

REPUBLIC OF ZAMBIA

THE EDUCATION ACT

CHAPTER 134 OF THE LAWS OF ZAMBIA

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THE EDUCATION ACT

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PRELIMINARY

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TRANSITIONAL PROVISIONS

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CHAPTER 134

28 of 1966
48 of 1970
56 of 1970
40 of 1972
31 of 1973
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EDUCATION

An Act to provide for the establishment and operation of a National Council of Education for the Republic and of Regional and Local Councils of Education; to provide for the promotion, development and control of schools, educational institutions and services; to provide for the transfer to the Board of Governors of the Northern Technical College of certain properties, moneys and assets presently vested in the trustee of the charitable foundation known as the Copperbelt Technical Foundation; and to provide for matters incidental to or connected with the foregoing.

[2nd September, 1966]

PART I PRELIMINARY
PART I

PRELIMINARY

1. This Act may be cited as the Education Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation

"aided school" means a school (not being a Government school or private school or an educational institution for which a board of governors is established) which is established or maintained with the assistance of a grant or loan made by the Minister;

"board of governors" means a board of governors established by or under this Act for an educational institution;

"Government school" means a school directly administered and controlled by the Ministry and includes a school, educational institution or class established and maintained by the Minister under this Act;

"Local Council" means a Local Council of Education established under this Act for an area within a region;

"Ministry" means the Ministry of Education;

"National Council" means the National Council of Education for the Republic established by this Act;

"parent", in relation to a pupil, includes the guardian of such pupil;

"private school" means a school in respect of which no financial assistance is provided by the Minister or in respect of which the only financial assistance provided by the Minister is a grant calculated at an annual rate not exceeding-

(a) forty kwacha for each pupil for whom secondary education is provided at the school; and

(b) twenty kwacha for each pupil for whom primary education is provided at the school;

"Regional Council" means a Regional Council of Education established by this Act for a region;

"region" means one of the regions into which the Republic is divided by this Act for the purposes of educational administration;

"registered", in relation to a private school, means registered under this Act;

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"school" includes any institution or class of not less than ten persons at which regular instruction is provided or from which regular instruction emanates, whether by correspondence or otherwise.

(As amended by No. 40 of 1972)

3. (1) This Act shall not apply to-

Application

- (a) the University of Zambia, the Copperbelt University; or
- (b) any school which is established, administered, controlled, licensed or supervised-
 - (i) under the provisions of any other written law; or
 - (ii) by any department of the Government other than the Ministry; or
- (c) any school at which no instruction is provided and from which no instruction emanates, other than instruction of a religious, social or recreational nature.

(2) The Minister may, by statutory order, exempt from this Act any school to which any of the provisions of this Act would otherwise apply; and any such exemption may be made subject to such conditions and restrictions, if any, as may be specified in the order.

4. (1) It shall be the duty of the Minister, subject to the provisions of this Act, to promote the education of the people of Zambia and the progressive development of institutions devoted to that purpose and to secure the provision of a varied and comprehensive educational service throughout the Republic.

Functions of Minister

(2) In the exercise and performance of all powers and duties conferred and imposed on him by this Act, the Minister shall have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.

5. For purposes of educational administration, the Republic shall be divided into the following regions: Educational regions

- (a) the Western Region, which shall comprise the Western Province;
- (b) the Northern Region, which shall comprise the Northern Province;
- (c) the Eastern Region, which shall comprise the Eastern Province;
- (d) the Copperbelt Region, which shall comprise the Copperbelt Province;
- (e) the Kabwe Region, which shall comprise the following Districts, that is to say, the Chibombo District, the Kabwe District, the Mkushi District, the Mumbwa District, the Serenje District and the Kapirimposhi District;
- (f) the Lusaka Region, which shall comprise the following Districts, that is to say, the Lusaka District, the Feira District, the Kafue Districts and the Chongwe District;
- (g) the Southern Region, which shall comprise the Southern Province;
- (h) the North-Western Region, which shall comprise the North-Western Province;
- (i) the Luapula Region, which shall comprise the Luapula Province.

6. There shall be a public officer styled the Chief Education Officer for each region, who shall discharge such functions relating to education in that region as may be conferred or imposed upon him by regulations made under this Act or as may be assigned to him by the Minister. Chief Education Officers

PART II NATIONAL, REGIONAL AND LOCAL COUNCILS OF EDUCATIONPART II

NATIONAL, REGIONAL AND LOCAL COUNCILS OF EDUCATION

7. (1) There shall be a National Council of Education for the Republic, the functions of which shall be to advise the Minister upon such matters appertaining to education in the Republic as it may think fit and upon any questions referred to it by the Minister. National Council of Education

(2) The members of the National Council shall be appointed by the Minister and the Minister shall appoint a member of the National Council to be Chairman thereof and shall appoint an officer of the Ministry to be secretary thereto.

(3) The National Council shall include persons who are officers of the Ministry and persons representing the University of Zambia, Regional Councils, Local Councils, boards of governors, proprietors of aided and private schools and recognised associations representing teachers.

8. (1) There shall be a Regional Council of Education for each region, the functions of which shall be to advise the Minister upon such matters appertaining to education in its region as it may think fit and upon any questions referred to it by the Minister. Regional Councils of Education

(2) The members of each Regional Council shall be appointed by the Minister and the Minister shall appoint a member of each Regional Council to be the Chairman thereof and shall appoint an officer of the Ministry to be secretary thereto.

(3) Each Regional Council shall include the Chief Education Officer for the region concerned and persons representing Local Councils within the region concerned, proprietors of aided and private schools within the region concerned and recognised associations representing teachers.

9. (1) The Minister may, by statutory order, establish a Local Council of Education for any area within a region, the functions of which shall be to advise the Minister upon such matters appertaining to education in its area as it may think fit and upon any questions referred to it by the Minister.

Local Councils of Education

(2) The members of each Local Council shall be appointed by the Minister and the Minister shall appoint a member of each Local Council to be the Chairman thereof and shall appoint an officer of the Ministry to be secretary thereto.

(3) Each Local Council shall include persons who are councillors of any municipal, township or District council established under the Local Government Act for the area or any part of the area of the Local Council.

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(4) The Minister may, by statutory order, abolish any Local Council.

10. (1) The Minister may, by statutory instrument, make regulations providing for-

Constitution and procedure of National, Regional and Local Councils of Education

- (a) the composition of the National Council and of the Regional Councils and Local Councils;
- (b) the period for which members of the National Council and of the Regional Councils and Local Councils shall hold office and the vacation of office by such members;
- (c) the holding of meetings of the National Council and of the Regional Councils and Local Councils, the quorum and procedure at such meetings and the keeping of minutes of the proceedings at such meetings;
- (d) the payment of allowances to members of the National Council and of the Regional Councils and Local Councils.

(2) Regulations under this section may make different provision with respect to different councils or different members of a council.

PART III GOVERNMENT AND AIDED SCHOOLS PART III

GOVERNMENT AND AIDED SCHOOLS

11. (1) The Minister may establish and maintain such schools, educational institutions and classes as he may deem necessary or desirable for the purpose of providing-

Establishment, maintenance and closure of Government schools and hostels

(a) primary and secondary education;

(b) *(Repealed by No. 56 of 1970)*

(c) training for teachers; and

(d) further education;

and may establish and maintain hostels for the benefit of pupils in attendance thereat.

(2) The Minister may, whenever he considers it necessary or expedient to do so, close or change the site of any Government school or hostel.

(As amended by No. 56 of 1970)

12. (1) The Minister may, by statutory instrument, make regulations-

Regulations governing Government and aided schools and hostels

(a) prescribing and regulating the conditions of the enrolment of persons as pupils at Government and aided schools and of the admission of pupils to hostels established for the benefit of such pupils, including the fees and charges, if any, to be paid;

(b) prescribing and regulating the school calendar to be observed at Government and aided schools, the subjects of instruction to be provided, the syllabus to be followed in respect of such subjects, the conduct of examinations and the fees, if any, payable in respect of examinations;

(c) regulating the administration of corporal punishment to pupils at Government and aided schools and hostels;

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- (d) prescribing and regulating the conditions of the suspension, expulsion or exclusion of pupils from Government and aided schools and hostels, on grounds of age or discipline;
- (e) providing for the transfer of pupils between different Government and aided schools and hostels;
- (f) regulating the establishment and maintenance of aided schools and hostels and, in particular-
 - (i) controlling the persons or bodies of persons who may be proprietors of such schools and hostels;
 - (ii) controlling the appointment of the persons or bodies of persons responsible for the management of such schools and hostels;
 - (iii) controlling the appointment of the teaching staff at such schools;
 - (iv) providing for the closure of such schools and hostels.

(2) Regulations under this section may make different provision with respect to different Government schools and aided schools and different hostels.

PART IV

(No. 40 of
1972)

REGISTRATION OF PRIVATE SCHOOLS

13. Registration and renewal of registration of a private school shall be in accordance with the provisions of this Part. Registration and
renewal of registration

14. (1) Any person desirous of establishing a private school shall first make an application for the registration thereof to the Minister in accordance with the provisions of this Part. Registration

(2) For the purposes of this Act, the establishment of a private school shall be deemed to include-

- (a) the provision of any additional class, standard, form or course in any private school, whether or not such class, standard, form or course is parallel to any existing class, standard, form or course in the private school;
- (b) the reopening of any private school which has remained closed for a consecutive period of six months or more;

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- (c) the transfer of ownership or management of any private school, whether such transfer takes effect by way of partnership or otherwise;
- (d) the transfer of a private school to a new site; and
- (e) the alteration of any qualification for admission to a private school.

(3) An application for registration of a private school shall state such particulars as may be prescribed.

(4) If, in regard to a private school for which an application has been made, the Minister is satisfied-

- (a) that the school is necessary to meet the educational requirements of the area in which it is or is proposed to be situated; and
- (b) that the premises of the school, including any hostel or other buildings to be used in connection with the instruction or accommodation of the pupils attending, are or will be suitable and adequate for the purpose; and
- (c) that adequate financial provision has been or will be made for the maintenance of the school; and
- (d) that the proprietor of the school is a fit and proper person or body of persons to be the proprietor; and
- (e) that a fit and proper person or body of persons will be responsible for the management of the school; and
- (f) that efficient and suitable instruction of a nature or level approved by the Minister will be provided at the school in accordance with a syllabus approved by the Minister; and
- (g) that the teaching staff to be employed at the school will be sufficiently qualified for the purpose; and
- (h) that proper compliance will be made with the provisions of this Act applicable to the school;

he shall cause the private school to be registered for a period not exceeding one year:

Provided that no registration shall continue to be in force beyond the 31st December in the year for which the application for registration is approved.

(5) If, with respect to an application for registration of a private school, the Minister is not satisfied as to any of the matters referred to in subsection (4), the Minister shall notify the proprietor of the private school in writing-

- (a) that the application is rejected; or
- (b) that the Minister proposes to grant the application after the proprietor has, within such period as the Minister may specify, complied to the satisfaction of the Minister with such requirements regarding any matter referred to in subsection (4) as the Minister may specify.

(6) If the proprietor of a private school, who is notified under paragraph (b) of subsection (5) that the Minister proposes to grant his application subject to compliance with any matter specified in the notice, fails, in the opinion of the Minister, to comply therewith within the specified period, the Minister shall reject the application and shall notify the proprietor in writing accordingly.

(7) Every application for the renewal of registration of a private school shall be made in a prescribed form on or before the 31st October in the year preceding the year for which renewal of registration is applied for and the provisions of this section shall apply *mutatis mutandis* to such application.

(8) No private school shall operate before it is registered or beyond the period for which its registration or renewal of registration has been granted.

15. (1) The Minister shall keep a register of private schools which shall contain such particulars as may be prescribed. Register

(2) On registration a certificate of registration shall be issued which shall contain such particulars as may be prescribed.

(3) A private school shall be deemed to be registered on the day on which a certificate of registration is issued to it

16. (1) Where, in the opinion of the Minister, a private school registered under this Part- Cancellation of registration of private schools

- (a) ceases to comply with any of the matters in respect of which the Minister is required to be satisfied under subsection (4) of section *fourteen* for the purpose of registration; or

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- (b) is being conducted in a manner detrimental to the interests of peace, order or good government or to the physical, mental or moral welfare of the persons receiving instruction thereat; or
- (c) has persisted in adopting a different nomenclature from that in which it is for the time being registered; or
- (d) has remained closed for a consecutive period of six months or more;

the Minister shall notify the proprietor in writing-

- (i) that the registration of the private school shall be cancelled from such date as the Minister may specify; or
- (ii) that the Minister proposes to cancel the registration of the private school unless, within a period fixed by the Minister, the proprietor complies to the satisfaction of the Minister with such requirements regarding any of the matters referred to in this subsection as the Minister may specify.

(2) If the proprietor of a private school, upon whom a notice under this section has been served, fails, within the period fixed by the Minister, to comply to the satisfaction of the Minister with the requirements specified by the Minister, the Minister shall cancel the registration of the private school and notify the proprietor in writing accordingly.

17. The determination of the Minister upon any matter under this Part shall be final and shall not be called in question in any court of law.

Minister's
determination to be
final

18. Any person who conducts a private school-

Offences

- (a) which is not registered; or
- (b) for which the registration has lapsed; or
- (c) in respect of which the proprietor has been notified in writing that the registration of the private school has been cancelled;

shall be guilty of an offence and liable on conviction to a fine not exceeding seventy five thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

(As amended by Act No. 13 of 1994)

18A. The Minister shall at convenient intervals, but not less than once in every year, cause to be published in the *Gazette* a list of all private schools registered under this Part.

Publication of list of
registered private
schools

(As amended by Act No. 31 of 1973)

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18B. Notwithstanding the foregoing provisions of this Part, the Minister shall cause to be registered under this Part, for the period expiring on the 31st December, 1973, any private school which, immediately prior to the *(1)commencement of Act No. 40 of 1972 was registered as a private school under this Act and until so registered such private school shall be deemed to be registered as a private school under this Part:
*29th December, 1972.

Saving of registration
of private schools

Provided that nothing in this section shall prevent the Minister from exercising his powers under section *fourteen* or *sixteen* in relation to any private school.

(As amended by Act No. 31 of 1973)

18C. (1) The Minister may, by statutory instrument, make regulations-

Regulations

- (a) prescribing the manner and form in which applications for the registration and renewal of registration of a private school shall be made, and the information and documents to be submitted in support of such applications;
- (b) requiring the keeping of records relating to private schools and the furnishing of information and the making of returns in respect of matters relating to such schools;
- (c) prescribing the fees payable for the registration or renewal of registration of private schools;
- (d) prescribing such matters as may be prescribed under this Part or which are necessary or convenient to be prescribed for the better carrying out of the provisions of this Part.

*29th December, 1972.

(2) Regulations made under this section may make different provision with respect to different private schools or different classifications of private schools

(As amended by Act No. 31 of 1973).

PART V BOARDS OF GOVERNORS PART V

BOARDS OF GOVERNORS

19. (1) (*Repealed by No. 56 of 1970*)

Establishment and
incorporation of
boards

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(2) The Minister may, by statutory order, establish a board of governors for any educational institution owned by the Government, and any such board shall be styled by such name as may be assigned thereto by the order.

(3) The members of a board of governors shall be appointed by the Minister, and the Minister shall appoint a member of each board to be the chairman thereof.

(4) Every board of governors shall be a body corporate, having perpetual succession and a common seal and shall be capable of suing and being sued and, subject to the provisions of this Act, of performing all such acts as bodies corporate may by law perform.

(As amended by No. 56 of 1970)

20. (1) It shall be the function of a board of governors, subject to the provisions of this Act- Functions of boards

- (a) to provide education and educational facilities of such a nature as the Minister may determine;
- (b) to administer, maintain and control the educational institution for which it is established;
- (c) to establish, administer, maintain and control hostels for the benefit of pupils for whom education or educational facilities are provided.

(2) Subject to the provisions of this Act, a board of governors shall have power for the purposes of discharging its functions-

- (a) to purchase or otherwise acquire, hold and alienate real and personal property;
- (b) to borrow such sums of money as it may require, by mortgage or otherwise, and to enter into contracts;
- (c) to employ persons in such offices in its service as the Minister may determine on such terms and conditions as the Minister may approve;
- (d) with the approval of the Minister, to enter into arrangements for the secondment to offices in its service of public officers and other persons;
- (e) to regulate the conditions of the enrolment of persons as pupils at the educational institution for which it is established and of the admission of pupils to hostels controlled by the board, including the fees and charges, if any, to be paid to the board;

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- (f) to regulate the calendar to be observed at the educational institution for which it is established, the subjects of instruction to be provided, the syllabus to be followed in respect of such subjects, the conduct of examinations and the fees, if any, payable to the board in respect of examinations;
- (g) to regulate the conditions of the suspension, expulsion or exclusion of pupils enrolled at the educational institution for which it is established or admitted to hostels controlled by the board;
- (h) generally, to do all such things as are necessary or desirable for the aforesaid purposes.

(3) The Minister may give to a board of governors such general or special directions with respect to the exercise of the powers of the board as the Minister may consider necessary and the board shall comply with those directions.

21. (1) The funds of a board of governors shall consist of-

Funds of boards

- (a) all fees and charges imposed by the board and payable to the board under the provisions of this Act;
- (b) such moneys as may be payable to the board by way of grants and loans made by the Minister under the provisions of this Act;
- (c) interest on moneys invested by the board; and
- (d) such other moneys as may vest in or accrue to the board for the purposes of the board, whether by way of gifts or endowments or otherwise.

(2) There shall be paid from the funds of a board of governors-

- (a) the allowances payable to the members of the board under this Act;
- (b) the expenses incurred by the board in the discharge of its functions, including any salaries, allowances and gratuities payable by the board to persons employed in or seconded to offices in the service of the board.

22. (1) The financial year of a board of governors shall be the period of twelve months ending on the 30th June in each year:

Accounts and audit

Provided that the first financial year of a board of governors established under subsection (2) of section *nineteen* shall be the period extending from the date on which the board is established until the 30th June next.

