S.I. 44 of 2005

EDUCATION ACT, 2005

(Act 13 of 2004)

Education (Non-formal Early Childhood Education Centre) Regulations, 2005

In exercise of the powers conferred by section 87 of the Education Act, 2005 the Minister of Education and Youth hereby makes the following Regulations —

Citation

1. These Regulations may be cited as the Education (Non-formal Early Childhood Education Centre) Regulations, 2005.

Interpretation

2. In these Regulations —

"Centre" means a non formal early childhood education centre for children under 5 years old.

"Ministry" means the ministry of the minister responsible for education;

"Person-in-Charge" means the person in charge of the day to day running of the Centre.

Registration of Centre

3. No person shall operate a Centre otherwise than under and in accordance with a certificate of registration issued under these Regulations.

Procedures for application

4. (1) Every application for a certificate of registration or re-registration for a Centre shall be made on a form provided by the Ministry and shall contain such particulars as may be required.

(2) An application under subregulation (1) shall be accompanied by —

(a) a copy of the curriculum vitae of the Person-in-Charge;

(b) a copy of the Business Tax certificate, where applicable;

(c) a cheque for the prescribed registration fee specified in regulation 11;

(d) a copy of the last health inspection report certificate in respect of the premises of the educational institution;

(e) a copy of the last fire safety inspection report or certificate in respect of the premises of the educational institution;

(f) Proof of ownership of the premises or a copy of a valid lease agreement where the applicant is not the owner of the premises.

Person-in-Charge of Center to apply

5. An application for registration or re-registration shall be made by the Person-in-charge whether as owner or as the authorised representative of any other person or body of persons owning the Centre.

Responsibility of Person-in-Charge of Centre

6. The Person-in-Charge whose name shall always be specified in the certificate shall be personally responsible to ensure that the obligations attached to the certificate are observed at all times whether the certificate has been granted in his name or in any other person's name.

Change of Person-in-Charge of Centre

7. Where the Person-in-Charge specified in the certificate ceases to function as such for any reason whatsoever during the period of validity of the certificate the owner of the Centre shall

give notice in writing to the Minister of that fact and submit the particulars of the person who has assumed the role as Person-in-Charge thereafter and the certificate shall be amended by the substituting the name of that person for that of the outgoing Person-in-Charge.

Lapse of certificate

8. Where no notice in compliance with regulation 7 is given within one month from the date on which Person-in-charge has ceased to hold office, the certificate of that Centre shall be deemed to have been cancelled on the day following the lapse of the period of one month.

Conditions for approval

9. The information provided, in an application under regulation 4, or for a review under regulation 12 must show that the requirements of the policy, strategy, standards and monitoring and evaluation guidelines for non-formal early childhood education centre issued by the Ministry are being complied with and approval for registration, re-registration or the continued validity of a certificate will depend on the Centre complying with such standards and guidelines.

Communicatio of decision

10. The decision, to approve or refuse an application for a certificate for registration or re-registration, or for the deferment, revocation or continued validity of a certificate upon a review under regulation 12 shall be communicated to the applicant within one month from the date on which the application is received or the review is made, together with the reasons in the case of a refusal or revocation and a reference to the applicant's right to appeal under section 34 of the Education Act.

Payment of registration fees

11. (1) A registration fee of RS 550.00 inclusive of processing fee shall be payable by the Centre every 12 months by banker's cheque within 15 days of receipt of an approval for registration, re-registration or the continued validity of certificate pursuant to a review.

(2) The Ministry may revoke the certificate of registration or re-registration of an educational institution if payment of the registration fee is not made as per subregulation (1) upon giving the Centre 15 days notice.

Validity and review of registration certificate

12. (1) A certificate registration or re-registration shall be valid for 5 years and reviewable every twelve months.

(2) The Person-in-Charge shall be responsible to submit to the Ministry at 12 monthly intervals, a completed form provided by the Ministry and such particulars as may be required for a review of the Centre to determine the continued validity of the certificate of registration or re-registration.

(3) Upon receipt of a form for review the Ministry shall carry out an annual assessment of the Centre, and where approval for the continued validity of the certificate is deferred the Ministry shall provide guidance to the management of the Centre and specify any improvement to the Centre which needs to be made within such specified time to enable the Ministry to reconsider the application.

Renewal of registration certificate

13. A Centre wishing to continue to operate as such shall three months prior to the expiry of the certificate of registration or re-registration apply for a new certificate of registration under regulation 4.

Contents of certificate

14. A certificate of registration or re-registration shall include the following —

(a) the names of the owner and Person-in-Charge and the business name of the Centre if any;

(b) the address of the Centre;

(c) the registration number and the period of validity.

15. A certificate of registration or re-registration shall be displayed in a conspicuous location in the Centre. Display of certificate

16. The Ministry shall publish in the Gazette and a national newspaper the list of registered Centres by March of each year. List of Centres

17. (1) An application for registration shall be made by a Centre which, is applying for the first time to be so registered or, is already registered but wants to — Application for registration and re-registration

(a) provide for an additional class or facility;

(b) provide for any type or level of education or training other than those already provided for;

(c) transfer the Centre to a new site.

(2) An application for re-registration shall be made by a Centre which is re-opening after its certificate of registration was revoked.

18. A Centre shall seek the approval of the department of Ministry, responsible for education and human resources prior services for children older than 36 months are intended to be provided. Special approval for certain services

MADE this 19th day of September, 2005.

DANNY FAURE
MINISTER OF EDUCATION AND YOUTH