

THE EDUCATION ACT 1957

Act 39/1957

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PART I - PRELIMINARY

1. Short title

This Act may be cited as the Education Act.

2. Interpretation

In this Act -

“Academy” means such secondary school, other than a regional school, as the Minister may designate in the Gazette which provides post-primary education as from Grade 10 for a duration of not less than 4 years, leading to a public examination of the level of School Certificate or Higher School Certificate, or their equivalent;

“additional tuition” means tuition provided to a pupil who is attending a school, in a subject which is being taught at the school;

Added by [Act No. 33 of 2011]

“aided primary school” means a primary school in receipt of a grant in aid from Government funds;

“approved secondary school” means a secondary school approved by the Minister for the purpose of presenting students for the Cambridge Overseas School Certificate Examinations or equivalent, or Higher School Certificate Examinations or equivalent and eligible for a grant-in-aid from Government funds whether such grant is actually made or not;

“assessment” means methods or tools used to assess, evaluate, measure and document the educational progress of learners, through written, ICT-based or school-based processes;

“Consultative Committee” means the committee referred to in section 5C;

“Education Authority” means a governing body established by the authorities of a religious denomination or by a local government body or by a group of private persons for the purpose of administering the schools under their control;

“Education Board” means the Advisory Board on Education established under section 5;

“geographical zone” means such zone as the Minister may designate in the Gazette;

“higher education” has the same meaning as in the Higher Education Act 2017;

“higher education institution” has the same meaning as in the Higher Education Act 2017;

“inspection” includes pedagogical inspection and quality assurance;

“manager” means the person who is responsible for the administration of any school other than a school entirely controlled by Government;

“Minister” means the Minister to whom responsibility for the subject of education is assigned;

“National Certificate of Education” means the assessment at the end of Grade 9;

“Primary School Achievement Certificate” means the assessment at the end of Grade 6;

Amended by [Act No. 18 of 2005]

"pre-vocational school" **Deleted by [Act No.44 of 2004]**

"primary school" means a school providing primary education for children between the ages of about 5 and 13 and includes an aided primary school;

"qualified teacher" means a teacher who holds at least the minimum prescribed qualifications;

"rector" means the head of a secondary school responsible for the control and supervision of instruction in the school;

"regional school" means a secondary school, other than an Academy, which falls in a geographical zone;

"register of managers", "register of rectors", "register of schools" and "register of teachers" mean the respective registers maintained under section 8;

"responsible party", in relation to a child or young person, means the person who has for the time being the legal charge of or the control over that child or young person;

"satisfactory service" means service satisfactory to the Minister;

"school" –

(a) means any assembly of not less than 10 pupils for instruction; and

(b) includes a vernacular school and night school;

"secondary school" means –

- (a) a school which provides post-primary education for a duration of not less than 5 years, leading to a public examination of the level of School Certificate or its equivalent;
- (b) a school which provides post-primary education for a duration of not less than 7 years, leading to a public examination of the level of Higher School Certificate or its equivalent;
- (c) a College which provides post-primary education for Grades 12 and 13, leading to a public examination of the level of Higher School Certificate or its equivalent; or
- (d) an Academy;

“Tribunal” means the Appeals Tribunal constituted under section 25.

Amended by [Act No. 40 of 1982]; [Act No. 56 of 1983]; [Act No. 49 of 2002]; [Act No. 18 of 2005]; [Act No. 33 of 2011]; [Act No. 27 of 2012]; [Act No. 18 of 2016]; [Act No. 23 of 2017]; [Act No. 18 of 2018];

PART II - MINISTRY OF EDUCATION AND EDUCATION AUTHORITIES

3. Powers and duties of Minister

- (1) The Minister shall have control of the educational system of Mauritius and shall be responsible for the general progress and development of such system.
- (2) In particular he shall ensure-

- (a) the effective direction, development and co-ordination of all educational activities in Mauritius;
- (b) the recruitment and training of teachers;
- (c) the progressive development for all classes of the community of practical education suited to the age, ability and aptitude of the pupil and relevant to the needs of Mauritius;
- (d) the more effective teaching of English and the spread of the English Language in Mauritius;
- (e) the further education of young people and adults through the Organisation of youth services, continuation classes and adult education classes;
- (f) the promotion and maintenance of high quality standards in primary and secondary schools through an appropriate quality assurance mechanism;
- (fa) the conduct of programmes for the holistic development, emotional and social well-being, and early support of learners, and, where appropriate, implementation of innovative pedagogical projects for effective teaching and learning;

Amended by [Act No. 33 of 2011]; [Act No. 18 of 2016]

- (g) the recognition and equivalence of qualifications obtained in or outside Mauritius in the primary and secondary education sector;
- (h) the formulation and publication of policies and criteria for the registration of primary and secondary schools.

Amended by [Act No. 18 of 2005]; [Act No. 33 of 2011]; [Act No. 18 of 2016]; [Act No. 18 of 2018]

4. Delegation of powers by Minister

All or any of the powers and duties conferred or imposed on the Minister by this Act may, subject to his control, be exercised by the Permanent Secretary and such other officers of the Ministry as may be authorised by the Minister in that behalf.

5. National Education Council

(1) There is established for the purposes of this Act a National Education Council.

(2) The functions of the Council shall be -

- (a) to advise Government on policies for the effective direction, promotion and development of education;
- (b) to review the implementation of plans, policies, strategies, programmes and projects for the provision of education;
- (c) to examine and make recommendations on any educational matter referred to it by the Minister.

(3) The Council shall consist of -

- (a) the Minister of Education and Science as Chairman;
- (b) the Permanent Secretary, Ministry of Education and Science.
- (c) The Commissioner, Higher Education Commission;

- (ca) the Executive Director, Quality Assurance Authority;
- (d) the Vice Chancellor, University of Mauritius;
- (e) the Director, Mauritius Institute of Education;
- (f) the Director, Mahatma Gandhi Institute;
- (g) the Director, Mauritius Examinations Syndicate;
- (h) the Director, Mauritius College of the Air;
- (i) the Director, Private Secondary Schools Authority;
- (j) the Permanent Secretary, Ministry of Industry and Industrial Technology or his representative;
- (k) the Director, Ministry of, Economic Planning and Development or his representative;
- (l) the Permanent Secretary, Ministry of Manpower Resources, Vocational and Technical Training or his representative;
- (m) the Permanent Secretary, Ministry of Social Security and National Solidarity or his representative;
- (n) the Permanent Secretary, Ministry for Rodrigues or his representative;
- (o) one representative of the National Children's Council;
- (p) one representative of each of the Education Authorities;

- (q) one representative of each of the Federations of Parent-Teacher Associations of primary and secondary schools;
 - (r) one representative of managers of private secondary schools;
 - (s) one representative of primary school teachers;
 - (t) one representative of private secondary school teachers;
 - (u) one representative of state secondary school teachers;
 - (v) one representative of the pre-school education sector;
 - (w) 3 members having wide experience in education;
 - (x) a representative of students of secondary schools.
- (4) The members specified in subsection (3) (o) to (x) shall –
- (a) be appointed by the Minister;
 - (b) hold office for 2 years; and
 - (c) be eligible for re-appointment.
- (5) There shall be a Secretary to the Council who shall be a public officer designated by the Minister.
- (6) The Council shall meet -
- (a) at least once every 3 months;
 - (b) on such other occasion as may be required by the Chairman.

- (7) in the absence of the Chairman, the Council shall be chaired by the Permanent Secretary, Ministry of Education and Science.
- (8) 12 members of the Council shall constitute a quorum.
- (9) The Council may appoint such committees and co-opt to these committees such other persons, not already members of the Council, as it may deem necessary.
- (10) The members shall be paid such fees and allowances as the Minister may determine.
- (11) Subject to the other provisions of this section, the Council shall regulate its meetings in such manner as it thinks fit.

Amended by [Act No. 49 of 1992]; [Act No. 23 of 2017]

5A. The National Curriculum Advisory Board

- (1) There is established for the purposes of this Act a National Curriculum Advisory Board.
- (2) The functions of the Board shall be -
 - (a) to advise on a national policy for the development of the school curriculum with regard to the overall economic, social and cultural context of the country and the personal development of the student;
 - (b) to review regularly and make recommendations for the updating and consolidation of the school curriculum;
 - (c) **Repealed by [Act No. 18 of 2018]**

- (d) to examine and advise on any matter relating to curriculum development, as may be referred to it by the Minister.

(3) The Board shall consist of -

- (a) a Chairman, with wide experience in the field of education, to be appointed by the Minister;
- (b) 3 representatives of the Ministry of Education and Science;
- (c) a representative of the University of Mauritius;
- (d) a representative of the Mauritius Institute of Education;
- (e) a representative of the Mauritius Examinations Syndicate;
- (f) a representative of the Mauritius College of the Air;
- (g) a representative of the Mahatma Gandhi Institute;
- (h) a representative of the Private Secondary Schools Authority;
- (i) a representative of the Industrial and Vocational Training Board;
- (j) a representative of the private sector;
- (k) 3 members representing such other interested groups as the Minister may determine.

(4) The members specified in subsection (3) (j) and (k) shall –

- (a) be appointed by the Minister;
- (b) hold office for 2 years; and

- (c) be eligible for re-appointment.
- (5) The Board shall meet -
 - (a) at least once every 3 months;
 - (b) on such other occasion as may be required by the Chairman.
- (6) At any meeting of the Board, 8 members of the Board shall constitute a quorum'
- (7) The Board may appoint such committees and co-opt to these committees such other persons, not already members of the Board, as it may deem necessary.
- (8) The members shall be paid such fees and allowances as the Minister may determine.
- (9) Subject to the other provisions of this section, the Board shall regulate its meetings in such manner as it deems fit.

Amended by [Act No. 49 of 1992]; [Act No. 18 of 2018]

5B. Regional Education Boards

- (1) There shall be established for the purposes of this Act such number of Regional Education Boards, not exceeding 11, as the Minister may determine.
- (2) The functions of each Education Board shall be -

- (a) to advise on the effective direction, promotion and development of education in the region for which it has been assigned responsibility;.
- (b) to make recommendations on the future plans and projects for education in the region;
- (c) to advise on the improvement of the administration of schools;
- (d) to organise and foster educational activities with the collaboration of the schools and the Parent-Teacher Association;
- (e) to ensure the general welfare of students, and to examine and make recommendations on any educational matter that may be referred to it by the Minister.

(3) The Board shall consist of -

- (a) a Chairman, who shall be a resident of the region having appropriate knowledge of and experience in education, to be appointed by the Minister;
- (b) 2 representatives of the Ministry of Education and Science, one of whom shall be of the rank of Senior Inspector;
- (c) 3 representatives of registered Parent-Teacher Associations of primary schools, one of whom shall be from a grant-aided school, and designated by the Federation of Parent-Teacher Association of the region;
- (d) one representative of a registered Parent-Teacher Association of a state secondary school of the region;
- (e) one representative of a registered Parent-Teacher Association of a private secondary school of the region;

- (f) one representative from a registered pre-school of the region;
 - (g) 8 members of whom 3 shall be heads of primary schools and 2 shall be heads of secondary schools.
- (4) The members specified in subsection (3) (c) to (g) shall –
 - (a) be appointed by the Minister;
 - (b) hold office for a period of 2 years; and
 - (c) be eligible for re-appointment.
- (5) Each Board shall have a secretary who shall be a public officer designated by the Minister.
- (6) Each Board shall meet -
 - (a) at least once every 3 months;
 - (c) on such other occasion as may be required by the Chairman.
- (7) 8 members of the Board shall constitute a quorum.
- (8) In the absence of the Chairman, the representative of the Ministry of Education and Science shall act as Chairman.
- (9) The Board may appoint such committees and co-opt to these committees such other persons, not already members of the Board, as it may deem necessary.
- (10) The members shall be paid such fees and allowances as the Minister may determine.

- (11) Subject to the other provisions of this section, the Board shall regulate its meetings in such manner as it thinks fit.

Amended by [Act No. 49 of 1992]

5C. Consultative Committee

(1) There shall be for the purposes of this Act a Consultative Committee which shall ensure ongoing collaboration between the Ministry and the private sector.

(2) The Consultative Committee shall also be responsible for advising the Ministry on –

- (a) the development of programmes of study and research, in line with the needs of the labour market;
- (b) the relevance of the curricula of programmes of study to the labour market needs;
- (c) effective quality assurance of the programmes of study; and
- (d) placements, internships and research.

(3) (a) The Consultative Committee shall consist of –

- (i) a Chairperson, to be appointed by the Minister;
- (ii) the supervising officer of the Ministry or his representative;
- (iii) the Director of the Mauritius Institute of Education or his representative;
- (iv) the Director of the Mauritius Institute of Training and Development or his representative;

- (v) the Director of the Human Resource Development Council or his representative;
- (vi) the Director of the Mauritius Qualifications Authority or his representative;
- (vii) the Director of the Mauritius Employers' Federation or his representative;
- (viii) a representative from a recognised private sector organisation in the field of information and communication technology;
- (ix) a representative from a recognised private sector organisation in the field of tourism;
- (x) a representative from a recognised private sector organisation in the field of textiles; and
- (xi) a representative from a recognised private sector organisation in the field of financial services.

(b) The Consultative Committee may co-opt such other person who may be of assistance in relation to any matter before the Committee, but the co-opted person shall not have the right to vote at any meeting of the Committee.

(4) A member, other than a member referred to in subsection (3)(a)(ii) to (vii), shall hold office for a period of 2 years and shall be eligible for reappointment.

(5) (a) The Consultative Committee shall meet as often as the Chairperson thinks necessary but at least once every 3 months.

(b) A meeting of the Consultative Committee shall be convened by the Secretary within 7 days of the receipt of a request in writing signed by any member.

