

CAP. 169.

CYPRUS

SECONDARY EDUCATION

CHAPTER 169 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

[Appointed by the Government of Cyprus the Government Printers of this Edition of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]

1959

CHAPTER 169.

SECONDARY EDUCATION.

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A LAW TO PROVIDE FOR THE BETTER MANAGEMENT AND
CONTROL OF SECONDARY EDUCATION.

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[6th March, 1936.]

1. This Law may be cited as the Secondary Education Law. Short title.

2. In this Law—

Interpreta-
tion.

“ Director ” means the Director of Education and includes any offices of the Education Department authorized by him in writing for all or any of the purposes of this Law; 2 of 26/56.

“ governing body ” means the person or body of persons exercising authority or control over a secondary school;

“ prescribed ” means prescribed by Regulations made by the Governor in Council under the provisions of this Law;

“ school ” means any educational institution wherein more than ten pupils are taught;

“ school year ” means a period of twelve months beginning on the 1st day of September in any year;

“ secondary school ” means any school wherein pupils over the age of twelve years are taught:

Provided that a school prescribed by the Governor under the provisions of the Elementary Education Law, or any Law amending or substituted for the same shall not be deemed to be a secondary school by reason solely of the enrolment therein of pupils over the age of twelve years. Cap. 166.

PART I.

SCHOOLS.

3. There shall be kept at the office of the Director a register to be called “ the Register of Secondary Schools ” in the prescribed form, wherein shall be entered the names and prescribed particulars of all secondary schools registered under the provisions of this Law. Register of
Secondary
Schools.

4. The governing body of every secondary school in existence at the date of the coming into operation of this Law shall within one month from that date, unless in the Registration
of existing
schools.

meantime they notify the Director that such school has ceased to exist, make application for the school to be registered in the Register of Secondary Schools.

Registration
of new
schools.

5. No secondary school which is not in existence at the date of the coming into operation of this Law shall be opened, maintained or conducted unless and until it is registered under the provisions of this Law.

Application
for regis-
tration,
how made.

6. Every application for registration shall be made in writing by the governing body to the Director in such form as may be prescribed and shall contain full particulars as to—

- (a) the constitution and mode of appointment or election of the members of the governing body of the school in respect of which the application is made;
- (b) the curriculum which it is proposed to adopt and the books to be used in such school;
- (c) the names, nationality, qualifications, salaries, terms of appointment and duties of the teachers to be employed at such school;
- (d) the financial resources of the governing body;
- (e) any other particulars which may from time to time be prescribed.

Requisites
for regis-
tration of
a school.

7. No secondary school shall be registered unless the Director is satisfied—

- (a) that the governing body, if not constituted under the provisions of any Law in that behalf in force for the time being, is composed of persons who have a knowledge of, and an interest in, secondary education and who are in all respects fit and proper persons to have the control of a secondary school;
- (b) that the school premises are suitable and adequate with regard to accommodation, ventilation, lighting and sanitation;
- (c) that the number of teachers is sufficient;
- (d) that the financial resources of the governing body are reasonably adequate for the establishment and efficient management and maintenance of the school;

- (e) that there is a reasonable need for a school with such a curriculum in the town or village in which it is proposed to open, maintain or conduct the same.

8. (1) Where the Director decides to grant the application, he shall cause the secondary school to be registered in the Register of Secondary Schools and shall issue to the governing body of the school a certificate of registration in the prescribed form. Such certificate shall be exhibited in a conspicuous place in the school premises.

Manner of registration of school.

(2) Where the Director refuses to grant the application, he shall give to the governing body notice in writing of his refusal setting out the grounds therefor and the governing body may within fourteen days from the date of such notice appeal to the Governor in Council whose decision thereon shall be final and conclusive.

9. (1) The governing body of every secondary school shall, during the month preceding the beginning of each school year, and also within one month after demand made in writing by the Director at any time, furnish the Director with a return in such form as may be prescribed specifying the changes, if any, which have been made or which it is proposed to make with regard to—

Annual return of changes.

- (a) the governing body;
- (b) the financial resources of the governing body;
- (c) the teaching staff;
- (d) the curriculum;
- (e) the books in use;
- (f) the school premises.

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(2) Where the changes which have been made or which it is proposed to make materially alter the grounds on which the Director originally granted the application for registration, the Director may cancel the certificate of registration issued in respect of the school:

Provided that the provisions of section 8 (2) of this Law shall *mutatis mutandis* apply to any cancellation under the provisions of this section.

10. (1) The Director, the Commissioner of the district or any officer in the public service of the Colony authorized by the Director in writing in that behalf may at all reasonable times enter and inspect any secondary school.

Inspection by education officers.

(2) The governing body and the person for the time being in charge of the school shall provide all reasonable facilities for such entry and inspection, and shall, during the inspection and at other times, furnish the Director, the Commissioner or other inspecting officer with any information which he may require with regard to the care, tuition and attendance of pupils, the sanitary and hygienic condition of the school premises, the general management of the school, and the names, qualifications and duties of all persons employed in or in connection with the school.

Inspection
by medical
officers.

11. (1) The Director of Medical Services or any Medical Officer or Sanitary Inspector authorized by him in writing may at all reasonable times enter any secondary school and inspect the sanitary and hygienic condition of the school premises and report thereon to the Director.

(2) The governing body and the person for the time being in charge of the school shall provide all reasonable facilities for such entry and inspection and shall, during the inspection and at other times, furnish such inspecting officer with any information which he may require with regard to the number of teachers and pupils, the accommodation provided for teachers and pupils, and the ventilation, lighting and sanitation of the school premises.

