



BELIZE

**EDUCATION ACT
CHAPTER 36**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following lawsPage

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CHAPTER 36

EDUCATION

6 of 1991

21 of 1996

PART I *Preliminary*

1. (1) This Act may be cited as the Education Act. *Short title and commencement*
 (2) It shall come into force on such date as the Minister may, by order published in the Gazette, appoint.
2. In this Act, unless the context otherwise requires- *Interpretation*
 - (a) “appointment” means a formal act of the Commission that allows a teacher to be placed on the register of approved teachers and certifies that the teacher so appointed has met the standards for qualification approved by the Commission;
 - (b) “Board” means the Belize Board of Teacher Education established under section 18 of this Act;
 - (c) “Central Districts” refers to the Belize and Cayo Districts;
 - (d) “Chief Education Officer” means the Public Officer appointed as such under section 4 (1) of this Act;
 - (e) “child of compulsory school age” means any person who is between five years and fourteen years of age; 21 of 1996.
 - (f) “Commission” means the Teaching Service Commission established under section 15 of this Act;
 - (g) “community school” means a school or institution not owned by a specific person, organization or group of organizations and which is managed by a Board of Management composed mainly of representatives of parents, school staff and local community organizations; such schools may be the result of amalgamation of former separate denominational schools; 21 of 1996.
 - (h) “continuing education” means a short-term programme of study in a specific area for professional or employment/job related skills and knowledge enhancement; it can be award-bearing or non-award bearing and vocational or non-vocational;
 - (i) “denominational school” refers to a school which is owned and

managed by a religious denomination;

(j)“Education Council” means the National Council for Education established under section 7 of this Act;

(k)“dean” means the person appointed as an administrator of a Junior College, Sixth Form or other post-secondary institution;

(l)“denomination” refers to religious denomination;

(m)“dismiss” or “dismissal” shall have the meaning as used in the School Teacher’ Pensions Act, Chapter 42, (2000) and will generally be held to mean a loss of all pension benefits, and may, under certain circumstances, mean the revocation of a license to teach;

(n)“government school” means a school
a.established and maintained by the government of Belize wholly from the General Revenue; or

b.initially established by a specific person, organisation or group of organisations and which has been retained by the Ministry and is maintained by the Government of Belize wholly from the General Revenue

(o)“government-aided school” means a school in receipt of a grant-in-aid from the Government in accordance with the provisions of this Act;

(p)“higher education” means a programme of study leading to the award of associate degree, bachelor’s degree, graduate certificate, graduate diploma, master’s degree or doctoral degree;

(q)“institution” refers to educational institutions providing some organized form of educational service, including technical and vocational education;

(r)“ITVET” means an Institute for Technical and Vocational Education and Training recognised by the Ministry of Education to offer pre-vocational and vocational programs for the development of technical, vocational and entrepreneurial skills at secondary and post secondary levels;

(s)“ITVET manager” means the administrator in charge of an ITVET;

(t)“manager, managing authority or board of governors or trustees” means a person or committee appointed in accordance with section 31 of this Act;

(u)“Minister” means the Minister responsible for education; and

“Ministry” shall be construed accordingly;

- (v) “non-coeducational” refers to a school, college or other educational institution in which all students are of the same sex;
- (w) “Northern Districts” refers to the Corozal and Orange Walk Districts
- (x) “parent”, in relation to any child, includes a guardian or any person who has actual custody of the child;
- (y) “post-secondary education” means a programme of study that is beyond secondary level but leads to qualifications not equated with higher education qualifications; it can be vocational or non-vocational
- (z) “post-secondary institution” or “tertiary institution” refers to educational institutions whose normal matriculation requirements include completion of secondary school;
- (aa) “prescribed” means determined by rules made under this Act;
- (bb) “preschool” means an educational institution or programme for children between the ages of three and five years;
- (cc) “principal” means, in relation to any school, the teacher in charge of the school; a person duly appointed to administer the day to day affairs of the school;
- (dd) “private school” means a school which is neither a government school nor a government-aided school;
- (ee) “primary school” means a school recognized by the Ministry of Education as providing instruction and training suited to the ages, abilities and aptitudes of children between the ages of five years and fourteen years;
- (ff) “proprietor” means –
 - (i) in relation to a school, the person or body of persons responsible for the management of the school and duly registered as the owner; and
 - (ii) in relation to an application for a licence to operate a school, the person or body of persons proposing to be responsible for the management of such schools;
- (gg) “registered pupil” or “registered student” means, in relation to any school, a pupil recorded as such in the register kept in accordance with rules made under this Act, but does not include any child who

has been withdrawn from the school;

- (hh) “registered trainee” in relation to any vocational or technical institution, means a person who is recorded as such in a register maintained for that purpose in accordance with Rules made under this Act, but does not include a person so registered who has withdrawn from the institution;
- (ii) “release” means a formal mechanism that allows a teacher, on request, to leave the employment in one management or institution to take up employment in another management or institution;
- (jj) “school” means an institution that provides preschool, primary, or secondary education;
- (kk) “school community liaison officer” means a person appointed under section 56 of this Act;
- (ll) “school year” means a period prescribed or approved as such under this Act or regulations made there under;
- (mm) “secondary school” means a school recognized by the Ministry of Education as providing education and training suited to the ages, abilities and aptitudes of students between the ages of twelve years and eighteen years;
- (nn) “semester” means a period during the school year as prescribed or approved under this Act or regulations made there under;
- (oo) “Southern Districts” refers to the Stann Creek and Toledo Districts
- (pp) “teacher” means a person appointed by the Teaching Service Commission for the purpose of instructing students;
- (qq) “terminate” or “termination” shall have the meaning as used in the School Teacher’ Pensions Act, Chapter 42, (2000) and will generally be held to mean the discontinuation of employment with a specific management or institution;
- (rr) “term” means a period during the school year as prescribed or approved under this Act or regulations made there under;
- (ss) “ Tribunal” means the Teaching Service Appeals Tribunal established under section 19 of this Act;
- (tt) “TVET Council” means the National Council for Technical and Vocational Education and Training established under section 11 of this Act

- (uu)“walking distance” means, in relation to a child who has not attained the age of eight years, two miles, and, in the case of a child eight years and above, three miles, measured by the nearest available route.

PART II
The Ministry of Education

3. (1)The Ministry of Education, under the general direction of the Minister, shall work in partnership, consultation and cooperation with churches, communities, voluntary organizations, private organizations and such other organizations and bodies which the Ministry may identify and recognize as education partners for the sufficient and efficient provision of education in Belize. *General functions of the Ministry of Education. 21 of 1996.*
- (2)In discharging its functions under subsection (1) above, the Ministry of Education shall:
- (a)establish and set national education goals and policies;
 - (b)set standards for the education system;
 - (c)issue licenses to schools and other educational institutions;
 - (d)issue licenses to teachers;
 - (e)provide support systems for the effective delivery of appropriate and equitable educational services at all levels of the education system;
 - (f)monitor the quality and effectiveness of education at the preschool, primary, secondary, TVET and post-secondary levels of the education system.
- (3)District Education Councils shall be established to assist the Ministry of Education in planning, managing and monitoring the delivery of educational services in each district in Belize. The composition and terms of reference of the District Education Councils shall be as specified in Rules made under this Act.
4. (1)There shall be a Chief Education Officer who shall be a public officer appointed by the Governor-General, with the advice of the Prime Minister given after consultation with the Public Services Commission in accordance with section 107 of the Constitution of Belize. *Appointment of Chief education Officer, CAP.4.*
- (2)The power to exercise disciplinary control over a person holding or acting in the office of Chief Education Officer and the power to

remove such person from office shall likewise vest in the Governor-General acting in accordance with the advice of the Prime Minister given after consultation with the Public Services Commission in accordance with section 107 of the Constitution of Belize.

