

Unvalidated References:

Teaching Service Act 1988

Constitution

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.

No. 3 of 1994.

Teaching Service Regulation 1994

ARRANGEMENT OF SECTIONS.

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SCHEDULE 1

Teaching Service Regulation 1994

MADE by the Head of State, acting with, and in accordance with, the advice of the National Executive Council under the *Teaching Service Act 1988*.

Dated 200 .

PART I. – APPOINTMENT, STATUS, PROMOTION, ETC.

1. OATH OR AFFIRMATION OF SERVICE OF MEMBERS.

The oath or affirmation to be taken by a member of the Teaching Service for the purposes of Section 22(2)(c) of the Act shall be–

- (a) in Form 1; and
- (b) taken before a person authorized for the purpose by the Commission.

2. RIGHTS OF MEMBERS IN NON-INSTITUTIONAL POSITIONS.

(1) Subject to Section 106 and 107 of the Act, a member of the Teaching Service who is appointed to a non-institutional position, otherwise than under Section 32 of the Act, is entitled to return to his former position at the end of the appointment if–

- (a) a substantive appointment has not in the meantime been made to the position; and
- (b) the position has not in the meantime been abolished or reclassified under Section 29 of the Act; and
- (c) he has not attained the age of 60 years.

(2) Notwithstanding Subsection (1), a member who is appointed to a non-institutional position is entitled to appointment, at the end of that appointment, to an institutional position not lower in pay than his former position, unless he has attained the age of 60 years.

3. ELECTION TO BECOME ASSOCIATE MEMBER.

(1) A notice, under Section 132(1) of the Act, of an election to become an associate member of the Teaching Service may be in Form 2.

(2) A notice by the Commission appointing a date from which an election referred to in Subsection (1) takes effect may be in Form 3.

(3) A request under Section 132(2) of the Act by an associate member of the Teaching Service for recognition again as a full member or a provisional member of the Service may be in Form 4.

(4) A notice by the Commission granting or refusing to grant a request referred to in Subsection (3) and, where the request is granted, appointing a date from which the recognition takes effect may be in Form 5.

4. APPEALS AGAINST PROMOTIONS.

(1) An appeal under Section 59(1) of the Act may be made by lodging with the Chairman of the Teaching Service Appeals Committee a notice of appeal in Form 6.

(2) The notice referred to in Subsection (1) shall be lodged within the period of five weeks after the date of the relevant notice under Section 43 of the Act or such further time as the Commission, in its discretion, allows in a particular case.

5. NOTICE OF REFUSAL OF DECLARATION AS TO ELIGIBILITY STATUS.

(1) Where the Departmental Head refuses to make a declaration under Section 47(1) of the Act, he shall send a notice of the refusal by registered mail to the applicant, stating the grounds for the refusal.

(2) Where an applicant has no means of receiving registered mail, the notice under Subsection (1) shall be sent by the normal means by which the applicant receives mail, and the Departmental Head, as far as is reasonably practicable, shall check that the notice is in fact received.

6. APPEALS IN RESPECT OF DECLARATION AS TO ELIGIBILITY STATUS.

(1) An appeal under Section 62(1) of the Act against the failure or refusal of the Departmental Head to make a declaration under Section 47(1) of the Act may be made by lodging with the Chairman of the Teaching Service Appeals Committee a notice of appeal in Form 7.

(2) The notice referred to in Subsection (1) shall be lodged—

- (a) in the case of an appeal against the failure of the Departmental Head—
not less than three months after the date of the relevant application under Section 47(1) of the Act; and
- (b) in the case of an appeal against a refusal by the Departmental Head—
within three months after the date of the relevant notice under this section,

or within such further time as the Commission, in its discretion, allows in a particular case.

(3) Where after the lodgement of a notice of appeal against the failure of the Departmental Head to make a declaration under Section 47(1) of the Act the Departmental Head refuses to make the declaration—

- (a) the notice of appeal shall be treated as a notice of appeal against the refusal; and
- (b) before dealing with the appeal the Chairman of the Teaching Service Appeals Committee shall notify the appellant that the declaration has been refused and that the notice is being so treated; and
- (c) there is no further right of appeal, unless the Commission, in its discretion, decides, in a particular case, to allow an appeal against the refusal itself.

