

DRAFT SOLOMON ISLANDS EDUCATION ACT 2014

VERSION 7

ARRANGEMENT OF SECTIONS

PART 1 – PRELIMINARY

1. Short title and commencement
2. Interpretation
3. Act binds the Crown
4. Guiding principles
5. Permanent Secretary

PART 2 – NATIONAL EDUCATION BOARD

6. Establishment of National Education Board
7. National Education Board functions
8. National Education Board members
9. National Education Board meetings
10. National Education Board sub-committees
11. Disclosure of interest

PART 3 – EDUCATION AUTHORITIES

12. Education authorities
13. Approval of education authority
14. Education authority responsibilities
15. Withdrawal of education authority approval
16. Education authorities may undertake other educational activities
17. Education authority grants
18. Education authority service agreements
19. Education authority accounts

20. Education authority guidelines

PART 4 – EARLY CHILDHOOD EDUCATION

21. Application to register an early childhood education centre

22. Register of early childhood education centres

23. Requirements for early childhood education centre registration

24. Cancellation of early childhood education centre registration

25. Age of early childhood education centre enrolment

26. Early childhood education centres as part of schools

27. Religious instruction in early childhood education centres

28. Early childhood education centre guidelines

29. Early childhood education centre grants

30. Early childhood education centre reports

31. Early childhood education centre inspections

32. Early childhood education centres must be registered

33. Unacceptable persons

PART 5 – SCHOOL REGISTRATION

34. Types of schools

35. Register of schools

36. School establishment and registration

37. Changing the level of education offered by a school

38. School establishment and registration guidelines

39. Cancellation of school registration

40. School inspections

41. Offences under this part

PART 6 – SCHOOL BOARDS

42. School boards

43. School board functions

- 44. School board membership
- 45. School board meetings
- 46. School board sub-committees
- 47. School board guidelines

PART 7 – OPERATION OF SCHOOLS

- 48. School staffing arrangements
- 49. Unacceptable persons
- 50. School grants
- 51. School fees
- 52. School contributions
- 53. School financial records
- 54. School principals
- 55. Times of instruction
- 56. Fair discipline guidelines
- 57. Suspension and expulsion of students
- 58. Student representative bodies

PART 8 – PARENTS AND TEACHERS ASSOCIATIONS

- 59. Parents and teachers associations

PART 9 – COMPULSORY SCHOOL EDUCATION

- 60. Compulsory school education
- 61. Enforcement of compulsory school education
- 62. Age of school admission
- 63. Prohibition on discrimination in school education

PART 10 – NATIONAL CURRICULUM AND ASSESSMENT

- 64. National curriculum
- 65. Language of instruction
- 66. Assessment

67. Religious instruction in schools

PART 11 – ALTERNATIVE PROGRAMS

68. Alternative programs

PART 12 - TEACHING SERVICE

69. Establishment of Teaching Service

70. Appointments to be on probation

71. Appointment of principals

72. Employment in the Teaching Service

73. Teacher obligations

74. Teacher Code of Professional Conduct

75. Teacher National Professional Standards

76. Teacher professional associations

77. Teacher absences

78. Breach of discipline

79. Meaning of misconduct

80. Penalties for breach of discipline

81. Disciplinary investigation of teachers

82. Abandonment of employment

83. Teacher criminal charges and convictions

84. Private employment of teachers

85. Teacher transfers

86. Teacher retirement age

PART 13 – TEACHER REGISTRATION

87. Teacher registration requirements

88. Registrar of Teachers

89. Register of Teachers

90. Teacher registration

- 91. Removal from Register of Teachers
- 92. Provisional registration of current teachers
- 93. Immediate provisional registration for certain new graduates
- 94. Prohibition on employment of unregistered teachers
- 95. Offence for unregistered teacher to provide instruction in a school
- 96. Delegation by Registrar of Teachers

PART 14 – TERTIARY EDUCATION

- 97. Tertiary education grants
- 98. Tertiary education institution service agreements
- 99. Use of protected terms
- 100. Prohibition on discrimination in tertiary education
- 101. Religious instruction in tertiary education institutions

PART 15 – TERTIARY EDUCATION COMMISSION

- 102. Solomon Islands Tertiary Education Commission
- 103. Tertiary Education Commission functions
- 104. Tertiary Education Commission members
- 105. Tertiary Education Commission sub-committees
- 106. Tertiary Education Commission meetings
- 107. Sitting fees
- 108. Disclosure of interest
- 109. Tertiary Education Commission Secretariat
- 110. Industry skills advisory groups

PART 16 – SCHOLARSHIPS

- 111. Scholarships
- 112. Influencing scholarship decisions
- 113. Improper influence in awarding scholarships
- 114. Notification of issues affecting program progression

PART 17 – SOLOMON ISLANDS QUALIFICATIONS AUTHORITY

115. Solomon Islands Qualifications Authority

116. Qualifications Authority functions

117. Qualifications Authority members

118. Qualifications Authority sub-committees

119. Qualifications Authority meetings

120. Sitting fees

121. Disclosure of interest

122. Qualifications Authority Secretariat

PART 18 – TERTIARY EDUCATION INSTITUTION REGISTRATION

123. Application for registration

124. Register of Tertiary Education Institutions

125. Tertiary education institution responsibilities

126. Tertiary education institution registration period and renewal

127. Qualifications Authority may cancel, suspend or amend registration

128. Tertiary education institution guidelines

129. Tertiary education institution audits

130. Reporting scholarship details to Tertiary Education Commission

PART 19 – PROGRAM ACCREDITATION

131. Application for program accreditation

132. Register of accredited programs

133. Program accreditation guidelines

134. Only registered tertiary education institutions to deliver accredited programs

PART 20 - TRADE TESTING AND LICENSING

135. Application to provide trade testing or licensing services

136. Register of trade testing or licensing services providers

137. Trade testing or licensing service provider responsibilities

- 138. Trade testing or licensing service provider approval period and renewal
- 139. Qualifications Authority may cancel, suspend or amend approval
- 140. Trade testing or licensing service provider guidelines
- 141. Only approved people and organisations to provide trade testing and licensing services

PART 21 – NATIONAL HUMAN RESOURCE DEVELOPMENT TRAINING COUNCIL

- 142. National Human Resource Development Training Council
- 143. National Training Council functions
- 144. National Training Council members
- 145. National Training Council meetings
- 146. National Training Council sub-committees
- 147. Sitting fees
- 148. Disclosure of interest

PART 22 – OVERSEAS STUDENTS

- 149. Complaints
- 150. Security bonds
- 151. Forfeiture of security bond

PART 23 – ADULT AND COMMUNITY EDUCATION

- 152. Adult and community education

PART 24 – WORKPLACE LEARNING

- 153. Requirements for workplace learning placements

PART 25 EDUCATION PREMISES

- 154. Capital grants for education premises
- 155. Community use of education premises

PART 26 – DECISION MAKING AND APPEALS

- 156. Interests of child or student to be paramount
- 157. Appeals

PART 27 – MISCELLANEOUS

158. Application of Interpretation and General Provisions Act

159. Protection from liability

160. Delegation

161. Rules

162. Savings and transition

163. Repeals.

Schedule 1 – Approved education authorities

PART 1 - PRELIMINARY

1. Short title and commencement

This Act may be cited as the Education Act 2014, and shall commence on assent.

2. Interpretation

In this Act –

“adult and community education” means basic general and vocational education intended mainly for adults, including recreation and personal improvement programs, that does not involve the award of a qualification.

“authorised officer” means any officer of the Ministry authorised in writing by the Minister or Permanent Secretary to act either generally or on a particular occasion for a specific purpose or purposes under this Act.

“community school” means a school which is both an early childhood education centre and a primary or secondary school, both a primary and a secondary school or an early childhood education centre, a primary and a secondary school.

“compulsory school age” means from 6 to 14 years of age – see section 60.

“constituency development funds” means the funds allocated to constituencies under section 4 of the Constituency Development Funds Act 2013.

“criminal record certificate” means a certificate provided under section 111 of the Police Act 2013.

“disability” means a physical, mental, intellectual or sensory impairment or a disorder, illness or disease which hinders full and effective participation in society on an equal basis with others.

“early childhood education” means all education programs and services for pre-primary education aged children including pre-schools and kindergartens.

“early childhood education centre” means any place at which early childhood education is delivered on a regular basis for at least 10 students, but does not include any place that:

(a) is operated by a church or other religious body that provides instruction wholly or mainly of a religious nature; or

(b) is exempted by the rules.

“education authority” means an education authority approved by the Minister and listed in Schedule 1.

“education system” means early childhood, school, tertiary and adult and community education.

“former Act” means the Education Act 1978, (Cap 69).

“higher education” means education leading to a qualification at degree or graduate diploma level and above.

“national curriculum” means the curriculum approved by the Minister under section 64 (1).

“organisation” means an incorporated or unincorporated body of people sharing a common goal.

“overseas student” means a citizen of another country temporarily residing in Solomon Islands for the purpose of undertaking study at a tertiary education institution.

“parent” includes members of a child’s extended family or anyone else having the custody or care of a child.

“provincial government” has the same meaning as in the Constitution and also includes Honiara City Council.

“Ministry” means the Ministry responsible for the education system.

“National Training Council” means the National Human Resource Development Training Council established by section 142.

“Permanent Secretary” means the Permanent Secretary of the Ministry.

“primary school” means a school providing classes for students from Year 1 to Year 6.

“principal” in relation to a school means the person in charge of the day to day operation of the school whether referred to as the principal, head mistress, head master, head teacher or any other title.

“program” means a set of courses, modules, papers, units or competencies designed to meet the requirements of a qualification or skill set.

“qualification” means formal recognition from a registered tertiary education institution that a person has completed an accredited program and been assessed as meeting the required learning outcomes or competencies.

“Qualifications Authority” means the Solomon Islands Qualifications Authority established by section 115.

“scholarships program” means the provision of government and government administered scholarships for tertiary education and associated administrative arrangements aimed at developing appropriately qualified and skilled people to further the development of Solomon Islands.

“school” means any place at which secular instruction (whether or not with religious instruction) at the primary or secondary level of education is given on a regular basis to at least 10 students including any ‘extension’ or ‘satellite’ schools established in isolated villages, but does not include any place that:

(a) is operated by a church or other religious body that provides instruction wholly or mainly of a religious character; or

(b) is exempted by the rules.

“school for specific purposes” means a school providing education only for students with a particular disability or disabilities.

“scope of registration” means the accredited programs a registered tertiary education institution is approved to deliver.

“secondary school” means a school providing classes for students from Year 7 to Year 12 and may be junior secondary (Year 7 to Year 9), senior secondary (Year 10 to Year 12) or both junior secondary and senior secondary.

“Teaching Service Commission” means the Teaching Service Commission established by section 116A of the Constitution.

“technical and vocational education and training” means education aimed at equipping students with knowledge, skills and competencies required for particular occupations.

“tertiary education” means technical and vocational education and training and higher education.

“Tertiary Education Commission” means the Solomon Islands Tertiary Education Commission established by section 102.

“tertiary education institution” means a technical and vocational education and training provider, university or other higher education provider, including a theological college.

“trade testing or licensing” means the process of testing, standardising and formal certification of skills required for demonstration of competence to practice licensed trades.

“university” means a tertiary education institution that provides higher education, conducts research and promotes intellectual independence and enquiry, usually offering qualifications from diploma level through to doctorate degrees and which may also deliver technical and vocational education and training.

“workplace learning” means work experience, work placement, internship or any other model of education where a person spends time at a workplace observing, being trained in and undertaking work being performed there.

3. Act binds the Crown

This Act binds the Crown.

4. Guiding principles

Development and maintenance of a comprehensive and internationally competitive education system available to all is a prime national goal and responsibility. The guiding principles of this Act and the education system are:

- (a) Improving the educational opportunities of students is the paramount consideration in the development of policies and plans relating to education and the implementation of those policies and plans.
- (b) Parents have a critical role in ensuring their children receive a good quality education and need to be kept well informed of the progress of their child at school in order to fulfil that role.
- (c) Communities have an important function in contributing to the governance, maintenance and improvement of early childhood education centres and schools and to the educational outcomes of students.
- (d) Preservation of custom and culture including languages, arts and traditions so these national treasures will be passed on to future generations.
- (e) Promotion of gender equity, access to education opportunities for students or groups of students at risk of being excluded and the right for all students to receive education in a safe learning environment.

(f) A strong and highly regarded technical and vocational education and training sector is critically important to national development, social welfare and improved living standards.

(g) Financial and other resources are used efficiently and responsibly and accountability is required from those who manage these resources in order to achieve the best possible educational outcomes.

