

# ACT

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*dated 1st April, 2004*

## **THE EDUCATION ACT, 2004**

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SIGNED this 29th day of March, 2004

ALHAJI AHMAD TEJAN KABBAH,  
*President.*



No. 2



2004

**The Education Act, 2004**

Short title.

**Being an Act to reform the education system, including provision for pre-primary education, technical and vocational training, adult and non-formal education and the role of universities; and to provide for other related matters.**

*[1st April, 2004]* Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

Interpretation.

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

“BECE” means the Basic Education Certificate Examination;

“community education centre” means a centre for the promotion of non-formal literacy and basic education as well as skills acquisition;

“Co-ordinator or Manager” means the head of an adult literacy or non-formal education;

“distance education” means a method of delivering education to students with minimum direct contact with teachers;

“Education Committee” means an Education Committee established under section 26;

“government school” means a school managed by or on behalf of the Ministry;

“grant-in-aid” means a grant made out of public funds;

“learner” means a person of any age for whom education is provided in accordance with this Act;

“manager” in the case of a school managed by the proprietor thereof, means the proprietor; and in the case of any other school the person for the time being appointed by the proprietor to be the responsible local representative of the proprietor; and for the purposes of the provisions of this Act relating to applications to establish or open schools, includes an intended manager;

“medical inspection” means the physical examination of children in attendance at a school and the consideration by a Medical Officer of all matters affecting the health of such children and includes physical examination by a School Nurse;

“Medical Officer” means any Medical Officer in the employment of the Government or authorized by the Chief Medical Officer for the purposes of this Act;

“Minister” means the Minister responsible for education and “Ministry” shall be construed accordingly;

“NPSE” means National Primary School Examination.

“pre-primary school” means the education referred to in subsection (1) of section 5;

“private school” means a school which receives no assistance from public funds;

“proprietor” in relation to any school, means the person or body of persons (including any Board of Governors) responsible for the management of the school either directly or through a manager appointed in that behalf; and, for the purposes of the provisions of this Act relating to application to establish or open schools, includes any person or body of persons proposing to be so responsible;

“public funds” means government funds or the funds of a local authority;

“pupil” means a learner attending a pre-tertiary educational institution designated as a school.

“WASSCE” means West African Senior School Certificate Examinations.

#### PART II—STRUCTURE OF EDUCATION SYSTEM

2. (1) Subject to this Act, there is hereby continued in existence the system of formal education consisting of the following stages:—

6-3-3-4  
system of  
education.

- (a) six years of primary education;
  - (b) three years of junior secondary education;
  - (c) three years of senior secondary education; or three years of technical or vocational education in lieu thereof; and
  - (d) four years of university or other tertiary undergraduate education.
- (2) The system referred to in subsection (1) shall be designed to—
- (a) rapidly enhance literacy in Sierra Leone and improve the educational opportunities for women and girls, rural areas dwellers and those disadvantaged in the acquiring of formal education;
  - (b) make possible the acquisition of knowledge and skills valuable and relevant for employment and self-employment;
  - (c) improve and expand the teaching of English language, French, Mathematics, the natural sciences and technology;
  - (d) vastly expand facilities and programmes to teach technical and vocational subjects;
  - (e) introduce into the curriculum new subjects such as indigenous languages and Sierra Leone Studies which shall give and enhance a proper and positive understanding of Sierra Leone;
  - (f) introduce new and more appropriate methods of examining students to complement or replace the present methods; and

- (g) bring about the education of the whole student instead of concentration on only the cognitive education of students.

(3) The age of entry into primary school shall be six years preceded, where the appropriate facilities exist, by such pre-primary education as may be prescribed.

**3.** (1) The six years of primary and three years of junior secondary schooling provided under paragraphs (a) and (b) of subsection (1) of section 2 shall constitute formal basic education in Sierra Leone. Basic education as right of citizen.

(2) Every citizen of Sierra Leone shall have the right to basic education which accordingly shall be compulsory and shall be designed to—

- (a) provide facilities for all citizens to be literate and numerate and help them to cultivate the knowledge, skills and attitudes that will enable them to earn a good living;
- (b) improve the social and health circumstances of the citizen;
- (c) inculcate patriotism, and
- (d) enable the citizen to understand the complexities and opportunities of the modern world.

(3) Basic education shall be, to the extent specified by the Minister by statutory instrument, free in government assisted primary and junior secondary schools and private schools shall not frustrate the right to basic education conferred by subsection (2) by charging fees that are, in the opinion of the Minister, unreasonable.

(4) A parent, including a guardian, who neglects to send his child to school for basic education commits an offence and shall be liable on conviction to a fine not exceeding Le500,000.00 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(5) A child who persistently fails to attend school for basic education shall be treated as if he were a juvenile in need of care under paragraph (b) of subsection (1) of section 27 of the Children and Young Persons Act.

Cap. 44.

Principle of non-discrimination.

4. (1) This Act and any other enactment and administrative instructions relating to education shall be administered and interpreted in such a manner as to ensure that there is no discrimination between pupils or students in the matter of their admission to and treatment in any educational institution in Sierra Leone but nothing in this section shall be deemed to forbid or restrict—

- (a) establishment or maintenance of separate educational systems or institutions to pupils of the two sexes, if these systems or institutions offer equivalent access to education, provide a teaching staff with qualifications of the same standard as well as school premises and equipment of the same quality, and afford the opportunity to take the same or equivalent courses of study;
- (b) establishment or maintenance, for religious or linguistic reasons, of separate educational systems or institutions offering an education which is in keeping with the wishes of the pupil's parents or legal guardians, if participation in such systems or attendance at such institutions is optional and if the education provided conforms to such standards as may be laid down or approved by the Minister, for education of the same level;
- (c) establishment or maintenance of private educational institutions, if the object of such institutions is not to secure the exclusion of any group but to provide educational facilities in addition to those provided by the public authority, if the institutions are

conducted in accordance with that object and if the education provided conforms with such standards as may be laid down or approved by the Minister for educational institutions of the same level;

- (d) discrimination between citizens and non-citizens of Sierra Leone in the matter of the provision of financial assistance for the payment of school fees or the award of scholarships or otherwise.

(2) For the purposes of this section “discrimination” includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, disability, language, religion, political, national or social origin, economic condition or birth, has the purpose or effect of impairing equality of treatment in education at any level.

5. (1) Pre-primary education shall be the education given to pupils between the ages of three and six years in kindergarten or nursery schools. Pre-primary education.

(2) Although optional and outside the formal system, pre-primary education shall continue to be supported by Government because of its use in preparing children for primary education by—

- (a) enlarging and enriching their use of language and giving them other communication skills;
- (b) furthering their acculturation into the values and mores of their society;
- (c) enlarging their social awareness beyond the confines of their family and helping them to relate to people other than those in their homes;
- (d) refining their manipulative skills in such basic areas as eating, dressing and bowel movements and developing their control over their bodies in order to accelerate the learning process during formal schooling.

