

**S.I. 90 of 2021**

**EDUCATION ACT, 2004**

*(Cap 68)*

**Education (Teachers Council of Seychelles) Regulations, 2021**

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**S.I. 90 of 2021**

**EDUCATION ACT, 2004**

*(Cap 68)*

**Education (Teachers Council of Seychelles) Regulations, 2021**

In exercise of the powers conferred by section 87(2)(r) of the Education Act, the Minister for Education hereby makes the following Regulations —

**PART I - PRELIMINARY**

**Citation and commencement**

1. These Regulations may be cited as the Teachers Council of Seychelles regulations, 2021 and shall come into operation on such date as the Minister may by Notice in the Gazette appoint.

**Interpretation**

2. In these Regulations —

“Act” means the Education Act (Cap 68);

“Board” means the Board of the Council referred to in regulation 6(1);

“code of conduct and ethics” means the code of conduct and ethics for teachers as specified by the Council;

“Council” means the Teachers' Council of Seychelles established under regulation 3;

“Minister” means the Minister responsible for education and the Ministry shall be construed accordingly;

“provisional registration” means a registration as provided for under regulation 15;

“register” means the register of teachers maintained by the Council under regulation 12(1);

“Registrar” means the person appointed as such under regulation 11;

“registration” means the process of inscribing the name of a teacher to the register;

“registered teacher” or “provisionally registered teacher” means a teacher who is registered or provisionally registered as a teacher under these Regulations;

“school” means educational institutions public or private that provides primary, secondary and special education;

“teacher” means a person who holds a certificate in teaching or a qualification recognised by the Seychelles Qualifications Authority or engaged in the profession of teaching in a school as a teacher as permitted under the teacher's scheme of service of the Government or such other recognised schemes.

## **PART II - TEACHERS COUNCIL OF SEYCHELLES**

### **Establishment of Council**

3. There is hereby established a council to be known as the Teachers Council of Seychelles.

### **Functions of Council**

4. The Functions of the Council shall be to —
- (a) promote teaching as a profession;
  - (b) establish and maintain codes of conduct and ethics for teachers;
  - (c) establish and maintain a Continuing Professional Development Scheme (CPD) with a corresponding point

system for the allocation of points necessary for renewal of registration under these regulations;

- (d) establish and maintain a register of teachers;
- (e) collaborate, with other public bodies and organisations on education and training and qualifications required for a person to be registered;
- (f) establish procedures and criteria for registration, including the issue of certificates and renewal of registration;
- (g) advise the Minister in relation to all or any of the following —
  - (i) the professional development of teachers;
  - (ii) the availability of teachers; and
  - (iii) any other matters concerning the profession of teaching, education and training which the Minister may, from time to time, refer to the Council for advice;
- (h) assist the Ministry in inquiries in relation to the fitness to teach of any registered teacher who brings the Council or the teaching profession in general into disrepute;
- (i) conduct or cause to be conducted research on matters concerning the profession of teaching, education and training and publish such research in such manner as the Council thinks fit;
- (j) maintain a database of articles and research papers in the field of teaching and education and ensure that relevant findings of such articles and research are brought to the attention of relevant institutions for their action or implementation;
- (k) disseminate information on matters concerning the profession of teaching, education and training and other

educational issues and establish procedures for the exchange of information with teachers and organisations engaged in education and the public.

### **Information and directions by Minister**

5.(1) The Council shall furnish to the Minister such information on the discharge of its functions as the Minister may require.

(2) The Minister may issue directions, not inconsistent with these regulations, to the Council as regards to the functions of the Council and the Council shall give effect to such directions.

## **PART III - BOARD OF THE TEACHERS COUNCIL OF SEYCHELLES**

### **Board of Council**

6.(1) The Council shall be administered and managed by a Board consisting of not more than 7 members, to be appointed by the Minister on such terms and conditions as the Minister may determine.

(2) A person appointed as a member of the Board shall be person having experience and knowledge in teaching, education, administration, legal matters or such other persons whose experience may contribute to the functioning of the Board.

(3) The Minister shall appoint a chairperson and a vice-chairperson from among the members.

(4) The Minister shall cause a notice of the members of the Board to be published in the *Gazette*.

(5) The members of the Board shall hold office for such period and on such terms and conditions as the Minister may specify in their appointment.

(6) A member of the Board shall be eligible for re-appointment.

