

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

EDUCATION ACT

[16th May, 2005]

Act. 13 of 2004
S.I. 23 of 2005

ARRANGEMENT OF SECTIONS

Part 1 – Preliminary

1. Short title
2. Interpretation

Part 2- General administration

1. Goals and objectives
2. Responsibilities of the Minister
3. Powers of the Minister
4. Responsibilities of the Principal Secretary
5. Delegation by the Minister, etc.
6. Establishment and maintenance of primary and secondary schools
7. Management of State primary and secondary schools
8. Establishment and maintenance of post-secondary and tertiary institutions
9. Stages of State education
10. Early childhood educational services
11. Non-formal early childhood services
12. Regulation of early childhood services
13. Special education
14. Continuation of State schools, etc.

Part 3 – Private educational institutions

15. Application of Act to private schools, etc.
16. Approval
19. Presumption
20. Existing private schools and educational institutions

21. Register of private educational institutions
22. Application for registration, inspection, approval etc.
23. Approval of amendment of particulars
24. Limitation of instruction
25. Number of students
26. Certificate of registration
27. Technical and vocational institutions
28. Duration and renewal of registration
29. Transferability
30. Information
31. Official visits
32. Notice to comply
33. Cancellation of registration
34. Review
35. Re-registration
36. Returns
37. Health and sanitation
38. Disqualification of instructional staff
39. Complaints of discrimination

Part 4 – Rights and responsibilities of students and parents

40. Right to education
41. Enrollment
42. Free tuition
43. Students' responsibilities
44. Students' accountability
45. Choice of education
46. Student record and report
47. Parents' responsibilities
48. Damage to school property
49. Compulsory school attendance

50. Admission to primary school
51. Admission to secondary school
52. Admission to post-secondary institution
53. Students' register
54. Existence of contagious disease
55. Temporary or permanent closure of schools
56. Zoning of schools and transfers of students
57. Duty of parent to cause attendance
58. Valid excuses from attendance
59. Attendance officer
60. Power to enter premises etc.
61. Offences against attendance officer
62. Power to deliver absent student
63. Duties of the attendance officer
64. Reports by headteachers
65. Liability of parent
66. Compulsory school age and offences
67. Prosecutions under section 66
68. Rules of conduct of students
69. Suspension of students
70. Action by the Principal Secretary

Part 5 – Rights and responsibilities of teachers, etc.

71. Qualifications of teachers
72. Rights of teachers
73. Performance of professional duties
74. Responsibilities of teachers, lecturers and instructors
75. Senior management of schools, etc.
76. Responsibilities of heads of educational institutions

Part 6 – Curriculum and assessments

77. National curriculum

78. National curriculum advisory committee
79. Assessment
80. Religious education in State schools
81. Inspection of educational institutions
82. Institutions to be open for inspection

Part 7 – Miscellaneous

83. Offences
84. Vendors on school premises
85. Prohibition of sale of alcoholic beverages and tobacco
86. Loitering on premises of educational institution
87. Regulations
88. Repeal

Part I – Preliminary

1. This Act may be cited as the Education Act.
2. In this Act —
“adult education” means —
 - (a) continuing education; and
 - (b) training activities organised on a part-time basis for persons over the compulsory school age and designed to enhance their knowledge, skills and cultural awareness but does not include tertiary education;“class”, in relation to a particular student and a particular subject, means the teaching group in which the student is regularly taught that subject or, where there are two or more groups, such one of them as may be designated by the headteacher of the school;
“Compulsory school age” means the prescribed age at which a student is obliged to attend school;
“director” means the head of an educational institution providing post-secondary or further education and training;
“distance education” means an educational process in which a significant proportion of the teaching is conducted through one medium or a combination of media by persons removed in space or time from the learners;
“educational institution” means any school, training centre or other institution of education and training;
“educational programme” means a course of study, whether conducted in an educational institution or otherwise, that is designed to meet the learning needs of an individual or a group of persons;
“formal early childhood education” means education provided either in a primary school or in an institution specially designed for the purpose and suitable to the needs of children of or more than three years, but under eight years, of age;

“headteacher” means the head of a primary or secondary school;

“lecturer” or “instructor” means a person who has been appointed to teach in a post-secondary or further education and training institution;

“legal guardian”, in relation to a child, means any person who is liable to maintain, or has the custody of, the child;

“Minister” means the Minister responsible for Education;

“National Curriculum Advisory Committee” means the committee constituted under section 78;

“parent”, in relation to any child, includes a legal guardian and any person living as husband with the mother of the child whether or not he is the father or a person living as wife with the father of the child whether or not she is the mother;

“prescribed” means prescribed by regulations;

“Principal Secretary” means the person appointed by the President as Principal Secretary, Education;

“primary education” means full-time education suited to the requirements of primary students;

“primary student” means a child who at the beginning of the academic year has attained the age of six years or will attain that age on December 31 of that year;

“private educational institution” means a private school or educational institution or class regularly attended by 5 or more students which is owned, managed and financed by an individual or a body incorporate or unincorporate and is registered under this Act;

“post-secondary education” means full time education suited to the requirements of students who have completed secondary education;

“secondary education” means full time education suited to the requirements of students of secondary school age who have completed primary education;

“special education” means educational programmes designed to meet the special needs of those students who by reason of their intellectual, communicative, behavioural, physical or multiple exceptionalities are unable to follow normal educational programmes;

“State schools” means schools which are maintained by the State and are open to the public as provided by this Act;

“student” means a person of any age for whom education is provided under this Act;

“training centre” means a school or other institution that provides for education and training in technical and vocational fields;

“tertiary education” means —

- (a) education suitable to the requirements of persons over compulsory school age who are not enrolled for secondary education in any school or are enrolled in a post-secondary education and training institution;
- (b) University education and instruction normally available at institutions for teacher training, technical and vocational education and training.

Part 2 - General administration

3. (1) The Minister shall, within the limits of available resources, pursue for the education system the general goals and objectives specified in subsection (2).

(2) The general goals and objectives referred to in subsection (1) are —

- (a) the establishment of a comprehensive system of education and training reflecting universal and national values which promote the complete

- development of the person and equip the person to participate fully in social and economic development;
- (b) the establishment of institutions for achieving the goals referred to in paragraph (a);
 - (c) the execution of the educational policy of the government.
- 4.** (1) The Minister shall be responsible for the administration of this Act.
- (2) The Minister shall also be responsible for —
- (a) establishing State primary and secondary schools and determining their location and classification;
 - (b) regulating the admission of students to State schools;
 - (c) establishing, maintaining and assisting in the establishment and maintenance of educational institutions including —
 - (i) institutions for the training of teachers
 - (ii) technical institutions and training centres for technical and vocational education and training;
 - (d) establishing a teachers' scheme of service;
 - (e) evaluating the work of State schools with particular reference to the curriculum followed therein and providing for examinations and testing of students and the award of certificates.
- 5.** (1) In the performance of functions under this Act, the Minister may —
- (a) regulate the conduct of State schools and private educational institutions;
 - (b) arrange for the professional training of teachers;
 - (c) designate the grades or classes and special programmes offered in State schools;
 - (d) constitute advisory bodies from time to time on educational or other matters related to education;
 - (e) prescribe textbooks, other educational materials and practices used or followed in educational institutions;
 - (f) establish State schools, other educational institutions and classes or close them down where necessary;
 - (g) prescribe the curriculum of State schools and other educational institutions;
 - (h) provide for any other matter or take such action as is necessary for carrying into effect the provisions of this Act.
- (2) In exercising the powers conferred by subsection (1), the Minister may consult such organisations as the Minister considers appropriate.
- 6.** (1) The Principal Secretary shall, subject to the directions of the Minister, be charged with the implementation of the provisions of this Act.
- (2) The Principal Secretary shall —
- (a) ensure that schools and other educational institutions are managed in a proper and efficient manner;
 - (b) develop principles and procedures for implementing policies and managing educational institutions;
 - (c) delegate authority to officers of the Ministry for managing various aspects of the education system including the registration of, and other matters pertaining to, private schools;

- (d) initiate curriculum innovation and reform and the establishment of appropriate procedures for evaluating instructional and other activities of schools and other educational institutions;
- (e) ensure that school premises and property are protected against improper use;
- (f) ensure the pastoral care of students in schools and other educational institutions;
- (g) ensure compliance with the provisions of this Act and regulations made there-under.
- (h) perform such other functions under this Act as the Minister may from time to time assign.

7. (1) The Minister may delegate to the Principal Secretary any function conferred on the Minister by or under this Act:

Provided that the Minister may exercise any or all of the functions so delegated where the Minister considers it expedient to do so.

(2) The Minister may give general or special directions to any officer of the Ministry in relation to the performance of functions under this Act.

8. Primary and secondary schools which are State schools shall be established and maintained in accordance with the provisions of this Act.

9. (1) All primary and secondary schools which are State schools shall be managed by the Ministry.

(2) Post-secondary institutions for which the Ministry is responsible shall be managed by the Ministry.

10. The Minister may establish and maintain, in accordance with the provisions of this Act, post-secondary educational institutions and other institutions of higher education at such places as the Minister may determine.

11. (1) Subject to subsection (2), the system of State education shall consist of the following stages —

- (a) formal early childhood education;
- (b) primary education;
- (c) secondary education;
- (d) post-secondary education; and
- (e) tertiary education.

(2) The Minister may include as part of the system of State education —

- (a) non-formal early childhood education;
- (b) special education;
- (c) adult education; and
- (d) distance education.

12. (1) Subject to the provisions of section 18, a private educational institution may provide an early childhood educational services programme for children under 5 years of age.

(2) An institution referred to in subsection (1) —

- (a) may charge fees in respect of the programme;
- (b) shall comply with the regulations relating to the services provided by the institution.

13. Non-formal early childhood services for children below the age of 3 years shall be

subject to inspection and monitoring by the Ministry.