(6) A meeting of the Consultative Committee shall be held at such time and place as the Chairperson thinks fit.

(7) At a meeting of the Consultative Committee, 6 members shall constitute a quorum.

(8) In the absence of the Chairperson, the Consultative Committee shall designate a member to chair the Committee.

(9) (a) The Consultative Committee may set up such subcommittees as it may deem necessary.

(b) A subcommittee set up under paragraph (a) shall consist of such persons, other than a member of the Consultative Committee, as the Consultative Committee may co-opt.

(10) (a) There shall be a Secretary to the Consultative Committee who shall be designated by the supervising officer.

(b) The Secretary shall, for every meeting of the Consultative Committee –

(i) give notice of the meeting to the members;

(ii) prepare and attend the meeting; and

(iii) keep minutes of proceedings of the meeting.

(c) The Secretary may take part in the deliberations of a meeting of the Consultative Committee, but shall not have the right to vote.

(11) Subject to the approval of the Minister to whom responsibility for the subject of finance is assigned, every member of the Consultative Committee shall be paid such fee or allowance as the Minister may determine.

(12) Subject to this section, the Consultative Committee shall regulate its meetings in such manner as it may determine.

Added by [Act No. 27 of 2012]

6. Education Authorities

- (1) There shall be Education Authorities responsible to the Minister for the good administration of the aided primary schools under their control.
- (2) The appropriate Education Authority for any religious denomination or a local government body or a group of private persons shall be such as may be approved by the Minister.
- (3) The Minister may withdraw the approval given to any Education Authority.

PART III - CONTROL AND INSPECTION OF SCHOOLS

7. Exemption of certain schools

- (1) This Part shall not, except in such cases as the President may in the Gazette, specify, apply to -
 - (a) any school entirely maintained and controlled by Government;
 - (b) any school in which the education is solely religious.
- (2) The Minister may, by regulations, exempt either in whole or in part from this Part and either absolutely or subject to such conditions as he thinks fit to impose, any school in which the education provided consists only of short series of lectures or short courses of instruction in individual topics, or in which the hours of instruction in each week do not exceed 6.

Amended by [Act No. 48 of 1991]

7A. Powers of the Private Secondary Schools Authority

- (1) Subject to subsection (2), the powers conferred and the duties imposed upon the Minister under this Part shall, in respect of a private secondary school, be exercisable by the Private Secondary Schools Authority.

- (2) Notwithstanding subsection (1), to the extent that the powers referred to in subsection (1) relate to –

(a) **Repealed by [Act No. 18 of 2016]**

- (b) the setting up of the Appeals Tribunal under section 25, these powers shall be exercisable by the Minister.

Amended by [Act No. 56 of 1983]; [Act No. 20 of 2000]; [Act No. 16 of 2001]; [Act No. 18 of 2016]

8. Registers to be maintained

- (1) The Minister shall cause to be maintained -

- (a) a register of schools, in which shall be entered the name and address of every registered school;
- (b) a register of managers in which shall be entered the name and address of every registered manager and the name of the school of which he is the manager;
- (c) a register of rectors in which shall be entered the name, address and qualifications of every registered rector and the name of the school of which he is the rector; and
- (d) a register of teachers in which shall be entered the name of every qualified teacher.

- (2) There may be entered in such registers such other particulars as the Minister thinks necessary.

Amended by [Act No. 49 of 2002]; [Act No. 18 of 2016]

9. Registration of schools

- (1) No school shall begin to function unless it has been registered under this Act.
- (2) An application for the registration of a school shall be made by the person desirous of becoming the manager of such school not later than 31 July of the year preceding the year in which the proposed school is to begin to function.
- (3) Such application shall be made in the prescribed form and shall be accompanied by the documents specified therein together with particulars in respect of any grants to which the school may be entitled for the following year.
- (4) On receipt of any such application, the Minister may, subject to section 10 and after such inquiry as he may cause to be made, register or refuse to register the school.
- (5) Where the Minister agrees to register a school he shall cause to be issued to its manager a certificate of registration, in the prescribed form, on payment of the prescribed fee.
- (6) A certificate of registration issued under subsection (5) shall be valid for a period of one year but may be renewed annually, on payment of the prescribed fee.

- (7) The Minister may, on the issue or renewal of a certificate of registration under this section, attach to such certificate such conditions as he thinks fit to impose.
- (8) The Minister may cancel the registration of any school whose manager fails to comply with any condition attached to the certificate of registration issued in respect of such school or if he fails to comply with this Act.
- (9) The Minister may exempt the manager of any school from compliance with any of the provisions of this section.
- (10) A private secondary school shall, on registration, be classified according to such criteria as may be approved by the Minister.
- (11) A private secondary school shall not by reason only of its registration be entitled to grants under the Private Secondary Schools Authority Act.

Amended by [Act No. 23 of 1986]

10. -Grounds for refusal to register a school

- (1) The Minister may refuse to register a school or to renew the certificate of registration issued in respect of a school if it appears to him -
 - (a) that the proposed school premises constitute a dangerous building, or are structurally unsuitable to contain a school, or are insufficiently protected against the hazard of fire;
 - (b) that the proposed school premises are or are likely to be unsanitary or for reasons of health unsuitable to contain a school;
 - (c) the school does not conform to the regulations made under this Act

- (d) that the proposed teachers do not possess the prescribed qualifications;
 - (e) that the proposed school premises or equipment will not allow of efficient tuition in the subjects to be taught in the school;
 - (f) that the manager is not a fit and proper person to act as such; or
 - (g) that in the application for registration a statement has been made or information has been furnished which knowingly or recklessly is false in any material particular.
- (2) The Minister may refuse to register a school if it appears to him that the opening of such school would be detrimental to the interests of Mauritius or of the public.
- (3) Every manager of a private secondary school shall, on request, submit to the Minister-
- (a) a clearance certificate from the Ministry of Health in respect of the school;
 - (b) a clearance certificate from the Fire Services in respect of the school;
 - (c) a certificate in respect of the structural soundness of the school from a registered professional engineer approved by the Minister.

Amended by [Act No. 23 of 1986], [Act No. 20 of 2000]

11. Cancellation of registration of a school

The Minister may cancel the registration of any non-Government school -

- (a) on any of the grounds on which he would have been entitled to refuse registration under section 10;
- (b) where an offence against this Act has, subsequent to the registration of the school, been committed by the manager;
- (c) where it appears to him that the school has ceased to exist;
- (d) where the manager has failed to comply with a direction addressed to him under section 29; or
- (e) where it appears to him that the manager is not efficiently administering the school.

11A. Private secondary schools

- (1) Every private secondary school shall have a manager and a rector.
- (2) A manager of a private secondary school who possesses the required qualifications may also act as the rector of that private secondary school.

Amended by [Act No. 49 of 2002]; [Act No. 20 of 2016]

12. Registration of managers and rectors

- (1) Every manager or rector shall be registered.
- (2) An application for registration as manager or rector shall be made to the Minister in the prescribed form.
- (3) Upon receipt of an application for registration as a manager or rector of a school the Minister shall, subject to section 13 and after such inquiry as he

thinks necessary, register the applicant as manager or rector of the school and inform him in writing accordingly.

- (4) Where a person is registered as manager of an existing school, he shall be deemed to be responsible for all the liabilities incurred by that school before his registration with regard to the teaching and non-teaching staff employed by the school and any grant paid to the school.

Amended by [Act No. 23 of 1986]; [Act No. 49 of 2002]; [Act No. 18 of 2016]

13. Refusal to register manager or rector

The Minister may refuse to register a person as a manager or rector where it appears to him that the person -

- (a) is not resident in Mauritius;
- (b) is not a person of good character;
- (c) is medically unfit;
- (d) has attained the age of 70 years; or
- (e) has made any material misrepresentation in his application or in the course of an enquiry made under section 12 (3);
- (f) does not hold such qualifications as may be prescribed.

Amended by [Act No. 28 of 1984]; [Act No. 22 of 1985]; [Act No.16 of 2001]; [Act No. 49 of 2002]; [Act No. 18 of 2016]

14. Grounds for cancellation

- (1) The Minister may cancel the registration of any manager or rector -
 - (a) on any of the grounds on which he would have been entitled to refuse registration under section 13;
 - (b) where it appears to the Minister that he has ceased to act as manager or rector, or to perform the duties of a manager or rector satisfactorily or if he wishes to resign, or where it appears to the Minister that he administration, control or supervision, as the case may be, is prejudicial to the interest of the students, teachers or school.
 - (c) where he has contravened this Act.
- (2) Where the registration of a school has been cancelled, the Minister shall cancel the registration of the manager, rector as manager or rector of that school.

Amended by [Act No. 28 of 1984]; [Act No.16 of 2001]; [Act No.49 of 2002]; [Act No. 18 of 2016]

15. Teaching by unauthorized persons

No person shall teach or be employed as a teacher in a school unless he is a qualified teacher.

Amended by [Act No. 18 of 2016]

16. Registration of a teacher

- (1) Any application for registration as a teacher shall be made to the Minister in the prescribed form and be accompanied by the documents therein specified.
- (2) The Minister shall, upon receipt of any such application, subject to section 17 and after such inquiry as he thinks necessary, register the applicant as a teacher and shall issue to him a certificate of registration in the prescribed form.

17. Grounds for refusal to register a teacher

The Minister may refuse to register a person as a teacher where it appears to him that the person –

- (a) is not a person of good character;
- (b) is medically unfit;
- (c) has attained the age of 70;
- (d) does not possess the prescribed qualifications;
- (e) has knowingly or recklessly made a material misrepresentation in his application.

Amended by [Act No. 28 of 1984]; [Act No. 22 of 1985]

18. Cancellation of registration of teacher

The Minister may cancel the registration of any teacher, and in the case of a teacher in an aided primary school, after consultation with the appropriate Education Authority -

- (a) on any ground on which he would have been entitled to refuse registration under section 17;
- (b) where it appears to the Minister that such teacher has been guilty of professional misconduct; or
- (c) where he has contravened this Act.

19. - 21. Repealed by [Act No. 18 of 2016]

22. Service of notice by Minister

- (1) Where the Minister has made a decision in the exercise of his discretion under sections 10, 11, 13, 14, 17 or 18 he shall serve a notice in writing upon such person who as applicant, manager, or teacher, as the case may be, appears to him to be directly and adversely affected by his decision, stating the grounds for such decision, and the Minister shall further inform him of his right of appeal.
- (2) In the case of aided primary or approved secondary schools, the notice shall be served through the Education Authority, if any.

Amended by [Act No. 18 of 2016]

23. Appeal against Minister's decision

Any person directly and adversely affected by a decision of the Minister may within 21 days of the service of notice under section 22 appeal in writing to the Tribunal.

24. Suspension of decision during appeal

No decision of the Minister under sections 11 or 18 shall take effect until after the expiry of the period within which appeal may be made against such decision in

accordance with section 23 or, where the appeal has been made within that period, until its final determination.

Amended by [Act No.16 of 2001]; [Act No. 18 of 2016]

24 A. Appeal from cancellation under section 14

- (1)** Where the Minister cancels the registration of a manager or rector of a private secondary school under section 14(1) –

 - (a)** that person shall, upon receipt of notice served by the Minister under section 22, cease to act as manager, or rector, as the case may be;
 - (b)** subject to subsection (2), the private secondary school shall, not later than 7 days of the date on which a notice is served under section 22, appoint a person, who has been duly registered under section 12, to act as manager, or rector of the school.
- (2)** Where an aggrieved person appeals against the Minister's decision under section 23-

 - (a)** the decision of the Minister shall, notwithstanding the appeal, remain effective;
 - (b)** the registration of the person appointed under the subsection (1)(b) shall (a) not be valid for a period extending beyond the final determination of the appeal;
 - (c)** the aggrieved person shall continue to receive the grant to which he was entitled as manager, or rector until disposal of his appeal.
- (3)** In this section, "aggrieved person" means a person whose registration as manager or rector has been cancelled under section 14(1).

Amended by [Act No. 16 of 2001]; [Act No. 49 of 2002]; [Act No. 18 of 2016]

25. Appeals Tribunal

- (1) An Appeals Tribunal shall be set up by the Minister on an adhoc basis.
- (2) The Tribunal shall consist of a Chairman, who shall be a barrister-at-law and 2 other members to be appointed by the Minister.
- (3) The Chairman and members shall hold office on such terms and conditions as the Minister may determine.
- (4) There shall be a Secretary to the Tribunal who shall be a public officer designated by the Minister.

Amended by [Act No. 49 of 1992]

26. Procedure of Tribunal

- (1) (a) A person, in this section referred to as the appellant, wishing to appeal under section 23 shall within the period specified deliver to the Minister a statement, in duplicate, giving notice of his appeal and stating the grounds therefor, which shall be referred by the Minister forthwith to the Secretary of the Tribunal.
- (b) As soon as may be after receipt thereof, the Secretary shall give to the appellant and the Minister at least 14 days notice of the date fixed for hearing the appeal.
- (2) At the hearing of the appeal, the parties or their duly authorised representatives shall be entitled to be present and to be heard.

- (3) The Tribunal shall have the powers of commissioners conferred by sections 10 and 11 of the Commissions of Inquiry Act.
- (4) The Tribunal may determine the appeal in the absence of the Minister or the appellant, provided that due notice has been given to both parties in accordance with subsection (1).
- (5) Except with the consent of the Tribunal, neither the Minister nor the appellant may at the hearing rely upon any grounds other than those stated by the Minister in accordance with section 22 or by the appellant in accordance with subsection (1).

27. Decision of Tribunal to be communicated

- (1) The Tribunal, after hearing the parties concerned and after considering such evidence as may be tendered by them on their behalf, may confirm, set aside or modify the Minister's decision and the decision of the Tribunal shall be final.
- (2) The decision of the Tribunal shall be communicated to the parties concerned together with the reasons for it not later than 6 months from the date on which the appellant gives notice of appeal.

