
First published in the *Government Gazette*, Electronic Edition, on at .

No. S 617

PRIVATE EDUCATION ACT 2009 (ACT 21 OF 2009)

PRIVATE EDUCATION REGULATIONS 2009

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In exercise of the powers conferred by section 71 of the Private Education Act 2009, the Council for Private Education, with the approval of the Minister for Education, hereby makes the following Regulations:

PART I
PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Private Education Regulations 2009 and shall come into operation on 21st December 2009.

Definitions

2.—(1) In these Regulations, unless the context otherwise requires —

“Academic Board” means the Academic Board required to be established by a private education institution under regulation 15;

“Agency’s Website” means the Internet website at <https://www.cpe.gov.sg>;

[S 566/2016 wef 03/10/2016]

“classroom” means any room in the premises of a private education institution used for education purposes;

[Deleted by S 566/2016 wef 03/10/2016]

“equipment” includes any appliance, apparatus or accessory used or intended to be used for education purposes;

“Examination Board” means the Examination Board required to be established by a private education institution under regulation 16;

“qualification” does not include any honorary degree;

“registered premises”, in relation to a registered private education institution, means the place or places of business

of the private education institution, and includes each of its schools and the departments and faculties thereof (if any);

“registration number”, in relation to a registered private education institution, means the registration number of the registered private education institution assigned by the Agency.

[S 566/2016 wef 03/10/2016]

(2) Any reference in these Regulations to a numbered form shall be construed as a reference to the current version of the form bearing the corresponding number which is displayed at the Agency’s Website.

[S 566/2016 wef 03/10/2016]

PART II

APPLICATION FOR REGISTRATION, ETC.

Application for grant or renewal of registration

3.—(1) Every application for the grant or renewal of the registration of a private education institution shall be made using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

(2) The form prescribed for the application shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (1).

[S 566/2016 wef 03/10/2016]

(3) The application shall be accompanied by —

(a) the application fee specified in the First Schedule; and

[S 135/2013 wef 12/03/2013]

(b) such documents as the Agency may specify at the Agency’s Website.

[S 566/2016 wef 03/10/2016]

(4) Any information or documents required by the Agency under section 35(2) of the Act shall be submitted using the electronic application service or any other means referred to in paragraph (1) and in accordance with the requirements of the service.

[S 566/2016 wef 03/10/2016]

(5) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (1), the application shall be made in paper form —

- (a) in Form 1, where the application is for the grant of the registration of a private education institution; or
- (b) in Form 2, where the application is for the renewal of the registration of a private education institution.

[S 566/2016 wef 03/10/2016]

(6) Where the application is for the renewal of the registration of a private education institution, the application shall be submitted to the Agency at least 3 months before the date of expiry of the existing term of the registration.

[S 566/2016 wef 03/10/2016]

(7) The Agency may refuse to consider the application if —

- (a) the application is incomplete; or
- (b) the application fee is not paid.

[S 566/2016 wef 03/10/2016]

Application for waiver of requirements

4.—(1) Every application under section 35(1)(c) of the Act for the waiver of any of the requirements imposed under these Regulations for the registration of private education institutions or the renewal thereof (referred to in this regulation as a waiver application) shall be made in paper form in Form 3.

(2) The waiver application shall be accompanied by such documents, and submitted in such manner, as the Agency may specify at the Agency's Website.

[S 566/2016 wef 03/10/2016]

Approval of names

5.—(1) Every application for the approval of the Agency to use a name as, or every application under section 39(2) of the Act to change —

- (a) the name of a registered private education institution;

- (b) the name of any premises or school (or any department or faculty thereof) of a registered private education institution; or
- (c) the name of any education provided by a registered private education institution,

shall be made using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

(2) The form prescribed for the application shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (1).

[S 566/2016 wef 03/10/2016]

(3) The application shall be accompanied by —

- (a) the application fee specified in the First Schedule; and

[S 135/2013 wef 12/03/2013]

- (b) such documents as the Agency may specify at the Agency's Website.

[S 566/2016 wef 03/10/2016]

(4) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (1), the application shall be made in paper form in Form 4.

[S 566/2016 wef 03/10/2016]

(5) The Agency may refuse to consider the application if —

- (a) the application is incomplete; or
- (b) the application fee is not paid.

[S 566/2016 wef 03/10/2016]

Permission to change registered premises

6.—(1) For the purposes of section 41(1)(c) and (f) of the Act, a manager of a registered private education institution shall obtain the permission of the Agency before any change in the registered premises of the private education institution is carried out.

[S 566/2016 wef 03/10/2016]

(2) An application for the permission of the Agency to any change in the registered premises of a private education institution under paragraph (1) shall be made —

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- (a) at least 30 days before the change; and
 - (b) using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

[S 566/2016 wef 03/10/2016]

(3) The form prescribed for the application shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (2)(b).

