

**THE EDUCATION (AMENDMENT) ACT 2001**

**Act No. 16 of 2001**

I assent

2nd August 2001  
Republic

CASSAM UTEEM  
President of the

**Date In Force: 7 August 2001**

ARRANGEMENT OF SECTIONS

Section

1. Short title
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5. Section 14 of principal Act amended
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An Act

To amend the Education Act

ENACTED by the Parliament of Mauritius, as follows-

1. Short title

This Act may be cited as the Education (Amendment) Act 2001.

2. Interpretation

In this Act -

"principal Act " means the Education Act.

3. Section 7A of principal Act amended

Section 7A of the principal Act is amended by deleting subsection (2) and replacing it by the following subsection-

(2) Notwithstanding subsection (1), to the extent that the powers referred to in subsection (1) relate to-

(a) pedagogical inspection;

(b) the setting up of the Appeals Tribunal under section 25, these powers shall be exercisable by the Minister.

4. Section 13 of the principal Act amended

Section 13 of the principal Act is amended-

(a) in paragraph (e), by replacing the words "made under section 12(3)." by the words "made under section 12(3);".

(b) by adding the following new paragraph-

(f) does not hold such qualifications as may be prescribed.

5. Section 14 of principal Act amended

Section 14 of the Principal Act is amended in sub-section (1) (b) by deleting the words "or If he wishes to resign" and replacing them by these words ", or if he wishes to resign, or where it appears to the Minister that his administration, control or supervision, as the case may be, is prejudicial to the interest of the students, teachers or school."

6. Section 24 of principal Act amended

Section 24 of the principal Act is amended by deleting the figure " 14"

7. New section 24A added to principal Act

The principal Act is amended by inserting after section 24 the following new section-

24A. Appeal from cancellation under section 14

(1) Where the Minister cancels the registration of a manager or principal of a private secondary school under section 14(1)-

(a) that person shall, upon receipt of notice served by the Minister under section 22, cease to act as manager or principal, as the case may be;

(b) subject to subsection (2), the private secondary school shall, not later than 7 days of the date on which a notice is served under section 22, appoint a person, who has been duly registered under section 12, to act as manager or principal of the school.

(2) Where an aggrieved person appeals against the Minister's decision under section 23-

(a) the decision of the Minister shall, notwithstanding the appeal, remain effective;

(b) the registration of the person appointed under the subsection (1)(b) shall (a) not be valid for a period extending beyond the final determination of the appeal;

(c) the aggrieved person shall continue to receive the grant to which he was entitled as manager or principal until disposal Of his appeal.

(3) In this section, "aggrieved person" means a person whose registration as manager or principal has been cancelled under section 14(1).

8. Section 27 of principal Act amended

Section 27 of the principal Act is amended in subsection (2), by adding after the words "the reasons for it" the words "not later than 6 months from the date on which the appellant gives notice of appeal".

Passed by the National Assembly on the twenty sixth day of July two thousand and one.

ANDRE POMPON  
Clerk of the National Assembly