ii) together with other education; or
  - (iii) by itself or in association or collaboration with or by affiliation with any other person; and
- (b) any school registered under the Education Act 1957 which receives a grant-in-aid or subvention extended by the Government to aided schools as is specified by

the Minister in a notification published in the *Gazette*,

but does not include any private education institution that the Minister declares, by notification in the *Gazette*, to be excluded from this definition, after having regard to the association, collaboration with or affiliation of the private education institution with any school registered under the Education Act 1957;

“registered private education institution” means any private education institution that is registered under Part 3;

“registered society” means a society registered or deemed to be registered under the Societies Act 1966;

“renovation works” means any structural or non-structural additions and alterations carried out to any premises, but does not include repairs and maintenance works;

“Scheme” means a voluntary accreditation or certification scheme established or maintained under section 22(1);

“student”, in relation to an education institution, means a person who receives, or is enrolled in the education institution to receive, education offered or provided by the education institution;

“teacher” means a person who teaches students of an education institution, or who prepares or issues lessons or corrects written answers;

“unregistered private education institution” means any private education institution that is not, or that ceases to be, a registered private education institution, but does not include an education institution which is exempted under section 41 from registration under Part 3.

[24/2016]

## PART 2

## ADMINISTRATION OF ACT

**Agency to administer Act**

3. The Agency is responsible for the administration and enforcement of this Act.

[24/2016]

**Functions of Agency**

4.—(1) Without affecting section 5 of the SkillsFuture Singapore Agency Act 2016, it is the function of the Agency under this Act —

- (a) to register persons who provide or offer to provide private education in Singapore or elsewhere, and to assess and reassess them from time to time;
- (b) to otherwise regulate persons who offer or provide any service relating, directly or indirectly, to private education;
- (c) to promote and facilitate the development of the private education sector in Singapore;
- (d) to establish or support accreditation or certification schemes and other measures to enhance the standards of the private education industry or the education industry in Singapore generally;
- (e) to facilitate the improvement of private education in Singapore of these courses; and
- (f) to facilitate public availability of meaningful and accurate information relating to —
  - (i) registered private education institutions and persons regulated under this Act, including their compliance with the requirements of this Act;
  - (ii) access of students or prospective students to dispute resolution processes; and
  - (iii) the private education industry in Singapore.

[24/2016]

(2) In discharging its functions under this Act, the Agency is to have regard —

- (a) to the financial capability, and the adequacy and quality of the staffing and resources, of any registered private education institution to achieve the stated outcomes for the students who take the courses at the institution;
- (b) to ensuring that minimum standards are maintained by providers of private education that the Agency has registered;
- (c) to securing the availability of meaningful and accurate information to the public about —
  - (i) courses offered by registered private education institutions and the conditions attaching to enrolment in the courses, to enable prospective students to make informed decisions about enrolling in the courses; and
  - (ii) registered private education institutions and their compliance with the requirements of this Act; and
- (d) to ensuring access of students to timely and appropriate dispute resolution processes, in particular overseas students, having regard especially to their status as persons only temporarily in Singapore.

[24/2016]

### **Committee for Private Education**

5. Without affecting section 34 of the SkillsFuture Singapore Agency Act 2016, the Agency may appoint a committee, to be known as the Committee for Private Education, to which the Agency may delegate the exercise of any of its powers under this Act.

[24/2016]

### **Financial penalties, etc., payable to Consolidated Fund**

6.—(1) All financial penalties imposed under section 21 or 37, and all composition sums collected under section 40, must be paid into the Consolidated Fund.

[24/2016]

(2) All fees and other moneys collected under this Act must be paid to the Agency.

[24/2016]

### PART 3

#### REGULATION OF PRIVATE EDUCATION INSTITUTIONS

##### *Division 1 — Registration of private education institutions*

##### **Requirement for registration**

7.—(1) Subject to the provisions of this Act, a person in Singapore must not —

- (a) offer to provide or provide private education, whether in Singapore or elsewhere; or
- (b) award any degree, diploma or certificate (including any honorary degree or other distinctions) in respect of private education, whether offered or provided in Singapore or elsewhere,

unless the person is a registered private education institution.

(2) Any person who contravenes subsection (1) shall be guilty of an offence.

(3) Any person who knowingly assists in the provision of private education by an unregistered private education institution shall be guilty of an offence.

(4) The Agency may take any measures that it thinks necessary to secure the closure of any unregistered private education institution, including but not limited to —

- (a) the use of such force or assistance as may be necessary to remove therefrom any person who is in the premises in the possession or control of the unregistered private education institution; and
- (b) the sealing of all or any of the entrances to or exits from such premises.

[24/2016]

(5) The expenses reasonably incurred by the Agency in the exercise of its powers under subsection (4) and any other reasonable expenses that may be incidental to the exercise of its powers are recoverable by the Agency as a civil debt from the manager or managers (as the case may be) of the unregistered private education institution; and every manager of such an unregistered private education institution is to be jointly and severally liable to the Agency for those expenses.

[24/2016]

(6) Without affecting subsection (4) or (5) or any other power vested in the Agency under this Act, the Agency may, by written direction addressed to the managers of an unregistered private education institution, direct that the unregistered private education institution refund each student thereof, within the time that may be specified in the direction, the whole of the course money the unregistered private education institution received in respect of the student.

[24/2016]

(7) Subsection (6) applies despite anything contained in the agreement or contract between the unregistered private education institution and the students concerned.

(8) Where any written direction issued by the Agency under subsection (6) is not complied with, the unregistered private education institution and every manager thereof to whom the direction is addressed shall each be guilty of an offence.

[24/2016]

(9) Subject to subsection (7), it is a defence for any person charged with an offence under subsection (8) to prove that the person had a reasonable excuse for failing to comply with the written direction of the Agency under subsection (6).

[24/2016]

(10) Subject to the provisions of this Act, no person is entitled to recover in any court any charge, course money or remuneration for any private education provided in Singapore unless the person providing the private education is registered under this Act to provide the private education and the person did so in accordance with the permission of the Agency under section 16 required for the course.

[34

[24/2016]

**Application for grant or renewal of registration**

**8.—**(1) Every application for the grant or renewal of the registration of a private education institution —

- (a) must be made by a manager of the private education institution (called in this section the applicant) to the Agency in such form and manner, and within such time, as may be prescribed;
- (b) must be accompanied by the prescribed fee; and
- (c) may be accompanied by an application to the Agency for the waiver of any of the requirements imposed under this Act for the registration of private education institutions or the renewal thereof.

[24/2016]

(2) The Agency may require the applicant making an application under subsection (1) to furnish it with such information or documents as the Agency considers necessary in relation to the application.

[24/2016]

(3) Where the applicant fails to furnish the Agency with any information or document required under subsection (2) in relation to his or her application within the time specified by the Agency —

- (a) the application is deemed to have been withdrawn; and
- (b) where the application is accompanied by an application for the waiver of any of the requirements imposed under this Act for the registration of private education institutions or the renewal thereof, the application for waiver is also deemed to have been withdrawn.

[35

[24/2016]

**Grant or renewal of registration**

**9.—**(1) The Agency may, upon receiving an application made under section 8(1) for the grant or renewal of the registration of a private education institution, and after any inquiry that it may think necessary —

- (a) if the application is accompanied by an application for the waiver of any of the requirements imposed under this Act for the registration or renewal of registration of private education institutions —
- (i) grant or renew (as the case may be) the registration of the private education institution subject to such terms and conditions as it thinks fit, after waiving all or any of the requirements imposed under this Act for the registration or renewal of registration of private education institutions that is the subject of the application for waiver; or
  - (ii) refuse to waive all or any of the requirements imposed under this Act for the registration or renewal of registration of private education institutions that is the subject of the application for waiver and refuse to grant or renew (as the case may be) the registration of the private education institution because of section 10; or
- (b) in any other case —
- (i) grant or renew (as the case may be) the registration of the private education institution subject to such terms and conditions as it thinks fit; or
  - (ii) refuse to grant or renew (as the case may be) the registration of the private education institution because of section 10.

[24/2016]

(2) Every registration of a private education institution, and every renewal thereof, is for the period that may be specified by the Agency.

[24/2016]

(3) Without limiting subsection (1)(a)(i) and (b)(i), the terms and conditions subject to which the Agency registers a private education institution may provide that except with the prior written approval of the Agency —

- (a) the private education institution must not enter into a contractual agreement or other arrangement (whether or

not in partnership) with one or more other parties to undertake any activity that is not related to private education, so as to obtain individual benefits for the parties, whether in the form of a share of the output of the arrangement or joint or collective profits for all the parties; or

- (b) the private education institution must only provide private education and other activities that are related to the provision of private education.

[24/2016]

(4) The Agency may at any time add to, vary or revoke any term or condition of the registration of a private education institution without compensation.

[24/2016]

(5) To avoid doubt, subsection (3) does not authorise the imposition of any term or condition restricting or prohibiting any particular member of a registered society from entering into any contractual agreement or other arrangement referred to in subsection (3)(a) or from carrying on any activity that is not related to the provision of private education.