- (3) The Chief Education Officer shall be responsible for appraising the Minister, the National Council for Education and the National Council for Technical and Vocational Education and Training on recommendations and proposals for educational policy and for the discharge of the functions of the Ministry of Education under this Act and any rules made there under.
5. (1) There shall be appointed such other officers and employees as are required to carry out the provisions of this Act or any rules made there under. *Appointment of other officers and employees.*
- (2) The power to appoint the officers and employees referred to in subsection (1) above (including the power to transfer and confirm appointments) and to exercise disciplinary control over such officers and employees, including the power to remove such officers and employees from office, shall vest in the appropriate Section of the Public Services Commission as prescribed in section 105 (11) of the Constitution.
6. The Chief Education Officer shall submit annually to the Minister, the National Council for Education and to the National Council for Technical and Vocational Education and Training an annual report, in such form as may be required, on the state of education in Belize. *Annual Report 21 of 1996*
- PART III**
National Council for Education
7. There shall be and is hereby established in and for Belize a Council to be called the National Council for Education, embodying the partnership between the state and its partners in education, such as churches, communities, voluntary organizations and other partners in education. *National Council for Education*
8. (1) The members of the Education Council, other than the ex-officio members, shall be appointed by the Minister. *Composition of the Education Council*
- (2) The Education Council shall be composed of not more than fifteen appointed members who shall include— *21 of 1996*
- (a) the Chief Education Officer who shall be an ex officio member;
- (b) a representative of the denominational managements of primary schools nominated by the Association of General Managers;

- (c) a representative of managing authorities of secondary schools nominated by Managing Authorities of Secondary Schools;
- (d) a representative of a recognized teachers' union with the widest national representation of teachers nominated by that teachers' union;
- (e) six representatives of the different levels and sectors of the educational system:
 - (i) one representative of managers of pre-schools;
 - (ii) one representative of principals of primary schools;
 - (iii) one representative from the Belize Association of Principals of Secondary Schools;
 - (iv) one representative from Association of Tertiary Level Institutions of Belize;
 - (v) one representative from the Association of Managers of ITVETS; and
 - (vi) one representative of Non-Governmental Organizations that support education
- (f) two representatives of parents' associations, none of whom are represented under any other category in this section;
- (g) the Chairperson of the National Council for Technical and Vocational Education and Training or his nominee;
- (h) two representatives of District Education Councils selected by the Chairpersons of the six District Education Councils.

21 of 1996.

9. The Council shall advise the Minister on all matters relating to education as requested and shall consider and make proposals to the Minister on matters relating to education as the Council considers expedient.

*General
functions of the
Education
Council*

In this respect, the scope and focus of the Education Council shall be to:

- (a) make recommendations the availability of, and access to, the different levels of education including continuing education and special education;
- (b) monitor and report on factors which limit participation in education including socio-economic and cultural factors;
- (c) act as a forum for discussion on the goals of education and the relationships between schooling and the needs of the individual

and education and the development of Belize as a nation;

- (d) inform and advise on the quality of schooling at the different levels including issues of curriculum, textbooks and teacher performance;
- (e) inform and advise on the effectiveness of management in the education system and schools; and
- (f) make recommendations on the responsibilities and contribution of parents and the community to education.

10. The First Schedule shall have effect in regard to the appointment of the Chairman, Vice-Chairman and Secretary of the Council, the terms of office of members and all other matters therein contained. *Governance of Education Council Schedule*

PART IV

National Council for Technical and Vocational Education and Training

11. There shall be and is hereby established in and for Belize a TVET Council to be called the National Council for Technical and Vocational Education and Training, embodying the partnership between the state and its partners in technical and vocational education and training, such as, civil society, labour and private sector organizations. *National Council for Technical and Vocational Education and Training*
12. (1) The members of the TVET Council, other than the ex officio members, shall be appointed by the Minister. *Composition of the TVET Council*
- (2) The TVET Council shall be composed of not more than fifteen members and shall include –
- (a) the Chief Education Officer or his nominee, ex-officio;
 - (b) the Director of the Employment Training and Education Services, ex-officio;
 - (c) a representative of the Management of ITVETs, nominated by the Association of Institutes of Technical and Vocational Training Managers, ex-officio;
 - (d) the chairperson of the National Council for Education or his nominee;
 - (e) a representative of non-governmental organizations registered under the Non-Governmental Organizations Act, nominated by such non-governmental organizations registered under that Act whose principal goals are or include skills training for

workforce development, or the support of such skills training;

- (f) a representative nominated by the National Trade Union Congress;
- (g) a representative nominated by the Association of Professional Engineers;
- (h) an officer from the Labour Department, nominated by the Minister responsible for Labour;
- (i) a representative nominated by the Belize Tourism Board;
- (j) two representatives of associations recognised as representing business and industry nominated by the Belize Chamber of Commerce and Industry or the Belize Business Bureau;
- (k) an officer of the Ministry of Human Development, nominated by the Minister responsible for Human Development;
- (l) a representative of an Enterprise Development Agency; and
- (m) a representative of the Public Utilities Commission.
- (n) an officer of the Ministry of Agriculture, nominated by the Minister responsible for Agriculture.

13. (1) The TVET Council shall advise the Minister on all matters related to technical and vocational education and training, consider and make proposals to the Minister on matters relating to workforce performance and development

*General
functions of the
TVET Council*

In this respect, the scope and focus of the TVET Council shall be to:

- (a) provide advice in the design of the curricula pertinent to technical and vocational education and training at all levels of the education system;
- (b) provide advice in establishment of standards for the completion of all technical and vocational education and training programs and apprenticeships in designated trades and occupations identified by the Minister as eligible for award of the Belize National Vocational Qualification;
- (c) provide advice in the development, conduct or arrangements for examinations, tests or other standards of performance for persons seeking technical and vocational education and training and certification at Belize National Vocational Qualification levels;

(d)assist in monitoring the quality and effectiveness of technical and vocational training at the post primary, secondary, and post-secondary levels of the education system

(e)provide advice and assistance in developing policies and procedures for granting recognition and accreditation in Belize of technical and vocational education and training qualifications granted in member countries of the Caribbean Community and other countries

14. The Second Schedule shall have effect in regard to the appointment of the Chairman, Vice-Chairman and Secretary of the TVET Council, terms of office of members and all other matters therein contained.

*Governance of
the TVET
Council Schedule*

PART V

Teaching Service Commission

15. There shall be and is hereby established in and for Belize a Commission to be called the Teaching Service Commission. The Commission will regulate the employment of teachers through providing a structure for the appointment, conditions of service, disciplining of and termination of service of teachers to ensure the delivery of quality education at all levels and sectors

*Teaching Service
Commission*

16. (1)The Chairman and other members of the Commission, other than the ex officio members, shall be appointed by the Minister.

*Composition of
the Commission*

(2)The Commission shall be composed of not more than twelve members and shall include –

(a)the Chief Education Officer who shall serve in an advisory capacity, ex-officio;

(b)the Director of the Commission's Secretariat who shall serve as secretary to the Commission, ex-officio;

(c) **a chairman appointed by the Minister in his discretion;**

(d) nine members appointed in accordance with 16 (3) (hereinafter referred to as nominated members) of whom –

(i)four persons shall be representatives of Managing Authorities, one from each level or sector of the education system:

a.one representative from General Managers of Primary Schools,

b.one representative from Boards of Management of Secondary Schools,

c.one representative from Managing Authorities of Tertiary or Post Secondary institutions,

d.one representative from Boards of Management of ITVET Institutions

(ii)three representatives of the District Education Councils so that at any time there is one representative from the Northern, one from the Central and one from the Southern districts

(iii)one representative of the largest registered Teachers' Union; and

(iv)one representative of Parents selected by the Minister of Education

(3)No person shall be qualified to be appointed as a member of the Commission if he is a member of the National Assembly or, save in respect of the ex-officio members, if he holds or is acting in any public office.

(4)Save in respect of the ex-officio members, a person shall not, while he holds or is acting in the office of a member of the Commission or within a period of two years commencing from the date on which he last held or acted in that office, be eligible for appointment to any public office.

17. (1)The Commission shall enforce standards developed by the Ministry of Education to assure the quality and status of the Belize teaching force while safeguarding the rights of teachers.

*General
functions of the
Commission*

(2)The Commission shall provide a responsive and efficient mechanism for teachers' appointments.

(3)The Commission, under the terms of this Act shall delegate the authority to Managing Authorities of Government and Grant- Aided schools to recruit, select and transfer professional staff. However, the Commission shall be the sole body, by the authority granted to it under this Act, to regulate the appointment, conditions of service, disciplining of and termination of service of teachers.

(4)The Commission shall, in the exercise of its functions under this Act, not be subject to the direction or control of any other person or authority.

18. The Third Schedule shall have effect in regard to the appointment of the

Governance of

Chairman and Vice-Chairman and terms of office of members and all other matters therein contained.

*Commission,
Schedule*

PART VI

Teaching Service Appeals Tribunal

19. There shall be and is hereby established in and for Belize a Teaching Service Appeals Tribunal. The Tribunal shall be the appellate body to which appeals may be made when teachers are not satisfied with the outcomes of disciplinary action taken against them by the Commission.
- Teaching Service
Appeals Tribunal*
20. (1) The members of the Tribunal, other than the chairperson of the Committee of Teaching Services of the National Council for Education, shall be appointed by the Minister.
- Composition of
the Tribunal*
- (2) The Tribunal shall be composed of not more than six members appointed by the Minister and shall include –
- (a) the chairperson of the Committee of Teaching Services of the National Council for Education
 - (b) one attorney-at-law
 - (c) one representative of the largest teachers' union recognised by the Minister
 - (d) one representative of Managing Authorities, named by the Education Council;
 - (e) one representative of ITVET managers named by the TVET Council; and
 - (f) one representative of District Education Councils, named by the Education Council.
21. The Tribunal shall hear appeals arising from disciplinary actions of the Commission against teachers as may arise from time to time under sections 15, 17 and 32 of this Act.
- General
functions of the
Tribunal*
22. The Fourth Schedule shall have effect in regard to the appointment of the Chairman, membership and terms of office of members and all other matters therein contained.
- Governance of
Tribunal,
Schedule*

PART VII

Belize Board of Teacher Education

23. There shall be and is hereby established in and for Belize a Board to be called the Belize Board of Teacher Education for the purpose of advising
- Belize Board of
Teacher
Education*

the Ministry in managing the delivery of teacher education in Belize.