Amended by [Act No. 16 of 2001]

28. Powers of inspection

The Minister or an officer of the Ministry, authorised by the Minister in writing, may, with or without notice, visit any school, whether in receipt of aid from public funds or not –

- (a) for the purpose of inspection;
- (b) to ascertain whether this Act is being complied with, or the school is being properly and efficiently managed.

Amended by [Act No. 18 of 2016]

29. Power to direct remedial measures

Where it appears to the Minister that this Act has not been complied with in any school, or that any school is not being properly and efficiently conducted, he may, without prejudice to any other powers vested in him, by notice in writing addressed to the manager direct him to take within a time to be stated in the notice, such measures as are specified therein, in order that the Act may be complied with or that the school may be properly and efficiently conducted.

30. No legal liability in Government

No legal liability shall lie upon Government or the Minister or upon any Government officer in respect of any direction given under section 29 or by reason of the fact that under this Act any methods or places of instruction are subject to the approval or inspection of any Government officer, or that the conduct or staffing of any school is subject to such approval or inspection.

31. Offences and penalties

Any person who -

- (a) is the owner or a manager or rector of, or teacher in a school which is not registered in accordance with section 9; .
- (b) is not registered as a manager or rector of a school of which he is in fact the manager or rector;
- (c) teaches in a school unless he is a registered teacher;
- (d) employs or permits a person to teach in contravention of section 15;

- (e) knowingly or recklessly makes any statement or furnishes any information which is false in any material particular -
 - (i) in an application for registration of any nature under this Act;
 - (ii) **Repealed by [Act No. 18 of 2016]**
 - (iii) as to the character or qualifications of any person in so far as such character or qualifications may affect any decision of the Minister under this Act;
 - (iv) at a meeting of the Tribunal upon the hearing of an appeal; or
 - (v) in any advertisement concerning any school;
- (f) obstructs, resists or impedes the Minister or any officer of his Ministry authorised by him under section 28 when carrying out an inspection of a school;
- (g) being a manager or rector or a teacher refuses to produce any books or documents or to furnish any information which he is required to produce under this Act or knowingly or recklessly furnishes information which is false in any material particular;
- (h) being a manager or rector or a teacher publishes or causes to be published, by any means, any advertisement concerning a school which is not registered under this Act; or
- (i) is the owner or acts as a manager or rector or teacher of a school which is functioning after its registration has been cancelled under this Act,

shall commit an offence and shall, on conviction, be liable to a fine not exceeding 500 rupees and to imprisonment for a term not exceeding 6 months

Amended by [Act No. 49 of 2002]; [Act No. 18 of 2016]

PART IV - SCHOLARSHIPS

32. Award of scholarships by Minister

- (1) The Minister may award scholarships tenable locally up to a maximum number in each category on such conditions as may be prescribed.
- (2) He may withhold the award of any such scholarship where in his opinion the candidate recommended for the award has not reached scholarship standard or is not a fit and proper person to be awarded a scholarship.

33. State of Mauritius Scholarships

- (1) The Minister shall in accordance with regulations made under this Act, award -
 - (a) to boys, 8 scholarships which shall be known as the State of Mauritius Scholarships;
 - (b) to girls, 8 scholarships which shall be known as the State of Mauritius Scholarships.
- (2) A scholarship under subsection (1) shall -

- (a) be awarded on the result of a prescribed examination for which the pupils of Government schools and approved secondary schools having the prescribed qualifications shall be entitled to sit;
 - (b) be primarily awarded for the purpose of a first degree only;
 - (c) be tenable for such period as the Minister may determine to enable the laureates to pursue studies in such foreign country as may be approved by the Minister;
 - (d) be of such annual value as the Minister may approve.
- (3) No person who is awarded a scholarship under subsection (1) shall be entitled to change the course of studies for which he has opted without the prior authorisation of the Minister.
- (4) No scholarship shall be awarded under subsection (1) to a student who has already been awarded a scholarship by a foreign Government and has, in virtue of that scholarship, started to follow a course of study.
- (5) A person who is awarded a scholarship under subsection (1) may, instead of pursuing his undergraduate studies abroad, elect to –
- (a) follow an undergraduate course in any higher education institution in Mauritius;
 - (b) pursue postgraduate studies in Mauritius or in any other country approved by the Minister, subject to securing a seat at university for that purpose; and
 - (c) spend 2 years on internship in a Government Ministry or Department in Mauritius,
- on such terms and conditions as may be prescribed.

**Amended by [Act No. 28 of 1984]; [Act No. 12 of 1988]; [Act No. 49 of 1992];
[Act No. 10 of 2010]; [Act No. 23 of 2017]**

33A. Additional Scholarships

- (1) The Minister shall, in accordance with regulations made under this Act, award 50 scholarships which shall be known as the Additional Scholarships.
- (2) Out of the 50 Additional Scholarships –
 - (a) 26 shall be awarded to persons on the result of a prescribed examination for which the pupils of Government schools and approved secondary schools having the prescribed qualifications shall be entitled to sit; and
 - (b) 24 shall be awarded to persons on the result of the prescribed examination referred to in paragraph (a), provided that the total income of the parents of the person does not exceed, in the aggregate, such amount as may be prescribed.
- (3) A person who is awarded a scholarship under subsection (2) may, instead of pursuing his undergraduate studies abroad, elect to –
 - (a) follow an undergraduate course in any higher education institution in Mauritius;
 - (b) pursue postgraduate studies in Mauritius or in any other country approved by the Minister, subject to securing a seat at university for that purpose; and

- (c) spend 2 years on internship in a Government Ministry or Department in Mauritius,

on such terms and conditions as may be prescribed.

- (4) In this section –

“total income” has the same meaning as in section 16A of the Income Tax Act.

Amended by [Act No. 23 of 2017]

33B. Sir Seewoosagur Ramgoolam National Scholarships

The Sir Seewoosagur Ramgoolam Foundation established under the Sir Seewoosagur Ramgoolam Foundation Act shall, in accordance with regulations made under this Act, award 2 scholarships, which shall be known as the Sir Seewoosagur Ramgoolam National Scholarships, to a boy and a girl respectively.

Added by [Act No. 10 of 2010]

33C. Sir Anerood Jugnauth (SAJ) National Scholarships

The Minister shall, in accordance with regulations made under this Act, award 2 scholarships, which shall be known as the Sir Anerood Jugnauth (SAJ) National Scholarships, to a boy and a girl, respectively, on the Economics side.

Added by [Act No. 15 of 2022]

33D. Regional Scholarships

The Minister shall, in accordance with regulations made under this Act, award 16 scholarships, which shall be known as the Regional Scholarships, to pupils of regional schools

Amended by [Act No. 18 of 2016]; [Act No. 15 of 2022]

34. Grants in aid

- (1) Grants in aid from the Consolidated Fund may be made to non-Government primary or secondary schools including technical and vocational institutions, or to associations and societies undertaking adult or further education services, fulfilling the prescribed conditions.
- (2) The provisions of the Courts (Civil Procedure) Act regulating the attachment of salaries are hereby extended to all grants in aid in respect of all schools in Mauritius, whether of primary or secondary instruction.
- (3) The teachers of all schools in respect of which such grants in aid are paid may attach such grants in aid to secure payment of their salaries, and all persons who have supplied goods to such schools for educational purposes or let the premises used as schools may attach such grants in aid to secure payment of their claims.

Amended by [Act No. 18 of 2016]; [Act No. 18 of 2018]

35. State supported schools open to all

All Government schools and all schools in receipt of a regular grant in aid from Government funds shall be open to pupils of any race or religion.

PART V - MISCELLANEOUS

36. Power to close educational institutions temporarily

- (1) The Minister may order any educational institutions to be closed for an indefinite period in case of infectious diseases occurring in epidemic forms, or to enable necessary repairs to be made to educational institution buildings, or in other exceptional circumstances.

- (2) Any closure, in case of infectious diseases occurring in epidemic forms, shall not be limited to the epidemic period but may extend to such further period, as the Minister may determine.

Amended by [Act No. 1 of 2020]

36A. Distance education during temporary closure

(1) Where the Minister makes an order section 36, the Minister may, during the temporary closure or for such further period as may be necessary, order any educational institution to provide distance education and online learning programmes, including broadcast lessons.

(2) Where an order is made under subsection (1) –

- (a) the teaching staff and other personnel of the educational institutions shall be required to engage in, produce and conduct, distance education and online learning programmes, including broadcast lessons; and
- (b) the employees of the Ministry, and of any of its statutory bodies as may be designated, shall be required to contribute to, administer, monitor and supervise the conduct of such programmes.

(3) Any person who, without reasonable excuse, fails to comply with any requirement under subsection (2) –

- (a) shall be deemed to be in breach of his contract of employment; and
- (b) may be liable to disciplinary proceedings.

(4) In this Part –

“distance education” means the delivery of educational programmes remotely to learners through the use of a variety of technological means as a complement or an alternative to face to face learning;

“educational institution” means a school or an institution in the pre-primary, primary, secondary, technical and vocational, Special Education Needs and tertiary sub-sectors of education;

“statutory bodies” includes, but is not limited to, the Mauritius Institute of Education, the Mahatma Gandhi Institute and the Open University of Mauritius.

Added by [Act No. 1 of 2020]

37. Compulsory education up to the age of 16

(1) Every child who has attained such age as may be prescribed for admission to a primary school shall attend a primary school.

(2) It shall be compulsory for every child to attend school up to the end of the academic year in the course of which he attains the age of 16.

(3) Any responsible party of a child under the age of 16 who, without reasonable cause, refuses or neglects to cause the child to attend school regularly in accordance with subsection (1) or (2) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to a term of imprisonment not exceeding 2 years.

(4) For the purposes of this section-

"academic year", in relation to a school, means such academic year as may be determined by the Minister;

"pre-vocational course" means such course for students having failed the Certificate of Primary Education Examinations as may be approved by the Minister;

"school" means -

- (a) a primary or secondary school, registered under this Act;
- (aa) "a special education needs institution registered under the Special Education Needs Authority Act 2018";
- (b) such institution as may be authorised by the Minister to run the pre-vocational course; or
- (c) such institution as the Minister may authorise to run a technical or vocational course.

Amended by [Act No. 10 of 1991]; [Act No. 44 of 2004]; [Act No. 18 of 2016]; [Act No. 18 of 2018]

37A. Control of additional tuition – Amended by [Act No. 33 of 2011]

(1) Subject to subsection (2), no person shall provide to a pupil who is attending a school additional tuition in a subject which is being taught at the school –

- (a) in the case of a pupil attending a primary school, where he has not reached Grade 5;
- (b) in the case of a pupil who is in Grade 5 or 6 or attending a secondary school, unless the person providing the tuition is a teacher who is registered for that purpose in such manner and subject to such conditions as may be prescribed.

Amended by [Act No. 33 of 2011]

(2) Subsection (1) shall not apply to -

- (a) the teaching of an oriental language;

(b) the provision of religious education by a school registered under this Act.

(3) Any person who contravenes this section shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10 000 rupees and to a term of imprisonment not exceeding two years.

Amended by [Act No. 10 of 1991]; [Act No. 33 of 2011]; [Act No. 18 of 2016]

37B. Application for recognition and equivalence certificate

An application for recognition and equivalence of a qualification obtained at the primary or secondary level shall be made in such form and manner as may be prescribed.

Added by [Act No. 18 of 2005]

38. Regulations

(1) The Minister may make regulations generally for the purposes of this Act and, in particular, but without prejudice to the generality of his powers, for -

- (a) the administration and management of all educational institutions;
- (b) the structure, hygienic character, proper sanitation and disinfection of educational institutions, and for inspection in this respect;
- (c) the inspection of schools and school premises;

Amended by [Act No. 18 of 2005]

- (d) the adequacy, suitability and use of school equipment, laboratories and workshops;

- (e) the appointment, duties, dismissal and disciplinary control of school managers;
- (f) the recognition of, assistance to, and powers of, Education Authorities;
- (g) the qualifications, appointment, secondment, promotion, dismissal and disciplinary control of qualified teachers and other persons employed in schools;
- (h) the medical examination of teachers and of other persons employed in schools and pupils;
- (i) the control of instruction given in educational institutions, methods of instruction, including but not limited to, face to face learning, distance education, online learning or a combination thereof, hours of instruction and the size of classes;
- (j) school admissions, student intakes, withdrawals and age limits;
- (k) discipline in schools and methods of enforcement;
- (l) eligibility requirements and awards of scholarships;
- (m) the fees and charges payable in regard to matters provided by this Act;
- (n) the conditions for grant in aid to non-Government institutions;
- (o) school meals, supply of milk and dental and medical care for school children;

- (p) social and physical distancing at educational institutions to be applied as a result of infectious diseases occurring in epidemic forms;
- (q) the attendance of non-teaching staff during any period of temporary closure under this Part and for any further period;
- (r) the dispensing of distance education and online learning programmes through the use of relevant technologies involving the participation of teaching staff either from school or their residence or at any approved location, on such terms and conditions as may be necessary;
- (s) the confinement of students at their residence during any period of school closure, and for such period and at such times as may be determined;
- (t) the keeping and the management of a register containing the contact details, including the mobile phone numbers of school staff, of Managers of secondary schools and of the responsible parties for students, to be used for the purpose of distance education and online learning or for any other educational purpose, as may be required.

- (2) Regulations made under subsection (1) may provide that any person who contravenes them shall commit an offence and shall, on conviction, be liable to a fine not exceeding 25,000 rupees.