[36]

### **Grounds for refusal to grant or renew registration**

**10.—**(1) The Agency may refuse to grant or renew the registration of a private education institution if —

- (a) the private education institution is not a company or a registered society;
- (b) the premises of the private education institution —
  - (i) are or are likely to be unsuitable for providing private education;
  - (ii) are unsanitary or unsuitable for providing private education, or are otherwise dangerous or unsafe;
  - (iii) are to be used, wholly or in part, for any purpose other than providing private education or education;or

- (iv) do not conform to the regulations made under section 44;
- (c) all or more than half of the total number of teachers of the private education institution, or all or more than half of the total number of the proposed teachers thereof —
  - (i) do not possess the minimum qualifications or experience, or fulfil such other criteria, as may be prescribed under section 17(1)(a); or
  - (ii) are otherwise not fit and proper persons to teach in the private education institution;
- (d) in the application for the grant or renewal of the registration (as the case may be) of the private education institution, a statement has been made or information has been furnished which is false or misleading in a material particular or by reason of the omission of a material particular;
- (e) the private education institution or any manager thereof —
  - (i) is contravening or has contravened this Act;
  - (ii) has been convicted of any offence under this Act within 5 years preceding the date of the application for the grant or renewal of the registration (as the case may be) of the private education institution; or
  - (iii) has been convicted of any other offence involving fraud or dishonesty or the conviction for which involved a finding that the private education institution or a manager thereof (as the case may be) has acted fraudulently or dishonestly, whether in Singapore or elsewhere, within 5 years preceding the date of the application for the grant or renewal of the registration (as the case may be) of the private education institution;
- (f) any manager or proposed manager of the private education institution is otherwise not a fit and proper person to carry on or manage the private education institution;

- (g) the Agency is of the view that the registration or renewal of registration (as the case may be) of the private education institution is not in the interests of the public, or the students, intending students or prospective students of the private education institution; or
- (h) the Agency is satisfied that the name of the private education institution, or the name of any premises or school of the private education institution (or any department or faculty thereof), or the name of any education offered to be provided or provided by the private education institution —
- (i) is likely to mislead members of the public as to the true character or purpose of the private education institution, premises, school or department or faculty thereof or education, as the case may be;
  - (ii) is identical to or so nearly resembles the name of some other private education institution or other education institution, whether in Singapore or elsewhere, as is likely to deceive or confuse members of the public or students of either education institution;
  - (iii) is undesirable or offensive; or
  - (iv) is a name of a kind that the Minister has directed the Agency, by notification in the *Gazette*, not to accept for registration or is proscribed.

[24/2016]

(2) The Agency must, before refusing to grant or renew the registration of any private education institution under subsection (1), give the private education institution and the managers thereof written notice of its intention to do so.

[24/2016]

(3) Upon receipt of the notice of the Agency under subsection (2), the private education institution concerned or any manager thereof may, within 14 days after the date of the notice, show cause to the

Agency as to why the registration of the private education institution should be granted or renewed.

[24/2016]

(4) Where, after the private education institution or any manager thereof has shown cause under subsection (3) or the time to do so has expired, the Agency decides not to grant or renew the registration of the private education institution —

- (a) the Agency must notify the private education institution and the managers thereof of its decision in writing; and
- (b) in the case where the registration of the private education institution is not renewed, the registration lapses accordingly.

[37

[24/2016]

### **Suspension or cancellation of registration**

**11.—**(1) The Agency may, without compensation, suspend (for a period not exceeding 6 months) or cancel the registration of any private education institution, or reduce the period of registration of the private education institution, if —

- (a) the private education institution ceases to be a company or a registered society;
- (b) the premises of the private education institution —
  - (i) are unsuitable for providing private education;
  - (ii) are unsanitary or unsuitable for providing private education, or are otherwise dangerous or unsafe;
  - (iii) are used, wholly or in part, for any purpose other than providing private education or education; or
  - (iv) do not conform to the regulations made under section 44;
- (c) all or more than half of the total number of teachers of the private education institution —

- (i) do not possess the minimum qualifications or experience, or fulfil any other criteria, that may be prescribed under section 17(1)(a); or
  - (ii) are otherwise not fit and proper persons to teach in the private education institution;
- (d) the Agency becomes aware of a circumstance that would have permitted the Agency to refuse to grant or renew the registration of the private education institution because of section 10, had the Agency been aware of the circumstances immediately before granting or renewing the registration, as the case may be;
- (e) there is reasonable cause to believe that the grant or renewal of registration has been obtained by means of any false statement or any statement that is false in a material particular;
- (f) the private education institution or any manager thereof —
  - (i) is contravening or has contravened this Act;
  - (ii) has, at any time during the period of registration of the private education institution, been convicted of any offence under this Act; or
  - (iii) has, at any time during the period of registration of the private education institution, been convicted of any other offence involving fraud or dishonesty or the conviction for which involved a finding that the private education institution or a manager thereof (as the case may be) has acted fraudulently or dishonestly, whether in Singapore or elsewhere;
- (g) any manager of the private education institution is not a fit and proper person to carry on or manage the private education institution;
- (h) the Agency is of the view that the continued registration of the private education institution is not in the interests of the public, or the students, intending students or prospective students of the private education institution;

- (i) the private education institution fails to comply with a direction of the Agency issued under section 13;
- (j) the Agency is satisfied that the private education institution has ceased to provide private education;
- (k) the private education institution is wound up or otherwise dissolved;
- (l) any term or condition of registration of the private education institution has been breached; or
- (m) it appears to the Agency that the private education institution is being administered in a manner that is —
  - (i) contrary to the interests of the public; or
  - (ii) detrimental or likely to be detrimental to its students, intending students or prospective students.

[24/2016]

(2) The Agency must, before suspending or cancelling the registration of any private education institution or reducing the period of registration of the private education institution under subsection (1), give the private education institution written notice of its intention to do so.

[24/2016]

(3) Upon receipt of the notice of the Agency under subsection (2), the private education institution concerned or any manager thereof may, within 14 days after the date of the notice, show cause to the Agency as to why the registration of the private education institution should not be suspended or cancelled, or the period of its registration should not be reduced, as the case may be.

[24/2016]

(4) The Agency must, after the private education institution or any manager thereof has shown cause under subsection (3) or the time to do so has expired, notify the private education institution of its decision in writing.

[24/2016]

(5) Subject to section 26, any decision by the Agency under subsection (1) to suspend or cancel the registration of a private education institution, or to reduce the period of such registration,

must not take effect until the expiry of 14 days after the Agency has served the notice of the decision on the private education institution concerned.

[38  
[24/2016]

### **Approval of change of name**

**12.**—(1) Every registered private education institution must obtain the prior approval of the Agency before changing its name, or the name of any premises or school (or any department or faculty thereof) of, or any education provided by, the private education institution to a new name.

[24/2016]

(2) For the purposes of subsection (1), a manager of the registered private education institution which intends to effect a change of name under subsection (1) must submit to the Agency an application for approval of the new name in the form and manner that may be prescribed, and that application must be accompanied by the prescribed fee.

[24/2016]

(3) The Agency may refuse to grant its approval under subsection (1) if it is satisfied that the new name of the private education institution, or the premises, school (or any department or faculty thereof) or education provided by the private education institution (as the case may be) is a name which is referred to in section 10(1)(h).

[39  
[24/2016]

### **Power to direct change of name**

**13.**—(1) Despite anything in this Act, the Agency may direct a registered private education institution to change its name, or the name of any premises or school (or any department or faculty thereof) of or education provided by the private education institution, to any new name that the Agency may approve under section 12 where the Agency is satisfied that the private education institution has been registered (whether through inadvertence or otherwise and whether before, on or after 21 December 2009) by a name, or the name of the

premises or school (or a department or faculty thereof) or education bears a name —

- (a) which is referred to in section 10(1)(h); or
- (b) the use of which has been restrained by an injunction granted under the Trade Marks Act 1998.

[24/2016]

(2) The registered private education institution to whom a direction under subsection (1) is given must comply with the direction within 6 weeks after the date of the direction, or any longer period that the Agency may allow in any particular case, unless the direction is earlier annulled by the Minister.

[24/2016]

(3) Any registered private education institution which contravenes subsection (2) shall be guilty of an offence.

(4) To avoid doubt, the Agency must accept as correct any decision of the General Division of the High Court to grant an injunction referred to in subsection (1)(b).