[S 566/2016 wef 03/10/2016]

(4) The application shall be accompanied by —

- (a) the application fee specified in the First Schedule; and

[S 135/2013 wef 12/03/2013]

- (b) such documents as the Agency may specify at the Agency's Website.

[S 566/2016 wef 03/10/2016]

(5) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (2)(b), the application shall be made in paper form in Form 5.

[S 566/2016 wef 03/10/2016]

(6) The Agency may refuse to consider the application if —

- (a) the application is incomplete; or

- (b) the application fee is not paid.

[S 566/2016 wef 03/10/2016]

(7) In this regulation, “change”, in relation to the registered premises of a registered private education institution, means —

- (a) any renovation works to the registered premises or any part thereof referred to in section 41(1)(c) of the Act;

- (b) any expansion or contraction of the registered premises or any part thereof, including the establishment of a new campus of the registered private education institution; or

- (c) any relocation of the registered private education institution, or any of its schools or any department or faculty thereof.

Updates

7.—(1) For the purposes of section 41(1)(d)(i) and (f) of the Act, a manager of a registered private education institution shall notify the Agency of —

- (a) any change in the management of the registered private education institution; or
- (b) any change in the membership of the Academic Board or the Examination Board of the registered private education institution,

within 14 days after the date of the change, by using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

(2) The form prescribed for the notice referred to in paragraph (1) (referred to in this regulation as the update notice) shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (1).

[S 566/2016 wef 03/10/2016]

(3) The update notice shall be accompanied by —

- (a) the notice fee specified in the First Schedule; and
- (b) such documents as the Agency may specify at the Agency's Website.

[S 566/2016 wef 03/10/2016]

(4) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (1), the update notice shall be made in paper form —

- (a) in Form 6, where the update notice is in respect of any change in the management of the registered private education institution; or
- (b) in Form 7, where the update notice is in respect of any change in the membership of the Academic Board or the Examination Board of the registered private education institution.

[S 566/2016 wef 03/10/2016]

Notification of change of ownership or control of registered private education institutions

8.—(1) Every notification of any change in the ownership or control of a registered private education institution under section 41(1)(d)(i) of the Act shall be made, in paper form in Form 8, within 14 days after the date of the change in the ownership or control (as the case may be).

(2) The notification shall be accompanied by such documents as the Agency may specify at the Agency’s Website.

[S 566/2016 wef 03/10/2016]

Application for permission of Agency to offer or provide courses

9.—(1) Every application for the permission of the Agency for a registered private education institution to offer or provide a course under section 43(1) of the Act, other than a course specified in paragraph (6), shall be made using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

(2) The form prescribed for the application shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (1).

[S 566/2016 wef 03/10/2016]

(3) The application shall be accompanied by —

(a) the application fee specified in the First Schedule; and

[S 135/2013 wef 12/03/2013]

(b) such documents as the Agency may specify at the Agency’s Website.

[S 566/2016 wef 03/10/2016]

(4) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (1), the application shall be made in paper form in Form 9.

[S 566/2016 wef 03/10/2016]

(5) The Agency may refuse to consider the application if —

(a) the application is incomplete; or

(b) the application fee is not paid.

[S 566/2016 wef 03/10/2016]

(6) For the purposes of section 43(2) of the Act, a registered private education institution need not apply for the permission of the Agency to offer or provide a course, not being a course leading to the award of a diploma or degree, that is of a duration of less than one month or 50 hours.

[S 566/2016 wef 03/10/2016]

[S 566/2016 wef 03/10/2016]

Notification of teachers of registered private education institutions

10.—(1) Every notification of the deployment of a person to teach any course to all or any of the students of a registered private education institution under section 44(1) of the Act shall be made —

- (a) at least 7 days before the deployment of the person; and
- (b) using an electronic application service or any other means specified by the Agency.

[S 566/2016 wef 03/10/2016]

(2) The form prescribed for the notification shall be the form provided for this purpose in the electronic application service or any other means referred to in paragraph (1)(b).

[S 566/2016 wef 03/10/2016]

(3) The notification shall —

- (a) contain the following particulars of the person to be deployed:
 - (i) the name of the person;
 - (ii) his NRIC or passport number;
 - (iii) his nationality;
 - (iv) the course or courses, and the modules or subjects thereof, he is to be deployed to teach; and
 - (v) his qualifications and experience; and
- (b) be accompanied by the notification fee specified in the First Schedule.

[S 135/2013 wef 12/03/2013]

(4) In the event of a malfunction or failure of the electronic application service or any other means referred to in paragraph (1), the notification shall be made in paper form in Form 10.