(h) Decision making in the education system, so far as is reasonably practicable, occurs at the local level and is transparent, merit based and in the interests of national development.

(j) Development of a professional, well managed Teaching Service with education authorities acting as good employers is essential for improving educational outcomes for students.

5. Ministry and Permanent Secretary

(1) The Ministry is the executive and quality assurance authority of the education system and is responsible for:

(a) implementation and monitoring of the functions and responsibilities of the Government for the education system under this Act and any other law relating to education;

(b) promoting cooperation and coordination between individuals, groups and institutions so there is common understanding about the direction of the education system and the effective and efficient use of available resources; and

(c) monitoring, evaluating and reporting on the efficiency and effectiveness of policy, planning and implementation processes directed to improve education access, quality and management.

(2) The Ministry may, but is not obliged to, pay the salaries and allowances of some or all of:

(a) registered teachers in schools;

(b) other school staff;

(c) teachers in registered early childhood education centres;

(d) other staff in early childhood education centres;

(e) teachers and lecturers in registered tertiary education institutions; or

(f) other staff in tertiary education institutions.

(3) The Permanent Secretary is responsible to the Minister for the efficient management of the Ministry and administration of this Act.

PART 2 NATIONAL EDUCATION BOARD

6. Establishment of National Education Board

(1) The National Education Board established under the former Act is to continue under this Act as provided in this Part.

(2) The Permanent Secretary is to arrange for officers of the Ministry to provide the National Education Board with suitable administrative support.

7. National Education Board Functions

The National Education Board is to:

(a) advise the Minister on the operation and development of the early childhood, school education and adult and community education sectors of the education system;

(b) make recommendations to the Minister on early childhood, school education and adult and community education policy and any related matters referred to it by the Minister;

(c) advise the Minister on policy and strategy concerning education authorities and education authority management;

(d) advise the Minister on the financing of early childhood, school and adult and community levels of education;

(e) advise the Minister on improving the quality, calibre and capacity of teachers in the early childhood, school education and adult and community education sectors of the education system; and

(f) liaise with the Solomon Islands Tertiary Education Commission to ensure there is a coherent and coordinated approach to the education system.

8. National Education Board members

(1) The members of the National Education Board are:

(a) the Permanent Secretary;

(b) the Permanent Secretary of the Ministry for Women, Youth and Children's Affairs;

(c) three representatives of education authorities which are provincial governments;

(d) two representatives of the remaining education authorities;

(e) a representative of the early childhood education sector;

(f) a representative of private sector business and commerce;

(g) a representative of non-government and community organisations that have an education mandate;

(h) a representative of the main professional associations representing the interests of the Teaching Service;

(i) a representative of the National Council of Women;

(j) the Chair of the Solomon Islands Tertiary Education Commission;

and may include up to two other people as the Minister may decide.

(2) The members listed at sub-section (1) (c) – (h) are to be appointed by the Minister in consultation with the Permanent Secretary.

(3) Appointments are to be for up to three years and members may be reappointed.

(4) To be qualified for appointment a person is to be assessed as having relevant skills or experience in education, financial management or public administration.

(5) A person is not qualified to be appointed if he or she:

(a) is a member of Parliament or a provincial assembly; or

(b) exercises any position of responsibility in a political party.

(6) So far as reasonably practicable, appointments to the Board are to have a balanced gender representation.

9. National Education Board meetings

(1) The National Education Board is to meet at least four times each year.

(2) Written minutes of National Education Board meetings are to be kept, including detailed notation of all decisions.

(3) There are to be no sitting fees or similar payments made to National Education Board members whose participation is part of the duties of a paid position in the public service or a non-government organisation.

10. National Education Board sub-committees

(1) The National Education Board may establish sub-committees of three or more members and may determine the functions and procedures of any such sub-committees.

(2) The Board may delegate any of its powers or functions under this Act to a sub-committee or sub-committees. Any such delegation must be in writing and is subject to any conditions specified.

(3) Without limiting the discretion of the Board under this section, sub-committees may be established to deal with specific appeals or categories of appeals under section 148.

11. Disclosure of interest

(1) A member of the National Education Board who has any direct or indirect personal or financial interest in a matter coming before the Board or a sub-committee of the Board must declare her or his interest.

(2) A disclosure under sub-section (1) is to be recorded in the minutes of the meeting of the Board or sub-committee and the member is not to be present during any deliberation of the Board or sub-committee in relation to the matter.

PART 3 EDUCATION AUTHORITIES

12. Education authorities

(1) The education authorities listed in Schedule 1 are deemed to have been approved by the Minister.

(2) The Minister may add or delete an education authority from Schedule 1 by notice published in the Gazette.

(3) In making a determination to approve or withdraw the approval of an education authority the Minister is to have regard to the desirability or otherwise of increasing the overall number of education authorities.

(4) Where an education authority changes its name, is restructured, taken over, merged with another education authority or its operations in some other way move to a different entity, the new name or entity is to be added to Schedule 1.

(5) A current version of Schedule 1 is to be available for inspection at the main office of the Ministry and be displayed on the Ministry's web site.

13. Approval of education authority

The Minister may only approve an education authority for inclusion in Schedule 1 if reasonably satisfied that:

(a) after receiving the advice of the National Education Board, there is a genuine need for the proposed education authority to operate a school or schools;

(b) the school or schools will operate to the general benefit of the people of the relevant area or areas;

(c) the proposed education authority has sufficient resources and facilities available for the satisfactory operation of the school or schools it proposes to establish;

(d) there is no existing education authority providing or reasonably capable of providing a similar school or schools in the area or areas where the proposed education authority is intending to operate;

(e) the proposed education authority can competently administer the school or schools it proposes to establish including having a management structure that ensures it has a strong, functional connection with each such school; and

(f) the proposed education authority is a body corporate, provincial government or another type of organisation which has a governance structure satisfactory to the Minister.

14. Education authority responsibilities

An education authority is responsible for:

(a) the overall management of the schools it administers and the education of the students attending those schools;

(b) the proper functioning in compliance with this Act and the general law of the schools it administers;

(c) promoting, guiding and giving policy direction to school boards at schools it administers;

(d) ensuring each school it administers has a current whole school development plan;

(d) monitoring the receipt, use, training in, reporting and retiring of school grants and other funds received by the schools it administers;

(e) complying with any guidelines issued under section 20 and any Grants Codes issued under sections 17 and 50;

(f) the prompt provision of any information concerning the operation of any of the schools it administers requested by the Permanent Secretary or an authorised officer;

(g) working with other education authorities to coordinate issues such as staff development and the location and establishment of new schools;

(h) keeping up to date with relevant Ministry policies and ensuring it and the schools it administers are complying with them; and

(i) providing the Permanent Secretary with a comprehensive annual report on the operation and performance of the schools it administers, including:

(i) a development plan for the schools;

(ii) a consolidated financial report in relation to the schools and the education authority itself; and

(iii) a statement of compliance or otherwise of the schools with the times of instruction prescribed by the Permanent Secretary under section 55.

15. Withdrawal of education authority approval

(1) If at any time the Minister is reasonably satisfied, after receiving the advice of the National Education Board that an education authority approved under section 12:

(a) would not now be granted such approval;

(b) has failed to adequately meet the education authority's responsibilities under section 14; or

(c) has failed to comply with another provision of this Act,

the Minister is to give written notice to the education authority of the Minister's concerns. An opportunity is to be permitted by a specified date for the education authority to provide any submissions in response, detailing why the education authority's approval should not be withdrawn.

(2) The Minister is to consider any submissions received from the education authority by the date specified in the Minister's notice under this section and advise the education authority in writing of the Minister's decision whether to withdraw approval. As an alternative to withdrawing approval, the Minister may order that responsibility for the operation of a school or schools administered by that education authority be transferred to the Ministry for a specified period of time to provide an opportunity for identified deficiencies to be addressed.

(3) Where the Minister determines the approval of an education authority is to be withdrawn, the Minister may order that responsibility for the operation of any school or schools administered by that education authority be transferred to the Ministry until appropriate alternative arrangements are made.

16. Education authorities may undertake other educational activities

An education authority may establish and operate an early childhood education centre or centres, a tertiary education institution or institutions, provide adult and community education and engage in any other associated activities.

17. Education authority grants

(1) The Minister may make grants to education authorities for educational purposes.

(2) The level of the grant paid to an education authority or category of education authorities may be determined by the Minister based on factors including number of schools, number of students and location of the schools, fees and financial

contributions charged, educational outcomes and other performance measures achieved and level of need of the schools and their communities. It may also be based on any early childhood education centres and tertiary education institutions administered by an education authority or category of education authorities.

(3) The Minister is to publish a comprehensive set of requirements in relation to the administration, auditing and financial accountability of education authority grants which is to be known as the Education Authority Grants Code.

(4) The Education Authority Grants Code is to contain any additional Ministry of Finance and Treasury requirements concerning education authority grants.

18. Education authority service agreements

(1) The Minister may enter into an agreement with an education authority or a number of education authorities that specifies particular educational services and other deliverables to be provided, the funding the education authority or education authorities will receive to provide such educational services and other deliverables and the performance standards required to be met under the agreement.

(2) Any agreement under this section is also to include:

(a) the process for monitoring, evaluating and reporting on compliance with the performance standards by the education authority or education authorities;

(b) the services and other deliverables, if any, to be provided by the Ministry in supporting compliance by the education authority or education authorities with the terms of the agreement and any performance standards required to be met by the Ministry;

(c) the process for monitoring, evaluating and reporting on compliance with any performance standards by the Ministry; and

(d) the consequence of any failure by an education authority or the Ministry to meet any performance standards.

(3) The payment of salaries to relevant teachers and other staff under section 5 may be part of any agreement under this section.

19. Education authority accounts

(1) An education authority must:

(a) keep proper accounting records of its finances including any grants under section 17; and

(b) prepare annual statements of account for each financial year.

(2) An education authority must make its accounts and supporting records available on request to the Permanent Secretary or an authorised officer.

20. Education authority guidelines

The Permanent Secretary may issue guidelines concerning the approval, management and operation of education authorities and the transfer of responsibility for a school to the Ministry under section 15.

PART 4 EARLY CHILDHOOD EDUCATION

21. Application to register an early childhood education centre

(1) An application to register an early childhood education centre may be made to the Permanent Secretary.

(2) Registration under this section may be for a period up to 5 years and may be renewed.

(3) Where the Permanent Secretary determines an application does not meet the requirements of section 23 he or she may:

- (a) refuse to register the early childhood education centre;
- (b) register the early childhood education centre subject to any conditions the Permanent Secretary determines; or
- (c) give the applicant a set time period to meet the necessary requirements during which the early childhood education centre may continue to operate.

(4) An applicant aggrieved by a decision under this section may appeal to the National Education Board under section 157.

22. Register of Early Childhood Education Centres

(1) The Permanent Secretary is to keep a record of registered early childhood education centres to be known as the Register of Early Childhood Education Centres.

(2) The Register of Early Childhood Education Centres is to contain:

- (a) the name and location of the early childhood education centre;
- (b) the name of the individual or organisation operating the early childhood education centre; and
- (c) any other details the Permanent Secretary may require.

23. Requirements for early childhood education centre registration

The requirements for registration of an early childhood education centre are;

- (a) to provide sufficient teaching and other staff with appropriate qualifications and experience;
- (b) to provide sufficient educational and play equipment and other materials;
- (c) to provide and maintain suitable classrooms and other buildings that are in good condition;
- (d) to maintain reasonable standards of health and safety;
- (e) to maintain appropriate standards in child protection including taking reasonable steps to screen potential employees for their suitability to work with children;
- (f) to follow the national curriculum approved by the Minister under section 60 in the final year of early childhood education;
- (g) to value and reflect the culture and traditions of the local area;
- (h) to have established and documented links with a school or schools which will accept students from the early childhood education centre who reach compulsory school age; and
- (i) to comply with this Act and with any guidelines issued by the Permanent Secretary under section 28.

24. Cancellation of early childhood education centre registration

(1) The Permanent Secretary may cancel the registration of an early childhood education centre if:

- (a) the early childhood education centre is being operated in a way that is detrimental to its staff or students;
- (b) the early childhood education centre is not complying with the requirements for registration under section 23;
- (c) the operator of the early childhood education centre does not have sufficient resources available for the satisfactory operation of the early childhood education centre; or
- (d) the operator cannot competently administer the early childhood education centre.

(2) The Permanent Secretary must give the operator of an early childhood education centre written notice of a proposed cancellation of registration and allow at least 28 days for any submissions to be made as to why the registration should not be cancelled. Where the Permanent Secretary determines an early childhood education centre presents an unacceptable risk to the safety or welfare of students and/or staff, the Permanent Secretary may order that the early childhood education centre cease operation immediately.

