

## No. 25 of 1935.

A LAW TO PROVIDE FOR THE BETTER MANAGEMENT AND CONTROL OF SECONDARY EDUCATION. A.D. 1935.  
25 of 1935.

W. D. BATTERSHILL,] [2nd September, 1935.  
*Officer Administering the Government.*

WHEREAS it is expedient that the Government should direct generally all educational policy and exercise supervision over all educational institutions in the Colony :

BE it therefore enacted :—

1. This Law may be cited as the Secondary Education Law, 1935. Short title.

2. In this Law, unless the context otherwise requires,— Interpre-  
tation.

“ Director ” means the Director of Education ;

“ 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 first 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, 1933, 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.

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.

Registration  
of existing  
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 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 teaching staff ;
- (c) the curriculum ;
- (d) the books in use ;
- (e) the school premises.

(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.

Obstruction  
of inspecting  
officers.

**11.**—(1) The Senior Medical Officer 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.

Inspection  
by medical  
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.

Director  
may prohibit  
use of  
certain  
books in  
schools.

**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.



(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 sub-section (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 a manner subversive to good government or social order in Cyprus ;
- (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.

## PART II. 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.

Register of  
Secondary  
School  
Teachers.

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 :

Provided that a person who, at the date of the coming into operation of this Law, is teaching in a secondary school to which section 4 of this Law applies may continue to do so until the end of the school year during which this Law comes into operation.

Application for registration 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 registration 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 sub-section (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 sub-section (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 sub-section (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 to have used or be using his position in or in connection with the secondary school in which he is employed or acts as a teacher for purposes subversive to good government and social order in Cyprus, the Director may interdict such teacher from teaching :

Suspension, etc., of Secondary School Teachers.

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 *Cyprus Gazette*.

(6) If the Governor decides not to take any action against a teacher who has been interdicted under the provisions of sub-section (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-  
Christian  
Secondary  
Schools.

33 of 1923  
5 of 1929

18 of 1933

Governing  
body for  
certain  
Moslem  
secondary  
schools.

25 of 1920  
29 of 1927  
6 of 1929

23. The governing body for any Greek-Christian 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 Orthodox-Christian schools in each town respectively as constituted under the Elementary Education Law, 1933, or any law amending or substituted for the same.

24. The governing body for any Moslem secondary school to which the Secondary Education (Moslem) Laws, 1920 to 1929, applied before the enactment of this Law shall, if and when any such school is registered under the provisions of this Law, be composed of the Turkish Delegate of Evcaf who shall be Chairman, and two other persons (one of whom shall be a Moslem) having a knowledge of and interest in Moslem secondary education, appointed by the Governor and holding office at his pleasure.



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—

Powers of certain governing bodies.

- (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.

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.

Borrowing powers of certain governing bodies and saving.

(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.

27. The provisions of section 18 of the Elementary Education Law, 1933, shall *mutatis mutandis* apply to the meetings of the governing body of any secondary school to which section 23 or 24 applies.

Meetings of certain governing bodies.

18 of 1933

Vesting of property in certain secondary schools.

**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 in and if immovable vest in and be registered in the names of the following persons to be held in trust for the school concerned—

- (a) in the case of an Orthodox-Christian secondary school, in the name of the Mayor of the town in which such school is situate ;
- (b) in the case of a Moslem secondary school in any town, in the names of the Delegates of Evcaf.

(2) All such immovable property of every category shall be registered in the books of the Land Registry Office in accordance with the preceding sub-section 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.

Accounts of certain governing bodies.

**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 be closed within twenty-one days from that date.

(2) Such accounts shall be examined by the governing body and shall be verified and signed by not less than three members thereof and shall be submitted for audit in such manner and within such time as may be prescribed.

(3) If the governing body makes default in submitting its accounts for audit as in sub-section (1) hereof 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 belonging to or held in trust for any secondary school.

**30.** The Governor may by notice to be published in the *Cyprus 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 Governor 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 *Cyprus 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 sub-section (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 *Cyprus 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.

Repeal.

**34.** The Laws mentioned in the Schedule to this Law are hereby repealed.

Date of coming into operation.

**35.** This Law shall come into operation on a date to be fixed by notice by the Governor in the *Cyprus Gazette*.

#### SCHEDULE.

The Secondary Education (Moslem) Law, 1920, (No. 25 of 1920).

The Secondary Education (Greek-Christian) Law, 1923, (No. 33 of 1923).

The Secondary Education (Moslem) Amendment Law, 1927, (No. 29 of 1927).

The Secondary Education (Greek-Christian) Amendment Law, 1929, (No. 5 of 1929).

The Secondary Education (Moslem) Amendment Law, 1929, (No. 6 of 1929).

*This Law came into operation on 6th March, 1936.*