24. (1) The members of the Board, other than the ex-officio members, shall be appointed by the Minister. *Composition of the Board*
- (2) The Board shall consist of no more than thirteen members who shall include:
- (a) three representatives of the Ministry of Education appointed by the Chief Education Officer who shall be ex-officio members –
 - (i) the Director of the Teacher Education and Development Services;
 - (ii) the Director of the Quality Assurance and Development Services; and
 - (iii) the Director of the Tertiary, Post- Secondary & Adult and Continuing Education Services;
 - (b) three teacher educators representing those institutions approved by the Ministry of Education to provide teacher training programs, services and/or courses in Belize -
 - (i) one from the University of Belize; and
 - (ii) two others, one of which must be from the junior colleges, collectively selected by the respective institutions;
 - (c) one representative from the Association of Tertiary Level Institutions (ATLIB), selected by the membership;
 - (d) one representative from the Association of Managers of Primary Schools, selected by the membership;
 - (e) one representative from the Belize Association of Principals of Secondary Schools (BAPSS), selected by the membership;
 - (f) one representative from the Belize National Teachers Union (BNTU) , selected by the Executive of the BNTU;
 - (g) one representative from of the Joint Board of Teacher Education (JBTE), selected by the Executive of the JBTE; or a similar body approved by the Minister from time to time and
 - (h) two representatives from the community, one appointed by the Minister of Education and one appointed by the Council

of Churches.

25. The Board will act in an advisory capacity to the Minister on general policy direction regarding all matters related to teacher education in Belize. It will consider all other matters related to the delivery of teacher education for the purpose of making recommendations as is appropriate for the furtherance of the training of teachers by means of short or long term plans of action for those institutions approved to offer teacher training programs, services and/or courses in Belize.

*General
functions of the
Board*

To this end, the scope and focus of the Board shall be:

- (1) to make recommendations on the approval of education institutions wishing to offer new or existing teacher training programs, services and/or courses;
- (2) to make recommendations on the approval for new education programs, services and/or courses for delivery in existing teacher education institutions;
- (3) to make recommendations for the development of programs, services and/or courses as may be required;
- (4) to recommend standards for the delivery and assessment of teacher education in all institutions approved to offer teacher training programs, services and/or courses;
- (5) to endorse all rules, procedures and policies governing the delivery of teacher education in all institutions approved to offer teacher training programs, services and/or courses;
- (6) to endorse and publish curricula for each program and/or course offered for the training of teachers;
- (7) to review annual reports submitted by institutions approved to offer teacher training programs, services and/or courses;
- (8) to endorse curricula that support the education and continuous professional development of teachers, teacher educators and other instructional leaders throughout their careers;
- (9) to review and endorse articulation and transfer agreements between all institutions approved to offer teacher training programs, services and/or courses;
- (10) to advise the Commission on the suitability of certification of teachers qualified in other countries for employment in the teaching service in Belize;

(11) to review and endorse criteria and guidelines for issuance of licenses to teachers at the pre-school, primary and secondary levels; and to advise the Commission of such standards and guidelines for the issuance of licenses to teachers;

(12) to approve recommendations annually for the granting of award to outstanding teachers for exceptional service rendered in the profession.

26. The Fifth Schedule shall have effect in regard to the appointment of the Chairperson, Vice-Chairperson, Executive Secretary and Recording Secretary, terms of office of members and all other matters therein. *Governance of the Board, Schedule*

PART VIII ***Establishment and Management of Schools***

27. To meet the requirements of this Act, there shall be established a system of preschools, primary schools, secondary schools, post-secondary, tertiary, TVET and other educational institutions, the operation of which shall be subject to the provisions of this Act and any rules made there under. *Establishment and operation of schools*

28. The Chief Education Officer in joint consultation with the Education Council and TVET Council shall have the power to determine – *Power of Chief Education Officer to determine number, location, assignment, and closure of schools*

(a) the number and location of schools and institutions;

(b) the assignment of a government school or institution to a particular religious denomination or inter-denominational management with reference to the denominational affiliation of the people in the area under consideration and to the need for economy and efficiency;

(c) the retention or establishment of government schools and institutions in areas where government-aided schools cannot be maintained effectively and economically, or with due regard to the reasonable demands of all sections of the population; and

(d) the closure or amalgamation of schools or institutions in consultation with the managers or managing authority of such schools and institutions and with due regard to the reasonable wishes of those affected.

29. (1) Any person or body of persons wishing to operate a preschool, primary school, secondary school, tertiary, TVET or other educational institution shall obtain a licence to operate such a school or institution from the Chief Education Officer: *Approval of schools and institutions 21 of 1996*

Provided that the proprietor of such an institution or school already in

existence at the date of commencement of this Act and who has already received the approval of the Ministry of Education to operate such an institution or school shall, upon application, be granted a license under this Act.

(2)The procedure and criteria for obtaining a licence to operate such a school or institution shall be set out in Rules made under this Act.

(3)The particulars in respect of schools and institutions as required by this Act or Rules made there under shall be caused to be recorded by the Chief Education Officer in a register to be designated "The Register of Schools".

30. (1)Prior to any change in the ownership of a school or institution, or any modification in the particulars supplied on the application for a license to operate such a school or institution, the proprietor shall furnish the Chief Education Officer with full information concerning the suggested change. *Change in ownership
21 of 1996*

(2)On receipt of an application under subsection (1), the Chief Education Officer may approve or disapprove the change of ownership of the school or institution.

31. (1)Every religious denomination, body or institution having one or more government-aided school or institution shall, after consultation with the Chief Education Officer, appoint a manager, managing authority or board of governors or trustees as may be appropriate. *Managing Authorities*

(2)Boards of management of government and government-aided, or community schools and educational institutions shall be appointed in accordance with Rules made under this Act. *21 of 1996*

(3)The Chief Education Officer shall keep a current register of managers, managing authorities and boards of management.

32. (1) The Teaching Service Commission shall have the authority to appoint, grant leave, release, discipline, suspend, terminate, or dismiss members of the teaching staff of schools or institutions subject to the following conditions in so far as same are applicable—: *Commission
appoint, grant
leave, discipline,
release, suspend,
terminate or
dismiss teachers*

(a)no teacher or instructor shall be appointed who does not possess the minimum qualifications for the post as may from time to time be prescribed by rules or regulations made under this Act;

(b)the Commission shall approve such leave as long leave, study leave, maternity leave, paternity leave, extended sick leave and any other leave extending beyond ten consecutive days;

(c)"release" is not to be used in a punitive sense; it is to be requested

by the teacher and approved by the Commission;

- (d) where the manager or managing authority suspends a teacher, recommends termination of appointment or dismissal of a teacher, a statement in writing of the grounds for such action shall be submitted to the Teaching Service Commission and the teacher and/or his agent shall be notified and given a copy of such statement;
- (e) upon receipt of the statement the Commission may, if it thinks fit, cause further investigation to be made into the matter;
- (f) the Commission will review the case, the findings of any further investigation conducted and provide the teacher and/or his agent with a further opportunity to be heard in his own defense before the Commission, and thereafter make a final decision on the case in accordance with procedures established by the Commission and detailed in Rules made under this Act.
- (g) every teacher aggrieved by an order of suspension, dismissal or termination from service under this section may, within thirty days of the receipt of such order, proffer an appeal to the Tribunal

Provided that the Tribunal may entertain the appeal after the expiry of thirty days if the Tribunal is satisfied that the appellant was prevented by sufficient cause from proffering the appeal within the said period of thirty days.

