

Education Act (CHAPTER 87)

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THE SCHEDULE

Legislative History

EDUCATION ACT

(CHAPTER 87)

(Original Enactment: Ordinance 45 of 1957)

REVISED EDITION 1985

(13th December 1957)

An Act relating to education and registration of schools.

[13th December 1957]

PART I

GENERAL

Short title

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

Interpretation

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

“building” includes part of a building;

“committee of management” means the committee of management of a school referred to in [section 26](#);

“Director-General” means the Director-General of Education;

[\[8/97 wef 02/09/1997\]](#)

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

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

“functions” includes powers and duties;

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

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

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

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

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

“principal” means the headmaster or head mistress of a school;

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

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

“register of managers and supervisors”, “register of schools” and “register of teachers” mean the respective registers maintained by the Director-General under [section 19](#), and “registered” means entered upon one of those registers;

“school” means according to the context —

- (a) an organisation for the provision of education for 10 or more persons; or
- (b) a place where 10 or more persons are being or are habitually taught whether in one or more classes, or in the case of a correspondence school, the place or places where instruction is prepared or where answers are examined or corrected;

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

“supervisor” means the manager registered as the supervisor under [section 28](#);

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

“unlawful society” means a society deemed to be an unlawful society under the provisions of the [Societies Act](#) [Cap. 311].

Exemption

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

Schools to which this Act does not apply

4. This Act shall not apply —

- (a) to or in relation to the Institute of Technical Education, Singapore established under the [Institute of Technical Education Act \(Cap. 141A\)](#); and
- (b) to any private education institution within the meaning of the [Private Education Act 2009](#).

[21/2009 wef 21/12/2009]

Restriction on use of “school”, etc.

4A.—(1) Subject to [subsection \(2\)](#), no person or organisation shall, except with the written consent of the Director-General —

- (a) use the words “academy”, “college”, “school”, “university” or any other term which

the Minister may specify by notification in the *Gazette*, or any of its derivatives, in any language or any other word or words indicating that the person or organisation provides education, in the name, description or title under which that person or organisation is providing education; or

(b) make or continue to make any representation to that effect in any bill-head, letter-paper, notice, advertisement or in any other manner.

(2) [Subsection \(1\)](#) shall not apply to —

(a) a school that is registered or exempted from registration under this Act;

(b) the Government;

(c) any body established or constituted by or under a public Act and that has a public function, or any wholly-owned entity of such a body;

(d) an education institution established by any other written law or the functions of which are provided by any other written law; and

(e) such other person or organisation, or any class thereof, as may be prescribed.

(3) Any person or organisation that contravenes [subsection \(1\)](#) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 12 months or to both.

[\[21/2009 wef 21/12/2009\]](#)

Delegation of Director-General's functions

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

[4

PART II

EDUCATION FINANCE BOARD

Establishment and constitution of Education Finance Board

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

(2) The Finance Board shall consist of —

(a) the Director-General as Chairman;

(b) the Permanent Secretary of the Ministry of Finance or his representative; and

(c) four persons, not being persons holding office of emolument under the Government or Members of Parliament, to be nominated by such educational institutions, organisations or associations as may be approved by the Minister for that purpose and to be appointed by the Minister.

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

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

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

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

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

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

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

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

[5]

Duties

7. The duties of the Finance Board shall be —

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

[6]

Regulations

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

[7]

PART III

EDUCATIONAL ADVISORY COUNCIL

Establishment and constitution of Educational Advisory Council

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

(2) The Council shall consist of —

- (a) the Director-General as Chairman;
- (b) all other members of the Finance Board;
- (c) the medical officer of schools appointed under [section 51](#);
- (d) the Director of Social Welfare;
- (e) eight representatives of such educational institutions, organisations or associations,

including trade unions of teachers, as are approved by the Minister for that purpose, such representatives to be nominated by their respective institutions, organisations or associations; and

(f) six other persons to be appointed by the Minister.

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

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

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

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

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

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

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

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

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

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

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

[8

Meetings and procedure

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

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

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

[9

Duties

11. The Council shall advise the Minister upon any matter of educational policy or

development which may be referred to it by the Minister or which it may itself propose.

[10]

Power to appoint sub-committees

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

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

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

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

[11]

PART IV

SCHOOLS APPEALS BOARD

Establishment and constitution of Appeals Board

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

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

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

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

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

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

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

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

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

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

[12]

Procedure of Appeals Board

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

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

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

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

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

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

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

[13]

Duties

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

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

[14]

Powers

16. In the exercise of its functions the Appeals Board shall have 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 his possession:

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

(c) to order an inspection of any school premises; and

(d) to enter and view any school premises.