(3) An operator of an early childhood education centre aggrieved by a decision under this section may appeal to the National Education Board under section 157.

25. Age of early childhood education centre enrolment

(1) No child under three years of age or over five years of age is to commence enrolment in an early childhood education centre except with the approval of the Permanent Secretary.

(2) Any approval given by the Permanent Secretary under this section may be for an individual child or a category of children.

26. Early childhood education centres as part of schools

(1) An education authority may operate an early childhood education centre for students in the final year of early childhood education as part of a primary or community school it administers.

(2) Any such early childhood education centre is to be treated for all practical purposes as part of the relevant primary or community school. Funding, reporting and similar administrative arrangements are to be dealt with as part of the funding, reporting and similar administrative arrangements applying to the school.

(3) Any such early childhood education centre is not required to be registered under section 21. All other requirements of this Part apply as if it were a registered early childhood education centre.

27. Religious instruction in early childhood education centres

(1) A student at an early childhood education centre is not compelled to attend any religious instruction provided at the early childhood education centre and is to be exempted from attendance if requested by the student or a parent.

(2) Where an early childhood education centre includes prayer, devotion, church, chapel or other religious service or ceremony in its schedule of student or staff activities, participation is not compulsory and a student is to be exempted from attendance if requested by the student or a parent.

28. Early childhood education centre guidelines

The Permanent Secretary may issue guidelines concerning the registration requirements for, management and operation of early childhood education centres.

29. Early childhood education centre grants

(1) The Minister may make grants to early childhood education centres for educational purposes.

(2) The level of the grant paid to a particular early childhood education centre or category of early childhood education centres may be determined by the Minister based on factors including number of students, location, fees and financial contributions charged, educational outcomes and other performance measures and level of need of the early childhood education centre or category of early childhood education centres and the relevant community.

(3) The Minister is to publish a comprehensive set of requirements in relation to the administration, auditing and financial accountability of early childhood education centre grants which is to be known as the Early Childhood Education Centre Grants Code.

(4) The Early Childhood Education Centre Grants Code is to contain any additional Ministry of Finance and Treasury requirements concerning early childhood education centre grants.

30. Early childhood education centre reports

(1) The Permanent Secretary may require operators of early childhood education centres to provide a report containing such information as the Permanent Secretary may specify concerning the operation and administration of their early childhood education centres.

(2) A report may be required of all early childhood education centres, a category of early childhood education centres or an individual early childhood education centre.

(3) A report may be required at such time or at such intervals as the Permanent Secretary determines.

31. Early childhood education centre inspections

(1) An authorised officer may inspect an early childhood education centre to determine whether the early childhood education centre is:

(a) operating in accordance with this Act;

(b) complying with the requirements for registration under section 23; and

(c) being well managed and is delivering the national curriculum or other approved curriculum under section 64.

32. Early childhood education centres must be registered

(1) A person must not operate an early childhood education centre unless it is registered or the Permanent Secretary has given a period of time under section 21(3)(c) to meet the necessary requirements.

(2) This section does not apply until two years after the commencement of this Act.

33. Unacceptable persons

(1) The Permanent Secretary may issue guidelines setting out criteria for determining which individuals or categories of people are unacceptable to operate or work in an early childhood education centre and related matters.

(2) The Permanent Secretary may determine that a person is unacceptable to operate or work in an early childhood education centre and may keep a list of such persons.

(3) In making a determination under this section the Permanent Secretary is to have regard to any guidelines issued under sub-section (1).

(4) An early childhood education centre operator may enquire whether a particular person is on any list created under this section.

(5) A person who has been determined to be unacceptable to operate or work in an early childhood education centre and who operates or works in an early childhood education centre is guilty of an offence punishable on conviction by a fine of 50,000 penalty units, imprisonment for 3 years or both.

(6) A person who has been determined to be an unacceptable person to operate or work in an early childhood education centre under this section may appeal to the National Education Board under section 157.

PART 5 SCHOOL REGISTRATION

34. Types of schools

The types of schools which can be established are:

- (a) primary schools;
- (b) secondary schools;
- (c) community schools; and
- (d) schools for specific purposes.

35. Register of schools

(1) The Permanent Secretary is to maintain a list of schools registered under this Part to be known as the Register of Schools.

(2) The Register of Schools is to include the name and location of each registered school, the name of the education authority administering the school, the levels of education provided by the school and any other details the Permanent Secretary may require.

36. School establishment and registration

(1) A school may only be established or operated by an education authority or the Ministry.

(2) An education authority wishing to establish a new school or relocate an existing school is to apply to the Permanent Secretary.

(3) In making an application under this section an education authority is to provide the Permanent Secretary with evidence that:

(a) the school is needed in the relevant area and will attract sufficient students to make it viable;

(b) sufficient funds are available to establish and operate the school;

(c) the owner or owners of the land on which the school is to be located have agreed in writing to use of the land for the school or have agreed to transfer the land to the education authority;

(d) the application has the support of the local community;

(e) an interim school board is in place to oversee establishment of the school;

(f) instruction at the proposed school will follow the national curriculum or a recognised overseas curriculum approved by the Minister under section 64; and

(g) the school will value and reflect the culture and traditions of the local area.

(4) In determining an application under this section, the Permanent Secretary is to:

(a) have regard to any guidelines issued under section 38; and

(b) consult with the provincial assembly of the province or city council area in which the school is proposed to be located.

(5) An education authority aggrieved by a decision under this section may appeal to the National Education Board under section 157.

37. Changing the level of education offered by a school

(1) An education authority wishing to change the levels of education offered by a school is to apply to the Permanent Secretary.

(2) In making an application under this section an education authority is to provide the Permanent Secretary with evidence that:

(a) any increase in the levels of education offered by the school is needed in the relevant area and will attract sufficient students to make it viable;

- (b) sufficient funds are available to establish and operate any increased levels of education offered by the school;
- (c) the application has the support of the local community;
- (d) the application has the support of the school board;
- (e) instruction at the proposed school will continue to follow the national curriculum or a recognised overseas curriculum approved by the Minister under section 64; and
- (g) the school will continue to value and reflect the culture and traditions of the local area.

(3) In determining an application under this section, the Permanent Secretary is to:

- (a) have regard to any guidelines issued under section 38; and
- (b) consult with the provincial assembly of the province or city council area in which the school is located.

(4) An education authority aggrieved by a decision under this section may appeal to the National Education Board under section 157.

38. School establishment and registration guidelines

The Permanent Secretary may issue guidelines concerning the establishment and registration of a school and changes to the level of education offered by a school.

39. Cancellation of school registration

(1) Should the Permanent Secretary reasonably conclude at any time in relation to a school that:

- (a) an application for registration of the school would now not be granted;
- (b) the number of students regularly attending is below 10;
- (c) the premises are not constructed or are not being maintained so as to provide suitable and safe accommodation, adequate toilet facilities and access to clean water;
- (d) effective instruction based on the national curriculum or a curriculum approved by the Minister under section 64 is not being provided;
- (e) it is not open for instruction for the minimum hours and days specified under the Act;
- (f) the administration has ceased to function effectively; or
- (g) there is other substantial non-compliance with this Act,

he or she is to promptly advise the education authority responsible for the school of the concerns in writing.

(2) The Permanent Secretary is to allow the responsible education authority at least 21 days from the date of the letter in which to respond to the concerns raised. The period in which a response is to be provided is to be specified in the letter.

(3) The Permanent Secretary is to consider any response received from the education authority in determining whether to cancel the registration of the school concerned.

(4) The Permanent Secretary is to advise the education authority in writing of his or her decision in relation to cancellation of the school's registration. If the decision is to cancel the school's registration, the notification is to include the date at which the school must cease to operate.

(5) Where a school is operating wholly or partially through distance, open learning, e-learning or a similar model where students do not attend on a day to day basis, this section is to be applied flexibly and fairly taking into account the school's particular circumstances.

(6) An education authority aggrieved by a decision under this section may appeal to the National Education Board under section 157.

40. School inspections

(1) The Permanent Secretary is to arrange for schools to be inspected at times considered appropriate.

(2) An inspection may examine any or all of:

(a) compliance with this Act;

(b) financial management;

(c) student performance, enrolment and attendance and measures taken to address any issues that adversely affect educational outcomes;

(d) staff attendance and measures taken to address any issues that adversely affect educational outcomes;

(e) the performance and effectiveness of the principal;

(f) the performance and effectiveness of teachers and other staff;

(g) the effectiveness of management by the education authority administering the school; and

(h) any other matter considered appropriate.

(3) In undertaking an inspection:

(a) a particular focus is to be given to the prevention of gender inequity and child abuse;

(b) the views of students, parents and the school board are to be obtained wherever reasonably practical

(c) a report is to be provided to the school principal and school board that identifies areas of good practice, areas that require development and areas of non-compliance and makes recommendations for improvement of school management and teaching and learning.

(4) Any serious concerns identified in an inspection are to be promptly reported to both the Ministry and the education authority administering the school.

(5) An education authority receiving a report under sub-section (3) is to take prompt action to remedy the concerns identified and to report to the Ministry on the action taken.

(6) Should the action taken by an education authority under sub-section (5) be unsatisfactory, the Permanent Secretary is to review:

(a) any grant provided to the education authority to determine whether that grant should be withdrawn or reduced; and

(b) the approval of the education authority under section 12 and whether that approval should be withdrawn.

41. Offences under this Part

Any person who:

(a) operates an unregistered school;

(b) provides false or misleading information in relation to an application to register a school;

(c) obstructs or impedes the inspection of a school by an authorised officer or a medical officer; or

(d) refuses to supply information concerning the operation of a registered school after being requested to do so by the Permanent Secretary or an authorised officer,

is guilty of an offence punishable on conviction by a fine of 10,000 penalty units .

PART 6 SCHOOL BOARDS

42. School boards

- (1) A school board is to be established for each school.
- (2) The Permanent Secretary may issue guidelines on the management and operation of school boards. School boards are to comply with any such guidelines.

43. School board functions

- (1) School boards are to:
 - (a) approve school policies;
 - (b) recommend the amounts to be charged as school fees or school contributions to the education authority which administers the school;
 - (c) promote community support and involvement;
 - (d) prepare a whole school development plan at periods specified in the guidelines issued under section 47 and review that plan annually;
 - (e) monitor the financial records and the budget for the school at least every six months and report to parents and the community;
 - (f) monitor student attendance, identify compulsory school age children within their community who are not enrolled in school or not attending school regularly and work with the relevant family, parents and teachers association and principal to ensure any such children are enrolled and attend school regularly;
 - (g) monitor teacher attendance and work with the principal to ensure any teacher absence, including partial absence, which is not on properly approved leave is promptly advised to the Ministry so a salary deduction can be made and that prompt disciplinary action is taken against any teacher who is persistently absent without being on properly approved leave;
 - (h) promptly report any breach of discipline by school staff to the education authority which administers the school and promptly report any criminal behaviour by school staff to both the education authority which administers the school and the police; and
 - (i) ensure the school complies with the times of instruction prescribed by the Permanent Secretary under section 55.

44. School board membership

- (1) School board membership is to include the school principal, a representative or nominee of the education authority which administers the school, the chair of the school parents and teachers association, a representative of the school staff and three representatives chosen by the parents of the children attending the school.

(2) In secondary schools, community schools which have secondary school classes and schools for specific purposes which have secondary school classes, a representative of the student body is to be a school board member.

(3) A school board may co-opt up to three additional members if it determines the board's membership does not comply with sub-section (5).

(4) School board members, other than the school principal, are appointed for up to three years and may be reappointed.

(5) School boards are to include:

(a) members with a range of skills including financial management, planning, people management and record keeping; and

(b) at least three women.

(6) A person is not to be appointed to a school board if he or she:

(a) is a member of Parliament or a provincial assembly; or

(b) holds any position of responsibility in a political party.

(7) Any dispute concerning school board membership is to be resolved by the education authority which administers the school. The education authority's decision is final.

45. School board meetings

(1) School boards are to meet at least four times per year, at least once in each school term.

(2) Written minutes of school board meetings are to be kept, including detailed notation of all decisions.

(3) No sitting fees or similar payments are to be made to school board members.

46. School board sub-committees

(1) A school board may establish sub-committees of three or more members and may determine the functions and procedures of any such sub-committees. Parents and community members are to be the majority of the membership of any school board sub-committee.

(2) A school board may delegate any of its powers or functions under this Act to a sub-committee or sub-committees. Any delegation under this section must be in writing and is subject to any conditions specified.

