

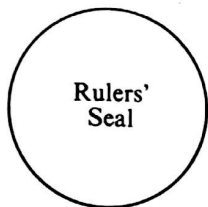
FEDERATION OF MALAYA.

No. 2 of 1957.

\* THE EDUCATION ORDINANCE, 1957

Their Highnesses the Rulers of the  
Malay States assent hereto

I assent



Witnesses to the affixing of the Rulers' Seal :

T.ALAM SHAH,

( IN JAWI )

*Sultan of Selangor*

D.C.MACGILLIVRAY,  
*High Commissioner,*

14th April, 1957.

RAJA YUSSUF

*Sultan of Perak*

10th April, 1957

---

\* Ordinan ini telah dimansuhkan oleh Education Act, 1961 - No.43 tahun 1961.  
Lihat muka surat 264

# FEDERATION OF MALAYA

## No. 2 OF 1957

### THE EDUCATION ORDINANCE, 1957 ARRANGEMENT OF SECTIONS

#### Section

1. Short title and commencement.
2. Interpretation.

#### PART I

##### ADMINISTRATION AND GENERAL PURPOSE

3. Educational policy.
4. Pupils to be educated in accordance with the wishes of their parents.
5. Duty of Minister.
6. Minister to be a corporation sole.
7. Transfer of property.
8. Power of Minister to prevent unreasonable exercise of functions.
9. Powers of Minister in the event of failure to discharge duties.
10. The Ministry of Education.
11. Board of Education.
12. Special advisory committees.

##### LOCAL EDUCATION AUTHORITIES

13. Establishment of local education authorities.
14. Local education authorities to be bodies corporate.
15. Contents of orders establishing local education authorities.
16. Amendment of orders establishing local education authorities.

##### EDUCATION OFFICERS

17. Chief education officers.
18. Local education officers.

##### EDUCATION COMMITTEES

19. Establishment of education committees.
20. Joint education committees.
21. Joint education committees for local education authorities in different States and Settlements.
22. Contents of orders establishing joint education committees.
23. Composition of education committees.
24. Delegation of powers to education committees.
25. Sub-committees.

#### PART II

##### STATUTORY EDUCATION SYSTEM PRIMARY AND TRADE SCHOOL EDUCATION

26. Primary schools, trade schools and centres of further education providing primary education.

## DEVELOPMENT PLANS FOR PRIMARY AND TRADE SCHOOL EDUCATION

### Section

27. Development plans to be submitted to the Minister.
28. Information to be contained in development plans.
29. Other local education authorities and managers and governors of schools affected to be given particulars of plans.
30. Approval of development plans.
31. Local education orders.
32. Amendment of local education orders.

## ESTABLISHMENT AND DISCONTINUANCE OF PRIMARY SCHOOLS AND TRADE SCHOOLS

33. Proposals to be submitted to the Minister.
34. Approval of proposals.

### COMPULSORY PRIMARY EDUCATION

35. Local education authorities may declare primary education obligatory in their areas.
36. Regulations to be made by the High Commissioner in Council for compulsory primary education.

## SECONDARY SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS

37. Secondary schools.
38. Other educational institutions.
39. The Minister may cease to maintain educational institutions.

### RESTRICTION ON THE DISCONTINUANCE OF SCHOOLS

40. Discontinuance of assisted schools provided at the public expense.
41. Discontinuance of other assisted schools.
42. Appropriate authority to cease to maintain discontinued schools.

### MANAGEMENT OF SCHOOLS

43. Instruments of management and instruments of government.
44. Manner of making instruments of management and instruments of government to be prescribed.
45. Power of the Minister to appoint managers or governors.

### PROVISION OF SERVICES

46. Appropriate authority to render assistance.
47. Medical inspection of pupils.
48. Boarding facilities and provision of text-books.

### RELIGIOUS INSTRUCTION

49. Pupils professing the Islamic religion.
50. Teaching of religions other than the Islamic religion.

## EXAMINATIONS

### Section

51. The Federation of Malaya Examinations Syndicate.
52. Composition of the Syndicate.
53. Common seal.
54. The Controller of Examinations.
55. Syndicate to make by-laws.
56. Examination fees may be paid to the Syndicate.

### PART III

## REGISTRATION

### APPOINTMENT OF OFFICERS

57. Appointment of Registrar-General and other officers.
58. All officers to be public servants.

### REGISTRATION OF SCHOOLS

59. Registers.
60. Application for registration of a school.
61. All schools to be registered.
62. Registration.
63. Schools registered or exempted under existing written law.

### REFUSAL OF REGISTRATION

64. Grounds of refusal
65. Registration subject to conditions.
66. Notice of refusal and appeal.

### CANCELLATION OF REGISTRATION

67. Provisions of instrument or of the Ordinance or regulations or rules not complied with.
68. Other grounds for striking off the register.
69. Unlawful schools.
70. Declaration suspended by the Minister.
71. Registrar's powers of entry and search.
72. Defunct schools.
73. School struck off the register to cease to be registered.

### PROVISIONAL REGISTRATION

74. Provisional Certificates of Registration and permits to act as manager, etc.

### REGISTRATION OF MANAGERS, GOVERNORS AND EMPLOYEES

75. All managers, governors and employees to be registered.
76. Form of application.
77. Registration as manager or governor or employee.