(2) A board of governors shall cause proper accounts to be kept of its income and expenditure and of its assets and liabilities.

(3) The accounts of a board of governors for each financial year of the board shall be audited by the auditor appointed by the board with the approval of the Minister and the auditor so appointed shall have access to all books and records relating to the accounts of the board.

(4) The auditor to a board of governors shall, not later than four months after the end of each financial year of the board, submit a report on the accounts of the board for that financial year to the board and the board shall cause a copy of such report to be furnished to the Minister.

(5) The Minister shall lay a copy of the report of the auditor to a board of governors before the National Assembly within thirty days after it has been furnished to him or, if the National Assembly is not then sitting, within seven days of the commencement of its next sitting.

23. (1) The Minister may, by statutory instrument, make regulations providing for- Regulations

- (a) the device, custody and use of the common seal of a board of governors;
- (b) the composition of a board of governors;
- (c) the period for which members of a board of governors shall hold office and the vacation of office by such members;
- (d) the appointment and functions of a secretary to a board of governors;
- (e) the establishment, composition and business of committees of a board of governors and the appointment and removal from office of the members thereof;
- (f) the holding of meetings of a board of governors and its committees, the quorum and procedure at such meetings and the keeping of minutes of the proceedings at such meetings;
- (g) the payment of allowances to members of a board of governors;

- (h) the control and management of the funds of a board of governors, including provision with respect to-
- (i) the control of the receipt and expenditure of moneys by the board;
 - (ii) the establishment and operation by the board of reserve accounts;
 - (iii) the investment of moneys not required by the board for immediate use.

(2) Regulations under this section may make different provisions with respect to different boards of governors or different members of a board of governors.

PART VI GENERAL PROVISIONS

GENERAL PROVISIONS

24. No pupil shall be refused admission to any school or school hostel on the grounds of his race or religion.

No refusal of admission on grounds of race or religion. Exemption of pupils from religious observances

25. If the parent of a pupil attending any school requests that he be excused from receiving religious instruction or from taking part in or attending any religious ceremony or observance, then, until the request is withdrawn, the pupil shall be excused therefrom accordingly.

Exemption of pupils from religious observances

26. (1) The Minister may, by directions in writing, prohibit the use in any school of any book or material for any reason which he may think fit.

Power to prohibit use of books

(2) Any person who uses or permits to be used in any school any book or material the use of which has been prohibited under this section shall be guilty of an offence.

27. (1) It shall be the duty of the Minister to cause inspections to be made of every school and school hostel at such intervals as appear to him to be appropriate and to cause a special inspection of any school or school hostel to be made whenever he considers such inspection to be desirable.

Inspection of schools and hostels

(2) Any inspection of schools in pursuance of this section shall be made by officers of the Ministry authorised in that behalf by the Minister or appointed by the Minister to be inspectors for the purposes of this Act.

(3) Every inspector authorised to inspect private schools shall be furnished with a certificate issued by the Minister stating that he is an inspector appointed pursuant to this Act and showing such particulars relating to his identity as the Minister may determine.

(4) Any person who obstructs an inspector in the exercise of his duty under this section shall be guilty of an offence.

(As amended by No. 40 of 1972)

27A. (1) An inspector shall have power, on production of the certificate issued to him under subsection (3) of section *twenty-seven* to any person reasonably requiring it- Powers of inspectors

(a) at any reasonable time to enter any premises, where he reasonably believes that regular instruction for formal education is provided or from where he reasonably believes that such instruction emanates by correspondence or other similar method, to require information or explanation with respect to such instruction from any person appearing to him to be in charge of such premises or to be concerned with the administration or imparting of such instruction and to demand the production of, and to inspect and make copies of, any book or document relating to such instruction;

(b) to require any person receiving instruction relating to formal education at any private school to furnish information or explanation with respect to such instruction and with respect to any allowances, grants or bursaries paid or payable to such person under this Act during the period of his instruction.

(2) It shall be the duty of an inspector to furnish to the Minister such reports and other information in respect of matters referred to in this section as the Minister may from time to time direct.

(No. 40 of 1972)

28. (1) The Minister may recognise any association representing teachers. Teachers' associations

(2) An association of teachers recognised by the Minister may advise and make representations to the Minister and be consulted by the Minister on any matter appertaining to education.

29. (1) The Minister may recognise any association of parents and teachers formed in connection with any school. Parent and teacher associations

(2) The Minister may, by statutory instrument, make regulations prescribing the conditions necessary for the recognition of any association of parents and teachers formed in connection with a Government or aided school and its procedure and functions.

30. (1) The Minister may make grants or loans- Grants and loans

- (a) to a board of governors for the purpose of enabling it to discharge its functions under this Act;
- (b) to the proprietor of any school for the purpose of establishing, maintaining or assisting in the maintenance of that school or any hostel established for the benefit of pupils attending that school;
- (c) to any person or the parent of any person by way of a bursary or scholarship for the furtherance of the education of that person.

(2) The fund established pursuant to section *three* of the Cattle Marketing and Control (Repeal) Act, 1960, and known as the Cattle Marketing and Control Board Bursaries Fund shall be administered by the Minister or by any person or persons appointed by him from time to time in that behalf in accordance with his directions, and shall be applied to and in furtherance of the education of persons in veterinary science.
(As amended by No. 48 of 1970) Act No. 15 of 1960

31. All expenses incurred by the Minister in the discharge of his functions under this Act, including the expenses incurred in- Expenses of administration

- (a) the payment of allowances to members of the National Council and of each Regional Council and Local Council;
- (b) the establishment and maintenance of Government schools and hostels;
- (c) the making of grants and loans under section *thirty*;

shall be paid from moneys appropriated by Parliament for the purpose.

32. (1) The Minister may, by statutory instrument, make regulations- Regulations

- (a) prescribing and regulating the language or languages to be used as the medium of instruction in schools;
- (b) for safeguarding the health of pupils attending schools and, in particular, providing for-
 - (i) the entry and inspection at all reasonable times by a Government medical officer or other medical practitioner of any school, school hostel or other building or premises whatsoever at any school;
 - (ii) the closing of any school, school hostel or other building or premises whatsoever at any school on the grounds of health;
 - (iii) the compulsory medical and dental examination of pupils;
 - (iv) the furnishing by the parents of pupils of information and evidence relating to the health of pupils;
 - (v) the exclusion of pupils from school on the grounds of health;
 - (vi) the supply of meals and other refreshment to pupils;

- (c) requiring-
 - (i) the compulsory enrolment of prescribed classes of persons as pupils in schools;
 - (ii) the compulsory attendance at schools of pupils enrolled therein;

and providing for the manner in which such compulsory enrolment or attendance is to be ensured;

- (d) prescribing the conditions governing the making of grants and loans under section *thirty*;
- (e) prescribing the functions of Chief Education Officers;
- (f) generally for the better carrying out of the purposes of this Act.

(2) Regulations under this section may make different provision with respect to different areas, different schools or classifications of schools or different classifications of pupils.

33. (1) Any person who is guilty of an offence under the provisions of this Act shall be liable, on conviction, to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, or to both.

Penalties

(2) Regulations made under this Act may prescribe penalties for contraventions of the regulations, not exceeding the penalties mentioned in subsection (1).

(As amended by Act No. 13 of 1994)

PART VII TRANSITIONAL PROVISIONS

TRANSITIONAL PROVISIONS

- 34.** Any school which, immediately before the commencement of this Act, was-
- (a) a Government school to which the provisions of the Education Act, 1956, applied; or
 - (b) a local education authority school for the purposes of the African Education Act;

Government schools
Cap. 135

shall be deemed to be a Government school for the purposes of this Act.

- 35.** (1) The Minister may, by statutory instrument, make regulations-

General purpose funds

- (a) establishing a general purpose fund for a government school, an aided school or a private school;
- (b) providing for the payment of fees in aid of general purpose funds;
- (c) specifying the extra curricular activities and other things having as their objects the spiritual, physical and intellectual welfare of pupils in attendance at a school of which moneys standing to the credit of a general purpose fund established for that school may be expended;
- (d) specifying the purposes for which and the circumstances in which the moneys standing to the credit of a general purpose fund established for a school may be expended; and
- (e) providing for the care and administration of general purpose funds and for the safeguarding of other moneys which may be voluntarily collected for the purpose of a particular school.

(2) In the exercise of the powers conferred upon him by paragraph (b) of subsection (1), the Minister may-

- (a) fix different fees for different classes of pupils and for different schools;
- (b) provide for the grant of rebate; and
- (c) prescribe the circumstances in which fees may be refunded or remitted, whether in whole or in part.

(3) The Minister may make grant in aid of the general purpose fund of any school.

(4) Notwithstanding anything to the contrary contained in any other written law, fees paid and moneys voluntarily collected in accordance with the provisions of regulations made under this section shall be paid into general purpose funds established under paragraph (a) of subsection (1) and moneys standing to the credit of a general purpose fund shall be expended for the activities and the purposes and in the circumstances specified by the Minister under the provisions of paragraph (c) or (d) of subsection (1).

(As amended by Act No. 31 of 1973)

36. Any private school which, immediately before the commencement of this Act, was registered under the provisions of the Education Act, 1956, or the African Education Act shall be deemed to have been registered under the provisions of this Act.

Private schools
Cap. 135

37. (1) On the commencement of this Act, all property, assets, rights, liabilities, obligations and agreements vested in, acquired, incurred or entered into by or on behalf of the board of governors established under the African Education Act for the College of Further Education, Lusaka, shall be deemed to be vested in or to have been acquired, incurred or entered into by or on behalf of the Board of Governors of the Evelyn Hone College of Further Education established by this Act; and accordingly, every such right, liability or obligation may be enforced by or against the Board of Governors of the Evelyn Hone College of Further Education established by this Act to the same extent as it could have been enforced by or against the board of governors established under the African Education Act for the College of Further Education, Lusaka.

Boards of governors
Cap. 135

(2) On the commencement of this Act, all property, assets, rights, liabilities, obligations and agreements vested in, acquired, incurred or entered into by or on behalf of the board of governors established under the African Education Act for the Northern Technical College, Ndola, or the registered trustees shall be deemed to be vested in or to have been acquired, incurred or entered into by or on behalf of the Board of Governors of the Northern Technical College established by this Act; and accordingly, every such right, liability or obligation may be enforced by or against the Board of Governors of the Northern Technical College established by this Act to the same extent as it could have been enforced by or against the board of governors established under the African Education Act for the Northern Technical College, Ndola, or the registered trustees.

Cap. 135

(3) The officer having charge of any register relating to property deemed to be vested by this section shall, on application, make the required alterations in the register, and endorsements on the deeds relating to the property, if presented therefor; and no stamp duty or other duties or fees shall be payable in respect thereof.

(4) For the purposes of this section, "registered trustees" means the Trustees of the Northern Technical College appointed by virtue of and in accordance with a certificate of incorporation granted on the 5th November, 1965, under the provisions of the Land (Perpetual Succession) Act.

Cap. 186

38. The Copperbelt Technical Foundation Limited, as the trustee of the charitable foundation called the Copperbelt Technical Foundation, is hereby authorised to assign, transfer or pay to the Board of Governors of the Northern Technical College established by this Act the whole or any part of the properties, moneys and other assets vested in or held by or on behalf of or accruing to the Copperbelt Technical Foundation Limited as such trustee; and the receipt of the Board of Governors of the Northern Technical College for any properties, moneys or other assets assigned, transferred or paid to such Board under the provisions of this section shall be a complete acquittance, release and discharge of the Copperbelt Technical Foundation Limited in respect thereof, notwithstanding anything contained in the trust deed dated the 22nd May, 1956, whereby the Copperbelt Technical Foundation was established.

Transfer of certain
properties, etc., to
Board of Governors of
the Northern Technical
College

SUBSIDIARY LEGISLATION

EDUCATION

The Laws of Zambia

SECTION 9-THE LOCAL COUNCILS OF EDUCATION
(ESTABLISHMENT) ORDER

Statutory Instruments
308 of 1966
102 of 1970

Order by the Minister

1. This Order may be cited as the Local Councils of Education (Establishment) Order. Title

2. (1) For each region there shall be the Local Councils specified in relation to that region in the second column of the Schedule. Establishment of Local Councils

(2) Each Local Council shall be established for the area specified in relation to that council in the third column of the Schedule.

SCHEDULE

(Paragraph 2)

LOCAL COUNCILS OF EDUCATION

The Laws of Zambia

<i>Region</i>	<i>Local Council</i>	<i>Area of Local Council</i>
Western Region	Kalabo Council of Education	.. Kalabo District.
	Kaoma Council of Education	.. Kaoma District.
	Lukulu Council of Education	.. Lukulu District.
	Mongu Council of Education	.. Mongu-Lealui District.
	Senanga Council of Education	.. Senanga District.
	Sesheke Council of Education	.. Sesheke District.
Northern Region	Chinsali Council of Education	.. Chinsali District.
	Isoka Council of Education	.. Isoka District.
	Kasama Council of Education	.. Kasama District.
	Luwingu Council of Education	.. Luwingu District.
	Mbala Council of Education	.. Mbala District.
	Mpika Council of Education	.. Mpika District.
	Mporokoso Council of Education	.. Mporokoso District.
Eastern Region	Chadiza Council of Education	.. Chadiza District.
	Chama Council of Education	.. Chama District.
	Chipata Council of Education	.. Chipata District.
	Katete Council of Education	.. Katete District.
	Lundazi Council of Education	.. Lundazi District.
	Petauke Council of Education	.. Petauke District.
Copperbelt Region	Chililabombwe Council of Education	Chililabombwe District
	Chingola Council of Education	.. Chingola District.
	Kalulushi Council of Education	.. Kalulushi District.
	Kitwe Council of Education	.. Kitwe District.
	Luanshya Council of Education	.. Luanshya District.
	Mufulira Council of Education	.. Mufulira District.
	Ndola Rural Council of Education	.. Ndola Rural District.
	Ndola Urban Council of Education	.. Ndola Urban District.
Kabwe Region	Chibombo Council of Education	.. Chibombo District.
	Kabwe Council of Education.	.. Kabwe District.
	Mkushi Council of Education	.. Mkushi District.
	Mumbwa Council of Education	.. Mumbwa District.
	Serenje Council of Education	.. Serenje District.
	Kapirimposhi Council of Education	Kapirimposhi District
Lusaka Region	Lusaka Rural Council of Education.	Lusaka District, excluding the City of Lusaka and the area within four kilometres of the City of Lusaka.
	Lusaka Urban Council of Education.	City of Lusaka and the area within four kilometres of the City of Lusaka.
	Feira Council of Education	.. Feira District.
Southern Region	Choma Council of Education	.. Choma District.
	Gwembe Council of Education	.. Gwembe District.
	Kalomo Council of Education	.. Kalomo District.
	Livingstone Council of Education	.. Livingstone District.
	Mazabuka Council of Education	.. Mazabuka District.
	Monze Council of Education	.. Monze District.
Namwala Council of Education	.. Namwala District.	
North-Western Region.	Kabompo Council of Education	.. Kabompo District.
	Kasempa Council of Education	.. Kasempa District.
	Mwinilunga Council of Education.	.. Mwinilunga District.
	Solwezi Council of Education	.. Solwezi District.
	Zambezi Council of Education	.. Zambezi District.
Luapula Region	Kawambwa Council of Education.	.. Kawambwa District.
	Mansa Council of Education Mansa District.
	Mwense Council of Education	.. Mwense District.
	Nchelenge Council of Education	.. Nchelenge District.
	Samfya Council of Education	.. Samfya District.

(As amended by No. 102 of 1970)

SECTION 10-THE COUNCILS OF EDUCATION REGULATIONS

Regulations by the Minister

Statutory Instruments

309 of 1966

326 of 1966

152 of 1969

245 of 1969

189 of 1971

97 of 1976

1. These Regulations may be cited as the Councils of Education Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"council" means the National Council, a Regional Council or a Local Council.

3. The National Council, a Regional Council and a Local Council shall consist of the members respectively prescribed in respect of such councils in Parts I, II and III of the Schedule. Composition of councils

4. (1) A member of a council shall, subject to the provisions of this regulation, hold office for a period of three years. Tenure of office

(2) The office of a member of a council shall become vacant-

(a) if the holder of the office dies or resigns from his office by notice in writing addressed to the secretary to the council; or

(b) if the holder of the office is removed from office by the Minister.

(3) Whenever the office of a member of a council becomes vacant, the Minister shall appoint a person to fill the vacancy and that person shall, subject to the provisions of this regulation, hold office for the remainder of the period during which the member whose place he fills would, but for his office becoming vacant, have continued in office.

(4) If the chairman or any other member of a council is absent or is for any other cause prevented from or incapable of discharging the functions of his office, the Minister may, if he thinks fit, appoint another person to hold office as the chairman or member of the council, as the case may be, during the absence or incapacity of the person whose place he fills.

5. (1) Meetings of a council shall be held as and when necessary and shall be convened in accordance with the directions of the chairman of the council: Procedure of councils

The Laws of Zambia

Provided that the National Council shall hold a meeting not less often than once in every twelve months and a Regional Council or Local Council shall hold a meeting not less often than twice in every twelve months.

(2) At any meeting of a council, one-half of the whole number of members of which the council consists shall form a quorum.

(3) There shall preside at any meeting of a council-

- (a) the chairman of the council; or
- (b) in the absence of the chairman of the council, the person, if any, appointed to hold office in his place; or
- (c) in the absence of the chairman of the council and of the person, if any, appointed to hold office in his place, such member of the council as the council may elect for that meeting.

(4) Any question proposed for decision by a council shall be determined by a majority of the votes of the members present and voting at a meeting of the council at which a quorum is present.

(5) At all meetings of a council, each member present shall have one vote on a question proposed for decision by the council and, in the event of an equality of votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.

6. (1) The chairman of a council may invite any person whose presence is desirable to attend a meeting of that council.

Attendance of non-members at meetings

(2) The District Secretary for the District in which the area of a Local Council is situate shall be entitled to attend any meeting of that Council.

