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**Department of Human Resources, Science & Technology**  
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## AFRICAN CONTINENTAL GUIDELINES



*With a toolkit*



**AFRICAN CONTINENTAL GUIDELINES  
FOR THE TEACHING PROFESSION**

*With a toolkit*

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## ACRONYMS

ACFSCTP – Continental Framework of Standards and Competences for the Teaching Profession

ACGTP – Continental Guidelines for the Teaching Profession

ACTQF – African Continental Teacher Qualification Framework

AFTRA – Africa Federation of Teaching Regulatory Authorities

AU – African Union

AUC – African Union Commission

CESA – Continental Education Strategy for Africa 2016-2025

CONFEMEN – Conference of the Ministers of Education of French Speaking Countries

CPD -Continuous professional development

ECOWAS – Economic Community of West African States

EI – Education International

EU – European Union

GTC – General Teaching Council

IFTRA- International Forum of Teaching Regulatory Authorities

ILO – International Labour Organisation

ITT – International Task Force on Teachers for Education 2030

SADC – Southern African Development Community

SDG4 – Sustainable Development Goals 4-Education

TDC – Teacher Development Cluster

TEI – Teacher Education Institution

UIS – UNESCO Institute for Statistics

UNESCO – United Nations Educational, Scientific and Cultural Organisation

UNESCO-IICBA – UNESCO International Institute for Capacity Building in Africa

## DEFINITIONS

**Career path:** This refers to increasing levels of proficiency from the point a teacher or school leader enters teaching or leadership till retirement. It is a set of benchmarks of the professional knowledge, skills and conduct at distinctive stages in the career of a teacher or school leader.

**Competence:** This is a complex set consisting of knowledge, practice, values and attitudes which demonstrates the capacity of a teacher or school leader to performance a task in a given context.

**Continuous Professional Development:** The lifelong exposure of a teacher to developments in the art and science of teaching, learning, professional conduct and specialist subject areas. For a school leader, this entails regular updating of best practices in management and leadership of professional knowledge, practice and values as well as the transformation of human and material resources of the school as an organization.

**Continental Framework of Standards and Competences for the Teaching Profession:** A description of the professional knowledge, skills, values, attitudes, conduct, career path and other critical professional benchmarks expected of teachers and school leaders in member States of the African Union.

**Continental Guidelines for the Teaching Profession:** An articulation of the baseline of professional tenets that shall apply to the teaching profession in the member States of the African Union.

**Continental Teacher Qualification Framework:** The classification and benchmarks of initial teacher education, continuous professional development and professional requirements for the registration and licensing of teachers and school leaders in member States of the African Union.

**Domain:** This refers to the major structure or division of the entire professional standards and competences. In some jurisdictions, it is referred to as the key principles, for instance the South African Teaching Standards (South African Council for Educators, 2017) or core propositions as used in the Teaching Standards of the United States (National Board for Professional Teaching Standards, 2016). The sub-domains are the sub-themes that fall under the respective domains.

**Initial Teacher Education:** The academic and professional preparation given to an individual in approved educational institution as a foundation for entry into the teaching profession.

**Profession:** This is an exclusive vocation founded upon a long period of preparation in theory and practice at approved institutions, and embodies its code of ethics and standards of practice protected through the certification and recruitment of only qualified individuals and regulated by a statutory professional authority to earn public trust and recognition

**Professional Knowledge and Understanding:** These explain the intellectual capacity required of teachers to grasp the relevant academic, logical and conceptual issues involved in teaching and learning.

**Professional Leadership:** This refers to the capacity of teachers to nurture and sustain positive interpersonal influence that can enhance the organization and management of teams and groups at all levels of the school as an organization and beyond.

**Professional Partnerships:** These refer to the ability expected of teachers to network successfully with all stakeholders in the immediate teaching-learning environment with (learners, colleagues, school leadership and wider audience such as the community, government, international relations and the society in general.

**Professional Skills and Practices:** These establish the capacity expected of teachers to practically plan and implement learning programmes, evaluate performance, provide feedback, work on the outcome of evaluation and guarantee a friendly and safe school environment, among other needs.

**Professional Values/Attributes/Commitment:** These elaborate the acceptable conduct and philosophies and principles of life that should underlie them as teachers discharge their professional duties in all ramifications.

**Professionalisation of Teaching:** Basically, this refers to a process of making teaching a profession; it is a complex set of the philosophy, theories, principles, laws, procedures, institutions and actions created to empower teaching to acquire the full status of a profession.

**School leader:** An individual responsible for the academic and administrative management and leadership of a primary school, lower or upper secondary education institution.

**Standard:** This is the norm or typical level of performance expected of a teacher or school leader.

**Teacher, certified:** An individual who has successfully undergone preparation at a required level in an approved teacher education institution and fulfilled other relevant professional requirements on the bases of which an authorization to teach has been issued by a teaching regulatory authority.

**Teacher education:** All educational programmes and processes involved in the preparation of an individual for a career as a teacher and/or school leader, which encompasses initial and continuous professional development.

**Teacher licensing:** An approval by a teaching regulatory authority attesting that an individual has attained the preparation and other professional conditions required to teach or serve as a school leader in a country or part thereof, and this is evidenced by a permit issued to the individual with validity for a specified period of time.

**Teacher registration:** The listing of the name of an individual by a Teaching Regulatory Authority in the official register of persons who have fulfilled the requirements to teach in the country or part thereof.

**Teaching Regulatory Authority:** An organisation statutorily established in a country to regulate and control teaching as a profession. There are varieties of this which include the Teaching Councils, Teachers Registration Councils or Boards, Councils for Educators, Teaching Service Commissions or College of Teachers.

**Professionalisation of Teaching Toolkit:** A comprehensive set of information on how to build teaching into a strong and virile profession.

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# I. INTRODUCTION

1. The Teaching profession is the mother and foundation of all other professions because every professional was educated by a teacher.
2. It is equally an established fact that of all factors that contribute to student achievement, teaching has the single greatest effect (Niemi & Kallioniemi, 2012 cited in UNESCO 2015b; US Department of Education, 2004).
3. Education is “the most powerful weapon, which you can use to change the world” (Mandela, 2004); there is no other force on earth known to humanity that transforms like education. It is the source of the most critical knowledge, skills, values, attitudes and orientations for building the political, economic, health, and cultural institutions of nation states. Aware of the potency of education, the United Nations (2015) stated that Agenda 2030 can transform our world.
4. Teachers contribute greatly on educational achievements and clearly stand out as agents of change. They have invaluable contributions to make towards the “*Africa We Want*” (African Union, 2016a). Thus, it has been said that “no country can rise above the quality of its teachers” (Federal Republic of Nigeria, 2013). Nevertheless, other factors are equally crucial, such as the environment, developmental issues, peace and security, for the education system to reap the optimum potentials of the teachers.
5. The “Africa We Want” is a continent that is prosperous and “based on inclusive growth and sustainable development”, and this is not possible without a strong educational system driven by high qualified, well-motivated teachers who enjoy commensurate, if not more, social recognition and status as other professionals in society. This desire to reposition teaching as a critical agent of change both in education and society has thrust upon member states of the African Union the duty of adopting and implementing the Guidelines for the Teaching Profession.

# II. CONTEXT OF THE GUIDELINES

6. In the beginning, teaching was a highly respected profession (Majasan, 1996). This was the early days when Western Education was newly introduced in Africa. Then, though teachers merely had rudimentary preparation as teachers, they carried on the vocation with passion and missionary devotion. They put in their best in terms of knowledge, skills and morality, and the society saw them as the epitomes of rectitude. Their impact on teaching and learning was distinctive and pupils and students that passed through their tutelage were notable not only in learning but also character. Teachers therefore enjoyed high social worth and were reckoned to be next to the traditional and religious leaders who were then at the apex of the social strata.
7. At the such time that teachers enjoyed very high social status, most of the brilliant pupils and students had just one ambition: to become a teacher. The respected position of the teaching profession therefore made it possible to continually recruit



the brightest and best among the students into the teacher training colleges and eventually into the teaching profession. Quality teaching and learning supplied the initial school graduates that laid the foundation for the growth and development of Africa.

8. Over time, however, social, political, economic and cultural changes in Africa contributed in complex and diverse ways to erode the worth of the teacher. Among these factors were the rise of materialism and globalisation which opened up the internal and international boundaries and pulled away the bright, brilliant and aspiring children and youth into the search for “greener pastures”. Teaching was left “behind” with its relatively unattractive conditions; poor training, working and living conditions (African Union, 2017a).
9. These days, finding qualified and interested candidates to recruit into the teacher education institutions across Africa has become a daunting task. Often, the candidates admitted into the institutions are those rejected by other disciplines and professions. Even after completing their teacher preparation programmes, a substantial number of such graduates are still lost to other occupations. It is not surprising, therefore, that Africa is currently faced with an intolerable magnitude of dearth in quantity and quality of teachers and millions of children in school are said to perform below expectations (UNESCO Institute for Statistics, 2017, 2018a, 2018b).
10. UNESCO Institute for Statistics (2018a) revealed the following worrisome state of teaching and learning in Africa: that “One in five children, adolescents and youth” or 263 million children are out-of-school, globally. The sub-Saharan Africa tops the regions with the highest out-of-school children – it has a rate of 32.3% and 96.9 million (36.8%) of the 263 million out-of-school children. Also, about 617 million – or six out of ten – children globally do not meet the minimum proficiency levels required for reading and mathematics. Of the 617, “sub-Saharan Africa has the single largest number – 202 million – of children and adolescents who are not learning. Across the region, nearly nine out of ten kids between the ages of about 6 and 14 are not gaining minimum proficiency levels in reading and mathematics” (UNESCO Institute for Statistics, 2018a:1)
11. According to UNESCO (2015b) there is a global need for 3.2 million more teachers for primary education and 5.1 million more for junior secondary in order to achieve SDG4-Education. These figures exclude teachers required to replace those retiring or leaving the service for various reasons. Furthermore, many teachers currently in the school system are not adequately qualified. In the estimation of UNESCO Institute for Statistics (2017, 2018a), a total of 69 million teachers are required globally for basic and secondary education to meet the demands of SDG4-Education. Africa has a huge share of this need for additional qualified teachers and retraining of the existing ones (African Union, 2017; International Labour Organisation, 2016).
12. In terms of student-teacher ratio, most of the African countries have ratios of 30-83:1 (UNESCO Institute for Statistics, 2018b). As stated by Actionaid (2017):

*In many countries there are simply too few teachers educating children, meaning pupils sit in grossly over-crowded classrooms. As of 2012, 24 countries in sub-Saharan Africa*

*with data had pupil/teacher ratios in primary education exceeding 40:1. Many countries also suffer from poorly qualified teachers; in one-third of the countries with data, less than 75% of primary school teachers are trained to national standards. (Actionaid, 2017:38)*

13. Similarly, the African Union (2017a) "*Study on teacher training, working, and living conditions in Member States*" exposed the prevalence of high student-teacher ratio across Africa. It stated that the ratio was generally above a recommended threshold of 35:1 and opined that "in spite of some remarkable steps towards bridging the [teacher] gap, most of the countries were trailing behind the expected annual increase in the number of teachers churned into schools" (p.70). Indeed, a World Bank study conducted by Bashir, Lockheed, Ninan & Tan (2018) titled "*Facing forward: Schooling for learning in Africa*" concluded that truly, Africa is experiencing a learning crisis.
14. Against this backdrop, there is need to take urgent steps to address the teacher question if Africa must meet the Sustainable Development Goals (SDG) 4- Education, particularly SDG4c that calls for the supply of adequate quantity and quality of teachers by 2030 (UNESCO, 2015b; United Nations, 2015). Rightly too, the African Union Continental Education Strategy for Africa (CESA 16-25), which is a direct response to SDG4, stated the "revitalisation of the teaching profession" as its first strategic objective. This means that the African Union has long committed to prioritising the teaching profession as "first among equals" in the continent's action plan. These Guidelines, therefore, address issues that are of fundamental nature in the growth and development of the continent. They are timely because member states through CESA 16-25 and the Recommendations of the African Union (2017a) study endorsed that immediate and appropriate steps be taken. Further details of the Recommendations are in Boxes 1 and 2. Some contents of the Boxes are highlighted to emphasizing "emerging" bold steps that must be taken.