[40

[24/2016; 40/2019]

### *Division 2 — Management of registered private education institutions*

#### **Duties of managers**

**14.—**(1) The duties of a manager of a registered private education institution are to carry on or manage the registered private education institution and, in particular —

- (a) to ensure the keeping of proper records, including records containing information on —
  - (i) the administration of the courses offered or provided by the private education institution;
  - (ii) the teachers deployed by the private education institution;
  - (iii) the attendance of the students of the private education institution; and

- (iv) any particulars that may be prescribed about the private education institution's administration and governance arrangements, financial viability, educational programmes and student welfare processes, resources and other matters;
- (b) to ensure that, in the event the provision of private education by the private education institution is about to cease, the Agency and each student and intending student of the private education institution are informed, in writing and in the time delimited as follows, of the cessation and of the necessary arrangements made by the private education institution for the student or intending student to be offered a place in another registered private education institution to complete the same or similar course at the private education institution's expense or otherwise:
- (i) where the provision of private education by the private education institution must cease because the Agency refused to renew the registration of the private education institution under section 10 or the registration of the private education institution is suspended or cancelled, or the period of its registration is reduced, under section 11 — at least 14 days before the cessation or any other period that the Agency may allow in any particular case; or
  - (ii) where the provision of private education by the private education institution must cease for any other reason — at least 30 days before the cessation;
- (c) to obtain the permission of the Agency, in the form and manner that the Agency may require, before any renovation works are carried out to the premises of the private education institution or any part thereof or before relocating of the premises of the private education institution;
- (d) to notify the Agency, in writing —
- (i) if there is any change in the ownership, control or management of the private education institution, of

that change within 14 days after the date of the change;

- (ii) if any manager of the private education institution has been convicted of any offence punishable with imprisonment, of that conviction within 14 days after the date of conviction; or
  - (iii) if any legal proceedings have been instituted against the private education institution, of the legal proceedings within 14 days after the date the private education institution is served with the originating process in such proceedings;
- (e) to furnish such information or documents relating to the private education institution as may be required by the Agency within the time and in the manner that the Agency may specify; and
- (f) to discharge any other duties that may be prescribed or as the Agency may, from time to time, by written notice impose in any particular case.

[24/2016]

(2) For the purposes of subsection (1), every manager of a registered private education institution must —

- (a) maintain —
  - (i) a telephone number;
  - (ii) a residential address; and
  - (iii) an electronic mail address or a fax number,at which the manager may be contacted by the Agency in relation to any matter concerning the registered private education institution;
- (b) upon the registration of the private education institution or his or her becoming a manager of the registered private education institution, notify the Agency of the contact information the manager is required to maintain under paragraph (a); and

- (c) notify the Agency of any change in the contact information the manager is required to maintain under paragraph (a) within 14 days after the date of the change.

[24/2016; 34/2016]

(3) Any manager who, without reasonable excuse, fails to comply with any of the duties of a manager prescribed under subsection (1) or (2) shall be guilty of an offence.

[41]

### **Suspension or removal of managers**

**15.**—(1) Without limiting any other power vested in the Agency under this Act, the Agency may, at any time, direct a registered private education institution —

- (a) to suspend or remove any person appointed as a manager of the registered private education institution if the Agency is satisfied that the manager —
- (i) is not a fit and proper person to carry on or manage the registered private education institution; or
  - (ii) is unable to discharge the duties prescribed under section 14 or imposed on managers under this Act; or
- (b) to appoint any additional person that the Agency may approve to discharge the duties of the manager mentioned in paragraph (a) for any period that the Agency considers necessary.

[24/2016]

(2) Any registered private education institution which contravenes any direction of the Agency issued under subsection (1) shall be guilty of an offence.

[42]

[24/2016]

*Division 3 — Provisions relating to courses by registered private education institutions*

**Permission to offer or provide courses**

**16.—**(1) Subject to subsections (2) and (3), no registered private education institution may offer or provide a course, whether in Singapore or elsewhere and whether by itself or in association or collaboration with or by affiliation with any other person, except with the permission in writing of the Agency and in accordance with the terms and conditions of the permission.

[24/2016]

(2) Subsection (1) does not apply to the courses that may be prescribed.

(3) No registered private education institution may offer or provide, whether in Singapore or elsewhere, a course leading to the award of any associate, undergraduate or graduate degree or any other degree that is conferred in its own name without the permission in writing of the Minister.

(4) An application for the permission of the Agency under subsection (1) must —

(a) be made on behalf of the registered private education institution by a manager of the registered private education institution (called in this section the applicant) to the Agency in the form and manner, and within the time, that may be prescribed; and

(b) be accompanied by the prescribed fee.

[24/2016]

(5) The Agency may, upon an application made under subsection (4) and after any inquiry that it may think necessary, grant its permission subject to such terms and conditions as it thinks fit or refuse to grant its permission.

[24/2016]

(6) The Agency may, in determining whether to grant its permission under subsection (1), have regard to any considerations that it thinks fit.

[24/2016]

(7) The Agency may require the applicant making an application under subsection (4) to furnish it with such information or documents as the Agency considers necessary in relation to the application.

[24/2016]

(8) Where the applicant fails to furnish the Agency with any information or document required under subsection (7) in relation to his or her application within the time specified by the Agency, the application is deemed to have been withdrawn.

[24/2016]

(9) Without limiting subsection (5) and despite section 22, the terms and conditions subject to which the Agency grants its permission to a registered private education institution may include a term or condition requiring the registered private education institution to be or to remain (as the case may be) a member of a Scheme.

[24/2016]

(10) The Agency may at any time, without compensation —

(a) add to, vary or revoke any term or condition of its permission granted under subsection (5); or

(b) suspend or revoke its permission granted under subsection (5).

[24/2016]

(11) Any registered private education institution which contravenes subsection (1) or (3) shall be guilty of an offence.

(12) Any person who knowingly or recklessly —

(a) issues or publishes any advertisement of any course to be offered or provided by a registered private education institution, being a course which the Agency has not granted its permission under subsection (1); or

(b) solicits or receives any money from any student in respect of such a course,

shall be guilty of an offence.

[43

[24/2016]

*Division 4 — Provisions relating to teachers of registered private education institutions*

**Notification of teachers of registered private education institutions**

17.—(1) No registered private education institution may deploy a person to teach any course to all or any of the students of the registered private education institution unless —

- (a) the person possesses the minimum qualifications and experience, and fulfils any other criteria, that may be prescribed;
- (b) a manager of the registered private education institution has notified the Agency, in the form and manner and within the time that may be prescribed, of the prescribed particulars of that person; and
- (c) the notification referred to in paragraph (b) is accompanied by the prescribed fee.

[24/2016]

(2) The Agency may, at any time —

- (a) impose such requirements or restrictions relating to any teacher of a registered private education institution as it thinks fit to impose, including but not limited to requirements or restrictions relating to the subjects or classes that the teacher may teach; and
- (b) add to, vary or revoke any requirement or restriction imposed under paragraph (a).

[24/2016]

(3) Any registered private education institution which contravenes any requirement or restriction imposed under subsection (2) shall be guilty of an offence.

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**Power to prohibit or restrict deployment of teachers**

18.—(1) The Agency may, at any time, direct a registered private education institution to cease to deploy any person to teach any

course to all or any of the students of the registered private education institution if the Agency is satisfied that —

- (a) any information in respect of the person furnished to the Agency under this Act is false or misleading in a material particular or by reason of the omission of a material particular;
- (b) the person does not possess the minimum qualifications or experience, or fulfil any other criteria, that may be prescribed under section 17(1)(a) or is otherwise not competent to teach the course;
- (c) the person has misconducted himself or herself in his or her capacity as a teacher of the registered private education institution;
- (d) the person is contravening or has contravened this Act; or
- (e) the person is not a fit and proper person to teach in the registered private education institution.

[24/2016]

(2) Any registered private education institution which contravenes any direction of the Agency issued under subsection (1) shall be guilty of an offence.

[45

[24/2016]

### *Division 5 — Provisions relating to advertising*

#### **Prohibition of certain advertisements**

**19.—**(1) A person must not knowingly or recklessly issue or publish, or cause to be issued or published, any advertisement relating to a private education institution which is false or misleading in a material particular.

(2) For the purposes of subsection (1) —

- (a) “advertisement” includes an advertisement that is made available —
  - (i) in a newspaper, magazine, journal or other periodical published or circulated in Singapore or elsewhere;

- (ii) in a sound or television broadcast transmitted for reception in Singapore or elsewhere; or
  - (iii) by any other means of broadcasting or communication for circulation or reception in Singapore or elsewhere; and
- (b) an advertisement relating to a private education institution is presumed, unless the contrary is proved, to be false or misleading in a material particular if the advertisement —
- (i) falsely describes the private education institution;
  - (ii) contains any false or misleading information concerning the private education institution or any course offered or provided by the private education institution; or
  - (iii) does not contain such information, or is not in accordance with such requirements, as may be prescribed.

(3) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

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### **Remedial measures in relation to advertisements**

**20.**—(1) Without limiting section 32, where any person has issued or published, or caused to be issued or published, any advertisement in contravention of section 16(12) or 19, the Agency may direct the person to do all or any of the following at the person's cost and expense:

- (a) take all practicable steps to withdraw the advertisement;
- (b) modify the advertisement in the manner that may be specified or approved by the Agency;
- (c) cease the issue or publication of any other advertisement which is wholly or substantially the same as the firstmentioned advertisement;

- (d) issue or publish, or cause to be issued or published, a corrective advertisement in the manner and containing the information that may be specified or approved by the Agency.