(3) Any person who attends a meeting of a council in pursuance of the provisions of this regulation shall be entitled to take part in the consideration and discussion of any question proposed for decision, but shall not be entitled to vote thereon.

7. (1) A council shall cause minutes to be kept of the proceedings at every meeting of the council and shall cause to be recorded therein the names of every member present at that meeting.

Minutes of proceedings at meetings

The Laws of Zambia

(2) A copy of the minutes of the proceedings of a council shall be furnished to the Minister and to every member of the council and to such other persons, if any, as the council may direct.

8. There shall be payable to a member of a council who is not a public officer- Allowances

- (a) a subsistence allowance at the rate of six kwacha in respect of every night necessarily spent away from his home; and
- (b) reasonable travelling and out-of-pocket expenses necessarily incurred by him;

while he is engaged on the business of the council.

SCHEDULE

(Regulation 3)

COMPOSITION OF COUNCILS

PART I

NATIONAL COUNCIL

The Permanent Secretary to the Ministry and three other officers of the Ministry.
One person representing the University of Zambia.
Nine persons representing Regional Councils, each one of whom shall represent a different Regional Council.
Three persons representing Local Councils.
One person representing boards of governors.
Two persons representing proprietors of aided schools, of whom-

- (a) one shall be a person nominated by the Episcopal Conference of Bishops: and
- (b) one shall be a person nominated by the Christian Council.

One person representing proprietors of private schools.
One person representing recognised associations of teachers.

PART II

REGIONAL COUNCILS

The Laws of Zambia

The Permanent Secretary for the Province in which the region is situate.
The Chief Education Officer for the region and one other officer of the Ministry.
A number of persons equal to the number of Local Councils established within the region, each one of whom shall represent a different Local Council.
Two persons representing the proprietors of aided and private schools within the region.
One person representing recognised associations of teachers.

(As amended by S.I. No. 97 of 1976)

PART III

LOCAL COUNCILS

1. The District Secretary of the District within the area of which the Local Council is situate. Cap. 281
2. Two officers of the Ministry.
3. Four Councillors representing the Council established under the Local Government Act, within the area of which the Local Council is situate.
4. Two persons representing the proprietors of aided and private schools within the area of the Local Council.
5. One person representing recognised associations of teachers.

(As amended by No. 326 of 1966, Nos. 152 and 245 of 1969 and No. 189 of 1971)

THE EDUCATION (AIDED EDUCATIONAL INSTITUTIONS) REGULATIONS

*Statutory Instrument
No.
43 of 1993*

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Interpretation
3. Proprietors
4. Managing Agency
5. Governing Constitution
6. Establishment of Board of Management
7. Composition of Board of Management
8. Functions of Board of Management
9. Funds of Board
10. Provincial Education Officer
11. Education Secretary
12. Principals
13. Staffing
14. Discipline of staff
15. Parent-Teachers' Association
16. Miscellaneous provisions on resources
17. Channels of communication

1. These Regulations may be cited as the Education (Aided Educational Institutions) Regulations. Title

2. In these Regulations, unless the context otherwise requires-

Interpretation

"aided educational institution" means an aided school or hostel;

"Board of Management" means the Board established under regulation 6;

"constitution" means the constitution referred to in regulation 5;

"Education Secretary" means the person appointed as such under regulation 11;

"Managing Agency" means the Managing Agency referred to in regulation 4;

"proprietor" means a person referred to in regulation 3;

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"Provincial Education Officer" means a civil servant appointed as such; and

"District Education Officer" shall be construed accordingly.

3. (1) There shall be a proprietor of every aided educational institution who shall be the person or body of persons in whom is vested the ownership, custody or control of the place at which the educational Institution is conducted and of the buildings, equipment and other things provided for the pupils attending or accommodated at the educational institution. Proprietor

(2) Except with the approval of the Minister, no person or body of persons other than those mentioned in the Schedule shall be the proprietor of an aided educational institution.

4. There shall be for every aided educational institution a Managing Agency appointed by the proprietor for the management, conduct and discipline of the educational institution on behalf of the proprietor which duties shall be carried out in accordance with the Act, these Regulations and the policy established by the proprietor and the Agency. Managing Agency

5. (1) Each aided educational institution shall operate in accordance with a constitution approved by the proprietor and the Managing Agency. Governing constitution

(2) The constitution referred to in sub-regulation (1) shall not become operative until it has been approved by the Minister.

6. There shall be for every aided education institution a Board of Management, to which the proprietor shall delegate authority for the management, conduct and discipline of the institution. Establishment of Board of Management

7. (1) The Board of management shall consist of the following members: Composition of Board of Management

(a) the proprietor or his appointed representative;

(b) the Minister or his appointed representative;

(c) a representative of the Managing Agency appointed by the Agency;

(d) the Education Secretary;

(e) a representative of the Parent-Teachers' Association;

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- (f) the Principal of the institution;
- (g) one member of staff of the institution, appointed by the proprietor; and
- (h) such number of representatives, not exceeding three, other bodies as the proprietor may appoint to the Board.

(2) There shall be a Chairman, who shall be appointed by the proprietor from among the members appointed under sub-regulation (1).

(3) There shall be a secretary who shall be elected by the Board from among the members of the Board.

(4) Subject only to the Act, these Regulations and its constitution, the Board shall meet not less than two times each year.

8. The functions of the Board shall be-

Functions of Board of Management

- (a) to provide education and educational facilities of such a nature as the Minister, and the proprietor or Managing Agency may determine;
- (b) to administer, maintain and control the educational institution for which it is established;
- (c) to borrow such sums of money as the institution may require;
- (d) to employ such persons as it may determine;
- (e) to enter into arrangements for the secondment into its service of civil servants and other persons;
- (f) to regulate the conditions of enrolment of pupils at the education institution, including the fees and charges, if any, to be paid to the Board;
- (g) to regulate the calendar to be observed at the educational institution, the subjects of instruction to be provided and the syllabi to be followed in respect of such subjects;
- (h) to decide on the conditions of suspension, or exclusion of pupils enrolled at the educational institution;
- (i) to carry out any other functions specified by the constitution of the Board; and
- (j) to do all such things as are necessary or desirable for the achievement of the aforesaid purposes.

9. (1) The funds of the Board shall consist of-

Funds of boards

- (a) all fees and charges payable to the Board under the provisions of the Act;

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- (b) such monies as may be paid to the Board by way of grants and loans made by the Minister or any other person or organisation;
- (c) interest on monies invested by the Board; and
- (d) such other monies as may vest in or accrue to the Board for the purposes of the Board, whether by way of gifts or endowments or otherwise.

(2) There shall be paid from the funds of the Board of Management the expenses incurred by the Board in the discharge of its functions, including all salaries, allowances, gratuities and passages payable by the Board to persons employed in the service of the aided educational institution.

(3) The Board of Management shall cause proper accounts to be kept of its income and expenditure and the Secretary of the Board shall give a detailed report of such accounts to the Board.

10. (1) The Provincial Education Officer shall be the representative of the Minister at provincial level and shall carry out the duties assigned to him generally or specifically by the Minister.

Provincial Education
Officer

(2) In carrying out his duties, the Provincial Education Officer shall, on administrative matters, deal directly with the Principal of the aided educational institution and shall deal with the proprietor and the Managing Agency, through the Education Secretary in all matters pertaining to policy, posting, transfers, discipline, recruitment, change in class patterns and change of the status of the institution.

(3) The channels referred to in this regulation shall, with necessary modifications, also be followed by the District Education Officers in dealing with aided educational institutions.

11. (1) The proprietor shall appoint an Education Secretary who shall be responsible for the day-to-day administration of the aided educational institution.

Education Secretary

(2) The duties of the Education Secretary shall, in particular, but without prejudice to the generality of subsection (1)-

- (a) facilitate and initiate dialogue on policy matters between the proprietor, the Managing Agency and the Board of Management on the one hand and the Minister on the other;

The Laws of Zambia

- (b) ensure that all communications between the Minister and the proprietor, the Managing Agency and the Board of Management, on matters pertaining to policy, posting, transfer, discipline, recruitment, change in class patterns and change of the status of the institution are channelled through his office;
- (c) safeguard the rights and interests of the proprietor and the Managing Agency;
- (d) liaise with churches in matters pertaining to education;
- (e) co-ordinate, consult and disseminate information to and from the Minister, the proprietor, the Managing Agency and the Board of Management; and
- (f) consolidate and submit to the Minister responsible for education annual capital and recurrent estimates as determined by the Board of Management.

12. (1) The principal and his deputy shall be appointed on the recommendation of the proprietor made through the Education Secretary to the Minister. Principals

(2) Both the Principal and his deputy shall be members of the particular church that owns the institution.

(3) The Principal shall be responsible for-

- (a) the day-to-day running of the educational institution and shall not make decisions relating to policy, which matter shall be subject to the prior approval of the proprietor or the Managing Agency and the Board of Management; and
- (b) supporting and promoting the religious ethos of the school.

13. (1) Teaching staff shall be seconded to or recruited for the aided educational institution through the Education Secretary after consultation with the Managing Agency and Board of Management. Staffing

(2) The staff shall adhere to the code of conduct stipulated by the church and shall be supportive of the religious ethos of the institution.

(3) Teaching staff shall preferably belong to the particular church that owns the aided educational institution.

(4) Non-teaching staff shall be seconded or recruited by the Board of Management after consultation with the Managing Agency through the Principal.

14. (1) The Principal shall be accountable to the Board of Management for the discipline of staff and, in this regard, the procedure laid down in the Act, in these Regulations and in directives issued by the proprietor shall be adhered to. Discipline of staff

(2) The members of staff seconded to the aided educational institution whose conduct is alleged to be incompatible with the ethos of the institution, the code of conduct or other lawful directives shall be-

- (a) notified in writing of the misconduct alleged;
- (b) suspended from office pending investigation; and
- (c) afforded an opportunity of appearing before and being heard by the Board with respect to the matter.

(3) The Provincial Education Officer and the District Education Officer shall be informed of every disciplinary proceeding commenced or concluded under this regulation.

(4) The Board of Management may set up a Disciplinary Committee to consider and decide on disciplinary matters.

(5) Depending on the outcome of the investigations and decisions of the Board, a seconded member of staff may be retained or returned to the Ministry responsible for education while a member of staff appointed by the Board may be retained or dismissed.

15. (1) There shall be established for each aided educational institution a Parent-Teachers' Association. Parent-Teachers' Association

(2) The functions of Parent-Teachers' Association shall be to-

- (a) ensure, through regular contacts between parents and teachers, the welfare and best possible education of pupils;
- (b) carry out any other functions approved by the Board of Management;
- (c) submit to the Board of Management proposals to raise funds and how to control funds for projects;

- (d) assist in maintaining security at the institutions; and
- (e) make to the Board of Management, through the Association representatives, recommendations on matters pertaining to school policy.

16. (1) There shall be equitable distribution of funds per capita to church and Government institutions.

Miscellaneous provisions on resources

(2) Amounts paid for boarding, running expenses, student requisites, personal emoluments, passages and capital development shall be indicated separately on payment vouchers.

(3) Donations given to the Ministry responsible for education in the form of money or kind shall be allocated also to aided educational institutions.

(4) Aided educational institutions shall have the right of access to Government stores to the same extent as government schools.

17. The following channels of communication shall be adhered to:

Channels of communication

- (a) all matters relating to policy shall be channelled to the Education Secretary, who shall refer the matters to the proprietor, the Managing Agency or the Board of Management;
- (b) all matters relating to institutional administration shall be communicated to the Principal of the institution directly, with a copy of the Education Secretary.

SCHEDULE

(Regulation 3)

Catholic Church
United Church of Zambia
Salvation Army
Anglican Church
Brethren in Christ Church
Christian Council of Zambia
Seventh-Day Adventist Church

THE EDUCATION (PRIMARY AND SECONDARY SCHOOLS) REGULATIONS

PART I PRELIMINARY ARRANGEMENT OF REGULATIONS

PART I
PRELIMINARY

Regulation

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2. Interpretation
3. Application
4. Primary and secondary education

PART II GENERAL CONDITIONS OF ENROLMENT AT SCHOOLS AND ADMISSION
TO SCHOOL HOSTELS PART II

GENERAL CONDITIONS OF ENROLMENT AT SCHOOLS AND ADMISSION TO SCHOOL
HOSTELS

5. Applications for enrolment and admission
6. Applications to be considered and determined by Head
7. Age of pupils
8. Educational standards of pupils
9. Numbers and sex of pupils
10. Attendance of pupils
11. Clothing of pupils
12. Repetition of classes
13. Transfer of pupils between schools
14. Powers of Minister

PART III FEES PART III

FEES

15. No tuition or boarding fees

PART IV SCHOOL CALENDAR AND INSTRUCTION AT SCHOOLS PART IV

SCHOOL CALENDAR AND INSTRUCTION AT SCHOOLS

The Laws of Zambia

16. School calendar
17. Instruction at primary schools
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19. National Anthem and National Flag

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PART VI SUSPENSION, EXPULSION AND EXCLUSION OF PUPILS ON GROUNDS OF DISCIPLINE
DISCIPLINE

SUSPENSION, EXPULSION AND EXCLUSION OF PUPILS ON GROUNDS OF DISCIPLINE

24. Suspension, etc., of pupils to be in accordance with this Part
25. Suspension from attendance at school and exclusion from hostel
26. Report of suspensions and exclusions
27. Right to make representations to Chief Education Officer
28. Powers of Chief Education Officer
29. Revocation of regulations

SECTION 12-THE EDUCATION (PRIMARY AND SECONDARY SCHOOLS) REGULATIONS

Regulations by the Minister

Statutory Instrument
254 of 1973
58 of 1977
3 of 1985
173 of 1985
76 of 1986
55 of 1990
2 of 1994
Act No.
13 of 1994

PART I PRELIMINARY
PRELIMINARY

PRELIMINARY

1. These Regulations may be cited as the Education (Primary and Secondary Schools) Regulations, Title

2. (1) In these Regulations, unless the context otherwise requires-

Interpretation

- "primary education" means the first seven years of formal education;
- "primary school" means a school at which the whole or any part of a course of primary education is provided; and references to a grade at a primary school shall be construed in accordance with the provisions of regulation 4;
- "parent" in relation to a pupil includes the guardian of such pupil;
- "pupil" means a child who is enrolled under these Regulations as a pupil at a school;
- "school" means a school to which these Regulations apply in accordance with the provisions of regulation 3;
- "secondary education" means formal education (other than technical education, training for teachers or further education) suitable for persons who have completed a course of primary education;
- "secondary school" means a school at which the whole or any part of a course of secondary education is provided; and references to a grade at a secondary school shall be construed in accordance with the provisions of regulation 4;

(2) References in these Regulations to the National Anthem or the National Flag are references to the National Anthem of Zambia or the National Flag of Zambia, as the case may be.

3. (1) These Regulations apply only to a Government or aided school at which primary or secondary education is provided.

Application

(2) Nothing in these Regulations shall apply in relation to-

- (a) any correspondence course, educational broadcasting, television service, or special educational institution run or provided by the Ministry; or
- (b) any part-time evening educational classes conducted or organised by the Ministry.

(3) The Minister may at convenient intervals cause to be published in the *Gazette* a list of all schools to which these Regulations apply.

Primary and secondary education

4. For the purposes of these Regulations-

- (a) a complete course of primary education shall comprise seven grades, each grade representing one year of the course;
- (b) a complete course of secondary education shall comprise five grades, each grade representing one year of the course.

PART II GENERAL CONDITIONS OF ENROLMENT AT SCHOOLS AND ADMISSION
TO SCHOOL HOSTELSPART II

GENERAL CONDITIONS OF ENROLMENT AT SCHOOLS AND ADMISSION TO SCHOOL
HOSTELS

5. (1) Application for the enrolment of a child as a pupil at a school or for the admission of a child to a school hostel shall be made by the parent of the child to the Head of the school.

Applications for
enrolment and
admission

(2) The applicant shall furnish the Head with such information and evidence as the Head may require to enable him to give proper consideration to the application.

(3) Every applicant shall complete and sign the appropriate form of application prescribed in the Schedule.

(4) Any person who, for the purpose of procuring the enrolment of a child at a school or the admission of a child to a school hostel, knowingly makes to the Head of a school any false statement material to an application for enrolment or admission either verbally or in writing, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three thousand penalty units or to imprisonment for a period not exceeding one year, or to both.

(5) No child shall be entitled to attend a school or be accommodated at a school hostel if his parent knowingly made to the Head of a school any false statement material to the application for enrolment or admission of the child.

(6) Selections to Grade 8 and Grade 12 shall be made in accordance with the selection system in force at the time.

(As amended by Act No. 13 of 1994)

6. (1) The Head of a school shall consider every application for the enrolment of a child at the school or for the admission of a child to a school hostel accommodating pupils attending that school and shall, subject to the provisions of these Regulations and of any other Regulations in force under the Act, determine whether the child shall be enrolled or admitted, as the case may be.

Applications to be
considered and
determined by Head

(2) The Head shall cause the applicant to be informed of his decision regarding the application.

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(3) Nothing in this regulation shall preclude the Head from deferring his decision on any application for such period as he deems necessary to enable him to give proper consideration to it.

7. (1) No child shall be enrolled at a school unless he is of an appropriate age. Age of pupils

(2) A child shall not be of an appropriate age for enrolment at a primary school as a pupil in Grade I unless on the 31st January of the year of enrolment such child will have attained the age of seven years but not have attained the age of nine years:

Provided that where a class cannot be fully enrolled with children of appropriate age, the Head of a school may enrol children who exceed the appropriate age.

(3) A child shall not be of an appropriate age for enrolment at a secondary school as a pupil in Grade 8 if, on the 31st January of the year of enrolment, he will have attained the age of seventeen years.

(4) In selecting children for enrolment, the Head of a school shall, in general, give preference-

- (a) in the case of a primary school, to older children;
- (b) in the case of a secondary school, to younger children.