Obstruction
of inspecting
officers.

12. Any person in charge of a secondary school who—

- (a) refuses to admit or resists or obstructs the entry into the school of any officer duly authorized under this Law to inspect the school; or
- (b) refuses to give such officer any information which he may properly require; or
- (c) knowingly gives false information to any such officer,

shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both.

Director
may require
alterations
to be made
in school
premises.

13. The Director may by notice in writing require the governing body of any secondary school to make within such time as may be specified in the notice any alterations in the school premises which he considers necessary for the health of the teachers or pupils of the school and may, if he thinks fit, order that the school premises be closed to pupils during the period specified in the notice unless in the meantime the alterations have been carried out to his satisfaction.

14. (1) The Director may by notice under his hand prohibit the use in any secondary school of any book which in his opinion is seditious, immoral, educationally unsound or otherwise harmful.

Director may prohibit use of certain books in schools.

(2) Any teacher in a secondary school who uses and every member of a governing body of a secondary school who knowingly permits the use therein of a book which has been prohibited by the Director under the provisions of subsection (1) hereof shall be guilty of an offence and shall be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both.

15. If it is shown to the satisfaction of the Governor that—

Striking school off the register.

(a) the governing body of a secondary school has failed or neglected to comply with the requirements of the Director under the provisions of section 13 of this Law, and that the school is being conducted in conditions detrimental to the health of the teachers or pupils;

(b) a secondary school is being or has recently been conducted in an inefficient manner or in a manner subversive to good government or social order in Cyprus;

2 (a) of 20/54.

(c) seditious or disloyal teaching or teaching otherwise of a harmful character morally or socially is being or has recently been imparted in a secondary school;

(d) the school premises of a secondary school are being or have recently been used for any seditious purpose or any purpose subversive to good government or social order in Cyprus;

(e) the information supplied by the governing body to the Director under the provisions of sections 6, 7 or 9 of this Law was false or misleading in any material particular,

the Governor may order the Director to strike such secondary school off the Register of Secondary Schools and such school shall thereupon cease to be registered and the certificate of registration issued in respect of such school shall be deemed to be cancelled:

Provided that the Governor may, instead of ordering the Director to strike such secondary school off the Register

2 (b) of 20/54.

of Secondary Schools, impose such terms and conditions as to its control, management and conduct as the circumstances of the case may require and any person who acts in contravention of, or fails to comply with, any such terms and conditions shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

PART II.

TEACHERS.

Register of
Secondary
School
Teachers.

16. There shall be kept at the office of the Director a register in the prescribed form to be called "the Register of Secondary School Teachers" wherein shall be entered the names and prescribed particulars of all teachers registered or licensed under the provisions of this Law.

Unregistered
persons not
to teach.

17. No person shall be employed or act as a teacher in a secondary school unless he is registered or licensed as a secondary school teacher.

Application
for regis-
tration as
secondary
school
teacher.

18. Every person wishing to be registered or licensed as a secondary school teacher shall make an application in writing to the Director in such form and containing such particulars as may be prescribed.

Requisites
for regis-
tration as
a secondary
school
teacher.

19. (1) No person shall be registered as a secondary school teacher unless the Director is satisfied that such person is educationally, morally and in all other respects a fit and proper person to be a secondary school teacher.

(2) No person who is not a British subject shall be registered as a secondary school teacher except with the consent of the Governor.

Registration
of secondary
school
teachers how
effected.

20. (1) Where the Director decides to grant an application for registration, he shall cause the applicant, to be registered in the Register of Secondary School Teachers and shall issue to him a licence to teach in secondary schools. Such licence may, if the Director thinks fit, specify the subjects which the applicant is licensed to teach and the schools in which he is licensed to teach.

(2) Where the Director refuses to grant the application, he shall give notice in writing of his refusal to the applicant setting out the grounds therefor and the applicant may, within fourteen days from the date of such notice, appeal

to the Governor in Council whose decision thereon shall be final and conclusive.

(3) The Director may if he thinks fit in lieu of registration issue to the applicant a provisional licence to teach on probation in secondary schools; such licence shall be valid for a period not exceeding three years and shall be subject to such conditions and restrictions as the Director may think fit.

(4) Any holder of a provisional licence issued under the provisions of subsection (3) hereof who contravenes any of the conditions or restrictions contained therein shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

(5) The Director may at any time cancel a provisional licence issued under the provisions of subsection (3) hereof upon proof to his satisfaction that the holder has contravened any of the conditions or restrictions contained in such licence notwithstanding that no proceedings have been instituted under subsection (4) hereof.

21. No person on the Register of Secondary School Teachers to whom the Director has issued a licence specifying the subjects which he is licensed to teach or the schools wherein he is licensed to teach shall be employed or act as a teacher of any subject or in any secondary school other than those specified in the licence issued to him:

Teachers with restricted licence not to teach in other schools or subjects except temporarily.

Provided that where a teacher in a secondary school is temporarily absent the governing body of that school may employ any other person registered as a secondary school teacher to be a temporary teacher of any subject normally taught by the teacher who is absent notwithstanding that such other person may not be licensed to teach such subject:

Provided further that the period during which such temporary teacher may be employed shall not, without the consent of the Director, exceed three months.

22. (1) Where any secondary school teacher has been convicted of any offence under this Law or of any offence under any other enactment involving moral turpitude or appears to the Director to have imparted in any secondary school teaching of an immoral, seditious, disloyal or otherwise harmful character, or where the Director is satisfied that such teacher has been or is conducting himself in a manner prejudicial to the interests of education,

Suspension, etc., of secondary school teachers.

2 of 32/57.

religion, good government or social order in the Colony, or is guilty of misconduct, neglect of duty or inefficiency in his office of teacher, the Director may interdict such teacher from teaching:

Provided that such interdiction shall forthwith be laid before the Governor.

(2) Where a teacher has been so interdicted, the Governor may order his suspension from teaching for such period as he may think fit, or may order the Director to strike his name off the Register of Secondary School Teachers, and may revoke any such order:

Provided that in every such case where the teacher has not been convicted on a criminal charge the grounds of intended suspension or striking off the Register shall be stated in writing and communicated to the teacher in order that he may have full opportunity of exculpating himself, and provided further that the matter shall be investigated by the Governor with the assistance of the Director.

(3) Where a teacher has been suspended, he shall forthwith cease to be employed or act as a teacher in any secondary school for the period of his suspension.

(4) Where a teacher is struck off the register, he shall thereupon cease to be registered and his licence shall be deemed to be cancelled, and he shall forthwith cease to be employed or act as a teacher in any secondary school, and any contract relating to his employment as a teacher in any secondary school shall thereupon cease and determine.

(5) A notification of every order of suspension or striking off the register or the revocation thereof shall be published in the Gazette.

(6) If the Governor decides not to take any action against a teacher who has been interdicted under the provisions of subsection (1) hereof, the Director shall notify such teacher accordingly and such teacher may thereupon resume his duties as though he had not been interdicted.

PART III.

MISCELLANEOUS.

Governing
body for
certain
Greek-
Orthodox
secondary
schools.

23. The governing body for any Greek-Orthodox school in the towns of Nicosia, Larnaca and Scala, Limassol, Famagusta and Varosha, Ktima and Paphos, and Kyrenia to which the Secondary Education (Greek-Christian) Laws,

1923 and 1929, applied before the enactment of this Law shall, if and when any such school is registered under the provisions of this Law, be the Town Committee for the time being for Greek-Orthodox schools in each town respectively as constituted under the Elementary Education Law, or any Law amending or substituted for the same. Cap. 166.

24. (1) From and after the 1st September 1952, there shall be in the place of the registrations existing in respect of Moslem secondary schools before the aforementioned date, separate registrations in respect of every Moslem secondary school operating in any town or village and, for this purpose, the Director shall, notwithstanding anything in this Law contained, forthwith and without any other formality, enter in the Register of Secondary Schools the name of each such school with all necessary particulars and make such other entries or re-adjustments in such Register, as may be necessary to give effect to the provisions of this subsection. Moslem
secondary
schools and
governing
bodies.
2 of 18/52.

(2) (a) There shall be a governing body for Moslem secondary schools registered under the provisions of subsection (1) in every town or village which is a municipal corporation, to be composed of five members of the Moslem community having knowledge of, and interest in, Moslem secondary education appointed by the Governor, except that, in respect of such secondary schools in the town of Nicosia, there shall be nine members so appointed.

(b) The governing body in respect of any such Moslem secondary school in any village, not being a municipal corporation, shall be the governing body of the principal town of the district in which such village is situated:

Provided that the Governor shall be at liberty to appoint a governing body of five members for any Moslem secondary school or schools in any village not being a municipal corporation and thereupon the provisions of this subsection shall apply to such governing body and the same shall be deemed to be a governing body for the purposes of this Law. 3 of 32/57.

(c) The Governor shall appoint a Chairman and a Vice-Chairman from among the members of the governing body and, if the Chairman or Vice-Chairman are not present at any meeting, the members present shall choose one of their number to be Chairman for that meeting.

(d) Every member of the governing body appointed as in paragraph (a) hereof shall hold office for a period of two years from the date of his appointment:

Provided that the Governor may, if he deems it expedient, terminate at any time the appointment of any such member.

Powers of certain governing bodies.

25. The governing body of any secondary school to which the provisions of section 23 or 24 apply shall in relation to any secondary school over which it exercises authority or control have power, subject to the provisions of this Law and of any Regulations made thereunder—

- (a) to appoint and dismiss the teachers of the school;
- (b) to fix the salaries to be paid to the teachers in the school;
- (c) to provide all necessary buildings, premises and equipment for the school;
- (d) to fix the fees to be paid by every pupil attending the school and the times at which such fees shall be paid;
- (e) to frame regulations upon such matters as may be prescribed from time to time;
- (f) generally to manage and supervise the school.

Borrowing powers of certain governing bodies and saving.

26. (1) The governing body of any secondary school to which section 23 or 24 applies may, subject to the approval of the Governor, borrow money from the Loan Commissioners or from any bank, corporation or private person for any school purpose or educational purpose, and for securing the payment of the principal and interest of any such loan may, subject to the approval of the Governor, mortgage any premises belonging to or held in trust for such school together with any premises to be erected with any such loan and may charge therewith any moneys then or thereafter payable to the governing body under any Law.

(2) Nothing in this section shall be deemed to affect any loan contracted by any governing body under the provisions of the Secondary Education (Moslem) Schools Laws, 1920 to 1929, or by any Town Committee under the provisions of the Secondary Education (Greek-Christian) Laws, 1923 and 1929, as the case may be, and any such loan shall be valid and effective and shall be discharged as if this Law had not been passed.

Meetings of governing bodies.
3 of 18/52.

27. (1) The Chairman or Vice-Chairman of every governing body shall summon meetings of the members thereof as often as may be necessary and he shall summon a meeting,

if requested so to do by a notice in writing signed by two of the members, within three days of the receipt of the notice, such meeting to be held within fourteen days of the receipt of the notice; and if the Chairman or Vice-Chairman shall fail to summon such meeting within such period, any two members may summon the Chairman, Vice-Chairman and members to a meeting by a notice in writing signed by the members summoning such meeting.

(2) No business shall be transacted at any meeting, unless more than one-half of the members are present: 3 of 20/54.

Provided that, if on the second successive summons a sufficient number of members is not present to constitute a quorum, at the time and place appointed for the meeting, the governing body may proceed with business if two members only are present.

(3) All questions coming before a governing body at any meeting shall be decided by a majority of the members present and, in case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

(4) No act or proceeding of a governing body shall be invalid by reason only of any vacancy in such body.

28. (1) All property vested in any secondary school to which section 23 or 24 applies and any property which may hereafter be acquired by or on behalf of any such school shall if movable vest, and if immovable vest and be registered— Vesting of property in certain secondary schools.
3 of 5/50.*

(a) in the case of a Greek-Christian secondary school, in the Chairman of the Town Committee as constituting the governing body for such school under section 23;

(b) in the case of Moslem secondary schools, in the Chairman of the governing body constituted under section 24,

to be held in trust for the school or schools concerned.

(2) All such immovable property of every category shall be registered in the books of the District Lands Office in accordance with the preceding subsection unless the same has been acquired by gift or dedication in which case the property shall be held and registered in accordance with the terms of the deed of gift or dedication, if any.

(3) No disposition of such immovable property shall hereafter be made without the authority of the Governor.

* Came into operation on the 1st July, 1950.

Accounts
of certain
governing
bodies to be
audited.
3 of 2/36.

29. (1) The accounts of every governing body to which section 23 or 24 applies shall be made up to the 15th day of July in every year and shall, within twenty-one days from that date, be—

- (a) closed;
- (b) examined and verified by the governing body;
- (c) signed by at least three members of the governing body;
- (d) submitted, together with all vouchers, records and documents relating thereto, by the governing body to two auditors for audit.

(2) The auditors shall be appointed by the governing body and shall receive such remuneration as the governing body may fix.

(3) Every appointment of an auditor and his remuneration shall be subject to the approval of the Director and shall not take effect until approved by him.

(4) The auditors shall, within one month from the submission of the accounts or within such further period as the Director may for good cause shown allow—

- (a) complete their audit;
- (b) make and sign a report upon the accounts;
- (c) forward the accounts together with the report to the governing body.

(5) The governing body shall, within seven days of the receipt of the audited accounts with the report of the auditors thereon, forward a copy thereof to the Director.

(6) If the governing body makes default in submitting its accounts for audit as in subsection (1) provided, the members of the governing body shall be guilty of an offence and shall be jointly and severally liable to a penalty not exceeding one pound for every day during which such default continues.

Tax in
respect of
immovable
property of
any second-
ary school.

30. The Governor may by notice to be published in the Gazette order that no tax, rate or due shall be leviable in respect of the immovable property belonging to or held in trust for any secondary school specified in such notice.

Power to
exempt
secondary
schools from
provisions
of this Law.

31. The Governor may, subject to such terms and conditions as to him may seem fit, by order to be published in the Gazette, exempt any secondary school from any of the provisions of this Law.

32. (1) Any person who—**Penalties.**

- (a) acts in contravention of section 17 or 21 of this Law;
- (b) knowingly teaches in an unregistered secondary school or in a secondary school which has been struck off the Register of Secondary Schools,

shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

(2) Every member of a governing body which acts in contravention of, or fails or neglects to comply with any of the provisions of sections 4, 5, 9 (1) or 17 of this Law shall, unless he proves to the satisfaction of the Court that he was not a party to such contravention, failure or neglect, be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

(3) Notwithstanding anything in subsection (1) of this section contained, it shall be lawful for a teacher employed in any secondary school in existence at the date of the coming into operation of this Law to teach in such school for a period not exceeding one month from such date, and provided that the governing body of the school applies within that period to have the school registered, it shall be lawful for such teacher to continue teaching in such school until a final decision upon the application has been made.

33. The Governor in Council may from time to time make Regulations to be published in the Gazette for all or any of the following matters, that is to say—

Power to
Governor in
Council to
make
Regulations.

- (a) the form of the Register of Secondary Schools;
- (b) the form of application for the registration of secondary schools and any particulars required therein in addition to the particulars specified in section 6 of this Law;
- (c) the form of the certificate of registration of secondary schools;
- (d) the form of the return required to be made under section 9 of this Law;
- (e) the form of the register of secondary school teachers and the particulars to be entered therein;
- (f) the form of application for registration as a secondary school teacher and the particulars to be contained therein;

- (g) the educational qualifications required for registration as a secondary school teacher;
- (h) the form of the licence to teach in secondary schools to be issued under section 20 of this Law;
- (i) the matters upon which a governing body may frame regulations under section 25 (e) of this Law;
- (j) the manner in and time within which accounts shall be submitted for audit under section 29 of this Law;
- (k) the terms and conditions upon which a grant-in-aid may be made to the governing body of a secondary school including the form of application for and the method of computing and paying the same;
- (l) generally for the better carrying out of the purposes of this Law.

PART IV.

PUBLIC-AIDED SECONDARY SCHOOLS.

Declaration
of Public-
aided
Secondary
Schools.
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34. (1) Notwithstanding anything in this Law or in any other Law contained, the Governor, upon application by the governing body of any secondary school to which section 23 or 24 applies, may declare such school to be a Public-aided Secondary School and, thereupon, the provisions of this Law shall apply to such school and to every teacher in any such school, subject to the following modifications, that is to say:—

4 (a) of
20/54.

- (a) the teachers in every such school shall be appointed by the Governor, after consultation with the governing body concerned, subject to the following conditions:—

- (i) no teacher who is not a British subject and a native of the Colony shall be appointed to the permanent and pensionable staff:

Provided that a teacher, who is not a native of the Colony and who has, by operation of this Law, already become member of the permanent and pensionable staff, shall continue to be such and shall enjoy all the privileges derived therefrom;

(ii) any first appointment under sub-paragraph (i) of this paragraph shall be made on probation for a period of two years ;

(iii) any teacher who is not a native of the Colony, or who, though a native of the Colony, is not a British subject, may be appointed on contract, under such terms and conditions as the Director may, subject to the approval of the Governor, determine ;

(iv) any teacher may be appointed by the Director to act as a temporary teacher according to the exigencies of the service ;

(v) every teacher appointed under this paragraph shall, except with the consent of the governing body concerned, belong to the religious community served by the school to which he is appointed ;

(vi) every teacher appointed under this paragraph shall be liable to be transferred from any such school to any other Public-aided Secondary School, after consultation with the governing bodies concerned, according to the exigencies of the service :

Provided that every teacher serving in such school and whose name was contained in an application made on or before such date, as may be fixed by the Governor by a notice in the Gazette, shall not be transferred from any such school without his consent and that of the Governing Body ;

- (b) there shall be kept at the office of the Director a special register to be called "the Register of Public-aided Secondary School Teachers" wherein shall be entered in such part thereof as may be prescribed by Regulations made under this paragraph, the name of every teacher appointed in any Public-aided Secondary School and the prescribed particulars in respect thereof :

4 (b) of
20/54.

Provided that the entry in the Register of Public-aided Secondary School Teachers shall not obviate the need for registration in the Register of Secondary School Teachers as in section 16 provided ;

4 (c) of
20/54.

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(c) every teacher appointed to the permanent and pensionable staff who has served for ten years or upwards, may be granted, on his retirement, a pension and every such teacher, otherwise qualified for a pension, who has not completed the minimum period of service qualifying for a pension, may be granted, on his retirement, a gratuity and, for the purposes of this paragraph, sections 46 to 62 of the Elementary Education Law (both inclusive) shall apply *mutatis mutandis* to this Part of this Law, subject, however, to the following modifications, that is to say:—

(i) in section 46, for the words “one six-hundredth” there shall be substituted the words “one seven-hundred and twentieth” ;

(ii) in sections 51 (1) (a), 53 (1) and paragraph (a) of the proviso thereto and the last provisos to sections 54 and 55 for the word “fifty-five,” wherever it occurs, there shall be substituted the word “sixty” ;

(iii) in paragraph (b) of the proviso to section 53 (1), for the word “fifty” there shall be substituted the word “fifty-five” ;

(iv) paragraph (c) of the proviso to section 53 (1) shall not apply :

Provided that any teacher whose name is contained in the application may, within six months from the date of his appointment, elect that the aforementioned sections of the Elementary Education Law shall apply to him without any such modifications and, thereupon, such sections shall accordingly apply to such teacher *mutatis mutandis* without any such modifications;

4 (d) of
20/54.

(d) every teacher who is not a native of the Colony, or who, though a native of the Colony, is not a British subject, and who is appointed on contract to teach in any such school, may, on his retirement, be granted a gratuity in accordance with the provisions set out in the First Schedule to this Law ;

First
Schedule,

(e) salaries, pensions and gratuities under this Part of this Law shall be a charge on public revenue ;

(f) upon the appointment of any teacher to any such school any right of such teacher to any

gratuity under any scheme operating in the school before its declaration as a Public-aided Secondary School shall lapse and any money in any fund kept for the purpose by the governing body may be utilized for such purposes of the school as the governing body may approve :

Provided that where any such scheme was on a contributory basis all contributions of such teacher up to the date of his appointment shall forthwith be paid back to him ;

- (g) the annual tuition fee payable by each pupil in any such school shall be fixed by the governing body and shall be collected by such body and utilized for those purposes of the school, the expenditure in respect of which is not a charge on public revenue under the provisions of this section :

Provided that—

(i) no such fee shall exceed fifteen pounds unless the Governor in Council, upon application by the governing body of any such school, by Order published in the Gazette, increases such fee in respect of such school by an amount not exceeding fifty per centum ;

(ii) no such fees shall be utilized by the governing body of any such school for the establishment or maintenance of a school boarding house ;

- (h) there shall be allowed out of the total number of pupils, twenty per centum free places in such manner as may be prescribed ;
- (i) the curriculum as set out in the application shall not be changed save with the prior permission in writing of the Director :

Provided that the Director's permission shall not be withheld for any change which may be rendered necessary by reason of any corresponding change in the entrance requirements of the universities or other educational institutions of analogous status in the United Kingdom, Greece or Turkey or in any other country as may be prescribed.

4 (e) of
20/54.

- (j) no teacher shall engage either directly or indirectly in any business, or shall receive any remuneration, other than his salary, in connection with any service rendered, or work done, by him save with the prior permission in writing by the Director ;
- (k) it shall be the duty of the governing body of any such school, in so far as its resources permit, to provide and maintain to the satisfaction of the Director proper and sufficient school buildings, premises, playgrounds, yards or gardens in good order and to provide and maintain the necessary class-rooms, subject-rooms, work-shops, laboratories, libraries and their furniture and equipment ;
- (l) the accounts of the governing body of every such school shall be made up to the 15th day of July in every year and shall be submitted together with all vouchers, records and documents relating thereto for audit by such person as may be appointed by the Director, the remuneration of every such person being a charge on public revenue ;
- (m) the Governor in Council may, from time to time, make Regulations to be published in the Gazette for all or any of the following matters, in connection with such schools, that is to say :—
 - (i) the form of application to be made by the governing body of a secondary school under the provisions of this section ;
 - (ii) the educational qualifications required for registration as a teacher in any Public-aided Secondary School and the period during which a teacher may be required to serve on probation ;
 - (iii) the scale of salaries to be paid to every such teacher ;
 - (iv) the maximum number of pupils to be admitted in such school, and the qualifications for admission of such pupils ;
 - (v) the procedure to be followed for the recruitment of new teachers and for filling vacancies in the teaching staff after the declara-

tion of a secondary school as a Public-aided Secondary School ;

(vi) enabling governing bodies to make standing orders in respect of such matters as may be prescribed ;

(vii) enabling governing bodies to appeal to the Governor from any decision of the Director ;

(viii) prescribing anything which under the provisions of this section is required or permitted to be prescribed ; 4 (f) of 20/54.

(ix) generally, for the better carrying out of the purposes of this Part of this Law :

Provided that, until varied or revoked by any such regulations, the Regulations contained in the Second Schedule to this Law shall have effect ; Second Schedule.

(n) sections 30, 31, 33 and 34 of the Elementary Education Law shall apply *mutatis mutandis* to every teacher appointed under this section ; Cap. 166.

(o) upon the declaration of a school as a Public-aided School, any grant-in-aid payable to such school shall forthwith cease ;

(p) no teacher appointed under this section shall be deemed to be a public officer in the service of the Colony.

(2) In the application of sections 46 to 62 of the Elementary Education Law (both inclusive) to paragraph (c) of subsection (1):— Cap. 166.

“ salary ” shall be exclusive of other allowances except that, where a teacher has, during the course of his service, held for an aggregate period of not less than five years posts in respect of which a duty allowance is payable, the Governor may direct that, for the purpose of computing pension, the salary shall be enhanced by a sum equal to the average of the allowances payable in respect of the posts held during the last five years of the aggregate period ;

“ service ” means full time service in a secondary school in the Colony or a school to which the Elementary Education Law applies. Cap. 166.

4 (g) of
20/54.

(3) For the purposes of this section, "native of the Colony" means a person who was born, or whose father was born, in the Colony and who is not recognized by any foreign State as having acquired by his own voluntary act the nationality of such State on or after the 5th day of November, 1914.

Extension of
provisions of
section 34
to other
secondary
schools.
4 of 18/52.

35. The Governor in Council, upon application by the governing body of any secondary school (other than a secondary school to which section 23 or 24 applies) registered under the provisions of this Law and operating as a public school and not for profit may, if satisfied that, having regard to all circumstances, it is desirable so to do, extend to such school the provisions of section 34 with such modifications and further conditions, to be agreed upon by the governing body making the application, as may be set out in the order and, thereupon, section 34 shall apply to such school accordingly.

FIRST SCHEDULE.

(Section 34 (1) (d).)

4 of 18/52.

5 (a) of
20/54.

1. Every teacher on the Register of the Public-aided Secondary School Teachers who is not a native of the Colony, or who, though a native of the Colony is not a British subject and who attains the age of sixty years shall retire and cease to be a teacher on the said Register and the name of such teacher shall be removed from the said Register:

Provided that—

- (a) if any such teacher attains the age of sixty years after the commencement but before the end of the school year in which the teacher is employed, such teacher may, with the permission of the Director, continue to be employed as, and receive the salary of, a teacher and the name of such teacher shall remain on the Register of the Public-aided Secondary School Teachers until the end of such school year as if such teacher had not attained such age, and the service of such teacher during any period of such continued employment shall be treated as service under this Law and shall be taken into account in the computation of any gratuity;
- (b) it shall be lawful for the Governor to require or permit any such teacher to retire at any time after attaining the age of fifty-five years;
- (c) the Governor may, at any time, require or permit any female teacher on the Register of Public-aided Secondary School Teachers who becomes married to retire and cease to be a teacher on such Register, and, thereupon, the name of such teacher shall be removed from such Register.

5 (b) of
20/54.

2. Every teacher on the Register of Public-aided Secondary School Teachers, who is not a native of the colony, or who, though a native of

the Colony, is not a British subject, and who has continuous service for a period of not less than three years and is not a member of any non-contributory pension or gratuity scheme, may be granted, on his retirement in any of the circumstances set forth in Regulation 3 of these Regulations, or on successful completion of contract, a gratuity of one month's salary at the rate of the salary such teacher is then receiving, for every year of service.

3. (1) No gratuity shall be granted to any such teacher except on his retirement in any one of the following cases:—

- (a) on or after attaining the age of sixty years or, in any case in which the Governor requires a teacher to retire before attaining that age, on being required so to retire;
- (b) on medical evidence to the satisfaction of the Governor in Council that he is incapable by reason of some infirmity of mind or body of discharging his duties as a teacher and that such infirmity is likely to be permanent;
- (c) on compulsory retirement for the purpose of facilitating improvement in the organisation of Public-aided Secondary Schools by which greater efficiency or economy may be effected;
- (d) on the abolition of his post;
- (e) in the case of removal on the ground of inefficiency as in paragraph (2) hereof provided;
- (f) on voluntary retirement with the permission of the Governor.

(2) Where a teacher is removed from his post on the ground of his inability to discharge efficiently the duties thereof, and a gratuity cannot otherwise be granted to him under the provisions of these Regulations, the Governor in Council may, if he considers it justifiable having regard to all the circumstances of the case, grant such a gratuity as he thinks just and proper; but in no case exceeding in amount that for which the teacher would be eligible if he were suffering from some infirmity of mind or body likely to be permanent.

4. When a teacher dies while in the service, the Governor may, on the recommendation of the Director, award to his dependants a gratuity of an amount not exceeding one year's salary according to the merits of each case, to be distributed to them in such proportion as the Director, having regard to all circumstances, may deem fit.

For the purposes of this regulation—

the term "dependants" means such of the members of the family of a teacher as were wholly or in part dependent upon the earnings of the teacher at the time of his death.

5. No teacher shall have an absolute right to a gratuity and where it is established to the satisfaction of the Governor that he has been guilty of negligence, irregularity or misconduct the gratuity may be reduced or altogether withheld.

6. No gratuity granted under these Regulations shall be assignable or transferable or liable to be attached, sequestrated or levied upon, for or in respect of any debt or claim whatsoever, other than a debt due to the Government of Cyprus.

7. Any gratuity payable under these Regulations shall be in substitution of, and not in addition to, any gratuity payable under any gratuity scheme operating in the school before it became a Public-aided Secondary School.

8. The Director may at any time require any teacher on the Register of Secondary School Teachers to produce to him proof of age, qualifications and past services in such form as the Director may deem fit.

9. For the purposes of this Schedule the expressions "salary" and "service" shall have the same meaning as in section 34 (2) of the Law.

SECOND SCHEDULE.

(Section 34 (1) (m).)

1. These Regulations may be cited as the Secondary Education (Public-aided Secondary Schools) Regulations, and shall apply only to Public-aided Secondary Schools and to teachers of such schools.

2. Any governing body which wishes the school over which it exercises authority or control to be declared a Public-aided Secondary School shall apply on the form set out in Appendix A to these Regulations.

3. The Register of Public-aided Secondary School Teachers shall contain the following particulars:—

- (a) name in full;
- (b) nationality;
- (c) date of birth (day, month, year);
- (d) place of birth;
- (e) degree and/or diploma and date it was obtained (giving institution at which obtained, subjects studied, length of course, any other relevant details);
- (f) Teacher Training qualifications and details;
- (g) annual salary and allowances from date of declaration of school as Public-aided Secondary School;
- (h) record of all service of the teacher.

6 of 20/54.

4. (1) The grades and salary scales payable to teachers appointed to the permanent and pensionable staff shall be those set out in Appendix B to these Regulations, and every such teacher shall be placed by the Director on the grade appropriate to the teacher's qualifications, and at such point on the scale as the Director may decide, having regard to the teacher's previous experience to teaching:

Provided that, with regard to any teacher who is appointed to a Public-aided Secondary School, the Director may accept—

- (a) the ability and attainment of the teacher as equivalent to a University Degree;
- (b) the efficiency in, and experience of, teaching as equivalent to Teacher Training,

as set out in the said Appendix.

(2) Teachers who are not natives of the Colony, or who, though natives of the Colony, are not British subjects, shall be appointed on contract, and on successful completion of contract, or on retirement, may be paid a gratuity in accordance with the Regulations set out in the First Schedule to the Law.

(3) Temporary teachers shall be paid a salary at the discretion of the Director.

5. Whenever it is necessary to appoint any new teacher after the declaration of the school as a Public-aided Secondary School, the following procedure shall be followed:—

(a) the governing body, in consultation with the Director, shall prepare a statement of particulars of the new post or the vacancy to be filled and the Director shall cause such statement to be published in the Gazette;

(b) the governing body, in consultation with the Director, shall consider all applications received in connection with the publication as aforementioned and submit their recommendations to the Governor for his consideration.

6. Every teacher on first appointment to a secondary school which has been declared a Public-aided Secondary School shall be on probation for a period of two years after the completion of which, to the satisfaction of the Director, shall be confirmed in his appointment:

Provided that no teacher whose name is included in the form of application shall be required to serve on probation.

7. No teacher shall be required to teach more than thirty hours a week.

8. The governing body shall select from among the teachers of a Public-aided Secondary School one teacher to be the headmaster of the school and also an adequate number of masters (hereinafter referred to as "senior masters") who shall be responsible, under the headmaster, for the organization of some branch of the school or of the teaching of some subject throughout the school:

Provided that there shall not be more than one senior master for the first hundred pupils and not more than one such master for every hundred pupils or part thereof in excess of fifty above the first hundred.

9. The headmaster shall be responsible for the supervision of the work of the teachers and pupils and of the internal organization and discipline of the school, and shall not be required to teach more hours than is compatible with the conscientious performance of such duties and, whenever any question arises affecting the appointment, punishment or dismissal of teachers or affecting the internal organization or discipline of the school, he shall be afforded an opportunity of expressing his opinion thereon.

10. The maximum number of pupils to be admitted to each Public-aided Secondary School shall be fixed by the Director due regard being had to the number of qualified pupils seeking admission and the capacity of the school and the teaching staff:

Provided that, except with the consent of the governing body, such number shall not be less than the number pupils shown in the application as enrolled in the school.

11. Pupils seeking first admission to a Public-aided Secondary School shall to the satisfaction of the Director be examined by the staff of that school on the basis of the elementary school programme of instruction in such subjects studied in the elementary schools as the Director may require and only those will be admitted who appear most likely to benefit from a secondary education.

12. (1) The pupils selected for free places shall be those who are of more than average ability and whose parents would find it difficult to pay any fees and such pupils shall be distributed in approximately the same proportion throughout the different classes of the school.

(2) The selection for free places shall be made by the governing body on the results of the examinations on first admission:

Provided that, in the first year after the school is declared a Public-aided Secondary School, the selection of those in the second to the sixth classes shall be based on the previous year's work.

(3) A pupil selected for a free place shall not, thereafter, pay fees unless his record of work becomes so unsatisfactory that he no longer deserves a free place, in which case he shall be required to pay a fee and his free place shall be given to another pupil either in that class or in another class.

13. The governing body may, at any time cause the removal from a Public-aided Secondary School of any pupil whose record is such as to indicate that he is not likely to derive further benefit in the school and that his presence in the school impedes progress of the other pupils.

14. The number of pupils taught together at one time shall not exceed fifty.

15. (1) The governing body of a Public-aided Secondary School may make standing orders relating to all or any of the following matters:—

- (a) the admission, attendance, classification and examination of pupils;
- (b) the discipline to be enforced upon pupils both inside and outside the school;
- (c) the punishment and expulsion of pupils;
- (d) the health, cleanliness and medical inspection of pupils;
- (e) regulating the manner in which the fees for pupils shall be paid;
- (f) the organization and management of the boarding house or hostel, if any, attached to the school and the fees to be charged in connection therewith;
- (g) the duties and powers of the headmaster and of other teachers;
- (h) the school holidays and the vacations to be enjoyed by teachers, subject to a minimum number of working days during each year, as may be fixed by the Director;
- (i) the internal organization and management of the school.

(2) Standing orders made under this Regulation shall be subject to the approval of the Director and a copy shall be exhibited in a conspicuous place on the school premises for the information of all teachers and pupils at the school.

16. A copy of these Regulations and a list of the names and addresses of all members of the governing body shall be kept on the premises of every Public-aided Secondary School.

17. Any governing body aggrieved by the decision of the Director upon any matter arising out of these Regulations may, within fourteen days from the date of the notification of such decision, appeal to the Governor whose decision thereon shall be final and conclusive.

APPENDIX A.

(Reg. 2.)

FORM OF APPLICATION.

To His Excellency the Governor,
(through the Director of Education).

We, _____, being the governing body of the secondary school of _____, do hereby apply under section 34 of the Secondary Education Law that His Excellency the Governor might be pleased to declare the said school as a Public-aided Secondary School.

2. The school is/is not in receipt of a grant-in-aid.

3. Full particulars concerning the teachers now serving in the school are set out on the attached sheets. [*One sheet to be completed in respect of each teacher.*]

4. The curriculum of the school, showing the number of hours per week devoted to each subject in each class, the outline of what is taught in each year and the textbooks used, is as set out in the attached sheet.

5. The number of pupils now enrolled in the school is as follows:—

	Boys	Girls	Total
Class I			
„ II			
„ III			
„ IV			
„ V			
„ VI			

Dated

(Signatures)

APPENDIX B.

(Reg. 4.)

GRADES AND SALARY SCALES.

1. Salaries and allowances of teachers in Public-aided Secondary Schools shall be as follows:—

	SCALE	
	Men	Women
(a) Grade "A" (teachers with University Degree and Teacher Training) ...	£570 × 18—660	£510 × 18—600;
(b) Grade "B" (teachers with University Degree only)	£480 × 18—570	£420 × 18—510;
(c) Grade "C" (teachers with Training only) ...	£350 × 15—500	£305 × 15—425.

2. A cost-of-living allowance at the prevailing rate for public officers shall be payable to all teachers in Public-aided Secondary Schools.

3. Special allowances shall be payable to headmasters and senior masters at the following rates:—

- (a) headmasters: £30 for every hundred pupils or part thereof in excess of fifty;
- (b) senior masters: £10 for every hundred pupils or part thereof in excess of fifty.

4. For the purposes of this Appendix—

(a) teachers with University Degree shall be teachers:—

(i) with a university degree or its equivalent gained after satisfactory completion of a continuous and integrated course of not less than three years' duration;

(ii) with a diploma or certificate gained after completion of a continuous and integrated course of not less than three years' duration in commercial subjects, to the satisfaction of the Director; or

(iii) with a diploma or certificate gained after completion of a continuous and integrated course of not less than three years' duration in Art, Music, Physical Training or any subject of a secondary school's curriculum not covered by the courses in (i) and (ii) above, to the satisfaction of the Director;

(b) teachers with Teacher Training shall be teachers:—

(i) with a Teacher's Training Certificate gained after completion of a full-time course of training of not less than two years' duration in a Teachers' Training College, to the satisfaction of the Director;

(ii) with a diploma in Teaching or its equivalent gained after completion of a post-graduate course of training of not less than one year's duration, to the satisfaction of the Director; or

(iii) who have completed, to the satisfaction of the Director, such course or series of courses of training as the Director may prescribe.