

## **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.

1. Surname:      Given names:  
Title: (*Mr., Mrs., Miss, etc.*) Religious names (if any):
2. Sex:
3. Previous names—  
(a) maiden name:  
(b) any other names previously used:
4. Date of birth:
5. Country of birth:
6. Present nationality:
7. Postal address:
8. General education—  
Level. Years attended.      School, etc.      Diplomas/Certificates granted.  
Secondary  
Tertiary
9. Teacher education—  
Course.      College/Centre.      Years attended.      Certificate received.
10. Teaching experience—  
(a) outside the country:  
(b) inside the country:
11. Special skills and interests in education:  
Dated . . . 20...

*(Signature of Applicant.)*

I certify that . . . is known to me and is to the best of my knowledge and belief of good character and a fit person to teach in a school.

Remarks:

Dated . . . 20...

*(Signature.)*

*(Title.)*

*Instructions to Applicants.*

1. Under Item 8, general education, give full details of schools attended with dates, courses completed and examinations passed; degrees, diplomas or certificates held. (*If space is insufficient, attach lists.*)
2. Under Item 9, teacher education, give full details of institutions attended with dates, details of subjects included in the course; degrees, diplomas or certificates held. (*If space is insufficient, attach lists.*)
3. Documentary evidence of information given in Items 9 and 10 must accompany the application. This may be in the form of originals of documents or copies declared to be true copies by a statutory declaration made under the *Oaths, Affirmations and Statutory Declarations Act 1962* by a person competent to declare that the copy is a true copy of the original document. (*Original documents will be returned by registered mail, copies will be retained unless a request for their return is received.*)

4. Under Item 10, teaching experience, give full details of schools, dates, classes taught, position held. (*If space is insufficient, attach lists.*)

Inspection reports or letters of reference relating to teaching experience outside the country should be supplied either by the originals or by certified true copies.

5. The certification in Item 12 must be signed by one of the following—
- (a) a Judge or magistrate; or
  - (b) a Commissioner for Oaths; or
  - (c) a minister of religion who is an authorized celebrant under the *Marriage Act 1963*; or
  - (d) a Provincial Superintendent of Education; or
  - (e) the principal of a teachers' college; or
  - (f) the Educational Secretary for an education agency; or
  - (g) a person approved by the Departmental Head in writing for the purpose.

Registration No	Name	Qualifications	Certificate of registration (Medical students); Statement of registration (Registered nurses, dentists, etc.); Statement of registration (Public health)	If in the country, profession or occupation	This should be completed by the Registrar (C.S.) of the Education Act.			Remarks
					Classification of subject	Level (1)	Field (2)	



***PAPUA NEW GUINEA.***

***Education Act 1983.***

***Form 2 – Register of Teachers.***

Reg., Sec. 3(1).

Form 2.

This is to certify that . . . has been registered as teacher in Papua New Guinea under the provisions of Section 105 of the *Education Act 1983*.

Endorsements:

Registration No:

Dated . . . 20...

Departmental Head.

***PAPUA NEW GUINEA.***

***Education Act 1983.***

***Form 3 – Certificate of Registration as a Teacher.***

Reg., Sec. 3(2).

Form 3.

... has been provisionally registered as a teacher in Papua New Guinea under the provisions of Section 105 of the *Education Act* 1983 until ... 20...

Endorsements:

Class(es) of School:

Level(s):

Subjects(s):

Other:

Dated ... 20...

Departmental Head.

***PAPUA NEW GUINEA.***

***Education Act 1983.***

***Form 4 – Statement of Provisional Registration as a Teacher.***

Reg., Sec. 3(3).

Form 4.

(Form to be completed in triplicate and all copies forwarded to the Departmental Head).

Approval is sought for the Granting of a Certificate of Registration of a Permitted School.

Proposed name of school:

Address:

Agency, authority or person intending to operate school:

Proposed Curriculum (Please indicate)—

- PNG                                       International     Correspondence (COES)  
 Correspondence (Overseas)                                       Vernacular  
 Other (please give details on separate sheet)

Proposed Enrolment—

Males		Females		Total
Grade	No. of Classes	Grade	No. of Classes	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(If there are more than six grades in the school please indicate details on a separate sheet).

Proposed Teaching Staff—

Name    Qualifications    State whether registered as a teacher in Papua New Guinea.

I, . . . certify that the . . . school will comply with all provisions of the *Education Act* 1983 which apply to the school, and agree that if at any time the school is unable to continue to comply with those provisions the Minister may order the closure of the school.

Signed:

Dated . . . 20 . . .

(To be completed by Chairman, Education Board.)

Education Board Comments—

The . . . Provincial Education Board supports/does not support the granting of a Certificate of Registration for the . . . school.

Signed

Chairman,

Education Board.

**NOTE:** If the Education Board does not support the granting of a Certificate of Registration, a statement must be attached to this form setting out the Board's grounds for its decision.

(For National Department of Education use only.)

Registration approved/not approved. School Registration No.

Comments

Signed

***PAPUA NEW GUINEA.***

***Education Act 1983.***

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

Reg., Sec. 5. Form 5.

Assistant Secretary/Standards.      School Registration/Directory Action:  
Certificate forwarded: Completed:  
Signed Signed OIC Manpower Control  
Dated . . . 20... Dated . . . 20...



This is to certify that . . . school has been registered as a Permitted School under  
Section 100 of the *Education Act* 1983.

Registration No:

Dated . . . 20..

Departmental Head.

***PAPUA NEW GUINEA.***

***Education Act 1983.***

***Form 6 – Certificate of Registration of Permitted School.***

Reg., Sec. 7. Form 6.

This is to certify that . . . school has been registered as a Permitted School under  
Section 100 of the *Education Act* 1983.

Registration No:

Dated . . . 20..

Departmental Head.

**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.

*Education Regulation 1983*