### **Resignation and removal of members**

7.(1) A member of the Board may resign from office by giving a notice in writing to the Minister and shall cease to be a member upon the receipt of the resignation.

(2) The Minister may at any time terminate the appointment of any member of the Board who —

- (a) has been found guilty of any misconduct, default or breach of trust in the discharge of any duties;
- (b) has been absent without leave of the Council for three consecutive meetings of the Board;
- (b) is convicted of an offence of three months or more; or
- (c) is mentally or physically incapable of carrying out the functions under these Regulations.

### **Functions of Board**

8. The functions of the Board shall be to —

- (a) develop and approve the program of work of the Council and the strategy and plans of the Council in relation to its functions under regulation (4) within the framework of education general policy;
- (b) authorise the execution of documents, including agreements on behalf of the Council;
- (c) authorise and monitor the budget spending of the Council; and
- (d) such other functions necessary for the efficient and effective discharge of the workings of the Council.

### **Meetings of Board**

9.(1) The Board shall meet at least once in every 2 months.

(2) All matters arising at a meeting of the Board shall be decided by a majority of the votes of the members present and, in the event of an equality of votes, the chairperson or vice-chairperson or the member presiding shall have the casting vote.

(3) The quorum of the meeting of the Board shall be 4 members.

### **Disclosure of interest**

**10.** A member of the Board or the Registrar attending meetings of the Board, who has direct or indirect interest in any matter to be decided by the Board, shall —

- (a) disclose the nature of such interest at the meeting of the Board; and
- (b) not take part in any deliberation or decision in respect of that matter.

## **PART IV - REGISTRAR AND OTHER STAFF OF COUNCIL**

### **Registrar and other staff of Council**

**11.(1)** The Minister shall appoint a person who possesses the qualifications and experience in the field of professional development and leadership in education and training to be the Registrar of the Council on such terms and conditions as the Minister may determine.

(2) The Registrar shall be responsible for implementing the decisions of the Board, keeping records of its activities and the minutes of meetings and perform such functions as the Council may, from time to time, assign.

(3) The Registrar of the Council shall be an *ex officio* member of the Board of the Council and shall not be eligible to vote at a meeting of the Council.

(4) The Council shall, on such terms and conditions as may be determined by the Board, employ such persons as may be necessary in the performance of the functions of the Council.



## **PART V - REGISTRATION OF TEACHERS**

### **Register of teachers**

12.(1) The Council shall keep and maintain a register of teachers engaged as teachers in Seychelles.

(2) The register shall be open to inspection by any member of the public free of charge during the working hours.

(3) The Council shall, on or before the end of January of every year cause to be published in the Gazette a list of all teachers registered with the Council between the period of 1<sup>st</sup> January to 31<sup>st</sup> December of the preceding year.

### **Council to register teachers**

13.(1) All teachers, engaged or to be engaged, as teachers in an educational institution registered under the Act, shall be registered by the Council and issued with a certificate of registration.

(2) For the purpose of subregulation (1), a teacher who wishes to be engaged in an educational institution on the commencement of these regulation shall have one year to register with the Council.

(3) For the purpose of subregulation (1), a provisionally registered teacher who wishes to be engaged in an educational institution on the commencement of these regulation shall have five years to be registered as a teacher with the Council.

(4) A teacher who failed to register within the period specified under subregulation (2) or (3), may apply to the Council for an extension of time to register and the Council if satisfied that the teacher has reasonable grounds as to why he or she failed to do so, may extend the time for registration.

### **Eligibility for registration of teacher**

14.(1) A person is eligible for registration if the person —

- (a) has obtained a qualification after successfully completing a teacher education course or programme accredited by the Seychelles Qualifications Authority;
  - (b) has completed an induction for teachers in any educational institution recognised by the Seychelles Qualifications Authority;
  - (c)
    - (i) has obtained the necessary qualification from a foreign education or training course or programme recognised by the Seychelles Qualifications Authority;
    - (ii) is qualified to teach under the laws of a foreign country and the Council in consultation with the Seychelles Qualifications Authority is satisfied that the standard of the qualifications obtained by the person is not inferior to that adopted by the Council for registration and, in addition, the council may require such person to undergo such oral or written test or other assessment or fulfill such other requirements as the Council may specify;
- (2) A person shall not be registered under these Regulations, if the person —
- (a) is not of a good character; or
  - (b) has been the subject of any disciplinary or other proceedings which, in the opinion of the Council, undermines the profession of teaching, education and training.