14. (1) The Minister may by regulations provide for the following matters relating to early childhood educational services □

- (a) the academic and professional qualifications of teachers or other persons employed in such services.
- (b) the records to be submitted to the Minister by a person providing such services;
- (c) the safety standards to be observed by a person providing such services;
- (d) the health requirements pertaining to the environment in which, and persons by whom, such services are provided;
- (e) the buildings, premises, equipment and furnishing used in such services;
- (f) the ratio of staff to students;
- (g) the needs of children of specified ages receiving such services.

15. (1) The Minister shall provide special education programmes for students of compulsory school age who, by reason of intellectual, communicative, behavioural, physical or multiple exceptionalities, are in need of special education.

(2) A student who is entitled to a special education programme shall have the programme delivered in the least restrictive and most enabling environment.

16. All State schools and educational institutions existing at the commencement of this Act shall be deemed to have been established under this Act and shall continue as State schools or educational institutions, as the case may be.

Part 3 – Private educational institutions

17. This Act applies to every private school or educational institution providing services relating to —

- (a) early childhood education;
- (b) primary education;
- (c) special education;
- (d) secondary education;
- (e) post-secondary education;
- (f) adult and distance education; or
- (g) vocational education and training.

18. No person shall operate a private school or educational institution to which this Act applies unless the school or institution is registered under this Act with the approval of the Minister.

19. Any person providing, for profit or otherwise, educational services for his or her own account and in the case of a body corporate for its own account, shall be deemed to be operating a private school or educational institution.

20. (1) A person who, at the commencement of this Act, is operating a private school or educational institution shall, within six months of the commencement of this Act or such further period as the Minister may by notice allow, comply with the provisions of section 18.

(2) A person who contravenes section 18 or subsection (1) commits an offence and is liable on conviction to a fine of an amount not exceeding R 20,000 or to imprisonment for a term not exceeding 2 years, or to both such fine and imprisonment.

21. (1) Where a private school or educational institution is registered, the Principal Secretary shall issue a certificate of registration to the proprietor of such school or institution.

The Principal Secretary shall keep a register of such schools and educational institutions to be known as the Register of Private Educational Institutions.

(2) There shall be entered in the Register of Private Educational Institutions the particulars of every such private school or educational institution.

(3) The Principal Secretary shall annually certify a copy of the Register of Private Educational Institutions and a notice of the names of the private schools and educational institutions so certified shall be published in the Gazette.

(4) The Principal Secretary shall certify any amendment of any entry in the Register approved by the Minister under section 23(1) and a notice of the amendment shall be published in the Gazette.

22. (1) An application for the registration of a private school or educational institution shall be made by or on behalf of the proprietor of the private school or educational institution in the form provided by the Ministry and shall contain the required particulars.

(2) The Principal Secretary shall, upon the receipt of an application under subsection (1), cause the private school or educational institution to be inspected.

(3) Where a private school or educational institution in respect of which an application is made under subsection (1) has been inspected, the Minister shall, subject to any condition that he may specify, approve the registration of the school or educational institution if he is satisfied —

- (a) that the standards laid down by the Ministry are observed; and
- (b) the headteacher or director of the school or educational institution holds the required qualifications.

23. (1) The Minister may, at the request of the proprietor of a registered private school or educational institution, approve any amendment of the particulars registered upon payment of the relevant fee.

(2) Before any change in the educational services mentioned in the Register is made, the proprietor shall ensure that the school or educational institution meets the conditions of registration that apply to the educational service in respect of which the request is made.

24. Where a request under section 23 is made for an amendment authorising the limitation of instruction to certain subjects or classes, the Minister may either refuse to grant the application or grant it subject to such conditions as the Minister may specify.

25. (1) The Minister may determine the maximum number of students who may be admitted to educational services or categories of educational services provided by private schools and educational institutions.

(2) The capacity of, and the facilities available at, a private school or educational institution as declared by the proprietor in his application for registration shall not be reduced subsequently.

26. (1) The certificate of registration issued under section 21(1) shall state —

- (a) the name of the proprietor of the private school or educational institution;
- (b) the name and address of the school or educational institution;
- (c) educational services or categories of educational services the school or educational institution is authorised to provide;
- (d) where applicable, the authorisations and conditions relating to the capacity and facilities and the maximum number of students who may be admitted.

(2) The certificate shall be displayed in a conspicuous place at the school or educational institution as the case may be.

27. A certificate in respect of a private educational institution for technical and vocational education shall specify, where it concerns —

- (a) secondary school instructional services in technical and vocational education and training, the programmes that it would provide;
 - (b) supplementary vocational training, the fields for which it would cater;
 - (c) general or vocational education and training at the tertiary level, the programmes it would provide.
 - (d) where applicable, the authorisations and conditions relating to the capacity and facilities and the maximum number of students who may be admitted.
- 28.** (1) The registration of a private school or educational institution is valid for a period of five years.
- (2) The Minister shall renew for the same period a registration of a school or private educational institution held by a person who —
- (a) applies in writing to the Minister within such time and in such manner as may be prescribed; and
 - (b) has complied with the provisions of this Act and the regulations made thereunder during the period preceding the date of the application for renewal.
- 29.** The certificate of registration of a private school or education institution shall not be transferable except in accordance with section 23.
- 30.** (1) The proprietor of a registered private school or educational institution shall inform the Minister whenever the school or institution is unable to provide all or some of the educational services mentioned in the certificate of registration.
- (2) Every such proprietor shall inform the Minister of any proposed amalgamation, sale or transfer affecting the school or institution and any change of name of the school or institution.
- 31.** (1) The Minister or the Principal Secretary or any officer authorised in writing by the Principal Secretary may, for the purpose of making enquiries, carrying out inspections and discharging any functions under this Act, enter the premises of any private school or educational institution.
- (2) The proprietor of a private school or educational institution shall keep its premises open for any visit referred to in subsection (1).
- (3) A person who obstructs, or makes a false representation or refuses to furnish any information required under this Act or regulations made thereunder to, any person carrying out his or her official duty commits an offence and is liable on conviction to a fine of an amount not exceeding R50,000.
- 32.** Where the Minister is satisfied that a private school or educational institution has ceased to be conducted in accordance with this Act or regulations made thereunder, the Minister may serve on the proprietor of the school or institution a notice requiring the proprietor to conduct the school or institution in accordance with the act or the regulations, as the case may be, within the time specified in the notice.
- 33.** Where a proprietor having been served with a notice under section 32 fails, within the time specified in the notice or within such further time as the Minister may allow, to comply with the notice, the Minister shall cancel the registration of the private school or educational institution and inform the proprietor of the cancellation, the reasons therefor and the proprietor's rights under section 34.
- 34.** (1) The proprietor of a private school or educational institution whose application for registration or re-registration is refused or whose registration is cancelled may apply to the Supreme Court for a review of the decision to refuse the application or cancel the registration, as the case may be.
- (2) The Supreme Court (Supervisory Jurisdiction over Subordinate Courts, Tribunals and Adjudicating Authorities) Rules shall apply to the making and determination of an application referred to in subsection (1).

35. (1) Where the registration of a private school or educational institution is cancelled pursuant to section 33, the proprietor of the school or educational institution may, if the proprietor has complied with the notice that had been served under section 32, apply to the Minister for the re-registration of the school.

(2) The requirements of section 22 shall *mutatis mutandis* apply to an application under this section.

(3) From the date on which the cancellation of the registration of a private school or educational institution takes effect, the school or institution shall remain closed until it is registered.

(4) Where the Minister is satisfied that the notice that has been served under section 32 has been complied with, the Minister may re-register the private school or educational institution subject to any condition that the Minister may specify.

36. The proprietor of a private school or educational institution shall furnish the Minister with returns containing such information and at such intervals as may be specified by regulations.

37. The Minister may, on the advice of the Minister responsible for Health, order the closure of any private school or educational institution or classroom thereof or the exclusion of certain pupils for a specified time with a view to preventing the spread of disease or any danger to health.

38. (1) A member of the instructional staff in a private school or educational institution shall possess at least the minimum qualifications required of a similar member in a comparable State school or educational institution.

(2) The Principal Secretary may, by notice addressed to the proprietor of a private school or educational institution, declare any person who does not possess the minimum qualifications required under subsection (1) to be unsuitable for employment as a member of the instructional staff in a private school or educational institution and require that the person be not so employed.

(3) An appeal from a notice of the Principal Secretary under subsection (2) may be made to the Minister within 14 days of the receipt of such notice.

(4) The Minister may, after such inquiry as he thinks fit, confirm or vary the notice and the proprietor of the private school or educational institution shall give effect to the notice as confirmed or varied.

39. (1) Where a complaint is made by an interested party that a private school or educational institution has refused to admit a child or has expelled a student on account of the race, religion or political affiliation of, or on any other unreasonable ground of discrimination relating to, the child, student or parent, the Principal Secretary shall hold an inquiry into the complaint.

(2) The Principal Secretary shall communicate his or her determination in writing to the complainant and the relevant private school or educational institution and the determination may include such directions to the proprietor of the private school or educational institution as may be necessary to redress the grievance complained of.

(3) A proprietor to whom a direction is issued under sub-section (2) shall comply with the direction.

(4) A person who contravenes subsection (3) is guilty of an offence and is liable on conviction to a fine of R50,000.

Part 4 — Rights and responsibilities of students and parents

40. All persons are entitled to receive an educational programme appropriate to their needs in accordance with this Act and regulations made thereunder.

41. (1) The Principal Secretary shall provide every child of compulsory school age or any person who is a resident of Seychelles with an educational programme in accordance with this Act.