Amended by [Act No. 18 of 2005]; [Act No. 18 of 2016]; [Act No. 23 of 2017]; [Act No. 18 of 2018]; [Act No. 1 of 2020]

39. Power of Minister to make rules

Subject to any regulations made under section 38, the Minister may make rules relating to -

- (a) any matter which he may provide or approve under this Act or the regulations made under it;
- (b) the registration of schools' managers, rectors and teachers;
- (c) the administration and management of and discipline in all Government schools, and the Mauritius Institute of Education,
- (d) the holding of examinations and cancellation and rescheduling of assessments and examinations;
- (e) the books and registers to be kept and the returns to be made by all schools;
- (f) the time-table and curricula of schools in receipt of public funds and any review of such time-table and curricula;
- (g) the tuition fees in schools;
- (h) the transfer of pupils from one school to another;
- (i) the extent of additional tuition by teachers wholly paid from public funds;
- (j) the training of teachers;
- (k) the duration of holidays in schools and any review thereof;
- (l) the issue of certificates;
- (m) the conduct of distance education and online learning programme, including broadcast lessons

Amended by [Act No. 49 of 2002]; [Act No. 33 of 2011]; [Act No. 18 of 2016]; [Act No. 1 of 2020]

**FIRST SCHEDULE
EDUCATION REGULATIONS 1957
PART I
PRELIMINARY**

1. Short title

These regulations may be cited as the **Education Regulations 1957**.

2. Interpretation

In these regulations-

"Act" means the Education Act;

"NCE" means the National Certificate of Education;

"Principal" means the head of a school, whether called principal, rector, headmaster or otherwise

"PSAC" means the Primary School Achievement Certificate.

Amended by [GN No. 227 of 2015]; [GN No. 179 of 2018]

**PART II
ESTABLISHMENT**

3. Qualifications of teachers for registration

The minimum qualifications required for registration as qualified teacher are -

(a) For the Primary School stage-

- (i) A Monitor's Certificate and 3 years' service in a Government or aided primary school or such other school as may be acceptable to the Minister;
- (ii) Passes in the Cambridge Overseas School Certificate Examination or in the Cambridge Joint Examination for the School Certificate and General Certificate of Education Examination, or in the London General Certificate of Education Examination (Ordinary Level), in English Language or English Literature and 3 other subjects at one and the same sitting, or in English Language or English Literature and 4 other subjects at more than one sitting, and, unless in any special case the Minister otherwise directs, 2 years' satisfactory service in a Government or aided primary school or such other school as may be acceptable to the Minister; or
- (iii) A certificate from a recognized Teacher's Training College, or Institute of Education or similar institution;

(b) for the private secondary school stage-

- (i) a Higher School Certificate or an equivalent qualification which is acceptable to the Minister and complies with paragraph (2); or
- (ii) where registration is sought in respect of physical education, art, music, dance, or craft, a Cambridge School Certificate or an equivalent qualification acceptable to the Minister together with a diploma or certificate which is recognised by the Minister and based on a 2 year full-time course or an equivalent part-time course; or
- (iii) where registration is sought in respect of Arabic, Hindi, Mandarin, Marathi, Tamil, Telegu or Urdu a Cambridge School Certificate or an equivalent qualification acceptable to the Minister, together with-

- (A) a diploma or certificate which is recognised by the Minister and based on a 2 year full-time course or an equivalent part-time course; or
 - (B) a pass at Principal or Advanced Level in the appropriate subject.
- (2) The qualification which shall be deemed to be the equivalent of a Higher School Certificate for the purpose of paragraph (1)(b)(i) shall be-
 - (a) passes in two subjects at Principal or Advanced Level at one and same sitting, with passes in three other subjects at Credit or Ordinary Level, including English Language on one and same certificate; or
 - (b) passes in 3 subjects at Principal or Advanced Level, obtained at not more than one sitting, together with: passes in 2 other subjects at Credit or Ordinary Level, including English Language on one and same certificate.

Amended by [GN No. 35 of 1959]; [GN No. 45 of 1963]; [GN No. 72 of 1986]; [GN No. 93 of 1987]; [GN No. 97 of 1988]; [GN No. 134 of 2002]; [Act No. 2 of 1960]

4. Appointment and promotion of teachers

- (1) The minimum qualifications for permanent appointment as teacher whether in a Government primary school, an aided primary school, a Government secondary school or a junior technical school. shall be those specified in the official qualifications for the post under regulation 15 of the Public Service Commission Regulations 1967.
- (2) (a) Subject to subparagraph (b), the first appointment of students who have satisfactorily completed a prescribed course of training at the Teachers' Training College, or the persons who possess an equivalent professional certificate acceptable to the Minister, as Teacher Class II and Class III in Government and aided primary schools shall be made by the Minister.

- (b) In respect of aided schools, the Minister shall take into consideration the wishes of the appropriate Education Authority, if any, and shall not appoint any teacher who is unacceptable to the Education Authority concerned.

(3) Revoked by [GN No. 227 of 2015]

(4) (a) In the Government and aided primary schools, there shall be 3 grades of assistant teachers called Third Class, Second Class and First Class teachers. First appointments may be made either as Third Class or Second Class teachers according to the Training College course followed or the qualifications held.

(b) No Third Class teacher may be regraded as a Second Class teacher before satisfactorily completing such period of further training or obtaining such further supplementary qualifications as the Minister may direct.

- (5) The Minister may recruit a teacher for short-term replacement of a permanent teacher.

Amended by [GN No. 59 of 1958]; [GN No. 45 of 1963]; [Act No. 2 of 1960]; [Act No. 33 of 1960]; [Act No. 51 of 1975]; by [GN No. 227 of 2015]

4A. Qualifications of teachers for Grades 11, 12 and 13

Except with the approval of the Minister, no teacher shall be employed in a secondary school to teach in any class above Grade 10 unless he possesses a Cambridge Higher School Certificate with a pass in General Paper and in five units as defined in the Cambridge Syndicate regulations, or a London General Certificate of Education with a pass in English Language at Ordinary level and passes in 3 other subjects at advanced level or

a pass in English Language and another subject at Ordinary level and passes in 2 other subjects at Advanced level.

Amended by [GN No. 35 of 1959]; [Act No. 2 of 1960]; [GN No. 227 of 2015]

4B. Employment of uncertificated teachers in secondary school

Except with the Minister's approval, no secondary school shall be entirely staffed with uncertificated teachers.

Amended by [GN No. 35 of 1959]; [Act No. 2 of 1960]

4C. Qualifications of principals

(1) Subject to regulation 40(2) no person shall be employed or shall act as the principal of a secondary school or of any section or department of the school unless-

(a) he is a qualified teacher and a full-time member of the staff with a reasonable teaching load and sufficient free time to ensure adequate and proper control and supervision of the school, or section or department thereof, as the case may be; and

(b) he possesses a degree from a recognised University, and-

(i) where he is the holder of a Post-Graduate Certificate of Education, not less than five years' teaching experience; or

(ii) where he is not the holder of a Post-Graduate Certificate of Education, not less than eight years' teaching experience.

(2) For the purposes of paragraph (1) (b) above, in computing the number of years' experience, account shall be taken solely of the teaching experience he shall have acquired in one or more recognised schools after he has obtained his university degree.

Amended by [GN No. 35 of 1959]; [GN No. 41 of 1973]; [GN No. 280 of 1980]

4D. Registration

(1) A principal may be registered for a probationary period not exceeding two years.

(2) Nothing in these regulations shall affect the registration of any person who was registered as a principal before the first day of October, 1980.

Amended by [GN No. 280 of 1980]

4E. -

4F. Number of teachers and size of class in secondary school

(1) In every secondary school there shall be an overall teacher to pupil ratio of one teacher to 30 pupils.

(2) The size of a class shall not exceed 40 pupils.

Amended by [GN No. 35 of 1959]; [GN No. 280 of 1980]

4G. Registration of specialist teachers

Any person possessing special approved qualifications in Art, Music, Physical Education, Handicraft, Needle-craft, Cookery, Oral English, Oriental Languages or any other approved subject may be authorised to teach at the discretion of the Minister.

Amended by [Act No. 9 of 1972]; [GN No. 45 of 1963]; [GN No. 280 of 1980]

5. Duties of school staff

The Minister may, in consultation with the appropriate Education Authority, if any, require any teacher whose salary is wholly paid from Government funds to teach in any school, attend any conference, meeting or in-service training course, or to perform such other duties, whether during term-time or in vacations, as he may consider necessary for the proper functioning of the education service.

Amended by [Act No. 2 of 1960]

6. Discipline

Every teacher in an aided primary school shall be subject to the same disciplinary regulations as a teacher in a Government School.

Amended by [Act No. 2 of 1960]

7. Disciplinary proceedings

- (1) Disciplinary action against a Government teacher shall be in accordance with the procedure laid down in Public Service Regulations 1967.
- (2) Disciplinary action against a teacher in an aided primary school shall be in accordance with such procedure as the Minister may determine in consultation with the Education Authority, if any.

Amended by [Act No. 2 of 1960]; [GN No. 76 of 1967]; [GN No. 54 of 1968]

8. Medical examination

- (1)
 - (a) No teacher or any other person shall be employed in a school unless he or she has been medically examined, and such medical examination shall include an X-Ray examination of the chest.
 - (b) T+6
hereafter the teacher or other person shall undergo an X-Ray examination at regular intervals to be specified by the Permanent Secretary of the Ministry responsible for the subject of Health for so long as he shall remain in employment.
- (2) The Minister, on the advice of the Permanent Secretary of the Ministry responsible for the subject of Health or a Government Medical Officer, may require any teacher or other person employed in any school to be medically examined at any time.

Amended by [Act No. 2 of 1960]; [GN No. 37 of 1962]; [GN No. 54 of 1968]

9. Secondment of teachers

The Minister may, in consultation with the appropriate Education Authority, if any, second or transfer a teacher from a Government to an aided primary school, or from an aided primary school to a Government school or from the service of one Education Authority to another.

Amended by [Act No. 2 of 1960]

PART III STUDENT

10. Admission and age limits

(1) (a) Subject to subparagraphs (b) and (c), no pupil shall be admitted to a government primary school or an aided primary school unless-

- (i) he has attained the age of 5 years on or before 31 December of the year in which he seeks admission; and
- (ii) he lives in such catchment area as may be drawn up by the Minister in relation to the school to which admission is sought and as may be published in the *Gazette*.

Amended by [GN No. 176 of 2001]; [GN No. 234 of 2020]; [GN No. 153 of 2022]

(b) A pupil may, with the approval of the Minister, be admitted to a Government primary school or an aided primary school where-

- (i) he satisfies the requirements of subparagraph (a)(i); and
- (ii) there exists, in that school, a vacancy which cannot be filled by a pupil who satisfies the requirements of subparagraph (a)(ii).

(c) Deleted by [GN No. 30 of 2005]

Amended by [GN No. 176 of 2001]

- (d) Any person who, in connection with an application for the admission of a pupil to a government primary school or an aided primary school, wilfully furnishes false or misleading information to the Minister or to an officer of the Ministry, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1000 rupees.

Amended by [GN No. 176 of 2001]; [GN No. 30 of 2005]

- (2) The burden of proving the age of the child seeking admission to school shall lie upon his responsible party who shall produce the birth certificate of the child or in case such certificate is not available, such documentary evidence as may be acceptable to the Minister.

- (3) First admissions to Government and aided primary schools, and to Government central and secondary schools, shall be made only at the beginning of the school year, but admissions on transfer from one Government or aided primary school to another, one junior technical school to another, or one Government or approved secondary school to another may be effected at any time of the year –

Provided that children arriving for the first time in Mauritius from overseas may be admitted at any time during the school year, at the discretion of the Minister.

- (4) **Repealed by [Act No. 44 of 2004]**

- (5) (a) For the purpose of the admission of a pupil to Grade 7 in a regional school,, the responsible party of that pupil shall fill in the application form and indicate, in order of preference, all the regional schools which are located in the geographical zone in which the pupil resides.

(b) Subject to subparagraph (c) or (d), an admission to Grade 7 in a regional school shall be determined on the basis of—

- (i) the choice of the responsible party;

(ii) the residence of the pupil in the geographical zone in which the regional school is located; and

(iii) the grade aggregate of the pupil in the PSAC assessment.

(c) Where 2 or more pupils are equally meritorious in accordance with the criteria of admission specified in subparagraph (b), admission to Grade 7 shall be determined on the basis of the proximity of the residence of each of the pupils to the regional school.

(d) In any case not provided for in subparagraphs (b) and (c), admission to Grade 7 shall be determined in such manner as the Minister may approve.

that year, which shall include the regulations and syllabuses for that year; and

(ii) cause the programme to be published in the *Gazette*.

(f) In this paragraph —

“application form” means such form as the Minister may approve;

“core subject” means a subject, either compulsory or optional, specified in the programme;

“grade” means the numerical grade representing such number of marks as specified in the programme;

“grade aggregate” means the sum total of the numerical units corresponding to the grades obtained by a pupil in the best 4 core subjects out of the subjects offered at the PSAC assessment;

“programme” means an Annual Programme approved by the Minister under subparagraph (e);

“PSAC requirements” means such requirements as may be specified in a programme.

Amended by [GN No. 26 of 2004]; [GN No. 50 of 2004]; [GN No. 18 of 2006]; [GN No. 227 of 2015]; [GN No. 179 of 2018]

- (5A) Any person who, in connection with an application for the admission of a student to Grade 7 in a regional school or an approved secondary school, wilfully furnishes false or misleading information to the Minister, or to any officer of the Ministry, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 1,000 rupees.

Amended by [GN No. 18 of 2006]; [GN No. 227 of 2015]

- (6) **Revoked by [GN No. 227 of 2015]**

Amended by [Act No. 44 of 2004]

- (7) The Minister shall determine the qualifications and conditions for admission to the Teachers' Training College.
- (8) A candidate seeking admission to the Teachers' Training College or his legal guardian on his behalf if he is a minor, shall, before entering the College, be required to enter into a bond and an agreement relating to his studentship, training and employment on such terms and conditions as the Minister may approve.