**Box 1: Recommendations for teacher training**

- i. Establish continental professional standards for teachers which can be adapted by countries as guiding principles for teacher management to foster teacher motivation and professionalism.
- ii. Enforce a basic academic degree/diploma as the minimum entry requirement into the teaching profession at the country level.
- iii. Redesign the training of teachers to include induction and mentoring during the pre-service and in-service period at the country level.
- iv. Systematically review (5year period) teacher training curricula based on Monitoring and Evaluation returns at the country level.
- v. Harmonize initial preparation courses for ALL teachers prior to specialization (a common foundation course for all learning levels) at the country, regional, and continental level.
- vi. Establish Schools of Education for continuous professional development (as a matter of policy) for teachers, in all member states.
- vii. Introduce administrative academic qualifications for teachers who will take up school leadership and management duties at the country level.
- viii. Develop country specific roadmaps towards the professionalization of the teaching force.
- ix. Develop a systematic program to upgrade and phase out primary teacher certificate awards in favour of post graduate diploma and graduate certificates at the country level.

**Source: AU (2017a) *Study on teacher training, working and living conditions in Member States*, p. 82.**

**Box 2: Recommendations of the African Union (2017a) Study  
on Teachers' Living and Working Conditions**

- 1) Enhance the teacher specific observatory responsibilities at the regional and continental level.
- 2) Develop teacher regulatory bodies to oversee and manage teacher affairs at the country level.
- 3) Explicitly display pathways for teachers' growth within the profession and clearly articulate the pathways based on professional standards at the country, regional, and continental level.
- 4) Develop clear modalities to recognize and reward Teachers according to their workloads at the country level.
- 5) Provide both monetary and non-monetary benefits for hard to staff areas and subjects at the country level.
- 6) Develop teacher housing strategies that support ownership of houses and allowances at the country level.
- 7) Develop policies and mechanisms for teachers to access credit facilities at the country level.
- 8) Upgrade the current medical allowance provided to teachers to a medical insurance scheme cover at the country level.

**Source: African Union (2017a:83)**

### **III. GOAL AND OBJECTIVES**

15. The goal of the Guidelines is to empower Member States to raise the quality and professional status of teachers to bring about a transformation of the education system that is in accord with the **African Union Vision, Mission of CESA 16-25** and **CESA Strategic Objective 1** hereunder expressed:

**AU Vision:** *“Peaceful and prosperous Africa, integrated, led by its own citizens and occupying the place it deserves in the global community and in the knowledge economy.”*

**Mission of CESA 16-25:** *“Reorienting Africa’s education and training systems to meet the knowledge, competencies, skills, innovation and creativity required to nurture African core values and promote sustainable development at the national, sub-regional and continental levels.”*

**CESA Strategic Objective 1:** *“Revitalize the teaching profession to ensure quality and relevance at all levels of education.”*

16. The objectives of the Guidelines are as follows, to:

- 1) Provide an anthology of laws, policies, principles and practices that Member States can contextualise and institutionalise to professionalise teaching in their jurisdictions.
- 2) Generate a common language and understanding of the concept of professionalisation of teaching.
- 3) Build consensus and prioritise measures to professionalise teaching in Member States.
- 4) Commence the full professionalisation of teaching in Member States.
- 5) Adopt a platform for continuous dialogue and sharing of best practices by Member States on the professionalization of teaching.
- 6) Create a monitoring and evaluation system to periodically ascertain progress made by Member States and areas that may require review.
- 7) Provide impetus for the harmonization and standardization of teacher education and development, principles and professional practices in Africa as advocated by the relevant African Union policy instruments.
- 8) Address other related issues that have significant impact on the professionalization of teaching in Africa.

## IV. PRINCIPLES OF THE GUIDELINES

17. The Guidelines are founded upon three key Principles of *Professionalism, Equity, and Prioritisation of Teaching*. Each of these principles are briefly explained.

18. **The Principle of Professionalism:** Professionalism refers to a set of professional attributes or tenets. These are captured in the definition of a profession. For instance, a profession may be defined as ***an exclusive vocation founded upon a long period of preparation in theory and practice at approved institutions, and embodies its code of ethics and standards of practice protected through the certification and recruitment of only qualified individuals and regulated by a statutory professional authority to earn public trust and recognition.*** Also, as pointed out by Bullock & Trombley (1999), “a profession arises when any trade or occupation transforms itself through ‘the development of formal qualifications based upon education and examinations, the emergence of regulatory bodies with powers to admit and discipline members, and some degree of monopoly rights.’” For Ingersoll and Perda (2008:107), professionalism “refers to the attitudinal or psychological attributes of those who are considered to be, or aspire to be considered as, professionals” and professionalization implies “the degree to which occupations exhibit the structural or sociological attributes, characteristics and criteria identified with the professional model”. These perspectives underscore that fact that a profession is an exclusive vocation for individuals who are prepared and certified as qualified and such individuals embody the required competences and moral foundations to do the job. The principle of professionalism therefore, implies that the relevant tenets of a profession should be restored to teaching. In a profession:

- 1) There is a clearly delineated area of practice;
- 2) Practitioners undergo appropriate and relatively long preparation in theory and practice;
- 3) Practitioners subscribe to professional ethics and are bound by professional standards;
- 4) Practitioners are certified, registered and licensed;

- 5) Practitioners strive to earn public trust and recognition;
  - 6) Individuals who do not meet these parameters are not allowed to practice;
  - 7) Practitioners have exclusive capacity to render the highest standards of service in their area of calling which other non-members cannot offer; and
  - 8) There is legal basis and professional body for the regulation of the vocation.
19. The principle of professionalism, therefore, implies that teacher quality and public trust and recognition can only be realised through the integration of the relevant professional tenets. This principle was re-echoed by the “*Nairobi Declaration and Call for Action on Education: Bridging continental and global education frameworks for **the Africa We Want***” which called for “Recognising teachers as full-fledged professionals and agree on common qualification frameworks” (African Union, 2018).
20. **The Principle of Equity:** This implies that teaching shall be treated on the basis of equality, fair play and natural justice in relation to other professions. In other words, Member States shall not undermine the teaching profession by denying it the opportunities, rights, privileges and legal status already granted to other professions within the Member States. For instance, Member States that had enacted a law to legalise other professions, accord them special remunerations and privileges, and established their regulatory bodies but failed to do the same for the teaching profession fall short of the principle of equity. Such realities are the heart of the brain drain from teaching to the other professions.
21. **The Principle of Prioritisation of Teaching:** Given that teaching has been established as one of the most decisive factors in learning achievement and educational development, matters affecting teaching and teachers shall be ranked high in the priorities of Member States. These include matters of budgetary allocation, distribution of scarce resources and the development and implementation of educational laws and policies. With particular reference to funding of education which has been a seriously limiting factor to education service delivery, attention is again called to the Nairobi Declaration which endorsed the earlier commitment of Member States to allocate at least 4-6% of their national Gross Domestic Product (GDP) and/or at least 15-20% of total public expenditure to education. In the context of this allocation, the teaching profession should be given priority.
22. **Other principles of the Guidelines:**
- 1) The professionalisation of teaching is a primary requirement for the achievement of the African Union Vision, CESA Mission and CESA Strategic Objective 1.
  - 2) A highly qualified, motivated, well-respected, and internationally recognised and mobile teaching force is what Africa needs at its present stage of development to overcome perennial challenges in teaching and learning and in turn, raise a new generation of citizens with the required knowledge and competences to build the “Africa We Want”.
  - 3) The professionalisation of teaching will bridge the yawning teacher gap in Africa.
  - 4) The professionalisation of teaching will reverse the trend of the bright and brilliant children and youth shunning the profession in preference to other jobs.

- 5) The professionalisation of teaching will restore the moral fabrics of society and revive Africa's indigenous ethics and value systems which strongly held the people together in the past.
- 6) "Unity is strength" and therefore collective action (through the Guidelines) will enable the African continent to overcome roadblocks to building a highly efficacious teaching force which otherwise would have proved insurmountable if Member States had to work in isolation.
- 7) "Learning achievements will not significantly rise across Africa without real investments in teachers" (UNESCO-IICBA, 2017:6).
- 8) The Teaching profession should promote gender equality and equity, and provide equal opportunities to both genders in Teaching profession.
- 9) A high quality and well-regulated Teaching profession will protect the minorities and vulnerable and create a more inclusive society.
- 10) Teachers need to be professionalized at all levels (particularly pre-primary, primary and secondary) and in the public and private schools.

## V. SCOPE OF THE GUIDELINES

23. The Guidelines cover the critical issues and frameworks which constitute the foundation for a fully professionalised teaching force in Africa. Among them are:

- 1) The legalisation of the teaching profession through the enactment of laws by the Legislature of member states.
- 2) Establishment of a professional teaching regulatory authority both in law and practice.
- 3) Operationalisation of continental frameworks, which include the:
  - *African Framework of Standards and Competences for the Teaching Profession;*
  - *African Teacher Qualification Framework;*
  - *Teacher support and motivation framework for Africa;*
  - *African Continental Annual Teacher Prize; and*
  - *African Continental Teacher Mobility Protocol;*
- 4) The mandates of the Africa Federation of Teaching Regulatory Authorities.
- 5) Operationalisation of the Continental Teachers Registration Board.
- 6) Issues about working and living conditions of teachers.
- 7) Implementation strategies of the Guidelines.

24. At the end of the Guidelines, there is a toolkit, which is a set of valuable information that Member States can contextualise to help them with the implementation of the Guidelines. Some of the important contents of the toolkit are:

- 1) CESA Teacher Development Cluster and PACTED Roadmap for the professionalisation of teaching – most of the issues in the Guidelines are also captured in the Roadmap;
- 2) CESA Workplan and Reports *Templates* for implementation, monitoring, evaluation and reporting on issues under CESA and the Guidelines;
- 3) Types of Teaching Regulatory Authorities;
- 4) Actual Laws passed by the Legislature for the professionalisation of Teaching in four selected African countries, Australia and Canada;
- 5) Critical excerpts of the African Framework of Standards and Competences, and African Teacher Qualification Framework;

- 6) Further information on the continental and world Federations of Teaching Regulatory Authorities; and
- 7) Useful links.