7. NOTICE OF REFUSAL OR DEFERMENT OF INCREMENT.

(1) Where an appointing authority makes an order under Section 77(3) of the Act or a direction under Section 77(5) of the Act in relation to the withholding or deferment of an increment, it shall send notice in Form 8 of the order or direction by registered mail to the member of the Teaching Service concerned.

(2) Where a member has no means of receiving registered mail, the notice under Subsection (1) shall be sent by the normal means by which the applicant receives mail, and the appointing authority, as far as is reasonably practicable, shall check that the notice is in fact received.

8. APPEALS IN RESPECT OF INCREMENTS.

(1) An appeal under Section 77(4) of the Act may be made by lodging with the Commission a notice of appeal in Form 9.

(2) The notice referred to in Subsection (1) shall be lodged within the period of five weeks after the date of the relevant notice under Section 8 or such further time as the Commission, in its direction, allows in a particular case.

PART II. – DUTIES AND DISCIPLINE.

Division 1.

Duties.

9. MEMBERS TO BE ACQUAINTED WITH ACT, ETC.

(1) All members of the Teaching Service shall acquaint themselves with the provisions of–

- (a) the Act; and
- (b) this Regulation; and
- (c) the determinations; and
- (d) any directions given under Section 151 of the Act.

(2) The education agency conducting an educational institution shall ensure that sufficient copies of the documents referred to in Subsection (1) are kept at the institution to enable members at the institution to have ready access to them, and shall allow such access at all reasonable times.

10. ATTENDANCE FOR DUTY.

(1) A member of the Teaching Service occupying a position in an educational institution shall, unless authorized not to attend, attend for duty at all times when the institution is open for purposes of instruction or for the purposes of other activities of pupils.

(2) A member of the Teaching Service occupying a non-institutional position shall attend for duty at such times as are directed as being necessary for the performance of this duty.

(3) When required, a member of the Teaching Service shall perform duty outside his usual hours of duty in order to meet the exigencies of the Service or of the Education System.

(4) A member of the Teaching Service shall not be absent from duty without reasonable cause (proof of which is on him).

(5) If a member is prevented by illness or other emergency from attending for duty, he shall report the fact to his superior as soon as he can reasonably be expected to do so.

(6) Without prejudice to any other action that may be taken for a breach of the Act or this Regulation, where a member's absence from duty has not been sanctioned he shall not receive pay for the period of his absence.

11. CONDUCT ON DUTY.

(1) During his hours of duty, a member of the Teaching Service shall–

- (a) devote himself exclusively and zealously to the discharge of his duties; and
- (b) behave at all times with dignity and courtesy; and
- (c) obey promptly all lawful instructions given to him by his superiors, or by a Board or a person authorized by a Board; and
- (d) in due course and at proper times, comply with and give effect to all laws, regulations and instructions applying to or in relation to, or made or issued for his guidance in the performance of, his duties, including any relevant directions under Section 151 of the Act.

(2) Whether or not he has appealed, or intends to appeal, under Section 13 of the Act or otherwise against an instruction given to him, a member of the Teaching Service shall obey the instruction until it is countermanded by lawful authority.

12. MAINTENANCE OF ORDER.

A member of the Teaching Service occupying a supervisory position is responsible for the maintenance of good order in the educational institution in which he is occupying a position.

13. CARE OF PROPERTY.

A member of the Teaching Service is responsible for the careful use and preservation of all property in his occupation, possession, custody or care as a member.

14. SECRECY OF INFORMATION.

Except in the course of his duty or otherwise as required or permitted by law, a member of the Teaching Service shall not divulge, directly or indirectly, any confidential information concerning—

- (a) examinations; or
- (b) individual members of the Teaching Service; or
- (c) students,

of which he has knowledge officially.

15. OUTSIDE INFLUENCE.

Except as authorized by the Act or this Regulation, a member of the Teaching Service shall not—

- (a) seek the influence or interest of any person in order to obtain promotion, transfer or other advantage; or
- (b) supply to another member, for use for any such purpose, a certificate or testimonial relating to official capacity or performance of official duties.

16. BORROWING AND LENDING.

A member of the Teaching Service shall not, whether as principal or agent, enter into a monetary transaction with another member, by which—

- (a) any interest or return in money or in kind is charged or paid; or
- (b) money is borrowed by a supervising member from his subordinate.

17. MINOR DISCIPLINARY OFFENCES.

(1) For the purposes of Section 84(1) of the Act, the prescribed manner of charging a member of the Teaching Service with a disciplinary offence is for the person authorized by the Commission to cause to be served on the member, personally or by registered post—

- (a) a notice of charge in Form 10; and
- (b) a statement; and
- (c) a pre-paid envelope addressed to the person who laid the charge.