Amended by [GN No. 136 of 1964]; [GN No. 166 of 1964]; [GN No. 51 of 1975]; [GN No. 8 of 1982]; [GN No. 39 of 1985]; [GN No. 28 1989]; [GN No. 113 of 1992]; [GN No. 176 of 2001]; [GN No. 134 of 2002]; [Act No. 2 of 1960]; [GN No. 290 of 2013]; [GN No. 227 of 2015]; [GN No. 179 of 2018]; [GN No. 234 of 2020]; [GN No. 153 of 2022]

11. Promotions

- (1) Subject to regulation 14, no pupil shall repeat any class in a Government or aided primary school except-
- (a) with the written permission of the Minister; or

(b) in the case of a pupil who-

(i) upon the completion of a continuous assessment of his performance during a year, is found to be below the required level of achievement; and

(ii) wishes to repeat Grade 3.

(2) Accelerated promotions of pupils attending Government and aided primary schools shall not be permitted, except with the consent of the Minister.

Amended by [GN No. 113 of 1992]; [Act No. 2 of 1960]; [GN No. 227 of 2015]

12. Transfers

(1) In Government or aided primary schools a pupil transferred from one school to another shall be placed in the new school in the same standard as in the previous school, unless the transfer takes place at the end of the school year.

Amended by [Act No. 2 of 1960]

(2) the Minister, after consultation with the appropriate Education Authority, if any, may cause a pupil to be transferred from one primary school to another if he considers it is in the best interests of the pupil and of the school to do so.

13. Discipline

(1) (a) Where it appears to the Principal of a Government junior technical or secondary school or the Government Secondary and Technical School or a Government or aided primary school that the conduct, work or progress of a pupil is unsatisfactory, he may temporarily suspend a pupil require the responsible party of the pupil, by notice in writing, to withdraw him from the school within such period as may be specified in the notice.

(b) where the responsible party fails to withdraw the pupil within that period, the pupil shall, with the approval of the Minister, be expelled from the school.

(2) In any case of serious misconduct, the Principal of a Government or aided primary school or the Government Secondary and Technical School or a Government junior technical school or a Government Secondary School, with the approval of the Minister, may suspend or expel a pupil, and no pupil who has been suspended shall be re-admitted to school before the expiry of the period of suspension unless the Minister in any special case otherwise directs.

(3) (a) Every industry apprentice shall be under the same disciplinary rules as the workmen at the Industrial concern to which they have been apprenticed.

(b) In case the conduct, work or progress of the apprentice is found to be unsatisfactory the Minister may temporarily suspend, or dismiss such apprentice.

(4) No corporal punishment shall be inflicted on any pupil in a school.

Amended by [Act No. 2 of 1959]; [Act No. 2 of 1960]; [GN No. 166 of 1964]; [GN No. 51 of 1975]

14. Duration of school courses

(1) Except in the case of a pupil who repeats any class under regulation 11 (1), the full course of study in a Government or aided primary school shall cover 6 complete school years, from Grades 1 to 6 inclusive, at the end of which the pupil may take part in the PSAC assessment.

(2) No pupil, other than a pupil who repeats any class under regulation 11 (1), shall -

(a) remain in Grade 6; or

(b) sit on a second occasion for the PSAC assessment,

where he reaches 13 on or after 1 January following the PSAC assessment.

Amended by [GN No. 90 of 1978]; [GN No. 8 of 1982]; [GN No. 113 of 1992]; [GN No. 290 of 2013]; [GN No. 227 of 2015]

15. Withdrawals

- (1) Except with the Minister's approval or where a pupil joins Grade 7 at the age of 13 on 1 June of the school year in which he is admitted, no pupil shall remain at a Government secondary school -

- (a) after attaining the age of 18, unless he has qualified for admission to Grade 12 by obtaining a Cambridge School Certificate or equivalent certificate acceptable to the Minister:

Provided that a pupil who attains the age of 18 after sitting for such an examination and taking all the papers necessary to enable him to qualify may remain at school until the results of the examination are known;

- (b) after the end of the school year in which he attains the age of 20.

(1A) Notwithstanding paragraph (1)(b), a pupil who is born between 2000 and 2015 and who attains the age of 21 during the period starting 1 January and ending 31 May in a school year may remain at a Government secondary school up to the end of that school year.

- (2) Any pupil who has been absent from a Government or aided primary school for three consecutive months excluding vacations shall be deemed to have been withdrawn from school by his responsible party unless sufficient cause or reason is shown to the satisfaction of the Minister.

Amended by [GN No. 113 of 1992]; [Act No. 2 of 1960]; [GN No. 227 of 2015]; [GN No. 10 of 2021]; [GN No. 286 of 2021]

15A. Student identity card*

The Minister may issue an identity card to any student of a Government Secondary School on payment of such fee and subject to such conditions as he may determine.

Amended by [GN No. 192 of 1991]

16. Student teachers

- (1) The Principal of the Teachers' Training College may, with the approval of the Minister, order or authorise the withdrawal from the College of any student who, in his opinion, is unsuitable for the teaching profession.
- (2) The principal of the Teachers' Training College may require a student of the College, including serving teacher following a training course, to attend a conference or meeting, or carry out such school practice as he may consider necessary, whether during term-time or in vacation.

Amended by [Act No. 2 of 1960]

17. Scholarships

(1) Every student who is awarded a Sir Seewoosagur Ramgoolam National Scholarship, a State of Mauritius Scholarship or an Additional Scholarship shall be informed of the terms and conditions of the award of the scholarship within a delay after the award of the scholarship.

(2) Every student who is awarded a scholarship referred to in paragraph (1) shall submit an undertaking signed by himself, and in the case of a minor, by his responsible party, in the form set out in the First Schedule.

(3) Every student who is awarded a scholarship referred to in paragraph (1) shall follow an undergraduate course approved by the Minister, in an overseas university or an approved tertiary education institution in Mauritius.

(4) (a) The supervising officer of the Ministry shall request the overseas university or approved tertiary education institution in which a student who is awarded a scholarship referred to in paragraph (1) is enrolled, to send directly to the supervising officer, at the end of

each academic term, a report on the work and conduct of the student.

(b) where the report indicates either a serious breach of discipline or unsatisfactory academic performance on the part of the student, the Minister may suspend or terminate the tenure of the scholarship.

(5) (a) Where a student who is awarded a scholarship referred to in paragraph (1) wishes to change his course of studies, he shall —

- (i) obtain the approval of the Minister for the proposed new course;
- (ii) make all necessary arrangements at his overseas university or approved tertiary education institution in Mauritius; and
- (iii) bear any costs resulting from the change in the course of studies.

(b) The Minister may terminate the tenure of the scholarship of a student where the student has changed his course of studies without obtaining the Minister's approval.

(6) Where a student fails any examination, the Minister shall terminate the tenure of the scholarship unless —

- (a) the student resits and passes the examination during the same calendar year; and
- (b) save in exceptional circumstances, the student bears any additional costs associated with the resit.

Amended by [GN No. 61 of 1968]; [GN No. 113 of 1992]; [GN No. 65 of 1993]; [GN No. 194 of 1993]; [Act No. 2 of 1960]; [Act No. 48 of 1991]; [GN No. 24 of 2013]

*. Editor's Note: No marginal note has been given to regulation 15A and for the sake of clarification we have named it as "Student identity card",

PART IV - ASSESSMENTS, EXAMINATIONS AND SCHOLARSHIPS –
Amended by [GN No. 179 of 2018]

18. Primary School Achievement Certificate

- (1) An annual assessment for pupils in Grade 6 of all Government and aided primary schools in Mauritius and in Rodrigues shall be organised and conducted by the Mauritius Examinations Syndicate, or such officers of the Ministry, as may be directed by the Minister.
- (1A) An annual PSAC re-assessment shall be organised and conducted by the Mauritius Examinations Syndicate, or such officers of the Ministry, as may be directed by the Minister, for candidates who have satisfied such conditions of eligibility for the annual PSAC reassessment as specified in the programme.
- (2) Subject to a paragraph (1A) and regulation 14, a pupil of unaided primary school or in the primary section of non-Government secondary school, who is registered as having followed for a whole school year a schedule of studies at least equivalent to Grade 6 in the Government and aided primary schools may be presented for the PSAC assessment and PSAC re-assessment.
- (3) Any pupil who would otherwise be excluded from the PSAC assessment, may at the discretion of the Minister, be presented for that assessment.
- (4) A mention shall be made in the certificate issued to any pupil not presented for the assessment by a Government or an aided primary school who is successful at the assessment that the pupil was not presented for the assessment by a Government or an aided primary school.
- (5) A registered candidate who has not been able to sit for PSAC Assessment 2020-2021 held in April 2021 may, subject to the conditions specified in the Addendum to the Annual Programme for the PSAC Assessment 2020-2021, be authorized to sit for the PSAC Re-assessment Papers.

- (6) A candidate eligible under paragraph (5) shall not qualify for a further re-assessment.

Amended by [GN No. 59 of 1958]; [GN No. 8 of 1982]; [Act No. 2 of 1960]; [GN No. 290 of 2013]; [GN No. 227 of 2015]; [GN No. 179 of 2018]; [GN No. 110 of 2021]

18A. NCE assessment

(1) An annual NCE assessment shall be organised and conducted by the Mauritius Examinations Syndicate at the end of Grade 9 for pupils who have satisfied such conditions of eligibility for the annual NCE assessment as may be specified in the annual programme for the NCE assessment.

(2) Private candidates who have satisfied such conditions of eligibility for the annual NCE assessment as may be specified in the annual programme for the NCE assessment may take part in the NCE assessment.

(3) The Minister shall, in every year—

(a) approve an annual programme in respect of the NCE assessment for that year, which shall include the regulations and syllabuses for that year; and

(b) cause the annual programme for the NCE assessment to be published in the Gazette.

(4) (a) Subject to subparagraph (b), no pupil, other than a pupil in Grade 9 who has followed for a whole year the schedule of studies equivalent to that Grade, shall be allowed to sit for the NCE assessment in that year.

(b) Any pupil who would otherwise be excluded from the NCE assessment under subparagraph (a) may, under exceptional circumstances, on a request made and after consideration of such request and the nature of those exceptional circumstances, be allowed to sit for that assessment, with the approval of the Minister.

18B. Criteria for admission to Grade 10 in an Academy

(1) For the purpose of the admission of an eligible pupil to Grade 10 in an Academy, the responsible party of that pupil shall fill in an application form, in such form as the Minister may approve, in which he shall indicate, in order of preference, one or more Academies to which he is seeking admission of the pupil.

(2) Priority of admission to Grade 10 in an Academy shall be determined on the basis of the grade aggregate and the relative performance of the eligible pupil in the best 8 core subjects, including English, French and Mathematics, at the NCE assessment and the choice of the responsible party specified in paragraph (1).

(3) In this regulation —

“core subject” means a subject, either compulsory or optional, specified in the annual programme for the NCE assessment referred to in regulation 18A;

“eligible pupil” means such pupil eligible for admission to Grade 10 in an Academy as may be approved;

“grade” means such numerical grade obtained in a core subject as may be specified in the annual programme for the NCE assessment referred to in regulation 18A;

“grade aggregate” means the sum total of the grades obtained by a pupil in the best 8 core subjects, including English, French and Mathematics, out of the core subjects offered at the NCE assessment.

Added by [GN No. 179 of 2018]

19. Amended by [GN No. 83 of 1959]; [GN No. 105 of 1966]; [GN No. 61 of 1967]; [GN No. 221 of 1977]; [GN No. 14 of 1978]; [GN No. 35 of 1978]; [Act No. 2 of 1960]; Repealed by [GN No. 8 of 1982]

19A. Amended by [GN No. 90 of 1958]; [Act No. 2 of 1960]; Repealed by [GN No. 8 of 1982]

20. Amended by [GN No. 105 of 1966]; [GN No. 1 of 1970]; [GN No. 14 of 1978]; [GN No. 35 of 1978]; [Act No. 2 of 1960]; Repealed by [GN No. 8 of 1982]

21. Amended by [Act No. 2 of 1960]; Repealed by [GN No. 8 of 1982]

22. Amended by [GN No. 90 of 1958]; [GN No. 14 of 1978]; [GN No. 35 of 1978]; [Act No. 2 of 60]; [Act No. 45 of 1968]; Repealed by [GN No. 8 of 1982]

22A. Amended by [GN No. 166 of 1964]; [Act No. 45 of 1968] Repealed by [GN No. 8 of 1982]

23. Amended by [GN No. 2 of 1969]; [Act No. 2 of 1960]; Repealed by [GN No. 8 of 1982]

24. Sir Seewoosagur Ramgoolam National Scholarships and State of Mauritius Scholarships – Amended by [GN No. 24 of 2013]

(1) The Sir Seewoosagur Ramgoolam National Scholarships referred to in section 33B of the Act shall be awarded to the first boy and the first girl on the Science Side from the Government and approved secondary schools consider together.

(1A) The State of Mauritius Scholarships shall be awarded as follows-

(a) boys from the Government and approved secondary schools considered together, one scholarship on the Arts Side, four scholarships on the Science Side, 2 scholarships on the Economics Side and one scholarship on the Technical Side;

(b) girls from the Government and approved secondary schools considered together, one scholarship on the Arts Side, 4 scholarships on the Science Side, two scholarships on the Economics Side and one scholarship on the Technical Side.