(2) The Teaching Service Commission shall delegate power to managers, managing authorities or boards of managements

*Commission
delegation of
power to
managers and
managing
authorities*

- (a) to employ persons temporarily in the office of teacher for both government and grant-aided schools, for a period not exceeding three months in the event of emergency mid-year replacements, in accordance with the standards for suitable qualifications for the vacant post, as the situation may require;
- (b) to employ persons temporarily in the office of teacher for both government and grant-aided schools, for a period not exceeding one academic year for purposes of the probationary year required before appointment by the Commission, in accordance with the standards for suitable qualifications for the vacant post, as the situation may require;
- (c) to remove any person employed under and in exercise of the power of appointment delegated under subparagraphs (a) and (b) above;
- (d) to transfer teachers within their management;

(e) to suspend a teacher whilst they investigate an accusation of misconduct against him provided the Managing Authority has substantial grounds to believe that it is in the best interest of the students and the school to do so;

(f) to grant leave such as sick, professional development, compassionate, urgent personal, and special leave in accordance with Rules made under this Act

Provided that the Commission's secretariat is provided within four working days with -

(i) copies of all applications for transfer;

(ii) copies of all applications for which leave was granted; and

(iii) reports of all instances of unauthorized leave by teachers

33. Managers, managing authorities, school committees or boards of management shall be responsible for:

*General
functions of
managers and
managing
authorities*

(a) the proper and efficient organization and management of schools or institutions including the discharge of responsibilities delegated to them by the Commission;

(b) the adequate provision, with assistance and in partnership with the Government under the conditions for Grant-in-Aid as specified in this Act or rules made there under, of such support systems required to deliver appropriate education to students enrolled in schools under their management; and

(c) the formulation of policies and regulations for the efficient and effective conduct of schooling, student discipline and behaviour, and student attire in accordance with rules made under this Act.

34. (1) Any person wishing to teach in a preschool, primary school, secondary school, tertiary, TVET or other educational institution shall obtain a licence to teach in such a school or institution from the Chief Education Officer. No person shall be employed as a teacher who does not possess a valid license or permit to teach.

*Licensing, etc.
and
disqualification
of teacher
21 of 1996*

(2) The conditions for licensing, employment and appointment of teachers and **ITVET instructors**, the regulation of the behaviour of teachers and other school staff, the Code of Ethics governing them, and disciplinary procedures and other measures applicable to them, including disqualifications for breaching any provisions of the Act or Rules made thereunder, or any other pertinent laws, shall be specified in Rules made under this Act:

Provided that no person shall be granted a license to teach who has

(a) been convicted of a felony of a nature indicating unsuitability for the teaching profession;

(b) not been certified by a registered medical practitioner to be free of:

(i) the use of illegal drugs;

(ii) a communicable disease, or where he is not free of a communicable disease, he does not constitute a risk of communicating said disease and is not likely to be a danger to the health of his students; and or

(iii) any infirmity likely to interfere with the efficient performance of his duties

Register of Teachers

(3) The particulars in respect of teachers and **ITVET instructors** as required by this Act or Rules made there under shall be caused to be recorded in a register maintained by the Ministry of Education to be designated "The Register of Teachers".

35. (1) All preschools, primary, and secondary schools, post secondary and tertiary institutions and/or ITVETs shall keep such records and submit such returns to the Ministry of Education as may be prescribed by rules or regulations made under this Act.

School monitoring

(2) Within one month of the end of a school year, the manager or managing authority of a preschool, primary or secondary school shall furnish the Chief Education Officer on the prescribed form with a report of the year just completed.

(3) A biennial evaluation of each school shall be caused to be carried out by the Chief Education Officer and continuance of permission to operate the said schools will be dependent on the results of the said evaluation.

(4) Any person who —

(a) willfully makes any false representations or returns to the Chief Education Officer or any officer deputed by him; or

(b) willfully refuses to furnish to the Chief Education Officer or any officer deputed by him any information which such person may be required to furnish by this Act or the rules made there under;

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars.

36. The Chief Education Officer in consultation with the Director of Health Services may make regulations governing the health conditions to be observed in schools. All such regulations shall be subject to the approval of the Minister. *Health conditions in schools*
37. (1)The Chief Education Officer or any Education Officer deputed by him may enter any premises where a school is being conducted, at any reasonable time during school hours, for the purpose of making enquiries and discharging such duties as may be imposed by this Act or rules made there under. *Education Officer may enter any school*
- (2)Any person who willfully obstructs or resists the Chief Education Officer or any officer deputed by him in the performance of his duties, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars.
38. (1)If the proprietor, manager or managing authority of a school commits any breach of the provisions of this Act or of any rules made there under, the Chief Education Officer shall give notice in writing to the proprietor, manager or managing authority requiring compliance with such provisions or to close down the school within such time not being less than fourteen days from the date of receipt of notice, as shall be stated in the notice. *Non-compliance with Act or Rules made thereunder*
- (2)A proprietor, manager or managing authority who fails to comply with the notice, issued in accordance with subsection (1) above shall be guilty of an offence and shall be liable, on summary conviction, to a fine of one hundred dollars for each day on which he fails to comply with the order.
- (3)Where the managing authority of a government or government –aided school or institution fails to comply with the notice issued in accordance with subsection (1) above, the proprietor may dissolve the board of management or school committee until the matter is resolved and a new board of management or school committee is appointed.

PART IX

Grant-In-Aid

39. (1)The Ministry shall assist such schools or institutions as are approved under section 29 by way of grant-in-aid from public funds for such expenditures as are provided for in Rules issued under this Act. *Conditions of grant-in-aid*
- (2)Such Rules shall state the commitments and standards to be met as conditions of receipt of grant-in-aid.
- (3)The conditions for grant-in-aid shall conform with the provisions of

this Act and any rules made there under.

40. No grant or further grant shall be given to any school or institution which fails to comply with the provisions of this Act or of any rules or regulations made there under. *Refusal of grant-in-aid*

PART X **Schooling**

41. (1) No citizen or permanent resident of Belize shall be refused admission to any school on account of religion, race, ethnicity, language or political affiliation. *Admission to schools 21 of 1996*
- (2) No person shall be refused admission to any school on account of sex, except where such schools are historically non-coeducational.
42. (1) The education system shall ensure equitable access for both sexes to education at all levels, shall be sensitive to the particular needs of both males and females, and shall cater to the special needs of challenged pupils. *Gender sensitivity and Special needs 21 of 1996*
- (2) Schools shall be free of gender, racial and other biases, and shall be managed in such a way that all students shall, as far as may be applicable, co-exist as peacefully and harmoniously as possible.
43. School authorities shall ensure that pupils are free at school from physical, sexual or other forms of harassment, from intimidation and corporal punishment, and from exposure to drugs, pornography and other forms of morally, mentally or physically harmful activities. *Protection from harassment and abuse 21 of 1996*
44. (1) Managers, managing authorities, school committees or boards of management shall be responsible to ensure that policies designed to promote good behaviour and discipline on the part of students are pursued at their schools. *School discipline – Managing authorities*
- (2) To this effect, they -
- (a) must make, and from time to time review, a written statement of general principles to which the head teacher is to have regard in determining any measures under section 45 (1), and
 - (b) where they consider it desirable that any particular measures should be so determined by the principal or head teacher or that he should have regard to any particular matters—
 - (i) shall notify him of those measures or matters; and
 - (ii) may give him such guidance as they consider appropriate:

Provided that nothing in this section authorizes anything to be done

in relation to a student which constitutes the administering of corporal punishment defined as

(i) physical punishment and the threat of it to include, but not limited to, hitting the child with the hand or with an object (such as a cane, belt, whip, shoe, etc); kicking, shaking, or throwing the child, pinching or pulling a child's hair; forcing a child to stay in uncomfortable or undignified positions, or to take excessive physical exercise; burning or scarring a child;

(ii) psychological punishment to include but not limited to humiliating or degrading a child through verbal abuse, ridicule, isolation, or ignoring the child.

(3) Before making or revising the statement required by subsection (2)(a) the managing body must consult (in such manner as appears to them to be appropriate)—

(a) the head teacher;

(b) such other persons who work at the school (whether or not for payment) as it appears to the governing body to be appropriate to consult;

(c) parents of registered pupils at the school; and

(d) registered pupils at the school.

(4) In exercising their functions under subsection (2) the governing body must have regard to any guidance given from time to time by the Ministry of Education

45. (1) The principal or head teacher of a relevant school must determine measures to be taken with a view to—

*School discipline
- Principal or
head teacher*

(a) promoting, among students, self-discipline and proper regard for authority;

(b) encouraging good behaviour and respect for others on the part of students and, in particular, preventing all forms of bullying among pupils;

(c) securing that the standard of behaviour of students is acceptable;

(d) securing that pupils complete any tasks reasonably assigned to them in connection with their education; and

(e) otherwise regulating the conduct of students.

(2)The principal or head teacher must in determining such measures—

(a)act in accordance with the current statement made by the governing body under section 44(2)(a); and

(b)have regard to any notification or guidance given to him under section 44(2)(b).

(3)The standard of behaviour which is to be regarded as acceptable must be determined by the principal or head teacher, so far as it is not determined by the governing body.

(4)The measures which the head teacher determines under subsection (1) must include the making of rules and provision for disciplinary penalties as defined by Rules made under this Act.

(5)The measures which the head teacher determines under subsection (1) may, to such extent as is reasonable, include measures to be taken with a view to regulating the conduct of pupils at a time when they are not on the premises of the school and are not under the lawful control or charge of a member of the staff of the school.