### **Provisional Registration**

15.(1) Notwithstanding regulation 13(3), the Council may provisionally register a person who in the opinion of the Council has the potential to teach in educational or training institution and become a teacher.

(2) A person registered under subregulation (1) shall be registered for a period of 5 years.

(3) A person registered as a provisional teacher under subregulation (1) who so desires to be registered as a teacher shall undertake the necessary teacher training courses or programme to be eligible to be registered as a teacher.

(4) Upon the expiration of the five years under subregulation (2) a provisional teacher who has not complied with subregulation (3) shall not be entitled to continue to teach and the Council shall take steps to remove his or her name from the Register in pursuant to regulation (8).

### **Application for registration**

16.(1) An application for registration shall be made to the Council in the form specified in the First Schedule.

(2) The Council may require the applicant to furnish such other documents as the Council may consider necessary.

(3) The Council shall —

- (a) on being satisfied that the applicant is eligible to be registered as a teacher, cause the applicant to be registered as a teacher, on payment of the fees specified in the Second Schedule; or
- (b) if the Council is not satisfied, refuse the registration and so inform the applicant in writing with the reasons thereof.

### **Certificate of registration**

17.(1) On the registration of the applicant, the Registrar shall issue a certificate of registration or a certificate of provisional registration, as the case may be.

(2) Where a certificate of registration is lost or destroyed, the Registrar shall, on being satisfied of the fact and on payment of the fees specified in the Second Schedule, issue a duplicate of the certificate of registration.

### **Removal of names from the register**

18.(1) Where the Council is satisfied that a person registered under these Regulations —

- (a) has been convicted of a crime of such nature as to render it desirable that the member's appointment be terminated;
- (b) has obtained registration by fraud or misrepresentation;
- (c) has breached the code of conduct and ethics or any regulation made under the Act; or
- (d) was not, at the time of registration, qualified to be registered, the Council may, order that the name and other particulars of the person be removed from the register for such period as it may think fit and an amendment to that effect be made in the register.

(2) The Registrar shall not remove a name from the Register or make an amendment in the register pursuant to a decision made under subregulation (1) before the expiration of 21 days after the service upon the person concerned of the decision of the Council or, in case of an appeal against the decision, until the decision of the Appeal Board.

(3) Where the name of a person is removed from the register, the person shall return the certificate of registration, or where the certificate has been lost or destroyed the person shall submit a statement in writing to that effect, to the Registrar.

### **Change in particulars to be notified to Registrar**

**19.(1)** Any person whose name is included in the register shall notify the Registrar in writing together with supporting documents of any change of particulars stated in the person's certificate.

(2) On receipt of a notice of changes under subregulation (1), the Registrar may, on being satisfied that the amendment is necessary to maintain the accuracy, amend the register and the certificate accordingly and issue an amended certificate of registration to the applicant.

## **PART VI - INVESTIGATION COMMITTEE**

### **Investigation Committee**

**20.(1)** Where there is a matter which in the opinion of the Council requires to be investigated in relation to the conduct of a teacher under these

Regulations, the Council shall inform the Minister in writing of the need for the Investigation Committee to investigate the matter.

(2) The Council shall specify to the Minister the terms of reference for the conduct of the investigation.

(3) The Minister upon receipt of the information under subregulation (1) shall cause an Investigation Committee to be established to conduct the investigation in accordance with the terms of reference as specified under subregulation (2).

(4) The Investigation Committee established under regulation (3) shall be composed of 3 members consisting of a Chairperson and 2 members having experience in legal, judicial or law enforcement matters.

(5) The Investigation Committee shall regulate their own proceedings whilst conducting an investigation.

(6) Upon conclusion of an investigation, the Investigation Committee shall submit a report of their findings to the Minister who shall in turn submit a copy of the report to the Council.

(7) The Council shall, on receipt of the report under subregulation (6) take any decision the Council deems necessary and send their decision to the Registrar of the Council who shall act thereupon.

## **PART VII - APPEALS COMMITTEE**

### **Appeals Committee**

**21.**(1) There shall be an Appeals Committee appointed by the Minister consisting of a Chairperson and 2 members.

(2) The members appointed under subregulation (1) shall have experience in education and legal matters.

(3) The Appeals Committee may appoint any person for assistance for deciding any particular appeal, if so considered by the Appeals Committee, on such terms and conditions as may be determined by the Appeals Committee.