- (2) In implementing subsection (1), the Principal Secretary shall —
 - (a) enroll the child in an educational programme offered by the Ministry;
 - (b) direct the child to attend an educational programme offered by another educational institution where it is reasonable to do so.
- 42.** (1) No tuition fee shall be charged in respect of a student attending a State primary or secondary school.
- (2) Subsection (1) shall not preclude other charges being imposed at a State primary or secondary school with the approval of the Minister.
- (3) Fees may be charged in respect of post-secondary education programmes in accordance with regulations.
- (4) Government may grant scholarships and bursaries to students of post-secondary and tertiary levels in accordance with regulations.
- 43.** Every student enrolled in a State school or educational institution shall —
- (a) observe the code of conduct and other rules of the Ministry and the school;
 - (b) attend classes regularly and punctually; and
 - (c) participate diligently in the educational programme in which the student is enrolled.
- 44.** (1) Every student shall be accountable—
- (a) to the teacher, lecturer, instructor or other authorised person for his or her conduct on the school premises during school hours and during such hours as the teacher, lecturer, instructor or other authorised person is in charge of the student in class or while engaged in authorised school activities conducted during or outside school hours; and
 - (b) to the headteacher or director for his or her general conduct at any time that he or she is under the supervision of the school and members of the staff.
- (2) Every student shall be under the general direction and control of any person under whose supervision students are placed on the authority of the headteacher or director.
- 45.** Subject to this Act, parents may choose State schooling or private schooling for their children.
- 46.** (1) Every headteacher shall establish and maintain a student record for each student enrolled in the school in accordance with the guidelines provided by the Principal Secretary.
- (2) Every school shall provide the parents of a student and the student with a periodic report on the student's academic performance and conduct.
- (3) The report referred to in subsection (2) shall be in such form and contain such information as the Principal Secretary may determine.
- (4) The following persons may examine and copy a student record or request a certified copy of a student record —
- (a) a parent of a student;
 - (b) a student who is 18 years of age or older.
- (5) Subject to subsection (2), a student record is open for the perusal of school and departmental officials for the performance of their functions and shall not be made available to any other person or institution without the written permission of the parent or, where the student is 18 years of age or older, of the student.
- (6) Any person who discloses any information in a student record in contravention of subsection (5) commits an offence and is liable on conviction to a fine of an amount not exceeding R20,000.

47. (1) A parent of a student attending a State school or educational institution shall, at the request of a teacher or headteacher, consult with the teacher or headteacher with respect to the student's educational programmes.

(2) Every parent shall inform the headteacher in writing of any medical or other condition peculiar to his or her child—

(a) on admission of the child; or

(b) as soon as the parent becomes aware of such condition.

(3) Every parent shall sign, and ensure compliance with, the code of conduct for students issued by the Ministry and rules made by the school or educational institution.

48. (1) Every student in a State school or educational institution shall be responsible for any State property placed at the student's disposal and where such property is to be returned, the property shall be returned in good condition at the end of the school activities on a day and time determined by the headteacher.

(2) If a student fails to comply with subsection (1), the Principal Secretary shall claim the value of the property from the parents of the student if a minor or from the student if the student has attained the age of 18 years.

(3) If the property of a State school is destroyed, damaged or lost due to the intentional or negligent act of two or more students who are minors acting together, their parents shall be jointly liable to pay damages in respect of the destruction, damage or loss of the property.

(4) If the property of a State school is destroyed, damaged or lost due to the intentional or negligent act of one or more students who are eighteen years or older —

(a) the single student; or

(b) the students who acted together,

as the case may be, shall be liable to pay damages in respect of the damage to or loss or destruction of the property.

49. (1) Every child shall attend school from the beginning of the school calendar in the school year until the child has completed the compulsory school age.

(2) Notwithstanding subsection (1), if the Minister is satisfied that it has become necessary to extend the compulsory school age in relation to any category of students, the Minister may by order in writing extend such age.

50. No child shall be admitted to a State primary school unless —

(a) the child has been registered under the relevant regulations;

(b) the child is accompanied on the day of admission by a parent or an adult authorised by a parent;

51. (1) No child shall be admitted to a State secondary school unless the child has completed primary school.

(2) Notwithstanding subsections (1) and (2), a child may be admitted to a State secondary school on the written approval of the Principal Secretary on grounds of exceptional ability and consistently high academic performance as evidenced by —

(a) outstanding performance in termly and annual class assessments, and

(b) the written recommendation of the child's teachers.

(3) Notwithstanding subsections (1) and (2), a child who prior to his or her residence in Seychelles attended or admission to a secondary school or the equivalent of a secondary school may, on the written approval of the Principal Secretary, be admitted to a State secondary school.

52. No child shall be admitted to a State post-secondary institution unless —

(a) the child has completed secondary school; and

- (b) has satisfied the prescribed entry requirements.
- 53.** (1) The headteacher of a school or the director of a students' educational institution shall maintain a Students' Register.
- (2) The Students' Register shall include —
- (a) upon admission of a student to a school or educational institution —
 - (i) the name and date of birth of the student and the student's national identity number;
 - (ii) the date of admission;
 - (iii) the name and residence of the student's parent;
 - (iv) the name of the last school, if any, which the student attended;
 - (v) where appropriate, the date the student left the school from which the student was transferred;
 - (vi) the class of the student at the date of leaving the school from which the student was transferred;
 - (vii) the class of the student at the date leaving the school from which the student is admitted;
 - (viii) the student's blood group;
 - (b) upon the departure of a student from a school ☐
 - (i) the date of the student's departure;
 - (ii) the class of the student on the date of departure;
 - (iii) where appropriate, the school or other institution to which the student is being transferred.

54. (1) No student suffering from, or exposed to, a contagious disease shall be admitted to, or permitted to remain in, any school.

(2) Where the headteacher or director discovers or has reason to suspect the existence of a contagious disease, the headteacher or director shall immediately report the same to the parents of the student concerned, the Principal Secretary, Education and the Principal Secretary, Health.

(3) A student who has been refused admission to a school on the ground that the student is suffering from, or has been exposed to, a contagious disease shall not be admitted except upon the production of a medical certificate from a registered medical practitioner to the effect that the student is free from the disease and is unlikely to be a source of infection to other persons in the school.

(4) The medical certificate required by subsection (1) shall be issued free of charge when it is sought from a Government medical institution.

55. (1) Where as a result of —

- (a) the total or partial destruction of a school building; or
- (b) outbreak of an infectious or contagious disease; or
- (c) any other similar event,

it is necessary to close the school or educational institution temporarily or permanently, the Minister may direct that the school or institution be so closed, and the school or institution shall, with effect from the date of the direction, be so closed.

(3) Where a school or educational institution is permanently closed, the Minister shall provide alternative accommodation to the students and staff affected by the closure.

56. (1) The Minister may, by regulations, provide for a scheme of zoning for the

admission and transfer of students from and to State primary and secondary schools.

(2) The scheme of zoning shall link the place or residence of a student and the location of the school that the student attends.

(3) The residence of a student shall be deemed to be the premises of the student's parents.

(4) A student of one school who seeks admission to another school shall not be admitted to that other school except on presentation of the transfer letter issued by the headteacher of the first mentioned school which letter shall be retained by the headteacher of the admitting school.

(5) A copy of the transfer letter shall be submitted to the Principal Secretary by the headteacher who issued it.

57. It is the duty of the parent of every child of compulsory school age to cause the child to attend school regularly.

58. A student shall be excused from school attendance if —

- (i) the student is excluded from attendance under any law;
- (ii) the student is unable to attend school because of illness or danger of infection; or
- (iii) there are compelling family reasons.

59. The Minister may, by order in writing, designate a member of the staff of a school as attendance officer.

60. An attendance officer who has reasonable cause to believe that a person is acting in contravention of section 57, on presenting his or her authority, may at any time —

- (a) enter any premises and make such enquiries as are necessary to determine whether a child of compulsory school age is frequenting, visiting, residing or employed on, the premises; and
- (b) stop and question any child who appears to be of compulsory school age but is not at school.

61. (1) A person commits an offence if that person —

- (a) assaults, obstructs or uses insulting, abusive or indecent language to—
 - (i) an attendance officer while performing his or her functions; or
 - (ii) any other person performing a duty imposed on that person by this Act in relation to the attendance of any child at school;
- (b) being a parent, fails without reasonable cause when requested by an attendance officer to give information concerning the attendance of any child at school or any other matter relevant to such attendance; or
- (c) gives to an attendance officer any information concerning any matter mentioned in paragraph (b) knowing it to be false or misleading.

(2) A person who is convicted of an offence under subsection (1) is liable on conviction to a fine of an amount not exceeding R50,000 or to 2 years' imprisonment or to both such fine and imprisonment.

62. A school attendance officer may, at the request of the parent, apprehend and deliver to the school from which the student is absent or to the student's parent any student found absent from school not having been excused under section 58.

63. An attendance officer shall —

- (a) perform his or her duties under the direction of the Principal Secretary or the headteacher as the case may be;
- (b) inquire into every suspected case of failure to attend school without excuse within his or her knowledge or when requested to do so by the headteacher or

the Principal Secretary;

- (c) give written warning of the consequences of failure to attend school to the parent of the child who is not attending school;
- (d) give written notice to the parent requiring the parent to cause such child to attend school.

64. Every headteacher of a school shall —

- (a) report to the attendance officer the name, age and residence of every child of compulsory school age who has not attended school as required by law;
- (b) furnish the Principal Secretary with such information as the Principal Secretary requires for the enforcement of compulsory education.

65. (1) Where a parent of a child of compulsory school age who is not excused under section 58 neglects or refuses to cause the child to attend school, the parent commits an offence and is liable on conviction to a fine of an amount not exceeding R20,000.

(2) The Court may, instead of imposing a fine, require a person convicted of an offence under subsection (1) to enter into bond not exceeding R.25,000 with one or more sureties to be approved by the Court on condition that the person shall, after the expiration of five days, cause the child to attend school as required.

66. (1) Subject to subsection (3), a person who employs a child of compulsory school age commits an offence and is liable on conviction to a fine not exceeding R50,000.

(2) Where a body corporate contravenes subsection (1), in addition to the said body corporate, a director or officer of the body corporate who authorises, permits or acquiesces in such contravention commits an offence and is liable on conviction to the same penalty as the body corporate.

(3) Notwithstanding subsection (1), a person may employ a student of compulsory school age if the employment of the student is part of the school programme or other approved scheme of training.

(4) A student of compulsory school age shall not be permitted by a person to loiter on the licensed premises of the person where he carries on any business in connection with the sale, storage or conveyance of liquor.