(1B) Where a student who is awarded a State of Mauritius Scholarship elects to follow an undergraduate course —

(a) in an overseas university, he shall —

- (i) be entitled to follow a fully funded undergraduate course of a duration not exceeding 4 years;
- (ii) not be entitled to any postgraduate scholarship awarded by the Government; and
- (iii) immediately after completing his undergraduate course, spend 2 years on internship in a Government Ministry or Department in Mauritius; or

(b) in an approved tertiary education institution in Mauritius, he shall —

- (i) subject to paragraph (1C), be entitled to follow an undergraduate course of a duration not exceeding 4 years;
- (ii) be entitled to an allowance of 200,000 rupees per year;
- (iii) be entitled to full tuition fees and related charges;
- (iv) immediately after completing his undergraduate course, spend 2 years on internship in a Ministry or Department in Mauritius; and
- (v) subject to paragraph (1C), be entitled, after completing his 2 years' internship, to a fully funded postgraduate course of a duration of one year abroad or for a period not exceeding 2 years locally, subject to his securing a seat at university for that purpose.

(1C) Where a student who is awarded a State of Mauritius Scholarship elects to follow an undergraduate course in medicine or a medicine-related field in an approved tertiary education institution in Mauritius, he shall —

(a) be eligible to follow an undergraduate course of a duration not exceeding 5 years;
and

(b) not be entitled to any postgraduate scholarship awarded by the Government

(2) The awards of the Sir Seewoosagur Ramgoolam National Scholarship and of the State of Mauritius Scholarship under this regulation shall be made on the results of the Cambridge Higher School Certificate examination (hereafter referred to as the English Scholarship examination),

(3) No candidate shall be eligible for the award of a Sir Seewoosagur Ramgoolam National Scholarship or a State of Mauritius Scholarship unless-

(a) he shall have, not later than 1 June in the year immediately preceding that in which is held the State of Mauritius Scholarship examination for which he sits, have obtained a pass-

(i) in the University of Cambridge International Examinations School Certificate examination with at least credit in English language and 5 other subjects at one and the same examination;

(ii) in the International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel) in English language and 5 other subjects at ordinary level at one and the same examination; or

(iii) in the Cambridge General Certificate of Education in English language and 5 other subjects at ordinary level at one and the same sitting;

Provided that-

- (i) A candidate who has passed the University of Cambridge International Examinations School Certificate examination or the Cambridge General Certificate of Education examination or the International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel) examination but has failed to obtain at one and the same examination a pass in accordance with the above requirements in any one subject, may supplement his University of Cambridge International Examinations School Certificate or Cambridge General Certificate; of Education or International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel), as the case may be, by passing in a sixth subject with credit or at Ordinary level in any such examinations held in any year preceding that in which is held the State of Mauritius Scholarship examination for which he sits;
- (ii) no candidate having previously obtained a pass with credit in any one subject in in a University of Cambridge International Examinations School Certificate examination for which he has previously sat and in which he has failed shall be authorised to reckon that subject towards supplementing a pass with credit in the other 5 subjects obtained at any ensuing University of Cambridge International Examinations School Certificate examination;
- (iii) No candidate having previously obtained in any one subject a pass at Ordinary: Level in a Cambridge General Certificate of Education Examination or International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel) examination for which he has previously sat shall be authorised to reckon that subject towards

supplementing a pass at Ordinary Level in the other 5 subjects obtained at any ensuing Cambridge General Certificate of Education examination or International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel) examination.

- (b) he shall have been a pupil of one or more Government or approved secondary schools for boys or of both the Government and of one or more approved secondary schools for boys, as the case may be, or of a Government or of one or more approved secondary schools for girls, or of both a Government and of one or more approved Secondary Schools for girls, as the case may be, for not less than 3 consecutive years immediately preceding the first day on which is held the State of Mauritius Scholarship examination for which he sits-

Provided that for the purpose of determining whether the requirements of this sub-paragraph have been complied with the following periods shall be disregarded-

- (i) any period of absence from Mauritius approved by the Minister;
- (ii) any period not exceeding 30 days at a time between the date on which a candidate ceases to be a pupil of one of the secondary schools and that of his admission to another of such schools; or
- (iii) he shall have followed, at anyone of the aforesaid secondary schools, the course of study set out in Second Schedule for the period extending from the 1 June in the school year immediately preceding that in which is held the State of Mauritius Scholarship examination for which he sits to the first day on which such examination is held:

Provided that-

- (A) this subparagraph shall not apply in relation to any pupil who has been authorised by the Minister to be transferred from one of the secondary schools to another:

(B) no authorisation shall be given unless the Minister is satisfied that-

- (I) the pupil suffers from ill health;
- (II) the school he attends no longer provides for the course of study he is following;
- (III) it is proposed to reconstruct or amalgamate any one or more of the secondary schools;
- (IV) he shall have been a citizen of Mauritius and have resided in the Republic of Mauritius for not less than 4 consecutive years immediately preceding 1 June of the school year in which is held the State of Mauritius Scholarship examination for which he sits, and shall not have been absent from Mauritius for more than 3 months in the aggregate during such residence;
- (V) he shall not have been absent from school for more than 15 days in either of the 2 school years immediately preceding the first day on which is held the State of Mauritius Scholarship examination for which he sits, excluding absences which the Rector of the school is satisfied are due to prolonged illness supported by a medical certificate from a Government medical officer or a recognised private institution, absence from Mauritius approved by the Minister or such other reasonable cause, supported by such documentary evidence, as the Rector may approve;
- (VI) he shall not have completed his twentieth year on the 1 July of the year in which is held the State of Mauritius scholarship examination for which he sits;

(VII) he shall be favourably reported on by the Principal of his school for character and conduct.

(VIII) he shall not have sat for the State of Mauritius Scholarship examination more than twice.

- (4) For the purposes of this regulation, the Minister when first giving his approval to a secondary school, may approve that school on a provisional basis for such time as he may determine, "approved secondary school" whenever it occurs under this regulation, shall include any such provisionally approved school:

Provided that-

- (i) the provisional approval may be given with such retrospective effect as will entitle pupils of provisionally approved secondary schools who may have been studying for the University of Cambridge International Examinations School Certificate, or International General Certificate of Secondary Education (IGCSE) (Cambridge) or International General Certificate of Secondary Education (IGCSE) (Edexcel) examination to become eligible for the State for Mauritius Scholarship if they are otherwise qualified therefor;
- (ii) secondary schools which may be provisionally approved with retrospective effect shall not be considered to have been approved secondary schools for any purpose other than preparing and presenting candidates for the State of Mauritius Scholarship examination;
- (iii) a provisional approval granted to a secondary school for the purpose of preparing and presenting candidates for the State of Mauritius Scholarship examination may be renewed from time to time on application supported by proof being made to the Minister that the Cambridge Higher School Certificate course is being satisfactorily followed; and the Minister shall, at any time, have power to withdraw a provisional approval which may have been granted for that purpose;

(iv) notwithstanding anything contained in the preceding provisos, a provisional approval may be given to a secondary school where the Cambridge Higher School Certificate course is not being followed with such retrospective effect as will entitle pupils who leave that school to follow the Cambridge Higher School Certificate course in a Government or approved secondary school to become eligible for the State Scholarships if they are otherwise qualified therefore.

(5) (a) every candidate for the State of Mauritius Scholarship examination shall offer, in accordance with the syllabuses approved for the Cambridge Higher School Certificate examination, the subject specified in Part I of Second Schedule, anyone subject specified in Part II of Second Schedule and-

(i) in respect of the Arts Side, 3 subjects specified in Sub-part A of Part III of Second Schedule;

(ii) in respect of the Science Side, 3 subjects specified in Sub-part B of Part III of Second Schedule;

(iii) in respect of the Economics Side, 3 subjects specified in Sub-part C of Part III of Second Schedule;

(iv) in respect of the Technical Side, 3 subjects specified in Sub-part D of Part III of Second Schedule.

(6) The award of the State of Mauritius Scholarship in respect of each category of candidates under this regulation shall, subject to his being otherwise suitable for the award, be made to the candidates who, in the opinion of the examiners, shall have proved superior in the examination as a whole, and to that effect a list of each category of candidates arranged in order of merit shall be submitted to the Minister by the Secretary of the University of Cambridge Local Examination Syndicate-

Provided that-

- (i) where, in the opinion of the Examiners, there is no candidate of scholarship standard in any of the categories of candidates, no State of Mauritius Scholarship shall be awarded with respect thereto;
 - (ii) the scholarships intended for boys shall not be awarded to girls and vice versa;
 - (iii) the award of a State of Mauritius Scholarship to a candidate who proposes to take a course of study at a university or institution of similar status shall not be effective unless or until, as the case may be, the said candidate fulfils the conditions for the time being imposed for his admission to the said course of study at such university or institution.
- (7) Every candidate for a State of Mauritius Scholarship shall send to the Rector of his school so as to reach him not later than the 12 July of the year in which he proposes to sit for the State of Mauritius Scholarship examination-
 - (a) a written application for admission to the examination; and
 - (b) proof that he satisfies in all respects the requirements of this regulation.
- (8) The Rector of the school shall forward the application and the proof to the Minister so as to reach him not later than 15 July.
- (9)
 - (a) The Minister shall cause a list of the names of all candidates so applying to be published on or before 2 September in the Gazette headed "Provisional List of Candidates for the State of Mauritius Scholarships".
 - (b) Any objection raised against the eligibility of a candidate shall be valid if received in writing by the Minister within 4 weeks of the date of publication of the candidates' names in the Gazette.

- (c) An objector dissatisfied with the Minister's decision on his objection may appeal against such decision to the Supreme Court by way of motion, within 15 days after the notification of the Minister's decision.

(10) Notwithstanding the publication of the Provisional List of Candidates for the State of Mauritius Scholarship in the Gazette, the List may be amended where a candidate ceases to satisfy the requirements of paragraph (3).

Amended by [GN No. 82 of 1960]; [GN No. 82 of 1961]; [GN No. 61 of 1968]; [GN No. 148 of 1968]; [GN No. 12 of 1971]; [GN No. 45 of 1972]; [GN No. 14 of 1978]; [GN No. 35 of 1978]; [GN No. 229 of 1979]; [GN No. 59 of 1990]; [GN No. 65 of 1993]; [GN No. 72 of 1993]; [Reprint No. 3 of 1980]; [Act No. 2 of 1960]; [Act No. 45 of 1968]; [GN No. 24 of 2013]; [GN No. 10 of 2021]; [GN No. 207 of 2022]

24A. Additional Scholarships

(1) The 50 Additional Scholarships referred to in section 33A of the Act shall be awarded to 50 students from Government schools and approved secondary schools considered together.

(2) (a) The first 26 Additional Scholarships shall be awarded, subject to subparagraph (b), to the best ranked -

(i) students ranking immediately after the State of Mauritius Scholarship beneficiaries, as follows -

- (A) the best ranked 4 boys and 4 girls on the Science side;
- (B) the best ranked 3 boys and 3 girls on the Economics side;
- (C) the best ranked 2 boys and 2 girls on the Arts side; and
- (D) the best ranked 2 boys and 2 girls on the Technical side; and

(ii) 2 boys and 2 girls on the basis of the merit list of Rodrigues.

(b) The award of an Additional Scholarship under subparagraph (a) shall be made to a student on the results of the Cambridge Higher School Certificate examination.

(c) No student shall be awarded an Additional Scholarship unless he satisfies the requirements specified in regulation 24(3).

(3) (a) The next 24 Additional Scholarships shall be awarded -

(i) to 8 boys and 8 girls, as follows -

- (A) subject to subparagraph (b)(i), 3 boys and 3 girls on the Science side;
- (B) subject to subparagraph (b)(i), 2 boys and 2 girls on the Economics side;
- (C) subject to subparagraph (b)(i), one boy and one girl on the Arts side;
- (D) subject to subparagraph (b)(i), one boy and one girl on the Technical side; and
- (E) subject to subparagraph (b)(ii), one boy and one girl on the basis of the merit list of Rodrigues; or

(ii) subject to subparagraph (b)(iii), to 4 boys and 4 girls.

(b) The award of an Additional Scholarship referred to in -

(i) subparagraph (a)(i)(A) to (D) shall be made to a student on the results of the Cambridge Higher School Certificate examination -

- (A) who is ranked among the first 500 of the Cambridge International Examination Scholarship Rank Orders; and

(B) where the student satisfies the Minister that the total income of his parents does not exceed, in the aggregate, 12,000 rupees per month;

(ii) subparagraph (a)(i)(E) shall be made to a student on the results of the Cambridge Higher School Certificate examination where the student satisfies the Minister that the total income of his parents does not exceed, in the aggregate, 12,000 rupees per month;

(iii) subparagraph (a)(ii) shall be made to a student -

(A) on the results of the Cambridge Higher School Certificate examination;

(B) where the student satisfies the Minister that the total income of his parents does not exceed, in the aggregate, 6,200 rupees per month; and

(C) where the student satisfies the Minister that he has secured a seat at university for that purpose.

(c) An application for the award of an Additional Scholarship under this paragraph shall be made in such form and manner as the supervising officer of the Ministry may approve.

(3A) Where an Additional Scholarship cannot be awarded to a student in accordance with paragraph (3)(a)(i) (A) to (D), that Additional Scholarship shall be awarded to the best ranked eligible student on any side who, on the results of Cambridge Higher School Certificate examination -

(a) is ranked among the first 500 of the Cambridge International Examination Scholarship Rank Order; and

(b) satisfies the Minister that the total income of his parents does not exceed, in the aggregate, 12,000 rupees per month.