- (4) The Appeals Committee shall regulate its own proceedings.

### **Appeals**

22.(1) A person aggrieved by any decision made under these regulations may appeal to the Appeals Committee.

(2) An appeal under subregulation (1) shall be lodged with the Appeals Committee within 14 working days from the date of receipt of the decision.

(3) The Appeals Committee may, where it entertains an appeal, decide the appeal by —

- (a) confirming the decision;
- (b) varying the decision;
- (c) quashing the decision; or
- (d) ordering to reconsider the decision.

## **PART VIII - FINANCIAL AND MISCELLANEOUS PROVISIONS**

### **Prohibition against false representation**

23. Any person who —

- (a) not being registered under these Regulations uses any name, title or designation representing that the person is so registered;
- (b) at any time, with intent to deceive, makes use of a certificate of registration issued to a person or any other person; or
- (c) willfully makes, or causes to be made, a falsification in a matter relating to the register or to the registration of any name in the register,

commits an offence and shall be liable on conviction to a fine not exceeding SCR20,000 or imprisonment for a term not exceeding 2 year.

### **Funds of Council**

**24.(1)** The funds of the Council shall consist of —

- (a) the moneys allocated by the Government for the use of the Council;
- (b) any moneys accruing to the Council from its operations or other payments; and
- (c) moneys, from time to time, received by the Council by way of loans, gifts or grants.

(2) The Funds of the Council shall be applied for —

- (a) the discharge of the expenses in carrying out its functions;
- (b) the payment of emoluments to the members of the Board, officers and other employees of the Council; and
- (c) the other expenses of the Council for purposes of these Regulations, as may be authorised by the Board.

### **Accounts and audit**

**25.(1)** The financial year of the Council shall be the period of 12 months ending on the 31<sup>st</sup> December.

(2) The Council shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in accordance with practice approved by the Auditor General.

(3) The accounts of the Council shall be audited by the Auditor General in accordance with Article 158 of the constitution.

(4) The Council shall furnish the Minister a copy of audited statement together with a copy of any report by the Auditor General on the statement of accounts no less than 4 months after the end of each financial year.

**Annual report**

**26.(1)** The Council shall prepare an annual report once every year giving a full account of its activities during the previous year and submit to the Minister a copy of the report no less than 3 months after the end of each financial year.

(2) The Council shall prepare and submit to the Minister the estimates of income and expenditure of the Council in respect of each financial year.

(3) The Minister shall submit the annual report to the National Assembly within one month of the receipt of the report from the Council.

**Plan of activities**

**27.(1)** The Council shall prepare a plan of activities and submit it at least 30 days before the beginning of each financial year to the Minister for approval.

(2) The plan of activities under subregulation (1) shall —

(a) include a statement of the short and medium term objectives of the Council;

(b) outline the strategies that the Council intends to employ in order to achieve its objectives; and

(c) include, *inter alia*, an operational plan, a financial plan, a human resources plan and performance indicators.







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|--|--|--|--|
|  |  |  |  |
|  |  |  |  |

Date registered with the Teachers Council country of origin

.....

Registration Number:.....

Latest Registration details:

Date : .....

Registration Body and Address: .....

.....

Registration Number: .....

*The Teachers Council of Seychelles reserves the right to verify information provided in Section C*

**Section D:Documentary Evidence**

Attach **certified** photocopies of the following:

- Birth certificate indicating place and date of birth
- One passport photo (original).
- Evidence of qualifications
- As applicable, documentary evidence of all names and/or name changes eg marriage, divorce certificate.
- As applicable, citizenship, residency and work permit documents

*A certified copy is a photocopy of the original document which has been signed and dated on each page by a government official (eg. your Director, Principal, Headteacher).Include as well on the document the full name of the official, the official stamp and the date the document was certified.*

**Section E: Declarations**

|   |  |                                       |
|---|--|---------------------------------------|
| <b>Have you ever been the subject of disciplinary proceedings in relation to your employment?</b> | <b>Yes</b><br><input type="checkbox"/> | <b>No</b><br><input type="checkbox"/> |
| <b>Have you ever been convicted of an accusation or other offence?</b>                            | <b>Yes</b><br><input type="checkbox"/> | <b>No</b><br><input type="checkbox"/> |
| <b>Are there any charges for any matters that may call into question your character</b>           | <b>Yes</b>                             | <b>NO</b>                             |

|  |                          |                          |
|--|--------------------------|--------------------------|
| <b>or fitness to teach?</b>  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>Is there any physical and/or mental health condition that may affect your ability to carry out your teaching role safely and satisfactorily</b> | <b>Yes</b>               | <b>No</b>                |
|  | <input type="checkbox"/> | <input type="checkbox"/> |
| <b>I have provided police clearance documentation</b>  | <b>Yes</b>               | <b>No</b>                |
| <i>For non-Seychellois applicants only</i>   | <input type="checkbox"/> | <input type="checkbox"/> |