47. School board guidelines

The Permanent Secretary may issue guidelines concerning the functions and operation of school boards and the form of the six monthly financial report under section 40. Education authorities, schools and school boards are required to comply with any such guidelines.

PART 7 OPERATION OF SCHOOLS

48. School staffing establishments

(1) The number and type of Teaching Service positions forming the school staffing establishment at schools is to be determined by the Permanent Secretary.

(2) The Permanent Secretary is to review school staffing establishments at regular intervals and may vary a school staffing establishment at any time.

(3) The Permanent Secretary may determine:

(a) categories of positions in schools including, but not limited to principals, deputy principals, classroom teachers, assistant teachers and inclusive education teachers;

(b) the duties of particular categories of positions; and

(c) that particular positions are to be part-time, including the days or hours of work of such part-time positions.

(4) Should an education authority provide false or inaccurate information to the Ministry concerning the number of students enrolled at a school or the staff employed at a school, any additional grant funds or salaries paid as a result may be recovered by the Ministry from the education authority as a debt or deducted from any future grant to the school under section 50 or to the education authority under section 17.

49. Unacceptable persons

(1) The Permanent Secretary may issue guidelines setting out criteria for determining which individuals or categories of people are unacceptable to work in a school and related matters.

(2) The Permanent Secretary may determine that a person is unacceptable to work in a school and may keep a list of such persons.

(3) In making a determination under this section the Permanent Secretary is to have regard to any guidelines issued under sub-section (1).

(4) An education authority may enquire whether a particular person is on any list created under this section.

(5) A person who has been determined to be unacceptable to work in a school who works in a school is guilty of an offence punishable on conviction by a fine of 50,000 penalty units, imprisonment for 3 years or both.

(6) A person who has been determined to be an unacceptable person to work in a school under this section may appeal to the Teaching Service Commission under section 157.

50. School grants

(1) After consultation with the National Education Board, the Minister may make grants to schools for educational purposes.

(2) The level of the grant paid to a particular school or category of schools may be determined by the Minister based on factors including number of students, location, fees and financial contributions charged, educational outcomes and other performance measures and level of need of the school or category of schools and the relevant community.

(3) The Minister is to publish a comprehensive set of requirements in relation to the administration, auditing and financial accountability of school grants which is to be known as the School Grants Code.

(4) The School Grants Code is to contain any additional Ministry of Finance and Treasury requirements concerning school education grants.

51. School fees

(1) Schools may not charge fees for students in Years 1 to 9, other than boarding fees.

(2) The Minister in consultation with the National Education Board may prescribe the fees to be charged for students in Years 10 - 12 and for board at a school or category of schools.

(3) Schools may apply to the Minister for an exemption from this section which may be granted subject to conditions, including a maximum level of fees that can be charged and a reduction in any grant under section 50.

(4) Any school fees charged in excess of the level set by the Minister under this section are unenforceable and may be recovered by a person who paid any such excess fees against the education authority which administers the relevant school..

(5) This section does not apply to any school which does not receive school grants under section 50 or any other form of government financial assistance.

52. School contributions

(1) Notwithstanding section 51, schools may request parents to assist school operation and development through a financial contribution approved by their school board. Contribution in kind through the provision of materials, labour and fundraising efforts may also be requested.

(2) The Minister may prescribe the maximum level of financial contributions that may be sought by a particular school or category of schools.

(3) No student is to be excluded or treated less favourably by a school because a financial contribution has not been paid or a contribution in kind not made.

53. School financial records

(1) Principals are to ensure accurate records are kept of all school income and expenditure, including grants and financial contributions. School financial records are to be available for inspection by the education authority administering the school or an authorised officer at any reasonable time.

(2) Principals are to provide a six monthly financial report to the school board by 1 July and 15 December of each year respectively.

(3) A copy of the most recent financial report provided under sub-section (2) or a summary of that report is to be displayed on a notice board at the school where it can be read by students, staff, parents and other community members.

54. School principals

School principals are responsible for the professional leadership, day to day management and efficient operation of their school. In particular school principals are responsible for:

(a) ensuring teachers and other staff are regularly appraised and given feedback designed to improve teaching and learning;

(b) ensuring teachers and other staff are supported to improve their performance through professional development opportunities;

(c) ensuring the school is open for the minimum hours and days of instruction prescribed under section 55;

(d) ensuring an accurate record of attendance by teachers and other staff, including partial absences, is maintained and available for inspection and that teacher absences without leave are promptly reported to the Ministry so salary deductions can be made;

(e) ensuring an accurate record of the students enrolled at the school and their attendance is maintained and available for inspection by the education authority which administers the school or an authorised officer at any reasonable time;

- (f) identifying school age children within the school community who are not enrolled or who are not attending school regularly and working with the relevant family, school board and parents and teachers association to ensure any such children are enrolled and attend school regularly;
- (g) ensuring the school buildings and grounds are maintained so they are safe for students and staff;
- (h) ensuring there is a sufficient supply of clean water and sufficient toilet facilities;
- (i) ensuring student discipline at the school is managed in accordance with the fair discipline guidelines issued under section 56;
- (j) ensuring the safety and welfare of students and staff including maintaining appropriate standards of child protection;
- (k) maintaining a record of student performance and reporting to parents on student effort, progress and achievement at least twice a year; and
- (l) reporting to the education authority which administers the school on matters concerning the school as required.

55. Times of instruction

(1) The Permanent Secretary is to prescribe:

(a) minimum hours and days of instruction for all schools or particular categories or types of schools; and

(b) the dates of school terms and holidays.

(2) If a school is closed for instruction during the prescribed minimum hours and days, whether due to emergency or for any other reason, the Permanent Secretary may determine additional hours and days on which the school is required to be open for instruction.

(3) Should a school not be open for instruction for the minimum hours and days prescribed and determined, a commensurate deduction may be made from any future grants under sections 17 and 50 to the school and the education authority administering the school respectively.

(4) The hours, days and dates set by the Permanent Secretary are to be published on the Ministry website, promptly advised to all education authorities and made public in any additional ways considered appropriate by the Permanent Secretary.

56. Fair discipline guidelines

(1) The Permanent Secretary is to issue guidelines for schools on fair discipline and management of student behaviour, including suspension and expulsion. The

guidelines are to be complied with by schools, school boards and education authorities.

(2) The fair discipline guidelines may include core school rules which are to apply in all schools, categories of schools or types of schools. Additional rules consistent with the fair discipline guidelines may be applied by individual schools if approved by the school board and the education authority which administers the school.

(3) Corporal punishment of students is not permitted. The fair discipline guidelines may permit other forms of punishment, including requiring students to perform reasonable work or service for the school.

57. Suspension and expulsion of students

(1) Subject to subsection (2), an education authority may, on the recommendation of the principal of a school, expel a student from the school.

(2) An education authority must not expel a student unless there has been a thorough investigation of the matter and the student and, where practical, the student's parents have been given an opportunity to be heard.

(3) The principal of a school may suspend a student for up to 2 weeks. A principal must not suspend a student unless there has been an investigation of the matter and the student has been given an opportunity to be heard.

(4) A student or parent aggrieved by a suspension under this section may appeal to the school board.

58. Student representative bodies

(1) Each school is to have a student representative body.

(2) The principal of a school is to facilitate the establishment and operation of a student representative body at their school and consult with the school board to determine the role of this representative body.

(3) Subject to subsection (4), a principal is to determine the selection process for members of the student representative body.

(4) Students of a school are to elect members of the student representative body from amongst themselves.

PART 8 PARENTS AND TEACHERS ASSOCIATIONS

59. Parents and teachers associations

(1) Parents of students attending a school together with other members of the community served by the school may form a parents and teachers association.

(2) The aim of a parents and teachers association is to:

(a) promote the interests of the school by bringing parents, school staff and other community members into close co-operation;

(b) assist in providing facilities and equipment for the school and in promoting the welfare of students;

(c) encourage parent and community participation in school events and other education matters; and

(d) identify compulsory school age children within their community who are not enrolled in school or not attending school regularly and work with the relevant family, school board and principal to ensure any such children are enrolled and attend school regularly.

(3) No sitting fees or similar payments are to be made to parents and teachers association office bearers or committee members.

(4) The Permanent Secretary may issue guidelines on the management and operation of parents and teachers associations. Parents and teachers associations are to comply with any such guidelines.

PART 9 COMPULSORY SCHOOL EDUCATION

60. Compulsory school education

(1) It is compulsory for children aged from 6 to 14 to be enrolled in and regularly attend a school in areas prescribed by the Minister.

(2) The Minister may prescribe a province, city, town, village, locality or other area.

(3) The Minister is to regularly review progress in achieving compulsory education across Solomon Islands and prescribe additional provinces, cities, towns, villages, localities or other areas as soon as that can reasonably occur.

(4) The Minister may issue guidelines for determining which areas are to be prescribed and is to consider any such guidelines in making a decision to prescribe additional areas.

61. Enforcement of compulsory school education

(1) It is the responsibility of parents in the interests of their family and of the nation to ensure their children are enrolled in and regularly attend a school.

(2) In a province, city, town, village, locality or other area prescribed under this section during school hours, an authorised officer or police officer may approach any child who appears to be of compulsory school age and is not at school and ask the child:

(a) their age and date of birth.

- (b) their full name and where they live;
- (b) the name of their school; and
- (c) the reason they are not at school.

The authorised officer or police officer may escort the child to their school and place the child in the care of school staff. If the child is not enrolled at a school the child may be escorted to their home and the child's parent directed to enrol the child in a school.

62. Age of school admission

- (1) A child who is 6 years of age or older or will turn 6 years of age on or before 31 May in that year is to be admitted to Year 1 or such later year level of schooling assessed as being appropriate at the child's local school.
- (2) A child who is 15 years old or older or who will turn 15 years old on or before 31 May in that year is not to be admitted to Year 7 at the child's local secondary school.
- (3) An education authority may determine that in exceptional circumstances a child who is not at least 6 years old or who will turn 6 years old on or before 31 May in that year can be admitted to year 1 at a school administered by the education authority and that a child who is 15 years old or older or who will turn 15 years old on or before 31 May in that year can be admitted to year 7 at such a school.

63. Prohibition on discrimination in school education

- (1) A child must not be refused admission to any school or treated less favourably at school on account of his or her gender, religion, nationality, race, language, disability or pregnancy.
- (2) This section does not prevent the establishment and operation of single gender schools or schools for specific purposes intended to benefit children with a particular disability or disabilities and is to be interpreted flexibly and fairly in relation to such schools.

PART 10 NATIONAL CURRICULUM AND ASSESSMENT

64. National curriculum

- (1) Subject to subsection (3) the curriculum to be followed in all schools is the curriculum approved by the Minister, which is to be known as the national curriculum. The national curriculum is also to be followed in the final year of early childhood education at all early childhood education centres.
- (2) The curriculum for the final year of early childhood education is to link with the curriculum for Year 1 of school education and be aimed at ensuring children are ready to commence primary school education.

(3) Education authorities or early childhood education centre operators wishing to offer a recognised overseas curriculum are required to seek the Minister's approval.

(4) Where an education authority obtains the Minister's approval to offer a recognised overseas curriculum, the national curriculum must be integrated so that students are able to participate in any assessments determined under section 66.

(5) The national curriculum approved by the Minister under subsection (1) is to include content dealing with traditional custom and culture.

65. Language of instruction

(1) The language or languages of instruction in all schools and early childhood education centres or particular categories or types of schools and early childhood education centres may be determined by the Permanent Secretary in consultation with the Minister.

(2) Details of the language or languages of instruction determined by the Permanent Secretary under this section are to be published on the Ministry website, promptly advised to all education authorities and made public in any additional ways considered appropriate by the Permanent Secretary.

66. Assessment

The Minister is to determine the number and type of assessments used for the selection of candidates for advancement to other levels of education, the award of any nationally recognised certificate or other school educational qualification and the rules for the conduct of any such assessments.

67. Religious instruction in schools

(1) Where students of any religious faith or denomination (including traditional beliefs) attend a school, a religious leader of that faith or denomination may attend the school to give religious instruction to the students of that faith or denomination at such time as the principal of the school directs.

(2) A student is not compelled to attend religious instruction under sub-section (1) and is to be exempted from attendance if requested by the student or a parent.

(3) Where a school includes Christian Education, New Testament Studies or other religious instruction, whether of Christianity or any other religion, in its curriculum, participation is not compulsory and a student is to be exempted from attendance if requested by the student or a parent.

(4) Where a school includes prayer, devotion, church, chapel or other religious service or ceremony in its schedule of student or staff activities, participation is not compulsory and a student is to be exempted from attendance if requested by the student or a parent.