[S 566/2016 wef 03/10/2016]

Refund or remission of fees

11.—(1) Any fee specified in the First Schedule paid or payable to the Agency shall not be refunded or remitted if the registration of any private education institution is suspended or cancelled during the period to which the fee relates.

[S 135/2013 wef 12/03/2013]

[S 566/2016 wef 03/10/2016]

(2) Subject to paragraph (1), the Agency may, where it considers appropriate, waive, refund or remit the whole or part of any fee specified in the First Schedule paid or payable to it.

[S 135/2013 wef 12/03/2013]

[S 566/2016 wef 03/10/2016]

PART III

REQUIREMENTS APPLICABLE TO PRIVATE EDUCATION INSTITUTIONS REGISTERED OR TO BE REGISTERED

Application of this Part

12.—(1) This Part shall, subject to paragraph (2), apply to any private education institution.

(2) Where the Agency has waived any requirement imposed under this Part for the registration of a private education institution, being a requirement that is required to be maintained by or in respect of a registered private education institution, the requirement shall not apply to the registered private education institution.

[S 566/2016 wef 03/10/2016]

(3) The provisions of this Part also apply to the renewal of the registration of a private education institution as if a reference to a private education institution to be registered were a reference to a private education institution whose registration is to be renewed.

Names

13.—(1) The name of every private education institution to be registered, or that is registered, shall indicate that the private education institution provides education.

(2) The name of —

- (a) every private education institution to be registered, or that is registered;
- (b) every premises of the private education institution; and
- (c) every school of the private education institution, and every department thereof and every faculty thereof,

shall contain the name by which the private education institution (being a company) is registered under the Companies Act (Cap. 50) or (being a registered society) is registered under the Societies Act (Cap. 311), excluding any word required by those Acts to be inserted as part of the name.

Premises

14.—(1) The premises of every private education institution to be registered, or that is registered, shall contain —

- (a) at least one fully-enclosed classroom; and
- (b) a dedicated area for office or administrative activities.

(2) Every private education institution to be registered, or that is registered, shall provide a classroom space of at least 1.5 square metres for every student who uses the classroom, except where the classroom is an auditorium.

(3) No private education institution to be registered, or that is registered, shall share premises with another private education institution if —

- (a) there is one other private education institution sharing the premises and the premises contain only one fully-enclosed classroom; or
- (b) there are 2 or more other private education institutions sharing the premises.

(4) The premises of every private education institution to be registered, or that is registered, shall not be used for any purpose other than the provision of private education and other activities that are related to the provision of private education.

Academic Board

15.—(1) Every private education institution to be registered, or that is registered, shall establish and maintain an Academic Board which shall —

- (a) consist of no fewer than 3 members who are not disqualified from membership under paragraph (2); and
- (b) have the responsibilities specified in paragraphs (3) and (4).

(2) Subject to paragraph (5), no person shall be appointed or continue to hold office as a member of the Academic Board of a private education institution if he —

- (a) is an undischarged bankrupt;
- (b) has been convicted in any court of law in Singapore or elsewhere for an offence under the Act, or for any other offence involving dishonesty or moral turpitude or the conviction for which involved a finding that he had acted fraudulently or dishonestly;
- (c) is a manager of an unregistered private education institution, or an unregistered school (within the meaning of the Education Act (Cap. 87)); or
- (d) is a manager of another private education institution which has had its registration cancelled by the Agency under section 38 of the Act, or a school which has had its registration cancelled by the Director-General of Education under section 25 of the Education Act.

[S 566/2016 wef 03/10/2016]

(3) The Academic Board of a private education institution shall have the following responsibilities:

- (a) to develop and review the policies and procedures on all academic matters of the private education institution,

including but not limited to academic quality assurance measures; and

- (b) to facilitate the implementation of and compliance with such policies and procedures.
- (4) Without prejudice to the generality of paragraph (3), the Academic Board of a private education institution shall —
- (a) develop a set of standards to ensure the academic quality of every course to be offered or provided by the private education institution, including but not limited to —
- (i) the content of the modules or subjects of the course;
 - (ii) the duration of the course; and
 - (iii) the appropriate entry and graduation requirements;
- (b) approve each person to be deployed to teach any course offered or provided by the private education institution or any module or subject thereof, after determining that the person possesses the minimum qualifications and experience and other criteria prescribed in regulation 26; and
- (c) review the policies and procedures referred to in paragraph (3) at least once a year.
- (5) The disqualification of a person under paragraph (2)(b) or (d) shall cease at the end of 5 years beginning from —
- (a) the date on which the person was convicted, in the case of the disqualification under paragraph (2)(b); or
 - (b) the date on which the registration of the private education institution or school was cancelled, in the case of the disqualification under paragraph (2)(d).

