

NEW HEBRIDES
REPRESENTATIVE ASSEMBLY

RA3/D/18-P
23 May 1980
Original:English

TEACHING SERVICE COMMISSION REGULATION

Explanatory Note

Article 58 of the Constitution specifically excludes the Teaching Service from the authority of the Public Service Commission.

This law provides for a separate Teaching Service Commission which will carry out such functions relating to the teaching service as the Prime Minister may delegate to it.

Under Section 3 (2) (b) the Chairman of the Public Service Commission will be a member of the Teaching Service Commission to provide a link between the Public Service and Teaching Service.

Section 6 (2) (a) makes reference to Teaching Service Committees. These will be the sub committees of the Commission the most important of which may well be the Disciplinary Committees.

April 1980

The Hon. D. Kalpokas
Minister of Education

DRAFTSMANS NOTE

The Resident Commissioners Joint Regulation bringing this Regulation into force will provide that it shall be cited as "the Teaching Service Commission Regulation 1980" and shall come into operation on the Day of Independence.

TEACHING SERVICE COMMISSION REGULATION 1980

Arrangement of Sections

1. Interpretation.
2. Appointment of persons to Teaching Service.
3. Teaching Service Commission.
4. Term of office of members of Teaching Service Commission.
5. Acting Chairman and members.
6. Orders.
7. Transitional.

RESOLUTION NO OF 1980

Providing for the establishment of a Teaching Service Commission.

The Representative Assembly of the New Hebrides at its sittings on hereby resolves and decides in accordance with Article 23 of the Schedule to the Exchange of Notes of the 15th September, 1977 to adopt the following measures:-

Interpretation.

Appointment
of
persons
to
Teaching
Service.

Teaching
Service
Commission.

1. In this Regulation unless the context otherwise requires :-
"Teaching Service" means service of the Government in the instruction of students in schools including the management of schools as head teachers.
2. (1) The Prime Minister shall appoint persons to hold or act in any offices in the teaching service of the Government of Vanuatu and may also exercise disciplinary control over such persons, suspend and remove them from office.
(2) The Prime Minister may by order delegate any of his powers under this section to the Teaching Service Commission or any authority or public officer and may likewise revoke such delegation.
(3) An order made under subsection (2) may contain such conditions and reservations as the Prime Minister may consider appropriate.
3. (1) There shall be a Teaching Service Commission which shall advise the Prime Minister in respect of the performance of his functions under section 2 (1).
(2) The Teaching Service Commission shall consist of :-
(a) a Chairman and 3 other members appointed by the President after consultation with the Prime Minister and
(b) the Chairman of the Public Service Commission.
(3) A person shall not be qualified to be appointed Chairman or a member of the Commission if he is :-
(a) a member of Parliament;
(b) a member of any board or other authority responsible for the management of schools; or
(c) an office holder in any political party.

Term of office
of members
of Teaching
Service
Commission.

4. (1) Subject to subsection (2) the appointed members of the Commission shall serve for a period of four years.
- (2) Should the Prime Minister be satisfied that an appointed member of the Commission :-
 - (a) is no longer qualified to be a member;
 - (b) has been absent from 2 consecutive meetings of the Commission without the consent of the Chairman;
 - (c) has become insolvent;
 - (d) has been convicted of a crime involving moral turpitude; or
 - (e) is otherwise unable or unfit to discharge the functions of a member;the Prime Minister may by notice published in the Vanuatu Gazette declare the office of the member vacant.
- (3) An appointed member may resign by notice in writing to the President.

Acting
Chairman and
members.

5. (1) If at any time there is no Chairman or he is unable to perform the functions of his office, the Prime Minister shall designate a member to perform the functions of that office except in the case of absence from a meeting when the other members will elect a chairman for that meeting.
- (2) If the number of members of the Commission falls below 3, the Prime Minister shall appoint such number of acting members as may be needed to make up that number.
- (3) Section 3 (3) shall apply to acting members.

Orders.

6. (1) The Prime Minister may after consultation with the Minister for the time being responsible for education make orders providing for the procedure of the Commission.
- (2) Without derogating from the generality of subsection (1)

Orders made by the Prime Minister may -

- (a) establish Teaching Service Committees which may include persons who are not members of the Commission for the purposes of carrying out functions delegated to them by the Commission;
- (b) make provision for the chairing of meetings of the Commission or any Teaching Service Committee during the absence of the Chairman of the Commission or Committee;
- (c) provide for a quorum at meetings.