(5) Notwithstanding anything contained in this regulation, the Minister may from time to time by a circular, vary the appropriate age in respect of any school or schools.

(6) Nothing contained in this regulation shall affect the age of entry to private schools.

8. (1) Except in the case of a child to be enrolled at a primary school as a pupil in Grade I, no child shall be enrolled at a school unless- Educational standard of pupils

- (a) he has attained such standard of education as will enable him to profit by the instruction to be provided in the class in which he will be placed; and
- (b) during the whole or part of the academic year immediately preceding the year of enrolment he has been in full-time attendance at another school in Zambia or at a school outside Zambia which is part of a formal school system.

(2) For the purposes of determining whether a child satisfies the requirements of this regulation, the Head of a school shall-

- (a) in the case of a child who has previously attended another school in Zambia, require the production of a certificate of transfer issued in respect of the child under regulation 13;
- (b) in the case of a child who has previously attended a school outside Zambia, require the production of a report issued by the authorities of that school specifying the standard of education attained by the child and the reasons for his withdrawal from the school.

(3) A child who has previously attended another school in Zambia shall not be regarded as having attained a satisfactory standard of education for the purpose of being enrolled in a secondary school as a pupil in Grade 8 unless he has attained a qualifying mark in the Grade 8 Selection Examination conducted by the Ministry. Qualifying mark shall mean a mark above the national or regional cut-off mark in force at the time.

(4) A child who has previously attended a school in Zambia shall not be regarded as having attained a satisfactory standard of education for the purpose of being enrolled in a secondary school as a pupil in Form IV unless he has passed at least six subjects, among which must be English language, in the Junior Secondary School (Form III) Examination, and any child who has previously attended a school outside Zambia shall not be so regarded unless he has passed the equivalent of such examination.

9. (1) No child shall be enrolled at a school or admitted to a school hostel unless a suitable vacancy exists in the class or hostel in which the child will be placed.

Numbers and sex of pupils

(2) The number of pupils receiving instruction in any one class shall not exceed-

- (a) in the case of a primary school, 40;
- (b) in the case of a secondary school-
 - (i) in Grade 8, Grade 9 and Grade 10, 40;
 - (ii) in Grade 11 and Grade 12, 35.

(3) The Minister may from time to time, by statutory order, vary the number of pupils permitted in any class under sub-regulation (2) in respect of any school specified in such statutory order.

(4) In the case of a school classified by the Minister as a co-educational school, regard shall be had to the desirability of maintaining a proper balance between the numbers of boys and girls respectively attending the school.

(5) In the case of a school classified by the Minister as a school for pupils of one sex only, no child shall be enrolled unless he is of the appropriate sex.

10. The parent of every child to be enrolled at a school or admitted to a school hostel shall ensure that the child presents himself at the school or school hostel on the first day of the school term or, where the child is to be enrolled or admitted during the course of the school term, on such day as the Head of the school may specify. Attendance of pupils

11. (1) The Head of a school may- Clothing of pupils

- (a) require the parent of every child enrolled at the school or admitted to a school hostel to provide the child with such items of clothing as the Head may specify;
- (b) require every child enrolled at the school or admitted to a school hostel accommodating pupils attending that school to wear specified items of clothing on such occasions (whether during or after school hours) as the Head may specify.

(2) For the purposes of this regulation, "clothing" includes footwear.

(3) Any pupil whose parent fails to provide the items of clothing specified by the Head may be suspended from school or hostel until he is provided with such clothing.

12. (1) No pupil shall be permitted to repeat a grade or form other than- Repetition of classes

- (a) Grade IV or Grade VII at a primary school; or
- (b) Grade 10 or Grade 12 at a secondary school.

(2) No pupil shall be permitted to repeat a grade mentioned in sub-regulation (1) more than once and then only if-

- (a) he has failed to pass an examination conducted for pupils receiving instruction in that grade or form, or has not written such examination on grounds of ill-health;
- (b) he is of an appropriate age; and

- (c) the Head of the school is satisfied that the repetition of the grade or form by that pupil will not prevent any pupil in a lower class from progressing to that grade.

13. (1) No pupil shall be permitted to transfer from the school at which he is enrolled to another school unless the Head of the school at which the pupil is enrolled is satisfied that reasonable grounds for the transfer exist and the parent of the pupil has ascertained that a vacancy exists in the school to which it is desired that the pupil should be transferred.

Transfer of pupils
between schools

(2) Where a pupil is permitted to transfer from the school at which he is enrolled to another school, the Head of the school at which the pupil is enrolled shall issue to the parent of the pupil a certificate of transfer stating the grounds for the transfer and the standard of education attained by the pupil and the parent shall furnish such certificate with the application for enrolment to the Head of the school to which it is desired that the pupil should be transferred.

14. Notwithstanding anything contained in this Part, the Minister may give to the Head of a school such special directions as he may consider necessary with respect to-

Powers of Minister

- (a) the enrolment at a school of a particular child;
- (b) the transfer between schools of a particular child;
- (c) the clothing with which children may be required to be provided under regulation 11 and the Head shall comply with those directions.

PART III FEESPART III

FEES

15. (1) Subject to sub-regulation (5), the fees set out in the second schedule shall be payable in respect of the matters therein prescribed.

No tuition or boarding
fees

(2) The fees shall be payable in advance on or before the first day of the school term to which they relate; or, in the case of a pupil joining the school after the first day of term, on or before the first day on which such pupil attends the school.

(3) Where a pupil withdraws from the school before the completion of a term, a refund of fees paid shall be made in accordance with sub-regulation (4)

Provided that no fees shall be refunded if the pupil is expelled from school on grounds of discipline or if his withdrawal from school is connected with discipline.

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(4) For the purpose of calculating a refund of fees, the total number of days in the term shall be divided into four equal parts, and the refund shall be *pro rated* according to the number of quarters of the term, or part thereof, that the pupil was in attendance at the school.

(5) The fees set out in Part 1 of the Second Schedule shall be payable by any pupil who is a Zambian, is in possession of a certificate from the United Nations Commission for Refugees certifying that he is a bona fide refugee, or if either of his parents.

(a) is a Zambian; or

(b) is an employee of the Government of the Republic of Zambia; and in the case of any other pupil, the fees set out in Part II of the Second Schedule shall be payable.

(As amended by S.I. No. 3 and 173 of 1985)

PART IV SCHOOL CALENDAR AND INSTRUCTION AT SCHOOLS PART IV

SCHOOL CALENDAR AND INSTRUCTION AT SCHOOLS

16. (1) The academic year in every school shall follow the calendar year and shall consist of three school terms. School calendar

(2) The Minister shall prepare an annual school calendar to determine the period of school terms and the days during each school term on which pupils shall be required to attend school for instruction.

(3) The school calendar prepared by the Minister shall be so arranged as to ensure that the number of school days in the academic year to which it relates is not less than 185 nor more than 200.

(4) The school calendar prepared in accordance with this regulation shall be observed at all schools except to such extent as the Minister may, either generally or in any particular case, authorise.

17. (1) Instruction shall be provided at all primary schools in the following subjects, that is to say: Art and Crafts; English; Environmental Science; Extra-curricula Activities; Handwriting; Homecraft; Mathematics; Music; Physical Education; Practical Skills; Reading; Religious Education; Social Studies; Zambian Languages. Instruction at primary schools

(2) The Minister may require or authorise the provision of instruction in any subject not mentioned in sub-regulation (1) at any particular primary school or classification of primary schools.

(3) The syllabus to be followed in each subject in which instruction is provided at a primary school shall be the official syllabus approved by the Minister.

18. (1) Instruction shall be provided at all secondary schools in the subjects of English and Mathematics and in such of the following subjects as the Head of the school may determine that is to say: Art and Crafts; Civics; Commercial Subjects; Extra-curricula Activities; Literature; French; Geography; History; Homecraft; Industrial Arts; Physical Education; Latin; Music; Oriental Languages; Religious Knowledge; Sciences; Zambian Languages.

Instruction at
secondary schools

(2) The Minister may require or authorise the provision of instruction in any subject not mentioned in sub-regulation (1) at any particular secondary school or classification of secondary schools.

(3) The syllabus to be followed in respect of each subject in which instruction is provided at a secondary school shall be the official syllabus approved by the Minister.

19. (1) For the purpose of promoting national unity and a proper respect for the National Anthem and the National Flag as the secular symbols of national consciousness-

National Anthem and
National Flag

- (a) instruction shall be provided at all schools in the singing of the National Anthem and in the proper manner in which pupils should behave on formal occasions at which the National Anthem is played or sung or the National Flag is flown; and
- (b) at all schools, pupils shall be required formally to sing the National Anthem and to salute the National Flag on such occasions as the Head may, subject to this regulation, determine.

(2) Whenever pupils are required in accordance with this regulation-

- (a) formally to sing the National Anthem, the pupils shall sing the National Anthem while standing at attention;
- (b) formally to salute the National Flag, the pupils shall raise the right hand to the temple with the open palm facing outwards while standing at attention.

(3) Subject to the provisions of sub-regulation (4), the Minister may give to the Head of school such directions as he may consider necessary with respect to the occasions on which pupils attending the school shall be required to sing the National Anthem or salute the National Flag and the Head shall comply with those directions.

(4) No pupil shall be required to sing the National Anthem or to salute the National Flag as part of any religious ceremony or observance.

PART V CORPORAL PUNISHMENTPART V

CORPORAL PUNISHMENT

20. Corporal punishment shall be administered to a pupil only on reasonable grounds and only where it appears that other disciplinary measures would be inadequate or inappropriate to meet the circumstances of the case. Circumstances justifying punishment

21. (1) Corporal punishment shall be administered to pupils only by-

Persons authorised to administer punishment

(a) the Head of the school; or

(b) a teacher to whom authority has been delegated by the Head;

and shall in every case be administered by a person of the same sex as the pupil.

(2) Wherever practicable, corporal punishment shall be administered in the presence of another member of the staff of the school.

22. Corporal punishment shall be moderate and reasonable in nature and shall be administered only on the palms of the hands or across the buttocks with a light cane or suitable strap. Nature of punishment

23. (1) There shall be kept at every school one or more registers of corporal punishment in which shall be recorded the following particulars of every case in which corporal punishment is administered to a pupil: Register of corporal punishment

(a) the date of the punishment;

(b) the name of the pupil;

(c) the nature of the punishment;

(d) the grounds for the punishment.

(2) Every entry in a register of corporal punishment shall be signed by the person who administered the punishment and, if the punishment was administered in the presence of another person, by that person.

(3) A register of corporal punishment shall be produced on request to any officer of the Ministry authorised by the Minister to make an inspection of the school.

PART VI SUSPENSION, EXPULSION AND EXCLUSION OF PUPILS ON GROUNDS OF DISCIPLINE

SUSPENSION, EXPULSION AND EXCLUSION OF PUPILS ON GROUNDS OF DISCIPLINE

24. No pupils shall be suspended, expelled or excluded from any school or school hostel on the grounds of discipline except in accordance with the provisions of this Part.

Suspension, etc., of pupils to be in accordance with this Part

25. (1) Subject to the provisions of this regulation, the Head of a school may suspend from attendance at the school-

Suspension from attendance at school and exclusion from hostel

- (a) any pupil whose language or behavior is habitually or continually such as to endanger the maintenance of a proper standard of conduct in the school;
- (b) any pupil who has committed an act of a reprehensible nature;
- (c) any pupil who fails to attend school regularly without reasonable excuse; or
- (d) any pupil who wilfully refuses to sing the National Anthem or to salute the National Flag when he is lawfully required to do so under these Regulations.

(2) Subject to the provisions of this regulation, the Head of a school may exclude from any school hostel accommodating pupils attending the school any pupil whose accommodation at the hostel is prejudicial to the maintenance of discipline in the hostel.

(3) Before any pupil is suspended from attendance at school or excluded from a school hostel under the provisions of this regulation, the Head shall-

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- (a) notify the pupil and his parent of the action which he proposes to take and of the grounds thereof; and
- (b) afford the pupil and his parent a reasonable opportunity of making representations against the action which he proposes to take; and
- (c) give proper consideration to any representations made by the pupil or his parent:

Provided that the Head may suspend the pupil from attendance at school or exclude the pupil from a school hostel without notifying his parent or affording his parent an opportunity of making representations where substantial delay would be thereby involved and it appears to the Head that such delay would seriously prejudice the interests of the school.

26. The Head of a school shall immediately report the full facts of a case of suspension or exclusion made by him to the Chief Education Officer for the region concerned.

Reports of suspensions and exclusions

27. Where any pupil has been suspended from attendance at school or excluded from a school hostel under the provisions of this Part, the pupil and his parent shall be entitled, within fifteen days after the date when the suspension or exclusion takes effect, to make representations in writing to the Chief Education Officer for the region concerned regarding the suspension and any further action that the Chief Education Officer may take.

Right to make representations to Chief Education Officer

28. (1) After considering any representations made to him under regulation 27, the Chief Education Officer may-

Powers of Chief Education Officer

- (a) in a case where a pupil has been suspended from attendance at school-
 - (i) direct the Head of the school to withdraw the suspension in force against the pupil;
 - (ii) direct the Head of the school to expel the pupil from the school, either permanently or for a period determined by the Chief Education Officer;
 - (iii) direct the transfer of the pupil to another school;
 - (iv) give such other directions as appear to be just in the circumstances;
- (b) in a case where a pupil has been excluded from a school hostel-
 - (i) confirm the exclusion of the pupil from the hostel;
 - (ii) direct the Head of the school to re-admit the pupil to the hostel;
 - (iii) direct the transfer of the pupil to another school hostel;
 - (iv) give such other directions as appear to be just in the circumstances;

and the Head shall give effect to such directions.

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(2) Any directions given by the Chief Education Officer under this regulation may be made subject to such conditions as the Chief Education Officer may determine.

(3) A pupil and his parent may appeal to the Minister against the Chief Education Officer's decision in sub-regulation (1) and the Minister's decision made after reviewing the full facts of the case shall be final.

29. The Education (Primary and Secondary Schools) Regulations are hereby revoked.

Revocation of
regulations.
S.I. No.
310 of 1966

FIRST SCHEDULE

(Regulation 5)

PRESCRIBED FORMS

REPUBLIC OF ZAMBIA
EDUCATION ACT, 1966

EDUCATION (PRIMARY AND SECONDARY SCHOOLS) REGULATIONS, 1973

APPLICATION FOR ENROLMENT AS A PUPIL AT A GOVERNMENT OR AIDED SCHOOL

To: THE HEAD,

.....School

FOR OFFICIAL USE	
Enrolment No
Date of Enrolment
Day Scholar/Boarder
Class

PART I

PARTICULARS OF PUPIL

1. Surname.....
2. Christian or forenames.....
3. Sex.....
4. Place of birth.....
5. Date or approximate date of birth.....
6. Religious denomination, if any.....
7. Proposed date of admission to school.....
8. Present school or last school attended.....
9. Standard of education attained.....
10. (a) Has the pupil been successfully vaccinated against smallpox?.....
(b) If so, when?.....
11. Particulars of any physical handicaps or serious illnesses suffered.....
.....
12. Additional information, if any, concerning the pupil.....
.....
.....

PART II

PARTICULARS OF PARENT OR GUARDIAN

13. Surname
14. Christian or forenames
15. Relationship to pupil
16. Occupation
17. Residential address
- Telephone No
18. Business address.....
- Telephone No
19. Postal address.....
-
20. Whether resident in Zambia.....

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PART III

I apply for the enrolment of the child named above as a pupil at the.....
.....School and declare
that the information given on this form is, to the best of my knowledge and belief, true and correct.

If the child is enrolled as a pupil, I agree-

- (a) that the pupil will attend punctually whenever properly required to do so;
- (b) that the pupil will be provided with and will wear the correct school uniform;
- (c) that the pupil will take part in such sports and other secular activities as may be arranged for the pupil by the school;
- (d) that the pupil will in other respects observe and be subject to the rules and discipline of the school;
- (e) that I will accept full responsibility for the payment of the prescribed tuition fees, if any, and for meeting all other expenses that may be incurred in respect of the pupil during the pupil's attendance at school.

.....
Signature of Parent or Guardian

Date....., 19.....

REPUBLIC OF ZAMBIA
EDUCATION ACT, 1966
EDUCATION (PRIMARY AND SECONDARY SCHOOLS) REGULATIONS, 1973

APPLICATION FOR ADMISSION OF A PUPIL TO A SCHOOL HOSTEL

To: The Head,
.....School

FOR OFFICIAL USE

Enrolment No
Date of Enrolment as Pupil
Class
Date of admission as boarder

PART I
PARTICULARS OF PUPIL

- 1. Surname
- 2. Christian or forenames
- 3. Sex
- 4. Date or approximate date of birth
- 5. Date or proposed date of admission to school.....
- 6. Proposed date of admission to hostel.....
- 7. Any special information regarding the health of the pupil and any special wishes regarding the treatment of the pupil in the event of illness
- 8. (a) In the event of illness necessitating the removal of the pupil to hospital, do you agree that the Head of the school may act on your behalf in his discretion in authorising the performance of surgical operations if it is not possible to get in touch with you?
-
- (b) If not, what arrangements do you wish to be made?
-

PART II
PARTICULARS OF PARENT OR GUARDIAN

- 9. Surname
- 10. Christian or forenames
- 11. Relationship to pupil.....
- 12. Occupation.....
- 13. Residential address Telephone No
- 14. Distance from residential address to this school km
- 15. Business address..... Telephone No
- 16. Postal address
- 17. Whether resident in Zambia

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PART III

I apply for the admission of the pupil named above to a school hostel accommodating pupils attending the School and declare that the information given on the form is, to the best of my knowledge and belief, true and correct.

If the pupil is admitted to a school hostel, I agree-

- (a) that the pupil will observe and be subject to the rules and discipline of the hostel;
- (b) that I will accept full responsibility for the payment of the prescribed boarding fees, if any, and for meeting all other expenses that may be incurred in respect of the pupil during the pupil's accommodation at the hostel.

.....
Signature of Parent or Guardian

Date, 19.....