(5) Any person who contravenes subsection (4) commits an offence and is liable on conviction to a fine of R50,000 or imprisonment for 2 years or to both such fine and imprisonment.

67. In any prosecution of an offence under section 66 a statement as to the attendance or non-attendance at school of any student, signed by the headteacher of the school, shall be *prima facie* evidence of the facts stated therein.

68. (1) All schools and educational institutions shall, in consultation with the Principal Secretary and in accordance with the relevant regulations, formulate and enforce rules of conduct and discipline of the students.

(2) The rules referred to in subsection (1) shall come into effect when they —

- (a) are approved in writing by the Principal Secretary; and
- (b) are circulated to the parents of the students of the school or educational institution and to the students where necessary.

69. (1) The headteacher or the director of any State school or educational institution may, in accordance with regulations made in that behalf, suspend a student from school or institution.

(2) A headteacher or director who suspends a student shall report that fact in writing to the student's parents and the Principal Secretary and state the reason or reasons for such suspension.

70. (1) The Principal Secretary may, having considered the report under section 69 (2),

order that —

- (a) the term of suspension be extended by a specified number of days to enable an inquiry to be held;
- (b) the student be reinstated on a specified date if the Principal Secretary considers it just and reasonable to do so;
- (c) the student be transferred to another school including a special school;
- (d) the student be expelled.

(2) Where a student is suspended or expelled, in the case of a student who is within the compulsory school age the parents, or in the case of a student beyond the compulsory school age his representative, may make representations to the Principal Secretary with respect to the suspension or expulsion within 7 days thereof.

(3) The Principal Secretary shall make a decision within 7 days of the representation being made under subsection (2) and the student shall remain suspended or expelled during that period.

(4) The Principal Secretary shall inform the parent or the student of the right of appeal under subsection (5) at the time of notifying the decision under subsection (3).

(5) The parent or the student may, within 14 days of the receipt of the decision of the Principal Secretary, appeal to the Minister against the decision.

(6) The Minister may, having considered the appeal, either confirm the decision or vary the decision as he thinks fit.

Part 5 — Rights and responsibilities of teachers, etc

71. A person shall be qualified to be a teacher in a State school only if that person holds the prescribed qualifications

72. Every teacher shall —

- (a) be treated in a fair and reasonable manner;
- (b) be provided, as far as possible, with an adequate working environment;
- (c) be provided, as far as possible, with sufficient and appropriate equipment and facilities to perform his or her duties;
- (d) be protected, as far as possible, from molestation, abuse, assault and battery while performing his or her duties within or outside the school premises;
- (e) be afforded, where necessary, legal and psycho-logical support in the event of injury suffered in the performance of duties;
- (f) be provided with reasonable access to professional training and development;
- (g) be provided with adequate protective clothing, tools and equipment while being engaged in hazardous activities.

73. A teacher shall perform his or her professional duties in accordance with regulations made under this Act and the directions of the headteacher or the director of the educational institution as the case may be.

74. (1) A teacher, lecturer or instructor in a State school or educational institution shall—

- (a) encourage students in the pursuit of knowledge and teach them diligently and faithfully;
- (b) teach courses of study that are approved or authorised under this Act;
- (c) under the direction of the head of the school or institution maintain order and discipline among students while they are within the premises of the

school or institution or attending or participating in duly approved activities outside such premises;

- (d) review with students their assessment and progress and advise them of the performance expected of them;
- (e) participate in the national assessments of students as and when required by the Ministry;
- (f) maintain the registers, records and other documents required by or under this Act and make them available for inspection by the Principal Secretary or any authorised person;
- (g) perform any other duties as and when reasonably required by the head of the institution.

(2) A teacher or lecturer or instructor who fails to perform any duties under subsection (1) is liable to disciplinary action.

75. (1) The senior management staff of a school or educational institution consists of headteacher, deputy headteacher, assistant director, head of programmes, head of faculty, head of subject, studies coordinator and such other officer as may be prescribed.

(2) A person holding a post referred to in subsection (1) shall, in addition to carrying out duties of teacher or lecturer or instructor, shall also carry out such other duties assigned to the post as may be prescribed.

(3) A person referred to in subsection (1) who fails to comply with the provisions of subsection (2) is liable to disciplinary action.

76. (1) Every headteacher and director of an educational institution shall —

- (a) ensure the observance of this Act and regulations made thereunder;
- (b) maintain order and discipline in the precincts of the school or institution and during activities sponsored or approved for the school or institution;
- (c) supervise and direct teachers, lecturers, instructors and staff and volunteers who are present;
- (d) maintain records and furnish returns as required by or under this Act;
- (e) initiate action for proper maintenance and care of the property of the school or institution;
- (f) request material equipment and supplies that are necessary and arrange for their distribution;
- (g) deploy and manage members of the teaching and non-teaching staff of the school or institution and allocate duties to them;
- (h) organise and implement the prescribed curriculum having regard to the—
 - (i) needs, experience, interests, aptitude and stages of development of the students;
 - (ii) the resources available to the school or institution;
- (i) evaluate the standards of teaching and learning in the school or institution and ensure that proper standards of professional performance are established and maintained;
- (j) perform such other functions as may be prescribed.

(2) A headteacher or director of an educational institution who fails to perform any duty specified in subsection (1) is liable to disciplinary action.

Part 6 — Curriculum and assessments

77. (1) The Minister shall establish a national curriculum for State schools.

- (2) A curriculum established under subsection (1) shall —
 - (a) be balanced, broadly based and consistent with the goals and objectives specified in section 3;
 - (b) promote the moral, cultural, intellectual, social and physical development of students;
 - (c) prepare students for the opportunities, responsibilities and challenges of adult life.
 - (3) The Minister may revise the national curriculum as and when the Minister considers it expedient to do so.
- 78.** The Minister may constitute a national curriculum advisory committee for the purposes of section 77.
- 79.** Assessment shall be conducted in accordance with regulations at the end of each key stage of primary and secondary schooling to evaluate the performance of students in relation to the targets of the national curriculum.
- 80.** (1) It shall not be a condition of admission or attendance of any student in a State school that the student participates in religious education or attends or abstains from attending any place of religious instruction or worship.
- (2) Where the parent of any student attending a State school requests that the student be excused from attendance at collective worship, any religious observance or any education or instruction in religious subjects at the institution or elsewhere, then, unless the request is withdrawn, the student shall be so excused.
- 81.** (1) The Principal Secretary or an officer authorised by the Principal Secretary shall, at such times and in such manner as may be prescribed, inspect State and private schools and educational institutions.
- (2) An officer who, pursuant to subsection (1), inspects a school or educational institution shall submit to the Principal Secretary a report on the inspection.
- 82.** The headteacher of a school or director of an educational institution shall keep the school or the institution open at all times to visits and inspections by the Minister, the Principal Secretary or any authorised officer.

Part 7 – Miscellaneous

- 83.** A person who —
- (a) prevents a person empowered or authorised etc. under this Act from visiting or inspecting a school or an educational institution; or
 - (b) assaults or obstructs a person empowered or authorised under this Act to visit or inspect a school or educational institution during a visit or inspection,
- commits an offence and is liable on conviction to a fine not exceeding R50,000 or to a term of imprisonment not exceeding 2 years.
- 84.** (1) No person shall sell or offer for sale any food, beverage or other thing in the precincts of a school or educational institution during working hours except under and in accordance with the written permission of the Principal Secretary.
- (2) The Principal Secretary may revoke such permission if any condition of such permission is breached.
- (3) A person who acts in contravention of subsection (1) commits an offence and is liable on conviction to a fine not exceeding R20,000 or to imprisonment for a term not exceeding 2 years.
- 85.** Any person who sells, offers or exposes for sale any alcoholic beverage or tobacco on the premises of any school or educational institution, whether State or private, commits an offence and is liable on conviction to a fine not exceeding R20,000 or to imprisonment for a term not exceeding 2 years.

86. (1) Any person who —

- (a) is found loitering on the premises of any school or educational institution;
- (b) creates a disturbance on the premises of any school or educational institution;
- (c) while on the premises of any school or educational institution —
 - (i) uses threatening or insulting language or in any manner interferes with any student or member of the staff of such school or institution;
 - (ii) assaults, insults or abuses such teacher, student or member of staff; or
 - (iii) disrupts any authorised activity conducted on the premises of the school or educational institution;
- (d) in a public place causes or makes a noise that disrupts or is likely to disturb any authorised activity conducted on the premises of the school or educational institution; or
- (e) commits any damage to any building or other property on the premises of the school or educational institutions, commits an offence and is liable on conviction to a fine of an amount not exceeding 820,000 or to imprisonment for a term not exceeding 2 years.

(2) A person who commits an offence under subsection (1) may be arrested by any member of the staff of the school or educational institution or a Police Officer without a warrant.

87. (1) The Minister may make regulations for carrying Regulations into effect the principles and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations providing for —

- (a) the management and conduct of State schools or educational institutions;
- (b) the control, registration, management and conduct of private educational institutions and in respect of —
 - (i) the size of the classrooms and their equipment, the number of students to be accommodated in each classroom and sanitary facilities to be provided;
 - (ii) the registers and other records to be kept by the proprietors and the particulars to be furnished to the Ministry by proprietors;
 - (iii) the conditions of the premises;
 - (iv) the curriculum, the courses and methods of instruction;
- (c) the standards of the premises of schools and educational institutions;

87. (1) The Minister may make regulations for carrying into effect the principles and provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations providing for —

- (a) the management and conduct of State schools or educational institutions;
- (b) the control, registration, management and conduct of private educational institutions and in respect of —
 - (i) the size of the classrooms and their equipment, the number of students to be accommodated in each classroom and sanitary facilities to be provided;
 - (ii) the registers and other records to be kept by the proprietors and the particulars to be furnished to the Ministry by proprietors.