(3) Pursuant to subsection (2), Government shall continue—

- (a) to control pre-primary education through specific divisions or units of the Ministry, the Nursery Schools Association and other similar private associations;
- (b) to give help to the teachers colleges producing teachers for the pre-primary sector;
- (c) the assistance in the development of curricula and the raising of standards of pre-primary institutions, and
- (d) to issue binding guidelines for opening and maintaining pre-primary schools which shall be published by the Minister by Government Notice.

Primary schools.

6. (1) Primary education shall consist of full-time formal schooling which children receive for six years from age six to twelve.

(2) It shall be the aim of primary education to give children early structural cross cultural socialisation opportunities and an elementary introduction to those fundamentals necessary to produce individuals able, at a basic level, to improve and enrich their own circumstances and to contribute meaningfully to life in their community and thus to its development.

(3) Primary education, and hence all primary schools, shall be controlled and caused to be inspected by the Minister.

(4) Primary schools shall continue to be operated by the government and other approved private individuals or bodies of individuals including missionary bodies, local authorities and large businesses.

(5) The curriculum of primary schools shall be controlled by the Ministry and prepared by the National Curriculum Research and Development Centre.

(6) Continuous assessment of all primary level pupils shall be carried out by all primary schools along the lines given to schools by the Ministry in a Continuous Assessment Handbook and continuous assessment scores shall be employed in the manner stipulated in that handbook.

(7) A Guidance Counsellor or teacher shall be attached to each primary school.

(8) At the end of class six, all children shall take the National Primary School Examination (NPSE) which shall be conducted by the West African Examinations Council, the result of which shall be used for junior secondary school placement purposes.

(9) All primary schools shall conform to minimum stipulated national standards or be closed down.

7. (1) Junior secondary school (JSS) constitutes the three years of schooling after primary school and forms part of the formal basic education in Sierra Leone; and shall, accordingly, be compulsory and free to the extent specified by the Minister under subsection (3) of section 3. Junior secondary school.

(2) Every chiefdom, shall have at least, one junior secondary school.

(3) The purpose of junior secondary school shall be to provide a broad based, general education in preparation for senior secondary schooling, technical and vocational education or for the world of employment or self-employment.

(4) The Ministry shall set criteria for the recognition and approval for each junior secondary school to operate and shall ensure that such standards are maintained for the recognition to continue.

(5) Each junior secondary school shall have its own administration headed by a Principal and consisting of a Vice-Principal, Heads of Departments, at least one Guidance Counsellor, senior teachers and non-teaching staff.

(6) A junior secondary school shall be controlled by a Board of Governors complemented by a parent/teacher association.

(7) During a junior secondary school course—

- (a) teaching shall be guided by teaching syllabuses produced by the National Curriculum Research and Development Centre.
- (b) guidance and counselling shall be provided for the pupils;
- (c) the same continuous assessment scheme approved by the Ministry shall be used in all junior secondary schools.

(8) The junior secondary school course shall be concluded by a Basic Education Certificate Examination (BECE) conducted by the West African Examinations Council on behalf of the Ministry in conformity with an approved syllabus and regulations; and in which each candidate's continuous assessment score shall form part of his final grading.

Senior secondary school.

**8.** (1) Senior secondary schooling shall be for students who have completed the junior secondary school course and obtained the required BECE grades.

(2) There shall be two kinds of senior secondary schools, strategically placed throughout Sierra Leone, that is to say, general senior secondary schools which will, as far as possible, operate a comprehensive curriculum; and specialist senior secondary schools which shall cater for pupils whose interests and aptitudes are for such specialised subject areas as science and mathematics, technology, the liberal arts or business studies.

(3) Each senior secondary school shall be controlled by a Board of Governors and have a Principal, who shall be the administrative and academic head, assisted by a Vice-Principal, Heads of Departments, senior teachers, teachers and non-teaching staff.

(4) Subject to subsections (2) and (3), each senior secondary school shall have the following characteristics—

- (a) each senior secondary school shall have a Guidance and Counselling Department which shall also co-ordinate continuous assessment matters;
- (b) each school shall have an active Parents/Teachers Association;
- (c) the curriculum of each senior secondary school shall be determined by its nature (general or specialist) or its particular objects;
- (d) each school shall offer a set of core or compulsory subjects but shall choose its optional subjects from a list of available subjects which shall be published by the Ministry;
- (e) all teaching shall be based on teaching syllabuses developed by the National Curriculum Research and Development Centre;
- (f) at the end of the senior secondary school course, the West African Senior School Certificate Examinations (WASSCE) based on the West African Examinations Council examination syllabuses shall be taken;
- (g) a pre-specified percentage of each candidate's WASSCE final mark shall come from his continuous assessment score; and
- (h) the Ministry shall continuously monitor and evaluate each senior secondary school and publish its findings thereon.

(5) Nothing contained in subsection (4) shall prevent any private senior secondary school from offering examinations other than the West African Senior School Certificate Examinations to its pupils.

Technical and vocational education.

**9.** (1) Technical and vocational education is defined as that education provided in government approved educational institutions in which—

- (a) the aim shall be to develop self-reliance and self-actualisation in individuals as well as the progressive development of society and the economy of the country through technical and vocational training in all areas of urgent need especially the agricultural, industrial and commercial sectors; and
- (b) the objectives shall be—
  - (i) to fill the gap in technical and vocational manpower needs of Sierra Leone by substantially increasing the number of indigenous skilled lower middle level 'blue collar' workers;
  - (ii) to produce a more literate, numerate and enterprising lower middle level technical and vocational workforce and thus speed up national development;
  - (iii) to encourage women and girls to participate in national development through the acquisition of technical and vocational skills;
  - (iv) to correct the present geographical imbalance in distribution of technical and vocational resources;
  - (v) to develop appreciation and understanding of the increasing complexity of science and technology;

(vi) to create an enabling environment for the development of appropriate indigenous technology;

(vii) to provide training for technical and vocational instructors, teachers and lecturers;

(viii) to develop an appreciation of cultural and aesthetic values in productive work.

(2) There shall be a National Council for Technical and Vocational Education (N.C.T.V.E.) appointed by the Minister to assist the Government to run and co-ordinate technical and vocational education.

(3) The Council shall consist of not less than three and not more than seven persons appointed for their proven knowledge and experience in technical and vocational education.

(4) Technical and vocational education shall be organised in the manner set out in the First Schedule.

**10.** (1) Tertiary or higher education shall consist of all formal education received, after the completion of secondary schooling, in institutions demanding entry qualifications not lower than a number of General Certificate of Education Ordinary or Advanced Level subjects or both or the West African Senior School Certificate of Education (WASSCE) or its equivalent.