Examination Board

16.—(1) Every private education institution to be registered, or that is registered, shall establish and maintain an Examination Board which shall —

(a) consist of no fewer than 3 members who are not disqualified from membership under paragraph (2); and

(b) have the responsibilities specified in paragraph (3).

(2) Subject to paragraph (4), no person shall be appointed or continue to hold office as a member of the Examination Board of a private education institution if he —

(a) is an undischarged bankrupt;

(b) has been convicted in any court of law in Singapore or elsewhere for an offence under the Act, or for any other offence involving dishonesty or moral turpitude or the conviction for which involved a finding that he had acted fraudulently or dishonestly;

(c) is a manager of an unregistered private education institution, or an unregistered school (within the meaning of the Education Act (Cap. 87)); or

(d) is a manager of another private education institution which has had its registration cancelled by the Agency under section 38 of the Act, or a school which has had its registration cancelled by the Director-General of Education under section 25 of the Education Act.

[S 566/2016 wef 03/10/2016]

(3) The Examination Board of a private education institution shall have the responsibility to develop examination and assessment procedures for the private education institution, including but not limited to —

(a) the security of examination scripts and answer scripts;

(b) the conduct of examinations and assessments;

(c) the duties and responsibilities of invigilators and markers;

(d) the moderation of examination and assessment marks; and

(e) the handling of appeals from students with regard to examination or assessment matters.

(4) The disqualification of a person under paragraph (2)(b) or (d) shall cease at the end of 5 years beginning from —

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- (a) the date on which the person was convicted, in the case of the disqualification under paragraph (2)(b); or
 - (b) the date on which the registration of the private education institution or school was cancelled, in the case of the disqualification under paragraph (2)(d).

Course

17. No private education institution shall be registered unless it satisfies the Agency that it will, on registration, offer and provide at least one course in respect of which the Agency will grant its permission under section 43(1) of the Act.

[S 566/2016 wef 03/10/2016]

PART IV

ADDITIONAL REQUIREMENTS FOR REGISTERED PRIVATE EDUCATION INSTITUTIONS

Use and display of name

18.—(1) Every registered private education institution shall affix, at the entrance of its registered premises and in a conspicuous manner, a sign bearing its name in the English language.

(2) Unless otherwise permitted by the Agency in writing, no registered private education institution shall display the name of any other education institution at any of its registered premises in a manner which represents or is likely to represent that the other education institution is carrying on business at those registered premises.

[S 566/2016 wef 03/10/2016]

Academic duties

19.—(1) Subject to paragraphs (2) and (3), every registered private education institution —

- (a) shall implement the policies and procedures developed by its Academic Board under regulation 15(3); and

(b) shall not deploy any person to teach any course, or any module or subject thereof, unless the person has been approved by its Academic Board under regulation 15(4)(b) to teach the course, module or subject (as the case may be).

(2) Where the Agency has waived, for the registration of a private education institution, the requirement under regulation 15 to establish an Academic Board, paragraph (1) shall not apply to the private education institution.

[S 566/2016 wef 03/10/2016]

(3) Paragraph (1)(b) shall not apply to an existing regulated private education institution (within the meaning of section 74 of the Act), in respect of any teacher being deployed by it immediately before 21st December 2009 and who is authorised under the Education Act (Cap. 87) to teach any course to all or any of its students, for a period of 18 months from that date.

Examination duties

20.—(1) Every registered private education institution shall conduct examinations and assessments —

(a) in respect of a course that it provides leading to an award that is conferred in its own name, in accordance with the examination and assessment procedures developed by its Examination Board; and

(b) in respect of any other course that it provides, in accordance with the procedures specified for the course by the developer or proprietor of the course.

(2) No registered private education institution shall permit any student who does not meet the passing requirements of a module or subject of a course to advance in the course.

Record-keeping duties of managers

21.—(1) For the purposes of section 41(1)(a) and (f) of the Act, a manager of a registered private education institution shall ensure the keeping of proper records on the following:

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- (a) the administration of the courses offered or provided by the registered private education institution, including records on —
- (i) all the courses offered or provided;
 - (ii) the duration of the courses, and whether offered or provided on a full-time or part-time basis;
 - (iii) the commencement dates and end dates of the courses;
 - (iv) the timetable for every cohort of students to be taught the courses;
 - (v) the course money collection schedule for the courses; and
- [S 566/2016 wef 03/10/2016]*
- (vi) the learning outcomes and syllabus of the courses;
- (b) the teachers deployed by the registered private education institution, including, in respect of each teacher —
- (i) his name;
 - (ii) his NRIC or passport number;
 - (iii) his nationality;
 - (iv) the courses, the modules or subjects thereof, and the classes he is deployed to teach;
 - (v) the period of his deployment to teach at the private education institution, and whether on a full-time or part-time basis;
 - (vi) the academic certificates, transcripts, and past employment records relevant to his qualifications and experience and other criteria prescribed in regulation 26; and
 - (vii) any letter issued by the developer or proprietor of the course he is deployed to teach permitting him to teach the course;

