

Unvalidated References:

Education Act 1983

Marriage Act

Gaming Act 1959

This reprint of this Statutory Instrument incorporates all amendments, if any, made before 25 November 2006 and in force at 1 July 2001.

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Legislative Counsel

Dated 25 November 2006

INDEPENDENT STATE OF PAPUA NEW GUINEA.

Chapter 163.

Education Regulation 1983

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Education Regulation 1983

MADE under the *Education Act 1983*

Dated 200 .

PART I. – REGISTRATION OF TEACHERS.

1. Interpretation of Part I.

In this Part, unless the contrary intention appears–

“**certificate of registration**” means a certificate of registration issued under Section 3;

“**statement of provisional registration**” means a statement of provisional registration issued under Section 3.

2. Application for registration or provisional registration.

(1) A person desiring registration or provisional registration as a teacher may make application to the Departmental Head in Form 1.

(2) The application referred to in Subsection (1) shall be supported by–

- (a) a certificate of good character signed by–
 - (i) a Judge; or
 - (ii) a magistrate; or
 - (iii) a Commissioner for Oaths; or
 - (iv) a minister of religion who is an authorized celebrant under the *Marriage Act*; or
 - (v) a Provincial Superintendent of Education; or
 - (vi) the principal of a teachers’ college; or
 - (vii) the Educational Secretary for an education agency; or
 - (viii) any other person approved by the Departmental Head in writing for the purpose; and

- (b) documentary evidence of academic and other qualifications in the form of original documents or copies declared to be correct by a statutory declaration by a person competent to declare that the copy is a true copy of the original document.

3. Registration or provisional registration.

(1) The Register of Teachers kept under Section 105 of the Act shall—

- (a) be in Form 2; and
- (b) contain in respect of each person registered or provisionally registered as a teacher the relevant particulars set out in that form.

(2) Where the Departmental Head registers a person as a teacher, he shall issue to him a certificate of registration in Form 3.

(3) Where the Departmental Head provisionally registers a person as a teacher, he shall issue to him a statement or provisional registration in Form 4.

(4) Where the Departmental Head cancels a registration or a provisional registration of a person under Section 106 or the Act, the person shall return the certificate of registration or the statement of provisional registration, as the case may be, to the Departmental Head.

(5) Where the Departmental Head registers or provisionally registers a person as a teacher under Section 105(2) of the Act, he shall endorse on, or attach to, the certificate of registration or statement of provisional registration, a statement of the limits and the restrictions determined in relation to the registration or provisional registration under Section 105(3) of the Act.

(6) Where the Departmental Head confirms the provisional registration of a person as a teacher, the confirmation shall be entered in the Register of Teachers and he shall issue to him a certificate of registration in Form 3.

PART II. – PERMITTED SCHOOLS.

4. Interpretation of Part II.

In this Part—

“**Certificate of Registration**” means a Certificate of Registration under Section 7(a);

“**permitted school**” means a school other than a school recognized under Part IV. of the Act with an enrolment of at least 10 full-time students.

5. Application to establish permitted school.

A person or authority wishing to establish a permitted school shall make application in Form 5 by registered mail to the Departmental Head.

6. Education Board to endorse application.

The application in Form 5 shall be forwarded by the Departmental Head to the Education Board in the province or District where the school is

situated and the Chairman shall endorse the application with the Board's comments and return it to the Departmental Head.

7. Duties of Departmental Head: New schools.

Within three months of the return of the application in accordance with Section 6, the Departmental Head shall—

- (a) grant a Certificate of Registration in Form 6 subject to any conditions he may determine on the Certificate; or
- (b) inform the person or authority intending to conduct the school that he has refused a Certificate of Registration and inform him or it of the reasons for the refusal.

8. International schools.

In the case of a permitted school known as an international school, the Departmental Head may from time to time issue instructions concerning—

- (a) the curriculum; and
- (b) the registration of teachers; and
- (c) the inspection procedures; and
- (d) pupil-teacher ratio,

which shall apply at the permitted international school and where a school fails to comply with the instructions, the Minister may close the school by notice in the National Gazette.

9. Existing permitted schools.

A person or authority conducting a permitted school on the commencement date shall within six months of that date make application to the Departmental Head for a Certificate or Registration in Form 5.

10. Duties of Departmental Head: Existing schools.

Within three months of receipt of an application referred to in Section 9, the Departmental Head shall—

- (a) grant a Certificate of Registration in Form 6 subject to any conditions he may determine on the Certificate; or
- (b) inform the person or authority conducting the school that he has refused a Certificate of Registration and inform him or it of the reasons for the refusal.

11. Closure of permitted school.

Where a person or authority is refused a Certificate of Registration under Section 10, and is unable within three months of receipt of the notice to make changes to the operation of the school to enable the Departmental Head to grant a Certificate of Registration, the Minister shall, by notice in the National Gazette, close the permitted school.

12. Fee limits.

The National Education Board may, from time to time, determine the fee limits within which and the conditions subject to which fees may be

imposed by a person or authority conducting a permitted school, giving due consideration to the fees being charged in member schools

13. Instructions on minimum requirements.

The Departmental Head may, from time to time, issue instructions concerning the minimum requirements for buildings and other educational facilities and amenities in permitted schools.