(5) This section does not apply to academic study undertaken as part of the national curriculum or other approved curriculum under section 64, for example comparative or historical study of the world's religions.

PART 11 ALTERNATIVE PROGRAMS

68. Alternative programs

(1) The Minister may establish alternative education programs designed to accelerate school students who are older than their peers into later years of study, to cater for other specific categories of students or for other purposes.

(2) The Minister may approve such alternative education programs conducted by education authorities or other education providers.

(3) School grants under section 50 may be made to support any programs established or approved under this section.

(4) Enrolment in and attendance at an alternative education program under this section is to be taken as meeting the compulsory education requirements under section 60.

PART 12 TEACHING SERVICE

69. Establishment of Teaching Service

(1) The Teaching Service is established.

(2) The Teaching Service consists of teachers appointed by education authorities to work in schools.

70. Appointments to be on probation

(1) An appointment to the Teaching Service is on probation. The probation period is one year commencing from the date on which the person commences duty.

(2) The education authority which administers the school the teacher is working at may dismiss a member of the Teaching Service at any time while the member of the Teaching Service is on probation.

(3) After the expiration of a member of the Teaching Service's probation period the education authority which administers the school the teacher is working at is to:

(a) confirm the appointment of the person;

(b) terminate the appointment of the person; or

(c) direct that the person is to continue on probation for a further period of up to one year determined by the education authority.

(4) If no action has been taken to confirm or terminate the appointment or extend the probation period of a member of the Teaching Service three years after the expiration of the person's probation period, the person's appointment is taken to be confirmed.

71. Appointment of principals

A merit based selection process is to be conducted to select the best available candidate for the position of principal at a school.

72. Employment in the Teaching Service

(1) Members of the Teaching Service are to be treated with the respect appropriate to the importance of their profession in national development and the future of the children of Solomon Islands.

(2) The Minister is to ensure members of the Teaching Service receive their full and correct entitlements including salary and any other applicable payments.

(3) The Minister may enter into agreements or other arrangements with education authorities directed to ensuring members of the Teaching Service receive their full and correct entitlements and to establish alternative schemes of service that recognise the aspirations of education authorities to improve the status, performance and quality of their teachers.

(4) The Permanent Secretary is to work with education authorities to ensure appropriate staff development training is provided to members of the Teaching Service.

73. Teacher obligations

Members of the teaching service must at all relevant times:

- (a) comply with generally accepted community standards of behaviour;
- (b) obey any lawful direction given by a person in authority;
- (c) behave with honesty and integrity;
- (d) act with care and diligence;
- (e) treat all students, parents, fellow teachers and community members with respect and courtesy;
- (f) disclose any conflict of interest to a person in authority and take reasonable steps to avoid any such conflict;
- (g) ensure their behaviour is at all times consistent with the highest standards of child protection and welfare;

(h) use money and other resources allocated for educational purposes in a careful and responsible manner;

(i) not make improper use of information obtained in the course of employment in the Teaching Service; and

(j) not make improper use of the status, power or authority associated with being a member of the Teaching Service to gain a benefit or advantage, whether personally or for another person.

74. Teacher Code of Professional Conduct

(1) The Teaching Service Commission is to issue a Code of Professional Conduct for the Teaching Service.

(2) The Code of Professional Conduct must be complied with and is to be made readily available to members of the Teaching Service including by:

(a) being published on the Ministry web site; and

(b) a copy being held by every education authority and in every school.

75. Teacher National Professional Standards

The Teaching Service Commission is to issue National Professional Standards for the Teaching Service which set the values and attitudes to be upheld by all members of the Teaching Service.

76. Teacher professional associations

(1) Members of the Teaching Service may form professional associations including trade unions under the Trade Unions Act, (Cap. 76).

(2) No adverse action may be taken against a member of the Teaching Service due to their membership of, involvement in, position in or leadership of a professional association, including a trade union.

77. Teacher absences

(1) Partial absences, arriving late and finishing early, being at the school but not going to classes are all failures to attend for work and are disciplinary issues which are to be promptly and firmly addressed by principals and education authorities.

(2) Education authorities must promptly advise the Ministry of any Teaching Service members absent from duty without leave, including partial absences, so that a salary deduction can be made.

(3) Where an education authority fails to promptly advise the Ministry of a Teaching Service member's absence from duty without leave under this section, any salary paid by the Ministry to that Teaching Service member in relation to the period of

unauthorised absence may be recovered from the education authority as a debt in a court or deducted from any future grant to the education authority under section 17.

78. Breach of discipline

A member of the Teaching Service who:

- (a) is guilty of misconduct;
- (b) has failed to comply with the Code of Professional Conduct;
- (c) has failed to comply with this Act or rules; or
- (d) is negligent, inefficient, incompetent or unfit or unable to perform his or her duties;

has committed a breach of discipline.

79. Meaning of misconduct

For the purposes of section 78 a member of the Teaching Service is guilty of misconduct if he or she:

- (a) has any sexual contact or a sexual relationship of any kind with a student from any school;
- (b) physically assaults a child, including administering corporal punishment of any kind to a student;
- (c) wilfully disobeys or disregards a lawful direction given by a person in authority;
- (d) uses illegal or prescription drugs or alcohol to excess or in a manner that adversely affects the performance of his or her duties;
- (e) misappropriates funds or goods, gains an improper personal benefit or obtains an improper benefit for someone else; or
- (f) is guilty of any disgraceful or improper conduct which is likely to have a negative effect on the reputation of the Teaching Service.

80. Penalties for breach of discipline

(1) Where a member of the Teaching Service has committed a breach of discipline, the Teaching Service Commission may impose one or more of the following penalties:

- (a) caution or reprimand;
- (b) fine;

(c) reduction of salary to a lower level within the salary range for the position held by the member of the Teaching Service;

(d) demotion;

(e) dismissal.

(2) Where a fine is imposed under this section the Ministry may deduct the amount of the fine directly from the salary or other entitlement of the member of the Teaching Service concerned.

81. Disciplinary investigation of teachers

(1) Where a breach of discipline is alleged or suspected of a member of the Teaching Service and is not minor, the education authority administering the school concerned is to arrange for a careful investigation to be undertaken.

(2) When the investigation is completed the education authority is to provide a written report and recommendation on penalty, if any, to the Teaching Service Commission.

(3) The Teaching Service Commission may undertake any further investigation considered necessary and is not bound to accept any recommendation on penalty.

(4) Minor disciplinary issues are to be dealt with directly by the principal of the relevant school. If the minor disciplinary issue involves a school principal, it is to be dealt with by the education authority administering the school.

(5) The Teaching Service Commission may issue guidelines concerning the investigation of teacher discipline matters and associated issues. Education authorities and the Teaching Service Commission are to comply with any such guidelines.

82. Abandonment of employment

(1) Where a member of the Teaching Service is absent from their employment without authorised leave for a continuous period of thirty days, that person is taken to have abandoned their employment.

(2) An education authority employing a member of the Teaching Service who has abandoned their employment may dismiss that person without notice.

83. Teacher criminal charges and conviction

(1) Where a member of the Teaching Service is charged with a criminal offence which has a maximum penalty of 12 months imprisonment or more, the education authority administering the school at which the member of the Teaching Service is working is to immediately notify the Teaching Service Commission.

(2) Where a member of the Teaching Service is convicted of a criminal offence which has a maximum penalty of 12 months imprisonment or more, the Teaching Service Commission may impose one or more of the penalties listed in section 80.

(3) For the avoidance of doubt, events and circumstances which lead to a member of the Teaching Service being charged with a criminal offence may be the subject of a separate disciplinary investigation and disciplinary action under this Act irrespective of whether the member of the Teaching Service is convicted of the criminal offence.

84. Private employment of teachers

(1) A member of the Teaching Service may not engage in any paid employment or other work or operate any business outside the Teaching Service except with the prior agreement in writing of the education authority which administers the school in which the teacher is working.

(2) An education authority must not give approval under this section where the paid employment, work or business will interfere with the proper performance of the teacher's work in the Teaching Service.

(3) This section does not apply to work undertaken for community and professional organisations which is essentially voluntary but where expenses or an honorarium is paid.

85. Teacher transfers

(1) Where a member of the Teaching Service requests to transfer to a different school, the transfer must be based on an assessment of the needs of the education system and cannot take place and is not effective unless and until the teacher has ensured:

(a) all outstanding student assessment tasks are properly completed and relevant records properly updated;

(b) any debts to local businesses are settled in full; and

(c) any outstanding rent for accommodation is settled in full.

(2) Additionally where the member of the Teaching Service to be transferred is a principal, this transfer is not permitted until all school income including school grants under section 50 have been properly retired, the relevant documentation submitted to the education authority administering the school and written confirmation given by the education authority that the retirements are accepted and meet required standards.

(3) The education authority which administers the member of the Teaching Service's current school is to ensure this section is complied with.

86. Teacher retirement age

- (1) The age of compulsory retirement for members of the Teaching Service is 60.
- (2) An education authority may grant an extension of the retirement age to a member of the Teaching Service for a period of up to 2 years, which may be renewed.
- (3) The Teaching Service Commission may issue guidelines in relation to any process and criteria for extension of the retirement age.

PART 13 TEACHER REGISTRATION

87. Teacher registration requirements

The Teaching Service Commission on advice of the Permanent Secretary is to set minimum requirements, including educational qualifications and other standards, for the registration of teachers.

88. Registrar of Teachers

- (1) The Permanent Secretary is to appoint a Registrar of Teachers who is to be responsible for administering the system of teacher registration under this Act.
- (2) The Permanent Secretary is to arrange appropriate administrative support and other resources for the Registrar of Teachers so the system of teacher registration can be properly maintained and developed.

89. Register of teachers

- (1) The Registrar of Teachers is to maintain a listing of all teachers registered under this Part which is to be known as the Register of Teachers.
- (2) The Register of Teachers is to include the full name, address, qualifications, conditions of registration and any other details of each teacher the Registrar of Teachers or the Permanent Secretary may require.

90. Teacher registration

- (1) A person may apply to the Registrar of Teachers to be included on the Register of Teachers as:
 - (a) a registered teacher; or
 - (b) a provisionally registered teacher.
- (2) An application under this section is to include proof of the attainment of a recognised teaching qualification and a criminal record certificate.

(3) An applicant for registration or provisional registration as a teacher is to be promptly advised in writing whether or not their application is successful and if registered, any conditions that apply to their registration.

(4) Conditions that may be imposed on teacher registration include the years of schooling, subjects or academic areas in which the teacher may teach.

(5) A person aggrieved by a decision under this section may appeal to the Teaching Service Commission under section 157.

91. Removal from Register of Teachers

(1) The Registrar of Teachers may remove a person from the Register of Teachers if:

(a) the person is found guilty of a criminal offence that has a maximum penalty of 12 months or more imprisonment; or

(b) the person is dismissed under section 80;

(2) A person aggrieved by a decision under this section may appeal to the Teaching Service Commission under section 157.

92. Provisional registration of current teachers

(1) A person who immediately before commencement of this Act was employed as a teacher at a school but who was not registered as a teacher under the former Act is deemed to be a provisionally registered teacher under this Part.

(2) Provisional registration under this section is for two years but may be extended by the Registrar of Teachers.

(3) A provisionally registered teacher under this section is to apply for registration or provisional registration under section 90 as soon as reasonably able and is to undertake any necessary training to support that application as soon as reasonably practicable.

93. Immediate provisional registration for certain new graduates

(1) The Permanent Secretary may enter into an agreement with a registered tertiary education institution to the effect that on written confirmation by the tertiary education institution of a person's satisfactory completion of an identified accredited course or courses, that person will be immediately provisionally registered as a teacher under section 90.

(2) An agreement under this section may include such other matters as the Permanent Secretary may determine including minimum course requirements, other minimum standards, arrangements for practice teaching and processes for expediting full registration.

(3) A provisionally registered teacher under this section is to apply for registration under section 90 as soon as reasonably practicable.

94. Prohibition on employment of unregistered teachers

(1) No person may be employed as a teacher in a school unless he or she is a registered or a provisionally registered teacher.

(2) This section does not apply to:

(a) a trainee teacher undertaking practice teaching under the supervision of a registered teacher;

(b) a parent, community member or volunteer assisting a registered teacher;

(c) a minister or other religious leader giving religious instruction under section 67;

(d) an arts or cultural performer, guest speaker, sports coach, music tutor or the like; or

(e) a technical advisor, consultant or volunteer from an international aid agency, non-government organisation or the like.

95. Offence for unregistered teacher to provide instruction in a school

(1) An education authority that, without reasonable excuse, engages or permits a person who is not a registered teacher to provide instruction in a school is guilty of an offence punishable on conviction by a fine not exceeding 25,000 penalty units.