NOTES

(1) Pupils accommodated at a school hostel will in the event of illness normally be attended and treated by the School Medical Officer.

(2) The Head of the school will observe as far as possible the stated wishes of the parent or guardian regarding health treatment of the pupil, but is required to act in his discretion on behalf of the parent or guardian in cases of emergency.

(3) Medical expenses incurred on behalf of a pupil will be charged direct to the parent or guardian.

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SECOND SCHEDULE

(Regulation 15)

FEES

PART I

<i>Zambians</i>	Fee units
1. In a day primary school	Nil
2. In a day secondary school	Nil
3. Boarder in a primary school	65 per term
4. Boarder in a secondary school	80 per term

PART II

Non-Zambians	Fee units
1. In a day primary school	25 per term
2. In a day secondary school	50 per term
3. Boarder in a primary school	100 per term
4. Boarder in a secondary school	150 per term

(As amended by S.I. No. 2 of 1994 and Act No. 13 of 1994)

THE EDUCATION (TEACHER TRAINING INSTITUTIONS) REGULATIONS

PART I PRELIMINARY ARRANGEMENT OF REGULATIONS

PART I

PRELIMINARY

Regulation

1. Title
2. Interpretation

PART II CONDITIONS OF ENROLMENT AND ADMISSION PART II

CONDITIONS OF ENROLMENT AND ADMISSION

3. Age of students
4. Application to be considered by Principal

PART III FEES, RECORDS, SYLLABUSES, EXAMINATIONS AND CALENDARS
PART III

FEES, RECORDS, SYLLABUSES, EXAMINATIONS AND CALENDARS

5. Prescribed fees
6. Records of students enrolled
7. Instruction
8. Institution calendar and length of course
9. Examination and certification
10. Power of Minister to vary length of course

PART V SUSPENSION, EXPULSION AND EXCLUSION OF STUDENTS ON GROUNDS
OF DISCIPLINE
PART V

SUSPENSION, EXPULSION AND EXCLUSION OF STUDENTS ON GROUNDS OF DISCIPLINE

11. Suspension, etc., of students to be in accordance with this Part
12. Suspension from attendance at institution and from hostel
13. Report of suspension and exclusion
14. Right to make representations to Chief Education Officer
15. Powers of Chief Education Officer
16. Principal may recommend discharge of student
17. National Anthem and National Flag

18. Revocation of regulations

SECTION 12-THE EDUCATION (TEACHER TRAINING INSTITUTIONS) REGULATIONS

Regulations by the Minister

Statutory Instrument
253 of 1973
Act No.
13 of 1994

PART I PRELIMINARY
PART I

PRELIMINARY

1. These Regulations may be cited as the Education (Teacher Training Institutions) Regulations. Title

2. (1) In these Regulations, unless the context otherwise requires-

Interpretation

"parent" in relation to a student includes the guardian of such student;

"requisite standard of general education" means the educational standard prescribed by the Minister from time to time;

"Teacher Training Institution" means an institution or college in which are given general education and specific training for entry to, and advancement in, the teaching profession.

(2) References in these Regulations to the National Anthem or the National Flag are references to the National Anthem of Zambia or the National Flag of Zambia, as the case may be.

PART II CONDITIONS OF ENROLMENT AND ADMISSIONPART II

CONDITIONS OF ENROLMENT AND ADMISSION

3. No student shall be enrolled in a Teacher Training Institution (hereinafter called the "Institution") or admitted to an institution hostel unless he will have-

Age of students

- (a) attained the age of seventeen years on the 31st of January of the year of enrolment;
- (b) signed an undertaking to serve with the Ministry as a teacher for, at least, two years on completion of his course;
- (c) attained the requisite standard of general education;
- (d) obtained a medical certificate as to his physical fitness.

4. (1) The Principal of an institution shall consider every application for enrolment of a student at the institution or for admission of a student to an institution hostel accommodating students attending that institution and shall, subject to the provisions of these Regulations and of any other regulations for the time being in force under the Act, determine whether the student shall be enrolled or admitted, as the case may be.

Applications to be considered by Principal

(2) The applicant shall furnish the Principal with such information and evidence as the Principal may require to enable him to give proper consideration to the application.

(3) Nothing in this regulation shall preclude the Principal from deferring his decision on any application for such period as he deems necessary to enable him to give proper consideration to it.

(4) The Principal shall cause the applicant to be informed of his decision regarding the application.

(5) Any person who, for the purpose of procuring the enrolment of himself or another at an institution or the admission of himself or another at an institution hostel, knowingly makes to the Principal of an institution any false statement material to an application for enrolment or admission, either verbally or in writing, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand penalty units or to imprisonment for a period not exceeding one year or to both.

(6) No student shall be entitled to attend an institution or be accommodated at an institution hostel if he or any person applying on his behalf knowingly made to the Principal of the institution any false statement material to the application.

(As amended by Act No. 13 of 1994)

PART III FEES, RECORDS, SYLLABUSES, EXAMINATIONS AND CALENDARS PART III

FEES, RECORDS, SYLLABUSES, EXAMINATIONS AND CALENDARS

5. The Minister may, if he thinks fit, prescribe tuition and boarding fees which are payable in respect of all or any students enrolled at an institution or admitted to an institution hostel. In prescribing the fees, the Minister may lay down different scales for-

Prescribed fees

- (a) different areas of Zambia;
- (b) different institutions; or
- (c) different classes of persons.

6. Every institution shall, within three months of the commencement of the course, render to the Chief Education Officer for the region concerned a return in quadruplicate, of which two copies shall be forwarded by the Chief Education Officer to the Minister, giving the following details of students enrolled at the institution:

Records of students enrolled

- (a) name, date of birth and sex;
- (b) national registration number;
- (c) district, village, chief;
- (d) the nature and date of commencement of the course; and
- (e) the educational standard of each student enrolled.

7. (1) Instruction shall be provided at every institution in such subjects as the Minister may prescribe.

Instruction

(2) The syllabus to be followed in respect of each subject in which instruction is provided at an institution shall be as determined by the Minister.

8. (1) The length of the course shall be two years.

Institution calendar and length of course

(2) The academic year at every institution shall follow the calendar year and shall consist of three terms.

(3) The Minister shall prepare an annual institution calendar to determine the period of each institution term and the days during which students shall be required to attend the institution for instruction.

(4) The institution calendar prepared by the Minister shall be so arranged as to ensure that the number of instruction days in the academic year to which it relates is not less than 130 nor more than 150 for students in the first year and not less than 200 nor more than 220 for students in the second year.

(5) The institution calendar prepared in accordance with this regulation shall be observed at all institutions except to such extent as the Minister may, either generally or in any particular case, authorise.

9. The examination and certification of the students shall be the responsibility of the Minister. Examination and certification

10. Notwithstanding anything contained in this Part, the Minister may vary the length of the course from time to time. Power of Minister to vary length of course

PART V SUSPENSION, EXPULSION AND EXCLUSION OF STUDENTS ON GROUNDS OF DISCIPLINEPART V

SUSPENSION, EXPULSION AND EXCLUSION OF STUDENTS ON GROUNDS OF DISCIPLINE

11. No student shall be suspended, expelled or excluded on grounds of discipline except in accordance with the provisions of this Part. Suspension, etc., of students to be in accordance with this Part

12. (1) Subject to the provisions of this regulation, the Principal of an institution may suspend from attendance at the institution- Suspension from attendance at institution and from hostel

- (a) any student whose language or behaviour is habitually or continually such as to endanger the maintenance of a proper standard of conduct in the institution;

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- (b) any student who has committed an act of a reprehensible nature;
- (c) any student who fails to attend the institution regularly without reasonable excuse; or
- (d) any student who wilfully refuses to sing the National Anthem or to salute the National Flag when he is lawfully required to do so under these Regulations.

(2) Subject to the provisions of this regulation, the Principal of an institution may exclude from any institution hostel accommodating students attending the institution any student whose accommodation in the hostel is prejudicial to the maintenance of discipline in the hostel.

(3) Where the Principal has cause to believe that the health of a student warrants, he shall have the right to order such student to be medically examined; and may exclude such student from attending classes and other institution activities.

(4) Before any student is suspended from attendance at an institution or excluded from the institution hostel under the provisions of this regulation, the Principal shall-

- (a) notify the student and, where practicable, his parent of the action which he proposes to take and of the grounds thereof; and
- (b) afford the student and his parent a reasonable opportunity of making representations against the action which he proposes to take; and
- (c) give proper consideration to any representations made by the student or his parent:

Provided that the Principal may suspend the student from attendance at the institution without notifying his parent or affording his parent an opportunity of making representations where substantial delay would be thereby involved and it appears to the Principal that such delay would seriously prejudice the interests of the institution, or where the student has attained the age of eighteen years.

13. The Principal of an institution shall immediately report the full facts of a case of suspension or exclusion made by him to the Chief Education Officer for the region concerned.

Report of suspension
and exclusion

14. Where any student has been suspended from attendance at an institution or excluded from an institution hostel under the provisions of these Regulations, the student and his parent shall be entitled, within fifteen days after the date when the suspension or exclusion takes effect, to make representations to the Chief Education Officer for the region concerned regarding the suspension and any further action which the Chief Education Officer may take.

Right to make representations to Chief Education Officer

15. (1) After considering any representations made to him under regulation 14, the Chief Education Officer may-

Powers of Chief Education Officer

- (a) in a case where a student has been suspended from attendance at an institution-
 - (i) direct the Principal of the institution to withdraw the suspension in force against the student;
 - (ii) direct the Principal of the institution to expel the student from the institution, either permanently or for a period determined by the Chief Education Officer;
 - (iii) direct the transfer of the student to another institution;
 - (iv) give such other directions as appear to be just in the circumstances;

- (b) in a case where a student has been excluded from a hostel-
 - (i) confirm the exclusion of the student from the hostel;
 - (ii) direct the Principal of the institution to readmit the student to the hostel;
 - (iii) direct the transfer of the student to another institution hostel;
 - (iv) give such other directions as appear just in the circumstances;

and the Principal shall give effect to such directions.

(2) Any directions given by the Chief Education Officer under this regulation may be made subject to such conditions as the Chief Education Officer may determine.

(3) A student or his parent may appeal to the Minister against the Chief Education Officer's decision in sub-regulation 15 (1) and the Minister's decision, after reviewing the full facts of the case, shall be final.

16. Notwithstanding anything contained in these Regulations, the Principal may recommend to the Chief Education Officer the discharge of any student if his work is unsatisfactory, and if such student is unlikely to profit from further training.

Principal may recommend discharge of student

17. (1) For the purpose of promoting national unity and a proper respect for the National Anthem and the National Flag as the secular symbols of national consciousness-

National Anthem and NationalFlag

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- (a) instruction shall be provided at all institutions in the singing of the National Anthem and in the proper manner in which students should behave on formal occasions at which the National Anthem is played or sung or the National Flag is flown; and
- (b) at all institutions, students shall be required formally to sing the National Anthem and to salute the National Flag on such occasions as the Principal may, subject to these regulations, determine.

(2) Whenever students are required in accordance with this regulation-

- (a) formally to sing the National Anthem, the students shall sing the National Anthem while standing at attention;
- (b) formally to salute the National Flag, the students shall raise their right hand to the temple with the open palm facing outwards while standing at attention.

(3) Subject to the provisions of sub-regulation (4), the Minister may give to the Principal of an institution such directions as he may consider necessary with respect to the occasions on which students attending the institution shall be required to sing the National Anthem or salute the National Flag, and the Principal shall comply with those directions.

(4) No student shall be required to sing the National Anthem or to salute the National Flag as part of any religious ceremony or observance.

18. The Education (Teacher Training Institutions) Regulations are hereby revoked.

Revocation of regulations.
S.I. No.
155 of 1967

SECTION 19-THE BOARD OF GOVERNORS OF THE TEACHERS COLLEGE, KABWE
(ESTABLISHMENT) ORDER

Statutory Instrument
322 of 1967

Order by the Minister

1. This Order may be cited as the Board of Governors of the Teachers College, Kabwe (Establishment) Order.

Title

2. There is hereby established for the Teachers College, Kabwe, a board of governors to be styled the Board of Governors of the Teachers College, Kabwe.

Establishment of board of governors

THE EDUCATION (BOARDS OF GOVERNORS) REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Common seal
3. Composition of boards
4. Tenure of office
5. Vice-chairman of board
6. Secretary
7. Establishment, composition and business of committees
8. Procedure of board and its committees
9. Attendance of non-members at meetings
10. Pecuniary interest in matters under discussion
11. Minutes of proceedings at meetings
12. Allowances
13. Estimates of revenues and expenditure
14. Investments
15. Arrangements for handling receipts and payments

SCHEDULE-Common seals

SECTION 23-THE EDUCATION (BOARDS OF GOVERNORS) REGULATIONS

Statutory Instrument
311 of 1966

Regulations by the Minister

1. These Regulations may be cited as the Education (Boards of Governors) Regulations. Title
2. (1) The common seal of a board of governors shall be- Common seal
 - (a) in the case of the Board of Governors of the Evelyn Hone College of Further Education, the device prescribed in Part I of the Schedule;
 - (b) in the case of the Board of Governors of the Northern Technical College, the device prescribed in Part II of the Schedule.

(2) The common seal of a board of governors shall be kept in the custody of the secretary to the board.

(3) Any instrument which, if made by a private person, would be required to be under seal, shall be executed under the common seal of a board of governors and the affixing of the seal shall be authenticated by the signature of the chairman of the board and by that of one other member of the board.

(4) Save as provided by sub-regulation (3), any appointment made by a board of governors and any instrument, agreement, contract or other document to be executed by the board or on its behalf, shall be deemed to be duly executed either if sealed and authenticated as in sub-regulation (3) is provided or if signed by an officer in the service of the board duly authorised in that behalf under the terms of a resolution of the board.

3. A board of governors shall consist of sixteen members appointed by the Minister from persons representing the Ministry, local authorities, commerce and industry, and such other persons as the Minister may deem fit.

Composition of boards

4. (1) A member of a board of governors shall, subject to the provisions of this regulation, hold office for a period of three years:

Tenure of office

Provided that the first members of a board of governors established by or under the Act shall, subject to the provisions of this regulation, hold office for such period as the Minister in each case determines at the time of the appointment, being not less than one year or more than three years.

(2) The office of a member of a board of governors shall become vacant-

- (a) if the holder of the office dies or resigns from his office by notice in writing addressed to the Minister; or
- (b) if the holder of the office is, without the leave of the board, absent from two consecutive meetings of the board; or
- (c) if the holder of the office is removed from office by the Minister.

(3) Whenever the office of a member of a board of governors becomes vacant, the Minister shall appoint a person to fill the vacancy and that person shall, subject to the provisions of this regulation, hold office for the remainder of the period during which the member whose place he fills would, but for his office becoming vacant, have continued in office.

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(4) If a member of a board of governors is absent or is for any other cause prevented from or incapable of discharging the functions of his office, the Minister may, if he thinks fit, appoint another person to hold office as a member of the board during the absence or incapacity of the member whose place he fills.

5. (1) There shall be a vice-chairman of a board of governors, who shall be a member of the board elected by the board. Vice-chairman of board

(2) The vice-chairman of a board of governors shall discharge the functions of the office of the chairman of the board whenever the office of chairman is vacant or the chairman is absent or is for any other cause prevented from or incapable of discharging the functions of his office.

6. (1) There shall be a secretary to a board of governors, who shall be appointed by the board. Secretary

(2) The secretary to a board of governors shall be responsible, in accordance with such instructions as may be given him by the board, for arranging the business for, and keeping the minutes of, the board and its committees and shall have such other functions as the board may direct.

7. (1) A board of governors may establish such standing and occasional committees as it considers necessary or desirable for the discharge of its functions. Establishment, composition and business of committees

(2) A committee of a board of governors shall consist of such persons, whether members of the board or not, as the board may appoint thereto; and the board shall appoint one of the members of the committee to be the chairman thereof.

(3) The members of a committee of a board of governors shall hold office at the pleasure of the board.

(4) A board of governors shall determine the functions of any committee established by it and may delegate to any such committee, either absolutely or conditionally, the power to discharge any functions of the board on behalf of the board.

8. (1) Meetings of a board of governors and of any committee of a board shall be held as and when necessary and shall be convened in accordance with the directions of the chairman of the board or, in the case of meetings of a committee, of the chairman of the committee. Procedure of board and its committees

(2) At any meeting of a board of governors, one-third of the members shall form a quorum and at any meeting of a committee of a board, three members shall form a quorum.

(3) There shall preside-

(a) at any meeting of a board of governors-

- (i) the chairman of the board; or
- (ii) in the absence of the chairman of the board, the vice-chairman of the board; or
- (iii) in the absence of the chairman and the vice-chairman of the board, such member of the board as the board may elect for that meeting;

(b) at any meeting of a committee of a board of governors-

- (i) the chairman of the committee; or
- (ii) in the absence of the chairman of the committee, such member of the committee as the committee may elect for that meeting.

(4) Any question proposed for decision by a board of governors or a committee of a board shall be determined by a majority of the votes of the members thereof present and voting at a meeting at which a quorum is present.

(5) At all meetings of a board of governors or a committee of a board, each member present shall have one vote on a question proposed for decision by the board or committee, as the case may be, and, in the event of an equality of votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote.

9. (1) The principal of the educational institution for which a board of governors is established shall be entitled to attend the meetings of the board and its committees unless expressly excluded therefrom by the chairman of the board or committee, as the case may be.

Attendance of
non-members at
meetings

(2) A board of governors or a committee of a board may invite any member of the staff of the educational institution for which the board is established and any other person whose presence is desirable to attend a meeting of the board or committee, as the case may be.

(3) Any person who attends a meeting of a board of governors or of a committee of a board in pursuance of the provisions of this regulation shall be entitled to take part in the consideration and discussion of any question proposed for decision, but shall not be entitled to vote thereon.