## **VI. LEGALISATION OF THE TEACHING PROFESSION**

25. Member States shall pass a law that legalises teaching as a profession. The law shall create an appropriate legal environment that will enable the profession to operate in accordance with international ideals and standards as well as the benchmarks already established for other professions in the Member States. Some of the issues to be clearly provided for in the law are:

- 1) A clearly delineated area of practice;
- 2) Appropriate and relatively long preparation in theory and practice for teachers in approved teacher education institutions;
- 3) Duration of a minimum of five years for Bachelor of Education and using same as minimum entry requirement into the Teaching profession;
- 4) Harmonized teacher education among member states;
- 5) Establishment of professional standards and competences for the profession;
- 6) Establishment of national teacher qualification framework in line with the continental teacher qualification framework;
- 7) Certification, registration and licensing of teachers;
- 8) Induction and mentoring of newly qualified teachers;
- 9) Leadership and Management Certification Course for school leaders (head teachers and principals);
- 10) Registration and licensing of school leaders
- 11) Induction and mentoring of newly qualified school leaders
- 12) Appropriate remuneration and motivational incentives for teachers and school leaders within the existential realities of the Member States and in accordance with continental frameworks;
- 13) Barring of unqualified individuals from practicing as teachers and school leaders;
- 14) Establishment of a professional authority to manage the provisions of the law and regulate teaching as a profession.
- 15) Endorsement and implementation of Safe School Declaration, to protect education from attacks during conflict time and to ensure safety and wellbeing of teachers during such time.
- 16) Establishment of School Board to administer the school.

26. The professional regulatory authority shall have functions that includes the following:

- 1) Determination of fields of practice of teachers and school leaders;
- 2) Setting of standards and competences required to practice;
- 3) Accreditation of initial teacher education and continuous professional development programmes;
- 4) Setting of procedures for induction and mentoring of newly qualified teachers and school leaders;
- 5) Certification, registration and licensing of qualified teachers and school leaders;

- 6) Establishment of career path, their stages and requirements for teachers and school leaders;
- 7) Conduct of competency assessments for teachers and school leaders;
- 8) Award of appropriate status to teachers and school leaders who fulfil requirements of the career stages;
- 9) Establishment of professional panel to adjudicate breach of professional standards and competencies by members of the teaching profession;
- 10) Prosecution of the violation of the teaching profession law;
- 11) Regulation teaching in both the public and private sectors of the education system; and
- 12) Other functions considered vital for the effective growth and development of the profession.

## VII. KEY CONTINENTAL FRAMEWORKS

27. The following continental frameworks have been established:

- 1) African Framework of Standards and Competences for the Teaching Profession;
- 2) African Teacher Qualification Framework;
- 3) Teacher Support and Motivation Framework for Africa;
- 4) African Continental Annual Teacher Prize; and
- 5) African Continental Teacher Mobility Protocol;

28. Member States shall align national frameworks to the continental frameworks and pursue their implementation with vigour.

29. The actual texts of the continental frameworks shall be made available to a wide spectrum of stakeholders within Member States through a variety of means including online, soft and hard copies.

30. The key operators of the frameworks shall undergo the relevant capacity-building training to ensure smooth and accurate translation of the intents and purposes of the framework into practice.

31. Member States shall establish *National Institute for Teaching and School Leadership (NITSL)* with a focused mandate on the **Continuous Professional Development (CPD)** of teachers and school leaders.

## VIII. AFRICA FEDERATION OF TEACHING REGULATORY AUTHORITIES

32. Ministries of Education of Member States shall strengthen their membership of the Africa Federation of Teaching Regulatory Authorities (AFTRA) and harness fully the Federation's opportunities and technical resources to fast-track the professionalisation of teaching in their respective jurisdictions.



33. Member States shall ensure that their teaching regulatory authorities have membership of the Federation, participate actively and leverage on the support of the Federation to implement the law on teaching profession as well as the continental frameworks in their jurisdictions.
34. Continental and regional organisations, including teacher education institutions, teachers' unions and relevant civil society organisations dealing with teacher development and professional issues are urged to partner with the Federation in the implementation of these Guidelines for the Teaching Profession in Africa.

## **IX. CONTINENTAL TEACHERS REGISTRATION BOARD**

35. The African Union Commission shall establish a Continental Teachers Registration Board (**CTRB**) to implement the ideals of continental teacher and leadership certification, registration and licensing.
36. The functions of the CTRB shall be linked to the implementation of the continental frameworks for the Teaching Profession.
37. The CTRB shall work closely with the Africa Federation of Teaching Regulatory Authorities and play a key role in the implementation of the Teacher Mobility Protocol.
38. The establishment of the CTRB is in accord with the Recommendation of the African Union (2017b) Specialized Technical Committee on Education, Science and Technology and Ministerial Meetings. It also aligns with the Recommendation of the African Union (2017a:81) Study which called for the establishment of a “teachers without borders force” at the regional and continental levels leveraging on the African Continental Teacher Mobility Protocol.

## **X. WORKING AND LIVING CONDITIONS OF TEACHERS**

39. Member States shall take urgent steps to implement the Recommendations of the African Union (2017a) Study on the working and living conditions of teachers.
40. The study revealed that “generally, teachers’ living conditions are lower than their counterparts in other professions with similar qualifications” (African Union, 2017a: 81). Member States shall take steps to address this imbalance which is adversely affecting the teaching profession.
41. Some of the African Union recommendations are:
- 1) Develop clear modalities to recognize and reward teachers according to their workloads at the country level.
  - 2) Provide both monetary and non-monetary benefits to staff areas and subjects at the country level.
  - 3) Develop teacher housing strategies that support ownership of houses and allowances at the country level. More importantly, government should assist

teachers to have access to affordable credit facilities to enable them build a house of their choice.

- 4) Develop policies and mechanisms for teachers to access credit facilities at the country level.
- 5) Upgrade the current medical allowance provided to teachers to a medical insurance scheme cover at the country level. Importantly, the government should establish and upgrade medical insurance schemes that benefit teachers.

42. Member States shall implement the recommendations of the UNESCO-IICBA (2017) *Teacher Support and Motivation Framework for Africa*, which include dimensions such as:

- 1) **Towards investments in holistic and interconnected teaching policies:** Integrated investments across all policy dimensions of education systems impacting teachers' recruitment, deployment, utilization, professionalization, status, motivation and teaching practice.
- 2) **Ensuring that teachers have a voice:** Greater focus at the policy level, and within global and regional monitoring mechanisms, for SDG4 and CESA, on social dialogue with teachers unions and representative bodies to understand teachers' needs and concerns, to promote engagement and innovation at classroom level and to identify solutions proposed by teachers to the major pedagogic and professional development issues affecting the teaching profession.
- 3) **Professionalization and the status of teachers:** Building on internationally agreed upon standards and national frameworks, this meeting underscores that **the issue of teacher professionalization in Africa is paramount**. Countries must **invest in re valorizing the status of teachers and teaching as a profession**, with observance of minimum standards for teachers' education, training and professional development across all categories of teachers, including:
  - i) Definition of core national standards for key teacher competencies;
  - ii) Reflection on the changing role of higher education institutions, teacher preparation programs and institutions in teachers' professionalization and development;
  - iii) Reflection on the role and management of continuous professional development (CPD) of teachers linked to careers paths and promotion.
- 4) **Providing the right incentives to enhance teachers' motivation (monetised and non-monetised benefits):**
  - Salaries and social protection – Ensuring pay scales and remuneration are commensurate with the status of the teaching profession and no less than those of other public sector workers, with adequate access to health coverage and social services, housing and transportation.
  - Teachers' professional autonomy – Valorizing teachers' pedagogic expertise and empowering them to adapt education contents and contextualize teaching practices in view of learners' progress and classroom contexts, while maintaining national standards and curriculum coverage.
  - School leadership functions – Investing in school leadership roles towards the promotion of collaborative and supportive working environments at school level, including opportunities for teachers to

- access peer learning and support and ensuring that teachers have adequate access to educational resources and instructional materials.
  - Empowered school governing bodies – Giving parents and the community the power to work in collaboration with teachers in raising the quality of schooling and ultimately, learning outcomes.
- 5) **Providing quality support for newly trained teachers:** Recognizing the frequent disconnect between pre-service programs and the realities of teaching in different urban and rural contexts in Africa, recommends:
- Familiarizing new recruits with teaching practice through placement opportunities in diverse rural and urban contexts during pre-service training;
  - Providing induction and mentorship programs for all beginning teachers;
  - Training in pedagogies and assessments relevant to large class sizes and diverse learning needs, and schooling in resource poor, vulnerable and crisis affected areas.
- 6) **Improving and expanding CPD programmes:** Recognizing that teaching is a lifelong profession and that teachers need lifelong learning opportunities, recommends:
- Free, high quality professional development for teachers at school and cluster levels;
  - Clearly defined guidelines for career advancement, school leadership and management roles.
- 7) **Ensuring adequate support for TVET teachers:**
- Increasing the attractiveness of recruitment to TVET teachers at all levels and all forms;
  - Introducing more flexibility into national TVET curriculum guidelines, with greater professional autonomy for TVET teachers to bridge the gap between national TVET guidelines and local labour markets.

## XI. IMPLEMENTATION

43. The Continental Guidelines for the Teaching Professions shall be governed by the African Union Commission. In specific terms, the Commission shall:

- 1) Be the custodian of the Guidelines, receive reports on the implementation, monitoring and evaluation from Member States, and make appropriate interventions and reviews where necessary;
- 2) Mainstream the Guidelines into the Annual Action Plans of the CESA Teacher Development Cluster and Roadmap of the Pan African Conference on Teacher Development (PACTED);
- 3) Integrate the Guidelines in the CESA platform for sharing of information and best practices among member states and other stakeholders;
- 4) Convene Annual Continental Technical Forum to deliberate on the achievements, challenges and way forward in the implementation of the Guidelines; and
- 5) The African Union Commission is vested with the powers to interpret the meaning, intents and purposes of any provisions of the Guidelines whenever the need arises.

44. The Regional Economic Communities (REC) shall promote the implement of the Guidelines through:

- 1) Effective liaison with the African Union Commission as well as member states on relevant matters concerning the Guidelines;
- 2) Align their frameworks such as the framework of professional standards and competencies, teacher qualification framework, teacher mobility protocol, and teacher support and motivation framework with the Guidelines and its associated continental frameworks;
- 3) Domesticate and take ownership of the Guidelines;
- 4) Implement advocacy programmes to promote the institutionalisation of the Guidelines within their jurisdictions;
- 5) Provide technical and general support to Member States for the implementation of the Guidelines; and
- 6) Create platforms for sharing of best practices and periodic meetings to review progress of implementation.