[24/2016]

(2) The person to whom the Agency has issued a direction under subsection (1) must bear all costs and expenses arising from complying with the direction.

[24/2016]

(3) Where the person to whom the Agency has issued a direction under subsection (1) fails to comply with the direction, the Agency may take any steps that it thinks reasonable and necessary to give effect to the direction and recover all costs and expenses reasonably incurred by it in so doing from that person as a civil debt due to the Agency.

[24/2016]

(4) Any person who contravenes any direction of the Agency issued under subsection (1) shall be guilty of an offence.

[47

[24/2016]

### *Division 6 — Administrative penalties*

#### **General measures Agency may impose on errant private education institutions**

**21.**—(1) Without limiting any other power vested in the Agency under this Act, where a private education institution —

- (a) has breached any term or condition of its registration; or
- (b) has failed to comply with section 12(1) or 17(1), or any regulations that may be prescribed for the purpose of this section the breach of which is not an offence,

the Agency may, in its discretion —

- (c) impose a financial penalty of any amount, not exceeding \$5,000, that the Agency thinks fit;
- (d) censure the private education institution; or

- (e) order that the registration of the private education institution be subject to such terms or conditions as may be imposed by the Agency, whether in addition to or in substitution of the existing terms and conditions of its registration.

[24/2016]

(2) Any financial penalty payable by any private education institution under subsection (1)(c) is recoverable as a civil debt due to the Agency from the private education institution.

[24/2016]

(3) The Agency must, before making any decision under subsection (1) in relation to any private education institution, give the private education institution written notice of its intention to do so.

[24/2016]

(4) Upon receipt of the notice of the Agency under subsection (3), the private education institution concerned or any manager thereof may, within 14 days after the date of the notice, show cause to the Agency as to why the Agency should not impose a financial penalty, censure or make an order under subsection (1)(e), as the case may be.

[24/2016]

(5) The Agency must, after the private education institution or any manager thereof has shown cause under subsection (4) or the time to do so has expired, notify the private education institution of its decision in writing.

[24/2016]

(6) Subject to section 26, any decision by the Agency under subsection (1) must not take effect until the expiry of 14 days after the Agency has served the notice of the decision on the private education institution concerned.

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[24/2016]

## PART 4

## PROVISION AND CONTROL OF OTHER SERVICES

**Establishment or maintenance of accreditation or certification schemes by Agency**

**22.**—(1) The Agency may establish or maintain one or more voluntary accreditation or certification schemes for —

- (a) registered private education institutions; and
- (b) any class of other education institutions as the Agency may deem appropriate.

[24/2016]

(2) Any education institution which is eligible to be a member of a Scheme may apply to the Agency to be a member of the Scheme.

[24/2016]

(3) The Agency may, if it is satisfied that an education institution meets the eligibility criteria for a Scheme that the Agency may determine, accept the application of the education institution to become a member of the Scheme, subject to the education institution providing a written undertaking, in the form and manner that the Agency may determine, that it will abide by the terms and conditions of the Scheme as determined by the Agency.

[24/2016]

(4) The Agency may, from time to time, vary the terms and conditions of any Scheme by issuing a written notice to the members of the Scheme or any relevant class thereof.

[24/2016]

(5) The terms and conditions of a Scheme, as determined by the Agency, may include all or any of the following:

- (a) that members of the Scheme must appoint a management representative to oversee the effective implementation and maintenance of the requirements under the Scheme;
- (b) that members of the Scheme must provide all the necessary information and documents, including any declaration of conformity or accuracy of information, that the Agency may require from time to time;

- (c) that members of the Scheme must facilitate and provide reasonable assistance to the assessors appointed by the Agency, including but not limited to making available information to the assessors and ensuring the safety of assessors during site visits to the premises of the members;
- (d) that members of the Scheme must pay any fees that may be imposed in respect of their application to be members of the Scheme or their continued association with the Scheme;
- (e) that members of the Scheme must comply with such codes of conduct or guidelines relating to quality or standards as may be stipulated by the Agency from time to time;
- (f) that members of the Scheme must enter into any student fee protection scheme that the Agency may designate for the purposes of the Scheme and abide by the terms and conditions of such student fee protection scheme;
- (g) that members of the Scheme must ensure information relating to them, and any other information that may be stipulated by the Agency, are available in a publicly accessible manner;
- (h) that members of the Scheme must allow the Agency to publicise the list of members of the Scheme or a list of those that have been withdrawn, or have been suspended or removed, from the Scheme.

[24/2016]

(6) The Agency may appoint any person to administer any Scheme, or any aspect or any part of a Scheme, subject to such terms and restrictions as may be specified by the Agency.

[24/2016]

(7) Any information furnished by or on behalf of an education institution or any manager thereof for the purpose of a Scheme —

- (a) may be used for or in relation to investigating or prosecuting any person for an offence under any written law; or

- (b) may be used or published in the form of research findings, comparison studies, banding of comparable education institutions, or in any other form or manner or for any purposes that the Agency may determine.

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[24/2016]

### **Restrictions on certain other services**

**23.**—(1) Subject to subsection (3), a person must not establish, maintain, offer or provide any accreditation or certification scheme relating, whether directly or indirectly, to private education institutions or private education without the approval of the Agency.

[24/2016]

(2) Subject to subsection (3), a person in Singapore must not offer or provide any examination service to any private education institution in Singapore or elsewhere without the approval of the Agency.

[24/2016]

(3) Subsection (1) or (2) does not apply to —

(a) the Government, any statutory authority constituted by or under any written law for a public purpose, or any entity owned or controlled by the Government or such statutory authority; or

(b) any other person that may be prescribed.

(4) Any approval of the Agency under subsection (1) or (2) —

(a) may be granted subject to such terms and conditions as the Agency may specify; and

(b) may be revoked at any time by the Agency by written notice.

[24/2016]

(5) Any person who contravenes subsection (1) or (2) shall be guilty of an offence.

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PART 5  
APPEALS

**Constitution of Appeals Board**

**24.—**(1) There must be an Appeals Board consisting of a chairperson and 4 other members whom the Minister may appoint.

(2) The Minister must appoint a secretary to the Appeals Board.

(3) Every member of the Appeals Board, unless the Minister otherwise directs, holds office for 3 years and is eligible for re-appointment.

(4) The Minister may, at any time, revoke the appointment of any member of the Appeals Board.

(5) A member of the Appeals Board may resign his or her office by written notice to the Minister.

(6) Members of the Appeals Board may receive such remuneration and such travelling and subsistence allowances as the Minister may determine.

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**Duty, powers and procedures of Appeals Board**

**25.—**(1) It is the duty of the Appeals Board to hear and decide all appeals against the appealable decisions of the Agency within the meaning of section 26(1).

[24/2016]

(2) In the discharge of its duty under this Act, the Appeals Board has the following 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 that person's possession, except that no person is 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 the premises of any private education institution; and
  - (d) to enter and view the premises of any private education institution.
- (3) The quorum of the Appeals Board is 3.
- (4) The chairperson of the Appeals Board, when present, presides at every meeting of the Appeals Board, and in the chairperson's absence, the member of the Board who may be chosen by the members present presides.
- (5) The proceedings of the Appeals Board must not be open to the public.
- (6) No act or proceedings of the Appeals Board may be questioned on account of any vacancy on it.
- (7) All members of the Appeals Board are deemed to be public servants for the purposes of the Penal Code 1871.
- (8) Subject to the provisions of this Act, the Appeals Board may regulate its own procedure in any manner that it thinks fit.

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### **Appeals to Appeals Board**

**26.—**(1) Any person who is aggrieved by —

- (a) any decision of the Agency —
  - (i) refusing to grant or renew the registration of a private education institution under section 9;
  - (ii) imposing any term or condition upon the registration of a private education institution under section 9;
  - (iii) suspending or cancelling the registration of a private education institution under section 11;
  - (iv) refusing to approve any change of the name of a private education institution, or the name of any premises or school (or any department or faculty thereof) of or education provided by the private education institution, under section 12;

- (v) directing the change in the name of a private education institution, or the name of any premises or school (or any department or faculty thereof) of or education provided by the private education institution, under section 13;
  - (vi) directing the suspension or removal of any person appointed as a manager of a registered private education institution under section 15(1)(a) or the appointment of any additional person to discharge the duties of a manager of a private education institution under section 15(1)(b);
  - (vii) refusing any permission under section 16(1) or imposing any term or condition when granting such permission;
  - (viii) imposing any financial penalty, censure or other order under section 21(1); or
  - (ix) refusing any approval under section 23 or imposing any term or condition when approving under that section;
- (b) any direction of the Agency under section 7(6), 15, 18, 20, 32 or 33;
  - (c) any requisition for particulars or information under section 35; or
  - (d) any decision of the Agency under section 37(3),

(each of which decision, direction or requisition is called in this Act an appealable decision) may, within such time as may be prescribed under section 28 in respect of the type of appealable decision, lodge an appeal against the decision to the Appeals Board.

[24/2016]

(2) Every appeal under subsection (1) must be lodged in the form and manner that may be prescribed under section 28.

(3) The Appeals Board may —

- (a) confirm, set aside or modify the appealable decision to which the appeal relates; or

(b) give such directions in any manner that the Appeals Board thinks fit, including a direction to the Agency to review its appealable decision to which the appeal relates, and the decision of the Appeals Board is final.

[24/2016]

(4) The decision of the Appeals Board must be communicated to the appellant in writing by the secretary to the Appeals Board.

(5) The lodging of an appeal under subsection (1) against an appealable decision does not suspend the effect of the appealable decision to which the appeal relates, except where the appeal relates to —

- (a) any written direction of the Agency issued under section 7(6) or 33 requiring the private education institution or the managers thereof to refund the whole or any part of any course money to any student or intending student of the private education institution; or
- (b) any other appealable decision of the Agency that is prescribed under section 28 as a suspended appealable decision.

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[24/2016]

### **Disclosure of conflicts of interest by members of Appeals Board**

**27.—**(1) A member of the Appeals Board must declare to the Minister, or any person authorised by the Minister, the nature and extent of all conflicts of interest or potential conflicts of interest (if any) with his or her duties or interests as a member of the Appeals Board arising from —

- (a) the member's holding of any office;
- (b) the member's interest in any contract;
- (c) the member's possession or ownership of any property;
- (d) any direct or indirect relationship with a private education institution or any other person regulated under this Act; or

- (e) the member's connection or association with any trade or consumer body.

(2) Where the Minister, or any person authorised by the Minister, is satisfied that a member of the Appeals Board is unable to carry out the member's duties properly and effectively because of any conflict of interest or potential conflict of interest referred to in subsection (1), the Minister may replace that member or direct that member to abstain from taking part in any proceedings relating to any matter affected by the member's conflict of interest or potential conflict of interest.

[54]

### **Rules relating to appeals**

**28.** The Minister may make rules for or with respect to —

- (a) the time within which an appeal to the Appeals Board may be lodged;
- (b) the form and manner in which an appeal to the Appeals Board must be lodged;
- (c) the fees to be paid in respect of any appeal lodged with the Appeals Board;
- (d) the records to be kept by the Appeals Board; and
- (e) all matters and things which are required or permitted to be prescribed or which are necessary or expedient to give effect to any provision of this Part.

[55]

## **PART 6**

### **INSPECTION, ENFORCEMENT AND OFFENCES**

#### **Appointment of inspectors**

**29.—**(1) The Agency may appoint any of its officers or employees to be an inspector for the purposes of this Act.

[24/2016]

(2) The Agency must furnish every inspector with an identification card that identifies him or her as an inspector.

[24/2016]

(3) Every inspector must, when exercising any power under this Act, on demand produce the inspector's identification card to the person affected by the exercise of that power.

[56]

### **Inspection of registered private education institutions**

**30.**—(1) An inspector may enter and inspect the premises under the possession or control of any registered private education institution for the purpose of ascertaining whether this Act has been or is being complied with.

(2) In carrying out an inspection under subsection (1), an inspector may —

- (a) examine any book, document, material or article as the inspector may consider necessary and remove or make copies of it for further examination;
- (b) require any person, whether a manager, teacher or student of the registered private education institution or otherwise, to be present before an inspector or any officer of the Agency and —
  - (i) to produce for inspection any book, document, material or article which is in the possession or under the custody of that person, which the inspector or an officer of the Agency may remove or make copies of for further examination; or
  - (ii) to furnish any information which is within the power of the person to furnish relating to the control or management of the registered private education institution, to the teaching carried on in the registered private education institution, to the student activities of the registered private education institution or to any other matter that the inspector may specify; or

- (c) do anything that is necessary or expedient for the carrying out of the inspection.

[57  
[24/2016]

### **Enforcement powers of inspectors**

**31.—**(1) In addition to the powers conferred on him or her by this Act, an inspector may —

- (a) at reasonable hours, enter any premises or part thereof (whether or not in the possession or control of a registered private education institution) when the inspector has reasonable cause to believe that evidence of the commission of an offence under this Act can be found in those premises, and search for and seize and remove any book, document, material or article or make copies thereof as the inspector may consider necessary;
- (b) require any person whom the inspector reasonably believes to have committed the offence to furnish evidence of that person's identity;
- (c) require, by written order, the attendance before the inspector of any person within the limits of Singapore who, from any information given or otherwise obtained by the inspector, appears to be acquainted with the facts or circumstances of the case;
- (d) examine orally any person reasonably believed to be acquainted with the facts or circumstances of the case or with any other matter that the inspector may specify, and reduce into writing the answer given or statement made by that person;
- (e) require any person to furnish any information or produce any book, document or copy thereof in the possession of that person, and inspect, copy, make extracts from or seize and remove such book or document; and
- (f) take such photographs or video recording, as the inspector thinks necessary, of the premises and persons reasonably believed to be acquainted with the facts or circumstances

of the case or with any other matter that the inspector may specify.

(2) The person mentioned in subsection (1)(d) is bound to state truly the facts or circumstances with which the person is acquainted.

(3) A statement made by the person mentioned in subsection (1)(d) must be read over to the person and must, after correction, if necessary, be signed by the person.

(4) All statements, answers, information and documents procured in the course of investigation are admissible in evidence in any proceedings under this Act against the person making or producing the same.

[58

### **General power to direct remedial measures**

**32.**—(1) Without limiting any other power vested in the Agency under this Act, if it appears to the Agency that —

- (a) any provision of this Act has not been complied with by or in relation to any registered private education institution;  
or
- (b) any registered private education institution is not being efficiently or properly administered,

the Agency may, by written notice addressed to the managers of the registered private education institution, direct them to take such measures and within such time as may be specified in the notice in order that the provision of this Act may be complied with or the registered private education institution may be efficiently or properly administered, as the case may be.

[24/2016]

(2) The registered private education institution in respect of which the Agency has issued a direction under subsection (1) must bear all costs and expenses arising from complying with the direction.

[24/2016]

(3) Where the managers of the registered private education institution to whom the Agency has addressed a direction under subsection (1) fail to comply with the direction, the Agency may take

any steps that it thinks reasonable and necessary to give effect to the direction and recover all costs and expenses reasonably incurred by it in so doing from the registered private education institution as a civil debt due to the Agency.

[24/2016]

(4) Where any direction issued by the Agency under subsection (1) addressed to the managers of a registered private education institution has not been complied with, every manager of the registered private education institution shall each be guilty of an offence.

[24/2016]

(5) It is a defence for any person charged with an offence under subsection (4) to prove that he or she had a reasonable excuse for failing to comply with the direction of the Agency that is the subject of the offence.

[59

[24/2016]

### **Power to direct course money refunds, etc.**

**33.—**(1) This section applies to a student or intending student of a private education institution in relation to a course offered or provided by the private education institution if —

- (a) the course does not start on the agreed starting day;
- (b) the course ceases to be provided at any time after it starts but before it is completed; or
- (c) the course is not provided in full to the student or intending student because of the Agency refusing to renew the registration of the private education institution under section 10 or the Agency suspending, cancelling or reducing the period of registration of the private education institution under section 11,

and the student or intending student has not withdrawn from the private education institution before the default day.

[24/2016]

(2) Without limiting any other power vested in the Agency under this Act, the Agency may by written direction addressed to the managers of a registered private education institution for a course or,

in the case where registration is cancelled, a former registered private education institution for a course, direct that the registered private education institution or former registered private education institution (as the case may be) do either or all of the following:

- (a) refund each student or intending student, within the time that may be specified in the direction, the whole or such part as the Agency deems equitable of the course money the registered private education institution or former registered private education institution (as the case may be) received in respect of the student or intending student before the default day;
- (b) make arrangements for each student or intending student of the registered private education institution or former registered private education institution (as the case may be) to be offered a place in another registered private education institution to complete the same or a similar course, at the private education institution's expense or otherwise, and notify the student or intending student accordingly —
  - (i) where the provision of the course by the private education institution must cease because the Agency refused to renew the registration of the private education institution under section 10 or the registration of the private education institution is suspended or cancelled, or the period of its registration is reduced, under section 11 — at least 14 days before it ceases to provide the course or any other period that the Agency may allow in any particular case; or
  - (ii) where the provision of private education by the private education institution must cease for any other reason — at least 30 days before it ceases to provide the course.

[24/2016]

(3) Subsection (2) applies despite anything contained in the agreement or contract between the registered private education

institution or former registered private education institution and the students or intending students concerned, and subject to subsection (4), the student or intending student concerned is entitled to recover the amount specified in the direction to refund under subsection (2) from the registered private education institution or former registered private education institution (as the case may be) as a civil debt in a court of competent jurisdiction.

(4) The registered private education institution or former registered private education institution (as the case may be) is relieved of its liability to make a refund if the student or intending student accepts the offer under subsection (2)(b) to complete the same or a similar course at the private education institution's expense.