(2) The prescribed time for the purposes of Section 84(2) of the Act is seven days after the date of service of the relevant notice of charge.

(3) A statement under Section 84(2) of the Act shall, within the prescribed time, be—

- (a) given personally to the person who served the charge or the person who laid the charge; or
- (b) forwarded by registered post to the person who laid the charge.

(4) When the Departmental Head or the Assistant Secretary of Education has made a decision as to the charge, he shall cause a notice of decision in Form 11 to be served on the member charged, personally or by registered post.

(5) The prescribed time for the purposes of Section 84(5) of the Act is five weeks after the date of service of the relevant notice of decision.

(6) For the purposes of Section 84(5) of the Act, an appeal may be made by giving or forwarding by registered post, a notice of appeal to the National Education Board or to the Provincial Education Board, as the case may be, within the time prescribed by Subsection (5).

(7) When the National Education Board or a Provincial Education Board has made a decision on an appeal under Section 84(5) of the Act, it shall cause a notice of decision on appeal in Form 12 to be sent to the appellant, and copies to—

- (a) the convicting authority; and
- (b) Headquarters, Department of Education.

18. SERIOUS DISCIPLINARY OFFENCES.

(1) For the purposes of Section 85(1) of the Act, the prescribed manner of charging a member of the Teaching Service with a disciplinary offence is for the person authorized by the Commission to cause to be served on the member, personally or by registered post—

- (a) a notice of charge in Form 13; and
- (b) a statement; and
- (c) a pre-paid envelope addressed to the person who laid the charge.

(2) The prescribed time for the purposes of Section 85(2) of the Act is seven days after the date of service of the relevant notice of charge.

(3) A statement under Section 85(2) of the Act shall, within the prescribed time, be—

- (a) given personally to the person who served the charge or the person who laid the charge; or
- (b) forwarded by registered post to the person who laid the charge.

(4) When a Board has made a decision under Section 85(7) of the Act, it shall promptly inform the member concerned of its decision by causing a notice in Form 14 to be served on him, personally or by registered post.

(5) The prescribed time for the purposes of Section 85(10) of the Act is five weeks after the date of service of the relevant notice of decision.

(6) For the purposes of Section 85(10) of the Act, an appeal may be made by giving or forwarding by registered post, within the time prescribed by Subsection (5), a notice of appeal to the Chairman of the Teaching Service Commission Disciplinary Committee.

(7) Where the Teaching Service Commission Disciplinary Committee has made a decision on an appeal under Section 85(11) of the Act, it shall cause a notice of decision on appeal in Form 15 to be sent to—

- (a) the appellant; and
- (b) the convicting authority; and
- (c) Headquarters, Department of Education.

(8) Where the Commission—

- (a) confirms a decision of a Board under Section 85(12) of the Act; or
- (b) reduces or dismisses a member, or imposes some other penalty under Section 85(13) of the Act,

it shall cause a notice in Form 16 to be sent to—

- (c) the member concerned; and
- (d) the National Education Board or the District Education Board, as the case may be; and

(e) Headquarters, Department of Education.

19. SUSPENSION.

(1) A notice of suspension under Section 90(1) of the Act shall be in Form 17 and shall be served on the member concerned.

(2) A removal of a notice of suspension shall be in Form 18.

(3) A notice of suspension under Section 93(2) of the Act shall be in Form 19 and shall be served on the member concerned.

(4) A notice of suspension under Section 95(1) of the Act shall be in Form 20 and shall be served on the member concerned.

(5) A notice of removal of suspension under Section 90(2) of the Act shall be in Form 18 and shall be served on the member concerned.

PART III. – LEAVE.**20. LEAVE FOR NATIONAL PURPOSES.**

(1) In this section–

“**time of war**” has the same meaning as in Section Sch.1.2(1) (*meaning of certain expressions*) of the *Constitution*;

“**year**” means the period of 12 months commencing on 1 July in any year and ending on the following 30 June.

(2) Each of the following is a prescribed service for the purposes of Section 105(1) of the Act:–

- (a) service in time of war as a member of the Defence Force or in the naval, military or air forces of the United Nations; and
- (b) service as a member of a part of the Defence Force or of the naval, military or air forces of the United Nations that has been allotted for duty in an area in which the forces of the United Nations are engaged in warlike operations; and
- (c) annual training required by law as a part-time member of the Defence Force; and
- (d) attendance at a school, class or course of instruction conducted for the training of part-time members of any part of the Defence Force.