45. Member States shall be the primary agency for implementing the provisions of the Guidelines and to that effect, they shall:

- 1) Domesticate and take ownership of the Guidelines;
- 2) Create a National Working Group with the required technical expertise to steer the implementation of the Guidelines and report periodically to the Minister of Education;
- 3) Align national frameworks with the Guidelines and its associated frameworks such as the framework of professional standards and competencies, teacher qualification framework, teacher mobility framework, and teacher support and motivation framework;
- 4) Get the legislature to pass the Act to professionalise teaching;
- 5) Mainstream the provisions of the Guidelines in all relevant national programmes and institutions.
- 6) Effectively liaise with the Regional Economic Communities and African Union Commission on the relevant matters concerning the Guidelines;
- 7) Implement advocacy programmes to sensitize the stakeholders in their domains;
- 8) Implement capacity building programmes to equip the key implementors of the Guidelines with the knowledge and skills required to meet the expectations of the Guidelines;
- 9) Create national platforms for sharing of best practices and periodic meetings to review progress of implementation;
- 10) Prioritise budgetary allocation for the implementation of the Guidelines;
- 11) Ensure that participation of all relevant stakeholders – public private sector educational institutions, teachers' unions, development partners and civil society organisations – in the implementation of the Guidelines; and
- 12) Institutionalise monitoring and evaluation systems and periodically feed-back the required information to the African Union Commission and Regional Economic Communities.
- 13) Empower the curriculum development agency and school inspectors to play pivotal role in needs assessment, curriculum redesign and implementation.

46. The Africa Federation of Teaching Regulatory Authorities shall:

- 1) Work with Member States' Ministries of Education and Teaching Regulatory Authorities to provide technical and general support in the implementation of the Guidelines;
  - 2) Work with the African Union to coordinate the implementation of the Guidelines at the continental level;
  - 3) Promote advocacy of the Guidelines through its programmes at the national, regional, continental and global levels; and
  - 4) Institute research and development projects to increase the pool of evidences and best practices available at the continental level to fast track the implementation of the Guidelines.
47. The Education International, Africa Regional Office as the umbrella body of teachers' unions in Africa and globally shall have the major responsibilities of:
- 1) Mobilising teachers' unions throughout the continent to effectively participate in the advocacy, implementation, monitoring, evaluation and review of the Guidelines; and
  - 2) Providing technical and general support at the national and continental levels for the implementation of the Guidelines.
48. The regional and continental networks in the education sector shall collaborate with the African Union Commission to contribute on the social dialogue and advocacy and to support the implementation of the Guidelines.
49. The United Nations Regional Offices in Africa and other international development partners shall prioritise their technical support to promote dialogue, advocacy and implementation of the Guidelines, as well as entrench best practices in monitoring, evaluation and review processes.

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*a toolkit*



AFRICAN CONTINENTAL GUIDELINES

FOR THE TEACHING PROFESSION

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## 1. WHAT IS A TOOLKIT?

Generally, a tool is an information or device that enables one to perform a function. A toolkit therefore is a set of information or devices. In the physical sciences, a tool is, most of the time, a physical object. However, in the context of education, social sciences and humanities, a tool is basically information, and a tool kit is a set of information. This is why the Cambridge Dictionary (2019) defines toolkit as “skills and knowledge that are useful for a particular purpose or activity, considered together”.

## 2. PURPOSE OF THE TOOLKIT

There is a saying that “**Information is power**”. Therefore, the major purpose of the toolkit is to provide information and skills that can empower Member States and other stakeholders to better understand the meanings, intentions, purposes, and procedures of the major provisions of the ***African Continental Guidelines for the Teaching Profession***. Nevertheless, the toolkit cannot take the place of the actual or original continental frameworks and other documents referred to in the Guidelines. Therefore, Member States and stakeholders are encouraged to consult the original documents as only excerpts and overarching issues are presented in this toolkit.

## 3. USERS OF THE TOOLKIT

This toolkit is intended for use by the wide spectrum of stakeholders mentioned in the implementation section of the Guidelines. They include the African Union Commission; Regional Economic Communities; Member States of the African Union; and Africa Federation of Teaching Regulatory Authorities. Others are Education International, Africa Regional Office; United Nations Regional Offices in Africa and other international development partners; as well as the continental networks in the education sector and civil society organisations. These stakeholders will obtain additional information from the toolkit beyond the texts of the Guidelines and the information will help them implement their roles as specified in the Guidelines.

## 4. CESA TEACHER DEVELOPMENT ACTION PLAN & PACTED ROADMAP

The **Continental Guidelines for the Teaching Profession** is part of the mandates of the Continental Education Strategy for Africa (CESA 16-25) Teacher Development Cluster. Therefore, many of the issues in the **Guidelines** are contained in the CESA Teacher Development **Action Plan**. The Action Plan is presented here so that readers can grasp some of the issues from the Action Plan perspective.

The Pan African Conference on Teacher Development (**PACTED**) has a **Roadmap** that equally contains issues in the Guidelines. The good news, however, is that the Teacher Development Cluster and PACTED have merged their Action Plan and Roadmap. Therefore, the Action Plan presented below (Table 1) is the Action Plan and Roadmap merged.

The Action Plan has **three strategic objectives**, namely:



- Revitalize the teaching profession to ensure quality and relevance at all levels of education;
- Collaborate and coordinate actions and approaches with other CESA Clusters; and
- Support domestication of SDG4 and CESA in Member States.

Altogether, the Action Plan covered **three strategic objectives, nine priorities** and **twenty four activities** with their expected result.

**Table 1: Action Plan of the CESA Teacher Development Cluster and PACTED**

<b>Strategic Objective 1: Revitalize the teaching profession to ensure quality and relevance at all levels of education</b>	
<b>Activities</b>	<b>Expected Result</b>
<b>Priority 1: Teacher Professional Development</b>	
1. Mapping Exercise on activities of other clusters in relation to teacher development	Cluster activities identified for implementation
2. Support the establishment of continental Parameters and professional standards for teachers	Continently standard for teacher development established and adopted
3. Encourage member states to develop a framework that supports the acknowledgement and celebration of African Teachers	Create a platform that annually celebrates African Teachers
4. Support the development of a teacher support and motivation framework	Teacher support and motivation framework developed
5. Support the development of policy/framework/schemes for teacher professional development	Policy/framework for teacher professional development established
6. Support the establishment of a legal basis for teaching	Legal Basis for teaching developed
<b>Priority 2: Standardize Teacher Recruitment and mobility</b>	
7. Finalize the teacher-mobility protocol for Africa	Continental Teacher Mobility Protocol finalized, adopted and operationalized
8. Develop standards and criteria for teacher recruitment and teacher trainers	Standards for teacher recruitment and teacher trainers developed
9. Lobby for teachers' rights, security, welfare and working conditions, both nationally and in the host country	Teacher's rights, security, welfare and working conditions improved
<b>Priority 3: Teacher Training</b>	
10. Support the review of the Teacher Training Curriculum in preservice, in-service and induction trainings	Teacher Training Curriculum/model reviewed and updated
11. Evaluate country experiences on the training and recruitment of teachers as well as teacher training colleges	Country experiences evaluated for best practices

12. Support the development of a continental teacher qualification framework in Africa	Continental Qualification framework for teachers developed
13. Support the establishment of a teacher regulatory body in Africa	Teacher regulatory body established in Africa
<b>Priority 4: Social Dialogue</b>	
14. Design frameworks for the implementation of social dialogue.	Framework for social dialogue implemented
15. Support the institutionalization of social dialogue	Social dialogue institutionalized

<b>Strategic Objective 2: Collaborate and coordinate actions and approaches with other CESA Clusters</b>	
<b>Activities</b>	<b>Expected Result</b>
<b>Priority 5: Peace and resilience building through teacher development</b>	
16. Support the training of teachers as peace actors, and mediators	.... Number of teachers trained as peace actors and mediators
17. Support the development and dissemination of teaching and learning materials on peace education	Peace education teaching and learning materials developed and disseminated
<b>Priority 6: ICT integration in education training</b>	
18. Support in building the ICT capacities of learners and teachers to take full advantage of the potentials of technologies.	ICT capacity of learners and teachers built
19. Support the capacity building teachers to use ICTs in the planning, implementation, monitoring, strategies and programs	Capacity of education managers and administrators built in using ICT for planning, implementation, monitoring, strategies and programs
20. Advocate for the formulation of policies on teachers which include hardware, software in ICT integration in education and training	ICT policies formulated by member states
<b>Priority 7: Early Childhood Care And Education</b>	
21. Advocate for the formulation of policies for the expansion of education with a focus on Early Childhood Care And Education	Member states formulate policies on Early Childhood Care and Education (ECCE)
<b>Priority 8: TVET</b>	
22. Advocate for the formulation of policies on teachers for the expansion of education with a focus on TVET	Member states formulate policies on TVET
23. Encourage research in education and capacity building for TVET teachers	Research in education and capacity building for TVET teachers prioritized

<b>Strategic Objective 3: Support domestication of SDG4 and CESA in Member States</b>	
<b>Activities</b>	<b>Expected Result</b>
<b>Priority 9: Advocacy on the SDG4 and CESA</b>	
24. Advocate for awareness on the CESA and SDG 4 in AU Member States	CESA and SDG4 domesticated in AU Member States

## 5. CESA WORKPLAN AND REPORTS TEMPLATE (CESA MONITORING, EVALUATION AND REPORTING PLATFORM)

CESA Teacher Development Cluster also has approved workplan and reporting templates. These templates feed into the wider CESA information and communication platform. Any of the issues in the CESA Action Plan and the Continental Guidelines for the Teaching Profession can be planned and reported using the templates (Tables 2 and 3). These templates will serve well for purposes of monitoring, evaluation and reporting to the CESA Secretariat at the African Union Commission.

It must be stated also that many of the issues in the CESA Action Plan are being accomplished already. They include the development of these Guidelines for the Teaching Profession as well as the African frameworks for professional standards and competences, teacher qualification, teacher prize and teacher mobility protocol. All of these have been developed. Therefore, the content of the template is work-in-progress and they are actually moving fast enough in accordance with the CESA Action Plan.

**Table 2: CESA Annual Work Plan Template**

1	Output	What quantitative output do you plan to achieve?
2	Measuring unit	What measuring unit will be used in measuring the output?
3	Baseline Value for Indicator	What is the current baseline for the output which has been set?
4	Baseline Date	At which date was the baseline value determined?
5	Target Value	What is the target value for the output?
6	Target Date	What is the target date for achieving the target value?
7	Estimated Cost	What is the estimated cost of achieving the target value?

**Note: Multiple outputs can be added under each year's workplan.**

**Table 3: CESA Annual Report Template**

1	Output (in correspondence to workplan)	What defined output in the workplan is being reported on?
2	Achieved value	What value was achieved for this output?
3	Evaluation date	At which date was the achieved value measured?
4	Means of verification	What are the means by which the achieved value can be verified?
5	Challenges	What challenges was faced in realizing the achieved value?
6	Lessons learnt and recommendations	What lessons have been learnt in the course of realising the achieved value?
7	Actual Cost	What were the actual costs for realizing the achieved value?

**Note: Reports can be added to multiple outputs as defined in workplan.**

## **6. TYPES OF TEACHING REGULATORY AUTHORITIES**

The **Teaching Regulatory Authority (TRA)** is central to the implementation of the Guidelines, because it is the single most important and visible testimony that teaching has become legalised and professionalised. The same happens in the other professions too. The medical, legal, engineering and other professions already granted legal status has professional regulatory authorities to coordinate the implementation of their respective professions.