Tertiary or higher education

(2) In Sierra Leone, tertiary or higher education shall be provided in the following institutions:—

- (a) the University of Sierra Leone and its constituent colleges and other universities and their constituent colleges and institutes and such private universities as may be established by or under any law enacted for the purpose;

- (b) polytechnics;
  - (c) the teachers colleges;
  - (d) technical and vocational institutes;
  - (e) professional schools or institutes such as the National School for Nursing and the School of Hotels and Tourism.
- (3) The purpose of tertiary or higher education shall be -
- (a) to continue, widen and deepen the education gained in school;
  - (b) to provide specialisation in one or more disciplines of knowledge and skills for which the student has the aptitude and in which he has been given appropriate preparation in school;
  - (c) to help the student to gain the knowledge, skills and attitudes required for self-enhancement and to earn a living;
  - (d) to continue development of the student in all facets of knowledge (affective, cognitive and psychomotor);
  - (e) help the student gain positive values towards Sierra Leone and other Sierra Leoneans, especially those of other ethnic groups;
  - (f) to impart knowledge, skills and foster attitudes that are relevant to Sierra Leone as a developing country;
  - (g) to provide academic staff with the opportunities to do research, especially in areas relevant to the socio-economic and other needs of the country and into problems peculiar to Sierra Leone;

- (h) to disseminate knowledge, especially new ones and those of value to Sierra Leone;
- (i) to contribute to the accelerated enhancement of literacy and the widening of educational opportunities in Sierra Leone.

(4) Full financial support shall be provided for the disabled who have demonstrated the capability to access tertiary education.

**11.** (1) In order to make education accessible to every citizen, and to improve the literacy rate, the Minister shall establish an autonomous Council to be known as the Non-Formal Education Council to be responsible for developing and implementing programmes for adult and non-formal education in Sierra Leone. Adult and non-formal education.

(2) The Council shall consist of the following members who shall elect one of their number as Chairman:—

- (a) a representative each of the following bodies:—
  - (i) the United Nations Development Programme (UNDP);
  - (ii) the Sierra Leone National Commission for United Nations Educational, Scientific and Cultural Organisation (UNESCO);
  - (iii) Partners in Adult Education Coordinating Office (PADECO);
  - (iv) Universities in Sierra Leone;
  - (v) United Nations Children's Fund (UNICEF)
  - (vi) Sierra Leone Association of Non-Governmental Organisations (SLANGO);

- (vii) National Commission for Basic Education;
  - (viii) Provincial Literature Bureau;
  - (ix) Tertiary Education Commission (TEC);
  - (x) A non-governmental organisation that supports formal and non-formal education.
- (b) one Paramount Chief from each administrative region of Sierra Leone.

(3) The Head of the Adult and Non-Formal Education Division of the Ministry shall be Secretary to the Non-Formal Education Council.

(4) Subject to subsection (1), the Non-Formal Education Council shall have such other functions as the Minister shall confer on it.

Additional functions of National Commission for Basic Education.

**12.** Without prejudice to its other functions under the National Commission for Basic Education Act, 1994, and for the purposes of this Act, it shall be the responsibility of the National Commission for Basic Education to protect the right to basic education for every citizen, including the amputees and other disabled persons.

### PART III—CONTROL OF EDUCATION

Control and supervision of education system.

**13.** (1) The Minister shall have the control and supervision of the education system and may, after due inquiry, initiated by him, take any steps he considers appropriate to restrain any action or intended action by a local authority or a proprietor, if he considers that such action is likely to impede the progress of education.

(2) The functions of the Ministry shall be the performance of all work necessary or incidental to the control of education by the Minister and the exercise of any powers or the carrying out of any duties that may be specifically conferred on it by this Act or by any rules made thereunder.

14. The Minister may from time to time from funds appropriated for the purpose by Parliament— Powers of Minister.

- (a) establish and maintain government and government assisted schools;
  - (b) give grants-in-aid to schools;
  - (c) establish or maintain boarding homes ancillary to schools established or maintained under this Act, and give grants-in-aid or loans for the establishment, maintenance or repair of such boarding homes or the making of additions or alterations thereto;
- Provided that in the case of government assisted schools the consent of the manager is first obtained;
- (d) give grants-in-aid to such institutions or organisations which, in his opinion, promote the education or well-being of the children of Sierra Leone;
  - (e) give grants-in-aid for the provision of meals at any government school or government assisted school;
  - (f) give grants-in-aid to museums that are constituted and administered in a manner approved by the Minister;
  - (g) provide in whole or in part for transporting children to and from any government school or government assisted school;
  - (h) provide medical and dental services for children attending school;
  - (i) provide for regular inspection and supervision of schools;

- (j) provide for the conduct of all examinations necessary for the operation of the education system;
- (k) provide bursaries or scholarships—
  - (i) to assist in the education, maintenance or transport of pupils who are undergoing or are proceeding to undergo a course of training as teachers or any technical or vocational or academic course in any institution approved by the Ministry for the purpose;
  - (ii) to assist in the education, maintenance or transport of pupils who are undergoing or are proceeding to undergo courses of instruction at institutions approved by him outside Sierra Leone;
 

Provided that the Minister may withdraw any such bursaries or scholarships, but every grant or withdrawal of any bursaries or scholarships shall be subject to rules made under this Act;
- (l) establish a code of conduct for all learners in school, especially in their mode of dress and general comportment;
- (m) institute mechanisms for yearly appraisal of all teachers to provide relevant information from which measures and policies could be formulated for sustainable qualitative improvement in the educational system; and
- (n) make such other provision for the carrying on of public education as may be consistent with this Act.

**15.** (1) Subject to this Act, no person shall establish any new private school or extend an existing school without the prior written authority of the Director-General (Education), or, in the case of a primary school, without the prior written authority of the local authority for the area in which it is intended to establish or extend the school.

Establishment of private schools.

(2) An application to establish a private school shall be in such form as may be prescribed by the Minister.

(3) The authority to establish a private school may be refused by the Minister, where he is satisfied that—

- (a) the proprietor or manager is not normally resident in Sierra Leone;
- (b) the proprietor or manager is not a fit and proper person to be in charge of a school;
- (c) the site, building or equipment of the proposed school is not suitable or adequate for the purpose;
- (d) the proposed teaching staff have not the qualifications required to give efficient instruction in the subjects which it is proposed to teach;
- (e) the proposed curriculum is unsuited to the age, ability or aptitude of the pupils;
- (f) having regard to the educational facilities already available in the area, the establishment of the proposed school would not be in the public interest; or
- (g) the proprietor or manager has not followed the guidelines issued by the Ministry for the establishment of a new school:

Provided that the guidelines shall apply only if they are widely published for the information of the general public.

Registration of private schools.

**16.** (1) Subject to this Act, every private school shall, after being established, be registered by the proprietor thereof at the Ministry.

(2) The registration of a private school and the application for such registration shall be in such form as may be prescribed by the Minister.