(6)The measures determined by the head teacher under subsection (1) must be publicised by him in the form of a written document as follows—

(a)he must make the measures generally known within the school and to parents of registered pupils at the school; and

(b)he must in particular, at least once in every school year, take steps to bring them to the attention of all such pupils and parents and all persons who work at the school (whether or not for payment);

(7)Nothing in this section authorises anything to be done in relation to a pupil which constitutes the giving of corporal punishment defined as

(i)physical punishment and the threat of it to include, but not limited to, hitting the child with the hand or with an object (such as a cane, belt, whip, shoe, etc); kicking, shaking, or throwing the child, pinching or pulling a child's hair; forcing a child to stay in uncomfortable or undignified positions, or to take excessive physical exercise; burning or scarring a child;

(ii)psychological punishment to include but not limited to humiliating or degrading a child through verbal abuse, ridicule, isolation, or ignoring the child.

TVET Council shall, with respect to government and government-aided pre-schools and primary schools, secondary schools and ITVETs:

- (a) prescribe areas of study;
- (b) issue curriculum guidelines and require that courses of study be developed therefrom;
- (c) issue the curricula pertinent to technical and vocational education and training at all levels of the education system;
- (d) approve or permit the managers and managing authorities of such schools and institutions to approve alternative areas of study in lieu of or in addition to prescribed areas of study.

47. The school day in every government and government-aided pre-school, primary and secondary school shall include corporate worship and the singing of the National Anthem, and flag raising ceremonies shall be conducted at schools on a regular basis on the part of all pupils in attendance at the school

Worship and respect for national symbols

Provided that no child or registered pupil shall be obliged to partake in worship if objection thereto is made in writing by either of his parents.

48. Religious instruction shall be given in every government and government-aided pre-school, primary and secondary school, subject to such rules as may be prescribed:

Religious instruction

Provided that no child or registered pupil shall be obliged to undertake religious instruction if objection thereto is made in writing by either of his parents.

49. The Chief Education Officer, in consultation with the Education Council and TVET Council shall approve textbooks and other educational materials for use in government and government-aided pre-schools, primary schools, secondary schools and ITVETs.

*Textbooks and other educational materials.
21 of 1996*

50. (1) The Chief Education Officer, in consultation with the Education Council and TVET Council shall:

*Assessment, certification and accreditation
21 of 1996*

- (a) set standards for -
 - (i) the completion of primary and secondary schooling;
 - (ii) all technical and vocational education and training programs at the secondary level
 - (iii) all apprenticeships in designated trades or occupations eligible for award of the Belize National Vocational Qualification; and

- (b) provide examinations and other measures for the assessment and certification of students and trainees to determine the attainment of such standards.
 - (2)The Minister shall approve all national degrees, diplomas and certificates to be awarded to students.
 - (3)The Minister shall, on the recommendations of the Education Council and the TVET Council, approve the accreditation of foreign diplomas, degrees and certificates.
51. (1)The Minister may make regulations: *School year*
- (a)governing the school year, terms, semesters, teaching sessions and holidays;
 - (b)authorizing the manager or managing authority to vary for a school or schools under its jurisdiction one or more school terms or school holidays as prescribed by the regulations; and
 - (c)permitting the manager or managing authority to designate, and to implement with the approval of the Chief Education Officer, for a school or schools under its jurisdiction a school year, school term or school holiday that are different than those prescribed by the regulations.
- (2)If any school or institution has to be closed for a total of five or more consecutive days in a school year, other than for scheduled holidays, the proprietor shall immediately inform the Chief Education Officer of the reasons for the closure, and the period for which it is likely to remain closed. The approval of the Chief Education Officer is required for both the closure and the re-opening of the school or institution. *21 of 1996*

PART XI

School Attendance

52. Every person having control of a child, who is five years old by the first day of September and who has not exceeded the age of fourteen, shall cause the child to regularly and annually attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of fourteen years, unless the child has graduated or is excused as provided in sections 53 (2) (a) and 54 (2) (a), (b) and (c). *Parent's /
Guardian's duty
to have child
educated*
53. (1)If it appears to the Chief Education Officer that the parent is failing to *School
attendance order*

perform the duty imposed on him by the last foregoing section, it shall be the duty of the Chief Education Officer to cause a notice to be served upon the parent requiring him within fourteen days from the service thereof to satisfy the Chief Education Officer that the child is receiving suitable education either by regular attendance at school or otherwise.

- (2) If after such notice has been served upon a parent, the parent fails to satisfy the Chief Education Officer that the child to whom the notice relates is receiving suitable education, then, if in the opinion of the Chief Education Officer it is expedient that he should attend school, the Chief Education Officer shall serve upon the parent an order in the prescribed form (hereinafter referred to as “a school attendance order”) requiring such parent to cause the child to become a registered pupil at a school named in the order.

Provided that:

- (a) no school attendance order shall be served on the parent where there is not, within walking distance of the child’s residence, a government or government-aided school or registered private school unless suitable arrangements exist for the transport of the child to and from the child’s residence and a government or government-aided school or registered private school; and
 - (b) before serving such an order upon a parent or making any amendment to such an order involving a change of the school specified in the order, the Chief Education Officer shall, where practicable, afford him an opportunity of selecting the school to be named in the order or, as the case may be, to be substituted for the school named in the order and if a school is selected by him that school shall be the school to be named in the order or, as the case may be, to be named in the order when amended.
- (3) If in proceedings against any person for failure to comply with a school attendance order that person is acquitted, the court may direct that the school attendance order shall cease to be in force, but without prejudice to the duty of the Chief Education Officer to take further action under this section if at any time he is of the opinion that having regard to any change of circumstances it is expedient to do so.
- (4) Save as provided by the last foregoing subsection, a school attendance order made with respect to any child shall, subject to any amendment thereof which may be made by the Chief Education Officer, continue in force so long as such child is of compulsory school age unless sooner revoked by the Chief Education Officer.

54. (1) If a child of compulsory school age who is a registered pupil at a school fails to attend regularly thereat, the principal of the school shall inform the parent and the School Community Liaison Officer of

*Failure to attend
school*

the irregular attendance.

(2) A child of compulsory school age who is a registered pupil at a school shall not be deemed to have failed to attend regularly at a school by reason of his absence therefrom:

(a) at any time when he was prevented from attending by reason of sickness, bad weather or any other unavoidable cause;

(b) on any day exclusively set apart for religious observance by the religious body to which his parent belongs;

(c) if the parent proves that the school is not within walking distance of the child's home and that no suitable transportation arrangements exist or that it is inexpedient for him to become a registered pupil at a school nearer to his home.

(3) If the parent of a child of compulsory school age who is a registered pupil at a school fails to take effective measures to ensure the regular attendance of his child he shall be guilty of an offence under this section.

55. (1) Every parent who fails

(a) to comply with the requirements of a School Attendance Order made under section 53; or

(b) to take effective measures to ensure the regular attendance of his child, as required by section 54 shall be liable on summary conviction to a fine not exceeding one hundred dollars.

(2) Proceedings under subsection (1) may be instituted by the Chief Education Officer or an officer duly authorized by him, or by the Director of Truancy or by the Principal of the School concerned.

*Penalty for
contravention of
section 52, 53 or
54*

56. For the effective carrying out of the provisions of this Act, the Chief Education Officer, with the approval of the Minister, shall appoint an adequate number of School Community Liaison Officers and define the area of their work. In the absence of School Community Liaison Officers, the Chief Education Officer shall make other arrangements for carrying out the provisions of this Act.

*School
Community
Liaison Officer*

57. It shall be the duty of each School Community Liaison Officer:

*Duties of school
community
liaison officer*

(a) to ascertain and report to the District Education Manager every parent of every child resident within his area who has failed or is omitting to cause his child to receive suitable education;

(b) to enforce the provisions of this Act and to prosecute those not

complying therewith; and

(c) to follow the directions, if any, laid down by the Chief Education Officer.

58. (1) Any School Community Liaison Officer or any person duly authorized by the Chief Education Officer may enter any yard, house, building or place between the hours of eight o'clock in the morning and five o'clock in the evening of any day of the week except weekends and public holidays to make enquiries as to any child there residing or employed. *Power of school community liaison officers, etc. to enter any place for making enquiries*
21 of 1996
- (2) Everyone who -
- (a) willfully hinders or obstructs such persons as mentioned in subsection (1) in the performance of their duty under this section; or
 - (b) willfully makes any false representations to such persons with respect to the age or employment of a child who is under the compulsory school age; or
 - (c) willfully refuses to afford to such persons reasonably requiring it, any information that he possesses as to the age or employment of a child who is under the compulsory school age,
- shall be guilty of an offence and on summary conviction shall be liable to a fine not exceeding one hundred dollars.
- (3) A member of the Police Department shall, when called upon by a School Community Liaison Officer or persons duly authorized by the Chief Education Officer, render such assistance as such officer may need in the performance of his functions under this Act. *42 of 1999*
59. (1) In case of gross and repeated misbehaviour or infractions of the school policies and rules for behaviour which interfere with the general running or undermines the discipline of a school, the managing authority may expel a pupil from the school. *Expulsion or Withdrawal of pupil from school*
21 of 1996
- (2) The withdrawal or expulsion of a child from a government or government-aided school shall be subject to rules made under this Act.