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- (c) the students enrolled in the registered private education institution, including, in respect of each student —
- (i) his name;
 - (ii) his NRIC or foreign identification number (as applicable);
 - (iii) his nationality;
 - (iv) a copy of the agreement or contract with the private education institution;
 - (v) his assignment and examination scripts (if not returned to him by the private education institution) and his results for all courses, and modules and subjects thereof, he is enrolled in;
 - (vi) his attendance at the private education institution; and
 - (vii) his course money payment schedule;
- [S 566/2016 wef 03/10/2016]*
- (d) the managers of the registered private education institution, including, in respect of each manager —
- (i) his name;
 - (ii) his NRIC or passport number;
 - (iii) his nationality; and
 - (iv) his substantial shareholdings (within the meaning of the Companies Act (Cap. 50)) in other companies, and his involvement in any other business whether in Singapore or elsewhere;
- (e) the Academic Board and the Examination Board of the registered private education institution, including —
- (i) the name, NRIC or passport number, nationality, and term of appointment of each member;
 - (ii) the résumé of each member and a copy of his academic certificates and transcripts;
 - (iii) the policies and procedures developed by the Academic Board and the Examination Board; and

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- (iv) the minutes of the meetings of the Academic Board and the Examination Board; and
 - (f) all advertisements issued or published, or caused to be issued or published, by the registered private education institution.

(2) A manager of a registered private education institution shall keep the records specified in paragraph (1) for at least 5 years.

Annual report

22.—(1) For the purposes of section 41(1)(f) of the Act, a manager of a registered private education institution shall prepare and submit to the Agency, by the 31st day of December of each year, an annual report on the activities and affairs of the private education institution in that year in accordance with this regulation.

[S 566/2016 wef 03/10/2016]

(2) The annual report of a registered private education institution shall be in Form 11, and shall be submitted to the Agency in such manner as the Agency may specify.

[S 566/2016 wef 03/10/2016]

(3) The annual report of a registered private education institution shall be accompanied by —

- (a) the accounts and financial statements in respect of its last financial year prepared in accordance with the requirements of —
 - (i) the Companies Act (Cap. 50), if the registered private education institution is a company; or
 - (ii) the Societies Act (Cap. 311), if the registered private education institution is a registered society; and
- (b) such other documents as the Agency may specify at the Agency's Website.

[S 566/2016 wef 03/10/2016]

PART V
COURSE ADMINISTRATION

Duty to report associations, collaborations and affiliations

23. Every registered private education institution shall inform the Agency, in writing, of any association, collaboration or affiliation with any other person, whether in Singapore or elsewhere, in respect of any course offered or provided, or to be offered or provided, by it within 14 days of establishing such association, collaboration or affiliation.

[S 566/2016 wef 03/10/2016]

Certificate, etc., not conferred by registered private education institution

24.—(1) Subject to paragraph (1A), no registered private education institution shall cause or permit its name or logo to appear on any certificate, degree or diploma awarded in respect of any course which is conferred by another education institution, or any transcript issued in respect of such course.

[S 135/2013 wef 12/03/2013]

(1A) Paragraph (1) shall not apply to the registered private education institutions specified in the Second Schedule to the extent specified therein.

[S 135/2013 wef 12/03/2013]

(2) In this regulation, “logo” includes any mark, sign or other representation.

Administration of courses

25.—(1) Every registered private education institution shall ensure that the content of any course offered or provided by it does not contain any material that is obscene and contrary to the interest of its students.

(2) Every registered private education institution shall, where it offers or provides a preparatory course, register the students enrolled in the course, or assist them to register, for the examination to which the course relates.

(3) No registered private education institution shall require a student to pay, or impose on a student a requirement to pay, any deposit or

penalty by whatever name called and whether refundable or otherwise, in relation to any course, other than a charge for the late payment of the course money.