- 10.** If a member of a board of governors or of a committee of a board or his spouse-
- Pecuniary interest in matters under discussion
- (a) tenders for or acquires or holds a direct or indirect pecuniary interest in a contract with the board; or
 - (b) knowingly acquires or holds a direct or indirect interest in a company or firm applying or negotiating for a contract with the board; or
 - (c) owns real property or a right in real property or has a direct or indirect pecuniary interest in a company or firm which results in his private interests coming into or appearing to come into conflict with his duties as a member;

the member shall forthwith disclose the facts to the board and shall, if present, withdraw from any meeting whilst any question relating to any such contract, property or interest is under consideration.

- 11.** (1) A board of governors and a committee of a board shall cause minutes to be kept of the proceedings and all decisions made at every meeting of the board or committee, as the case may be, and shall cause to be recorded therein the names of every member present at that meeting.
- Minutes of proceedings at meetings

(2) A copy of the minutes of the proceedings of a board of governors or of a committee of a board shall be furnished to the Minister and to every member of the board or committee, as the case may be, and to such other persons; if any, as the board or committee may direct.

- 12.** There shall be payable to a member of a board of governors who is not a public officer-
- Allowances
- (a) a subsistence allowance at the rate of six kwacha in respect of every night necessarily spent away from his home; and
 - (b) reasonable travelling and out-of-pocket expenses necessarily incurred by him;

while he is engaged on the business of the board.

- 13.** (1) On or before such date in any financial year as the Minister may determine, a board of governors shall cause to be prepared and adopt estimates (to be called annual estimates) of the revenues and expenditure of the board for the ensuing financial year of the board.
- Estimates of revenues and expenditure

(2) Where in any financial year it appears to a board of governors that expenditure for a special purpose is desirable and that no or insufficient provision has been made for it in the annual estimates for that financial year, the board may cause to be prepared and adopt supplementary estimates in respect thereof.

(3) All annual and supplementary estimates of a board of governors shall be prepared in such form and contain such information as the Minister may require and shall be submitted to the Minister for his confirmation in writing.

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(4) The Minister may confirm the annual or supplementary estimates of a board of governors as a whole or may-

(a) disallow any items contained therein;

(b) impose such modifications and conditions as he thinks fit;

and confirm them subject to such disallowances, modifications and conditions.

(5) A board of governors shall not incur any expenditure which is not included in the annual or supplementary estimates of the board as confirmed in writing by the Minister.

14. (1) Any monies received by a board of governors by way of-

Investments

(a) fees and charges imposed by the board; or

(b) grants and loans made by the Minister;

and not required by the board for immediate use shall not be invested otherwise than in a current account kept at a bank or building society approved by the Minister.

(2) Save as provided by sub-regulation (1), a board of governors may invest any monies not required by it for immediate use in such manner as it thinks fit and may, as occasion requires, realise any investments made by it.

15. Subject to the provisions of these Regulations and any directions given to it by the Minister, a board of governors shall make safe and efficient arrangements for the receipt of monies paid to it and the issue of monies payable by it and those arrangements shall be carried out under the supervision of such officer in the service of the board as the board may determine.

Arrangements for handling receipts and payments

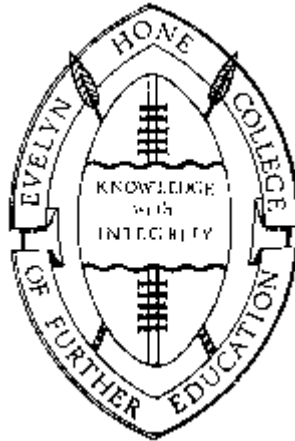
SCHEDULE

(Regulation 2)

COMMON SEALS

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PART I



PART II



THE EDUCATION (PARENT-TEACHER ASSOCIATION) REGULATIONS

Statutory Instrument
45 of 1976
97 of 1981

ARRANGEMENT OF REGULATIONS

Regulation

1. Title
2. Interpretation
3. Establishment of association
4. Functions of association
5. Composition of association
6. Formation and composition of committee
7. Tenure of office of member of committee
8. Procedure of meetings of association and committee
9. Minutes of proceedings
10. Raising and control of funds
11. Parent-Teacher Association Fund
12. Parent-Teacher Association Fund Committee
13. Maintenance and operation of account and keeping of records of moneys
14. Submission of financial statement
15. Inspection of books, documents and records of Fund
16. Power to withdraw recognition of association
17. Revocation

SECTION 29-THE EDUCATION (PARENT-TEACHER ASSOCIATION) REGULATIONS

Statutory Instrument
45 of 1976
97 of 1981

Regulations by the Minister

1. These Regulations may be cited as the Education (Parent-Teacher Association) Regulations; Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"association" means a Parent-Teacher Association established in accordance with the provisions of regulation 3;

"Chief Education Officer" means the Chief Education Officer of the Region where a school is situated;

"committee" means an executive committee formed in accordance with the provisions of regulation 6;

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"Fund" means a fund established under regulation 11;

"Fund Committee" means a committee appointed in accordance with the provisions of regulation 12;

"lower primary school" means a primary school of up to Grade IV;

"parent" means the father or mother of any pupil attending a school for which an association has been established and any person having the care, custody or control of such pupil;

"Production Committee" means a production committee responsible to and which shall be established by the Head or Principal of a school and comprising members of staff, representatives of parents or local community and, except in the case of a lower primary school, pupils or students;

"school" means a school for which an association is formed;

"teacher" means a teacher of a school.

3. (1) There may be established an association in connection with a Government, aided or private school. Establishment of association

(2) Every association shall be constituted in the manner provided by these Regulations.

(3) No association shall be established as an association unless application for its recognition is made to the Minister through the Chief Education Officer and the Minister has approved it.

(As amended by S.I. No. 97 of 1981)

4. The functions of the association shall be-

Functions of association

- (a) to ensure, through regular contacts between parents and teachers, the welfare and best possible education of pupils, an enlightening of parents on all aspects of pupils' progress in the school and an enlightening of teachers on the home background of their pupils so as to enable teachers to see their pupils as full individual personalities and thus cater the better for their individual needs;
- (b) to raise and control funds in accordance with regulation 10;
- (c) to plan and implement through a Production Committee the production projects of the school;
- (d) to perform any other functions approved by the Minister.

5. (1) Any parent may be a member of an association where such parent has a child attending school. Composition of association

(2) All members of the teaching staff of a school shall be *ex-officio* members of the association established for that school and shall be entitled to vote at any meeting of the association.

(3) Any of the following persons may be a member of an association:

- (a) the District Executive Secretary of the district where the school is situated;
- (b) any local chief; or
- (c) any other local dignitary.

6. (1) There shall be formed a committee for each association to control and conduct the affairs of the association. Formation and composition of committee

(2) The committee shall consist of-

- (a) not more than six members who shall be elected by the association from its members, other than *ex-officio* members, at its annual general meeting;
- (b) not more than two members who shall be elected by the teachers from the members of their school teaching staff; and
- (c) the Head and the Deputy Head of the school.

(3) On the recommendation of the Head of the school and with the approval of the Minister, any one or more of the following members may be appointed to the committee referred to in sub-regulation (2):

- (a) the District Executive Secretary of the district where the school is situated;
- (b) any local chief; or
- (c) any other local dignitary.

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(4) The members mentioned in paragraph (a) of sub-regulation (2) shall not act as such members unless their names have been approved by the Minister.

(5) The members mentioned in paragraphs (b) and (c) of sub-regulation (2) shall be *ex-officio* members but shall be entitled to vote at any meeting of the committee.

(6) The Head of the school shall convene the first meeting of an association at which shall be elected six members of the committee from the members other than the *ex-officio* members of the association.

(7) At the first meeting of a committee after an election the members shall elect from among their number a chairman and a vice-chairman of the committee.

(8) The chairman and the vice-chairman of the committee shall automatically be the chairman and the vice-chairman of the association.

(9) The Head of the school shall be the secretary to the association and to the committee.

(10) A retiring member of the committee shall be eligible for re-election.

7. (1) A member of a committee shall, subject to the other provisions of this regulation, hold office till the next annual general meeting of the association at which election of members is held.

Tenure of office of
member of committee

(2) The office of a member of a committee shall become vacant-

- (a) if the holder of the office dies, is declared bankrupt, becomes mentally or physically incapable of performing his duties as such member or resigns from his office by notice in writing to the secretary of the committee; or
- (b) if the holder of the office ceases to be a parent; or
- (c) if the holder of the office who is a member of the teaching staff of the school ceases to be such a member; or
- (d) if the Minister terminates by notice in writing the member's holding of the office.

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(3) Whenever the office of a member of a committee becomes vacant the association shall, with the approval of the Minister, appoint a person to fill the vacancy and that person shall, subject to the provisions of this regulation, hold office for the remainder of the period during which the member whose place he fills would, but for his office becoming vacant, have continued in office.

8. (1) Subject to the provisions of sub-regulations (6) and (7) of regulation 6, meetings of an association or of a committee shall be held as and when necessary and shall be convened in accordance with the directions of the chairman.

Procedure of meetings
of association and
committee

(2) At any meeting of the association twelve members of the association, of whom not more than six shall be *ex-officio* members, shall form a quorum.

(3) At any meeting of a committee one half of the total number of members, of which the committee consists shall form a quorum.

(4) There shall preside at any meeting of an association or of a committee-

- (a) the chairman; or
- (b) in the absence of the chairman, the vice-chairman; or
- (c) in the absence of both the chairman and the vice-chairman, such member of the meeting as the meeting may elect for that purpose.

9. (1) The secretary of an association or of a committee shall, unless prevented by illness or other unavoidable cause-

Minutes of
proceedings

- (a) attend all meetings of the association and of the committee;
- (b) minute the proceedings at all meetings of the association and of the committee;
- (c) deal with all correspondence; and
- (d) as soon as possible after each meeting of the association or of the committee, forward to the Minister a copy of the minutes of the meeting, initialled by the chairman.

(2) If the secretary is absent from any meeting of the association or of the committee, the members present shall appoint a person to act as secretary for that meeting.

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10. (1) The association may, with the approval of the Chief Education Officer, raise funds for specific projects in the school through raffles and other legitimate means.

Raising and control of funds

(2) All funds raised in pursuance of sub-regulation (1) shall be under the control of the Parent-Teacher Association Committee (and not the Parent-Teacher Association Fund Committee) which shall decide how such funds shall be spent on approved school projects.

(3) No association shall have the power to levy any moneys from the pupils of any Government, aided or private school.

11. There shall be established a fund to be called "a Parent-Teacher Association Fund".

Parent-Teacher Association Fund

12. (1) There shall be a Parent-Teacher Association Fund Committee which shall consist of a chairman, vice-chairman, secretary, treasurer and two other members.

Parent-Teacher Association Fund Committee

(2) The Fund Committee shall be appointed by the association committee.

(3) No *ex-officio* member of the association committee shall be eligible for appointment to the Fund Committee.

(4) At any meeting of the Fund Committee one half of the total number of members of which the Fund Committee consists shall form a quorum.

13. The Fund Committee shall open and maintain, with a commercial bank, building society or Post Office, an account which shall operate on any three signatures of the members of the Fund Committee and shall keep exact records of any Fund moneys received and paid.

Maintenance and operation of account and keeping of records of moneys

14. At the end of every school year and before the annual general meeting of the association the Fund Committee shall submit to the association committee which in turn shall submit to the annual general meeting of the association a full and detailed statement of the Fund, signed by any three members of the Fund Committee.

Submission of financial statement

15. The treasurer of the Fund shall on demand produce, through the Chief Education Officer, all books, documents and records relating to the Parent-Teacher Association Fund for inspection by a person appointed by the Minister.

Inspection of books, documents and records of Fund

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| <p>16. The Minister may, for any contravention of any of the provisions of regulations 3 to 15 inclusive, by any association, withdraw his recognition of that association.</p> | <p>Power to withdraw recognition of association</p> |
| <p>17. The Education (Parent-Teacher Association) Regulations, 1967, are hereby revoked.</p> | <p>Revocation of S.I. No. 156 of 1967</p> |

SECTION 32-THE EDUCATION (HEALTH) REGULATIONS

Statutory Instruments
387 of 1966
151 of 1969

Regulations by the Minister

- | | |
|---|---|
| <p>1. These Regulations may be cited as the Education (Health) Regulations.</p> | <p>Title</p> |
| <p>2. In these Regulations, unless the context otherwise requires-</p> <p>"school medical officer" means-</p> <p>(a) a Government medical officer;</p> <p>(b) any other medical practitioner designated by the Minister, with the concurrence of the Minister responsible for health, as a school medical officer.</p> | <p>Interpretation</p> |
| <p>3. These Regulations apply to every-</p> <p>(a) Government school;</p> <p>(b) aided school;</p> <p>(c) registered private school, except those which conduct courses wholly by correspondence;</p> <p>(d) educational institution for which a board of governors is established.</p> | <p>Application</p> |
| <p>4. A school medical officer may enter and inspect at all reasonable times any school, school hostel or other premises whatsoever at any school.</p> | <p>Entry and inspection of premises</p> |
| <p>5. The Minister may, with the concurrence of the Minister responsible for health, close any school hostel or other buildings or premises whatsoever at any school on the grounds of health.</p> | <p>Closing of schools, etc., on grounds of health</p> |

6. (1) The Minister may direct-

Medical and dental
examination of pupils

- (a) the routine medical and dental examination of pupils attending any school at such intervals as he may specify;
- (b) the medical examination of a pupil attending any school, otherwise than at a routine examination referred to in paragraph (a), if such an examination is in the interests of all or any pupils attending the school;
- (c) the psychological or psychiatric examination by a psychiatrist or an education psychologist or a school medical officer of a pupil attending any school other than a registered private school.

(2) The Minister may, on the request made in writing by the parent of any pupil or the Head of any school, excuse the pupil or, as the case may be, any classification of pupils from an examination directed by him under paragraph (a) of sub-regulation (1).

(As amended by No. 151 of 1969)

7. (1) The Minister may make provision for-

Medical treatment of,
and supply of
medicines, etc., to,
pupils

- (a) the treatment by a school medical officer of a pupil accommodated at any school hostel whilst he is so accommodated;
- (b) the supply of medicines and dental and surgical appliances to a pupil attending any school; and
- (c) the performance, in connection with the health of a pupil attending any school, of X-ray and laboratory examinations.

(2) Nothing in this regulation shall preclude-

- (a) the removal of a pupil from a school hostel for treatment by his own medical practitioner;
- (b) the treatment of a pupil who is accommodated at a school hostel by a school medical officer in consultation with or in collaboration with his own medical practitioner;
- (c) the removal of a pupil from a school hostel to a hospital for treatment at the hospital by a school medical officer;

- (d) observance of the responsibilities for the safeguarding and maintenance of health which are set out in the Public Health (Infectious Diseases) Regulations. Cap. 295

SECTION 32-THE EDUCATION (LANGUAGE) REGULATIONS

Statutory Instrument
312 of 1966

Regulations by the Minister

1. These Regulations may be cited as the Education (Language) Regulations. Title
2. These Regulations apply to every- Application
- (a) Government school;
- (b) aided school;
- (c) registered private school;
- (d) educational institution for which a board of governors is established;
- and references to the expression "school" shall, unless the context otherwise requires, be construed accordingly.
3. Subject to the provisions of these Regulations, the English language shall be used as the medium of instruction in all schools. English to be general medium of instruction
4. (1) Unless the Minister otherwise directs in any particular case, the vernacular language or languages appropriate to the area in which an unscheduled primary school is situated may be used as the medium of instruction in Grades I, II, III and IV at that school. Use of vernacular in unscheduled primary schools
- (2) For the purposes of this regulation, "unscheduled primary school" means a Government or aided school which is an unscheduled primary school for the purposes of the Education (Primary and Secondary Schools) Regulations.
5. A person may, during any religious instruction given by him in a class forming part of the first four years of a course of primary education, use the language most commonly used in religious observances by members of his religious denomination. Religious instruction
6. During the teaching as a subject at a school of any language other than English, the language which is the subject of instruction may be used as the medium of instruction. Instruction in foreign languages

SECTION 32-THE SCHOOL (COMPULSORY ATTENDANCE) REGULATIONS

Regulations by the Minister

Statutory Instrument
118 of 1970
Act No.
13 of 1994

- 1.** These Regulations may be cited as the School (Compulsory Attendance) Regulations. Title
- 2.** In these Regulations, unless the context otherwise requires-
- "child" means a person in the actual custody of a parent;
- "Head" means the headmaster or headteacher of a school;
- "parent", in relation to any child, includes a guardian and every person who has the actual custody of the child;
- "school" means a school to which these Regulations apply. Interpretation
- 3.** (1) These Regulations shall apply only to Government or aided schools at which primary or secondary education is provided. Application
- (2) Nothing in these Regulations shall apply to any correspondence course or part-time educational class.
- 4.** The Minister shall appoint public officers to act as Attendance Officers whose functions will be to do all things necessary to ensure compliance with these Regulations. Attendance Officers
- 5.** (1) If it appears to an Attendance Officer that a child enrolled at a school is not attending the school regularly, the Attendance Officer shall serve upon the parent of such child a notice in writing requiring him within five days from the service thereof to present the child to the Head. Attendance Officer to serve notice on parent
- (2) Any parent who fails to comply with a notice under sub-regulation (1) shall be guilty of an offence.
- (3) In any proceedings for an offence against this regulation, it shall be a sufficient defence if the parent proves that he was unable, or that it would have been unreasonable, or that it was not reasonably practicable, to comply with the notice.

6. (1) The parent of every child enrolled at a school shall ensure that the child attends the school regularly and, if any child enrolled at a school fails to attend regularly thereat, the parent of such child shall be guilty of an offence.

Duty of parent to ensure regular attendance

(2) Subject to sub-regulation (3), a child shall be deemed to have failed to attend regularly at the school if he shall have been absent therefrom for a total of five school days during any period of one month.

(3) In any proceedings for an offence against this regulation, the child shall not be deemed to have failed to attend regularly at the school by reason only of his absence therefrom-

(a) with leave of the Head or other authorised person; or

(b) at any time when he was prevented from attending by illness or any unavoidable cause.