PART XII

Higher and Further Education

60. (1) The Minister shall approve, in accordance with this Act and regulations made under this Act, any institution for further education at such places as the Minister may determine. *Post-secondary, continuing and higher education*

Provided that such institutions already in existence at the date of the commencement of this Act shall not be required to apply for approval under this Act

- (2) Provision shall be made for post-secondary, continuing and higher education and training of Belizeans in such tertiary, professional, technical, and vocational education institutions or programmes as may be approved by the Minister in accordance with regulations governing further education that may be made from time to time.

In determining such provision, the Chief Education Officer will consult with the Education Council, TVET Council, Board of Teacher Education, and University of Belize, teachers, parents, other stakeholders and partners in education, as needed, relevant to the particular courses, programmes or training to be provided.

- (3) Pursuant to section (2) above, the Minister on the advice of the TVET Council may specify a list of designated trades or occupations eligible for award of the Belize National Vocational Qualification.

61. The University of Belize shall be governed by the Act for the establishment, management and development of that institution. *University of Belize 19 of 2000*

PART XIII

Scholarships and Bursaries

62. (1) The Minister may make regulations with regard to the granting and holding of scholarships. *Scholarships and awards*

- (2) The Minister may in each year award scholarships and bursaries, of such number and value as may be deemed available and tenable at recognized secondary, vocational, technical and post-secondary institutions.

- (3) The Minister may in each year award one or more scholarships to persons in accordance with the regulations governing the award of such scholarships to enable them to undergo approved courses of study at a college, university or other such post-secondary institution. Courses of study shall be approved taking into consideration the developmental needs of Belize and the preference of the individual. **The regulations governing the award of such scholarships shall be prescribed under this Act.**

63. (1) Pupils shall be admitted to all government and all government-aided primary schools without payment of any tuition fees. Special fees may be levied with the approval of the Chief Education Officer. *Tuition and other school fees 21 of 1996*
- (2) Citizens and permanent residents of Belize shall be admitted to all government secondary schools without payment of any tuition fees. Special fees may be levied with the approval of the Chief Education Officer.
- (3) Grant-aided secondary and post-secondary schools may charge tuition and special fees. The type and amount of tuition and special fees charged are to be approved by the Chief Education Officer.

PART XIV **Miscellaneous**

64. There shall be an Arbitration Panel appointed by the Minister to arbitrate cases referred to it under sections 28, 29, 30, 35, 37, 38, 40 and 58(2) and all other cases referred to it in accordance with rules made under this Act. *Arbitration Panel 21 of 1996*
65. (1) The Minister after joint consultation with the Education Council and TVET Council may make rules for the carrying out of the purposes of this Act. *Rules*
- (2) Any rules made under subsection (1) above shall, as soon as they are made, be laid before the National Assembly and shall be subject to negative resolution.
66. On and from the commencement of this Act, the Education Act, shall stand repealed: *Repeal of Education Act and savings. CAP.36, R.E. 1980-1990*
- Provided that any subsidiary legislation made there under shall continue in force until replaced by subsidiary legislation made under this Act.

FIRST SCHEDULE **Constitution of the National Council for Education** **[Section 9]**

1. (1) There shall be a Chairperson, Vice-Chairperson and Secretary of the Education Council. *Composition*
- (2) The Chairperson and Vice-Chairperson shall be elected by members of

the Education Council from its membership at its first meeting.

- (3) The Chief Education Officer shall be the Secretary to the Education Council, provided that where the Chief Education Officer is unable to be present at a meeting of the Education Council he shall nominate an alternate to act as secretary.
- (4) Any vacancy on the Education Council shall be filled by a replacement appointed by the Minister and such a replacement shall be for the rest of the unexpired term of the person replaced and must be from the same category of persons as the former member.
- (5) The Education Council shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.

2.
 - (1) The term of office of the members of the Education Council, other than ex officio members, shall be for three years from the date of appointment but members shall be eligible for reappointment. *Term of office*
 - (2) A member, other than an ex officio member, who absents from three consecutive meetings of the Education Council without cause sufficient in the opinion of the Chairperson, shall cease to be a member.
 - (3) The Chairperson may at any time resign his office by informing the Minister in writing of his resignation.
 - (4) Any member of the Education Council may resign his office by informing the Minister in writing through the Chairperson of his resignation.
 - (5) The Minister may terminate the appointment of a member who is incapable of carrying out his responsibility as a member of the Education Council.

3.
 - (1) The Education Council shall meet every four months. *Meetings*
 - (2) Notice of every meeting shall be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
 - (3) The Chairperson shall preside over all meetings of the Education Council which he attends and in his absence the Vice-Chairperson shall preside. When both the Chairperson and the Vice-Chairperson are absent from a meeting, the members present shall choose one of their number to act as Chairperson.

(4) Eight members of the Education Council shall form a quorum at any meeting.

(5) Recommendations made to the Minister on matters discussed shall be the consensus of voting members present

(a) If consensus cannot be achieved, the chair may call for a vote. In such cases, recommendations made by the advisory council shall be made by two-thirds majority vote of those present and voting, provided there is a quorum. A recorded vote may be taken by roll call with objections and abstentions noted.

(b) When making recommendations to the Minister, the Education Council should document and forward dissenting opinions.

(6) No recommendations of the Education Council or of any committee thereof shall be invalidated on account of any vacancy among the members of the Education Council or such committee.

4. (1) The Chairperson may, at any time, summon a special meeting of the Education Council and must call such a meeting within fourteen days *Special meetings*

(a) of a request for that purpose addressed to him in writing and signed by five members of the Education Council; or

(b) of a direction to that effect addressed to him in writing and signed by the Minister:

Provided that such request shall state the specific purpose for which the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned.

(2) Meetings or consultations of short duration with selected member(s) of the Education Council may be requested by the Minister or Chief Education Officer on matters to which the Minister or Chief Education Officer may wish to consult or seek assistance.

Provided that a report of such meeting or consultation is made to the Education Council at its next regular meeting.

5. (1) Minutes of each meeting shall be kept by the Secretary or such person as the Education Council appoints for this purpose; and must be confirmed at the next regular meeting of the Education Council. *Minutes*

(2) The Education Council shall keep a minute book in which its proceedings shall be recorded.

(3) A copy of the confirmed minutes of each meeting shall be forwarded to the Minister as soon as possible after the meeting at which they

were confirmed.

6. (1) The Education Council is empowered to appoint a Committee of Teaching Services and any other standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*
- (2) Each standing or ad hoc committee shall consist of members appointed by the Education Council from among its members. However, the Education Council can also appoint persons to a standing or ad hoc committee who are not members of the Education Council but have specific expertise.
- (3) The Chairperson of any standing or ad hoc committee formed by the Education Council shall be a member of the Education Council and shall be appointed by the Chairperson of the Education Council.
- (4) The Education Council shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints under subsection (1).
- (5) Recommendations of standing or ad hoc committees shall be submitted to the Minister through the chairperson of the Education Council

SECOND SCHEDULE

Constitution of The Belize National Council for Technical and Vocational Education

1. (1) There shall be a Chairperson, Vice-Chairperson and Secretary of the TVET Council. *Composition*
- (2) The Chairperson shall be elected by the members of the TVET Council from among the members representing the private sector or a professional group.
- (3) The Vice-Chairperson shall be elected by members of the TVET Council from its membership at its first meeting.
- (4) The Director of ETES shall be the Secretary to the TVET Council.
- (5) Any vacancy on the TVET Council shall be filled by a replacement appointed by the Minister and such a replacement shall be for the rest of the unexpired term of the person replaced and must be from the same category of persons as the former member.
2. (1) The members of the TVET Council shall be appointed by the Minister for such period not exceeding three years as may be specified in the instruments appointing them, but shall be eligible for reappointment. *Term of office*

(2)The appointment of a member of the TVET Council referred to in subsection (4) may only be revoked by the Minister on the recommendation of the organization which recommended the appointment of such member.

(3)Where the appointment of a member of the TVET Council Committee referred to in subsection (4) is revoked pursuant to subsection (5), another member shall be appointed in the same manner as the previous member, and shall hold office for the unexpired term of office of the previous member.

(4)The TVET Council shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.

3. (1)The TVET Council shall meet every four months.

Meetings

(2)Notice of every meeting shall be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.