(3) Leave of absence to enable a member of the Teaching Service to engage in a service referred to in Subsection (2)(a) or (b) shall be granted to the member–

- (a) on full pay for the first 14 days; and
- (b) without pay for the remainder of the period for which the member is granted leave of absence.

(4) Subject to Subsections (5) to (8), leave of absence to enable a member to engage in a service specified in Subsection (2)(c) shall not exceed 14 days in any year, and the Commission may grant such additional time for travelling, not exceeding 14 days, as it thinks fit.

(5) A maximum period of leave specified in Subsection (4) may, in any particular case, be extended by the Commission by a period not exceeding four days, inclusive of Saturdays and Sundays, if the commanding officer of the member concerned certifies, in writing, that the additional period is required for the purpose of the annual training referred to in that subsection.

(6) Leave of absence to enable a member to engage in a service specified in Subsection (2)(b) shall not exceed 16 days in any year, and the Commission may grant such additional time for travelling, not exceeding 14 days, as it thinks proper.

(7) Where the Commission is satisfied that special circumstances exist that justify the grant of leave of absence to a member to engage in a service specified to in Subsection (2)(c) or (d) exceeding the period specified in Subsection (4) or (6), as the

case may be, the period for which the leave of absence may be granted shall be such as the Commission determines.

(8) Where, in the opinion of the Commission, it would not be in the public interest to grant a member leave of absence to attend an annual training at a school, class or course of instruction, the Commission shall not grant leave of absence at that time, but shall grant leave of absence to the member to attend at an equivalent training or at an equivalent school, class or course of instruction.

(9) A member who has been granted leave of absence to engage in a service specified in Subsection (2)(c) or (d) shall submit to the Commission, at the expiration of the leave, a certificate by his commanding officer specifying the period for which he was engaged in that service.

(10) Leave of absence granted to a member to engage in a service referred to in Subsection (2)(c) or (d) shall be with pay.

21. PRESCRIBED ORGANIZATIONS, ETC., UNDER SECTION 107 OF THE ACT.

The prescribed organizations, governments and authorities for the purposes of Section 107 of the Act are—

- (a) the United Nations; and
- (b) the Government of—
 - (i) the United Kingdom; or
 - (ii) Australia or a State of Australia; or
 - (iii) a British Dominion, colony or dependency; and
- (c) the South Pacific Commission.

PART IV. – MISCELLANEOUS.

22. OATHS AND AFFIRMATIONS OF OFFICE, ETC.

(1) The Oath and affirmation of office to be taken or made for the purposes of Section 6 of the Act by members of the Commission shall be in Form 21.

(2) The oath and affirmation of office to be taken or made for the purposes of Sections 56 and 82 of the Act by members of Teaching Service Appeals Committees and Disciplinary Committees shall be in Form 23.

(3) The declaration of secrecy to be made for the purposes of Sections 56 and 82 of the Act by members of Teaching Service Appeals Committees and Disciplinary Committees shall be in Form 24.

23. ACCEPTANCE OF RESPONSIBILITIES BY EDUCATION AGENCY.

(1) An undertaking under Section 142(3) of the Act by an education authority to accept all or any of the responsibilities of another education agency in relation to a member of the Teaching Service shall be made by the education authority giving to the education agency an undertaking in Form 25.

(2) The education authority referred to in Subsection (1) shall promptly–

- (a) give copies of the undertaking to the Commission and to the members of the Teaching Service concerned; or
- (b) cause a copy of the notice to be published in the Education Gazette.

24. REWARDS.

(1) Where, in the opinion of the National Education Board, a member of the Teaching Service has contributed beyond the call of duty to the efficiency of the Service or of the Education System, the Board may recommend to the Commission, and the Commission may, subject to Subsection (2), authorize the payment to the member of such sum as the Commission thinks proper in the circumstances.

(2) The Commission shall not authorize payment of a sum exceeding K100.00 without the approval of the Head of State, acting on advice.

SCHEDULE 1

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 1 – OATH AND AFFIRMATION OF SERVICE OF MEMBERS OF
THE TEACHING SERVICE.***

Act, Sec. 22(2)(c). Form 1.Reg., Sec. 1.