The **TRA** is typically established by the same Act of Parliament that legalises teaching as a profession. It establishes the **TRA** to coordinate and regulate teaching as a profession. A **TRA**, therefore, is a body established by an Act of Parliament to regulate and control teaching as a profession. Generically, the **TRAs** are also called **Teaching Councils**. However, different countries and jurisdictions have given their TRAs names such as:

- South African Council for Educators
- Teachers Registration Council of Nigeria
- Teaching Council of Zambia
- National Teaching Council of Ghana
- Teachers Registration Board of South Australia
- Queensland College of Teachers, Australia
- Ontario College of Teachers, Canada
- Georgia Professional Standards Commission, USA
- General Teaching Council of Scotland, UK
- Etc.

Thus, there is a variety of names to choose from. However, regardless of the names, the statutory mandates are roughly the same. The law empowers them to discharge some or all of the following functions, depending on the country concerned:

- Determination of fields of practice of teachers and school leaders;
- Setting of standards and competences required to practice;
- Accreditation of initial teacher education and continuous professional development programmes;
- Setting of procedures for induction and mentoring of newly qualified teachers and school leaders;
- Certification, registration and licensing of qualified teachers and school leaders;
- Establishment of career path, their stages and requirements for teachers and school leaders;
- Conduct of competency assessments for teachers and school leaders;
- Award of appropriate status to teachers and school leaders who fulfil requirements of the career stages;
- Establishment of professional panel to adjudicate breach of professional standards and competences by members of the teaching profession;
- Prosecution of the violation of the teaching profession law;
- Regulation teaching in both the public and private sectors of the education system; and
- Other functions considered vital for the effective growth and development of the profession.

Apart from the differences in names, the **TRAs** can also be different in other respects as explained below:

- **Independence (autonomy) of the government:** Some TRA are created by the law to be exactly an agency of the national government like other parastatals in the country. In this case, the staff of the TRA as essential national officers whose salaries and wages are paid by the national government like staff other national agencies. Also, national government gives budgetary allocation to the TRCN just like it does to other national agencies. The Chief Executive Officer is appointed by the President of the country; however the governing board has representatives of teachers unions, teacher education institutions, employers of teachers and other stakeholders. The Teachers Registration Council of Nigeria is a typical example here. Sometimes, analysts express worry that there may be government interference in the regulation of teaching but this has not happened. Rather, it has given the TRA in Nigeria strong financial base since government provides the major funds and fees from teachers are merely to supplement funding. Also, being an agency of the national government, it received very strong political backing of government in pursuit of its mandates.

The opposite of this are TRAs that established by law to be run mostly by teachers and their stakeholders. The government provides them with grants and they rely on fees from teachers to run their mandates. Here, funding may be a serious challenge, however, they have unfettered autonomy to control and regulate teaching. The political will or support from government may also be in the “middle” since the TRAs are expected to be autonomous. Typical examples here are the South African Council for Educators, and most of the TRAs in the Western world where individual and professional autonomy and freedom are rated above any other considerations.

The hybrid of the two extreme cases above also exists. It is a matter of continuum and a TRA can be located at any point on that continuum.

- **Employer of Teachers as Regulators:** Traditionally, for purposes of checks and balances and principles of separation of powers, the TRAs are not employers of teachers. This is true of most part of the Western world and Africa as well. However, some countries, typically in Africa have enacted Acts that established **Teaching Service Commissions** and given them powers to regulate and control the teaching profession as well. Just as there are debates about autonomy versus being part of the national government, there are also debates about employers doubling at the same time as regulators of teachers in their employment. Ideally, regulators should not at the same time be employers of teachers. However, these debates are to be resolved by the Member States individually after carefully weighing the advantages and disadvantages of each system.

**Samples of the laws that established the TRAs in selected countries have been included in the later part of his toolkit for more information on the TRAs and powers granted them by their laws.**

## **7. CONTINENTAL UMBRELLA OF TEACHING REGULATORY AUTHORITIES**

There is a continental umbrella for the TRAs, called the Africa Federation of Teaching Regulatory Authorities (**AFTRA**). It is an intergovernmental organisation comprising the national agencies regulating teaching in the 55 African countries. It also has Ministries of Education of African countries, international development partners, teachers' unions, teacher education institutions and international development partners as members. Inaugurated on October 12, 2010 in Abuja Nigeria by the Ministers of Education of Nigeria and South Africa and with an initial fifteen countries as members, AFTRA has grown into a profound continental Federation that leads policy development and implementation for the professionalization of teaching in Africa. AFTRA is also a member International Forum of Teaching Regulatory Authorities ([www.iftra.org](http://www.iftra.org)) and International Task Force on Teachers for Education 2030 ([www.teachersforefa.unesco.org/](http://www.teachersforefa.unesco.org/)).

In pursuit of its mandates, AFTRA further functions as member of the African Union Continental Education Strategy for Africa (CESA 2016-2025) Teacher Development Cluster and collaborates with UNESCO Regional offices, UNESCO-IICBA, Education International and others.

The national laws that established member organisations of AFTRA empower them to register and license teachers, set standards for pre-service and on-going teacher professional development, develop and implement teacher professional code of ethics and standards for teachers and school leaders, and work generally to promote the professional status of teachers. AFTRA therefore is working to translate these mandates to continental frameworks to facilitate exchange of best practices, teacher mobility, and quality teaching and learning throughout Africa for the actualization of the Sustainable Development Goal 4 (Education) and CESA 2016-2025.

Ministries of Education and member states and their TRAs will need to strengthen their membership of AFTRA as one of the key platforms for implementation of the Continental Guidelines for the Teaching Profession.

More information could be obtained by logging on to the website:

[www.africateaching-authorities.org](http://www.africateaching-authorities.org)

Email: [info@africateaching-authorities.org](mailto:info@africateaching-authorities.org)

Location of AFTRA's Offices:

- **AFTRA International Administrative Headquarters:** South African Council for Educators Building, Crossway Office Park, 240 Lenchen Avenue, Centurion 0183, South Africa,  
Tel.: +27 86 100 7223, +27 12 663 9517.
- **AFTRA International Academic Headquarters:** Teachers Registration Council of Nigeria, 12 Oda Crescent, Off Aminu Kano Crescent, Wuse 2, Abuja,  
Tel.: +234 901 982 6094
- **General Secretariat:** Teaching Council of Zambia, P.O. Box 35700, Lusaka, Zambia.  
Tel: +260977466784, +260211240334.

Web addresses of **some** member organisations:

- South African Council for Educators [www.sace.org.za](http://www.sace.org.za)
- Ministry of Education and Training, Lesotho [www.education.org.ls](http://www.education.org.ls)
- Teaching Service Department, Ministry of Education and Training, Lesotho [www.tsd.org.ls](http://www.tsd.org.ls)
- Teachers Registration Council of Nigeria [www.trcn.gov.ng](http://www.trcn.gov.ng)
- National Teaching Council, Ghana [www.ntc.gov.gh](http://www.ntc.gov.gh)
- Namibia National Teachers Union [www.nantuweb.org](http://www.nantuweb.org)
- Teachers Service Commission, Kenya <https://tsc.go.ke>
- Teaching Council of Zambia [www.tcz.ac.zm](http://www.tcz.ac.zm)
- Federal Ministry of Education, Nigeria <http://education.gov.ng/>

Member States and other stakeholders can connect with AFTRA through any of the contacts above.

**Photos 1 and 2 and high-level photos at AFTRA Annual Continental Conferences and Roundtables for 2018 in Nigeria and 2019 in Lesotho**



**Photo 1:** Dr. Motsoahae Thomas Thabane, The Right Honourable, Prime Minister of Lesotho (centre) host of the 2019 **AFTRA** International Conference and Roundtable with representatives of President of Cameroon; Ministers of Education: Commissioner, HRST AUC and other continental leaders of Education





**Photo 2:** Nigeria's Minister of Education, Mallam Adamu Adamu (centre) with other Ministers of Education, African Union, **AFTRA** and other continental and national leaders of education during the AFTRA 9<sup>th</sup> Conference hosted by the Hon. Minister of Education, in Abuja, Nigeria, May 14-18, 2018.

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## 8. WORLD UMBRELLA OF TEACHING REGULATORY AUTHORITIES

There is also a world umbrella for the TRAs, called the International Forum of Teaching Regulatory Authorities (IFTRA). IFTRA is a gathering of all TRAs from all the continents of the world. It has been at the fore-front of the professionalisation of teaching. It networks with other global organisations including UNESCO and the International Task Force on Teachers for Education 2030 to institutionalise the relevant frameworks and Guidelines for the Teaching Profession.

TRAs of member states will need to be part of these global bodies where best practices and technical support are exchanged at the global level. Given that AFTRA is the Africa Regional Branch of IFTRA, TRAs of the member states will need to affiliate to the world body through AFTRA. The world has become a global village and most of the provisions of the Guidelines are practically issues that are shared during the summits of the world body.

IFTRA's headquarters is at the General Teaching Council for Scotland, UK.

Website:

[www.iftra.org](http://www.iftra.org)

## 9. THE AFRICAN FRAMEWORK OF STANDARDS AND COMPETENCES FOR THE TEACHING PROFESSION

The *African Framework of Standards and Competencies (AFSCTP)* is one of the key policy documents referred to in the Continental Guidelines for the Teaching Profession. The AFSCTP is therefore a key text that must be read jointly with the Guidelines. Basically, the AFSCTP stipulates the minimum knowledge, skills, values, attitudes and conduct expected of teachers and school leaders in Africa. In terms of scope, the AFSCTP pertains to teachers and school leaders (head teachers and principals) in the pre-primary, primary, lower and upper secondary education.

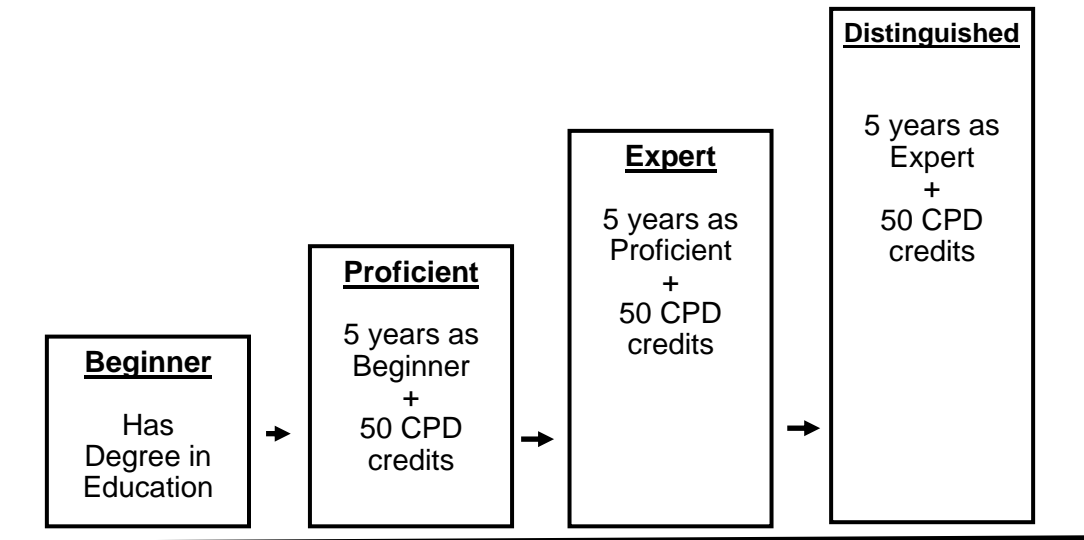
The AFSCTP created teacher **career path** with the following stages:

- Beginner;
- Proficient;
- Expert; and
- Distinguished.