(4) Where a student who is awarded an Additional Scholarship elects to follow an undergraduate course —

(a) in an overseas university, he shall -

- (i) be entitled to follow an undergraduate course of a duration not exceeding 4 years;
- (ii) be entitled to an all-inclusive annual grant of 300,000 rupees;
- (iii) not be entitled to any postgraduate scholarship awarded by the Government; and
- (iv) immediately after completing his undergraduate course, spend 2 years on internship in a Ministry or Department in Mauritius;

(b) in an approved tertiary education institution in Mauritius, he shall, subject to subparagraph (5) -

- (i) be entitled to follow an undergraduate course of a duration not exceeding 4 years;
- (ii) be entitled to an allowance of 96,000 rupees per year;
- (iii) be entitled to tuition fees and related charges not exceeding 150,000 rupees per year;
- (iv) immediately after completing his undergraduate course, spend 2 years on internship in a Ministry or Department in Mauritius; and
- (v) be entitled, after completing his 2 years' internship referred to in subparagraph (iv), to a fully funded postgraduate course of a duration of one year abroad or for a period not exceeding 2 years locally, subject to securing a seat at university for that purpose.

(5) Where a student who is awarded an Additional Scholarship elects to follow an undergraduate course in medicine or a medicine-related field in an approved tertiary education institution in Mauritius, he shall not be eligible for a postgraduate scholarship awarded by the Government.

Amended by [GN No. 24 of 2013]; [GN No. 182 of 2013]

PART V- FINANCIAL PROVISIONS

25. -

26. School club funds

The funds of any school club or society shall be administered by the Principal of the school and shall be subject to annual audit.

27. Amended by [GN No. 166 of 1964]; [GN No. 60 of 1965]; [GN No. 11 of 1966]; [GN No. 148 of 1968]; [GN No. 58 of 1970]; [GN No. 69 of 1974]; [GN No. 81 of 1977]; Repealed by [GN No. 8 of 1982]

28. Amended by [GN No. 58 of 1970]; [GN No. 15 of 1973]; [GN No. 176 of 1974]; [Act No. 2 of 1960] Repealed by [GN No. 8 of 1982]

29. English Scholarship entitlements

(1) Every laureate shall, during the tenure of his scholarship, be entitled to such annual allowance free of income tax as shall from time to time be fixed by the President of the Republic.

(2) (a) subject regulation 17(2), the allowances made to a laureate shall be held in trust for him by the Minister or a representative appointed by him who shall decide what residue will be available for the personal expenses of the laureate after deduction to meet the necessary expenditure on examination fees and fees for courses of study.

- (b) This residue shall be payable monthly to the laureate who may dispose of it as he pleases, but any fine inflicted in accordance with regulation 17(4) shall be deducted before payment is made.
- (3) Every laureate shall, during the tenure of his scholarship, be entitled to free medical advice, attendance, and treatment subject to the approval of the Minister and to such an amount as the Minister may in case approve.
- (4) Every Laureates shall be provided with a second class sea passage or tourist class air passage, at the discretion of the Minister, to and from England or any other country in which such laureate is allowed to pursue his studies:

Provided that -

(a) the return passage to Mauritius at Government expense may be delayed not longer than 6 months or in special circumstances with the approval of the Minister, not longer than 2 years after the date on which the scholarship shall have terminated:

(b) a laureate may be granted such travelling allowance for each voyage as the President of Republic may from time to time approve.

Amended by [GN No. 61 of 1968]; [Act No. 2 of 1960]; [Act No. 48 of 1991]

30. Training College entitlements

- (1)(a) A student at the Training College shall receive such allowances as the President of the Republic may from time to time approve.
- (b) A student referred to in subparagraph (a) may be require to purchase such books and equipment as the Principal considers essential to the course he is following.
- (2) No serving teachers following a refresher or conversion course at the Training College shall receive a allowance, but may be refunded such additional expenditure incurred by him in travelling to and from the College as the Minister may approved.

- (3) The Principal shall have power to deduct from any salary or from allowance payable to a student the cost of books and equipment supplied to him by the College.

Amended by [GN No. 61 of 1968]; [Act No. 2 of 1960]; [Act No. 48 of 1991]

31. Aided Primary School grants

(1) The following grants may be paid from public funds in respect of aided primary schools-

- (a) the salaries of teachers and school servants, and such allowances as the President of the Republic shall from time to time approve at the same rates and on the same conditions as in the Government primary schools;
- (b) such maintenance grants towards the upkeep of these school as the Minister may approve;
- (c) such capital grants as the Minister may approve to assist an Authority to extend, rebuild or equip the school owned by it, or rent assistance in the event of its occupying rented quarters which have been extended, rebuilt or equipped, as the President of the Republic may from time to time approve.

(2) (a) In addition to the financial assistance specified in paragraph (1), the Minister may issue to the aided primary school such equipment and teaching aids as he may determine

(b) Any Issue made under this paragraph may be free or charged against the maintenance grant made to the Authority.

(3) An Education Authority may distribute the maintenance grants paid to it among aided primary schools at its own discretion:

Provided that unless an Education Authority can satisfy the Minister when called upon to do so, that the money paid to it grant has been spent on the upkeep of its schools, the Authority shall be liable to refund the whole or such part of the grant as the President of the Republic may determine.

Amended by [GN No. 61 1968]; [GN No. 114 of 1989]; [GN No. 144 of 1991]; [Act No. 2 of 1960];
[Act No. 48 of 1991]

32. Grants to secondary schools

- (1) An approved secondary school which with regulation 52 (1) may receive a regular grant-in-aid from public funds based on such percentage of the salaries of the approved staff as the President of the Republic may from time to time determine-

Provided that such school shall not be organised and maintained for the financial profit of any individual or group of partners or shareholders.

- (2) The Minister may, at his discretion, make ad hoc grants or issue equipment to any approved secondary school to assist that school to develop its library, laboratory, art, music, handicraft, homecraft or physical education services-

Provided that a grant made under this regulation shall not, except with the approval of the President of the Republic , exceed 1,000 rupees in value in any one year.

- (3) For the purpose of assisting any secondary school towards the fulfilment of the conditions regarded as essential for making that school an approved secondary school, the Minister may also make ad hoc grants at his discretion:

Provided that a grant made under this paragraph shall not, except with the approval of the President of the Republic, exceed 2,0000 rupees in value in any one year.

- (4) An approved secondary school in receipt of Government grants may spend, at its discretion, the money received in grant on the needs of its school-

Provided that unless the Manager of the school can satisfy the Minister, when called upon to do so, that the money paid in grant has been spent on the school, the manager shall be liable to refund the whole or such part of the grant as the President of the Republic may determine.

Amended by [GN No. 12 of 1962]; [GN No. 61 of 1968]; [GN No. 114 of 1989]; [GN No. 144 of 1991]; [Act No. 2 of 1960]; [Act No. 48 of 1991]

33. Grants to local government bodies and other organisations

The Minister may, at his discretion, make ad hoc grants or issue equipment to any local authority, social welfare organisation, youth club or similar organisation, to assist it to carry out its further education schemes, including organised cultural and recreational activities:

Provided that a grant made under this regulation shall not, except with the approval of the President of the Republic, exceed 1,000 rupees in value in any one year.

Amended by [GN No. 61 of 1968]; [Act No. 2 of 1960]; [Act No. 48 of 1991]

PART VI- ADMINISTRATION

34. School discipline

(1) The Principal of a Government or aided primary school, a Government central or secondary school, of the Government Secondary and Technical School and the Teachers' Training College may, with the approval of the Minister, and, in the case of an aided primary school, with the approval of the Manager, make such rules for the administration and discipline of the school as he may determine.

(2) The principal may require his staff to perform such duties in the execution of these rules as he thinks fit and authorise them to inflict such punishments, other than corporal punishment, as he may determine for any misconduct or breach of the rules of which a pupil may be found guilty at any time and in any place.

Amended by [GN No. 2 of 1959]; [GN No. 166 of 1964]; [Act No. 2 of 1960]

35. Enrolments

The number of pupils which any school in receipt of public funds is authorised to accommodate shall be fixed from time to time by the Minister.

Amended by [Act No. 2 of 1960]

36. Physical Conditions

(1) (a) No school premises shall be situated in or over any godown, shop, store or factory unless the Minister is satisfied that no danger or hazard will be created thereby and that the health or well-being of the pupils will not be adversely affected.

(b) Where permission is granted for the use of school premises over a godowns, shop, store or factory, provision shall be made for fire control measures to the satisfaction of the Chief Fire Officer.

(2) Every building, used as school premises, and every floor of such building above the ground floor shall be provided with no less than 2 independent satisfactory means of egress.

(3) Every building used as school premises shall be adequately ventilated and lighted.

(4) No roof, loft, verandah, balcony or cellar shall be used as a classroom ,for the teaching of physical education, or for recreational purposes, without the written approval of the Minister.

(5) Every building used as school premises shall be maintained in a clean and sanitary condition.

(6) Every school shall be provided with adequate and suitable furniture and equipment and writing space shall be provided as follows-

(a) for primary school children, of a length of not less than 18 inches and a width of not less than by 15 inches;

(b) for secondary school children, of a length of not less than 24 inches and width of not less than 18 inches measured on the bench or table top.

(7) Every classroom in every school shall, save in exceptional circumstances as the Minister may approve -

- (a) have at least one blackboard with a minimum dimension of 8 feet by three and a half feet (243 centimetres by 106 centimetres) and a soft board.
- (b) be provided with a single or double seaters for pupils with a minimum writing space of 24 inches by 18 inches (60 centimetres x 45 centimetres) for each pupil together with a suitable table and chair for the teacher;
- (c) have-
 - (i) a door for independent access;
 - (ii) windows to provide for adequate ventilation and natural lighting;
 - (iii) double-panelling wooden or other appropriate partitions;
- (d) be of an area of not less than 225 square feet calculated on the basis of 8 square feet per pupil exclusive of 7 feet between the blackboard and the first row of benches;
- (e) not accommodate more than 40 pupils at a time.

(8) Every school shall have-

- (a) a well furnished and well equipped office for the principal and staffroom;
- (b) a well equipped and functional library;
- (c) well equipped specialist rooms, laboratories and workshops for the teaching of practical based subjects;

(d) where it offers agricultural and related subjects, the necessary agricultural space and facilities within the school premises or in its vicinity.

(9) All school premises shall be properly fenced.

Amended by [GN No. 35 of 1959]; [GN No. 72 of 1986]; [Act No. 2 of 1960]

37. Health and sanitation

(1) Every school shall be open to medical and sanitary inspection by a Government medical officer.

(2) In every school separate water closet accommodation with flushing systems shall be provided for each sex on the following basis-

No. of children enrolled	No. of WCs	
	for girls	for boys
30	2	1
70	3	2
100	4	3
For every additional 100 boys	-	1
For every additional 40 girls	1	-

(3) Properly sheltered urinals provided with sparge pipes shall be provided for boys at the rate of ten feet of urinal space for the first hundred boys and 5 feet for every additional hundred boys enrolled.

(4) Where lavatories are built together in one block, there shall be separate entrances for boys and girls.

(5) Every school at which more than 300 pupils are enrolled shall be provided with latrines and urinals on a scale to be fixed by the Government medical officer having regard to the scales set out in paragraphs (2) and (3).

(6)(a) Every school shall be provided with an adequate and wholesome supply of drinking water and a properly maintained and clean water tank.

(b) These shall be at least one tap for every 80 pupils.

(7) There shall be provided in every school at least one first-aid box, stocked in accordance with the instructions of a Government medical.

(8) Every school shall-

(a) be provided with an adequate, safe and salubrious area for open air recreation and its own playing fields or arrange for the provision of such facilities; and

(b) provide the necessary equipment and facilities for sports and games it is registered to provide.

Amended by [GN No. 35 of 1959]; [GN No. 83 of 1959]; [GN No. 37 of 1962]; [GN No. 72 of 1986]

38. Name of school

At or near the entrance to every school there shall be prominently displayed a board or other form of notice bearing in conspicuous lettering the registered name of the school.

39. School year and vacations

In every school in receipt of public funds-

(a) the school year, which shall begin on 1 January with effect from the year 2023, shall be divided into 3 terms, the dates of which shall be approved by the Minister;

(aa) Notwithstanding paragraph (a), the school year 2021-2022 shall be deemed to have begun on 1 June 2021 and shall end on 31 December 2022.

- (b) Subject to paragraph (c), the school vacations in any school year shall be fixed by the Minister;
- (c) Every saturday and every public holiday shall be observed as a school holiday.

Amended by [GN No. 61 of 1968]; [GN No. 105 of 1976]; [Act No. 2 of 1960]; [GN No. 234 of 2020]; [GN No. 153 of 2022]

40. Course of studies

- (1) In every school in receipt of public funds, the curriculum, the syllabus for each course of study, the subjects of instruction and the method of teaching shall be such as the Minister shall from time to time approve.
- (2) Where alternative courses of study are available, the wishes in writing of the responsible party of each pupil shall be taken into account by the Principal of the school in deciding which course of studies the pupil shall follow.

Amended by [Act No. 2 of 1960]

41. Organisation of primary schools

The pupils of Government and aided primary schools shall be organised in six grades from Grade 1 to Grade 6:

Provided that the Minister shall not be obliged to hold every one of the six grades in every primary school and provided also that the Minister may allow other classes to be formed where he deems it desirable.

Amended by [GN No. 227 of 2015]

42. Records and Registers

(1) There shall be kept by the Principal of every school in receipt of public funds the following records, which shall be available for inspection by the Minister or his representative-

(a) admission and attendance registers in such form as the Minister may approve;

(b) a log book;

(c) a despatch book;

(d) a visitor's book;

(e) a copy of the Education Act and the regulations made thereunder;

(f) weekly records of work (literary and practical) and teachers' notes;

(g) the school time-table;

(h) an inventory of school property;

(i) copies of departmental circulars.

(2) Every secondary school to which paragraph (1) of this regulation is not applicable shall have available for inspection, attendance registers in a form acceptable to the Minister, a copy of the Education Act, and the regulations made thereunder and a copy of the school time table which shall be displayed preferably in the Principal's Office or some other prominent place.