I, . . . , do swear that I will give good and faithful service as a member of the Teaching Service of Papua New Guinea.

So help me God!

Affirmation.

I, . . . , do solemnly and sincerely promise and declare that I will give good and faithful service as a member of the Teaching Service of Papua New Guinea.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 2 – ELECTION TO BECOME AN ASSOCIATE MEMBER OF THE
TEACHING SERVICE.***

Act, Sec. 132(1). Form 2.&break;Reg., Sec. 3(1).

The Teaching Service Commission,

I, (*full name*), of (*location*), (*official designation*), elect under Section 132(1) of the *Teaching Service Act* to become an associate member of the Teaching Service.

DATED ... 20 ...

(Signature of Member).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 3 – NOTICE FIXING DATE FROM WHICH ELECTION TO
BECOME ASSOCIATE MEMBER TAKES EFFECT.***

Act, Sec. 132(3). Form 3.&break;Reg., Sec. 3(2).

To:

Your election dated . . . 20 . . . to become an associate member of the Service is noted,
and . . . 20 . . . is appointed as the date from which the election takes effect.

For the Teaching Service Commission,

(Signature).

Dated . . . 20

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 4 – REQUEST FOR RE-RECOGNITION AS FULL/PROVISIONAL*
MEMBER OF TEACHING SERVICE.***

Act, Sec. 132(2). Form 4.Reg., Sec. 3(3).

The Teaching Service Commission,

I, (*full name*), of (*location*), (*official designation*), am an associate member of the Teaching Service by virtue of an election under Section 132(1) of the *Teaching Service Act*.

I request you under Section 132(2) of the Act to recognize me again as a full/provisional* member of the Teaching Service.

(*Signature of Member*).

Dated . . . 20

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 5 – NOTICE OF RECOGNITION/NON-RECOGNITION.

Act, Sec. 132(3). Form 5.&break;Reg., Sec. 3(4).

To:

Your request dated ... 20 ... under Section 132(2) of the *Teaching Service Act* has been considered and the Commission has decided to recognize/not to recognize* you as a full/provisional* member of the Teaching Service.

**The ... day of ... 20 ... is appointed as the date from which this recognition takes effect.

For the Teaching Service Commission,
(*Signature*).

Dated ... 20 ...

*Strike out whichever is inapplicable.

**Strike out if inapplicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 6 – NOTICE OF APPEAL AGAINST PROMOTION.

Act, Sec. 59(1). Form 6.Reg., Sec. 4.

The Chairman,
Teaching Service Appeals Committee.

PART A APPEAL AGAINST

Name of Promotee:

Position No.

Division:

Education District:

PART B APPEAL BY

Name of Appellant:

File No.

Division:

Education District:

Institution:

PART C GROUNDS OF APPEAL

(a) My suitability was not adequately considered by the appointing authority because—

- (i) all the evidence was not available; or
- (ii) due weight was not given to the evidence, and my suitability for the position is superior to that of the promotee.

(b) The position was filled by the appointing authority on conditions other than those advertised under Section 35 of the *Teaching Service Act*.

UNDERLINE THE GROUND ON WHICH YOU ARE APPEALING.

I am a qualified member as defined in Section 51 of the *Teaching Service Act*.

I appeal against the promotion shown above (under Section 59 of that Act) and certify that the "Notice of Appointment and Right of Appeal" which I received in respect of that appointment was dated ... 20 ... and that I received it on ... 20 ...

(Signature of Appellant).

Dated ... 20 ...

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 7 – Notice of appeal against failure/refusal to make a declaration
of eligibility.***

Act, Sec. 62(1). Form 7.Reg., Sec. 6.

The Chairman,

Teaching Service Appeals Committee,

PART A POSITION OR CLASS OF POSITION TO WHICH DECLARATION IS REQUESTED.

Level:

Division:

Other:

PART B DETAILS REQUIRED FOR APPEAL.

Name:

File No.

Address:

Date of application for declaration . . . 20

Date of refusal of declaration . . . 20

PART C EVIDENCE IN SUPPORT OF APPEAL.

(Appellants should indicate what evidence is available to prove that they have the qualifications, professional skills and experience appropriate to the position or class of position to which they have requested a Declaration of Eligibility).

I appeal against the failure/refusal* of the Departmental Head to make a declaration as to my eligibility for the position or class of position shown above (PART A).

(Signature of Appellant).

Dated . . . 20

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 8 – Notice of withholding or deferring of increment.