The implication is that teachers will have to rise through these stages in their career. The same applies to school leaders too: As school leaders, they will also rise to stages with these nomenclatures. To move from one stage to another, teachers and school leaders have professional development credits that they must earn. The teachers will spend five years before being considered for up-grading while school leaders will spend three years before being considered for upgrading. Importantly too, only teachers who have attained the stage of Expert or Distinguished can be school leaders. The implication is that school leaders are actually teachers who must have earlier risen through the teaching track before being appointed to lead their respective schools.

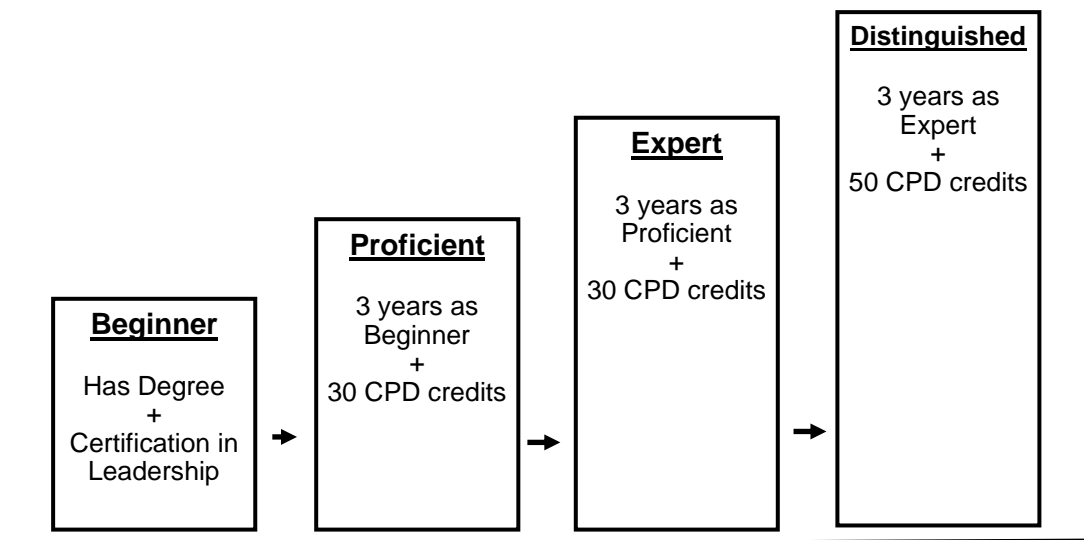
Figures 1 and 2 illustrates the movement of teachers and school leaders through their respective career stages while figure 3 shows that a teacher must have attained the Expert stage (minimum) before appointment as a school leader.

**Figure 1: Illustration of the teachers' movement along the career stages**



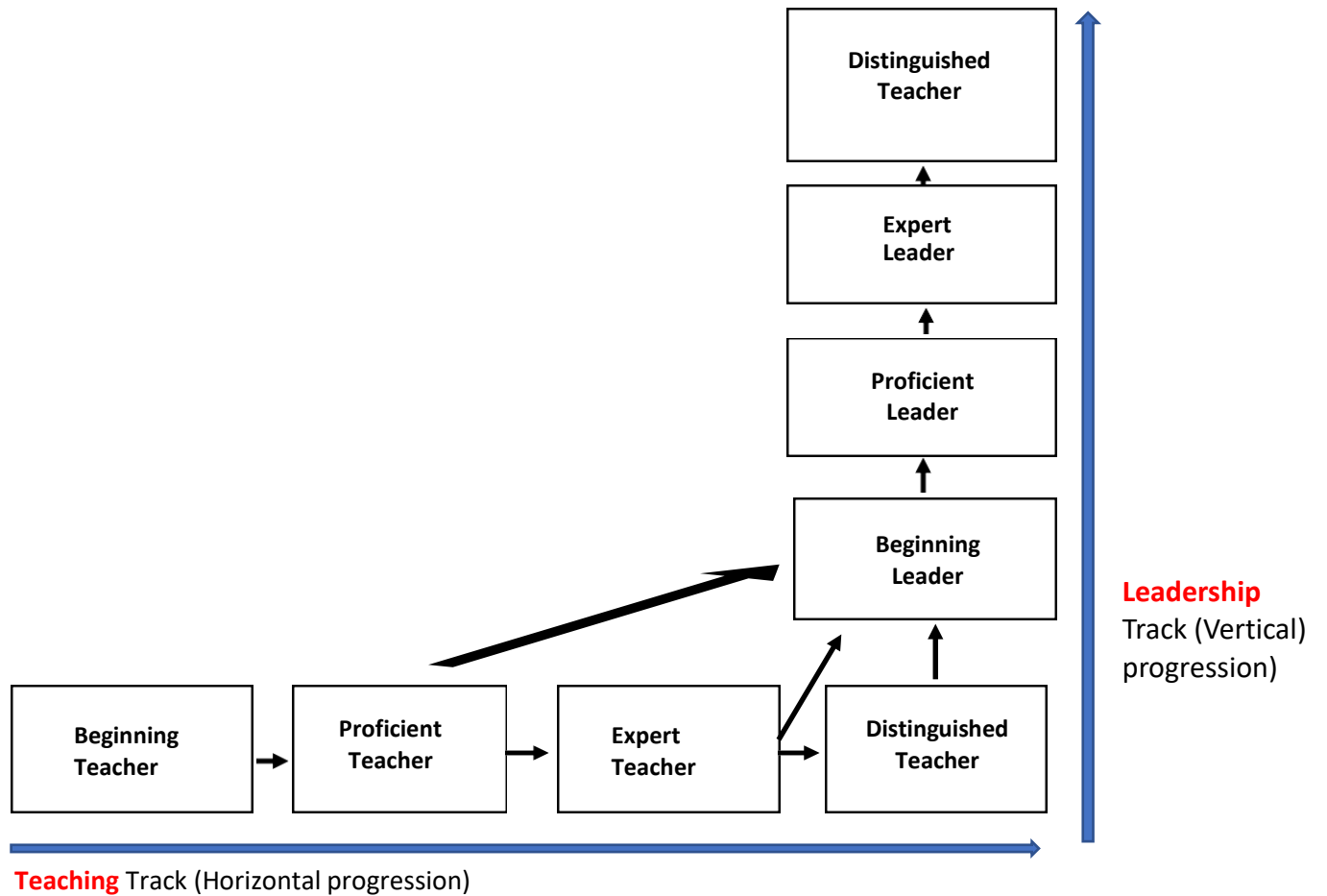
Source: Source: African Union (2019). *African Framework of Standards and Competences for the Teaching Profession*.

**Figure 2: Illustration of the school leaders' movement along the career stages**



Source: African Union (2019). *African Framework of Standards and Competences for the Teaching Profession*.

Figure 3: Movement through the teaching and leadership tracks illustrated



Source: African Union (2019). *African Framework of Standards and Competences for the Teaching Profession*.

The AFSCTP further established five domains and twenty two standards that teachers must attain (Table 4). Under these standards are stated the specific competencies; readers are to refer to the CFSCPT for detailed competencies under these standards.

**Table 4: Domains and Standards of the teaching profession in Africa**

SN	Domains	Professional Standards
1	Professional Knowledge and Understanding	Knowledge and understanding of human development and the learner
		Knowledge and understanding of the curriculum
		Knowledge and understanding of the subject matter
		Knowledge and understanding of interdisciplinary learning
		Knowledge and understanding of education theory, pedagogy, and teaching practice
		Knowledge and understanding of assessment, feedback, monitoring, and evaluation of the learner
		Knowledge and understanding of education-related policies and legislation
		Knowledge and understanding of digital technologies for teaching and learning
2	Professional Skills and Practices	Effective teaching and learning
		Effective classroom organization and management
		Effective learner assessment
		Administration of learning
		Effective use of technologies for teaching and learning
		Guidance and counselling, support, school health, and safety
3	Professional Values/ Attributes/ Commitment	Awareness of and respect for learners' diversity
		Respect for learners' rights and dignity
		Respect for school system and colleagues
		Role model to learners
		Commitment to continued professional development
4	Professional Partnerships	Partnerships with learners, parents, carers, guardians, communities, and stakeholders
5	Professional Leadership	Leadership and management

**Source: African Union (2019). *Continental Framework of Standards and Competences for the Teaching Profession*.**

Similarly, the AFSCTP established seven standards that school leaders must attain. These are:

- Developing self and subordinates
- Leading professional knowledge, practice and conduct
- Managing resources of the school
- Promoting school improvement, innovation and change

- Generating resources internally and ensuring accountability
- Supporting learners' enrolment and participation
- Engaging and working with the Community

For the specific competences under these standards, the reader should also refer to the AFSCTP.

## **10. AFRICAN TEACHER QUALIFICATION FRAMEWORK**

The Continental Teacher Qualification Framework (ATQF) is another hallmark of the Guidelines to the Teaching Profession. A qualification framework, simply put, is a standardized, highly structured classification of levels of education and the learning outcomes expected of each level. Therefore, in a qualification framework, two things are paramount: level of education and learning outcome of each level. In these two respects, the ATQF adopted:

- The International Standard Classification of Education (ISCED 2011) devised by the UNESCO Institute for Statistics: This was used to describe the levels of education expected of teachers in Africa.
- The African Framework of Standards and Competencies: This provides the learning outcomes expected of teacher education.

