

董事部及家教协会条例 1966 年教育 (拨款) (修订) 条例

P.U.334

EDUCATION ACT, 1961 EDUCATION (GRANTS) (AMENDMENT) REGULATIONS, 1966

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 and commencement

1. These regulations may be cited as **Education (Grants) (Amendment) Regulations, 1966**, and shall be deemed to have come into force on 11th July, 1963.

Amendment of Regulation L.N.299/62 L.N.170/63

2. Regulations 2 of the Education (Grants) Regulations, 1962 (hereinafter referred to as "the principal Regulations") is hereby amended -

- (a) by substituting for sub-paragraph (g) of paragraph (1) thereof the following new sub-paragraph:

"(g) that the provisions of instrument of management or the instrument of government as the case may be include the provisions required by the Schedule and Regulations or provisions substantially to the same effect and have been approved by the Registrar; that for the purpose of ensuring that the provisions of this paragraph have been complied with, the Registrar may require such instrument to amended."

Amendment of Schedule

3. The Schedule to the principal Regulations is hereby repealed and the following new Schedule substituted therefore:

SCHEDULE PROVISIONS TO BE INCLUDED IN THE INSTRUMENT OF MANAGEMENT OR INSTRUMENT OF GOVERNMENT


An Instrument of Management or Instrument of Government shall provide -

1. In respect of membership etc. of Board of Managers or Governors:
 - (A) that a member of the Board shall be designated, appointed or elected as the Chairman of such Board;
 - (B) that the headteacher shall be the Secretary of the Board, but he shall not be a member thereof;

- (C) that the membership of the Board shall include -
 - (a) not less than three members to be nominated by the Minister of Education;
 - (b) not more than three elected representatives from each of the following categories -
 - (i) former pupils of the educational institution who are of full age;
 - (ii) parents of pupils who are in educational institution;
 - (c) subject to the approval of the Registrar, not more than three representatives from one or more of the following categories -
 - (i) to be elected by trustees of the educational institution,
 - (ii) to be elected by supporters of the educational institution,
 - (iii) of any religious body in whom is vested the title to the land on which the educational institution is situated,
 - (iv) in the case of an educational institution formerly maintained in whole or in part by a Government of the State, of the Government of that State;
- (D) Unless the composition of the Board is such as to make express provision unnecessary, that none of the following shall be a member of the Board -
 - (a) any member of the approved staff (teachers and non-teachers) 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 or books are supplied to the educational institution;
- (E) that the term of office a member of the Board shall not exceed three years;
- (F) that a member of the Board whether elected or appointed shall cease to be a member if he absents from three consecutive meetings of the Board without the approval of the Board;
- (G) that the proceedings of the Board shall not be invalidated by reason of any vacancy in the Board or by any defect in the election or appointment of a member.

2. In respect of meetings of the Board -

- (A) that ordinary meetings of the Board shall be held at least once in every school term;
- (B) that additional meetings of the Board shall be held at such time or times as required by the Chairman or at the request in writing by any three members of the Board;
- (C) that any special meeting shall be convened if the Registrar so require;
- (D) that the meetings of the Board shall 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;
- (E) 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 such a decision shall not binding until and unless and unless confirmed at the next succeeding meeting of the Board;
- (F) 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 fix the quorum at a number not less than half the total number of members of the Board;
- (G) 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 Chairman having a second or casting vote in the case of an equality of votes);

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- (H) that a secret ballot shall be taken at a meeting of the Board if the members of present so request;
 - (I) that minutes of all proceedings of the Board and of any committee or sub-committed thereof shall be entered in a minute-book;
 - (J) that the Chairman shall preside at all meetings of the Board and in his absence a member elected from amongst those present at a meeting;
 - (K) that the notices convening meetings of the Board and the minutes to be maintained in accordance with (1) above shall be in the language medium of the educational institution and in the National or English Language;
 - (L) that there shall 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 or of any committee or sub-committee thereof either in the National or English Language;
 - (M) that the Registrar or his representative may attend and participate at any meeting of the Board without the power of voting.
3. In respect of a decision to amend the Instrument of Management or Government -
- (a) that it is taken at a meeting specially convened for the purpose by not less than three months' notice specifying the proposed amendment;
 - (b) that it is supported by the voted of not less than two-thirds of the total number of members of the Board; and
 - (c) that it is subsequently approved by the Registrar.
4. The Instrument shall also include provision declaring that the educational institution is to be managed on accordance with the Education Act, 1961, and the rules and regulations made directions given thereunder.

Made this 17th day of August, 1996.
[AG.2689/3, KP.0204/14/A.]

By Command,
MOHD. KHIR JOHARI,
Minister of Education