Act, Sec. 77(3), (5). Form 8.&break;Reg., Sec. 7

To:

Take notice that (*title of appointing authority*) has directed that the increment of K . . . due to be paid to you as from

*be not paid,

*be not paid until

*and that, subject to the approval of the Teaching Service Commission, the next following increment be not paid until

The grounds for the direction(s) were (*set out grounds in full*). You are entitled to appeal, in accordance with Section 9 of the *Teaching Services Regulation*, against the direction within five weeks after the date of this notice, or such further time as the Teaching Service Commission, in its discretion, allows in a particular case.

(*Signature*).

for the (*Appointing Authority*).

Dated . . . 20

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 9 – NOTICE OF APPEAL AGAINST WITHHOLDING OR
DEFERRING OF INCREMENT.***

Act, Sec. 77(4). Form 9.Reg., Sec. 8.

I, . . . , of . . . , appeal under Section 72 of the *Teaching Service Act* against an order (or a direction) by the (*title of appointing authority*) that (*set out the terms of the order or direction as contained in the relevant notice under Section 8 of the Teaching Service Regulation*).

The grounds of my appeal are (*set out grounds in full*).

I certify that the notice of withholding or deferring of increment which I received in respect of this direction was dated . . . 20 . . . and that I received it on . . . 20 . . .

(*Signature of Appellant*).

Dated . . . 20 . . .

Full name:

Present position:

Name of present school/college*:

Subdistrict:

Education District:

*Strike out whichever is inapplicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 10 – NOTICE OF CHARGE OF MINOR DISCIPLINARY
OFFENCE.***

Act, Sec. 84(1). Form 10.Reg., Sec. 17(1).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that you are hereby charged for committing an offence within the meaning of Section 83 of the *Teaching Service Act*, namely that:—

AND TAKE FURTHER NOTICE that in accordance with Section 84(2) of the Act, you are hereby required to state, in writing to me whether you admit or deny the truth of the charge, and that you may give any explanation you think fit as to the offence for my consideration by the Departmental Head/Assistant Secretary.

DATED this . . . day of . . . , 20

(Name of Charging Officer) (Signature)

DELIVERY OF NOTICE OF CHARGE.

I, . . . certify that I have served the abovenamed officer with the charge indicated.

(Signature) (Date served)

I, . . . acknowledge the receipt of the charge which was served on me on

(Signature of Member Charged) (Signature of Witness)

(Date)

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 11 – NOTICE OF DECISION ON CHARGE OF MINOR
DISCIPLINARY OFFENCE.***

Act, Sec. 84(4). Form 11.Reg., Sec. 17(4).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that the charge laid against you namely that:

""

has been sustained and by virtue of the powers conferred upon me by Section 84(4) of the *Teaching Service Act*, I hereby *caution/reprimand you/fine you the sum K

AND TAKE FURTHER NOTICE that in accordance with Section 84(5) of the Act, I hereby notify you that you have a right to a review of my decision by the *Provincial/National Education Board and if you so wish, you may appeal in writing to the *Provincial/National Education Board.

Dated this . . . day of . . . , 20

(*Departmental Head/Assistant Secretary*)

DELIVERY OF NOTICE OF PUNISHMENT.

I certify that I have served the abovenamed officer with the notice indicated.

(Name)(Date)

* Delete whichever is not applicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 12 – NOTICE OF DECISION ON APPEAL IN RESPECT OF
MINOR DISCIPLINARY OFFENCE.***

Act, Sec., 84(5). Form 12.Reg., Sec. 17(7).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that the . . . Education Board has considered your appeal against the punishment imposed on you, the notice of which was set out in the Notice of Decision dated . . . 20 . . . and served on you on . . . 20 . . . and it has decided as follows:—

DATED this . . . day of . . . , 20

CHAIRMAN
. . . Education Board

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 13 – NOTICE OF CHARGE OF SERIOUS DISCIPLINARY
OFFENCE.***

Act, Sec. 85(1). Form 13.Reg., Sec. 18(1).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that you are hereby charged for committing an offence within the meaning of Section 83 of the *Teaching Service Act*, namely that:—

AND TAKE FURTHER NOTICE that in accordance with Section 85(2) of the Act, I hereby call upon you to state in writing to me, whether you admit or deny the truth of the charge, and give any explanation you think fit in respect of the said charge for consideration by the . . . Education Board Disciplinary Committee.

DATED this . . . day of . . . , 20 . . .