7. (1) Subject to the provisions of this regulation, any person guilty of an offence against these Regulations shall be liable on conviction, in the case of a first offence to a fine not exceeding thirty penalty units, in the case of a second offence to a fine not exceeding one hundred and fifty penalty units, and in the case of a third or subsequent offence to a fine not exceeding three hundred penalty units or to imprisonment for a term not exceeding one month, or to both.

Enforcement of school attendance

(2) It shall be the duty of an Attendance Officer to institute proceedings for such offences as aforesaid whenever in his opinion the institution of such proceedings is necessary for the purpose of enforcing the duty imposed upon a parent by these Regulations, and no such proceedings shall be instituted except by or on behalf of an Attendance Officer.

(3) Where the court before which a prosecution is brought for an offence against these Regulations is satisfied that the child in respect of whom the offence is alleged to have been committed has failed to attend regularly at the school at which he is enrolled, then, whether or not the parent is convicted, the court may direct that the child be brought before a juvenile court by the Attendance Officer by or on whose behalf the proceedings were instituted, and the juvenile court may, if it is satisfied that it is necessary so to do for the purpose of securing the regular attendance of the child at the school, make any order which such a court has power to make under section *ten* of the Juveniles Act in the case of juveniles in need of care who are brought before it under that section.

Cap. 53

(4) Where proceedings have been instituted for an offence against these Regulations alleged to have been committed in respect of any child and it appears to the officer by whom the proceedings were instituted on behalf of the Attendance Officer that there is reasonable cause to believe that the punishment of the parent would not be sufficient for the purpose of securing the regular attendance of the child at school, it shall be his duty to apply to the court for a direction under sub-regulation (3); and where such application is made such a direction shall be given unless the court is satisfied that no such direction is necessary for the purpose aforesaid.

(5) In any proceedings for an offence against these Regulations, it shall be a sufficient defence if the parent satisfies the court that he has insufficient control over the child to ensure his regular attendance at school; and on the parent being acquitted on this ground the court shall make a direction under sub-regulation (3).

(6) For the purposes of the Juveniles Act, any child in respect of whom a direction has been made under this regulation that he be brought before a juvenile court shall be deemed to be a child about to be brought, or brought, before such a court under section *ten* of that Act, and any order made by the juvenile court under this regulation shall be deemed to be an order made under that section, and all the provisions of that Act shall have effect accordingly, save that in relation to any such child subsection (1) of section *ten* of the said Act shall have effect as if the words "police officer or" were omitted therefrom, and subsection (1) of section *fifteen* of the said Act shall have effect as if the words "or police officer" were omitted therefrom. Cap. 53

(7) Notwithstanding anything herein contained, no direction under this regulation shall be made in respect of any child who is over the age of eighteen years or who is married (whether under the Marriage Act or under customary law). Cap. 50

(As amended by Act No. 13 of 1994)

8. (1) A child enrolled at a school remains so enrolled until- Termination of enrolment

- (a) he has completed the segment in which he was enrolled; or
- (b) his enrolment is cancelled or terminated by the Head or the parent.

(2) For the purposes of this regulation, each of the following courses is a "segment":

- (a) in relation to schools at which no selection examinations are required before entering Grade V, the courses comprising-
 - (i) Grades I to IV inclusive; and
 - (ii) Grades V to VII inclusive;
- (c) the courses comprising-
 - (i) Forms I to III inclusive; and
 - (ii) Forms IV to V inclusive.

SECTION 35-THE EDUCATION (GENERAL PURPOSE FUNDS) REGULATIONS

Statutory Instrument
313 of 1966

Regulations by the Minister

The Laws of Zambia

- 1.** These Regulations may be cited as the Education (General Purpose Funds) Regulations. Title
- 2.** In these Regulations, unless the context otherwise requires- Interpretation
- "general purpose fund" means a general purpose fund established for a school under the Education Act, 1956;
- "school" means a Government school.
- 3.** (1) A general purpose fund shall vest in the Head of the school for which the fund was established. Vesting of funds
- (2) The Head of a school shall, subject to the provisions of these Regulations, be responsible for the care and administration of any general purpose fund vested in him.
- 4.** The Head of a school shall maintain a current account with a commercial bank in respect of a general purpose fund into which shall be paid all monies (other than monies referred to in regulation 10) standing to the credit of the fund which are not required for immediate use. Moneys to be paid into current bank account
- 5.** Subject to the provisions of regulation 10, where immediately before the *(2)commencement of these Regulations any monies standing to the credit of a general purpose fund were- Monies in Post Office Savings Bank, etc.,or invested in securities
- (a) in the Post Office Savings Bank or a building society; or
- (b) invested in any security;
- the Head of the school shall, as soon as practicable, withdraw the moneys referred to in paragraph (a) and realise the investments referred to in paragraph (b) and shall pay those monies and the proceeds of those investments into the current account maintained under regulation 4.
- *2nd September, 1966.
- 6.** On and after the *(3)commencement of these Regulations, the Head of a school shall not, except with the approval of the Minister, accept any monies, whether by way of gift or otherwise, for the credit of a general purpose fund. Receipt of monies
- *2nd September, 1966.

7. (1) Subject to the provisions of regulation 10, monies standing to the credit of a general purpose fund may be expended by the Head of the school on any of the purposes specified in the Schedule, being extra curricula activities and other things having as their objects the spiritual, physical and intellectual welfare of the pupils in attendance at the school.

Expenditure of moneys

*2nd September, 1966.

(2) Where a recognised association of parents and teachers has been formed in connection with a school, the Head of the school shall, so far as practicable, consult such association regarding the expenditure of any monies standing to the credit of a general purpose fund.

(3) All payments from a general purpose fund shall, where practicable, be made by a cheque drawn on the current bank account maintained in respect of the fund in favour of the payee and shall be signed by the Head of the school.

8. (1) The Head of a school shall cause proper accounts to be kept showing the assets and liabilities of the general purpose fund at the end of each school year and recording all transactions relating to the fund.

Accounts to be kept

(2) All books, documents and records relating to a general purpose fund shall be produced on request of any officer of the Ministry authorised by the Minister to make an inspection of the school.

9. (1) When all the monies (other than monies referred to in regulation 10) standing to the credit of a general purpose fund have been expended, the fund shall be wound up and the final accounts of the fund shall be audited, as soon as practicable, by a suitable person appointed by the Head of the school.

Winding-up of fund and audit

(2) The person appointed to audit the final accounts of a general purpose fund shall have access to all books, documents and records relating to the fund and shall submit a report on the accounts of the fund to the Head of the school.

(3) The Head of a school shall forward any report submitted to him under sub-regulation (2) to the Minister through the Chief Education Officer for the region concerned, and shall retain in his custody or dispose of the books, documents and records relating to the fund in accordance with the directions of the Minister.

10. (1) The foregoing provisions of these Regulations shall not apply in relation to any moneys standing to the credit of a general purpose fund immediately before the *(4)commencement of these Regulations which are made up of or derived from a private donation or endowment made or given to a school for a particular purpose specified by the person by whom the donation or endowment was made or given.

Special provisions relating to private donations

The Laws of Zambia

(2) All moneys referred to in sub-regulation (1) shall vest in the Head of the school and shall be expended by him, after consulting such recognised association of parents and teachers as may have been formed in connection with the school, in accordance with the wishes of the donor thereof.

*2nd September, 1966.

SCHEDULE

(Regulation 7)

PURPOSES ON WHICH GENERAL PURPOSE FUNDS MAY BE EXPENDED

1. Athletics, field games and other sports.
2. Speech training, eurhythmics, music, dramatics and other arts generally
3. Handicrafts and hobbies other than needlework, domestic science, wood work and metalwork.
4. Films and other entertainments of an intellectual or cultural nature.
5. Intellectual or cultural pastimes such as chess, philately, photography and other occupations of a mentally stimulating nature.
6. The transport of school children for educational or cultural visits to places of interest, etc.
7. Toys or games of an instructive nature for use in infants' schools.

SECTION 32-THE EDUCATION (SCHOOLS ACCOUNTS) REGULATIONS

Regulations by the Minister

Statutory Instrument

46 of 1975

58 of 1977

11 of 1990

1. These Regulations may be cited as the Education (Schools Accounts) Regulations.

Title
17 of 1994

2. In these Regulations, unless the context otherwise requires-

Interpretation

"aided school" means a school (not being a Government or private school or an educational institution for which a board of governors is established) which is established or maintained with the assistance of a grant or loan made by the Minister;

"Government school" means a school directly administered and controlled by the Ministry and includes a school, educational institution, or class established and maintained by the Minister under the Act;

"Head of School" means any person, by whatever name called, who is the head of a school to which these Regulations apply, and Deputy Head of School shall be construed accordingly;

"levy" means any contribution, deposit, fee, or other money payment by a pupil;

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"Parent-Teacher Association" means an association of parents and teachers recognised by the Minister under section *twenty-nine* of the Act;

"primary education" means the first seven years of formal education;

"primary school" means a school at which the whole or any part of a course of primary education is provided;

"pupil" means a child who is enrolled as a pupil at a school;

"secondary education" means formal education (other than technical education, training for teachers or further education) suitable for persons who have completed a course of primary education;

"secondary school" means a school at which the whole or any part of a course of secondary education is provided;

"school" means a school to which these Regulations apply.

3. (1) These Regulations shall apply to a Government school or aided school at which primary or secondary education is provided, but shall not apply in relation to- Application

(a) any correspondence course, educational broadcasting, television service, or special educational institution run or provided by the Ministry; or

(b) any part-time educational classes conducted or organised by the Ministry.

4. (1) Save as provided in these Regulations, no levy shall be made on any pupil. Levies

(2) Any article made by a pupil as part of homecraft, metalwork, woodwork, or other classes may be sold to the pupil who made the article at a price to be determined by the Head of School and the proceeds of such sale shall be paid into the General Revenues of the Republic.

Provided that no charge shall be made to any pupil for any food prepared as part of domestic science classes.

(3) Any school club, society, or other organisation recognised by the Head of School may impose on its pupil members such levy as the Head of School may approve, and the Head of School and the Chief Education Officer shall have the right to examine the accounts of such club, society, or other organisation.

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5. (1) Where any pupil loses or wilfully causes damage to any item of school property, the school shall recover from such pupil a sum of money to be determined by the Head of School which shall be paid into the General Revenues of the Republic.

Recovery of money for loss or damage to school property

(2) The cost of replacing or repairing any lost or damaged item of school property shall be met from the funds allocated to the school under the appropriate vote for that year.

6. (1) Each school shall have a fund to be called the "School Fund" which shall be the only fund to which pupils shall be required to contribute.

School Fund

(2) Each primary school pupil shall contribute five hundred kwacha (K500.00) per school year and each secondary school pupil shall contribute one thousand kwacha (K1,000.00) per school year to the school fund.

(As amended by S.I. No. 17 of 1994)

(3) The contribution to the School Fund shall be payable during the first term of the school year and shall not be refundable.

(4) A pupil who transfers from one school to another shall be exempt from contributing to the School Fund of the new school upon production of documentary evidence of a full contribution for that year to the School Fund of the school from which such pupil has immediately transferred.

(5) The School Fund shall be used for financing the activities of the school, including sports, athletics and other activities of an intellectual or cultural nature.

(6) Nothing in this Regulation shall prevent a school from raising money through tuck-shops, raffles, sales of agricultural products, or through other self-help schemes:

Provided that where school agricultural products were originally financed by Government funds, the proceeds of the sale of such products shall be paid into the General Revenues of the Republic.

7. (1) Each school shall have a School Fund Committee which shall consist of the following persons:

School Fund Committee

(a) the Head of School who shall be Chairman;

The Laws of Zambia

- (b) the Deputy Head of School;
- (c) one member appointed by the Head of School from among the teaching staff of the school;
- (d) the Chairman of the Parent-Teacher Association or his representative;
- (e) three pupil representatives appointed by the Head of School in the case of a primary school or elected by the pupils in the case of a secondary school.

(2) The School Fund Committee shall be responsible for administering the School Fund in accordance with these Regulations.

8. (1) The Head of School shall open and maintain with any of the commercial banks, a bank account to be called the "School Fund Account", and shall pay into such account all contributions to the School Fund.

School Fund Account

(2) No withdrawal may be made from the School Fund Account except with the prior approval of a majority of all the members of the School Fund Committee and unless the withdrawal is signed for by at least three members one of whom shall be the Chairman of the Parent-Teacher Association or his representative and one of whom shall be a pupil.

(3) The Head of School shall cause special receipts provided by the Ministry to be issued for all contributions made to and shall obtain receipts for all payments made out of the School Fund.

(4) The Head of School shall prepare a reconciliation of the cash-book with the cash balance shown in the School Fund Account and on hand as on the last day of each month and present such reconciliation for signature by any three members of the School Fund Committee.

(As amended by S.I. No. 58 of 1977)

9. The Head of School shall, on demand by a person appointed in writing by the Chief Education Officer, produce for inspection all books of account, documents and records relating to the School Fund.

Inspection of books of account

10. (1) Once each year at a time to be notified in writing by the Chief Education Officer, the Head of School shall lay before an official appointed in writing by the Chief Education Officer all books of account relating to the School Fund for the purpose of auditing, and the official shall have the right to demand and receive any voucher, receipt, record, or other document in support of the accounts which may be under the control of the Head of School.

Audit of School Fund Account

(2) The official who audits the books of account of the School Fund shall send three copies of the audited accounts to the Chief Education Officer and three copies to the Head of School.

(3) The Head of School shall present the three copies of the audited accounts to the School Fund Committee for signature by the Chairman of the Parent-Teacher Association and two other members of the School Fund Committee and shall send one copy so signed to the Chief Education Officer.

11. (1) Any school may run a tuck-shop for the purpose of raising extra funds for the school. School tuck-shops

(2) Every school tuck-shop shall be run by a tuck-shop committee consisting of two teachers and two pupils from each of the houses in the school.

(3) The tuck-shop committee shall keep proper accounts of the tuck-shop and present to the Head of School at the end of every school term a statement of such accounts signed by any three members of the tuck-shop committee.

(4) All profits made from the tuck-shop shall be paid into the School Fund.

SECTION 18-THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS

Regulations by the Minister

Statutory Instrument
99 of 1975
60 of 76
25 of 1990
77 of 1992
61 of 1995
76 of 1995
Act No.
13 of 1994

1. These Regulations may be cited as the Education (Registration of Private Schools) Regulations,

2. No private school shall be registered or shall renew its registration unless application forms for the registration or renewal of the registration of the school have been completed by the proprietor of the said school and approved by the Minister in accordance with the provisions of these Regulations.

Short title No
registration or renewal
of registration without
application forms
being approved

3. Every applicant for the registration or renewal of the registration of a private school shall complete and sign the appropriate forms of application prescribed in the First or Second Schedule.

Applicant for
registration or renewal
of registration to
complete and sign
forms

4. (1) The application forms shall be completed by the applicant in quadruplicate and submitted by him as follows: Procedure

- (a) the original copy to the Minister;
- (b) the duplicate and triplicate copies to the Chief Education Officer of the area in which the school is or will be situated.

(2) The Chief Education Officer shall in turn forward to the Minister the said duplicate copy together with his comments on the application and shall retain the triplicate copy.

(3) The quadruplicate copy shall be retained by the applicant.

5. On receipt of the completed application forms the Minister shall, after due consideration of the application, inform the applicant whether the application has been approved, rejected, or held in abeyance pending further inquiries. Minister to inform applicant of result of application

6. (1) Every application for the renewal or registration of a private school shall be made on or before the 1st day of July in the year preceding the year for which the renewal or the registration is applied. Application to be made by 1st July

(2) Late applications shall not be considered.

(As amended by S.I. No. 25 of 1990)

7. The Minister shall issue to any private school registered in accordance with these Regulations a certificate of registration in the form prescribed in the Third Schedule. Certificate of registration to be issued

8. Every completed application from shall be accompanied by a non-refundable fee to be charged according to the following scale: Registration fee

Education (Registration of Private Schools) Regulations

	<i>Primary Fee units</i>	<i>Secondary Fee units</i>	<i>Tertiary Fee units</i>
(a) Initial registration of a private school	500	1,000	5,000
(b) Renewal of registration of a private school	300	700	3,000

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(As amended by S.I. No. 76 of 1995 and Act No. 13 of 1994)

9. Revoked by S.I. No. 61 of 1995

10. Any person desirous of obtaining registration for any private school, which includes more than one type of institution, shall make a separate application in respect of each such type. Separate application for each type of school

11. In regard to a private school for which an application for registration is made, the Minister shall be satisfied that-

Matters in regard to which Minister is to be satisfied

- (a) the school is necessary to meet the educational requirements of the area in which it is situated;
- (b) the premises of the school, including any hostel or other buildings used or to be used in connection with the instructions or accommodation of persons attending thereat, are suitable for the purpose;
- (c) adequate financial provision has been made for maintenance of the school;
- (d) efficient and suitable instruction of a nature or standard approved by the Minister is provided at the school in accordance with a syllabus approved by the Minister;
- (e) the teaching staff employed at the school is sufficiently qualified for the purpose; and
- (f) proper compliance shall be made with the provisions of the Act applicable to the school.

12. (1) The proprietors of a registered private school shall obtain the Minister's approval in respect of the following matters: school curriculum, syllabus, text books, calendar, time-table, issue of certificates, employment of new teachers, et cetera. Minister to approve and Inspectors to be satisfied of certain matters

(2) Inspectors shall, during their routine inspection of the institutions, satisfy themselves in respect of the matters referred to in sub-regulation (1).

13. Officers authorised or appointed by the Minister to inspect private schools shall be issued with identity certificates which shall be produced to the proprietor of a private school by the said officers on their entry, with the consent of the proprietor, to his premises. Inspectors to be issued with identity certificates

14. The identity certificate shall be in the form prescribed in the Sixth Schedule. Form of identity certificates

The Laws of Zambia

15. (1) The Minister shall cause to be kept a register of names of the officers issued with identity certificates.