- (iii) the conditions of the premises;
- (iv) the curriculum, the courses and methods of instruction;
- (c) the standards of the premises of schools and educational institutions;
- (d) the purposes for which the premises of State schools and educational institutions may be used;
- (e) the admission of students to State schools or educational institutions, the discipline of such students, the record to be kept by State schools or educational institutions in respect of each student, the particulars to be included in the record and the disposal of the record;
- (f) the admission of persons to post-secondary or tertiary stages and the conditions of admission;
- (g) the transfer of students from or to State secondary schools;
- (h) the management and accounting by head-teachers and teachers of State schools or educational institutions of —
 - (i) moneys or property payable to or vested in the school or institution;
 - (ii) moneys derived from fund-raising activities;
 - (iii) moneys and other property received by way of gifts or donations or in any other manner;
- (i) the conditions of admission of students or termination of studentship at post-secondary institutions;
- (j) the certification and registration of teachers who complete courses of training;
- (k) the terms of employment of teachers including their grading, promotion and leave and payment of their emoluments;
- (l) the implementation of any collective agreement concerning the conditions of service of teachers;
- (m) the establishment, administration, organisation, inspection, classification and discontinuance of schools including preprimary schools for children with special needs;
- (n) the award of bursaries, grants and financial assistance in respect of post-secondary and tertiary education;
- (o) the academic year, hours of school, vacations of State schools;
- (p) the cases in which and the matters for which fees may be charged in State schools;
- (q) the inspection of State schools and private educational institutions;
- (r) the establishment of a Teachers' Council that will maintain a register of all teachers and assist in the professional development of teachers;
- (s) the constitution, powers and responsibilities of the national students council and its affiliation associations.

88. (1) The Education Act, 1982 is repealed.

(2) Notwithstanding the repeal of the Education Act, 1982 any subordinate legislation made under that Act and in force immediately before the coming into operation of this Act shall continue in force to the extent to which such subordinate legislation is not inconsistent with the provisions of this Act until such subordinate legislation is amended by regulations made under this Act.

LAWS OF SEYCHELLES
CHAPTER 68
EDUCATION ACT
SUBSIDIARY LEGISLATION
SECTIONS 6 AND 9

Education (Educational Zones and Compulsory Education) Order

[1st January, 1991]

SI. 23 of 1990
SI. 2 of 1991
SI. 20 of 1992
SI. 48 of 1994

ARRANGEMENT OF PARAGRAPHS

1. Citation
2. Educational Zones
3. School for each educational zone
4. Compulsory Education
5. Exemption
6. Residence of child

Schedule 1

Schedule 2

Schedule 3

1. This Order may be cited as the Education (Educational Zones and Compulsory Education) Order.

2. (1) The educational zones mentioned in column 1 of Schedule 1 shall be the educational zones established for the purposes of section 6 of the Act.

(2) The boundaries of the educational zones are more particularly delineated on plans ML/ADN/103 to ML/ADN/114 lodged in the office of the Director of Surveys in the Ministry responsible for Surveys at Victoria, Mahe.

3. The school mentioned in column 1 of Schedule 2 shall, in the manner specified in that column, be the school specified for the educational zone mentioned in the corresponding entry in column 2 of the Schedule.

4. Subject to paragraph 5, a Seychellois child who attains the age of six years on or before the date specified in column 1 of Schedule 3 in the year specified in the corresponding entry in column 2 of that Schedule and has not attained the age of seventeen years shall, from the start of Term 1 of the year in which he attains six years, attend regularly at the school specified for the educational zone in which he resides until he has completed S4 or reached the age of 17 years, whichever occurs first.

5. (1) The Principal Secretary, or his authorised representative, may, where he is satisfied upon a certificate of a medical practitioner that a child is a handicapped child, exempt in writing the child from the application of paragraph 4.

(2) For the purposes of subparagraph (1) "handicapped child" means a child who by reason of physical or mental cause is unable to take advantage of education by ordinary methods.

6. (1) For the purposes of paragraph 4, a child shall be deemed to reside at the residence of his father or mother or, where the father and mother are dead or absent from Seychelles or have abandoned the child, at the residence of the guardian of that child, if the child resides with the guardian, or at any establishment provided and maintained under the Children Act, if the child resides in such establishment.

(2) Where there is a dispute as to the residence of a child, the determination of the Principal Secretary on that dispute shall be final.

SCHEDULE 1
EDUCATIONAL ZONES
PART I MAHE

(reg.2)

1. ANSE AUX PINS,

being an area bounded -

- (a) on the north by Pointe La Rue educational zone (from "LES DENTS" to PL1 (336880 E 9482270 N) near Katiolo);
- (b) on the east from PL1 (described in subparagraph (a)) following the coastline southerly to AAP1 (336540 E 9477740 N) a point at the discharge of Rivière Theodore Butler at Anse Aux Courbes;
- (c) on the south from AAP1 (described in subparagraph (b)), in a straight line north westerly to AAP2 (333910 E 9478780 N) a high point 0.4km south west of the trigonometric station "BRULEE"; and
- (d) on the west from AAP2 (described in subparagraph (c)), to AAP3 (333615 E 9479920 N) the hairpin bend along Montagne Posée Road near Bon Espoir Cable and Wireless Earth Station thence, northerly to C2 (333740 E 9481460 N) a high point along the ridge approximately 0.25km south of Rivière Grand Bassin and to the trigonometric station "LES DENTS";

2. ANSE BOILEAU,

being an area bounded -

- (a) on the north by Cascade educational zone from the summit of "PLANNEAU" to C2 (described in subparagraph (b));
- (b) on the east by Anse Aux Pins educational zone and part of Anse Royale educational zone from C2 (333740 E 9481460 N) a high point along the ridge approximately 0.25km south of Rivière Grand Bassin to AAP3 (described in paragraph 1(d)), AAP2 (described in paragraph 1(c)), AR5 (described in paragraph 4(d) and AR4 (described in subparagraph (c));
- (c) on the south from AR4 (333280 E 9476000 N) the point where Santa Maria Estate Road joins Les Canelles Road then, following this road westwards to AB1 (332765 E 9476760 N) where it meets the Anse à La Mouche main road, and
- (d) on the west from AB1 (described in subparagraph (c)) following the coast line northerly to AB2 (330730 E 9480165 N) a point on the shoreline at Petit Barbarons thence, in a straight line to trigonometric station "BARBARONS" passing through AB3 (330740 E 9480330 N) at a small bridge where Rivière Dupuy crosses a minor road 50m from the main road, therefrom north-easterly to the summit of "PLANNEAU";

3. ANSE ETOILE,

being an area bounded -

- (a) on the north and east, by the sea starting at AG1 (328300 E 9495695 N) a point on the tip of Carana Estate, thence, generally south easterly along the high water mark to A1 (329325 E 9491025 N) a point south of Lobster Pot Restaurant;

- (b) on the south from A1 (described in subparagraph (a)), westerly to the main road thence, along the road south of Quincy Village to its end being point A2 (328600 E 9491300 N) and then in a straight line to the summit of "HANGARD"; and
- (c) on the west, in a straight line from "HANGARD" trigonometric station to AG3 (327140 E 9492410 N) a point at the entry of a stream south into La Gogue Reservoir thence, across the Reservoir to AG2 being the northern end of the Weir wall, therefrom, in a straight line north easterly to AG1 (described in subparagraph (a));

4. ANSE ROYALE

being an area bounded -

- (a) on the north by Anse Aux Pins educational zone from AAP2 (333910 E 9478780 N) a high point 0.4km west of "BRULEE" to AAP1 (3336540 E 9477740 N) the discharge point of Rivière Theodore Butler at Anse Aux Courbes;
- (b) on the east from AAP1 (described in subparagraph (a)) thence, generally south along the shoreline to AR1 (336370 E 9472110 N) the point of discharge of Rivière Clovis at Anse Forbans;
- (c) on the south from AR1 (described in subparagraph (b)) following Rivière Clovis to AR2 (335540 E 9472755 N) a point where Mt Lockyer track crosses it thence, in a straight line to Mt Lockyer, and
- (d) on the west from Mt Lockyer in a straight line generally north to the trigonometric station "DESERT" thence, in the same direction to trigonometric station No. 165 (Roche Gratte Fesse) and then to AR3 (333470 E 9476140 N) a point where the new access road to Santa Maria Estate meets the old one and then, along the new road to AR4 (333280 E 9476600 N) a point where it joins Les Canelles Road thence, in a straight line north easterly to AR5 (334200 E 9477670 N) the summit of Mont Plaisir then in a straight line to AAP2 (described in subparagraph (a));

5. BAIE LAZARE,

being an area bounded -

- (a) on the north by Anse Boileau educational zone from AB1 the junction of the Les Canelles Road and the main road at Anse à La Mouche, to AR4 (described in subparagraph (b));
- (b) on the east by Anse Royale (from AR4 (333280 E 9476600 N), a point where Santa Maria Estate Road meets Les Canelles Road to AR3 (described in paragraph 4(d)), Roche Gratte Fesse, Le Desert and Mt Lockyer);
- (c) on the south from Mt Lockyer in a straight line westerly to BL1 (333650 E 9473280 N) the summit of a hill mid way between Lockyer and Maravi thence, to Montagne Maravi trigonometric station and south westerly to BL2 (332300 E 9472860 N) a point on the Baie Lazare - Takamaka road 0.6km south of the Maravi Cross, and
- (d) on the west from BL2 (described in subparagraph (c)), following the shoreline generally north to AB1 (332765 E 947660 N) being the junction of Les Canelles Road and Anse à La Mouche main road;

6. BEAU VALLON,

being an area bounded -

- (a) on the north by Glacis educational zone from G1 (326060 E 9441360 N) a point where Rivière Loizeau enters the sea, G2 (described in paragraph 11(b)) and the summit at "HANGARD";
- (b) on the east by La Rosière and St Louis educational zones, from the summit of "HANGARD" to Hill 223, BV6 (326960 E 9489680 N), BV5 (326890 E