(Name of Charging Officer) (Signature)

DELIVERY OF NOTICE OF CHARGE.

I, . . . certify that I have served the abovenamed officer with the charge indicated.

(Signature) (Date Served)

I, . . . acknowledge the receipt of the charge which was served on me on . . .

(Signature of Member Charged) (Date)

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 14 – NOTICE OF DECISION ON CHARGE OF SERIOUS
DISCIPLINARY OFFENCE.***

Act, Sec. 85(4). Form 14.Reg., Sec. 18(4).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that the . . . Education Board has considered the finding and recommendation of the Disciplinary Committee as to the charge against you, namely that:—

. . .
and has found you *guilty/not guilty of the offence charged therefore, it imposed the penalty of

. . .
TAKE FURTHER NOTICE that you may, if you so wish, appeal against the finding and the penalty imposed or both, in writing to the Teaching Service Commission Disciplinary Committee, within five (5) weeks after the receipt of this notice. Your appeal, if any, should be addressed to the Chairman, TSC Disciplinary Appeal Committee, P O Box 6268, BOROKO, NCD.

Dated this . . . day of . . . , 20

CHAIRMAN
. . . Education Board.

I have this day served the original of the above on . . . by handing it to him personally.

(Signature of Person Serving Notice) (Date)

I acknowledge receipt of the original of above.

(Signature of Member Charged).

(Signature of Witness).

* Delete whichever is not applicable.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 15 – NOTICE OF DECISION ON APPEAL IN RESPECT OF
SERIOUS DISCIPLINARY OFFENCE.***

Act, Sec. 85(12). Form 15.Reg., Sec. 18(8).

To: (Name):
(Designation):
(Location):

The Teaching Service Commission Disciplinary Committee has considered your appeal against the . . . Education Board's decision to . . . the notice of which was set out in the Notice of Decision dated . . . 20 . . . and it has decided to

DATED this . . . day of . . . , 20

CHAIRMAN MEMBER MEMBER

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 16 – NOTICE OF CONFIRMATION ETC., OF DECISION ON
SERIOUS DISCIPLINARY OFFENCE.***

Act, Sec. 85(11). Form 16.Reg., Sec. 18(8).

To: (Name):
(Designation):
(Location):

The Teaching Service Commission, by virtue of the powers conferred by Section 85(13) of the *Teaching Service Act* and all other powers it enabling hereby:—

DATED this . . . day of . . . , 20

CHAIRMAN COMMISSIONER COMMISSIONER

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 17 – NOTICE OF SUSPENSION.

Act, Sec. 90. Form 17.Reg., Sec. 19(1).

To: (Name):
(Designation):
(Location):

WHEREAS there is reason to believe that your conduct has been unsatisfactory in that:—

Pursuant to Section 90 of the *Teaching Service Act* and acting under the authority of the Teaching Service Commission, I hereby suspend you from duty and your suspension takes effect immediately after this notice is served on you.

Your suspension will be with pay until such time the Commission orders otherwise.

While you are under suspension the following additional conditions shall also apply:—

DATED this . . . day of . . . , 20

(Chairman or Authorized Person).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 18 – NOTICE OF REMOVAL OF SUSPENSION.

Act, Sec. 90(2). Form 18.Reg., Sec. 19(2).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that your suspension from duty under Section 90 of the *Teaching Service Act*, in connection with the charge laid against you, notice of which was served on you on . . . 20 . . . has been removed and you are hereby instructed to resume duty forthwith.

AND TAKE FURTHER NOTICE that the removal of your suspension does not remove the right of the Teaching Service Commission to impose any other punishment in respect of the offence with which you are charged if the charge is sustained.

DATED this . . . day of . . . , 20

(Chairman or Authorized Person).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 19 – NOTICE OF SUSPENSION WHERE A MEMBER IS
CHARGED WITH A CRIMINAL OFFENCE.***

Act, Sec. 93. Form 19.Reg., Sec. 19(3).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that in accordance with Section 93(2) of the *Teaching Service Act*, you, having been charged with a Criminal Offence which relates/does not relate to the duties of your position, you are hereby suspended from duty with/without pay from the date of this notice.

DATED this . . . day of . . . , 20

(Chairman or Authorized Person).

DELIVERY OF NOTICE OF SUSPENSION.

I, . . . certify that I have served the abovenamed officer with the notice indicated.

(Name)(Date)

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 20 – NOTICE OF SUSPENSION FOR STRIKE.