(3)The Chairperson shall preside over all meetings of the TVET Council which he attends and in his absence the Vice-Chairperson shall preside. When both the Chairperson and the Vice-Chairperson are absent from a meeting, the members present shall choose one of their number to act as Chairperson.

(4)Eight members of the TVET Council shall form a quorum at any meeting.

(5)Recommendations made to the Minister on matters discussed shall be the consensus of voting members present

(a)If consensus cannot be achieved, the chair may call for a vote. In such cases, recommendations made by the TVET Council shall be made by two-thirds majority vote of those present and voting, provided there is a quorum. A recorded vote may be taken by roll call with objections and abstentions noted.

(b)When making recommendations to the Minister, the TVET Council should document and forward dissenting opinions.

(6)No recommendations of the TVET Council or of any committee thereof shall be invalidated on account of any vacancy among the members of the TVET Council or such committee.

3. (1)The Chairperson may, at any time, summon a special meeting of the

Special Meetings

TVET Council and must call such a meeting within fourteen days

(a) of a request for that purpose addressed to him in writing and signed by five members of the TVET Council; or

(b) of a direction to that effect addressed to him in writing and signed by the Minister:

Provided that such request shall state the specific purpose for which the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned.

(2) Meetings or consultations of short duration with selected member(s) of the TVET Council may be requested by the Minister or Chief Education Officer on matters to which the Minister or Chief Education Officer may wish to consult or seek assistance.

Provided that a report of such meeting or consultation is made to the TVET Council at its next regular meeting.

5. (1) Minutes of each meeting shall be kept by the Secretary or such person as the TVET Council appoints for this purpose; and must be confirmed at the next regular meeting of the TVET Council. *Minutes*

(2) The TVET Council shall keep a minute book in which its proceedings shall be recorded.

(3) A copy of the confirmed minutes of each meeting shall be forwarded to the Minister as soon as possible after the meeting at which they were confirmed.

6. (1) The TVET Council is empowered to appoint standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*

(2) Each standing or ad hoc committee shall consist of members appointed by the TVET Council from among its members. However, the TVET Council can also appoint persons to a standing or ad hoc committee who are not members of the TVET Council but have specific expertise.

(3) The Chairperson of any standing or ad hoc committee formed by the TVET Council shall be a member of the TVET Council and shall be appointed by the Chairperson of the TVET Council.

(4) The TVET Council shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints under subsection (1).

(5) Recommendations of standing or ad hoc committees shall be submitted

to the Minister through the chairperson of the TVET Council

THIRD SCHEDULE
Constitution of The Teaching Service Commission

1. (1) There shall be a Chairperson, Vice-Chairperson, and Secretary of the Commission - *Composition of Commission*
 - (a) the Chairperson appointed by the Minister in accordance with section 16 (2) (c) of this Act;
 - (b) the Vice-Chairperson shall be elected by members of the Commission from its membership at its first meeting; he shall serve as such for a period of one year and shall be eligible for re-election as vice-chairman;
 - (c) the Director of the Commission's Secretariat shall serve as secretary to the Commission, ex-officio;
- (2) Each nominating body shall as soon as possible after the enactment of the Education (Amendments) Act, 2000, furnish to the Minister the names of the persons whom they nominate for appointment under section 16 (2) (d).
- (3) If any vacancy occurs in the membership of the Commission such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
- (4) A nominating body may at any time by instrument in writing addressed to the Minister cancel the nomination of any person nominated by it.
- (5) Whenever pursuant to sub-paragraph (3) the occasion requires, the nominating body shall submit to the Minister the name of an additional person in place of any person whose nomination has been cancelled.
- (6) The names of all members of the Commission as first constituted and every change in the membership thereof shall be published in the Gazette.

(7)The Commission shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.

2. (1)Subject to the provisions of this Schedule, a member of the Commission shall hold office for a period of three years and each member shall be eligible for reappointment; however, in no case shall any member be eligible for reappointment for more than two consecutive terms. *Term of office*

(2)Subject to the provisions of sub-paragraph 1 (3) and (5) of this schedule, the office of a member of the Commission shall become vacant-

(a) at the expiration of three years from the date of his appointment or such earlier time, being not less than two years, as may be specified in the instrument by which he was appointed; or

(b) if any circumstances arise that, if he were not a member of the Commission, would cause him to be disqualified for appointment as such.

(3)A member of the Commission may be removed from office only for inability to perform the functions of his office (whether arising from infirmity of mind or body or from any other cause) or for misbehaviour, and shall not be so removed except in accordance with the provisions of this sub-paragraph and sub-paragraphs (4) and (6) immediately preceding.

(4)The chairman, or any member of the Commission, may at any time resign his office by instrument in writing addressed to the Minister and from the date of the receipt by the Minister of such instrument such member shall cease to be a member of the Commission.

(5)There shall be paid to the chairman and other members of the Commission such remuneration, if any (whether by way of salaries or travelling or other allowances) as the Minister may determine.

2. The Minister on the application of any member of the Commission may grant to such member leave of absence for any period not exceeding six months and may appoint some other person to act as a member during the period of leave of absence so granted: *Leave of absence*

Provided that where leave of absence is granted to a nominated member, a person nominated by the nominating body concerned in accordance with the provision of sub-paragraph 1 (4) shall be appointed to act.

3. (1)The Commission shall in each school year meet at least once every month and at such other times as may be necessary or expedient for *Meetings*

the transaction of business and such meetings shall be held at such places and times and on such days as the Commission may determine.

(a) In the case of the absence or inability of the chairman to act, the vice-chairman shall exercise the functions of the chairman.

(b) In the case of the absence or inability to act at any meeting of both the chairman and vice-chairman the remaining nominated members shall elect one of their number to act as chairman of that meeting and, for that purpose, shall be deemed to constitute a quorum.

(c) The chairman or, in the case of the absence or inability of the chairman to act, the vice-chairman or the person elected to act as chairman, in accordance with the provisions of sub-paragraph (3) (a) and (b) of paragraph 1, shall preside at the meetings of the Commission, and when so presiding the chairman, vice-chairman or the person elected as aforesaid to act as chairman, as the case may be, shall have an original and a casting vote.

(2) Subject to the provisions of this Schedule the Commission may regulate its own proceedings.

(3) The quorum of the Commission shall be seven appointed members including the chairman or the vice-chairman or the person elected to act as chairman under paragraph 3 (1).

(4) The decision of the Commission or of a committee appointed by it shall be by a majority of votes of the members present and voting and forming a quorum and in addition to an original vote the chairman or any person presiding at a meeting shall have a casting vote in any case in which the voting is equal

(5) The validity of any proceedings of the Commission shall not be affected by any vacancy amongst the members of the commission or by any defect in the appointment of a member thereof.

(6) Notwithstanding anything to the contrary no act done or proceeding taken under this Act by the Commission shall be questioned on the ground of any omission, defect or irregularity not affecting the merits of the case.

(7) No member of the Commission shall be personally liable for any act or default of the Commission done or omitted to be done in good faith in the course of the operation of the Commission.

4. The chairman may at any time call a special meeting of the Commission and shall call a special meeting to be held within seven days of a written request for that purpose addressed to him by any two members of the

Special meeting

Commission.

5. (1) The Commission shall have power to appoint a Disciplinary Committee, an Appointments Committee and such other committees as it may consider necessary from time to time and each such committee shall, subject to the directions of the Commission, have power to regulate its own proceedings. *Standing or ad hoc committees*
- (2) The Commission may delegate to any committee the power and authority to carry out on its behalf such functions as the Commission may determine, so, however, that any such delegation shall be without prejudice to the performance of those functions by the Commission.

FOURTH SCHEDULE

Constitution of the Teaching Service Appeals Tribunal

1. (1) There shall be a Chairperson, and Secretary of the Tribunal - *Composition of Tribunal*
 - (a) the Chairperson appointed by the Minister in accordance with section 20 (2) of this Act;
- (2) Each nominating body shall as soon as possible after the enactment of the Education (Amendments) Act, 2000, furnish to the Minister the names of the persons whom they nominate for appointment under section 20 (2) (c), (d) and (f).
- (3) A nominating body may at any time by instrument in writing addressed to the Minister cancel the nomination of any person nominated by it.
- (4) Whenever pursuant to sub-paragraph (3) the occasion requires, the nominating body shall submit to the Minister the name of an additional person in place of any person whose nomination has been cancelled.
- (5) The names of all members of the Tribunal as first constituted and every change in the membership thereof shall be published in the Gazette.
- (6) The Tribunal shall be deemed to be properly constituted for the purposes of this Act notwithstanding any vacancy amongst the members or any defect in the appointment of a member thereto.