9489120 N) the point where the drive to Lefèvre workshop leaves St Louis Road and BV4 (described in subparagraph (c));

- (c) on the south/south west from BV4 (326700 E 9488370 N) a point at the top of the cliff au Pied du Morne, south westerly to BV3 (326030 E 9487920 N) a point on Rivière Grand Saint Louis thence, going down stream to BV2 (324955 E 9488950 N) a point at the confluence of one of its tributaries then to trigonometric station PC 32 a point 160 metres east of BV2 and thence, in a straight line to BV1 (325000 E 9489875 N) on the shoreline at Petit Port east of Fisherman's Cove Hotel complex, and
- (d) on the west from BV1 (described in subparagraph (c)), following the shoreline to G1, the entry of Rivière Loizeau into the sea;

7. BEL EAU,

being an area bounded -

- (a) on the North, from point SL1 (328380 E, 9489160 N) which is the junction of Revolution Avenue and Albert Street, thence in a northerly direction along Albert Street to point SL2 (328378 E 94 89215 N) where Albert Street crosses Maintry River, thence Westerly along Maintry River to point SL3 (327980 E, 9489290 N) which is the junction of Lodge, Philomel and Rue Des Freres Maristes Streets, thence along Philomel Street in a north-westerly direction, thence along Hangard Street in a westerly direction to point SL4 (327815 E, 9489345 N) which is the junction of Hangard and La Bourdonnais Streets, thence in a westerly direction along the track to a cul-de-sac at point SL5 (327530 E, 9489315 N), thence in a westerly direction through the mast on Mount St Louis to point SL6 (326925 E, 9489395 N) which is between BV5 (326890 E and 9489120 N) and BV6 (326960E, 9489680 N) (described in paragraph 6(b)) as the eastern boundary of Beau Vallon educational zone.
- (b) on the east from R1 (described in subparagraph (a)), along the sea wall to BE1 (328840 E 9488740 N) a point at Le Chantier 50 metres east of the Boating Lake then in a straight line south passing by La Maison du Peuple to BE2 (328800 E 9488430 N) the discharge point of Rivière Trois Frères thence, westerly along the river to BE3 (328000 E 9488414 N) a point in its bed therefrom, south easterly to BE4 (328465 E 9487920 N) a point along Hermitage escarpment 200 metres west of Radio Television Seychelles Broadcasting Station then south to trigonometric station PC4 and to BE5 (328220 E 9487110 N) a point where upper Rivière Rochon crosses Foret Noire Road therefrom, following this watercourse to the Rochon Dam then, in a straight line to the summit of "COPOLIA" and finally to the summit of "AUDIBERT" (329000 E 9485290 N);
- (c) on the south, from the summit of "AUDIBERT" to Morne Seychellois trigonometric station, and
- (d) on the west, from "MORNE SEYCHELLOIS" trigonometric station to BV4 (326700 E 9488370 N) a point at the top of the cliff au Pied du Morne and thence, to B4 (327270 E 9488910 N) the hairpin bend along St Louis Road;

8. BEL OMBRE

being an area bounded -

- (a) on the north and west from BV1 (325000 E 9489875 N) a point on the shoreline at Petit Port east of Fisherman's Cove Hotel complex then, following the shoreline westerly to Danzil, Anse Major and Cap Ternay headland and thence, south easterly to BO1 (320470 E 9487230 N) a point at the northermost end of the National Youth Service Village beach;
- (b) on the south from BO1 (described in subparagraph (a)), in a straight line easterly to BO2 (323150 E 9487590 N) a point at the summit of a large rocky hill south east of "JASMIN" trigonometric station thence, south easterly to BO3 (323940 E 9487110 N) the summit of a conical hill at Mare D'Antin therefrom, due east to BO4 (324700 E 9487090 N) a point at the base of a large cliff then, in a straight

line north easterly to BV3 (326030 E 9487920 N) a point on Rivière Grand St Louis, and

- (c) on the east by Beau Vallon educational zone (from BV3 (described in subparagraph (b)), BV2 (described in paragraph 6(c)), PC32 (described in paragraph 6(c)), and BV1 (described in subparagraph (a)));

9. CASCADE -

being an area bounded -

- (a) on the north by Les Mamelles from M2 (330795 E 9485390 N) a point along Rivière Brillant Gorge to M1 (described in subparagraph (b));
- (b) on the south east by the sea from M1 (331535 E 9485635 N) a point south of Brillant Point, south easterly along the shoreline to Anse Talbot then along the main road to C1 (335190 E 9483700 N) a point at the entry to the Airport Cargo Terminal;
- (c) on the south west from C1 (described in subparagraph (b)) in a straight line to "LES DENTS" trigonometric station then also in a straight line south westerly to C2 (333740 E 9481460 N) a high point along the ridge approximately 0.25km south of Rivière Grand Bassin;
- (d) on the south from C2 (described in subparagraph (c)) to the summit of "PLANNEAU"; and
- (e) on the west from the summit of "PLANNEAU" northerly in a straight line to "NEW SAVY" trigonometric station near the USAF Tracking Station thence in the same direction to PC15 trigonometric station and to M2 (described in subparagraph (a));

10. ENGLISH RIVER,

being an area bounded -

- (a) on the north by Anse Etoile educational zone from A2 (328600 E 9491300 N) being the end of Quincy Village Road South to A1 (described in subparagraph (b));
- (b) on the east by the sea starting at A1 (329325 E 9491025 N) a point south of Lobster Pot Restaurant, thence, generally south along the sea wall to R1 (329005 E 9489080 N) a point at the end of the Fishing Port;
- (c) on the south from R1 (described in subparagraph (b)), westerly along Independence Avenue to the Clock Tower, and
- (d) on the west from the Clock Tower to R2 the junction of Albert and Maradan Streets by L'Imprimerie St Fidèle, thence, in a straight line to R3 (328210 E 9489635 N) a point at the easternmost loop of Mont Buxton Road, therefrom, along Mont Buxton Road to R4 (327910 E 9489930 N) a point where the Mont Buxton Road bends north easterly, thence, in a straight line to PC22 (BEEHARY) trigonometric station, then in a straight line north easterly to point A2 (described in subparagraph (a));

11. GLACIS,

being an area bounded -

- (a) on the north and west from AG1 (328300 E 9495695 N) a point on the tip of Carana Estate thence following the shoreline westerly and southerly to G1 (326060 E 9491360 N) a point where Rivière Loizeau enters the sea;
- (b) on the south from G1 (described in subparagraph (a)), to G2 (326745 E 9491220 N) a point where Rivière Loizeau sources thence, north easterly in a straight line to the summit of "HANGARD"; and

- (c) on the east by Anse Etoile from the summit of "HANGARD" to AG3 (described in paragraph 3(c), AG2 (described in paragraph 3(c)), and to the start point AG1 (described in paragraph 3 (a));
- 12. GRAND ANSE,**
- being an area bounded -
- (a) on the north by Port Glaud educational zone from PG1 (325800 E 948350 N) a point at the edge of the coastal cliff 0.8km west of Equator Hotel to PG2 (described in paragraph 19(c)) the summit of "CEPHALE" and LM2 (described in subparagraph (b));
 - (b) on the east by Les Mamelles and Anse Boileau educational zones from LM2 (329085 E 9484550 N) the summit of a hill south of "AUDIBERT" to Hill No 242 (described in paragraph 13(d)), LM1 (described in paragraph 13(c)), the summit of "PLANNEAU", "BARBARONS" trigonometric station, AB3 (described in paragraph 2(d)) and AB2 (described in subparagraph (c)), and
 - (c) on the south from AB2 (330730 E 9480165 N) a point on the shoreline at Petit Barbarons, south of the Anglican Chapel, thence, along the coast generally northwest to PG1 (described in subparagraph (a));
- 13. LA MISERE,**
- being an area bounded -
- (a) on the north by Plaisance educational zone from "AUDIBERT" to P4 (described in paragraph 17(c)) and "JOSEPHINE";
 - (b) on the east by part Les Mamelles and Cascade educational zones from "JOSEPHINE" to M2 (described in paragraph 9(a)), PC15 trigonometric station, "NEW SAVY" trigonometric station and to the summit of "PLANNEAU";
 - (c) on the south from the the summit of "PLANNEAU" in a straight line to LM1 (329280 E 9483070 N) a point on a sharp bend along La Misère Road just north of the water tanks, and
 - (d) on the west from LM1 (described in subparagraph (c)) in a straight line 0.3km north westerly to trigonometric station No 242 by the Tracking Station staff quarters thence, northerly in a straight line to LM2 (329085 E 94845320 N) summit of a hill south of Audibert and then to "AUDIBERT";
- 14. LA ROSIERE,**
- being an area bounded -
- (a) on the north by Anse Etoile educational zone (from the summit of "HANGARD" to A2 (described in paragraph 3(b));
 - (b) on the east by English River educational zone from A2 being the end of Quincy Village road south, PC22 (BEEHARY trigonometical station), R4 (described in paragraph 10(d)), R3 (described in paragraph 10(d)), R2 (described in paragraph 10(d)) and to LR1 (328380 E 9489220 N) a point where Rivière Maintry crosses Albert Street;
 - (c) on the south from LR1 (described in subparagraph (b)) following Rivière Maintry to the junction of Lodge and Philomel Streets and then along the latter to Hangard Street, therefrom, left along Hangard Street to point LR2 being the junction of Hangard Street, Labourdonnais Street and Crève Coeur Road thence, following Crève Coeur Road to BV6 (326960 E 9489680 N) a point along it by the Cable and Wireless Statelite Station, and
 - (d) on the west from BV6 (described in subparagraph (c)) in a straight line to trigonometric station No 223 and then due north in a straight to the summit of "HANGARD";
- 15. LES MAMELLES,**

being an area bounded -

- (a) on the north/west by Plaisance educational zone from P1 (230240 E 9486880 N) on the waterfront by Moulinie's Flat to P2 (described in paragraph 17(b)), La Misère trigonometric station, P3 (described in paragraph 17(b)) and from there to "JOSEPHINE" and M2 (3320795 E 9485390 N) a point along the Rivière Brillant Gorge;
- (b) on the south from M2 (described in subparagraph (a)) in a straight line passing UCPS rock quarries to M1 (331535 E 9485635 N) a point on the waterline 100 metres south of Brillant Point, and
- (c) on the east from M1 (described in subparagraph (b)) following the shoreline north westerly to P1 (described in subparagraph (a));