I \_\_\_\_\_

(full name of applicant)

Of \_\_\_\_\_

(Full address of applicant)

in terms of section 87 (2) (r) of the Education (Amended Act) Act 2017, hereby request the Seychelles Teachers Council to enter my name in the register maintained by the Council.

I declare that the information on this application form is correct and complete.

I also declare that there is nothing that relates to my conduct, character or behavior which prevents the issue or the holding of a registered certificate.

I further declare that I have read and understood the Code of Professional Practice for Teachers as published by the Teachers' Council. In the event that I am awarded the certificate, I hereby undertake to be guided by the principles outlined in the abovementioned' Code of Professional Practice for as long as I am a holder of the said Teacher's Registration Certificate.

\_\_\_\_\_  
Signature of Applicant

#### Section F: Character references

**Please provide the following information of two persons: one who can act as character reference and the other who can act as a professional reference.**

Name: \_\_\_\_\_ Name: \_\_\_\_\_

Address: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel: \_\_\_\_\_ Email: \_\_\_\_\_ Tel: \_\_\_\_\_ Email: \_\_\_\_\_

Occupation: \_\_\_\_\_ Occupation: \_\_\_\_\_

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**Section G: For office use only**

|  |                             |                                      |                                 |
|--|-----------------------------|--------------------------------------|---------------------------------|
| <b>Registration Fee Paid Registration Status</b> |                             |                                      |                                 |
| <input type="checkbox"/> Yes                     | <input type="checkbox"/> No | <input type="checkbox"/> Waived      | <input type="checkbox"/> Full   |
|  |                             | <input type="checkbox"/> Provisional | <input type="checkbox"/> Denied |
| Approval date: _____                             |                             | Date of issue: _____                 |                                 |
| Chairperson of Council: _____                    |                             | Secretary to Council: _____          |                                 |

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**Section H: Important information**

**Application for non Seychellois Nationals**

Non Seychellois Nationals applying for a registration certificate are requested to present:

- valid work permit (GOP) within two months of registration.
- police record from country of origin
- an official declaration that applicant is listed on the register of Teachers of his/her country of origin and that he/she has been favourably reported on during his/her teaching career.

**Completion Guide: completing section C**

This section collects details to confirm you have suitable qualifications for registration.

- a) Certified copies to provide: please attach certified copies to the application of all the qualifications you listed in the application.
- b) Teaching qualifications: List your completed teaching qualifications, the institution from which you gained them and the year in which you completed them.
- c) Other qualifications: Include the same type of information here as for (b). List all other tertiary qualifications you have completed, including any trade certificates and apprenticeships you have completed.

**Checklist**

Please complete this checklist to confirm you have done everything, before you send in your application.

|   |  |
|---|--|
| Have you completed all seven sections?  |  |
| Have you attached the documentary evidence of:  |  |
| Date and place of birth   |  |
| Passport photo (original)   |  |
| degrees, diplomas certificates all name changes (as appropriate)  |  |
| Registration Certificate  |  |
| Residency and/or work permit (GOP)documents (as necessary)  |  |
| Police record from country of origin (as necessary)   |  |
| Have you had documents certified as accurate copies of the originals, on every page by an authorized person (as necessary)? |  |
| Have you signed the declaration section?  |  |
| Fee payment   |  |

Once completed the application, together with the relevant documents is to be addressed to:

The Registrar  
 Teachers Council of Seychelles  
 Ministry of Education Head Quarters  
 Mont Fleuri

**SECOND SCHEDULE**

*[Regulations 16(3) and 17(2)]*

**FEEES**

- |  |         |
|--|---------|
| 1. For registration                      | SCR500. |
| 2. Provisional Registration              | SCR250. |
| 3. For issue of duplicate of certificate | SCR100. |

**MADE this 30th day of September, 2021.**

**JUSTIN VALENTIN  
MINISTER OF EDUCATION**

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