(2) For the purposes of this section “reasonable excuse” includes but is not limited to:

(a) no registered teacher being reasonably available due to the isolation of the school or for other reasons;

(b) urgent arrangements needing to be made for the supervision of students; or

(c) an education authority being misled or mistaken in reasonably believing the person concerned was a registered teacher.

96. Delegation by Registrar of Teachers

(1) With the approval of the Permanent Secretary, the Registrar of Teachers may delegate any of her or his powers under this Part.

(2) Any delegation under this section must be in writing and is subject to any conditions specified.

PART 14 TERTIARY EDUCATION

97. Tertiary education grants

(1) After consultation with the Solomon Islands Tertiary Education Commission, the Minister may make grants to tertiary education institutions for educational purposes.

(2) Grants under this section may also be made by the Tertiary Education Commission directly.

(3) The level of the grant paid to a tertiary education institution or category of tertiary education institutions may be determined by the Minister or the Tertiary Education Commission respectively based on factors including number of faculties, number of courses, number of students, location, fees charged, educational outcomes and other performance measures achieved and level of need of the tertiary education institution or institutions and their community or communities.

(3) The Minister or the Tertiary Education Commission is to publish a comprehensive set of requirements in relation to the administration, auditing and financial accountability of tertiary education institution grants which is to be known as the Tertiary Education Institution Grants Code.

(4) The Tertiary Education Institution Grants Code is to contain any additional Ministry of Finance and Treasury requirements concerning tertiary education institution grants.

98. Tertiary education institution service agreements

(1) The Minister or the Solomon Islands Tertiary Education Commission may enter into an agreement with a tertiary education institution or a number of tertiary education institutions that specifies particular educational services and other deliverables to be provided, the funding the tertiary education institution or tertiary education institutions will receive to provide such educational services and other deliverables and the performance standards required to be met by the tertiary education institution or tertiary education institutions under the agreement.

(2) Any agreement under this section is also to include:

(a) the process for monitoring, evaluating and reporting on compliance with the performance standards by the tertiary education institution or tertiary education institutions;

(b) the services and other deliverables, if any, to be provided by the Ministry and the Tertiary Education Commission in supporting compliance by the tertiary education institution or tertiary education institutions with the terms of the agreement and any performance standards required to be met by the Ministry and the Tertiary Education Commission;

(c) the process for monitoring, evaluating and reporting on compliance with any performance standards by the Ministry and Tertiary Education Commission; and

(d) the consequence of any failure by a tertiary education institution, the Ministry or the Tertiary Education Commission to meet any performance standards.

(3) The payment of salaries to relevant staff under section 5 may be part of any agreement under this section.

99. Use of protected terms

(1) Subject to sub-section (2) a tertiary education institution must apply to the Solomon Islands Tertiary Education Commission for permission to use the terms “certificate”, “diploma”, “graduate”, “bachelor”, “degree”, “honours”, “masters”, “doctoral”, “doctorate”, “university”, “college”, “institute”, “Solomon Islands” or “national” including translations of these terms in other languages, if the provider intends:

(a) to use one or more of these terms in the name of the institution; or

(b) to use one or more of these terms in the name of a qualification to be awarded by the institution.

(2) A tertiary education institution established by an act of Parliament is not required to seek permission to use one or more of the terms referred to in this section in the name of the institution.

(3) A tertiary education institution which uses one or more of the terms referred to in this section without having obtained the permission of the Tertiary Education Commission commits an offence punishable on conviction by a fine of 50,000 penalty units.

100. Prohibition on discrimination in tertiary education

(1) A person must not be refused admission to any tertiary education institution or treated less favourably at a tertiary education institution on account of his or her gender, religion, nationality, race, language, disability or pregnancy.

(2) This section does not prevent the establishment and operation of single gender tertiary education institutions or tertiary education institutions intended to benefit people with a particular disability or disabilities and is to be interpreted flexibly and fairly in relation to such institutions.

101. Religious instruction in tertiary education institutions

(1) A student at a tertiary education institution is not compelled to attend religious instruction provided by that institution and is to be exempted from attendance if requested.

(2) Where a tertiary education institution includes prayer, devotion, church, chapel or other religious service or ceremony in its schedule of student or staff activities,

participation is not compulsory and a student is to be exempted from attendance if requested.

(3) This section does not apply to academic study undertaken as part of an accredited program.

PART 15 TERTIARY EDUCATION COMMISSION

102. Solomon Islands Tertiary Education Commission

(1) The Solomon Islands Tertiary Education Commission is established as a body corporate.

103. Tertiary Education Commission functions

The Solomon Islands Tertiary Education Commission is to:

- (a) develop, coordinate and promote tertiary education;
- (b) advise the Permanent Secretary and Minister on strategic and policy issues relating to tertiary education;
- (c) support and promote quality teaching and learning in tertiary education institutions;
- (d) liaise with industry to obtain strategic labour market intelligence, sponsorships and funding;
- (e) administer and be accountable for the scholarships program;
- (f) liaise with the National Education Board to ensure there is a coherent and coordinated approach to the education system;
- (g) implement initiatives to raise the perceived status of technical and vocational education and training;
- (h) develop, promote and implement innovative funding schemes for tertiary education such as loan schemes, service bonds, tax incentives or rebates and a training fund;
- (i) fund or recommend the funding of tertiary education institutions, programs or scholarships targeted to meet labour market demand;
- (j) encourage the development of links and pathways between adult and community education and tertiary education institutions and programs and encourage improved educational outcomes;
- (k) promote and support the funding of education research;

(l) support the development of best practice apprenticeship schemes and national trade testing arrangements;

(m) develop and implement appropriate incentive mechanisms such as tax rebates to employers which provide workplace learning placements, structured workplace learning for their employees or engage apprentices;

(n) liaise with and provide advice as required to the Solomon Islands Qualification Authority; and

(o) oversight development of an annual tertiary education plan and monitor achievement against benchmarks in the plan.

104. Tertiary Education Commission members

(1) The members of the Tertiary Education Commission are:

(a) two representatives from industry groups and enterprises appointed by the Minister;

(b) a representative from church and community leaders appointed by the Minister;

(c) the chair of the National Education Board;

(d) the chair of the Solomon Islands Qualifications Authority;

(e) the chair of the National Human Resource Development Training Council.

(f) the Chief Executive Officer of the Solomon Islands Chamber of Commerce and Industries;

(g) the Permanent Secretary;

(h) a representative of trade unions appointed by the Minister;

(i) a representative of the Ministry of Commerce, Industry, Labour and Immigration selected by the Permanent Secretary of that Ministry;

(j) a representative of the Ministry of Public Service selected by the Permanent Secretary of that Ministry;

(k) a representative of the Ministry of Finance and Treasury selected by the Permanent Secretary of that Ministry;

(l) a representative of the major tertiary education institutions appointed by the Minister; and

(m) the President of the Solomon Islands Association of Vocational and Rural Training Centres.

(2) There is to be an equitable balance of members with a background, skills or experience in technical and vocational education and training and in higher education respectively.

(3) At least three members of the Tertiary Education Commission are to be women.

(4) A person is not qualified to be appointed if he or she:

(a) is a member of Parliament or a provincial assembly; or

(b) exercises any position of responsibility in a political party.

(5) The Minister is to select one of the members of the Tertiary Education Commission who is not in the public service to be the chair.

105. Tertiary Education Commission sub-committees

(1) The Solomon Islands Tertiary Education Commission may establish sub-committees of three or more members and may determine the functions and procedures of any such sub-committees.

(2) The Tertiary Education Commission may delegate any of its powers or functions under this Act to a sub-committee or sub-committees. Any delegation must be in writing and is subject to any conditions specified.

(3) Without limiting the discretion of the Tertiary Education Commission under this section, sub-committees may be established to deal with specific appeals or categories of appeals under section 157.

106. Tertiary Education Commission meetings

Written minutes of Solomon Islands Tertiary Education Commission meetings are to be kept, including detailed notation of all decisions.

107. Sitting fees

There are to be no sitting fees or similar payments made to Solomon Islands Tertiary Education Commission members whose participation is part of the duties of a paid position in the public service or a private sector organisation.

108. Disclosure of interest

(1) A member of the Solomon Islands Tertiary Education Commission who has any direct or indirect personal or financial interest in a matter coming before the Tertiary Education Commission or a sub-committee of the Tertiary Education Commission must declare her or his interest.

(2) A disclosure under sub-section (1) is to be recorded in the minutes of the meeting of the Tertiary Education Commission or sub-committee and the member is not to be

present during any deliberation of the Tertiary Education Commission or sub-committee in relation to the matter.

109. Tertiary Education Commission Secretariat

(1) The Minister in consultation with the Solomon Islands Tertiary Education Commission is to appoint a Secretary and other staff of the Tertiary Education Commission Secretariat who are to be public officers employed under the Public Service Act.

(2) The Secretary is responsible for the efficient and professional administration of the Tertiary Education Commission Secretariat.

(3) The Secretary and other staff referred to in sub-section (1) are subject to the direction of the Tertiary Education Commission.

110. Industry skills advisory groups

(1) The Solomon Islands Tertiary Education Commission may establish specialist industry skills advisory groups to provide it with advice in relation to:

(a) labour market demand;

(b) training verification;

(c) the development and review of national standards, including competency, educational, occupational or certification standards; and

(d) quality assurance arrangements.

(2) There are to be no sitting fees or similar payments made to industry skills advisory group members.

PART 16 SCHOLARSHIPS

111. Scholarships

(1) All tertiary education scholarships funded or awarded by the government, including with constituency development funds, are to be administered by the Solomon Islands Tertiary Education Commission.

(2) The Tertiary Education Commission is to:

(a) develop and implement policies that support the scholarship program;

(b) implement a contestable procurement plan for the selection of tertiary education institutions able to provide suitable programs for scholarship recipients;

- (c) ensure the allocation of scholarships is based on objective criteria including labour market demand and meeting entry and selection criteria to develop appropriately qualified and skilled people to further national development;
 - (d) ensure fair, transparent and merit based selection of candidates for the award of scholarships;
 - (e) monitor the academic progress of scholarship holders and take prompt action to terminate scholarships where progress does not meet the relevant requirements;
 - (f) determine annually the criteria, terms and conditions for the award of scholarships;
 - (g) determine the priority of scholarships for funding by the government;
 - (h) develop strategies with local tertiary education institutions to provide a greater proportion of in-country scholarship places as the quality of locally offered programs improves; and
 - (i) prepare an annual report on all scholarship activity including evaluations, outputs and outcomes relative to national economic and social objectives and labour market needs and any other reports required by the Minister relating to scholarships.
- (3) Merit and national development priorities are to be the two most important factors in determining all scholarship recipients.

112. Influencing scholarship decisions

- (1) The Minister, other members of Parliament, political advisors and those holding positions of authority in political parties must not seek to influence decisions by the Solomon Islands Tertiary Education Commission about the awarding of individual scholarships either directly or through another person.
- (2) Any contravention of this section constitutes misconduct in office under the Leadership Code (Further Provisions) Act (Cap 86) and is to be dealt with accordingly.

113. Improper influence in awarding scholarships

Where a scholarship is awarded to a person in a manner contrary to this Act it is of no effect and:

- (a) any enrolment in a tertiary education institution is void;
- (b) any fees or other amounts paid to a tertiary education institution are to be promptly refunded by the institution to the Solomon Islands Tertiary Education Commission; and

(c) any money paid to the person, on the person's behalf or for the benefit of the person is a debt to the Tertiary Education Commission and may be recovered in a court:

- (i) from the person who received the scholarship; or
- (ii) from the person who improperly awarded the scholarship.

114. Notification of issues affecting program progression

Tertiary education institutions attended by scholarship holders are to notify the Solomon Islands Tertiary Education Commission of any absences, failures or other issues that may affect the program progression of scholarship holders.

PART 17 SOLOMON ISLANDS QUALIFICATIONS AUTHORITY

115. Solomon Islands Qualifications Authority

(1) The Solomon Islands Qualifications Authority is established as a body corporate.