14. Statement of statistical information.

Each permitted school which is granted a Certificate of Registration shall on 1 July in each year forward to the Departmental Head, a statement as to enrolments, staffing and such other statistical information as the Departmental Head may require by notice in the National Gazette.

15. Certificate to be displayed.

The Certificate of Registration of a school shall be prominently displayed in the school.

PART III. – INSERVICE COLLEGE.

16. Inservice College Governing Council.

The Inservice College Governing Council is hereby established.

17. Members of Governing Council.

The Inservice College Governing Council shall consist of not less than 12 members of whom–

- (a) three shall be nominated by the Departmental Head to represent the interests of the Department; and
- (b) two shall be nominated jointly by such education agencies (other than the State) as in the opinion of the National Education Board have an interest in the Inservice College; and
- (c) one shall be the Principal of the Inservice College by virtue of his appointment as Principal,

and, as far as is practicable, shall include–

- (d) persons broadly representative of, and nominated by–
 - (i) the National Education Board; and
 - (ii) the National Capital District Education Board; and
 - (iii) the teaching staff of the Inservice College; and
 - (iv) students at the Inservice College; and
 - (v) the Papua New Guinea Teachers' Association; and
 - (vi) the Faculty of Education at the University of Papua New Guinea; and
- (e) any other persons with special knowledge and experience in in-service education whom the Department considers may have a valuable contribution to make to the Inservice College.

18. Failure to make nomination.

Failure to make a nomination under Section 17(a) or (b) does not affect the validity of the constitution or the acts of the Inservice College Governing Council.

19. Department to be education agency.

The Department shall be the education agency responsible for the Inservice College, and in that capacity may appoint such further representatives to the Inservice College Governing Council as constitute the majority of the Council.

20. Provisions of Act applicable.

Sections 73 to 81 of the Act shall, in so far as is appropriate, apply to the Governing Council of the Inservice College.

PART IV. – FUND RAISING ACTIVITIES IN SCHOOLS.

21. Commercial activities for raising funds.

Governing bodies of schools may engage in commercial activities for the purpose of raising funds for the benefit of the school other than activities listed in Schedule 2.

22. Compliance with legal obligations, etc.

Governing bodies which engage in commercial activities are required to comply with all legal obligations, and where they fail to do so the members of the governing body jointly are liable for any ensuing legal action.

23. Fair and reasonable business practice.

Governing bodies which provide a service to the community by selling produce, or engaging in similar commercial activities are required to ensure that they engage in fair and reasonable business practice and that the service they offer the community is reasonably priced.

PART V. – MASTER POSITION REGISTER.

24. Interpretation of Part V.

In this Part, unless the contrary intention appears–

“**position**” means a position in the Teaching Service;

“**prescribed information**”, in relation to a position, means information concerning the items in Form 7, which is applicable to that position;

“**the Register**” means the register established by this Part.

25. Establishment of Register.

(1) The Master Teaching Service Position Register is hereby established.

(2) The object of the Register is to record in convenient form the prescribed information relating to all positions in the Teaching Service.

26. Maintenance of Register.

The Register shall be maintained by the National Education Board.

27. Responsibility of Provincial Superintendents.

(1) It is the responsibility of the Provincial Superintendent of Education in a province to supply the National Education Board with up-to-date prescribed information for each Teaching Service position assigned to that province.

(2) In particular a Superintendent, referred to in Subsection (1), shall, within 14 days of becoming aware of a change in any item of prescribed information, forward to the Chairman of the National Education Board a return in Form 7.

SCHEDULE 1

PAPUA NEW GUINEA.

Education Act 1983.

***Form 1 – Application for Registration or Provisional
Registration as a Teacher.***

Reg., Sec. 2(1). Form 1.

PAPUA NEW GUINEA.

Education Act 1983.

Form 2 – Register of Teachers.

Reg., Sec. 3(1). Form 2.

PAPUA NEW GUINEA.

Education Act 1983.

Form 3 – Certificate of Registration as a Teacher.

Reg., Sec. 3(2). Form 3.

PAPUA NEW GUINEA.

Education Act 1983.

Form 4 – Statement of Provisional Registration as a Teacher.

Reg., Sec. 3(3). Form 4.

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Education Act 1983.

Form 5 – Application for Certificate of Registration of Permitted School.

Reg., Sec. 5. Form 5.

PAPUA NEW GUINEA.

Education Act 1983.

Form 6 – Certificate of Registration of Permitted School.

Reg., Sec. 7. Form 6.

PAPUA NEW GUINEA.

Education Act 1983.

Form 7 – Master Teaching Service Position Register.

Reg., Sec. 27. Form 7.

School name.	Type of school.	Agency.	Level of school.	Classes in 20...	Location code.			
			Tenure appointee		Acting appointee			
Position No.	Description of position.	Teaching subjects.	File No.	Name	Acting pos.	File No.	Name	Tenure pos.

SCHEDULE 2 – Activities Not Permitted in Fund-raising in Schools.

Reg., Sec. 21.

1. The sale of alcoholic refreshments.
2. Gambling, lotteries, raffles or other games of chance other than those licensed under the *Gaming Act 1959*.
3. The provision of students as labourers to the general public.