Act, Sec. 90/95. Form 20.Reg., Sec. 19(4).

To: (Name):
(Designation):
(Location):

WHEREAS there is reason to believe that you have committed an offence or offences within the meaning of Section 95(1) of the *Teaching Service Act*, you are hereby suspended from duty and this takes effect from the date this notice is served on you.

AND TAKE NOTICE that you are suspended without pay and that this suspension remains in force until the matter is dealt with and disposed of.

DATED this . . . day of . . . , 20

(Signature of Authorized Person).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 21 – OATH AND AFFIRMATION OF OFFICE OF MEMBERS OF
THE COMMISSION.***

Act, Sec. 6. Form 21.Reg., Sec. 22(1).

Oath

I, . . . , do swear that I will well and truly serve the Independent State of Papua New Guinea in the Office of Chairperson (or Commissioner) of the Teaching Service Commission of Papua New Guinea.

So help me God!

Affirmation

I, . . . , do solemnly and sincerely affirm and declared that I will well and truly serve the Independent State of Papua New Guinea in the Office of Chairperson (or Commissioner) of the Teaching Service Commission of Papua New Guinea.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 22 – NOTICE OF VARIATION OF ORDER.

Act, Sec. 90(2) Form 22.Reg., Sec. 19(5).

To: (Name):
(Designation):
(Location):

TAKE NOTICE that the Commission has reason to believe that you have committed a disciplinary offence within the meaning of Section 83 of the *Teaching Service Act*, namely that:—

and as the nature of the offence committed was such that you were suspended under Section 90 of the Act the Commission hereby orders that your suspension be varied to suspension without pay effective on and from . . . until the charge is disposed of.

DATED this . . . day of . . . , 20

(Chairman or Authorized Person).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 23 – OATH AND AFFIRMATION OF OFFICE OF MEMBERS OF
APPEALS AND DISCIPLINARY COMMITTEES.***

Act, Sec. 84(1). Form 23.Reg., Sec. 22(2).

Oath.

I, . . . , do swear that I will well and truly serve The Independent State of Papua New Guinea in the office of a member of a Teaching Service Appeals Committee (or a Provincial Education Board Disciplinary Committee or the National Education disciplinary Committee or the National Education Board Disciplinary Committee or the Teaching Service Commission Disciplinary Committee) established under the *Teaching Service Act* and that I will perform the duties and exercise the powers imposed or conferred on me as such member without fear or favour, affection or ill-will.

So help me God!

Affirmation.

I, . . . , do solemnly and sincerely affirm and declare that I will well and truly serve The Independent State of Papua New Guinea in the office of a member of a Teaching Service Appeals Committee (or a Provincial Education Board Disciplinary Committee or the National Education Board Disciplinary Committee or the Teaching Service Commission Disciplinary Committee) established under the *Teaching Service Act* and that I will perform the duties and exercise the powers imposed or conferred on me as such member without fear or favour, affection or ill-will.

PAPUA NEW GUINEA.

Teaching Service Act 1988.

Form 24 – DECLARATION OF SECRECY.

Act, Sec. 56, 82. Form 24.Reg., Sec. 22(3).

I, . . . , a member of the Teaching Service Appeals Committee (or a Provincial Disciplinary Committee or the National Education Board Disciplinary Committee or the Teaching Service Commission Disciplinary Committee) established under the *Teaching Service Act* do solemnly and sincerely declare that I will at all times maintain secrecy as to the deliberations and decisions of the Committee and that I will not directly or indirectly communicate or divulge any information that comes to my knowledge as such a member except by authority of the Teaching Service Commission or as authorized or required by law.

(Signature of Declaration).

Declared at . . . 20

Before me:

(Signature of Person before whom Declaration is made).

PAPUA NEW GUINEA.

Teaching Service Act 1988.

***Form 25 – UNDERTAKING TO ACCEPT RESPONSIBILITIES OF
EDUCATION AGENCY.***

Act, Sec. 142(3). Form 25.Reg., Sec. 23.

(Name of education authority) solemnly undertakes the responsibilities (or those responsibilities listed in the Schedule to this undertaking) of *(name of education agency)* in relation to *(name or description of member of the Teaching Service)* on and from . . . 20

It is specifically recognized that on and from that date the *(name of education agency)* is relieved of responsibility accordingly.

(Usual method of execution by the education authority).

Teaching Service Regulation 1994