2. (1) The chairman and other members of the Tribunal shall be appointed by the Minister and shall hold office for such period not exceeding three years, as the Minister shall determine and shall be eligible for reappointment. *Terms of office*
- (2) The Minister may, on the advice of the Education Council or TVET Council, at any time revoke the appointment of the chairman or any other member of the Tribunal.
- (3) In the case of the absence or inability to act of the chairman of the Tribunal, the Minister may appoint any person to act temporarily as chairman.
- (4) In the case of the absence or inability to act of any member of the Tribunal other than the chairman, the Minister may appoint any person to act temporarily in the place of such member.
- (5) Any member of the Tribunal, other than the chairman, may at any time resign his office by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Minister.
- (6) The chairman of the Tribunal may at any time resign his office by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt of such instrument by the Minister.
- (7) If any vacancy occurs in the membership of the Tribunal such vacancy shall be filled by the appointment of another member who shall, subject to the provisions of this Schedule, hold office for the remainder of the period for which the previous member was appointed, so, however, that such appointment shall be made in the same manner and from the same category of persons, if any, as the appointment of the previous member.
- (8) There shall be paid to the chairman and other members of the Tribunal such remuneration whether by way of honorarium, salary or fees and such allowances as the Minister may determine.
3. (1) The quorum necessary to constitute a sitting of the Tribunal shall consist of the Chairman, the attorney-at-law, one member representing either Managing Authorities or ITVET Managers, and one member representing either the Teachers' union or the District Education Councils. *Proceedings of Tribunal*
- (2) Except as otherwise expressly provided in this Act, the Tribunal may regulate its procedure and proceedings as it thinks fit.
4. (1) The Minister may refer to the Tribunal for advice any matter relating *Decisions of*

to or arising out of a dispute which, in his opinion, ought to be referred to it.

Tribunal

- (2) The decision of the Tribunal shall be by a majority of votes of the members present and voting and, in addition to an original vote, the chairman shall have a casting vote in any case in which the voting is equal.
- (3) The Tribunal shall make its award or furnish its advice, as the case may be, without delay and where practicable within twenty-one days from the date of reference.
- (4) An award on any matter referred to the Tribunal for settlement may be made retroactive to such date not being earlier than the date on which the dispute or question to which the award relates first arose.

The decision of the Tribunal as to the date on which the dispute arose shall be final.

- (5) Where any question arises as to the interpretation of any award of the Tribunal, the Minister or any party to the award may apply for a decision on such question and the Tribunal shall decide the matter after hearing the parties or without such hearing if the consent of the parties has been first obtained.
- (6) The decision of the Tribunal referred to in subsection (5) shall be notified to the parties and shall be binding in the same manner as the decision in an original award.

FIFTH SCHEDULE

Constitution of the Belize Board of Teacher Education

1. (1) There shall be a Chairperson, Vice-Chairperson, Executive Secretary and Recording Secretary to the Board. *Composition of Board*
 - (a) The Director of the Teacher Education and Development Unit shall serve as Executive Secretary to the Board.
 - (b) The Chairperson, Vice-Chairperson and Recording Secretary shall be elected by members of the Board from its membership at its first meeting.
 - (c) A member representing the Ministry of Education or the institutions approved by the Ministry of Education to provide teacher training programs, services and/or courses in Belize shall not be deemed eligible for election as the Chairperson of the Board.

(2) An elected officer may at any time resign office by informing the Chief Education Officer, through the Chairperson, in writing of his/her resignation.

(3) In the event of the resignation of an officer from the Board, the vacant position on the Board shall be first filled in accordance with these rules of procedures and elections then held at the first possible meeting after that to fill the vacant office.

2. (1) The term of office of the members of the Board, other than the three *Terms of office*

ex-officio members and the two members collectively selected by those institutions approved by the Ministry of Education to provide teacher training programs, services, and/or courses in Belize, shall be for three years from the date of appointment. Reappointment of members shall not be automatic and in any case such appointment shall not exceed six consecutive years.

(2) The term of office of the two members collectively selected by those institutions approved by the Ministry of Education to provide teacher training programs, services and/or courses in Belize, shall be on a rotational basis, each for a period not exceeding one year.

(3) A normal term of office shall begin on May 1.

(4) The membership of a representative may be rescinded at any time by the respective nominating institution/agency.

(5) An institution/agency shall nominate a substitute if a member of the Board is unable to carry out his/her duties.

(6) In the event that a named representative is unable to continue serving in his capacity as member of the Board, the nominating institution/agency shall advise the Chief Education Officer through the Chairperson, of the member's resignation and of his replacement.

(7) The Chairperson may ask a nominating institution/agency to appoint another representative to the Board if the respective member has been substituted for or absent from three (3) consecutive meetings. Such appointment shall be for the remainder of the term of office of the member who is being replaced.

3. (1) The Chairperson shall preside over all meetings of the Board which he/she attends and in his/her absence, the Vice-Chairperson shall *Power and functions of Chairperson*

preside. In this regard, the chairperson shall collaborate with the Executive Secretary to ensure that meetings are well planned and effectively conducted to consider and dispose of all business after appropriate deliberation.

(2) The Chairperson shall ensure that all members of the Board fulfill their

obligations as members of the Board and, if not, shall seek their removal from the Board.

- (3) The Chairperson, with the assistance of the Executive Secretary, shall ensure that all standing and ad hoc committees of the Board are performing effectively in accordance with their terms of reference.
4.
 - (1) The Executive Secretary, in collaboration with the Chairperson, shall guide the process of providing oversight regarding managing the delivery of teacher education in Belize with respect to policies, procedures, and regulations, and in this capacity shall be responsible for spearheading the formulation of such policies, procedures and regulations for consideration and endorsement by the Board. *Power and functions of Executive Secretary*
 - (2) The Executive Secretary shall be the primary liaison between the Board and the Teacher Education and Development Unit
 - (3) The Executive Secretary shall provide the Board with the necessary documentation relating to all teacher education matters and shall ensure that the appropriate reports arising from working sessions of the Board are properly prepared and circulated to the respective persons.
5.
 - (1) The Recording Secretary shall be responsible for the minutes of all meetings of the Board. *Power and functions of Recording Secretary*
 - (2) The Recording Secretary shall liaise with the Executive Secretary to finalize the agenda for meetings of the Board and shall ensure that notice of and documents relevant to the business of meetings are circulated as required.
6.
 - (1) The Board shall meet on a quarterly basis. *Meetings*
 - (2) The Executive Secretary shall ensure that notice of every meeting be given and the agenda of the meeting and minutes of previous meeting thereof circulated not less than seven days prior to the date of such meeting, provided that this shall not apply to special meetings.
 - (3) Seven members of the Board shall form a quorum at any meeting, one of whom must be the Chairperson or Executive Secretary of the Board.
 - (4) Decisions of the Board at meetings thereof shall be taken by the majority of members present and voting. All members of the Board shall have one vote, including the ex-officio members. In the event of a tie, the Chairperson shall have the casting vote.
 - (5) No act or proceedings of the Board or of any committee thereof shall be invalidated on account of any vacancy among the members of the

Board or such committee.

7. (1) The Chairperson may, at any time, summon a special meeting of the Board and must call such a meeting within fourteen days of a: *Special meeting*

- (a) request for that purpose addressed to him in writing and signed by five members of the Board;
- (b) request for that purpose addressed to him in writing by the Executive Secretary; or
- (c) directive to that effect addressed to him in writing and signed by the Chief Education Officer.

Provided that such request shall state the specific purpose for which the meeting is required to be summoned and that such meeting shall consider only the specific purpose for which it was summoned. Notice of such a meeting, stating the purpose of the meeting, is to be circulated no later than seven full days prior to the meeting.

8. (1) Minutes of each meeting shall be kept by the Recording Secretary or in his/her absence, such person as the Board appoints for this purpose; *Minutes*

(2) The Recording Secretary shall ensure that the minutes of the Board meetings are documented, prepared and distributed to members; and must be confirmed at the next regular meeting of the Board; the Chairperson of the said regular meeting shall sign and date the official copy of the minutes after confirmation.

(3) The Executive Secretary shall forward a copy of the confirmed minutes of each meeting to the Chief Education Officer as soon as possible after the meeting at which they were confirmed.

(4) It shall be the responsibility of each member of the Board to maintain a file of minutes and other records of the Board and to ensure that these are appropriately conveyed to his supervisor and successor of the institution or agency he represents.

9. (1) The Board is empowered to appoint standing or ad hoc committees as it deems expedient. *Standing or ad hoc committees*

(2) Each standing or ad hoc committee shall consist of members appointed by the Board from among its membership. However, the Board can also appoint persons to a standing or ad hoc committee who are not members of the Board but have specific and/or relevant expertise.

(3) The chairperson of any standing or ad hoc committee formed by the Board shall be a member of the Board and shall be appointed by the Chairperson of the Board.

- (4)The Board shall decide on the terms of office, powers and functions of every standing or ad hoc committee it appoints.
- (5)Decisions of standing or ad hoc committees shall be taken by a majority of members present and voting.

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