With these bases established, the ATQF recommended two teacher education programmes, which are:

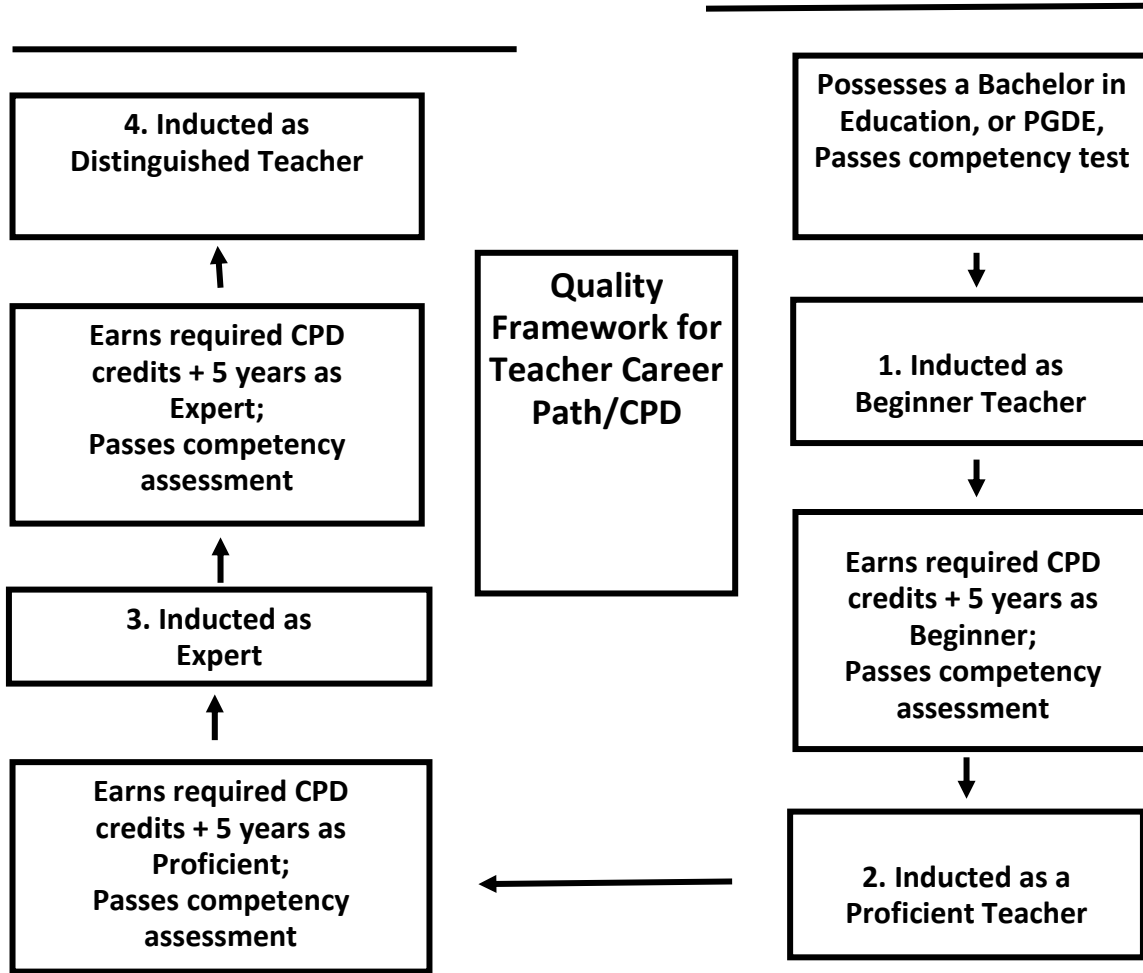
- Bachelor of Education degree or
- Post Graduate Diploma in Education for graduates without teaching qualification.

Other provisions of the ATQF are:

- Competency assessment for graduates of initial teacher education.
- After initial qualification, the movement of teachers up the stages will be based on their earning the required credits in Continuous Professional Development (CPD) and passing the competency assessment.
- To be a school leader, a teacher must have attained the Proficient career stage and in addition must possess the Diploma in School Leadership and Management.
- There will be induction for newly qualified teachers and school leaders and for any time teachers and school leaders move to a new career stage.
- There will be two year mentoring for newly qualified teachers
- All teachers and school leaders will be registered and licensed by the Teaching Regulatory Authority.

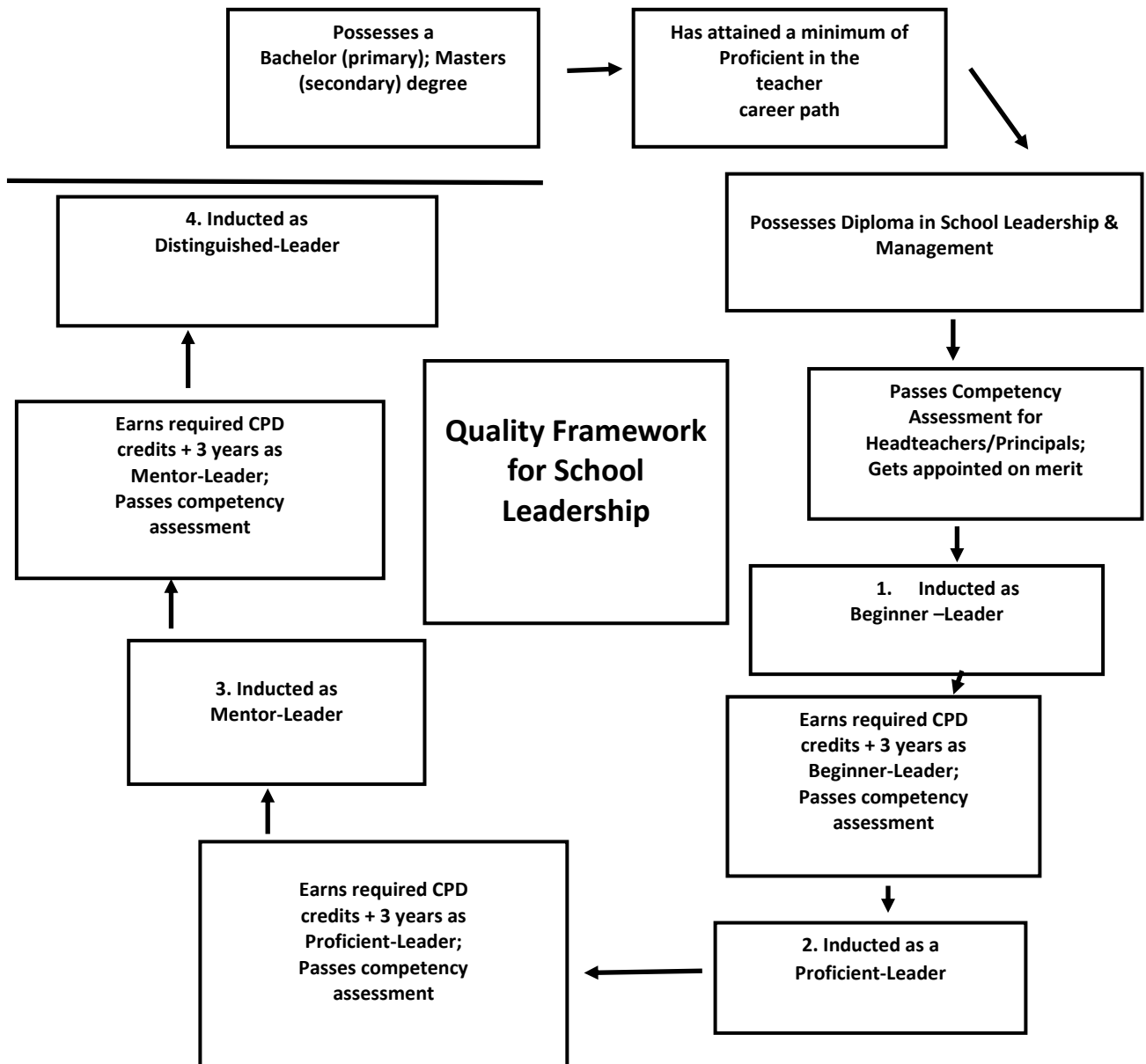
Figures 4 and 5 illustrate the quality framework for teacher and school leader qualifications that, is the basic steps that teachers and school leaders will pass through in the course of their career as provided by the ATQF.

Toolkit Figure 4: The teacher career path/quality framework



Source: African Union (2019). *Teacher Qualification Framework*.

**Figure 5: The quality framework for school leadership in Africa**



Source: African Union (2019). Teacher Qualification Framework.

## 11. SAMPLE OF TEACHING REGULATORY LAWS

The first and very important step towards the professionalisation of teaching is to enact a law legalising it as a profession. In that respect, craft and pushing the law through the legislative process of the member state is a very crucial assignment. It is for this reason that samples of the laws of other countries that have legalised teaching are included here to make the job easier for member states. The laws of the following Teaching Regulatory Authorities are appended hereunder.

- South African Council for Educators Act, 2000
- Teachers Registration Council of Nigeria Law, 1993
- The National Teaching Council of Ghana Act, 2008
- The Teaching Council of Zambia Act, 2013

Here are also links to laws of other countries outside Africa:

- Ontario College of Teachers, Canada: <https://www.ontario.ca/laws/statute/96o12>
- General Teaching Council for Scotland, UK: [http://www.educationengland.org.uk/documents/acts/1965-teaching-council-\(scotland\)-act.pdf](http://www.educationengland.org.uk/documents/acts/1965-teaching-council-(scotland)-act.pdf)
- Queensland College of Teachers, Australia: <https://www.legislation.qld.gov.au/view/pdf/inforce/2017-01-01/act-2005-047>
- Teachers Registration Board of South Australia: <https://www.legislation.sa.gov.au/LZ/C/A/TEACHERS%20REGISTRATION%20AND%20STANDARDS%20ACT%202004/CURRENT/2004.57.AUTH.PDF>
- Education Workforce Council (formerly General Teaching Council for Wales), UK: <http://www.legislation.gov.uk/anaw/2014/5/data.pdf>



## REPUBLIC OF SOUTH AFRICA

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### **SOUTH AFRICAN COUNCIL FOR EDUCATORS ACT NO. 31 OF 2000**

[ASSENTED TO 26 JULY, 2000]

[DATE OF COMMENCEMENT: 2 AUGUST, 2000]

*(English text signed by the President)*

This Act has been updated to *Government Gazette* 34620 dated 19 September, 2011.

**as amended by**

Education Laws Amendment Act, **No. 31 of 2007**

Basic Education Laws Amendment Act, **No. 15 of 2011**

**ACT**

**To provide for the continued existence of the South African Council for Educators; to provide anew for the functions of the said council; and to provide anew for the composition of the said council; and to provide for matters incidental thereto.**

#### ARRANGEMENT OF SECTIONS

##### CHAPTER 1

###### INTERPRETATION AND OBJECTS OF ACT

1. Definitions
2. Objects of Act
3. Application of Act

##### CHAPTER 2

###### CONTINUATION, POWERS AND DUTIES, COMPOSITION AND GOVERNANCE OF COUNCIL

4. Continuation of council
5. Powers and duties of council
6. Composition of council
7. Chairperson and deputy chairperson of council
8. Term of office of members
9. Termination of office of chairperson, deputy chairperson or member
10. Filling of vacancies
11. Executive committee
12. Registration committee
13. Professional development committee
14. Disciplinary committee
15. Committees of council
16. Meetings, and procedure at meetings of council and committees
17. Appointment and functions of chief executive officer and staff
18. Remuneration and allowances of members of council and committees
19. Funds of council
20. Annual report

##### CHAPTER 3

###### REGISTRATION OF EDUCATORS

21. Compulsory registration of educators
22. Application for registration
23. Removal of name from register
24. Registration certificates

## CHAPTER 4

### GENERAL

- 25. Transitional provisions
- 26. Information to be furnished to council
- 27. Offences and penalties
- 28. Repeal of law
- 29. Short title

## CHAPTER 1

### INTERPRETATION AND OBJECTS OF ACT

**1. Definitions.**—In this Act, unless the context indicates otherwise—

**“adult learning centre”** means a public or private centre which provides basic education to adults and of which the educators are employed in terms of the Employment of Educators Act, 1998 ([Act No. 76 of 1998](#));

**“council”** means the South African Council for Educators referred to in [section 4](#);

**“educator”** means any person referred to in [section 3](#) and who teaches, educates or trains other persons or who provides professional educational services, including professional therapy and educational psychological services, at an institution;

**“further education and training institution”** . . . . . [Definition of “[further education and training institution](#)” deleted by [s. 19 of Act No. 31 of 2007](#).]