Register of names of officers issued with, and surrender and loss of identity certificates

(2) An officer issued with an identity certificate shall surrender it to the Minister when he ceases to perform the functions of his office and the surrender shall be indicated against the officer's name in the register of the officers issued with identity certificates.

(3) When an officer loses an identity certificate, he shall report, through the Permanent Secretary, the loss thereof to the Police and to the Minister and, in any such case, the Minister shall cause a new identity certificate to be issued under a different serial number.

(4) The Permanent Secretary shall cause the loss of the identity certificate to be published in the *Gazette*.

16. It shall be the duty of the proprietor of a registered private school-

Records and information

(a) to cause registers to be kept of-

(i) the enrolment of students at the school;

(ii) the daily attendance of students at the school;

(iii) the teachers employed at the school, showing their names, qualifications and periods of employment;

(b) at the end of each school term, to furnish the Minister, in the form prescribed in the Fourth Schedule, with the correct return of the enrolment and daily attendance of students and, in the form prescribed in the Fifth Schedule, with the statistics return of staff at the school.

17. (1) The proprietor of a registered private school who intends to close such school for any reason other than vacation shall, by notice in writing, inform the Minister of the proposed date of closure and the reasons for such closure.

Notice of intention to close school

(2) The notice referred to in sub-regulation (1) shall be given not later than thirty days in the case of a temporary closure, or not later than nine months in the case of a permanent closure, before the proposed date of closure.

(As amended by S.I. No. 60 of 1976)

18. Any person who contravenes any of the provisions of these Regulations shall be liable on conviction to a fine not exceeding two thousand penalty units.

Penalty

The Laws of Zambia

(As amended by Act No. 13 of 1994)

19. The Education (Private Schools) Regulations, 1966, are hereby revoked.

Revocation of S.I. No.
385 of 1966

FIRST SCHEDULE

(Regulation 3)

The Laws of Zambia
REPUBLIC OF ZAMBIA
THE EDUCATION ACT
THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS, 1975
APPLICATION FOR THE REGISTRATION OF PRIVATE SCHOOLS

To be completed in quadruplicate:

1. Original to the Minister;
2. Duplicate and Triplicate to the Chief Education Officer
3. Quadruplicate to be retained by applicant.

The Laws of Zambia
PART I
(To be completed by applicant)

To: The Minister
Ministry of Education
P.O. Box RW93
Lusaka

I, (Full name in BLOCK LETTERS)
Address:
do hereby apply for registration of a private school in accordance with section 18C (a) of the Act.
Date:.....

Signature of Applicant
The following information to be completed in full :

1.(a) Name of the proposed school:

(b) Address:

(c) Precise location (showing land reference numbers (where applicable), Plot, or Farm No., etc.):

(d) Telephone No.:

2. Particulars of the Proprietor(s):

(a) Name(s):

(b) Address:

(c) Telephone No.(s):

(d) Date of birth:

(e) Nationality:

(f) Date of entry into Zambia (non-Zambians only):

(g) Qualifications (certified copies of relevant documents to be enclosed):
.....
.....
.....

(h) Teaching experience (give names of institutions, classes and period involved):
.....
.....
.....

3. Finance:

(a) Details of fixed capital:.....
.....

(b) Details of recurrent expenditure:.....
.....

4. State whether the school will be affiliated to any other institution or organisation inside or outside Zambia:

5. Give the classification of the school (i.e. primary, secondary, etc.):
.....
.....

6. State whether the school is registered under any other Act in Zambia, e.g. Companies Act. Send a copy of any such registration (including dates):
.....
.....

7. Types of courses to be offered:

(a) By formal teaching:.....

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Comments by the Chief Education Officer:

.....
.....
.....

(As amended by S.I. No. 25 of 1990)

The Laws of Zambia
SECOND SCHEDULE
(Regulation 3)

The Laws of Zambia
REPUBLIC OF ZAMBIA
THE EDUCATION ACT
THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS, 1975
APPLICATION FOR THE RENEWAL OF REGISTRATION OF PRIVATE SCHOOLS

The Laws of Zambia

To be completed in quadruplicate:

- 1. Original to the Minister;
- 2. Duplicate and Triplicate to the Chief Education Officer;
- 3. Quadruplicate to be retained by applicant.

PART I

(To be completed by applicant)

To: The Minister
 Ministry of Education,
 P.O. Box RW93, Lusaka.
 I, (Full name in BLOCK LETTERS)

Address:
 wish to renew the registration of my private school for the year in
 accordance with section 18 (a) of the Act. My current Registration Certificate Number is:

Date:

.....
Signature of Applicant

The following information to be completed in full:

1. State any general changes that have taken place since your last application for registration/renewal of registration in respect of the following:

- (a) Name of school, address, telephone number, location, etc.:
-
-
- (b) Particulars of the proprietors:
-
-
- (c) Finance (capital and recurrent):
-
- (d) Affiliation status:
- (e) Registration under other Acts:
-
- (f) Equipment and general facilities and instructional facilities including availability of piped water and electricity and whether buildings used are rented or owned, and sizes and particulars of windows and rooms of any subsequent buildings:
-
-

2. Give specific details on the following:

- (a) Types and details of courses including entry qualifications:.....
-
- (b) Details of the teaching staff (submit photocopies of academic and professional certificates of new teachers):
-
- (c) Details of fees:
-
- (d) Details of enrolment:
-
- (e) Details of hostels and other buildings since last registration:.....
-
-

I hereby certify that the above information is correct and complete.

Date:

Signed :

Position:

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The Laws of Zambia
THIRD SCHEDULE
(Regulation 7)

The Laws of Zambia
REPUBLIC OF ZAMBIA

THE EDUCATION ACT
THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS, 1975
CERTIFICATE FOR THE REGISTRATION OF A PRIVATE SCHOOL

Certificate No.....

In exercise of the powers contained in section 18C of the Act, the private school known as:.....
situated at:
and whose proprietors are:
is hereby, on this day of, 19.....,
registered and authorised to run the following courses:

Formal Classroom Teaching/Laboratory/Tutorial:

(a) Formal Classroom Teaching:

<i>Subject</i>	<i>From</i>	<i>To</i>
.....
.....
.....
.....

(b) Laboratory:

<i>Subject</i>	<i>From</i>	<i>To</i>
.....
.....
.....
.....

(c) Tutorial:

<i>Subject</i>	<i>From</i>	<i>To</i>
.....
.....
.....
.....

Recreational:

Name of courses:

Boarding facilities are *authorised/not authorised (*Delete as applicable):

.....

Reg. No.:

.....
Minister

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 FOURTH SCHEDULE
 (Regulation 16)

REPUBLIC OF ZAMBIA
 THE EDUCATION ACT
 THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS, 1975
 RETURN OF THE ENROLMENT AND DAILY ATTENDANCE OF STUDENTS

Name of School:

Enrolment:

Daily Attendance:

Date Term: starts:

Date Term: ends:

Subject taught	Hours of Instruction		
	per day	per week	per course
.....
.....
.....
.....
.....
.....

Date:

Signature:
Head of Institution

The Laws of Zambia
FIFTH SCHEDULE

The Laws of Zambia
SIXTH SCHEDULE
(*Regulation 14*)

The Laws of Zambia
REPUBLIC OF ZAMBIA
THE EDUCATION ACT
THE EDUCATION (REGISTRATION OF PRIVATE SCHOOLS) REGULATIONS, 1975
IDENTITY CERTIFICATE

Name:

Post:

Passport/National Reg. No.:

This is to certify that the bearer is authorised to inspect all private schools (section 27A).

.....
Permanent Secretary

Serial Number:

Date:

SECTION 30, 32-THE BURSARIES COMMITTEE REGULATIONS

*Statutory Instrument
182 of 1973*

Regulations by the Minister

PART I PRELIMINARYPART I

PRELIMINARY

- | | |
|---|----------------|
| 1. These Regulations may be cited as the Bursaries Committee Regulations; | Title |
| 2. In these Regulations, unless the context otherwise requires- | Interpretation |
| "Act" means the Education Act; | Cap. 134 |
| "Chairman" means the chairman of the Committee and includes any other member for the time being acting as, or performing the functions of, the chairman of the Committee; | |
| "Committee" means the Bursaries Committee established under the provisions of regulation 4; | |

"member" means a member of the Committee;

3. These Regulations shall apply to persons eligible under section *thirty* of the Act for a grant or loan by way of a bursary or scholarship for the furtherance of the education of such persons. Application

PART II THE BURSARIES COMMITTEE PART II

THE BURSARIES COMMITTEE

4. There is hereby established a Bursaries Committee. Establishment of the Bursaries Committee

5. (1) The Committee shall consist of not more than twelve members appointed by the Minister. Composition of the Committee

(2) The Minister shall designate one of the members as the chairman of the Committee.

(3) The validity of any proceedings, act or decision of the Committee shall not be affected by any vacancy in the membership of the Committee or by any defect in the appointment of a member or by reason that any person not entitled so to do took part in the proceedings of the Committee.

6. The office of a member shall become vacant- Vacancy in the office of a member

- (a) if the holder of the office dies or resigns from office by notice in writing addressed to the Minister; or
- (b) if the holder of the office is removed from office by the Minister.

7. (1) The Minister shall designate a public officer as the Secretary of the Committee. Secretary of the Committee

(2) The Secretary shall discharge such duties as the Committee or the chairman may determine.

(3) The Secretary shall be entitled to attend all meetings of the Committee unless specifically required by the chairman not to attend during the Committee's deliberations on any specific item or items.

The Laws of Zambia

8. (1) The Committee shall hold its meetings at such places and times as the chairman may determine. Meetings

(2) The Committee may, subject to the provisions of these Regulations, regulate its meetings as it thinks fit.

(3) The Chairman shall preside at a meeting of the Committee and in the absence of the chairman the members present at that meeting may elect one of their number to preside at the meeting.

(4) The chairman and three members shall form a quorum.

(5) The decisions of the Committee may be made by circulating the relevant papers amongst the members and registering their view in writing.

PART III FUNCTIONS OF THE COMMITTEE PART III

FUNCTIONS OF THE COMMITTEE

9. (1) The Committee, acting for and on behalf of the Minister, shall have the power- Functions of the Committee

(a) to make grants or loans to citizens of Zambia or their parents by way of bursaries or scholarships for the furtherance of education of such citizens;

(b) subject to the approval of the Minister, to make a grant or loan to a person who is not a citizen of Zambia or his parents by way of a bursary or scholarship for furtherance of his education.

(2) The powers of the Committee shall include every power granted by an express provision of these Regulations together with all implied powers necessary to exercise such express powers.

The Laws of Zambia

- 10.** A grant or loan under regulation 9 shall be for the following purposes only, that is to say-
- (a) fees for education;
 - (b) allowance for transport;
 - (c) allowance for maintenance;
 - (d) allowance for maintenance of wife and children of the grantee;
 - (e) allowance for settling-in;
 - (f) allowance for books;
 - (g) allowance for excess baggage when a student is returning to Zambia; and
 - (h) special allowance in such other circumstances of a particular case as the Committee may determine.
- 11.** Where fees or other charges are payable to an institution by a student, the Committee may pay the whole or part of a grant or loan directly to the institution or to the student or to such other person as the Committee may, in its absolute discretion, decide.
- 12.** The Committee may determine the forms to be used and procedure to be followed in connection with an application for a grant or loan.
- 13.** The Committee may determine the conditions subject to which a grant or a loan shall be made.
- 14.** Where there is an agreement to repay a grant or loan, the Committee may agree to defer or forego such repayment or part thereof.
- 15.** The Committee may increase the amount of a grant or loan in such circumstances as it may deem fit.
- 16.** The Committee may from time to time require a person to whom a grant or loan is made to submit to it such reports relating to his studies as the Committee may determine and such person shall comply with such requirement.
- 17.** The Committee shall require every person who applies for a grant or loan to enter into an agreement that he shall on completion of his course, serve the Government for a period of not less than two years:
- Financial assistance
- Payment of fees and allowances
- Forms and procedure
- Conditions attached to a grant or loan
- Committee may agree to defer or forego payment
- Increase of a grant or a loan
- Submission of reports
- Agreement to serve the Government

Provided that the Committee may for good and sufficient reasons-

- (a) permit a person to commence his service at such other time as the Committee may determine; or
- (b) permit the person to serve any other person in lieu of the service with the Government.

18. An application for a grant or a loan shall be refused if the applicant has failed or neglected to repay any previous grant or loan in respect of which any repayment is due or has failed to comply with any condition attached to such previous grant or loan. Refusal of application

SECTION 12-THE EDUCATION (TEACHER TRAINING INSTITUTIONS) (BOARDING FEES) REGULATIONS

S.I. No.
41 of 1995
Act No.
13 of 1994

1. These Regulations may be cited as the Education (Teacher Training Institutions) (Boarding Fees) Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"boarding fees" means the fees specified in the Schedule;

"teacher training institution" means an institution or college in which general education and specific training are given for entry to, and advancement in, the teaching profession.

3. These Regulations shall not apply to any teacher training institution, that does not belong to the Government or which is not aided by the Government. Application

4. (1) A Zambian student accommodated in a hostel which is at a teacher training institution, where that student is enrolled, shall pay boarding fees at the rate prescribed in Part I of the Schedule, to cover the cost of board and lodging. Prescribed fees

(2) A foreign student accommodated in a hostel at a teacher training institution, where that student is enrolled, shall pay boarding fees at the rate prescribed in Part II of the Schedule, to cover the cost of board and lodging.

(3) A student who is a refugee accommodated in a hostel at a teacher training institution, where that student is enrolled, shall pay boarding fees at the rate prescribed in Part II of the Schedule, to cover the cost of board and lodging.

The Laws of Zambia

(4) The boarding fees payable under this regulation shall be paid by the student on or before the first day of the institution term in respect of which they are payable or on the day during that term on which the student is first accommodated in the hostel, as the case may be.

5. Boarding fees shall be paid either in cash, by postal order or by cheque certified by the bank on which it is drawn. Manner of payment

6. (1) A Zambian student nominated by the Ministry to undertake in-service training in a teacher training institution shall be fully sponsored by the Ministry. In-service student

(2) A Zambian student undergoing in-service training but not nominated by the Ministry for such training shall pay boarding fees at the self-sponsored rate prescribed in Part I of the Schedule.

7. (1) Where a student is accommodated in a hostel which is at a teacher training institution for less than half of any term, half of such boarding fees as have been paid by that student shall, subject to one month's notice being given of the claim for a refund, be refunded to the student who paid such fees. Refund of fees in certain cases

(2) The provisions of this regulation shall not apply in relation to a student if-

(a) the student has been suspended or expelled, as the case may be, from an institution or excluded from a hostel which is at a teacher training institution, on the grounds of indiscipline under regulation *twelve* or *fifteen* of the Education (Teacher Training Institutions) Regulations, 1973; or

(b) the Principal of a teacher training institution is not satisfied that good reasons exist for the student's absence from the institution or a hostel which is at a teacher training institution, as the case may be.

8. The Principal of a teacher training institution shall submit, annually, returns of the actual expenditure of boarding fees to the Minister within a period of three months after the end of each financial year. Expenditure

9. The Principal of a teacher training institution shall submit, annually, proposed estimates of expenditure of boarding fees for the following academic year to the Minister at least four months prior to the commencement of a particular academic year. Estimates of expenditure

SCHEDULE

(Regulations 4 and 6)

The Laws of Zambia

BOARDING FEES

PART I

Zambians

Fee units

- | | |
|--|--------------|
| 1. Student teacher on pre-service training | 150 per term |
| 2. Student teacher on in-service training sponsored by the Ministry of Education | Nil |
| 3. Self-sponsored student teacher on in-service training | 150 per term |

PART II

Non-Zambians

- | | |
|---|---|
| 1. Non-Zambian student teacher on either in-service or pre-service training | US \$100 or the equivalent in Kwacha per term |
| 2. A refugee student teacher on either in-service or pre-service training | 150 per term |

(As amended by Act No. 13 of 1994)

SECTION 19-THE EDUCATION (PRIMARY SCHOOL BOARDS) (ESTABLISHMENT) ORDER
Order by the Minister

1. This Order may be cited as the Education (Primary Schools Boards) (Establishment) Order. Title

2. There is hereby established a primary school board for each Government primary school in each constituency in the Copperbelt Province as specified in the Schedule. Establishment of Boards

SCHEDULE

(Paragraph 2)

PRIMARY SCHOOL BOARDS: COPPERBELT PROVINCE

SN	District	Constituency	School
1.	Chillilabombwe	1. 1 Chillilabombwe	Kamenza
2.	Chingola	2. 1 Chingola	Nakatindi
		2. 2 Nchanga	Kapopo
3.	Kalulushi	3. 1 Kalulushi	Chibuluma
		3. 2 Lufwanyama	St. Joseph's
4.	Kitwe	4. 1 Wusakile	Bupe
		4. 2 Nkana	Rokana
		4. 3 Kamfinsa	Ndeke
		4. 5 Kwacha	Bulangililo
		4. 6 Chimwemwe	Ishuko
5.	Luanshya	5. 1 Luanshya	Mpelembe
		5. 2 Roan	Nkambo
6.	Masaiti	6. 1 Masaiti	Chamunda
		6. 2 Mpongwe	Mpongwe
7.	Mufulira	7. 1 Mufulira	Mutundu
		7. 2 Kankoyo	Muleya Winter
		7. 3 Kantanshi	Mufulira
8.	Ndola	8. 1 Chifubu	Kamba
		8. 2 Kabushi	Masala
		8. 3 Ndola Central	Northrise
		8. 4 Masaiti	Mishikishi

Endnotes

1 (Popup - Popup)

*29th December, 1972.

2 (Popup - Popup)

*2nd September, 1966.

3 (Popup - Popup)

*2nd September, 1966.

4 (Popup - Popup)

*2nd September, 1966.

5 (Popup - Popup)

Conditions of Service: State whether staff are employed on daily, weekly, monthly, temporary, permanent, part-time basis or any other stipulated conditions of service.