Amended by [GN No. 35 of 1959]; [Act No. 2 of 1960]

43. Medium of instruction and teaching of languages

- (1) Any language that, in the opinion of the minister is most understandable by every pupil of grade 1 to grade III, may be used as a medium of instruction in any Government or aided primary school.

(2)-(3) -

Amended by [GN No. 2 of 1960]; [GN No. 227 of 2015]

44.-

45.-

46. Grades in regional school

- (1) A regional school shall be organised up to 7 Grades, from Grade 7 up to Grade 13.
- (2) Grade 7 shall be the next class above Grade 6 of a Government or aided primary school.
- (3) The curriculum of Grades 12 and 13, which shall be of Higher School Certificate or General Certificate of Education (advanced) level, may be spread over 2 years.
- (4) The Minister may allow other classes to be formed where he shall consider such a course desirable.

Amended by [Act No. 2 of 1960]; [GN No. 227 of 2015]; [GN No. 179 of 2018]

47. Training College Courses and certificate

- (1) Courses at the Teachers' Training College shall be conducted for-
 - (a) candidates for admission to the teaching profession;
 - (b) the in-service training of teachers in primary, junior technical or secondary school;
 - (c) such other specialist purposes as the Minister may require.

(2) Every course specified in paragraph (1) shall be of such length, not exceeding 2 years, as the Minister shall approve, having regard to the circumstances of each case or each category of training.

(3) Teachers Certificate and Certificates of Proficiency in specified subjects shall be granted on-

(a) satisfactory completion of a course;

(b) passing a final examination.

Such certificates referred to in paragraph (3) shall be jointly signed by the Principal and the Minister.

Amended by [Act No. 2 of 1960]; [GN No. 51 of 1975]

48. Industrial Apprenticeship courses

Every Industrial apprentice course of training, hours of instruction, and the examinations shall be such as the Minister may from time to time approve.

Amended by [GN No. 2 of 1959]; [Act No. 2 of 1960]

48A. Technical Institute Courses

The course of training, hours of instruction, and examinations for students of the Technical Institute shall be such as the Minister may from time to time approve.

49. Conditions for grant-in-aid to primary schools

A primary school in Mauritius shall not be entitled to a grant-in-aid unless it complies with the following conditions to the satisfaction of the Minister-

(a) it shall charge no tuition fees;

- (b) it shall not refuse admission to any child on the ground of race or religion;
- (c) it shall be necessary for the locality and the requirements of the population;
- (d) it shall satisfy such sanitary requirements as the Government medical officer may from time to time require;
- (e) it shall be suitably housed and equipped, and provided with adequate recreational space;
- (f) it shall be adequately and suitably staffed, and satisfactorily managed and maintained;
- (g) it shall conform with these regulations.

Amended by [GN No. 114 of 1989]; [GN No. 144 of 1991]; [Act No. 2 of 1960]; [Act No. 37 of 1962]

50. Duties of Managers of aided primary schools

- (1) A Manager of an aided primary school shall be responsible to his Education Authority or, where no such Authority exists, to the Minister for the administration of his school including the regular payment of salaries to the staff, responsibility for the proper upkeep of the school buildings and school grounds, the conduct of correspondence with his Authority if any and the Ministry, the supervision of the general conduct and bearing of the staff and pupils, and, in general, the care for the spiritual and material welfare of the school.
- (2) No Manager of an aided primary school or any member of his family shall be a member of the teaching staff.
- (2) For the purpose of this regulation
"family" means any relative by blood or marriage who under the law, would, if he were in want, be entitled to an alimony from the Manager.

Amended by [Act No. 2 of 1960]

51. Withdrawal of recognition

The Minister may, subject to the approval President-

- (a) where an aided primary school fails to comply with these regulations and the Education Authority has given warning and reasonable opportunity to comply with; and
 - (b) after having given 3 months' notice to the education authority,
- Remove a school from the list of aided primary schools.

Amended by [GN No. 61 of 1968]; [Acts No. 2 of 1960];[Act No. 48 of 1991]

52. Conditions for registration of approved schools

- (1) A secondary school wishing to qualify for registration as an approved secondary school, shall comply with the following conditions-
 - (a) it shall not refuse admission to any pupil on the grounds of race or religion;
 - (b) it shall have a school enrolment sufficient to provide continuous education from Grade 7 to Grade 11, leading to the presentation of pupils for the Cambridge School Certificate or the General Certificate of Education examinations;
 - (c) it shall use English as a medium of instruction;
 - (d) it shall, in addition to the academic subjects covered by subparagraph (b), make provision for the teaching of art, music, handicrafts or homecrafts, physical education and organised games;
 - (e) it shall have accommodation and recreational space sufficient to carry out the requirements of sub-paragraphs (b) and (d) of this regulation to the satisfaction of the Minister;

- (f) it shall, if called upon to do so, present certified statements of accounts to the Minister
 - (g) it shall be staffed and managed to the Minister's satisfaction;
 - (h) it shall conform with these regulations.
- (2) (a) Every approved secondary school shall be controlled by a manager who shall be responsible for the provision of educational facilities required for the proper teaching in the school and the maintenance and upkeep of the school infrastructure and property.
- (b) A manager may be a member of the teaching staff.
- (c) The manager shall-
- (i) conduct all correspondence with the Ministry; and
 - (ii) keep such books and vouchers relating to the financial position of the school, and the use by the school of the grants made to it, as the Minister may require.

Amended by [GN No. 72 of 1986]; [GN No. 114 of 1989]; [GN No. 44 of 1991]; [Act No. 2 of 1960]; [GN No. 227 of 2015]

53. Withdrawal of recognition

The Minister may, subject to the President of the Republic's approval, and after giving notice remove a school from the list of approved or provisionally approved secondary schools if it has ceased to fulfil the conditions specified in regulation 52.

Amended by [GN No. 59 of 1958]; [GN No. 61 of 1968]; [GN No. 114 of 1989]; [GN No. 144 of 1991]; [Act No. 2 of 1960]; [Act No. 48 of 1991]

(FIRST SCHEDULE TO REGULATION)

FIRST SCHEDULE

[Regulation 17]

UNDERTAKING TO BE SIGNED

I,, having
been awarded a/an..... Scholarship for the purpose of pursuing my studies at the
expense of the Government of Mauritius, do hereby undertake—

- (a) that I will not, directly or indirectly, apply for any money payable to me in virtue of my scholarship except such as is authorised by the Minister to assist, guide or advise me in my studies;
- (b) to pursue my studies diligently and regularly at such university or tertiary education institution as the Minister may approve;
- (c) not to change the course of studies without obtaining the Minister's approval; and
- (d) to comply with the Education Act and Education Regulations 1957.

I am aware that the Government of Mauritius is investing not less than..... rupees in connection with the scholarship and I therefore undertake to serve my country, on completion of my course, in whatever capacity for as long as my services may be required.

Dated

.....

Beneficiary

Dated.....

.....

Responsible Party

On behalf of above named
beneficiary of scholarship
(where beneficiary is a minor)

Amended by [GN No. 24 of 2013]

(SECOND SCHEDULE TO REGULATION)

SECOND SCHEDULE

[Regulation 24 (5)]

PART I

ENGLISH GENERAL PAPER

PART II

At Subsidiary Level, any subject which may be offered at Subsidiary Level, at the Cambridge Overseas Higher School Certificate examination, and which is included in the school course provided by the school at which the candidate is a pupil, but which has not already been offered under Part III.

PART III

SECTION A - ARTS SIDE

At Principal Level, 3 subjects, being subjects included in the school course provided by the school at which the candidate is a pupil, to be chosen from the following-

English, French, Hindi, Urdu, Tamil, German, Arabic, Hinduism, Islamic Studies, Telegu, Marathi, Chinese, Spanish, Divinity, History, Geography, Mathematics or Further Mathematics, Sociology, Art, Music.

SECTION B – SCIENCE SIDE

At principal Level, 3 subjects, being subjects included in the school course provided by the school at which the candidate is a pupil, to be chosen from the following-

Mathematics or Further Mathematics, Physics, Chemistry, Computer Science, Biology or Marine Science, Geography.

Amended by [GN No. 112 of 2016]

SECTION C - ECONOMICS SIDE

At Principal Level, 3 subjects, being subjects included in the school course provided by the school at which the candidate is a pupil, to be chosen as follows-

- (i) Economics; and
- (ii) 2 of the following subjects-
Mathematics or Further Mathematics, Geography, History, Sociology, Law, Computer Science, Accounting, Travel and Tourism, Business, one of the languages listed in Sub-part A or Literature in English or a science subject.

Amended by [GN No. 112 of 2016]

SECTION D - TECHNICAL SIDE

At Principal Level, 3 subjects, being subjects included in the school course provided by the school at which the candidate is a pupil, to be chosen from paragraphs (a) and (b) and including at least one subject from each section-

- (a) Design and Technology, Art & Design , Design and Textiles, Food Studies;
- (b) Mathematics or Further Mathematics, Physics, Chemistry, Computer Science, Biology or Marine Science.

Amended by [GN No. 47 of 1967]; [GN No. 148 of 1968]; [GN No. 45 of 1972]; [GN No. 14 of 1978]; [GN No. 35 of 1978]; [GN No. 229 of 1979]; [GN No. 165 of 1982]; [GN No. 146 of 1983]; [GN No. 35 of 1987]; [GN No. 29 of 1988]; [GN No. 38 of 1989]; [GN No. 59 of 1990]; [GN No. 42 of 1991]; [GN No. 72 of 1993]; [GN No. 24 of 2013]; [GN No. 87 of 2014] [Reprint No. 3 of 1980]; [Reprint No. 6 of 1991]; [GN No. 112 of 2016]; [GN No. 10 of 2021]

(SECOND SCHEDULE TO ACT)

SECOND SCHEDULE

FORM I
(section 9)

Application for registration of a school

Address ...
Date ...

Permanent Secretary,
Port Louis.

I wish to open a school, particulars of which are set out below, and request that it may be registered and a certificate of registration be issued

Signed ...

Particulars

- 1 (a) Proposed name of school ...
(b) Proposed address of school ...
(c) (i) day school
(ii) evening school
(iii) part-time school

(d) (i) for boys only
(ii) for girls only
(iii) coeducational.

(e) Particulars of teachers it is proposed to employ-

Name	Qualifications	Proposed Salary
------	----------------	-----------------

-
- (f) The school premises -
(i) belong to applicant

(ii) are leased

(g) If the premises are leased, name and address of –

(i) lessor

(ii) lessee

(h) Sources of revenue (e.g. endowment, fees, subscriptions)

(i) If fees are to be charged, give details here according to class or form.

.....
.....

2 I attach an application for registration as manager of the school.

3 I attach copies of the certificates of registration of the following teachers –

.....
.....

4 **Deleted by [Act No. 18 of 2016]**

5 I attach plan or diagram of the school premises (with dimensions).

6 I attach the proposed syllabus of each class.

7 I attach the proposed school timetable.

8 The contents of these particulars and attached documents are true to the best of my knowledge, information and belief.

Signed ...

Amended by [Act No. 18 of 2016]

FORM 2
(section 9)

File No ...

Certificate of registration of school

This is to certify that the under mentioned school has been provisionally registered/registered under the Education Act on the basis of the information supplied by ... in his application dated the ...

Registered name of school ...

Address ...

.....
Permanent Secretary Port Louis... 19...

- delete whichever is inapplicable.
- * to be completed on Form 3.
- to be completed on Form 4.

FORM 3
(section 12)

Application form for registration of a manager or rector of a school

Address...
Date ...

Permanent Secretary, Port Louis.

School ...
Address ...

I submit particulars of, and request you to register me as manager or rector of the above-mentioned school.

2 *Particulars -

- (a) Name
- (b) Address
- (c) Date of birth
- (d) Occupation
- (e) Educational qualifications

3 *The following persons may be referred to, as to my character and suitability to become a manager or rector.

(a) Name ... Address ... (b) Name ... Address ...

.....Signature of applicant.

We declare that the applicant –

- (a) is resident in Mauritius
- (b) is a person of good character
- (c) is able to carry out the duties of manager or rector of School, and he is familiar with the Education Act and the regulations made under it.

The contents of this application are true to the best of our knowledge, information and belief.

Signed ...
Signed ...

Amended by [Act No. 49 of 2002]; [Act No. 18 of 2016]

FORM 4
(section 16)
Application for registration as a teacher

Address ...
Date ...

Permanent Secretary,
Port Louis.

1 I submit particulars of myself and request you to register me as a teacher and to issue me with a certificate of registration.

2 Particulars -

- (a) Full name ...
- (b) Sex ...
- (c) Married or single ...
- (d) Date of birth ...
- (e) Full present address ...
- (f) Where educated with dates ...

* Two referees are required. They must be persons of standing.

* If applicant has been convicted of a crime or offence involving fraud or dishonesty, the full circumstances must be disclosed.

* insert the name of the school of which applicant desires to become manager or principal.

School	From	To
--------	------	----

- (g) Educational qualifications ...
- (h) Previous teaching experience ...

3. I attach -

- (a) 2 signed photographs of myself
- (b) my educational certificates.

4. The following persons may be referred to as to my character –

- (a) Name ... Address ...
- (b) Name ... Address ...

.....
Signature of applicant.

We declare that the applicant is a person of good character and that the contents of this application are true to the best of our knowledge, information and belief.

Signed ...
Signed ...

FORM 5
(section 16)

Certificate of registration as a qualified teacher

This is to certify that ... whose photograph is affixed hereto has been registered as a qualified teacher under the Education Act.

Photograph
of
Holder

.....
Permanent Secretary

Port Louis
... 19...

FORM 6-7 – Deleted by [Act No. 18 of 2016]