16. MONT FLEURI,

being an area bounded -

- (a) on the north by Bel Eau educational zone from BE3 (328000 E 9488415 N) a point along Rivière Trois Frères to BE2 (328800 E 9488430 N), the discharge point of this river,
- (b) on the east from BE2 (described in subparagraph (a)), south easterly along the coast to MP1 (329700 E 9487725 N) the point of extension of Cemetery Road to the sea by the Police Quarters;
- (c) on the southwest/south from MP1 (described in subparagraph (b)) westerly along Cemetery Road to MP2 (329115 E 9487585 N) a point on it 0.1km south of the junction of the two arms of Chemin Rochon thence, north to MP3 the aforesaid junction, therefrom, following the minor arm of Chemin Rochon to MP4 (329080 E 9487370 N) a point where Rivière Rochon meets it then, along Rivière Rochon to MP5 (328760 E 9486570 N) a point about 0.4km south east of Rochon Dam; and
- (d) on the west by Bel Eau educational zone from MP5 (described in subparagraph (c)), PC4 trigonometric station, BE4 (described in paragraph 7(b)) and BE3 (described in subparagraph (a));

17. PLAISANCE,

being an area bounded -

- (a) on the north/northwest by Mont Fleuri educational zone from MP5 (328760 E 9486570 N) a point 0.4km south east of Rochon Dam to MP4 (described in paragraph 16(c)), MP2 (described in paragraph 16(c)) and MP1 (329700 E 9487725 N) a point on the waterfront by Mont Fleuri Police Quarters;
- (b) on the east from MP1 (described in subparagraph (a), along the seawall to P1 (2302440 E 9486880 N) a point on the waterfront by Moulinie's flats thence, south westerly to P2 (330175 E 9486780 N) a point at the first bend in Les Mamelles road therefrom, in a straight line to La Misère trigonometric station a point by La Misère Road 0.3km due west of Les Mamelles School thence, directly south to P3 (230000 E 9486090 N) at the Scenic Point on La Misère Road known as
"Canal la Mort" then, south easterly in a straight line to the trigonometric station "JOSEPHINE";
- (c) on the south from "JOSEPHINE" due west to P4 (329760 E 9485700 N) a point where Rivière Mamelles crosses La Misère Road then, south westerly to the summit of "AUDIBERT"; and
- (d) on the west by Bel Eau educational zone from "AUDIBERT" to "COPOLIA" and to MP5 (described in paragraph 16(C));

18. POINT LARUE

being an area bounded -

- (a) on the east from C1 (335190 E 9483700 N) a point at the entry to the Airport Cargo Terminal thence south easterly along the main road to PL1 (336880 E 9482270 N) a point at Anse Faure just north of Katiolo Restaurant;
- (b) on the south from PL1 (described in subparagraph (a)), in a straight line westerly to "LES DENTS" trigonometric station, and
- (c) on the west from "LES DENTS" in a straight line north easterly to C1 (described in subparagraph (a));

19. PORT GLAUD,

being an area bounded -

- (a) on the north by Bel Ombre and Beau Vallon educational zones from BO1 (described in paragraph 8(a) at National Youth Service beach to BO2 (described in paragraph 8(b)), BO3 (described in paragraph 8(b)), BV3 (described in paragraph 6(c)) and BV4, a point on the cliff au Pied du Morne;
- (b) on the east by Bel Eau and part of La Misère educational zones (from BV4 (described in subparagraph (a)), "AUDIBERT" and LM2 the summit of a hill south of "AUDIBERT";
- (c) on the south from LM2 (described in subparagraph (b)) thence, in a straight line westerly to the summit of "CEPHALE" therefrom, in the same direction to PG2 (326490 E 9484240 N) the summit of a hill on top of an escarpment 1/2 km north of the main road and then in a straight line to PG1 (325800 E 9483350 N) a point at the edge of a coastal cliff 0.8km west of Equator Hotel, and
- (d) on the west from PG1 (described in subparagraph (c)) westerly along the shoreline to Port Glaud, Port Launay, rounding Matoopa and to BO1 (described in paragraph 8(a)), the north west end at National Youth Service beach;

20. TAKAMAKA,

being an area bounded -

- (a) on the north by Baie Lazare and Anse Royale educational zones from BL2 (332300 E 9472860 N) a point on the Baie Lazare/Takamaka road south of the Maravi Cross to Montagne Maravi, hill BL1 (described in paragraph 5(c)) Mt Lockyer, AR2 (described in paragraph 4(c)), and AR1 (336370 E 9472110 N) the discharge point of Rivière Clovis at Anse Forbans; and
- (b) on the east, south and west from AR1 (described in subparagraph (a)) thence, following the coastline along Anse Marie Louise, Pointe du Sud, Pointe Police, Pointe Golette, Le Rèduit, Takamaka and to BL2 (described in subparagraph (a));

21. ST LOUIS,

being an area bounded -

- (a) on the north by La Rosière educational zone (from BV6 (326960 E 9489680 N) a point by the Cable and Wireless Statelite Station in a westerly direction along the track to a cul-de-sac at point SL5 (327530 E, 9489315 N), thence in a westerly direction through the mast on Mount St Louis to point SL6 (326925 E, 9489120 N) and BV6 (326960E, 9489680 N) (described in paragraph 6(b) as the eastern boundary of Beau Vallon educational zone.
- (b) on the east from LR1 (described in subparagraph (a)) along the sea wall to BE1 (328840 E 9488740 N) a point at Le Chantier 50 metres east of the Boating Lake then in a straight line south passing by La Maison du Peuple to BE2 (328800 E 9488430 N) the discharge point of Riviere Trois Frère thence, westerly along the river to BE3 (328000 E 9488414 N) a point in south along Albert Street to Revolution Avenue being point SL1 (328380 E 9489160 N);

- (c) on the south by Bel Eau education zone from point SL4 (327815 E 9489345 N) to SL6 (326925 E 9489395 N) as described in paragraph (a); and
- (d) on the west by Beau Vallon educational zone from point SL6 (326925E 9489395 N) as described in subparagraph 7(a) to point BV6 (326960 E 9489680 N) a point near Cable and Wireless Statelite Station.

PART II

PRASLIN

1. Grand' Anse,

being an area bounded -

- (a) on the north-west along the ridge from point A (353740 E 9525480 N) at Anse Georgette to trigonometric station "MANNY NEW" at Plaine Hollandise then, passing point B (358470 E 9522120 N) being the junction of Pasquièrre and Salazie Tracks thence, crossing the bridge near the waterfall along Vallée de Mai Road at point C (359960 E 9521170 N) and therefrom to "FOND AZORE" trigonometric station thence in a straight line through fond Dalbaretz, crossing the bridge at Anse Marie Louise and terminating at D (362350 E 9518550 N) the discharge of Rivière Anse Marie Louise; and
- (b) on the south and west by the sea.

2. BAIE ST ANNE,

being an area bounded -

- (a) on the south-east by the Grand'Anse educational zone; and
- (b) on the north and the east by the sea.

PART III

LA DIGUE

3. LA DIGUE,

being an area consisting of the island of La Digue.

SCHEUDLE 2

(reg 3)

SCHOOL FOR EACH EDUCATIONAL ZONE

PART I - MAHE

S.I. 2 of 1991
SI. 20 of 1992

COLUMN 1	COLUMN 2
SCHOOL EDUCATIONAL ZONE	
1. Anse Aux Pins from P1 to S4	Anse Aux Pins
2. Anse Boileau from P1 to S4	Anse Boileau
3. (a) Anse Etoile from P1 to S3	Anse Etoile
(b) English River S4	
4. Anse Royale	Anse Royale

	from P1 to S4	
5.(a)	Baie Lazare from P1 to S3	Baie Lazare
(b)	Anse Boileau S4	
6.	Beau Vallon from P1 to S4	Beau Vallon
7. (a)	Mont Fleuri from P1 to S2	Bel Eau
(b)	Belonie from S1 to S3	
(c)	Plaisance Secondary School S4	
8. (a)	Bel Ombre from P1 to S2	Bel Ombre
(b)	Beau Vallon from S3 to S4	
9. (a)	Cascade from P1 to S3	Cascade
(b)	Pointe Larue S4	
10.	English River from P1 to S4	English River
11.(a)	Glacis Glacis from P1 to S3	
(b)	Beau Vallon S4	
12.	Grand'Anse from P1 to S4	Grand'Anse
13. (a)	La Misere from P1 to S2	La Misere
(b)	Grand'Anse from S3 to S4	
14.	La Rosiere from P1 to S4	La Rosiere
15. (a)	Plaisance Primary School from P1 to P6	Les Mamelles
(b)	Plaisance Secondary School from S1 to S4	

- | | | |
|---------|---|---------------|
| 16. (a) | Mont Fleuri
from P1 to P6 | Mont Fleuri |
| (b) | Plaisance Secondary School
From S1 to S4 | |
| 17. | Plaisance
from P1 to S4 | Plaisance |
| 18. | Pointe La Rue
from P1 to S4 | Pointe La Rue |
| 19. (a) | Port Gland
from P1 to S2 | Port Gland |
| (b) | Grand' Anse
from S3 to S4 | |
| 20. (a) | Takamaka
from P1 to S2 | Takamaka |
| (b) | Anse Royale
from S3 to S4 | |
| 21. | Belonie
from P1 to S4 | St. Louis |

PART II - PRASLIN

- | | | |
|--------|-------------------------------|--------------|
| 1. | Grand'Anse | Grand'Anse |
| 2. (a) | Baie St Anne
from P1 to S3 | Baie St Anne |
| (b) | Grand Anse
S4 | |

PART III LA DIGUE

- | | | |
|----|----------|----------|
| 3. | La Digue | La Digue |
|----|----------|----------|

SCHEDULE 3

(reg 4)

COLUMN 1

COLUMN 2

Date

Year

30th June

1991 or any subsequent year.