116. Qualifications Authority functions

The Solomon Islands Qualifications Authority is to:

- (a) develop, implement and maintain a national qualifications framework to be known as the Solomon Islands Qualifications Framework;
- (b) develop, implement and maintain a quality assurance framework for the accreditation of programs under the Solomon Islands Qualifications Framework;
- (c) develop, implement and maintain a quality assurance framework for the registration of tertiary education institutions;
- (d) develop, implement and maintain a quality assurance framework for the approval of licensing and testing bodies;
- (e) monitor and report to the government and stakeholders on the activities, resourcing and performance of the tertiary education sector in relation to national strategic goals for social, economic and cultural development;
- (f) report to the government and stakeholders on the findings of monitoring and evaluations conducted;
- (g) promote links and pathways within and between tertiary education and other levels of education;
- (h) promote links and engagement with international agencies in relation to the Solomon Islands Qualifications Framework and related quality assurance framework;
- (i) promote quality assurance in non-formal tertiary education programs;

- (j) promote linkages with national, regional and international stakeholders and agencies to facilitate international recognition of Solomon Islands qualifications and to provide for the recognition in Solomon Islands of international qualifications;
- (k) monitor and publicly report on tertiary education institution performance; and
- (l) verify training and assessment activity conducted wholly or partially through funding provided by the Solomon Islands Tertiary Education Commission.

117. Qualifications Authority members

- (1) The members of the Solomon Islands Qualifications Authority are:
 - (a) a representative from industry groups and enterprises appointed by the Minister;
 - (b) the chair of the Solomon Islands Tertiary Education Commission;
 - (c) the Chief Executive Officer of the Solomon Islands Chamber of Commerce and Industries;
 - (d) a representative of trade unions appointed by the Minister;
 - (e) a representative of the Ministry selected by the Permanent Secretary;
 - (f) a representative of the Ministry of Commerce, Industry, Labour and Immigration selected by the Permanent Secretary of that Ministry; and
 - (g) a representative from a tertiary qualifications and/or quality assurance agency in another country appointed by the Minister.
- (2) At least two members of the Qualifications Authority are to be women.
- (3) A person is not eligible to be appointed if he or she:
 - (a) is a member of Parliament or a provincial assembly; or
 - (b) exercises any position of responsibility in a political party.

118. Qualifications Authority sub-committees

- (1) The Solomon Islands Qualifications Authority may establish sub-committees of three or more members and may determine the functions and procedures of any such sub-committees.
- (2) The Qualifications Authority may delegate any of its powers or functions under this Act to a sub-committee or sub-committees. Any delegation under this section must be in writing and is subject to any conditions specified.

119. Qualifications Authority meetings

Written minutes of Solomon Islands Qualifications Authority meetings are to be kept, including detailed notation of all decisions.

120. Sitting fees

There are to be no sitting fees or similar payments made to Solomon Islands Qualifications Authority members whose participation is part of the duties of a paid position in the public service or a private sector organisation.

121. Disclosure of interest

(1) A member of the Solomon Islands Qualifications Authority who has any direct or indirect personal or financial interest in a matter coming before the Qualifications Authority or a sub-committee of the Qualifications Authority must declare her or his interest.

(2) A disclosure under sub-section (1) is to be recorded in the minutes of the meeting of the Qualifications Authority or sub-committee and the member is not to be present during any deliberations in relation to the matter.

122. Qualifications Authority Secretariat

(1) The Permanent Secretary in consultation with the Solomon Islands Qualifications Authority is to appoint a Secretary and other staff of the Qualifications Authority Secretariat who are to be public officers employed under the Public Service Act.

(2) The Secretary is responsible for the efficient and professional administration of the Qualifications Authority Secretariat.

(3) The Secretary and other staff referred to in sub-section (1) are subject to the direction of the Qualifications Authority.

PART 18 TERTIARY EDUCATION INSTITUTION REGISTRATION

123. Application for tertiary education institution registration

(1) A tertiary education institution may apply to the Solomon Islands Qualifications Authority for registration.

(2) A registered tertiary education institution may apply to the Qualifications Authority for the scope of its registration to be amended.

(3) In deciding an application for registration, the Qualifications Authority is to have regard to any guidelines issued under section 128.

(4) An application by a tertiary education institution for registration or amendment of its scope of registration may be granted subject to any conditions the Qualifications Authority considers appropriate.

(5) A tertiary education institution aggrieved by a decision under this section may appeal to the Solomon Islands Tertiary Education Commission under section 157.

124. Register of tertiary education institutions

(1) The Solomon Islands Qualifications Authority is to keep a record of registered tertiary education institutions to be known as the Register of Tertiary Education Institutions.

(2) The Register of Tertiary Education Institutions is to contain:

(a) the name and location of the tertiary education institution;

(b) the programs the tertiary education institution is approved to deliver; and

(c) any other details the Qualifications Authority may require.

125. Tertiary education institution responsibilities

(1) A registered tertiary education institution is to:

(a) comply with any guidelines issued by the Solomon Islands Qualifications Authority under section 128;

(b) notify the Qualifications Authority in writing of any substantial change to the tertiary education institution's management or operations;

(c) promptly provide any information the Qualifications Authority reasonably requires; and

(d) comply with any conditions of its registration.

126. Tertiary education institution registration period and renewal

(1) The registration of a tertiary education institution is to be for a period up to five years at the discretion of the Solomon Islands Qualifications Authority.

(2) The registration of a tertiary education institution may be renewed by the Qualifications Authority subject to any guidelines issued under section 128.

127. Qualifications Authority May Cancel, Suspend or Amend Registration

(1) Subject to subsection (2), the Solomon Islands Qualifications Authority may at any time:

(a) amend the scope of registration or conditions of registration of a tertiary education institution;

(b) suspend the registration, or part of the scope of registration of a tertiary education institution; or

(c) cancel the registration of a tertiary education institution,

if the tertiary education institution:

(i) requests the Qualifications Authority to suspend or cancel its registration or part of the scope of registration;

(ii) no longer provides the accredited programs in respect of which it is registered;

(iii) ceases to exist;

(iv) fails to comply with its responsibilities under section 125;

(v) has financial arrangements or ethical standards that would not warrant the registration of the tertiary education institution if it were now to apply;

(vi) does not have the financial capacity to continue to meet its obligations to students, staff or others;

(vii) does not have the resources to competently provide the accredited courses in respect of which it is registered; or

(viii) does not adequately provide information requested by the Qualifications Authority.

(2) Where the amendment, suspension or cancellation of the registration or part of the scope of registration of a tertiary education institution is being considered the Solomon Islands Qualification Authority, with the agreement of the Solomon Islands Tertiary Education Commission, may order that responsibility for the administration and operation of the tertiary education institution be transferred to the Tertiary Education Commission until appropriate alternative arrangements are made.

(3) A tertiary education institution aggrieved by a decision under this section may appeal to the Solomon Islands Tertiary Education Commission under section 148.

128. Tertiary education institution guidelines

The Solomon Islands Qualifications Authority may issue guidelines concerning the requirements and processes for obtaining and renewing registration as a tertiary education institution, the conditions of such registration, amending the scope of registration, the responsibilities of a registered tertiary education institution, the circumstances in which an order under section 127 (2) will be made, any other issues concerning the use and operation of that section and requirements relating to overseas students.

129. Tertiary education institution audits

(1) The Solomon Islands Qualifications Authority may conduct an audit of a registered tertiary education institution or an accredited program at any time.

(2) A Qualifications Authority officer or agent conducting an audit may at all reasonable times:

(a) enter the premises of a registered tertiary education institution;

(b) inspect the premises, any documents on the premises and the conduct of any accredited program; and

(c) remove or make copies of any documents on the premises.

(3) Any person who obstructs an audit is guilty of an offence punishable on conviction by a fine of 50,000 penalty units.

130. Reporting scholarship details to Tertiary Education Commission

(1) Registered tertiary education institutions are to provide an annual report by 31 March in each year to the Solomon Islands Tertiary Education Commission listing the source of fee payment for all students enrolled with that institution for that year.

(2) The report is to be provided in whatever form is reasonably required by the Tertiary Education Commission to facilitate cross checking with details of scholarships known to be properly awarded.

(3) Where a tertiary education institution receives information indicating the source of the fee payment for a particular student or category of students is or may be other than that previously reported to the Tertiary Education Commission, the tertiary education institution is to promptly provide that information to the Tertiary Education Commission.

PART 19 PROGRAM ACCREDITATION

131. Application for program accreditation

(1) A registered tertiary education institution may apply to the Solomon Islands Qualifications Authority for accreditation of a program.

(2) An application for accreditation of a program may be granted subject to any conditions the Qualifications Authority considers appropriate.

(3) A tertiary education institution aggrieved by a decision under this section may appeal to the Solomon Islands Tertiary Education Commission under section 157.

(4) Any person or organisation falsely claiming to offer a program accredited by the Qualifications Authority commits an offence punishable on conviction by a fine of 50,000 penalty units.

132. Register of accredited programs

(1) The Solomon Islands Qualifications Authority is to establish and maintain a register of accredited programs to be known as the Register of Accredited Programs.

(2) The Register of Accredited Programs is to contain such details as the Qualifications Authority may require.

133. Program accreditation guidelines

The Solomon Islands Qualifications Authority may issue guidelines concerning the requirements and processes for program accreditation and the conditions of such accreditation.

134. Only registered tertiary education institutions to deliver accredited programs

(1) A tertiary education institution is not to deliver an accredited program unless it is registered under section 123 and the program is included in the tertiary education institution's scope of registration.

(2) Any person or organisation contravening subsection (1) commits an offence punishable on conviction by a fine of 25,000 penalty units.

PART 20 TRADE TESTING AND LICENSING

135. Application to provide trade testing or licensing services

(1) A tertiary education institution or other organisation intending to provide trade testing or licensing services may apply to the Solomon Islands Qualifications Authority for approval.

(2) In determining an application for approval to provide trade testing or licensing services, the Qualifications Authority is to have regard to any guidelines issued under section 140.

(3) An application for approval to provide trade testing or licensing services may be granted subject to any conditions the Qualifications Authority considers appropriate.

(4) An applicant for approval to undertake trade testing or licensing services aggrieved by a decision under this section may appeal to the Solomon Islands Tertiary Education Commission under section 157.

136. Register of trade testing or licensing services providers

(1) The Solomon Islands Qualifications Authority is to keep a record of approved trade testing or licensing services providers to be known as the Register of Trade Testing and Licensing Services Providers.

(2) The Register of Trade Testing and Licensing Services providers is to contain:

(a) the name and location of the trade testing and licensing services provider;

(b) the trade testing and licensing services the provider is approved to provide; and

(c) any other details the Qualifications Authority may require.

137. Trade testing or licensing service provider responsibilities

(1) An approved trade testing or licensing service provider is to:

(a) comply with any guidelines issued by the Solomon Islands Qualifications Authority under section 140;

(b) notify the Qualifications Authority in writing of any substantial change to the provider's management or operations;

(c) promptly provide any information the Qualifications Authority reasonably requires; and

(d) comply with any conditions of its approval.

138. Trade testing or licensing service provider approval period and renewal

(1) The approval of a trade testing or licensing service provider is to be for a period up to five years at the discretion of the Solomon Islands Qualifications Authority.

(2) The approval of a trade testing or licensing service provider may be renewed by the Qualifications Authority subject to any guidelines under section 140.

139. Qualifications Authority may cancel, suspend or amend approval

(1) Subject to subsection (2), the Solomon Islands Qualifications Authority may at any time:

(a) amend the conditions of approval of a trade testing or licensing service provider;

(b) suspend the approval of a trade testing or licensing service provider; or

(c) cancel the approval of a trade testing or licensing service provider.

if the trade testing or licensing service provider:

(a) requests the Qualifications Authority to suspend or cancel its approval;

(b) no longer provides the services in respect of which it is approved;

(c) ceases to exist;

(d) fails to comply with its responsibilities under section 137;

(e) has financial arrangements or ethical standards that would not warrant the approval of the trade testing and licensing service provider if it were now to apply;

(f) does not have the financial capacity to continue to meet its obligations;

(g) does not have the resources to competently provide the trade testing and licensing services in respect of which it is approved; or

(h) does not provide information requested by the Qualifications Authority.

(2) A trade testing or licensing service provider aggrieved by a decision under this section may appeal to the Solomon Islands Tertiary Education Commission under section 157.

140. Trade testing or licensing service provider guidelines

The Solomon Islands Qualifications Authority may issue guidelines concerning the requirements and processes for obtaining and renewing approval as a trade testing and licensing service provider, the conditions of such approval and the responsibilities of an approved trade testing and licensing service provider.

141. Only approved people and organisations to provide trade testing and licensing services

Any person or organisation providing trade testing or licensing services without being approved under this Act commits an offence punishable on conviction by a fine of 50,000 penalty units.

PART 21 NATIONAL HUMAN RESOURCE DEVELOPMENT TRAINING COUNCIL

142. National Human Resource Development Training Council

(1) The National Human Resource Development Training Council is established.