[S 566/2016 wef 03/10/2016]

(4) Subject to paragraph (4A), every registered private education institution which is not a member of a Scheme shall comply with the following requirements when collecting the course money for a course longer than 2 months in duration:

- (a) where the registered private education institution is a member of an industry-wide course money protection scheme approved by the Agency, the private education institution may collect from a student —
- (i) at any time before the commencement date of the course, any course money not exceeding an amount calculated according to the following formula:

$$\frac{A}{B} \times C; \text{ and}$$

[S 566/2016 wef 03/10/2016]

- (ii) at least D weeks after the commencement date of the course, and at subsequent regular intervals of not more than 6 months, any course money not exceeding an amount calculated according to the formula referred to in sub-paragraph (i),

where A is the total amount of the course money;

B is the total duration of the course (in months);

C is the number of months within each interval referred to in sub-paragraph (ii); and

D is determined by the formula $(C \times 4) - 1$; and

[S 566/2016 wef 03/10/2016]

[S 566/2016 wef 03/10/2016]

- (b) in any other case, the registered private education institution may collect from a student —

- (i) at any time before the commencement date of the course, any course money not exceeding an amount calculated according to the following formula:

$$\frac{A}{B} \times 2,$$

where A is the total amount of the course money; and

B is the total duration of the course (in months); and

[S 566/2016 wef 03/10/2016]

- (ii) at least 7 weeks after the commencement date of the course, and at subsequent regular intervals of at least 2 months, any course money not exceeding an amount calculated according to the formula referred to in sub-paragraph (i).

[S 566/2016 wef 03/10/2016]

[S 135/2013 wef 12/03/2013]

[S 566/2016 wef 03/10/2016]

(4A) Paragraph (4) shall not apply to the registered private education institutions specified in the Third Schedule to the extent specified therein.

[S 135/2013 wef 12/03/2013]

(5) No registered private education institution shall enrol a student —

- (a) for any course that has commenced, except with the written acknowledgment and agreement of the student, or his parent or guardian, to be enrolled for a course that has commenced; or
- (b) unless the student, or a parent or guardian of the student, has acknowledged in writing that he has read the Advisory Note to Students in Form 12.

(6) Every registered private education institution shall ensure that every agreement or contract for the enrolment of a student for a course longer than 2 months in duration —

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- (a) does not contain any provision that allows the registered private education institution to make unilateral changes to any term or condition of the agreement or contract;
- (b) does not contain any provision that allows the private education institution to collect, from any student who withdraws from a course before its end date, any course money for the remainder of the course; and
[S 566/2016 wef 03/10/2016]
- (c) contains, in respect of each course the student is enrolled in —
- (i) the duration of the course, and whether offered or provided on a full-time or part-time basis;
 - (ii) the commencement date and end date of the course;
 - (iii) the scheduled holidays, if any;
 - (iv) the dates of all examinations, and major assessments and assignments;
 - (v) the expected date of the release of the results of the final examination, which shall not be more than 3 months after the completion of the final examination unless otherwise permitted by the Agency;
[S 566/2016 wef 03/10/2016]
 - (vi) the expected date of the conferment of the award;
 - (vii) the name of the developer or proprietor of the course, and the person conferring the award;
 - (viii) the components of all course money payable by the student;
[S 566/2016 wef 03/10/2016]
 - (ix) the course money payment schedule; and
[S 566/2016 wef 03/10/2016]
 - (x) the policy in respect of late payment of course money and the refund policy of the registered private education institution.
[S 566/2016 wef 03/10/2016]

(7) In this regulation, “preparatory course” means full-time education for the purpose of preparing students for any examination that —

- (a) leads to a qualification awarded by any person other than the person which provides such full-time education; or
- (b) entitles the students to be admitted to an education institution.

PART VI TEACHERS

Deployment of teachers

26.—(1) For the purposes of section 44(1)(a) of the Act, no registered private education institution shall deploy a person to teach any course, or any module or subject thereof, to all or any of the students of the registered private education institution unless the person —

- (a) fulfils the criteria specified in paragraph (2); and
- (b) possesses the minimum qualifications and experience specified in paragraph (3).

(2) The criteria referred to in paragraph (1)(a) are as follows:

- (a) the person has not been convicted of any offence involving sexual, child, physical or drug abuse, or fraud or dishonesty;

[S 329/2011 wef 13/06/2011]

- (b) the person has not been convicted of any offence under the Act within a period of 5 years preceding the deployment; and

[S 329/2011 wef 13/06/2011]

- (c) where the course, module or subject is of a vocational nature and the person only has the experience referred to in paragraph (3)(c) without any of the qualifications referred to in paragraph (3)(a) and (b), the Agency is of the opinion that the person is, by reason of his standing,

a fit and proper person to be deployed to teach that course, module or subject.

