

董事部及家教协会条例 1963 年教育 (拨款) (修订) 条例

L.N.170

FEDERATION OF MALAYA
EDUCATION ACT, 1961
EDUCATION (GRANTS) REGULATIONS, 1962

In exercise of the powers conferred by sections **104** and **118** of the Education Act, 1961, the Yang di-Pertuan Agong hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the **Education (Grants) (Amendment) Regulations, 1963**.

Conditions as to instruments of management or government. L.N.299/62

2. (1) Paragraph (1) of Regulation 2 of the Education (Grants) Regulations, 1962 (which lays down conditions for the making of grants to educational institutions) is hereby amended by inserting after sub-paragraph (f) the following new sub-paragraph:

"(g) that the provisions of the instrument include the provisions required by the Schedule to these Regulations or provisions substantially to the same effect and (so far as not approved under the Education Ordinance, 1957) have been approved by the Registrar."

- (2) The said Regulations are hereby amended by adding as a Schedule thereto the provisions set out in the Schedule to these Regulations.

SCHEDULE

Membership, etc. of Board of Managers or Governors

1. (1) The instrument shall provide for a member of the Board to be Chairman of it and shall either designate the Chairman or state how he is to be appointed or elected.
(2) The instrument shall provide that the head teacher is to be Secretary of the Board.
2. (1) The instrument shall provide for the members of the Board to include -
 - (a) the members (if any) required by regulations under the Act to be nominated by the Minister:
 - (b) one or more representatives -
 - (i) of former pupils if or as soon as there are a substantial number of full age;
 - (ii) of parents of pupils;

- (c) subject to any omission made with the approval of the Registrar, one or more representatives -
- (i) of any trustees of the educational institution;
 - (ii) of any supporters of the educational institution;
 - (iii) of any religious body in whom is vested the title of the land on which the educational institution stands;
 - (iv) in the case of an educational institution formerly maintained in whole or in part by the government of the State in which it is situated, of the government of that State.
- (2) The instruments shall (unless the composition of the Board is such as to make express provision unnecessary) provide that none of the following shall be a member of the Board -
- (a) any member of the approved staff of the educational institution;
 - (b) except with the approval of the Registrar in special circumstances, any other teacher;
 - (c) any officer of the Ministry of education;
 - (d) any person carrying on or having a substantial interest in any business in the course of which food, materials or equipment are supplied to the educational institution.
- (3) The instrument shall include provision as to the term of office of members of the Board.
3. (1) The instrument shall provide -
- (a) for ordinary meetings of the Board to be held once at least in every term; and
 - (b) for additional meetings to be held at any time if so required either by the Chairman or by notice in writing delivered to the Secretary by any three members of the Board.
- (2) The instrument shall provide for meetings of the Board to be convened by the Secretary by giving to each member of the Board not less than fourteen days' written notice of the meeting setting out the agenda for the meeting, but may include provision as to the manner in which such notice is to be given.
- (3) The instrument shall provide that at a meeting of the Board no decision shall be taken on any matter not included in the agenda, unless the member presiding allows it to be taken on grounds of urgency, and that a decision so taken on grounds of urgency shall not be binding unless confirmed at the next meeting of the Board.
4. (1) The instrument shall provide that at a meeting of the Board no business other than the adjournment of the meeting shall be transacted in the absence of a quorum specified in the instrument, and shall -
- (a) fix the quorum at a number not less than half the total number of members of the Board; and
 - (b) require that one at least of the members nominated by the Minister (unless the Board does not include any such member) shall be of the quorum.
- (2) The instrument shall provide that at a meeting of the Board every decision shall be taken by the votes of the members present at the meeting and except in the case of a decision to amend the instrument by a majority of those present and voting (the member presiding having a second or casting vote in the case of an equality of votes)
- (3) The instrument shall provide for minutes of the proceedings of the Board and of any committee or sub-committee thereof to be kept in a minute-book.
5. The instrument shall provide that a decision to amend it shall not be taken unless-
- (a) it is taken at a meeting specially convened for the purpose by not less than three months' notifying the proposed amendment; and



- (b) it is supported by the votes of not less than two-thirds of the total number of members of the Board.
6. The instrument shall provide that -
- (a) any member of the Board elected or appointed under the instrument shall cease to be a member if he is absent from three consecutive meetings of the Board and does not satisfy the Board that he had reasonable excuse; and
- (b) that the proceedings of the Board shall not be invalidated by any vacancy on the Board or by any defect in the election, appointment or qualification of a member.
7. The instrument shall provide that notices convening meeting of the Board, and the minutes of the proceedings of the Board and of any committee or sub-committee thereof, shall be in such language as the Board may determine, but that if the language is not an official language of the Federation any member of the Board shall, on request, be entitled to receive a translation in an official language.
8. The instrument shall provide for there to be sent to the Registrar a copy of every notice convening a meeting of the Board and two copies of the minutes of the proceedings of the Board, and of any committee or sub-committee thereof, and if the language of the notice or minutes is not an official language of the Federation, for any copy sent to the Registrar to be a translation in an official language.
9. The instrument shall include provision declaring that the educational institution is to be managed in accordance with the Act, and the rules and regulations made and directions given thereunder.

Made this 28th day of June, 1963
[AG.FM.250/54-192/C.]

By Command,
HAJI ABDUL HAMID KHAN,
Minister of Education