(3) If, upon receipt of an application for registration of a private school, the Minister is of the opinion that any of the conditions mentioned in subsection (3) of section 15 applies to such school, he may refuse to register such school, and shall in that case serve upon the proprietor or manager a notice containing full particulars of the grounds of such refusal.

(4) If, in the opinion of the Minister, the matters by reason of which registration is refused are irremediable, it shall be so stated in the notice, and if in his opinion they are remediable, the notice shall specify the measures necessary to remedy them and shall specify the time within which such matters are required to be remedied, to enable the school to be registered.

Penalty for unauthorised establishment, etc.

**17.** Any person who —

- (a) establishes a private school without the authority of the Minister or in the case of a primary school, the authority of the local authority for the area; or
- (b) operates a private school which has not been registered at the Ministry,

commits an offence and shall be liable on summary conviction to a fine not exceeding Le500,000 and to a further fine not exceeding Le50,000 for every day during which the school is operated.

Duties of managers of school.

**18.** (1) Subject to this Act, it shall be the duty of the manager of a school—

- (a) to keep a register of teachers employed thereat, showing the particulars of such teachers;

- (b) to ensure that all teachers employed at the school are fit and proper persons to be in charge of children and are qualified to give instruction in one or more subjects of the curriculum in force at the school;
- (c) to ensure that the head teacher or teacher keeps a roll of the pupils enrolled at the school and a register of the daily attendance of such pupils in the form prescribed by the Minister and furnish to the Ministry at such times and for such periods as the Minister may require correct returns, in the form prescribed by the Minister by rules made under this Act, of the entries in any such register;
- (d) to keep such records, statistics and accounts and to make such returns and report to the Ministry at such times and in such manner as may be prescribed by the Minister;
- (e) to ensure that the school is conducted properly in accordance with a curriculum approved by the Minister;
- (f) to ensure that the school premises and site are maintained in a manner satisfactory to the Minister;
- (g) to ensure that the accommodation provided at the premises is adequate and suitable, having regard to the number, age and sex of the pupils enrolled in the school;
- (h) to visit the school whilst in session and assure himself that it is properly conducted, or cause it to be visited by a person approved by the Minister at least twice in every year with an interval of not less than three months between any two such visits.

(2) It shall be the duty of the manager of any school to produce or cause to be produced, on demand by the Minister or any officer of the Ministry either generally or specifically authorized in writing by the Minister in that behalf, or, in the case of a primary school, by any person either generally or specially authorised in writing in that behalf by the local authority for the area in which such school is situate, the roll, register, record, statistics and accounts referred to in subsection (1).

Notice to  
remedy  
defects.

**19.** (1) If as a result of any inspection of any school conducted under this Act, the Minister or any local authority is satisfied that the manager thereof has failed to carry out any of the duties mentioned in subsection (1) of section 18 or if the manager of any school refuses to comply with a demand made to him in accordance with subsection (2) of section 18, the Minister or the local authority, as the case may be, may serve upon the proprietor or manager of such school a notice containing full particulars of the matters complained of and specifying the measures necessary, in the opinion of the Minister or the local authority to remedy such matters and specifying the time within which they are required to be remedied.

(2) Measures, which may be specified in the exercise of the powers conferred under subsection (1), shall include, in the case of assisted schools, a recommendation for the removal or replacement of the managers.

(3) Where a local authority has served notice under subsection (1), the proprietor or manager, as the case may be, may appeal to the Minister within thirty days from the service of such notice and the decision of the Minister in the matter shall be final.

**20.** (1) A proprietor or manager who continues to operate a school in respect of which he has not complied with the requirements of a notice of complaint under section 19, to the satisfaction of the Minister or, as the case may be, the local authority, commits an offence except that no offence is committed if he has appealed against a notice served by the local authority.

(2) An offence under subsection (1) shall be punishable by a fine not exceeding Le 1,000,000 and to a further fine not exceeding Le50,000 for every day during which the school is operated and, in

the case of a second or subsequent conviction, to a fine not exceeding Le500,000 or to imprisonment for a term not exceeding three months or to both such fine and imprisonment and to a further fine of Le50,000 for each day that the school is operated.

Offence of  
operating  
school  
contrary to  
notice to  
remedy.

#### PART IV—ESTABLISHMENT OF BOARD OF EDUCATION

**21.** (1) There is hereby established a body to be known as the Board of Education.

Establishment  
of Board of  
Education.

(2) The Board shall consist of a Chairman, and the following twenty five other members who shall include persons who have had experience of the system of education within and outside Sierra Leone:—

- (a) the Director-General (Education)
- (b) the Chairman, Basic Education Commission;
- (c) Vice-Chancellor of a university in Sierra Leone;
- (d) the Financial Secretary;
- (e) the Establishment Secretary;
- (f) the Development Secretary;
- (g) the Co-ordinator, Partners in Adult Education of Secondary Schools;
- (h) the Chairman, National Conference of Principals of Secondary Schools;
- (i) the Chairman, Council of Head Teachers;
- (j) the Representative of the Council of Paramount Chiefs;
- (k) the Chairman, NCTVA.

- (l) the Head of the National Office, West African Examinations Council (WAEC) Freetown;
- (m) the Representative, Association of Private Schools;
- (n) the President, Sierra Leone Association of Journalists;
- (o) the President, Sierra Leone Bar Association;
- (p) the Representative of Principals of Polytechnics and Teachers Training Colleges;
- (q) the Secretary-General, Council of Churches in Sierra Leone;
- (r) the Secretary-General, Sierra Leone Muslim Congress;
- (s) the President, Employers Federation;
- (t) the President, Sierra Leone Teachers Union;
- (u) the Chairman, Conference of Principals of Technical and Vocational Institutions;
- (v) the Chairman, Tertiary Education Commission;
- (w) the Representative, National Science and Technology Council.

(3) The Deputy Secretary in the Ministry of Education shall serve as Secretary to the Board.

(4) Members of the Board of Education shall hold office for three years and shall be eligible for re-appointment to one further term of three years.

(5) The Chairman or any member of the Board of Education may resign his office by notice to the Minister and may be removed from office by the Minister for inability to discharge the functions of his office, whether arising from infirmity of mind or body or any other cause, or for misconduct.

**22.** The Chairman or other member of the Board shall be paid such remuneration or allowances as the Minister shall determine.

Remuneration of Chairman and other members of Board.

**23.** (1) Where the Chairman or a member of the Board dies, resigns, is removed from office or is absent from Sierra Leone for a continuous period exceeding three months or is by reason of illness unable to perform the functions of his office—

Filling of vacancies.

(a) the members of the Board shall elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and

(b) in the case of the member, the Chairman shall arrange, subject to this Act, to have another person appointed in his stead.

(2) Where a person is elected as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member, as the case may be, and shall, subject to this Act, be eligible for re-appointment.

**24.** (1) The Board shall meet for the dispatch of business at such time and place as the Chairman may decide but shall meet at least twice a year.

Meetings of Board.

(2) The Chairman shall preside at every meeting of the Board and in his absence the members present shall elect one of their number to preside.

(3) The quorum at a meeting of the Board shall be ten.

(4) All questions proposed at a meeting of the Board shall be decided by a majority of the votes of the members present and voting and where the votes are equal the Chairman or the person presiding shall have a casting vote.

(5) The Board may at any time co-opt any person to act as an adviser at its meeting but that person shall not be entitled to vote on any matter for decision by the Board.

(6) Subject to this section, the Board shall regulate the procedure at its meetings.

Functions  
of Board.

**25.** (1) The functions of the Board shall be to advise the Minister upon the following matters—

- (i) the organisation and operation of the Government and Government assisted education system;
- (ii) the fees to be charged in educational institutions and associated facilities;
- (iii) any and all proposed and existing legislation affecting education;
- (iv) any matter affecting education on which members of the Board consider it necessary or expedient to advise;
- (v) any matter in respect of which the Minister is empowered to make rules under this Act;
- (vi) any other matter referred to the Board by the Minister, but the Board shall not advise on matters for which other bodies have been empowered through legislation.

Board to  
appoint  
Committees.

**26.** (1) The Board may appoint committees consisting of members or non-members or both to exercise, or advise the Board on any of its functions under this Act, including the following committees—

- (i) District Education Committees which shall be appointed to co-ordinate, monitor and promote education in each district in collaboration with the Chiefdom Education Committee.
- (ii) Chiefdom Education Committees which shall be appointed to supervise and monitor all educational activities in each chiefdom and shall be responsible to the District Education Committee and shall promote all activities that would accelerate education, literacy and numeracy within the respective chiefdoms.

(2) The members of a committee appointed under subsection (1) shall be paid such allowances as may be determined by the Minister.

#### PART V—ROLE OF LOCAL AUTHORITIES IN EDUCATION SYSTEM

**27.** (1) Where a local authority is in his opinion likely to assist the organisation and development of education, the Minister may, by Government Notice, authorise the establishment by that local authority of an Education Committee.

Power to  
establish  
Education  
Committee.

(2) There shall be included in every such Education Committee such persons as are shown to the satisfaction of the Minister to be—

- (a) persons with knowledge and experience in education; and
- (b) persons acquainted with the educational conditions prevailing in the area for which the Committee is established:

Provided that at least half of the members of any such Education Committee shall be members of the local authority concerned.

(3) Every local authority shall—

- (i) consider a report from its Education Committee before exercising any of its functions with respect to education;
- (ii) have power to authorise its Education Committee to exercise on its behalf any of its functions with respect to education except the power to borrow money or to impose a rate, or establish or extend a school;
- (iii) have power to impose rates for the enhancement of education in its area of authority.

Functions of local authorities in education.

**28.** A local authority, acting with or through its Education Committee, shall be responsible—

- (a) subject to the approval of the Minister generally to organise and develop education in pre-primary, primary, junior secondary schools, or community education centres within its area of authority with a view to providing a place in a recognised school for every child;
- (b) subject to the approval of the Minister, to generally organise and develop Community Education Centres within its area of authority with a view to providing a place of learning and skills acquisition for children and adult learners;
- (c) to control, in accordance with rules made under this Act, the establishment of new pre-primary, primary and junior secondary schools within its area of authority by private persons;

- (d) to allocate, subject to the approval of the Minister, grants-in-aid to pre-primary and primary schools within its area of authority in accordance with rules made under this Act such allocations being made from funds placed at its disposal by the Minister or from its own resources;
- (e) subject to any law for the time being in force relating to the use of land, to determine questions regarding sites for the establishment of pre-primary, primary and junior secondary schools within its area of authority;
- (f) to advice the Minister generally upon any educational matter referred to it.

**29.** Whenever he considers that it is in the public interest to do so, the Minister may, after consultation and agreement with any local authority, grant permission to such local authority to establish any of the following schools or educational institutions—

- (a) pre-primary schools and primary schools;
- (b) junior secondary schools;
- (c) technical or vocational training centres or schools;
- (d) community education and non-formal education centres, primarily for the promotion of functional literacy and post-literacy activities.

**30.** Whenever he considers that it is in the public interest to do so, the Minister may, after consultation with and with the agreement of the local authorities concerned, grant permission to one local authority to establish a pre-primary or primary, junior secondary school, senior secondary school, community education centres and other technical or vocational institutions.

Establishment of schools and other institutions by local authority.

Establishment of pre-primary, primary, junior, senior secondary schools, etc. outside area of local authority.

## PART VI—ADVISORY BOARDS AND COMMITTEES

Establishment and composition of advisory bodies.

**31.** (1) If in the opinion of the Minister it is in the interest of education that advisory boards or advisory committees should be appointed to advise him on specific aspects of education, then he may establish such boards or committees.

(2) The composition of any board or committee established under this section shall be such as the Minister may determine and the Minister may without assigning any reason therefor revoke the appointment of any member of any such board or committee.

(3) The bodies specified in the Second Schedule shall be deemed to be advisory bodies established under this section.

(4) The Minister may by order made by statutory instrument add to, vary or revoke the whole or any part of the Second Schedule.

## PART VII—BOARDS OF GOVERNORS, ETC

Establishment and constitution of Boards of Governors.

**32.** (1) The Minister may, by Government Notice, establish a Board of Governors in respect of any school, other than a primary or private school.

(2) Every Board of Governors established under subsection (1) in respect of any school shall be responsible for the management of that school in accordance with rules prescribed by the Minister under this Act.

(3) Every Board of Governors shall be a body corporate with perpetual succession and a common seal.

(4) Every Board of Governors shall consist of—

- (a) a Chairman to be appointed by the Minister from among the members;
- (b) five representatives of the Minister to be appointed by the Minister;

(c) four members to be appointed by the Minister on the recommendation of the proprietor of the school immediately prior to the establishment of the Board of Governors in respect thereof under this section;

(d) one member nominated by the local authority of the area in which a school is situated, and appointed by the Minister;

(e) one representative elected by the Ex-Pupils Association; and

(f) the Principal who shall serve as Secretary to the Board.

(5) The quorum for all meetings of the Board of Governors shall be five so long as the total membership stays at twelve and 40% of the members present are representatives of the Minister.

**33.** (1) The Minister shall establish a school management committee in respect of any government assisted primary school and every management committee so established shall assist in the management of that school in accordance with rules made by the Minister under this Act. School management committees.

(2) The management committee established under this section shall consist of the following members:—

(a) the head teacher;

(b) the inspector of schools or his representative (non-voting member);

(c) the proprietor's representative;

(d) chairman of the community teachers' association;

(e) the traditional ruler of the village or area concerned;

(f) a female member or representative of Chiefdom Education Committee;

(g) a prominent educationist.

(3) The chairman of the management committee shall be appointed by the members of the committee from among their number, subject to the approval of the Minister.

Education  
centre  
management  
committee.

**34.** (1) Every community education centre shall have a management committee which shall assist in the management of that centre in accordance with rules made by the Minister under this Act.

(2) The management committee established under this section shall consist of the following:—

- (a) Co-ordinator or Manager of the centre;
- (b) Director, Non-formal Education Division or his representative;
- (c) appropriate donor agency or non-governmental organisation;
- (d) a representative of a women's group;
- (e) the traditional ruler of the village/town/area;
- (f) member or representative of chiefdom education committee;
- (g) a prominent adult educator;
- (h) a parent or guardian; and
- (i) a teacher.

#### PART VIII—TEACHERS

Appointment,  
functions and  
tenure of  
headteacher  
or principal.

**35.** (1) Every school in which more than one teacher is employed shall have—

- (i) a headteacher, who shall be appointed, in the case of an assisted primary school, by the proprietor thereof (or the manager acting on his behalf), with the approval of the Minister;

(ii) in the case of an assisted or government secondary school, a principal who shall be recommended by the Board of Governors and approved by the Minister;

(iii) in the case of a private school, a headteacher or principal as the case may be, who shall be appointed by the proprietor thereof (or the manager or Board of Governors acting on his behalf), from among persons who have the proven academic and professional qualification for the job.

(2) The headteacher or principal of a school shall be responsible, subject in the case of a government school or assisted school, to any rule made by the Minister under this Act for the general control and supervision of the instruction and discipline and for the organisation of the classes therein.

(3) There shall be a critical appraisal of a head teacher's or principal's performance twice in the first ten years of his appointment which shall provide the basis for stocktaking, correction and redirection where necessary; and the first appraisal shall be two years after he has completed a probationary period of one year and the second three years thereafter.

(4) A headteacher or principal, as the case may be, shall be regarded not only as the administrative but also the professional head of the school and this must be recognised if he should be free to manifest his professionalism in the discharge of his duties; a recognition which confers upon him the responsibility of accountability.

(5) A headteacher or principal shall be liable to be rotated within the organisation which established the school or moved to a position within the Ministry after a period of ten years' exemplary service, if all relevant conditions are satisfied.

Certificate and licences for teachers.

**36.** (1) No person shall be employed as a permanent full-time teacher in any school unless he holds a professional certificate or a licence issued by the Ministry in accordance with this section:

Provided that—

- (a) the Minister may recognise any certificate issued otherwise than under this section to any person employed as a teacher in any school and such recognition shall have effect as if such certificate had been issued to such person under this section with accreditation from the National Council for Technical, Vocational and other Academic Awards (NCTVA);
- (b) the Minister may cause a licence to be issued to any person who is or may be employed as teacher in any school if in his opinion such person is in all respects suitable so as to warrant his employment as a teacher in a school, and the issue of such licence shall have effect as if a certificate had been issued to him under this section.

(2) Every certificate and licence issued by the Ministry under this section shall be in such form as may be prescribed by the Minister by rules made under this Act, and shall be signed by the Minister or by an officer of the Ministry authorised by the Minister in that behalf.

Cancellation of certificates obtained by fraud or mistake.

**37.** (1) Where the Minister is satisfied, after due enquiry, that a certificate or licence issued under section 36 or a certificate recognised under that section, has been obtained by fraud or mistake he may cancel or suspend such certificate or licence or, where appropriate, withdraw or suspend the recognition of such a certificate.

(2) Any person who obtains a certificate or licence by fraud commits an offence and shall be liable on conviction to a fine not exceeding Le1,000,000 or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

**38.** (1) A Register of Teachers (hereinafter called the Register) shall be kept by the Ministry. Registration of teachers.

(2) No person shall be enrolled in the Register unless he holds a valid certificate or licence issued or certificate recognised under section 36 and the registration of any teacher whose certificate or licence has been cancelled or suspended or the recognition of whose certificate has been withdrawn or suspended under section 37 shall be cancelled or suspended accordingly.

(3) No person shall teach in any government school or assisted school unless he has been enrolled in the Register, and no person shall teach in any school after his name has been deleted from the Register or during any period of suspension.

(4) The procedure regulating the registration of teachers shall be such as may be prescribed by the Minister by rules made under this Act.

(5) Any person who contravenes any of the provisions of this section and any proprietor or manager of any assisted school who knowingly permits such contravention commits an offence and shall be liable on summary conviction to a fine not exceeding Le50,000 in respect of each and every day during which such contravention continues.

**39.** The provisions of section 36 and section 38 shall not apply to the teaching of religion by persons other than registered teachers, or to the teaching of any particular subject by a person who is not a registered teacher in cases where the approval of the Minister has been obtained. Exemption of certain teachers from Act.

**40.** (1) Every teacher shall be critically appraised annually by his head teacher or principal, as the case may be, to determine his performance in relation to— Annual appraisal of teachers.

- (a) his general conduct;
- (b) his sense of responsibility and devotion to duty;

- (c) the academic progress of his pupils;
- (d) the success rate of his pupils in both national and international examinations.

(2) The report of any appraisal conducted under subsection (1) shall be kept confidentially by the head teacher or principal, as the case may be, for the attention of the inspector of schools, the school Management Committee or Board of Governors, as the case may be, and shall be taken into account in determining the career development and promotion prospects of the teacher.

Appointment, transfer and dismissal of teachers.

**41.** (1) The appointment of teachers in any assisted school shall lie with the proprietor thereof or the manager acting on his behalf or the Board of Governors with the approval of the Director-General of Education but every dismissal of a teacher from such school or transfer of a teacher from one such school to another, shall be subject to the prior approval of the Minister.

(2) The manager of an assisted school may be required to dismiss any teacher upon the order of the Minister made after giving the teacher a hearing, and any refusal to comply with such order, not inconsistent with the outcome of the hearing, shall entitle the Minister to refuse or withhold any grant payable to such school.

Teaching Service Trade Group Negotiating Council.

**42.** The Teaching Service Trade Group Negotiating Council (TSTGNC) shall be the body responsible for negotiating the terms and conditions of service of teachers in Sierra Leone.

Part applicable provisionally.

**43.** The provisions of this Part shall apply until the establishment of a Teaching Service Commission to be responsible in Sierra Leone for the recognition, transfer, promotion and discipline of teachers and such other matters concerning teachers as may be prescribed.

PART IX—FEES

**44.** The fees payable in any government secondary school or government assisted school by or in respect of pupils thereof (hereinafter called the prescribed fees) shall be such, and shall be payable in respect of such matter as may be prescribed by rules made under this Act, and the Minister may, at any time and for such period as he shall think fit direct that the prescribed fees shall be increased or reduced in any government secondary school or government assisted school.

Fees in government and assisted schools, etc.

**45.** (1) The prescribed fees shall at the discretion of the Minister, be paid by financial quarter to the headteacher or such other person as the Minister may specify in the case of primary schools .

Maximum fees and exclusion of pupils for non-payment of fees.

(2) In the case of secondary schools, any grants-in-aid payable thereto, shall be paid in advance to the head of the institution or to such other person as the Minister may specify in writing.

(3) A pupil in respect of whom any of the prescribed fees are due or are owing may be refused admission or re-admission, as the case may be, to any school, or if he has been readmitted, may be excluded from school until all the prescribed fees due up to the date of such exclusion have been paid.

(4) Every school shall have, at least, one bank account into which shall be paid—

- (a) school fees;
- (b) grants-in-aid;
- (c) teachers' salaries;
- (d) donations and other gifts from any person or authority;
- (e) proceeds of any income-generating school activity; and
- (f) other receivable.

(5) A bank account referred to in subsection (4) shall have three signatories as follows:—

- (a) for a primary school, the signatories shall be—
  - (i) the Chairman, Community Teachers' Association;
  - (ii) the headteacher, and
  - (iii) the Chairman, School Management Committee.
- (b) for secondary, the signatories shall be—
  - (i) Chairman, Board of Governors;
  - (ii) the Principal; and
  - (iii) Chairman, Finance Committee.

Fees chargeable by private schools.

**46.** (1) The charges, including fees payable in private schools shall be fixed before the beginning of every school year and shall remain unchanged throughout that year.

(2) Pursuant to subsection (1), the Minister shall cause every private school to be inspected periodically so as to ensure that fees payable are commensurate with the facilities provided.

#### PART X—INSPECTION OF SCHOOLS

Inspection of schools.

**47.** (1) It shall be the duty of the Minister to cause inspection of every school to be made by inspectors at such intervals as shall be determined by the Minister:

Provided that the Minister shall not be required to cause inspections to be made of any school during any period in which he is satisfied that suitable arrangements are in force for the inspection of such school otherwise than in accordance with this subsection.

(2) In addition to any inspections which the Minister shall cause to be made in accordance with subsection (1), the Minister may inspect any school, or cause any school to be inspected by any inspector or by any other person specially authorised in writing by the Minister to inspect such school in his name and on his behalf.

(3) The Minister, any inspector and any other person specially authorised by the Minister as provided in subsection (2) may, when making an inspection of any school in exercise of the powers thereby conferred, inspect the school premises and anything appertaining thereto or contained therein.

(4) If as result of any inspection, dereliction of duty on the part of a teacher who is not a public officer is brought to the attention of the Minister, the Minister may instruct the manager to take whatever disciplinary action the Minister feels is necessary, subject to the teacher being given a hearing and to any rules governing the conditions of service of such a teacher.

(5) The local authority for any area may, with the approval of the Minister in writing, authorise any person, either generally or in any particular case, to inspect any pre-primary, community education centre, primary and junior secondary school in such area and in that case such person may exercise in respect of such school or centre, all the powers conferred by subsection (3) upon the Minister, any inspector or any other person inspecting any school in accordance with subsection (2).

(6) Without prejudice to any other law, any person who obstructs any person lawfully carrying out or preparing to carry out an inspection in pursuance of this section commits an offence and shall be liable on summary conviction to a fine not exceeding Le300,000 or, in the case of a second or subsequent offence, to a fine not exceeding Le500,000 or to imprisonment for a term not exceeding one month or to both such fine and imprisonment.

#### PART XI—MISCELLANEOUS

**48.** (1) No proceedings shall be instituted against any person in respect of any offence punishable under this Act except by the Minister or in the name of the Minister by a person specially authorised in writing by the Minister in that behalf or, in the case of an offence in respect of a primary school, where such school has been established or opened without the prior written authority of a local authority or a notice under subsection (1) of section 19 has

Institution and conduct of proceedings.

been served by a local authority upon the proprietor or manager of such school or where the offence is committed in respect of a demand by a person authorised in that behalf by a local authority under subsection (2) of section 18, or in respect of an inspection of such school by a person authorised in that behalf by a local authority under subsection (5) of section 47 in the name of such local authority, by a person specially authorised in writing in that behalf by such local authority.

(2) When any proceedings are brought in respect of an offence punishable under this Act, it shall be lawful for the Minister or the local authority, as the case may be, in writing to appoint any person to conduct such proceedings in Court.

(3) Any document purporting to bear the signature of the Minister or of the President, Chairman or Town Clerk of a local authority shall, for the purposes of this section, be received as *prima facie* evidence in any proceedings without proof being given that the signature to such document is that of the Minister or the President, Chairman or Town Clerk concerned as the case may be.

(4) Any officer of the Ministry, appointed in that behalf by the Minister by Government Notice, may institute and conduct legal proceedings in the name of the Minister for the recovery of any fees due in respect of any pupil at any government school.

(5) Nothing in this section shall be held to derogate from the powers of the Attorney-General and Minister of Justice in respect of prosecutions or of claims by the Government against private persons.

General  
penalty.

**49.** Any person who commits an offence for which no penalty has been prescribed shall be liable on conviction to a fine not exceeding Le1,000,000 or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Compulsory  
attendance.

**50.** If the Minister is of the opinion that the attendance of pupils at any government school, or assisted school where no fees are charged should be made compulsory, he may, after consultation with the local authority for the area or district in which such school is situate, provide for such compulsory attendance by rules made under this Act.

**51.** Every child in attendance at any school shall be liable to medical inspection in such manner and at such times and places as may be prescribed by the Minister by rules made under this Act. Medical inspection.

**52.** (1) Any child attending a government school or assisted school and undergoing a course of training in any trade or vocation may be bound by a Form of Apprenticeship, to be prescribed by the Minister by rules made under this Act, to complete such course of training unless released therefrom with the authority of the Minister. Apprenticeship.

(2) No stamp duty shall be payable on any agreement made under this section.

#### PART XII—RULES AND REPEAL

**53.** (1) The Minister may by statutory instrument make rules for carrying out the purposes of this Act. Powers of Minister to make rules.

(2) Without prejudice to the generality of the powers conferred by subsection (1), such rules may—

- (a) prescribe the conditions governing admission to government schools or assisted schools;
- (b) prescribe the conditions governing the expulsion or exclusion of pupils from government schools or assisted schools on the grounds of discipline or age;
- (c) prescribe, subject to section 50, for the compulsory attendance of pupils at any government school, or assisted school, where no fees are charged;
- (d) prescribe the conditions governing the payment of grants-in-aid of schools, boarding houses and other institutions to which grants may be made in accordance with this Act, the conditions under which and the manner in which local authorities may allocate grants-in-aid of primary schools, and the grounds upon which such grants may be revoked or withheld;

- (e) prescribe the conditions governing the grant and withdrawal of bursaries or scholarships for the maintenance and tuition of pupils in schools and other institutions in Sierra Leone or elsewhere;
- (f) prescribe such fees as the Minister is empowered to prescribe by this Act;
- (g) prescribe the manner in which and the times and places at which the medical inspection and treatment of children attending any schools shall be carried out, and providing for the exclusion from any schools, either permanently or for any specified period, of any pupil who refuses or fails to undergo medical inspection or any medical treatment which a Medical Officer considers to be necessary, or who is suffering from any infections or contagious disease which is likely, in the opinion of a Medical Officer, to be detrimental to the health of other pupils attending such school;
- (h) prescribe the conditions for securing freedom of conscience and due respect for the religious beliefs of teachers and pupils at government schools and assisted schools;
- (i) prescribe the conditions under which pupils may, for the purpose of learning a trade or becoming teachers, be apprenticed to the Minister or his representative or to the person in charge of any institution approved by the Minister;
- (j) prescribe the duties of officers appointed under this Act and conferring upon such officers the powers necessary for giving effect to the provisions thereof;
- (k) prescribe the conditions governing the membership of Education Committees with respect to persons other than members of local authorities;
- (l) (i) prescribe the terms and conditions relating to the membership of any Board of Governors, school management committees, literacy centre management committees and to matters connected therewith;

- (ii) prescribe the powers and duties of any Board of Governors, school management committee or literacy centre management committee in relation to their management of a school or literacy centre, as the case may be;
- (m) prescribe the courses and subjects of instruction to be given in government schools and assisted schools;
- (n) prescribe the times at which meetings of bodies established under this Act shall be held, and the procedure to be followed at such meetings;
- (o) prescribe the manner in which applications for the establishment and opening of new schools shall be submitted;
- (p) prescribe the conditions under which and the manner in which local authorities may control the establishment of new primary schools; and the extension of existing primary schools;
- (q) prescribe the conditions governing the issue of certificates to teachers;
- (r) prescribe the procedure regulating the registration of teachers;
- (s) prescribe the conditions governing the provision of distance education to persons and institutions country wide;
- (t) prescribe the records, statistics and accounts to be kept, and the returns and reports to be made to the Ministry, and the manner in which such records, statistics and accounts shall be kept and the manner in which and the times at which such returns and reports shall be made by the managers of private schools and the headteachers of assisted schools;
- (u) prescribe the procedure for the submitting of appeals by teachers aggrieved by the manner in which their terms and conditions of service, including salary, have been applied to them;
- (v) prescribe the conditions of examinations to be held by or under the supervision of the Ministry and the fees payable in respect thereof and penalties for the breach of public examination rules or proper practices;

- (w) prescribe the conditions governing the use of government school buildings out of school hours;
- (x) prescribe such forms as the Minister is empowered to prescribe under this Act;
- (y) provide for or prescribe any other matter or thing which the Minister is empowered to provide for or prescribe under this Act.

Science and technology.

**54.** (1) The Science and Technology Council shall be responsible for providing policy guidance relating to the development, dissemination and application of science and technology country-wide, while the Science and Technology Secretariat is entrusted with the day-to-day operational issues emanating from the policy decisions of the Science and Technology Council.

(2) It shall be the function of the Science and Technology Council to promote all aspects of capacity building in science and technology and related fields at all levels of the education system, popularise science and technology, promote advocacy for the adoption of a science and technology culture, coordinate all research and development activities towards achieving food security, food sufficiency and industrial growth.

National Service.

**55.** (1) Students in tertiary institutions who are given grants-in-aid by the Government or a local authority shall undergo national service for a maximum period of three years after graduation.

(2) The Minister shall, by rules made by statutory instrument, prescribe the penalty for any contravention of subsection (1).

(3) For the purposes of subsection (1), “national service” means service to the State in any field of work relevant to the student’s area of study to be done preferably in the district of his birth.

Repeal of Act No. 63 of 1964 and savings.

**56.** (1) Subject to subsection (2), the Education Act, 1964 is hereby repealed.

(2) All orders, notifications in the *Gazette*, rules and regulations made under the Education Act, 1964, which are in force immediately before the commencement of this Act shall continue in force until revoked under this Act.

#### FIRST SCHEDULE

(Section 9 (4))

Technical and vocational education shall be organised at three levels in terms of certification as follows:—

(a) The levels of courses shall be—

Level 1 – leading to a National Vocational Qualification (NVQ);

Level 2 – leading to an Ordinary National Diploma (OND) or the Higher National Certificate (HNC) as its highest qualification;

Level 3 – leading initially to the Higher National Diploma (HND) as its highest qualification;

(b) Duration of the courses shall be—

Level 1 – 3 years for National Vocational Qualification (NVQ) Stage 3;

Level 2 – determined by Tertiary Education Commission/ National Council for Technical Vocational and Other Academic Awards;

Level 3 – determined by Tertiary Education Commission/ National Council for Technical Vocational and Other Academic Awards;

(c) Entry requirements for each course shall be—

Level 1 – completion of junior secondary schooling and the Basic Education Certificate Examination subjects and grades stipulated by the 6-3-3-4 Implementation Committee or satisfactory performance in the three month access course for girls applying for entry without formal qualification but with some non-formal training or Animation and Community Education Centre awards approved by the National Council for Technical and Vocational Education (NCTVE);

Level 2 – determined by Tertiary Education Commission/ National Council for Technical Vocational and Other Academic Awards;

Level 3 – determined by Tertiary Education Commission/ National Council for Technical Vocational and Other Academic Awards;

(d) The courses mentioned in paragraphs (a), (b) and (c) shall be provided by institutions categorised as follows:—

- (i) Polytechnic—offers HND as its highest qualification;
- (ii) Technical/Vocational Institutes—offer the OND and HND as their highest qualifications;
- (iii) Trade/ Technical/Vocational Centres—and Technical/ Vocational Schools offer the NVQ Stages 1 to 3;

(iv) Community Education/Animation Centres—offer, amongst other things, courses for early school leavers and adult learners which would qualify them for entry into technical and vocational centres.

SECOND SCHEDULE (Section 31 (3))

- (1) 6-3-3-4 Implementation Committee.
- (2) United World Colleges (UWC) Interview Committee.
- (3) Bursaries Award Advisory Committee.
- (4) Text Books Task Force.
- (5) Schools Broadcasting Committee.
- (6) Students Advisory Committee.
- (7) Technical Education Advisory Committee.
- (8) UNESCO National Commission.

Passed in Parliament this 16th day of December, in the year of our Lord two thousand and three.

J. A. CARPENTER,  
Clerk of Parliament.

THIS PRINTED IMPRESSION has been carefully compared by me with the Bill which has passed Parliament and found by me to be a true and correct printed copy of the said Bill.

J. A. CARPENTER,  
Clerk of Parliament.