(5) Where any written direction issued by the Agency under subsection (2) is not complied with, the private education institution and every manager of the private education institution to whom the direction is addressed shall each be guilty of an offence.

[24/2016]

(6) In addition to subsection (4), it is a defence for any person charged with an offence under subsection (5) to prove that the person had a reasonable excuse for failing to comply with the written direction of the Agency that is the subject of the offence.

[24/2016]

(7) Nothing in this section affects the operation of the Charities Act 1994, the Insolvency, Restructuring and Dissolution Act 2018, the Societies Act 1966 or any other written law relating to the winding up or dissolution of a private education institution.

[40/2018]

(8) In this section —

“agreed starting day”, in relation to a course offered or provided by a private education institution, means the day on which the course was scheduled to start;

“default day” means —

- (a) the agreed starting day, if subsection (1)(a) applies;  
or

- (b) the day on which the course ceases to be provided if subsection (1)(b) or (c) applies.

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### General offences and penalties

34.—(1) Any person who —

- (a) in relation to any application under this Act or any notification under section 17(1) —
- (i) makes any false statement which that person knows to be false or does not believe to be true or which that person makes recklessly; or
  - (ii) intentionally suppresses any material fact;
- (b) neglects or refuses to produce any book, document, material or article or to furnish any information, neglects or refuses to attend before an inspector as required, furnishes any book, document, material or information which is false in a material particular and which that person knows to be false or does not believe to be true, or, by the intentional suppression of any material fact, furnishes information which is misleading, under section 30 or 31;
- (c) obstructs or impedes the Agency, any officer of the Agency or any inspector lawfully carrying out any function or duty in the exercise of any power conferred by or under this Act; or
- (d) being summoned to attend at a hearing of the Appeals Board to give evidence or produce any document or other article, without reasonable excuse refuses or neglects to do so or refuses to answer any questions put to that person by or with the concurrence of the Appeals Board, or otherwise hinders, obstructs or deceives the Appeals Board in the exercise of its powers under this Act,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[24/2016]

(2) Any person guilty of an offence under this Act for which no penalty is expressly provided shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part of a day during which the offence continues after conviction.

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## PART 7

### MISCELLANEOUS

#### **Power of Agency to issue requisition for particulars or information**

**35.**—(1) The Agency may, from time to time, issue a written requisition to any person to furnish such particulars or supply such information relating to any matter to which this Act applies as may be specified in the requisition.

[24/2016]

- (2) A requisition issued by the Agency under subsection (1) may —
- (a) specify the form in which and the time within which the particulars or information are to be furnished;
  - (b) require the particulars or information to be furnished periodically at or within the time or times and in the form or forms that are specified in the requisition; and
  - (c) specify the place or manner at or in which the particulars or information are to be delivered.

[24/2016]

(3) Every person who is issued a requisition by the Agency under subsection (1) must furnish the particulars or supply the information specified in the requisition to the best of the person's knowledge and belief.

[24/2016]

(4) Any person who, without reasonable excuse, fails to comply with any requisition issued by the Agency under subsection (1) shall be guilty of an offence.

[24/2016]

(5) Any person who, in compliance or purported compliance with any requisition issued by the Agency under subsection (1), furnishes the Agency with any information or document which that person knows is false or misleading shall be guilty of an offence.

[62  
[24/2016]

### **Registers and publication of information**

**36.**—(1) The Agency may establish, maintain and cause to be published in any manner that it may determine, one or more registers in respect of —

- (a) registered private education institutions or any class thereof, and any other person that may be prescribed;
- (b) courses offered or provided, or to be offered or provided, by any person or class of persons mentioned in paragraph (a); or
- (c) any other information relating to private education generally or to any Scheme that the Agency may determine.

[24/2016]

(2) Regulations may be made under section 44 to prescribe the manner in which the registers are established or maintained under subsection (1), including the details or particulars required to be entered in the registers.

(3) Any person may, upon payment of the fee that may be prescribed, inspect and take an extract from any register established under subsection (1).

(4) Any extract taken under subsection (3), if certified by the Agency to be a true copy, is admissible as evidence in any legal proceedings.

[63  
[24/2016]

### **Power of Agency in relation to dispute resolution schemes**

**37.**—(1) Regulations may be made under section 44 to prescribe one or more dispute resolution schemes for the resolution of disputes

arising from or relating to the provision of services by registered private education institutions to students.

[24/2016]

(2) Without limiting subsection (1), regulations may be made under section 44 —

- (a) to require registered private education institutions or any class thereof to participate in such prescribed dispute resolution schemes and to comply with such terms and conditions of the scheme as may be prescribed;
- (b) to prescribe a list of approved dispute resolution centres under each prescribed dispute resolution scheme; and
- (c) generally to give effect to this section.

(3) Where the Agency is satisfied that any registered private education institution has contravened any of the regulations mentioned in subsection (2), the Agency may do all or any of the following:

- (a) impose a financial penalty of any amount, not exceeding \$5,000, that the Agency thinks fit;
- (b) censure the private education institution, if it thinks it necessary in the public interest or for the protection of the public or any section of the public;
- (c) order that the registration of the private education institution be subject to such terms or conditions as may be imposed by the Agency, whether in addition to or in substitution of the existing terms and conditions of its registration.

[24/2016]

(4) The Agency must, before making any decision under subsection (3) in relation to any private education institution, give the private education institution written notice of its intention to do so.

[24/2016]

(5) Upon receipt of the notice of the Agency under subsection (4), the private education institution concerned or any manager thereof may, within 14 days after the date of the notice, show cause to the

Agency as to why the Agency should not impose a financial penalty, censure or make an order under subsection (3)(c), as the case may be.  
[24/2016]

(6) The Agency must, after the private education institution or any manager thereof has shown cause under subsection (5) or the time to do so has expired, notify the private education institution of its decision in writing.  
[24/2016]

(7) Subject to section 26, any decision by the Agency under subsection (3) must not take effect until the expiry of 14 days after the Agency has served the notice of the decision on the private education institution concerned.  
[24/2016]

(8) The Agency may issue, and publish by notification in the *Gazette* or in any other manner that it considers appropriate, any guidelines that it considers appropriate for providing guidance in relation to the operation of a prescribed dispute resolution scheme.  
[64  
[24/2016]

### **Jurisdiction of court**

**38.** Despite any provision to the contrary in the Criminal Procedure Code 2010, a District Court has jurisdiction to try any offence under this Act and has power to impose the full penalty or punishment in respect of the offence.  
[65]

### **Offences by bodies corporate, etc.**

**39.—**(1) Where an offence under this Act committed by a body corporate is proved —

(a) to have been committed with the consent or connivance of an officer; or

(b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

(3) Where an offence under this Act committed by a partnership is proved —

(a) to have been committed with the consent or connivance of a partner; or

(b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(4) Where an offence under this Act committed by an unincorporated association (other than a partnership) is proved —

(a) to have been committed with the consent or connivance of an officer of the unincorporated association or a member of its governing body; or

(b) to be attributable to any neglect on the part of such officer or member,

the officer or member as well as the unincorporated association shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(5) In this section, "officer" —

(a) in relation to a body corporate, means any director, partner, member of the committee of management, chief executive, manager, secretary or other similar officer of the body corporate and includes any person purporting to act in any such capacity; or

(b) in relation to an unincorporated association (other than a partnership), means the president, the secretary, or any member of the committee of the unincorporated association, or any person holding a position analogous to that of president, secretary or member of such a committee and includes any person purporting to act in any such capacity.

(6) The Minister may make rules to provide for the application of any provision of this section, with any modification that the Minister considers appropriate, to any body corporate or unincorporated association formed or recognised under the law of a territory outside Singapore.

[66]

### Composition of offences

**40.**—(1) The Chief Executive or any officer authorised by the Chief Executive may compound any offence under this Act that is prescribed as a compoundable offence by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

- (a) one half of the amount of the maximum fine that is prescribed for the offence; or
- (b) \$5,000.

(2) On payment of the sum of money mentioned in subsection (1), no further proceedings are to be taken against that person in respect of the offence.

[67]

### General exemption

**41.** The Minister may, by order in the *Gazette*, exempt any person or any class of persons, courses or advertisements from any provision of this Act, subject to such terms or conditions as may be prescribed.