[S 329/2011 wef 13/06/2011]

[S 566/2016 wef 03/10/2016]

(3) The minimum qualifications and experience referred to in paragraph (1)(b) are as follows:

- (a) the person has less than 5 years of working experience in the field to which the course, module or subject relates, qualifications in that field which are at least a level higher than the level of the course and at least a pass at General Certificate in Education ‘Ordinary’ level or its equivalent in the language medium of the course, module or subject he is to be deployed to teach;
- (b) the person has at least 5 years of working experience in the field to which the course, module or subject relates, and —
 - (i) has qualifications in that field which are at least equivalent to the level of the course, and at least a pass at General Certificate in Education ‘Ordinary’ level or its equivalent in the language medium of the course, module or subject he is to be deployed to teach; or
 - (ii) has qualifications in a different field which are at least one level higher than the level of the course, and at least a pass at General Certificate in Education ‘Ordinary’ level or its equivalent in the language medium of the course, module or subject he is to be deployed to teach; or
- (c) where the course, module or subject is of a vocational nature, the person has at least 5 years of working experience in the field to which the course, module or subject relates.

[S 329/2011 wef 13/06/2011]

(4) Every registered private education institution shall ensure that the qualifications referred to in paragraph (3) are conferred by education institutions which are recognised by the relevant authorities.

(5) In this regulation, “relevant authority”, in relation to an education institution, means —

- (a) an authority which is responsible for supervising or regulating the education institution in the country or territory where the education institution is established; or
- (b) in the absence of such an authority, any body which is generally recognised by the academic community in the country or territory where the education institution is established as being able to make an authoritative assessment or evaluation of, and give official recognition to, the academic standard of the education institution.

PART VII

ADVERTISEMENT AND INFORMATION DISCLOSURE

General

27.—(1) Every registered private education institution shall, in any advertisement issued or published by it or caused to be issued or published by it, use only the term “registered” to describe its status under the Act or granted by the Agency.

[S 566/2016 wef 03/10/2016]

(2) Every registered private education institution shall ensure that any advertisement issued or published by it or on its behalf includes the following particulars, set out consecutively in a vertical sequence:

- (a) its name;
- (b) its registration number; and
- (c) the period of its registration under the Act.

Disclosure

28.—(1) Every registered private education institution shall ensure that the following information is made available to its students, intending students and prospective students in such form or manner as to be easily accessible by them:

- (a) the registration number of the private education institution;

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- (b) the name of the private education institution and the names of all of its schools and departments or faculties thereof, where applicable;
 - (c) the addresses of all registered premises of the private education institution;
 - (d) accurate visual representations of the registered premises of the private education institution, including one or more photographs or video recordings of the registered premises;
 - (e) the number of classrooms in the registered premises of the private education institution, and the floor area and capacity of each classroom;
 - (f) the facilities and equipment the private education institution provides;
 - (g) the name of every manager of the private education institution;
 - (h) the name of every member of the Academic Board and the Examination Board of the private education institution;
 - (i) the organisation structure of the private education institution, and the names of the persons having charge of or responsibility for every school, or department or faculty thereof, and every other section of the private education institution;
 - (j) the names of all the courses which the private education institution has the permission of the Agency to offer or provide under section 43(1) of the Act, and the modules or subjects thereof;
- [S 566/2016 wef 03/10/2016]*
- (k) the name of every teacher deployed, the course or the module or subject thereof the teacher is deployed to teach, and whether the teacher teaches the course, module or subject on a full-time or part-time basis;
 - (l) the qualifications of every teacher referred to in sub-paragraph (k) in the field to which the course, module or subject he is deployed to teach relates and the

name of the education institution which conferred each relevant qualification;

- (m) information on the courses referred to in sub-paragraph (j), including —
- (i) the manner in which every course will be taught;
 - (ii) the requirements for enrolment and graduation in respect of every course;
 - (iii) the manner in which every assessment or examination for every course will be conducted;
 - (iv) the duration of every course, and whether offered or provided on a full-time or part-time basis;
 - (v) the commencement date and end date of every course; and
 - (vi) the terms or requirements of any industrial attachment;
- (n) the average teacher-student ratio for every course referred to in sub-paragraph (j); and
- (o) all course money payable by students for every course referred to in sub-paragraph (j).

[S 566/2016 wef 03/10/2016]

(2) Where there is any change in any information referred to in paragraph (1), the registered private education institution shall ensure that the information is updated and made available to its students, intending students and prospective students within 14 days after the change.

(3) Where, in addition to the information referred to in paragraph (1), the registered private education institution makes available to its students, intending students and prospective students the qualifications (including honorary degrees) of —

- (a) any manager of the private education institution; or
- (b) any member of the Academic Board or the Examination Board of the private education institution,

the private education institution shall also indicate if any of those qualifications is an honorary degree.

Advertisement for course

29. For the purposes of section 46(2)(b)(iii) of the Act, an advertisement relating to a course shall be presumed, unless the contrary is proved, to be false or misleading in a material particular if the advertisement does not contain the following information:

- (a) the name of the course;
- (b) the names of the developer or proprietor of the course and the person conferring the award; and
- (c) the countries or territories in which the developer or proprietor of the course, and the person conferring the award, are established.