### REFUSAL AND CANCELLATION OF REGISTRATION

78. Grounds of refusal of registration.

**Section**

79. Appeal against refusal to register.
80. Power of Registrar to strike off the register.
81. Retirement of managers governors and employess.
82. Persons struck off register to cease to be registered.
83. Appeal against striking off the register.

**INSPECTION OF SCHOOLS BY REGISTRAR**

84. Inspections to be made once a year.
85. Powers of Registrar on inspection of registered schools.
86. Search of unregistered premises.

**REGISTRATION OF PUPILS**

87. Registration of pupils at schools.

**SERVICE OF NOTICES**

88. Service of notices, etc.
89. Offences in relation to registration.

**APPEAL**

90. Minister to decide appeals after investigation.
91. Minister to make rules for Committees of Enquiry.

**PART IV**

**THE INSPECTORATE OF SCHOOLS**

92. Appointment of Chief Inspector and Inspectors.
93. Duties of the Inspectorate.
94. Inspection of schools.
95. Reports by the Chief Inspector and Inspectors.
96. Powers of the Chief Inspector and Inspectors.

**PART V**

**CONDITIONS OF SERVICE AND APPOINTMENT  
OF TEACHERS**

97. Conditions of service of certain teachers to be determined by the Minister.
98. The National Joint Council for Teachers.
99. Constitution of the Council.
100. The Council may make by-laws.
101. Appointment of teachers.

**PART VI**

**FINANCIAL MATTERS IN RELATION TO SCHOOLS**

102. Reports to Legislative Council.
103. Local education authorities to establish funds.
104. Contribution from the Government.
105. Amount and conditions of payment of contributions.
106. Education rates.
107. Special fees.

**Section**

- 108. Rates and special fees to be applied if practicable in areas where raised or collected.
- 109. Payment of grant-in-aid and capital grants.

**PART VII  
MISCELLANEOUS**

- 110. General power to acquire land.
- 111. Requirements as to premises.
- 112. A pupil may be enrolled in only one assisted school.
- 113. Curricula of studies.
- 114. Exemption from the provisions of the Ordinance.

**POWER TO MAKE REGULATIONS AND RULES**

- 115. Rules to be made by the Minister.
- 116. Regulations to be made by the High Commissioner in Council.
- 117. Rules and regulations may prescribe penalties for contravention thereof.
- 118. Repeal.

An Ordinance to revise the law relating to education.

[ ]

IT IS HEREBY ENACTED by the High Commissioner of the Federation of Malaya and Their Highnesses the Rulers of the Malay States with the advice and consent of the Legislative Council as follows:

Short title  
and com-  
mencement.

\* 1. This Ordinance may be cited as the Education Ordinance, 1957, and shall come into force on such date (hereinafter called "the appointed date") as the High Commissioner may by notification in the *Gazette* appoint:

Provided that the High Commissioner may by notification in the *Gazette* prescribe different dates (hereinafter called "prescribed dates") for different provisions of this Ordinance and for different areas or localities of the Federation and for the purposes of any such provisions, area or locality any reference in any provisions of this Ordinance to the appointed date shall be construed as a reference to the prescribed date.

Interpreta-  
tion.

2. In this Ordinance unless the context otherwise requires—

"age" where used with respect to a child means the age attained by such child on the first day of January in the year in question;

"appropriate authority" means in respect of primary and trade school education other than that provided in special schools, the local education authority; and in respect of education not within the responsibility of any local education authority, the Minister;

"approved fees" means fees approved by the High Commissioner in Council;

"approved staff" means teachers, employees and other persons employed with the approval of the Minister at rates of salaries and allowances as prescribed or approved by the Minister;

---

\* Ordinance ini telah dimansuhkan oleh Education Act, 1961 - No. 43 tahun 1961. Lihat muka surat 264

“assisted school” and “assisted educational institution” mean respectively a school and educational institution in receipt of grant-in-aid and such a school or educational institution is said to be “maintained”;

“capital grant” means a payment from public funds to an educational institution for the provision of land or buildings or for the alteration to or extension of existing premises or for the provision of furniture or equipment;

“Chief Adviser” means the Chief Education Adviser appointed under the provisions of section 10;

“Chief Education Officer” means a Chief Education Officer appointed under the provisions of sub-section (1) of section 17;

“Chief Inspector” means the Chief Inspector of Schools appointed under the provisions of sub-section (1) of section 92;

“child” means a pupil attending or eligible to attend a primary school, a trade school or a secondary school;

“Chinese language” means the Chinese language in the form of Kuo Yu;

“correspondence school” means an educational institution or business in which instruction or teaching is given by means of correspondence delivered by hand or through the postal services;

“Council” means the National Joint Council for Teachers established under the provisions of section 98;

“development plan” has the meaning assigned to it in section 27;

“educational institution” means any institution or organisation established to promote education or administer schools and includes a school;

“employee” means a person other than a manager or a governor or a teacher employed or actively taking part in work connected with the running or the administration of a school but does not include a domestic servant or a person engaged in the repair, maintenance or upkeep of premises;

“existing school” means a school in existence on the day immediately preceding the appointed date;