[68]

### Service of documents

**42.**—(1) Any notice, order, direction or other document required or authorised by this Act to be served on any person may be served on the person —

- (a) in the case of an individual —
  - (i) by delivering it to the individual personally;
  - (ii) by leaving it with an adult person apparently resident at, or by sending it by prepaid registered post to, the

- usual or last known address of the place of residence of the individual;
- (iii) by leaving it with an adult person apparently employed at, or by sending it by prepaid registered post to, the usual or last known address of the place of business of the individual;
  - (iv) by affixing a copy of the notice in a conspicuous place at the usual or last known address of residence or business of the individual; or
  - (v) by sending it by fax to the fax number used at the usual or last known address of the place of residence or business of the individual, or the last fax number given to the Agency by the individual as the fax number for the service of documents on the individual;
- (b) in the case of a partnership other than a limited liability partnership —
- (i) by delivering it to any one of the partners or the secretary or other similar officer of the partnership;
  - (ii) by leaving it at, or by sending it by prepaid registered post to, the principal or last known place of business of the partnership in Singapore; or
  - (iii) by sending it by fax to the fax number used at the principal or last known place of business of the partnership in Singapore; and
- (c) in the case of any limited liability partnership or any other body corporate —
- (i) by delivering it to the secretary or other similar officer of the body corporate or, in the case of a limited liability partnership, the manager thereof;
  - (ii) by leaving it at, or by sending it by prepaid registered post to, the registered office or principal office of the limited liability partnership or body corporate in Singapore; or

- (iii) by sending it by fax to the fax number used at the registered office or principal office of the limited liability partnership or body corporate in Singapore.  
[24/2016]

(2) Where any notice, order, direction or other document required or authorised by this Act to be served is sent by fax to the fax number used at the last known place of residence or business or registered office or principal office in accordance with subsection (1), it is deemed to have been duly served on the person to whom it is addressed on the day of transmission, subject to receipt on the sending fax machine of a notification (by electronic or other means) of a successful transmission to the place of residence or business or registered office or principal office, as the case may be.

(3) Where any notice, order, direction or other document required or authorised by this Act to be served is sent by prepaid registered post, it is deemed to have been duly served on the person to whom it is addressed 2 days after the day the notice or document was posted, whether or not it is returned undelivered.

(4) Any notice, order, direction or other document required or authorised by this Act to be served on the owner or occupier of any premises —

- (a) may be served by delivering it or a true copy thereof to some adult person on the premises or, if there is no such person on the premises to whom it can with reasonable diligence be delivered, by affixing the notice, order, direction or document to some conspicuous part of the premises; and
- (b) is deemed to be properly addressed if addressed by the description of the owner or occupier of the premises without further name or description.

(5) Without limiting this section, any notice, order, direction or other document required or authorised by this Act to be served on a manager or the managers of a private education institution —

- (a) may be served by delivering it or a true copy thereof to some adult person on the premises of the private education institution or, if there is no such person on the premises to

whom it can with reasonable diligence be delivered, by affixing the notice, order, direction or document to some conspicuous part of the premises; and

- (b) is deemed to be properly addressed if addressed by the description of the manager or managers of the registered private education institution without further name or description.

(6) This section does not apply to notices and documents to be served in proceedings in court.

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### **Amendment of Schedule**

**43.**—(1) The Minister may at any time, by order in the *Gazette*, amend the Schedule by adding any education as private education.

(2) The Minister may, in any order made under subsection (1), make such incidental, consequential or supplementary provisions as may be necessary or expedient.

(3) All orders made under this section must be presented to Parliament as soon as possible after publication in the *Gazette*.

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### **Regulations**

**44.**—(1) The Agency may, with the approval of the Minister, make regulations as may be necessary or expedient to give effect to the provisions and purposes of this Act.

[24/2016]

(2) Without limiting subsection (1), regulations may be made under that subsection for or in respect of all or any of the following matters:

- (a) the forms to be used and the information to be furnished in, or the documents to be furnished with, any application and the forms to be used for any other purpose under this Act;
- (b) the fees and charges payable under this Act, including the interest or penalty for the late payment of any fee or charge, and the waiver, refund or remission, whether wholly or in part, of such fees and charges;

- (c) the requirements and restrictions on the names of private education institutions or the names of any premises or school (or any department or faculty thereof) of or education provided by private education institutions, and the use or display of such names;
- (d) the premises of private education institutions, including but not limited to —
  - (i) the requirements for office or administrative areas;
  - (ii) the number, type and size of classrooms;
  - (iii) the facilities and equipment to be provided;
  - (iv) the signage in or around the premises;
  - (v) the use of the premises; and
  - (vi) the restrictions on the sharing of premises with other persons;
- (e) the form and manner of the keeping of registers or records under this Act, the inspection thereof, the taking of extracts therefrom, the supply of copies thereof, and the returns to be made to the Agency including financial records;
- (f) the publication of information by private education institutions, in such form and manner as may be prescribed, relating to the premises, teachers and courses of the private education institutions, including but not limited to course money, course schedules, examination schedules, course particulars and programme modules;
- (g) the administration of courses offered or provided by registered private education institutions, including but not limited to the requirements relating to the names of courses, course programme duration, enrolment of students, the form and content of the agreements or contracts to be entered into with students, and the establishment of boards, committees or other similar bodies to oversee academic, examination or administrative structures and processes;

- (h) the deployment of teachers by registered private education institutions;
- (i) the use of advertisements by or on behalf of a private education institution, or any solicitation or canvassing for business by or on behalf of a private education institution;
- (j) the use of any accreditation, certification or inspection mark of the Agency;
- (k) the regulation of persons who provide any service relating, whether directly or indirectly, to the provision of private education, including the application, with such modifications as may be prescribed, of the provisions of this Act to such persons;
- (l) the offences which may be compounded under section 40;
- (m) to prescribe all matters and things which by this Act are required or permitted to be prescribed or which are necessary or expedient to be prescribed to give effect to this Act.

[24/2016]

(3) Regulations made under subsection (1) —

- (a) may relate to all or any class or description of private education institutions;
- (b) may make different provisions for different classes or descriptions of private education institutions;
- (c) may provide that a contravention of any specified provision thereof shall be an offence; and
- (d) other than regulations prescribed for the purpose of section 21, may provide for penalties not exceeding a fine of \$10,000 or imprisonment for a term not exceeding 12 months or both for each offence and, in the case of a continuing offence, a further penalty not exceeding a fine of \$1,000 for that offence for every day or part of a day during which the offence continues after conviction.

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**Non-application to certain education institutions**

**45.**—(1) This Act does not apply to the following persons, all of whom are not to be regarded as private education institutions, or managers or teachers of private education institutions, as the case may be:

- (a) the Government or any entity owned or controlled by the Government and the teachers of a Government school;
- (b) the Institute of Technical Education, Singapore established under the Institute of Technical Education Act 1992 or any company owned (wholly or partly) by or any undertaking of the Institute of Technical Education, Singapore and their respective teachers;
- (c) the following Polytechnics or undertakings and their respective teachers:
  - (i) the Nanyang Polytechnic established under the Nanyang Polytechnic Act 1992;
  - (ii) the Ngee Ann Polytechnic established under the Ngee Ann Polytechnic Act 1967;
  - (iii) the Republic Polytechnic established under the Republic Polytechnic Act 2002;
  - (iv) the Singapore Polytechnic established under the Singapore Polytechnic Act 1954;
  - (v) the Temasek Polytechnic established under the Temasek Polytechnic Act 1990; and
  - (vi) any company that is owned (wholly or partly) by any such Polytechnic referred to in sub-paragraphs (i) to (v);
- (d) any other body that is established or constituted by or under a public Act and that has a public function, or any entity owned (wholly or partly) or controlled by such a body, offering to provide or providing any education, and its teachers;

- (e) the organisation, committee of management, managers and teachers of any school registered under the Education Act 1957 and which receives a grant-in-aid or subvention extended by the Government to aided schools within the meaning of that Act unless the organisation is specified in a notification made under the definition of “private education institution” in section 2;
- (f) the organisation, committee of management, managers and teachers at any special education school for students with physical or intellectual disabilities which is registered under the Education Act 1957 and which receives a subvention extended by the Government;
- (g) the organisation, committee of management, managers and teachers of any education institution providing education in accordance with religious beliefs and principles and no other education, including any school exempted under section 3 of the Education Act 1957 and any Muslim religious school referred to in section 87(1) of the Administration of Muslim Law Act 1966;
- (h) the governing board constituted for any school under the School Boards (Incorporation) Act 1990, its governors and the teachers of such a school;
- (i) the Nanyang Technological University, the National University of Singapore, the Singapore Management University, the Singapore University of Technology and Design, the Singapore Institute of Technology, the Singapore University of Social Sciences and any other person whose function of providing university education is determined by written law, any entity owned (wholly or partly) or controlled by any such University or person, and the teachers of the respective Universities and entities; and
- (j) any place of safety or juvenile rehabilitation centre approved, appointed or established under the Children and Young Persons Act 1993 or any approved institution approved under section 12 of the Probation of Offenders

Act 1951, respectively, and the respective managers thereof.

[11/2014; 19/2017; 30/2017]

(2) This Act does not apply to, or in relation to, any early childhood development centre licensed under the Early Childhood Development Centres Act 2017, the key appointment holders (as defined in that Act) of the licensee of the centre, and the teachers of the centre.

[72  
[19/2017]

### **Saving and transitional provisions**

**46.**—(1) Despite the provisions of this Act, any person who, immediately before 21 December 2009, is registered under the Education Act 1957 and is in Singapore —

- (a) offering to provide or providing private education, whether in Singapore or elsewhere; or
- (b) awarding any degree, diploma or certificate (including any honorary degree or other distinction) in respect of private education, whether offered or provided in Singapore or elsewhere,

(called in this section an existing regulated private education institution) is deemed to be registered as a private education institution for a period of 18 months from that date, subject to the same conditions of its registration as a school under the Education Act 1957 (if applicable) to the extent that those conditions are not inconsistent with the provisions of this Act.

(2) Despite the provisions of this Act, every course lawfully offered or provided by an existing regulated private education institution under the Education Act 1957 immediately before 21 December 2009, whether in Singapore or elsewhere and whether by itself or in association or collaboration with or by affiliation with any other person, is deemed to be permitted by the Council under section 16 for the same period delimited by subsection (1).

(3) Despite the provisions of this Act, an existing regulated private education institution which, immediately before 21 December 2009, is deploying any teacher authorised under the Education Act 1957 to teach any course to all or any of the students of the existing regulated private education institution is deemed to have complied with section 17 for the same period delimited by subsection (1).

(4) Where anything has been commenced by or on behalf of the Director-General of Education under the Education Act 1957 before 21 December 2009 (as the case may be) the Minister or the Appeals Board under the Education Act 1957 in relation to an existing regulated private education institution, such thing may be carried on and completed by or under the authority of the Council, the Minister or the Appeals Board (as the case may be) under the corresponding provisions in those Parts.

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## THE SCHEDULE

Sections 2 and 43(1)

### DEFINITION OF PRIVATE EDUCATION

1. In this Schedule, unless the context otherwise requires —

“contract of service” has the meaning given by section 2 of the Employment Act 1968;

“employee” means a person who has entered into or works under a contract of service with an employer;

“employer” has the meaning given by section 2 of the Employment Act 1968;

“full-time”, in relation to the provision of education, means the provision of education of a duration of at least one month and that is conducted for 5 days of a week for at least 3 hours each day;

“post-secondary education” means education normally for a person who is 16 years of age or above;

“primary or secondary education” means education normally for a child who is above 6 years of age and below 18 years of age.

THE SCHEDULE — *continued*

2. “Private education” means any of the following types of education, whether provided wholly or in part electronically, through correspondence or in any other manner:

- (a) education leading to the award of a diploma or degree;
- (b) full-time post-secondary education leading to the award of a certificate;
- (c) full-time primary or secondary education wholly or substantially in accordance with a foreign or international curriculum;
- (d) full-time special education for students with physical or intellectual disabilities;
- (e) full-time education for the purpose of preparing students for any examination that —
  - (i) leads to a qualification awarded by any person other than the person which provides such full-time education; or
  - (ii) entitles the students to be admitted to an education institution.

3. “Private education” does not include —

- (a) any apprenticeship whereby an employer undertakes to employ a person and to train the person, or have the person trained, systematically for a trade or vocation; or
- (b) any education provided by any employer exclusively for the employer’s employees.

[16/2016]

## LEGISLATIVE HISTORY

### PRIVATE EDUCATION ACT 2009

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

#### **1. Act 21 of 2009 — Private Education Act 2009**

Bill	:	15/2009
First Reading	:	18 August 2009
Second and Third Readings	:	14 September 2009
Commencement	:	1 December 2009 (except Parts 3 to 7) 21 December 2009 (Parts 3 to 7)

#### **2. Act 3 of 2011 — Children and Young Persons (Amendment) Act 2011**

(Amendments made by section 36 of the above Act)

Bill	:	35/2010
First Reading	:	22 November 2010
Second and Third Readings	:	10 January 2011
Commencement	:	20 July 2011 (section 36)

#### **3. Act 14 of 2011 — Singapore University of Technology and Design Act 2011**

(Amendments made by section 12 of the above Act)

Bill	:	9/2011
First Reading	:	1 March 2011
Second and Third Readings	:	11 April 2011
Commencement	:	18 October 2011 (section 12)

#### **4. 2011 Revised Edition — Private Education Act (Chapter 247A)**

Operation	:	31 December 2011
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#### **5. Act 11 of 2014 — Singapore Institute of Technology Act 2014**

(Amendments made by section 12 of the above Act)

Bill	:	7/2014
First Reading	:	20 January 2014
Second and Third Readings	:	17 February 2014
Commencement	:	28 March 2014 (section 12)

**6. Act 16 of 2016 — Statutes (Miscellaneous Amendments) Act 2016**  
(Amendments made by section 28 of the above Act)

Bill	:	15/2016
First Reading	:	14 April 2016
Second and Third Readings	:	9 May 2016
Commencement	:	10 June 2016 (section 28)

**7. Act 24 of 2016 — SkillsFuture Singapore Agency Act 2016**  
(Amendments made by sections 71 and 72 of the above Act)

Bill	:	24/2016
First Reading	:	11 July 2016
Second and Third Readings	:	16 August 2016
Commencement	:	3 October 2016 (sections 71(1)(b) to (h) and 72) 4 October 2016 (section 71(1)(a) and (2))

**8. Act 30 of 2017 — Singapore University of Social Sciences Act 2017**  
(Amendments made by section 12(2) of the above Act)

Bill	:	24/2017
First Reading	:	3 April 2017
Second and Third Readings	:	8 May 2017
Commencement	:	11 July 2017 (section 12(2))

**9. Act 19 of 2017 — Early Childhood Development Centres Act 2017**  
(Amendments made by section 53(5) of the above Act)

Bill	:	7/2017
First Reading	:	6 February 2017
Second and Third Readings	:	28 February 2017
Commencement	:	2 January 2019 (section 53(5))

**10. Act 40 of 2018 — Insolvency, Restructuring and Dissolution Act**  
(Amendments made by section 503 of the above Act)

Bill	:	32/2018
First Reading	:	10 September 2018
Second and Third Readings	:	1 October 2018
Commencement	:	30 July 2020 (section 503)

**11. Act 40 of 2019 — Supreme Court of Judicature (Amendment) Act 2019**  
(Amendments made by section 28(1) read with item 124 of the Schedule to the above Act)

Bill	:	32/2019
First Reading	:	7 October 2019
Second Reading	:	5 November 2019
Notice of Amendments	:	5 November 2019
Third Reading	:	5 November 2019
Commencement	:	2 January 2021 (section 28(1) read with item 124 of the Schedule)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number

**COMPARATIVE TABLE**  
**PRIVATE EDUCATION ACT 2009**

This Act has undergone renumbering in the 2020 Revised Edition. This Comparative Table is provided to help readers locate the corresponding provisions in the last Revised Edition.

<b>2020 Ed.</b>	<b>2011 Ed.</b>
—	<b>7</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>8</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>9</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>10</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>11</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>12</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>13</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>14</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>15</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>16</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>17</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>18</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>19</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>20</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>21</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>22</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>23</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>24</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>25</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>26</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>27</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>28</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>29</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>30</b> [ <i>Repealed by Act 24 of 2016</i> ]

<b>2020 Ed.</b>	<b>2011 Ed.</b>
—	<b>31</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>32</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>33</b> [ <i>Repealed by Act 24 of 2016</i> ]
<b>7</b>	<b>34</b>
<b>8</b>	<b>35</b>
<b>9</b>	<b>36</b>
<b>10</b>	<b>37</b>
<b>11</b>	<b>38</b>
<b>12</b>	<b>39</b>
<b>13</b>	<b>40</b>
<b>14</b>	<b>41</b>
<b>15</b>	<b>42</b>
<b>16</b>	<b>43</b>
<b>17</b>	<b>44</b>
<b>18</b>	<b>45</b>
<b>19</b>	<b>46</b>
<b>20</b>	<b>47</b>
<b>21</b>	<b>48</b>
<b>22</b>	<b>49</b>
<b>23</b>	<b>50</b>
<b>24</b>	<b>51</b>
<b>25</b>	<b>52</b>
<b>26</b>	<b>53</b>
<b>27</b>	<b>54</b>
<b>28</b>	<b>55</b>
<b>29</b>	<b>56</b>
<b>30</b>	<b>57</b>
<b>31</b>	<b>58</b>

<b>2020 Ed.</b>	<b>2011 Ed.</b>
<b>32</b>	<b>59</b>
<b>33</b>	<b>60</b>
<b>34</b>	<b>61</b>
<b>35</b>	<b>62</b>
<b>36</b>	<b>63</b>
<b>37</b>	<b>64</b>
<b>38</b>	<b>65</b>
<b>39</b>	<b>66</b>
<b>40</b>	<b>67</b>
<b>41</b>	<b>68</b>
<b>42</b>	<b>69</b>
<b>43</b>	<b>70</b>
<b>44</b>	<b>71</b>
<b>45</b>	<b>72</b>
<b>46</b>	<b>73</b>
<i>[Omitted as spent]</i>	(5)
<i>[Omitted as spent]</i>	(6)
<i>[Omitted as spent]</i>	(7)
<b>THE SCHEDULE</b>	<b>FIRST SCHEDULE</b>
—	<b>SECOND SCHEDULE</b> [ <i>Repealed by Act 24 of 2016</i> ]
—	<b>THIRD SCHEDULE</b> [ <i>Repealed by Act 24 of 2016</i> ]