Section 87

Education (Private Educational Institutions) Regulations

SI. 43 of 2005

[20th September, 2005]

1. These Regulations may be cited as the Education (Private Educational Institutions) Regulations, 2005.
2. In these Regulations-

“Ministry” means the ministry of the minister responsible for education;

“Principal” means the person in charge of the day to day running of the educational institution;

“private educational institution” means a privately owned and managed institution that provides one or more of the educational services relating to-

- (a) formal early childhood education;
- (b) primary education;
- (c) secondary education;
- (d) post-secondary education and training;
- (e) technical and vocational education and training;
- (f) tertiary education and training;
- (g) special education and training.

3. No person shall conduct a private educational institution otherwise than under and in accordance with a certificate of registration issued under these Regulations.

4. (1) Every application for a certificate of registration or re-registration shall be made on a form provided by the Ministry and shall contain such particulars as may be required.

(2) An application under subregulation (1) shall be accompanied by-

- (a) a copy of the curriculum vitae of the Principal;
- (b) a copy of the Business Tax certificate, where applicable;
- (c) a cheque for the prescribed registration fee specified in the Schedule;
- (d) a copy of the last health inspection report or certificate in respect of the premises of the educational institution;
- (e) a copy of the last fire safety inspection report or certificate in respect of the premises of the educational institution;
- (f) Proof of ownership of the premises or a copy of a valid lease agreement where the applicant is not the owner of the premises.

5. An application for registration or re-registration shall be made by the Principal whether as owner or as the authorised representative of any other person or body of persons owning the educational institution.

6. The Principal whose name shall always be specified in the certificate shall be personally responsible to ensure that the obligations attached to the certificate are observed at all times whether the certificate has been granted in his name or in any other person’s name.

7. Where the Principal specified in the certificate cease to function as such for any reason whatsoever during the period of validity of the certificate the owner shall give notice in writing to the Minister of that fact and submit the particulars of the person who has assumed office as Principal thereafter and the certificate shall be amended by the substituting the name of that person for that of the outgoing Principal.

8. Where no notice in compliance with regulation 7 is given within one month from the date on which Principal has ceased to hold office, the certificate of that institution shall be deemed to have been cancelled on the day following the lapse of the period of one month.

9. The information provided, in an application under regulation 4, or for a review under regulation 12 must show that the minimum standards for private educational institution set by the Ministry are being complied with and approved for registration, re-registration or the continued validity of a certificate will depend on the private educational institution fulfilling such minimum standards.

10. The decision, to approve or refuse an application for a certificate for registration or re-registration, or for the deferment, revocation or continued validity of a certificate upon a

review under regulation 12 shall be communicated to the applicant with one month from the date on which the application is received or refusal or revocation and a reference to the applicant's right to appeal under section 34 of the Education Act.

11. (1) The registration fee stipulated in the Schedule shall be payable by educational institution every 12 months by banker's cheque within 15 days of receipt of an approval for registration, re-registration or the continued validity of certificate pursuant to a review.

(2) The Ministry may revoke the certificate of registration or re-registration of an educational institution if payment of the registration fee is not made as per subregulation (1) upon giving the educational institution 15 days notice.

12. (1) A certificate of registration or re-registration shall be valid for 5 years and reviewable every twelve months.

(2) The Principal shall be responsible to submit to the Ministry at 12 monthly intervals, a completed form provided by the Ministry and such particulars as may be required for a review of the educational institution to determine the continued validity of the certificate of registration or re-registration.

(3) Upon receipt of a form for review the Ministry shall carry out an annual assessment of the educational institution and where approval for the continued validity of the certificate is deferred the Ministry shall provide guidance to the management of the institution and specify any improvement to the institution which needs to be made within such specified time to enable the Ministry to reconsider the application.

13. An educational institution wishing to continue to operate as such shall three months prior to the expiry of the certificate of registration or re-registration apply for a new certificate of registration under regulation 4.

14. A certificate of registration or re-registration shall include the following:

- (a) the business name and registration number of the institution;
- (b) the business address of the institution;
- (c) the name and address of the proprietor of the institution;
- (d) the name and address of the Head of the institution;
- (e) the validity period of registration;
- (f) the level of educational services approved to be provided.

15. A certificate of registration or re-registration shall be played in a conspicuous location in the educational institution.

16. The Ministry shall publish in the Gazette and a national newspaper the list of registered private educational institutions by March of each year.

17. (1) An application for registration shall be made by an educational institution which, is applying for the first time to be so registered, or is already registered but wants to-

- (a) provide for an additional class or facility;
- (b) provide for any type or stage of education or training not already registered for;
- (c) transfer the institution to a new site.

(2) An application for re-registration shall be made by an educational institution which is re-opening after its certificate of registration was revoked.

SCHEDULE

Regulation 11

Annual Registration Fees

1. The Schedule of fees shall be reviewable and shall be as follows:

Level of Education and Training Provided	Annual Fee (inclusive of processing fee)
Early childhood	Rs550.00
Primary	Rs1000.00
Secondary	Rs2000.00
Post-Secondary Education and Training (includes Advanced Level)	Rs3000.00 – Rs5000.00
Technical and Vocation Education and Training	Rs2000.00 – Rs5000.00
Tertiary Education and Training	Rs10,000.00
Special Education and Training	In accordance with prescribed fees for defined levels/or type of education and training provided

Section 87

Education (Non-formal Early Childhood Education Centre) Regulations

[26th September, 2005]

SI. 44 of 2005

1. These Regulations may be cited as the Education (Non-formal Early Childhood Education Centre) Regulations.
2. In these Regulations-
- “Centre” means a non formal early childhood education centre for children under 5 years old;
- “Ministry” means the ministry of the minister responsible for education;
- “Person-in-Charge” means the person in charge of the day to day running of the Centre.
3. No person shall operate a Centre otherwise than under and in accordance with a certificate of registration issued under these Regulations.
4. (1) Every application for a certificate of registration or re-registration for a Centre shall be made on a form provided by the Ministry and shall contain such particulars as may be required.
- (2) An application under subregulation (1) shall be accompanied by-
- (a) a copy of the curriculum vitae of the Person in-Charge;
 - (b) a copy of the Business Tax certificate, where applicable;
 - (c) a cheque for the prescribed registration fee specified in regulation 11;
 - (d) a copy of the last health inspection report or certificate in respect of the premises of the educational institution;
 - (e) a copy of the last fire safety inspection report or certificate in respect of the premises of the educational institution;

- (f) Proof of ownership of the premises or a copy of a valid lease agreement where the applicant is not the owner of the premises.

5. An application for registration or re-registration shall be made by the Person-in-charge whether as owner or as the authorised representative of any other person or body of persons owning the Centre.

6. The Person-in-Charge whose name shall always be specified in the certificate shall be personally responsible to ensure that the obligations attached to the certificate are observed at all times whether the certificate has been granted in his name or in any other person's name.

7. Where the Person-in-Charge specified in the certificate ceases to function as such for any reason whatsoever during the period of validity of the certificate the owner of the Centre shall give notice in writing to the Minister of that fact and submit the particulars of the person who has assumed the role as Person-in-Charge thereafter and the certificate shall be amended by the substituting the name of that person for that of the outgoing Person-in-Charge.

8. Where no notice in compliance with regulation 7 is given within one month from the date on which Person-in-Charge has ceased to hold office, the certificate of that Centre shall be deemed to have been cancelled on the day following the lapse of the period of one month.

9. The information provided, in an application under regulation 4, or for a review under regulation 12 must show that the requirements of the policy, strategy, standards and monitoring centre issued by the Ministry are being complied with and approval for registration, re-registration or the continued validity of a certificate will depend on the Centre complying with such standards and guidelines.

10. The decision, to approve or refuse an application for a certificate for registration or re-registration, or for the deferment, revocation or continued validity of a certificate upon a review under regulation 12 shall be communicated to the applicant within one month from the date on which the application is received or the review is made, together with the reasons in the case of a refusal or revocation and a reference to the applicant's right to appeal under section 34 of the Education Act.

11. (1) A registration fee of RS550.00 inclusive of processing fee shall be payable by the Centre every 12 months by banker's cheque within 15 days of receipt of an approval for registration, re-registration or the continued validity of certificate pursuant to a review.

(2) The Ministry may revoke the certificate of registration or re-registration of an educational institution if payment of that registration fee is not made as per subregulation (1) upon giving the Centre 15 days notice.

12. (1) A certificate registration or re-registration shall be valid for 5 years and reviewable every twelve months.

(2) The Person-in-Charge shall be responsible to submit to the Ministry at 12 monthly intervals, a completed form provided by the Ministry and such particulars as may be required for a review of the Centre to determine the continued validity of the certificate of registration or re-registration.

(3) Upon receipt of a form for review the Ministry shall carry out an annual assessment of the Centre, and where approval for the continued validity of the certificate is deferred the Ministry shall provide guidance to the management of the Centre and specify any improvement to the Centre which needs to be made within such specified time to enable the Ministry to reconsider the application.

13. A Centre wishing to continue to operate as such shall three months prior to the expiry of the certificate of registration or re-registration apply for a new certificate of registration under regulation 4.

14. A certificate of registration or re-registration shall include the following-

- (a) the names of the owner and Person-in-Charge and the business name of the Centre if any;
- (b) the address of the Centre;
- (c) the registration number and the period of validity.

15. A certificate of registration or re-registration shall be displayed in a conspicuous location in the Centre.

16. The Ministry shall publish in the Gazette and a national newspaper the list of registered Centres by March of each year.

17. (1) An application for registration shall be made by a Centre which, is applying for the first time to be so registered or, is already registered but wants to-

- (a) provide for an additional class or facility;
- (b) provide for any type or level of education or training other than those already provided for;
- (c) transfer the Centre to a new site.

(2) An application for re-registration shall be made by a Centre which is re-opening after its certificate of registration was revoked.

18. A Centre shall seek the approval of the department of Ministry, responsible for education and human resources prior services for children older than 36 months are intended to be provided.