[15]

Offences and penalties

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

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

[16]

Legal assessor

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

[17]

PART V

REGISTERS OF SCHOOLS, MANAGERS AND TEACHERS

Registers of schools, etc.

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

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

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

[18]

Offences

20. Any person who —

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

under [section 44](#) of his permission to teach as an unregistered teacher, shall be guilty of an offence and shall be liable on conviction to the penalties hereinafter provided.

[19]

PART VI

REGISTRATION OF SCHOOLS

Schools to be registered

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

Application

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

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

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

[21]

Registration of a school

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

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

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

(3) When a school is registered, the Director-General shall issue to the supervisor thereof a certificate of registration in the Form 2 set out in [the Schedule](#) in which shall be specified the premises in which the school may be conducted and the supervisor shall cause a copy of the certificate together with a list drawn up in such languages as may be determined by the Director-General of the names of the —

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

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

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

[22

Grounds for refusal to register a school

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

- (a) adequate educational facilities already exist in the area in which it is proposed to open the school;
- (b) the proposed school premises constitute a dangerous building or are or are likely to be structurally unsuitable for use as a school;
- (c) the fire precautions in the proposed school premises are inadequate;
- (d) the proposed school premises are insanitary or for reasons of health unsuitable for use as a school;
- (e) the area provided for the open air recreation of pupils is inadequate or unsatisfactory;
- (f) the proposed school does not conform to the regulations made under this Act;
- (g) the proposed fees are excessive, having regard to the cost of maintaining and conducting the proposed school and the standard of education to be provided;
- (h) the qualifications and experience of the proposed teachers are not adequate to ensure the efficient conduct of the proposed school;
- (i) the proposed salaries of the teachers are not adequate to ensure the efficient performance of their duties;
- (j) the proposed school is designed to accommodate more than 1,200 pupils in any one session;
- (k) the constitution of the proposed committee of management is not such as to ensure the efficient administration of the proposed school;
- (l) the supervisor recommended by the proposed committee of management is not a fit and proper person to act as a supervisor;
- (m) the proposed school has previously been refused registration or the registration thereof has been cancelled either under this Act or under any previous written law relating to the registration of schools;

- (n) the proposed school is likely to be used for a purpose detrimental to the interests of Singapore or of the public;
- (o) the proposed school is likely to be used for the purpose of instruction detrimental to the interests of the public or of the pupils;
- (p) the proposed school is likely to be used as a meeting place of an unlawful society;
- (q) the name under which the school is to be registered is against the interests of Singapore; or
- (r) in the application for registration a statement has been made or information has been furnished which is false in a material particular or by reason of the omission of a material particular.

[23]

Grounds for cancellation of registration of a school

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

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

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

[24]

PART VII

MANAGEMENT OF SCHOOLS — SUPERVISORS AND MANAGERS

Committees of management

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

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

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

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

Director-General may appoint managers or additional managers

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

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

[26]

Registration and withdrawal of registration of supervisor

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

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

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

[27]

Duties of supervisor

29. The duties of the supervisor of a school shall be —

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

[28]

Absence from duty, etc., of supervisor

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

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

[29]

Managers of a school to be registered

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

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

[30]

Registration of managers

32. When application has been made under [section 31](#) for registration as a manager of a school the Director-General shall, subject to [section 33](#) and after such inquiry as may be necessary, register the applicant as a manager of the school of which he seeks to be a manager and shall inform the applicant in writing that he has been so registered.

[31]

Grounds for refusal to register a manager

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

- (a) the person has been convicted before any court of competent jurisdiction in Singapore or in Malaysia or in any part of the Commonwealth, of an offence punishable with imprisonment or of an offence under this Act or under any previous written law relating to education or the registration of schools or under any similar law in force at any time in Malaysia;
- (b) the person has previously been refused registration as a manager under either this Act or any previous written law relating to education or the registration of schools or any similar law in force at any time in Malaysia, or having been so registered has had his registration cancelled;
- (c) the person is not of good character;
- (d) the person has not the experience, knowledge, interest and skill to manage a school;
- (e) the person has at any time under any written law made a statement false or

misleading in a material particular in an application for registration as manager or teacher; or

- (f) it will be prejudicial to the interests of Singapore or of the public or of the pupils of the school that the person should be so registered.

[32

Grounds for the cancellation of registration as a manager

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

- (a) on any of the grounds on which he would have been entitled to refuse registration under [section 33\(a\)](#), [\(b\)](#) and [\(e\)](#)