143. National Training Council functions

The National Human Resource Development Training Council is to:

(a) analyse human resource development demands related to economic development;

(b) identify skills for which there are shortages and that are in demand by businesses, communities and government to support economic and social development;

(c) recommend actions to develop skills to meet international labour market opportunities;

(d) identify obstacles in the education system and within other government, business and social systems that hinder the development of human resources to meet economic development needs and to recommend reforms;

(e) recommend and develop programs and implement action to address skills constraints to national development outcomes;

- (f) recommend priorities for development and options for action to the Solomon Islands Tertiary Education Commission ;
- (g) monitor the impact of the implementation of strategies to improve the acquisition and utilisation of relevant skills;
- (h) develop information systems and a research program that will result in the continuous systematic collection and analysis of data to identify skill shortages and priority demands for human resource development;
- (i) research international practice on education and training planning and administration options and recommend to the Tertiary Education Commission the development of public administration systems that increase the responsiveness of the education system to identified needs;
- (j) provide an annual report to the Minister and report as required to other stakeholders including the Tertiary Education Commission; and
- (k) provide information to business, communities, students and education providers on the nature of skills demand, opportunities for training and employment and costs.

144. National Training Council members

(1) The members of the National Human Resource Development Training Council are:

- (a) a representative of the Ministry selected by the Permanent Secretary;
- (b) a representative of the Ministry of Commerce, Industry, Labour and Immigration selected by the Permanent Secretary of that Ministry;
- (c) a representative of the Ministry of Development, Planning and Aid Coordination selected by the Permanent Secretary of that Ministry;
- (d) a representative of the Ministry of Public Service selected by the Permanent Secretary of that Ministry;
- (e) a representative of the Ministry of Finance and Treasury selected by the Permanent Secretary of that Ministry;
- (f) a representative of the Ministry of Provincial Government and Institutional Strengthening selected by the Permanent Secretary of that Ministry;
- (g) a representative of the Solomon Islands National University;
- (h) a representative of the University of the South Pacific;
- (i) a representative of the Institute of Public Administration;
- (j) a representative of the Solomon Islands Chamber of Commerce and Industries;

- (k) a representative of the Solomon Islands Association of Vocational and Rural Training Centres;
 - (l) a representative of the Apprenticeship Board;
 - (m) a representative of the trade unions appointed by the Minister.
 - (n) three representatives from the business sector appointed by the Minister; and
 - (o) two representatives of non-government organisations appointed by the Minister.
- (2) At least five members of the National Training Council are to be women.
- (3) A person is not qualified to be appointed if he or she:
- (a) is a member of Parliament or a provincial assembly; or
 - (b) exercises any position of responsibility in a political party.

145. National Training Council meetings

The National Human Resource Development Training Council is to meet at least four times each year.

146. National Training Council sub-committees

- (1) The National Human Resource Development Training Council may establish sub-committees of three or more members and may determine the functions and procedures of any such sub-committees.
- (2) The National Training Council may delegate any of its powers or functions under this Act to a sub-committee or sub-committees. Any delegation under this section must be in writing and is subject to any conditions specified.

147. Sitting fees

There are to be no sitting fees or similar payments made to National Human Resource Development Training Council members whose participation is part of the duties of a paid position in the public service or a non-government organisation.

148. Disclosure of interest

- (1) A member of the National Human Resource Development Training Council who has any direct or indirect personal or financial interest in a matter coming before the National Training Council or a sub-committee of the National Training Council must declare her or his interest.
- (2) A disclosure under sub-section (1) is to be recorded in the minutes of the meeting of the National Training Council or sub-committee and the member is not to be present during any deliberation in relation to the matter.

PART 22 OVERSEAS STUDENTS

149. Complaints

(1) A tertiary education institution providing programs to overseas students is to have a simple and straightforward policy for dealing with student complaints.

(2) The complaints policy is to include an appeal mechanism if a particular complaint is unable to be resolved at first instance.

(3) A tertiary education institution's complaints policy is to be readily available on any web site the institution has and a copy is to be provided to each overseas student enrolled in the institution.

150. Security bonds

(1) A tertiary education institution providing programs to overseas students must submit evidence of a security bond to the Solomon Islands Qualifications Authority.

(2) The security bond must be in:

(a) the form of a guarantee bond;

(b) the form of a letter of credit; or

(c) any other form acceptable to the Qualifications Authority.

(3) The security bond must be sufficient to cover the course fees paid by the overseas students and the reasonable costs of repatriation of the overseas students to their place of recruitment.

(4) The security bond must be maintained for the entire time the overseas students remain in Solomon Islands.

(5) If the Qualifications Authority is of the view the security bond provided by a tertiary education institution is insufficient, it may require the tertiary education institution to provide an additional security bond under sub-section (2).

151. Forfeiture of security bond

(1) The Solomon Islands Qualifications Authority may cause a tertiary education institution to forfeit its security bond if the institution does not refund overseas student fees or repatriate an overseas student to their place of recruitment, in circumstances where a refund or repatriation are reasonably required.

(2) A tertiary education institution aggrieved by the forfeiture of a security bond under this section may appeal to the Solomon Islands Tertiary Education Commission under section 157.

PART 23 ADULT AND COMMUNITY EDUCATION

152. Adult and community education

- (1) Adult and community education is to be fostered and encouraged by the Ministry.
- (2) The Ministry may itself provide adult and community education directly or establish an organisation or organisations to do so.
- (3) Carefully targeted grants may be made by the Ministry to organisations conducting, coordinating or supporting adult and community education.
- (4) The expenditure of any grants made under this section must be accounted for by the recipient organisation.
- (5) Organisations receiving grants under this section are required to ensure as far as reasonably possible that there is gender balance in adult and community education programs conducted with the assistance of the funding received. This sub-section does not apply to programs specifically or predominantly for women.

PART 24 WORKPLACE LEARNING

153. Requirements for workplace learning placements

Schools and tertiary education institutions must ensure that in relation to any workplace learning placement:

- (a) the agreement of the student's parent to the placement has been obtained if the student is under 18 years old;
- (b) the workplace does not present an unacceptable risk to the health and safety of the student;
- (c) the placement and student progress is monitored by the school or tertiary education institution; and
- (d) the student is readily able to contact an identified member of staff of the school or tertiary education institution to report any difficulty or other issue and gain assistance.

PART 25 EDUCATION PREMISES

154. Capital grants for education premises

- (1) After consultation with the National Education Board and the Solomon Islands Tertiary Education Commission, the Minister may make capital grants to early childhood education centre operators, education authorities or tertiary education institutions for the purchase, construction, repair or upgrade of education premises.
- (2) The Minister is to publish a comprehensive set of requirements in relation to the administration, auditing and financial accountability of capital grants for education premises which is to be known as the Capital Grants for Education Premises Code.

(4) The Capital Grants for Education Premises Code is to contain any additional Ministry of Finance and Treasury requirements concerning capital grants for education premises.

155. Community use of education premises

(1) Operators of early childhood education centres, education authorities and tertiary education institutions are to make early childhood education centre, school and tertiary education institution premises available for responsible use by other organisations and people, including providers of adult and community education.

(2) Any charge made for non-commercial community use of these education premises is to represent only any additional expenditure required for utilities, cleaning and the like arising from such use.

PART 26 DECISION MAKING AND APPEALS

156. Interests of child to be paramount

In making any decision under this Act directly or indirectly concerning a child or children, the interests and welfare of the child or children concerned is to be the paramount consideration.

157. Appeals

(1) A person aggrieved by a decision under this Act for which an appeal lies under this section may appeal to the National Education Board, Teaching Service Commission or Solomon Islands Tertiary Education Commission as respectively provided.

(2) Any appeal must be lodged in writing with the National Education Board, Teaching Service Commission or Tertiary Education Commission respectively within one month of the person concerned being advised of the relevant decision.

(3) In determining an appeal the National Education Board, Teaching Service Commission or Tertiary Education Commission is to consider all information reasonably available about the matter including the Ministry's file, relevant correspondence and reports and any submissions made by the person or organisation appealing.

(4) The National Education Board, Teaching Service Commission or Tertiary Education Commission, as the case may be, may appoint a competent person with no previous involvement in the matter to make any enquiries or conduct any investigation that may be required and report back.

PART 27 MISCELLANEOUS

158. Application of Interpretation and General Provisions Act

Sections 61 and 62 of the Interpretation and General Provisions Act do not apply to guidelines, codes and standards issued or published under this Act.

159. Protection from liability

A person who is or was a public officer employed by the Ministry, an agent of the Ministry, an employee or agent of an education authority or a member, employee or agent of the National Education Board, Solomon Islands Tertiary Education Commission, Solomon Islands Qualifications Authority, National Human Resource Development Training Council or any other board, group or committee appointed under this Act is not civilly or criminally liable for anything done or omitted to be done in good faith in the exercise or purported exercise of a power, function or duty under this Act.

160. Delegation

(1) The Minister, Permanent Secretary and Teaching Service Commission may delegate any of their powers under this Act.

(2) Any delegation under this section must be in writing and is subject to any conditions specified.

161. Rules

(1) The Minister may make any rules that are necessary or convenient to give effect to this Act.

(2) Any rules made under this section may provide for a penalty of up to 5,000 penalty units.

(3) Without limiting the Minister's discretion under sub-section (1) any rules made under this section may provide for:

(a) the forms for registration and classification of teachers;

(b) the registration and classification of schools;

(c) the level of school fees;

(d) the content and conduct of assessments and the eligibility of candidates for such assessments; and

(e) the terms and conditions of service of members of the Teaching Service.

162. Savings and transition

(1) Any officer of the Ministry authorised in writing by the Minister or the Permanent Secretary to act either generally or on a particular occasion for a specific purpose or purposes under the former Act is taken to be authorised on the same basis for the same purpose or purposes under this Act.

- (2) Members of the National Education Board appointed under the former Act are to be taken as having been appointed under this Act. The term of appointment of any such members is to be unchanged.
- (3) The Register of Schools maintained under section 13 of the former Act is to continue to be maintained as the Register of Schools under section 35 of this Act. All schools registered under the former Act immediately prior to its repeal are taken to be registered under this Act.
- (4) The hours of teaching instruction per day, minimum number of days in every year that instruction is to be given and dates and terms of holidays prescribed by the Permanent Secretary under section 18 of the former Act are taken to have been prescribed by the Permanent Secretary under section 55 of this Act.
- (5) The curricula approved by the Minister under section 23 of the former Act are taken to be approved by the Minister under section 64 of this Act.
- (6) The language or languages prescribed by the Minister to be used as the medium of instruction in schools under section 24 of the former Act are taken to be the language or languages of instruction determined by the Permanent Secretary in consultation with the Minister under section 65 of this Act.
- (7) The number, type and content of any tests or examinations to be used for selection purposes or for the award of any nationally recognised certificate or other educational qualification, and the rules for the conduct thereof determined by the Minister under section 26 of the former Act is taken to be the number and type of assessments used for the selection of candidates for advancement to other levels of education, the award of any nationally recognised certificate or other school educational qualification and the rules for the conduct of any such assessments determined by the Minister under section 66 of this Act.
- (8) The Register of Teachers maintained under section 32 of the former Act is to continue to be maintained as the Register of Teachers under section 89 of this Act. All teachers registered under the former Act immediately prior to its repeal are taken to be registered under this Act.
- (9) The Teaching Service Handbook published under section 37 of the former Act is taken to be a rule made under section 161 of this Act.
- (10) A Grants Code published under section 38 of the former Act is taken to be an Education Authority Grants Code published under section 17 of this Act.
- (11) School fees prescribed by the Minister under section 40 of the former Act are taken to be prescribed by the Minister under section 51 of this Act.
- (12) Rules made by the Minister under the former Act and in force immediately prior to the repeal of that Act are taken to be rules made under section 161 of this Act.

(13) Delegations made by the Minister under the former Act are taken to be made under section 160 of this Act.

(14) The National Human Resource Development Training Council existing immediately prior to commencement of this Act is to continue with the same membership, for the same terms of office as if established and appointed under this Act.

(15) School boards existing immediately prior to commencement of this Act, whether known as school committees, boards of governors or by another name, are to continue with the same membership, for the same terms of office as if established and appointed under this Act.

(16) Parents and teachers associations existing immediately prior to commencement of this Act, however named, are to continue with the same office bearers and committee members, for the same terms of office as if established and appointed under this Act.

(17) Any reference to the former Act in any other Act, subordinate legislation, policy or other document or thing is to be construed as a reference to this Act.

163. Repeals

(1) The Education Act 1978 [Chapter 69] is repealed.

(2) Section 47 of the Solomon Islands National University Act 2012 is repealed.

Schedule 1 - Approved education authorities

Education Authorities approved under section 12 are: