

EDUCATION ACT
(CHAPTER 87)

**EDUCATION (GRANT-IN-AID)
REGULATIONS**

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EDUCATION ACT
(CHAPTER 87, SECTION 61)

EDUCATION (GRANT-IN-AID) REGULATIONS

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[1st January 1983]

Citation

1. These Regulations may be cited as the Education (Grant-in-Aid) Regulations.

Definitions

2. In these Regulations, unless the context otherwise requires —
 - “aided school” means a school in receipt of grant-in-aid under these Regulations;
 - “employee” means the principal, teachers and other salaried persons who are employed in an aided school;
 - “grant-in-aid” means a subvention extended by the Government to registered schools, which are conducted wholly for the benefit of the pupils and the managers of which agree in return to maintain certain standards and observe certain conditions;
 - “manager” includes the committee of management;
 - “Permanent Secretary” means the Permanent Secretary of the Ministry of Education;
 - “principal” means the head teacher who is charged with the responsibility of managing and supervising a school.

Application to junior colleges

3. These Regulations shall apply with such modifications as may be necessary to junior colleges which are in receipt of grant-in-aid as if such colleges were aided schools.

Forms of grant-in-aid

4. Grant-in-aid may take the following forms:

- (a) a monthly payment towards recurrent expenditure which shall be calculated as follows:
 - (i) salaries to employees at Government rates including the employer's contribution to the Central Provident Fund or other approved provident funds and the Skills Development Fund; plus
 - (ii) salaries for such Government employees who are employed in aided schools including the employer's contribution to the Central Provident Fund or other approved provident funds and the Skills Development Fund; plus
 - (iii) the difference between school fees collected and capitation payment towards maintenance and minor repairs at a rate or rates to be fixed from time to time by the Permanent Secretary;
- (b) an annual capitation payment towards recurrent expenditure for the conduct of the aided school at a rate or rates to be fixed from time to time by the Permanent Secretary;
- (c) a contribution towards capital expenditure approved by the Permanent Secretary which may be —
 - (i) a contribution towards the cost of new buildings and extensions to buildings and of furniture and equipment;
 - (ii) a contribution towards the periodic painting and colour washing of buildings; or
 - (iii) a contribution towards the major repair and improvement of buildings;

- (d) such other contributions as may from time to time be specifically approved by the Permanent Secretary.

Application for grant-in-aid

5.—(1) The manager of a school may apply for grant-in-aid.

(2) An application for grant-in-aid of capital expenditure shall be accompanied by an architect's estimate of costs, a site plan, proof of title to the land and of restriction of use of the land to educational purposes, and a sketch plan of the intended layout.

(3) If the Permanent Secretary considers the application for grant-in-aid of capital expenditure reasonable, he may require the manager to submit more detailed plans of the proposed work subject to such amendments as he may indicate.

(4) The Permanent Secretary shall consider the merits of every application for grant-in-aid made under this regulation and, subject to regulations 39 and 40, he may approve the giving to the school grant-in-aid in any of the forms specified in regulation 4 if he is satisfied that the manager of the school concerned can and will maintain the standard or fulfil the conditions of the grant-in-aid as required under these Regulations.

(5) If the Permanent Secretary decides that the manager of school is unlikely to maintain the required standards or fulfil the required conditions, he may in his discretion and by notice in writing in which the grounds for his action are stated refuse the application, and such refusal shall be final.

Withdrawal of grant-in-aid

6.—(1) Every aided school which is in receipt of contributions described in regulation 4(a), (b) or (c) shall, except as otherwise provided in regulation 38, maintain the standards set out in regulation 7 and fulfil the conditions set out in regulations 8 to 37 inclusive, respectively.

(2) Every aided school which is in receipt of contributions approved by the Permanent Secretary under regulation 4(d) shall comply with such standards and conditions as may be specially laid down in each particular case by the Permanent Secretary.

(3) If in the opinion of the Permanent Secretary any standard or condition referred to in paragraph (1) or (2) is not maintained or fulfilled, he may, by notice in writing, withhold, withdraw or make a deduction from the grant-in-aid.

(4) The manager of the aided school concerned may, within 14 days of the receipt of a notice under paragraph (3), appeal to the Minister whose decision shall be final.

Standards to be complied with

7. Every aided school shall conform to and maintain standards that are comparable with or similar to those of Government schools of the same type in respect of —

- (a) school buildings, playgrounds and other recreational facilities, furniture and equipment and health and safety arrangements;
- (b) the admission, performance, discipline and behaviour of pupils, the curriculum, the examination and promotion of pupils, class organisation and size and the treatment of overaged pupils;
- (c) the type and amount of fees charged; and
- (d) the qualifications and salaries of employees.

Admission policy

8. An aided school shall not refuse any person admission to study in the school on the grounds only of religion or race.

Manager to comply with requests, rules and regulations

9. The manager of every aided school shall comply with all requests relating to the management and conduct of the school made by the Permanent Secretary or the Director-General of Education and shall comply with all rules and regulations made under the Act.

Manager to open bank account

10. The manager of every aided school shall open a bank account into which shall be paid the Government cheques for grant-in-aid.

Account of capitation grant

11. The manager shall keep an account in a form approved by the Permanent Secretary and supported by sub-vouchers of the moneys paid to the school as capitation grant. This account shall clearly show the objects on which all sums expended have been spent.

Registers to be maintained

12. The manager shall cause to be maintained for each class a register in the form approved by the Permanent Secretary which shall clearly show all fees paid by pupils and the authority for remission in the case of children not required to pay fees. These registers shall be available for inspection at any time by an authorised officer of the Ministry of Education.

Terms and holidays of aided schools

13. Every aided school shall unless otherwise authorised by the Director-General of Education observe the same terms and holidays as Government schools of the same type.

Appointment of teachers

14. No person shall be appointed as a teacher in an aided school unless the appointment of the selected candidate is approved by the Permanent Secretary.

Re-employment of retired employees

15. Employees who have reached retirement age may be encouraged to continue to be employed by the school beyond the retirement age provided they are medically fit and their work and conduct are satisfactory.

Termination of service for incompetence, etc.

16. The Permanent Secretary may require the termination of the services of, or the imposition of a lesser penalty such as stoppage or deferment of increment, fine or reprimand or a combination of such penalties on any employee on grounds of incompetence, indiscipline, moral turpitude, indebtedness or conduct prejudicial to good order and discipline.

Teachers may teach part-time for payment

17. Teachers in an aided school may engage in part-time teaching for payment but shall not accept payment from pupils of the same school in which they are employed.

Employees not to benefit from sale of stationery, etc.

18. No employee of an aided school shall derive any profit from books, stationery or other articles sold to pupils.

Prohibition of other employment

19. No employee of an aided school shall, except with the prior permission of the principal —

- (a) accept any other paid employment of any kind;
- (b) engage in any trade or business whether directly or indirectly or whether in the management thereof or otherwise;
- (c) act as an executor, administrator or receiver;
- (d) accept an invitation to broadcast or telecast or to provide material for a broadcast or telecast;
- (e) act as editor of any publication except publications of any registered trade union, co-operative society, school association or professional teaching body; or
- (f) furnish an opinion as an expert or give expert evidence whether for payment or gratuitously.

No publication without permission

20. An employee shall obtain the prior permission of the Permanent Secretary to publish any written work and to receive and retain any fees, royalties or other benefits derived from such publication.

Salary scales and allowances

21. The salary scales and allowances for employees in aided schools shall be similar to those of employees holding the same grades in Government schools.

Qualifications of graduate and other teachers

22. The requirements for the recognition of graduate status and of trained teacher status shall be the same for aided schools as for Government schools of the same type.

Leave similar to Government schools

23. The conditions for the grant of full-pay, half-pay and no-pay leave for employees of aided schools shall be the same as those for the same categories of employees in Government schools.

Sick leave certificates

24. Except with the prior approval of the principal, no employee in an aided school shall be allowed to take leave except on account of illness supported by a medical certificate certifying that he is unfit to discharge the ordinary duties of his appointment which is issued by a Government medical or dental officer, a Government Medical Board, or a registered private medical or dental practitioner.

Employees medically unfit

25.—(1) If there is reason to believe that an employee of an aided school is likely to be unfit on medical grounds to discharge his duties efficiently, the principal may consult the Permanent Secretary who will arrange with the Director of Medical Services to convene a Medical Board and the employee shall appear before the Medical Board.

(2) Where the recommendation of the Medical Board is that the employee be granted leave, he will be granted extended leave as prescribed by the Medical Board, which will either be on half-pay or no-pay, or a combination of both, according to the eligibility of the employee.

(3) The eligibility for extended leave for employees of aided schools shall be the same as those for the same categories of employees in Government schools.

(4) Where the Medical Board reports that an employee is incapable, by reason of some infirmity of mind or body, of discharging the duties of his post and that the employee will be permanently unfit for further

service, the Permanent Secretary, on receipt of the Medical Board's report, shall direct the principal to take action to terminate the employee's services by giving him one month's salary in lieu of notice.

When progress payments to be made

26. The manager of an aided school shall not make progress payments out of any grant-in-aid received for capital expenditure on or in connection with building works except against the actual progress of the works as certified by the architect employed.

Extension of time for project

27. The Permanent Secretary may, in relation to any grant-in-aid of capital expenditure on or in connection with building works, specify the period within which such works must be completed and if, in the opinion of the manager of the aided school concerned, it is not possible to complete the works within the period so specified, the manager shall, not less than 2 months before the expiration of that period, inform the Permanent Secretary of that fact and may apply for an extension of the period.

Notification of closure of aided school

28. The manager of an aided school who intends to close the school shall notify the Permanent Secretary at least 2 academic years before the beginning of the calendar year in which the school is to be closed.

Director-General of Education may take over school

29. If for any reason the manager of an aided school declares himself unable to continue to conduct the school, the Director-General of Education shall have authority after due and proper enquiry to take over the management of the school, if he is satisfied that it is in the interests of Singapore and of the pupils that the school should continue in being. The Ministry of Education shall thereupon be entitled to the use of the school buildings and any equipment and furniture therein free of charge.

Declaration of assets, etc.

30. If the manager of an aided school gives notice of the closure of the school under regulation 28 or closes the school without giving such notice, the manager —

- (a) shall forthwith declare all the assets of the school; and
- (b) shall not dispose of the assets without the concurrence of the Permanent Secretary,

and the Permanent Secretary may take such steps as he thinks fit to recover all or any part of the capital aid expended on the aided school.

Religious instruction

31. Aided schools conducted by religious organisations may provide religious instruction distinctive of their beliefs:

Provided that —

- (a) no pupil shall be required to attend such religious instruction or any religious observance whose parent has signified in writing his wish that his child shall not so attend;
- (b) attendance at such religious instruction or religious observance shall not be made a condition of admission; and
- (c) the time devoted to such religious instruction and religious observance shall be additional to that required for school subjects in Government schools.

Aided schools to provide religious instruction if required by curriculum

32. Aided schools conducted by religious organisations shall not be required to provide any form of religious (as distinct from ethical) teaching other than is consonant with their own beliefs, unless such teaching is required as a school subject in the curriculum.

Annual estimates

33. The manager of every aided school shall submit to the Permanent Secretary in such forms and by such date as the Permanent Secretary may direct annual estimates of the amount of

fees likely to be collected, the amounts of salaries, allowances and provident fund contributions and Skills Development Fund contributions likely to be paid out and the amount of capitation payment likely to be required for the following financial year.

Use of capitation payments

34.—(1) Capitation payments may only be used to cover contingent expenditure for the following items:

library books, minor repairs to buildings, furniture and equipment, playing fields and fences, public utilities charges, telephone charges, accounting and auditing fees and other similar expenses.

(2) Capitation payments may, if authorised by the Permanent Secretary, be used to cover contingent expenditure for staff salaries and other recurrent expenses for the conduct of the aided school.

Capitation payments account

35. The account of capitation payments required to be kept under regulation 11 shall be kept under the headings given in regulation 34.

Statements of account, etc.

36. The manager of every aided school shall submit to the Permanent Secretary, at intervals to be determined by the Permanent Secretary, statements of account of the capitation grant, school fees, emoluments and remission of fees and a statement of the school's emolument.

Signature of principal to suffice

37. If a school is conducted by a religious order, the signature of the principal shall be accepted for the salaries of all members of the religious order whose names appear in the school's pay-sheet.

Certain regulations not to apply to specified aided schools

38. Regulations 7(a) to (d), 13 to 27, 31(c), 33 and 37 shall not apply to the aided schools set out in the Schedule.

Conditions for approval for capital expenditure

39.—(1) No application for capital expenditure shall be approved which does not fit into the Ministry of Education's overall plan for the development of education.

(2) Only in the most exceptional circumstance shall grant-in-aid be approved towards the purchase of a site.

Grant-in-aid for school buildings

40.—(1) No grant-in-aid shall be approved with respect to a school building unless —

- (a) the manager or trustees of the school hold a temporary occupation licence on State land or a legal and unencumbered title to the land, on which the school premises are situated for a period to be approved by the Permanent Secretary;
- (b) the use of such land is restricted to educational purposes;
- (c) the building conforms to the current requirements of the Government with respect to school buildings; and
- (d) the building is in the opinion of the Permanent Secretary necessary.

(2) Notwithstanding paragraph (1), the Permanent Secretary may in his discretion approve grant-in-aid for —

- (a) minor works and repairs to school buildings including painting of school buildings and repair of school fields;
- (b) the construction or extension of a school building; or
- (c) the construction of new school buildings.

Grant-in-aid to include certain costs

41. Grant-in-aid of capital expenditure may include the following:

- (a) professional fees incurred as a result of capital expenditure;
- (b) piling costs;
- (c) cost of external works and services, such as earthworks, site preparation and clearance, covered ways, approach roads, car

parks, retaining walls, fencing, foul drainage, basketball and volley ball courts, footpaths, playing fields and external water, gas and electrical mains;

- (d) building costs including electrical and plumbing services and fire-fighting equipment; and
- (e) miscellaneous fees and charges for soil investigation, survey of land, search fees, plan fees, processing fees, connection fees for telephone, sewers, gas, electricity and water charged by Government departments and statutory bodies dealing with public utilities.

Approval only by formal written notice

42. No application shall be regarded as having been approved by the Government in whole or in part until the applicant has been so informed in writing by the Permanent Secretary.

THE SCHEDULE

Regulation 38

- (1) Anglo-Chinese School (Independent).
- (2) St. Joseph's Institution.
- (3) Hwa Chong Institution.
- (4) Methodist Girls' School.
- (5) Singapore Chinese Girls' School.
- (6) Nanyang Girls' High School.
- (7) [*Deleted by S 27/2005*]

[*G.N. Nos. S 350/82; S 342/87; S 374/88; S 311/94; S 674/2003; S 27/2005*]

LEGISLATIVE HISTORY
EDUCATION (GRANT-IN-AID) REGULATIONS
(CHAPTER 87, RG 3)

This Legislative History is provided for the convenience of users of the Education (Grant-in-Aid) Regulations. It is not part of these Regulations.

1. G.N. No. S 350/82 — Education (Grant-in-Aid) Regulations 1982

Date of commencement : 1 January 1983

2. G.N. No. S 342/87 — Education (Grant-in-Aid) (Amendment) Regulations 1987

Date of commencement : 1 January 1988

3. G.N. No. S 374/88 — Education (Grant-in-Aid) (Amendment) Regulations 1988

Date of commencement : 1 January 1989

4. 1990 Revised Edition — Education (Grant-in-Aid) Regulations (Rg 3)

Date of operation : 25 March 1992

5. G.N. No. S 311/94 — Education (Grant-in-Aid) (Amendment) Regulations 1994

Date of commencement : 1 August 1994

6. G.N. No. S 674/2003 — Education (Grant-in-Aid) (Amendment) Regulations 2003

Date of commencement : 1 January 2004

7. G.N. No. S 27/2005 — Education (Grant-in-Aid) (Amendment) Regulations 2005

Date of commencement : 1 January 2005