PART VIII

MISCELLANEOUS

Registers

30. For the purposes of section 63 of the Act, the Agency may establish, maintain and cause to be published in such manner as it may determine, a register containing, for each registered private education institution, the following information:

- (a) its names, registration number and the period of its registration under the Act;
- (b) the addresses of all of its registered premises;
- (c) the name of every manager, and every member of its Academic Board and its Examination Board;
- (d) the courses it offers or provides, and the teachers it deployed to teach these courses; and
- (e) any action taken by the Agency against it (including any measure imposed under section 48 of the Act or any direction issued under the Act), and any proceedings

instituted in relation to its contravention of any provision of the Act or any subsidiary legislation made thereunder.

[S 566/2016 wef 03/10/2016]

Agency may impose general measures under section 48 of Act

31. Regulations 14(1), (2) and (3), 15(1), 16(1), 18, 19, 20, 23, 24, 25, 27 and 28 are prescribed for the purpose of section 48(1)(b) of the Act, and any registered private education institution which fails to comply with any of these regulations shall be subject to any of the measures prescribed under that section at the discretion of the Agency.

[S 566/2016 wef 03/10/2016]

FIRST SCHEDULE

Regulations 3(3)(a), 5(3)(a), 6(4)(a),
7(3)(a), 9(3)(a), 10(3)(b) and 11

FEES

<i>Item</i>	<i>Fee</i>
1. For every application for the grant of registration of a private education institution	\$400
2. For every application for the renewal of registration of a private education institution	\$400
3. For every application for approval of a name	\$45
4. For every application for the permission of the Agency to any change in registered premises	\$110
5. For every notice of change in the management of a private education institution	\$45
6. For every notice of change in membership of an Academic Board	\$45
7. For every notice of change in membership of an Examination Board	\$45
8. For every application for the permission of the Agency to offer or provide a course	\$20
9. For every notification of deployment of a teacher	\$20.

[S 566/2016 wef 03/10/2016]

[S 135/2013 wef 12/03/2013]

SECOND SCHEDULE

Regulation 24(1A)

*Registered private education institutions
which are exempted from regulation 24(1)*

1. LASALLE College of the Arts
2. Nanyang Academy of Fine Arts

Conditions of exemption

Exemption is in respect of such course as may be determined by the Minister.

[S 135/2013 wef 12/03/2013]

THIRD SCHEDULE

Regulation 25(4A)

PART I

*Registered private education institutions
which are exempted from regulation 25(4)*

1. German European School Singapore
2. Hollandse School
3. Lycee Francais De Singapour
4. Sekolah Indonesia
5. Singapore American School
6. Singapore Korean International School
7. Swiss School in Singapore
8. Tanglin Trust School
9. The Japanese School Singapore
10. United World College of South East Asia
11. United World College of South East Asia – East
12. Waseda Shibuya Senior High School in Singapore
13. DigiPen Institute of Technology Singapore
14. EDHEC Risk Institute – Asia
15. ESSEC

Conditions of exemption

Exemption is in respect of any course that the Minister determines to be a course that is within an area of specialisation of the registered private education institution.

 THIRD SCHEDULE — *continued*

*Registered private education institutions
which are exempted from regulation 25(4)* *Conditions of exemption*

16. German Institute of Science and
Technology – TUM Asia
17. INSEAD
18. [*Deleted by S 566/2016 wef
03/10/2016*]
19. S P Jain School of Global Management
20. Sorbonne-Assas International Law
School – Asia
21. The University of Chicago Booth
School of Business
22. UNLV Singapore
23. Ascott Centre for Excellence of The
Ascott Limited
24. Hua Mei Training Academy of Tsao
Foundation
25. Ong Teng Cheong Labour Leadership
Institute

[S 566/2016 wef 03/10/2016]

PART II

*Registered private education institutions
which are exempted from regulation 25(4)* *Conditions of exemption*

1. SIM University Exemption is in respect of any
course that is supported by a
grant-in-aid or subvention from
the Government.

PART III

*Registered private education institutions
which are exempted from regulation 25(4)* *Conditions of exemption*

1. LASALLE College of the Arts Exemption is in respect of any
course that leads to the award of a
diploma and that is supported by
2. Nanyang Academy of Fine Arts

THIRD SCHEDULE — *continued*

*Registered private education institutions
which are exempted from regulation 25(4)*

*Conditions of exemption
a grant-in-aid or subvention from
the Government.*

[S 135/2013 wef 12/03/2013]

Made this 9th day of December 2009.

LIN CHENG TON
*Chairman,
Council for Private Education,
Singapore.*

[EDUN C24-12-027-V2; AG/LEG/SL/247A/2009/1 Vol. 1]