[Wording of Sections](#)

**“institution”** means any school contemplated in the South African Schools Act, 1996 ([Act No. 84 of 1996](#));

[Definition of “[institution](#)” substituted by [s.18 \(a\) of Act No. 15 of 2011](#).]

[Wording of Sections](#)

**“member”** means a member of the council appointed in terms of [section 6](#);

**“Minister”** means the Minister of Basic Education;

[Definition of “[Minister](#)” substituted by [s.18 \(b\) of Act No. 15 of 2011](#).]

[Wording of Sections](#)

**“organised profession”** means all trade unions or federations of trade unions which are members of the Education Labour Relations Council;

**“school”** means a public or independent school defined in [section 1](#) of the South African Schools Act, 1996 ([Act No. 84 of 1996](#)).

### Wording of Sections

def: [further education and training institution](#) of Act 31 of 2000 prior to amendment by [Act 31 of 2007](#)

### Wording of Sections

def: [institution](#) of Act 31 of 2000 prior to amendment by [Act 15 of 2011](#)

### Wording of Sections

def: [Minister](#) of Act 31 of 2000 prior to amendment by [Act 15 of 2011](#)

**2. Objects of Act.**—The objects of this Act are—

- (a) to provide for the registration of educators;
- (b) to promote the professional development of educators; and
- (c) to set, maintain and protect ethical and professional standards for educators, by means of the functioning of the council.

**3. Application of Act.**—This Act applies to all educators, lecturers and management staff of colleges appointed—

- (a) in terms of the Employment of Educators Act, 1998 ([Act No. 76 of 1998](#));
- (b) in terms of the South African Schools Act, 1996 ([Act No. 84 of 1996](#));
- (c) in terms of the Further Education and Training Colleges Act, 2006 ([Act No. 16 of 2006](#));
- (d) in terms of the Public Service Act, 1994 ([Proclamation 103 of 1994](#));
- (e) at an independent school; or
- (f) at an adult learning centre.

[S. 3 substituted by s. 20 of [Act No. 31 of 2007](#).]

**Wording of Sections**

## CHAPTER 2

### CONTINUATION, POWERS AND DUTIES, COMPOSITION AND GOVERNANCE OF COUNCIL

#### Wording of Sections

s 3 of Act 31 of 2000 prior to amendment by [Act 31 of 2007](#)

**4. Continuation of council.** —The South African Council for Educators referred to in [section 27](#) of the Employment of Educators Act, 1998 ([Act No. 76 of 1998](#)), continues to exist as a juristic person despite the repeal of that section by [section 28](#) of this Act.

**5. Powers and duties of council.** —Subject to this Act and the National Education Policy Act, 1996 ([Act No. 27 of 1996](#)), the council—

- (a) with regard to the registration of educators—
  - (i) must determine minimum criteria and procedures for registration or provisional registration;
  - (ii) must consider and decide on any application for registration or provisional registration;
  - (iii) must keep a register of the names of all persons who are registered or provisionally registered;
  - (iv) must determine the form and contents of the registers and certificates to be kept, maintained or issued in terms of this Act, the periods within which they must be reviewed and the manner in which alterations thereto may be effected; and
  - (v) may prescribe the period of validity of the registration or provisional registration;
- (b) with regard to the promotion and development of the education and training profession—
  - (i) must promote, develop and maintain a professional image;
  - (ii) must advise the Minister on matters relating to the education and training of educators, including but not limited to—
    - (aa) the minimum requirements for entry to all the levels of the profession;
    - (bb) the standards of programmes of pre-service and in-service educator education;
    - (cc) the requirements for promotion within the education system;
    - (dd) educator professionalism;
  - (iii) must research and develop a professional development policy;
  - (iv) must manage a system for the promotion of the continuing professional development of all educators;

[Sub-para. (iv) substituted by s. 19 of [Act No. 15 of 2011](#).]

**Wording of Sections**

- (v) may develop resource materials to initiate and run, in consultation with an employer, training programmes, workshops, seminars and short courses that are designed to enhance the profession;
- (vi) may compile, print and distribute a professional journal and other publications;
- (vii) may establish a professional assistance facility for educators;
- (c) with regard to professional ethics—
  - (i) must compile, maintain and from time to time review a code of professional ethics for educators who are registered or provisionally registered with the council;
  - (ii) must determine a fair hearing procedure;
  - (iii) subject to [subparagraph \(ii\)](#), may—
    - (aa) caution or reprimand;
    - (bb) impose a fine not exceeding one month's salary on; or
    - (cc) remove from the register for a specified period or indefinitely, or subject to specific conditions, the name of, an educator found guilty of a breach of the code of professional ethics; and

- (iv) may suspend a sanction imposed under [subparagraph \(iii\) \(bb\)](#) or [\(cc\)](#) for a period and on conditions determined by the council;
- (d) with regard to fees—
  - (i) must, in consultation with the Minister, determine fees payable to the council by registered educators and educators applying for registration;
  - (ii) may require from the relevant employers to deduct fees from the salaries of educators and to pay it over to the council;
  - (iii) may, after a fair hearing—
    - [\(aa\)](#) caution or reprimand; or
    - [\(bb\)](#) remove from the register for a specified period or indefinitely, or subject to specific conditions, the name of, an educator found guilty of failing to pay the fees determined by the council; and
  - (iv) may suspend a sanction imposed under [subparagraph \(iii\) \(bb\)](#) for a period and on conditions determined by the council; and
  - (e) in general—
    - (i) must advise the Minister on any educational aspect which the Minister may request it to advise on;
    - (ii) may appoint staff and determine their conditions of service;
    - (iii) may establish committees and assign duties to them;
    - (iv) must perform any duty which is necessary for the proper functioning of the council; and
    - (v) may advise the Minister on any relevant educational aspect.

### **Wording of Sections**

[s 5\(b\)\(iv\)](#) of Act 31 of 2000 prior to amendment by [Act 15 of 2011](#)

**6. Composition of council.**—(1) The council consists of the following members, appointed by the Minister with due consideration to representation in respect of race, gender, disability and geographic distribution:

- [\(a\)](#) The chairperson, subject to [section 7](#);
  - [\(b\)](#) 14 educators and 4 lecturers collectively nominated by the organised profession;
- [[Para. \(b\)](#) substituted by [s. 21 \(a\)](#) of [Act No. 31 of 2007](#).]

### **Wording of Sections**

- [\(c\)](#) five persons nominated by the Department of Education;
  - [\(d\)](#) two persons nominated by the national associations representing school governing bodies contemplated in [section 20 \(3\)](#) of the South African Schools Act, 1996 ([Act No. 84 of 1996](#));
  - [\(e\)](#) one person nominated by the Council on Higher Education established by [section 4](#) of the Higher Education Act, 1997 ([Act No. 101 of 1997](#));
  - [\( f \)](#) one person nominated by the councils contemplated in [section 9](#) of the Further Education and Training Colleges Act, 2006 ([Act No. 16 of 2006](#));
- [[Para. \( f \)](#) substituted by [s. 21 \(b\)](#) of [Act No. 31 of 2007](#).]

### **Wording of Sections**

- [\(g\)](#) one person nominated by national bodies representing independent or private institutions recognised by the Minister; and
  - [\(h\)](#) the chief executive officer of the council, subject to [section 17](#).
- (2) The members referred to in [subsection \(1\) \(b\)](#) must be educators, lecturers and principals employed at or in the following institutions or sectors:
- [\(a\)](#) A public ordinary school;
  - [\(b\)](#) an independent school;
  - [\(c\)](#) a public further education and training college;
  - [\(d\)](#) a private further education and training college;
  - [\(e\)](#) early childhood development sector;
  - [\( f \)](#) an adult learning centre; or
  - [\(g\)](#) the learners with special education needs sector.
- [[Sub-s. \(2\)](#) substituted by [s. 21 \(c\)](#) of [Act No. 31 of 2007](#).]

### **Wording of Sections**

- (3) If the organised profession is unable to reach agreement collectively with regard to the 18 nominations referred to in [subsection \(1\) \(b\)](#), the Minister must appoint 18 members from the nominations by individual organisations from the organised profession.
- (4) When any nomination becomes necessary in terms of [subsection \(1\)](#), the council must invite the relevant bodies or authorities in writing to nominate persons who qualify for nomination within a specified period of at least 30 days.

- (5) No person may be nominated or appointed as a member of the council if that person—
- (a) is removed from an office of trust by a court of law; or
  - (b) is convicted of an offence involving dishonesty or an offence for which the sentence imposed is imprisonment without the option of a fine.
- (6) If the council receives any nomination it must, within 30 days after the expiry date specified in the invitation, submit the nomination to the Minister.
- (7) If the council receives no nominations or receives insufficient nominations within the period specified in the invitation, the Minister may, after consultation with the council, appoint persons who meet the requirements up to the number required, as members.
- (8) The Minister must by notice in the *Gazette*, as soon as practicable after the appointment of the members, publish the name of every person appointed as a member, together with the date from which the appointment takes effect and the period for which the appointment is made.

### **Wording of Sections**

s 6(1)(b) of Act 31 of 2000 prior to amendment by Act 31 of 2007

### **Wording of Sections**

s 6(1)(f) of Act 31 of 2000 prior to amendment by Act 31 of 2007

### **Wording of Sections**

s 6(2) of Act 31 of 2000 prior to amendment by Act 31 of 2007

**7. Chairperson and deputy chairperson of council.** —(1) (a) At the first meeting in a new term of office of members, the members must nominate five persons, of whom one must be appointed by the Minister as chairperson.

(b) A person who is not a member may be nominated by the council for appointment as chairperson.

(2) The chief executive officer must act as chairperson until such time as a chairperson is appointed.

(3) After the appointment of the chairperson by the Minister, the members must elect one of their number as deputy chairperson of the council to act as chairperson when the chairperson is not available.

(4) The chairperson and deputy chairperson hold office during the term of office of the members.

(5) In the event of the chairperson being appointed from the members of the council, the vacancy that arises must be filled in accordance with section 10.

(6) Whenever both the chairperson and the deputy chairperson are not available, the members must, from among themselves, elect a member to act as chairperson.

**8. Term of office of members.** —Subject to section 10 (2), all members, excluding the chief executive officer, hold office for a period of four years.

**9. Termination of office of chairperson, deputy chairperson or member.** —The term of office of the chairperson, deputy chairperson or any other member is terminated if the member—

(a) resigns by giving notice in writing to the Minister and the council;

(b) is absent from three consecutive meetings of the council or from a committee of which the member is a member without leave of the relevant chairperson, or in the case of the chairperson, the leave of the executive committee of the council;

(c) brings the council or the profession into disrepute;

(d) no longer meets the requirements referred to in section 6 (1) and (2);

(e) (i) is declared insolvent;

(ii) is removed from an office of trust by a court of law;

(iii) is convicted of an offence involving dishonesty or an offence for which the sentence imposed is imprisonment without the option of a fine; or

(iv) is declared by a competent court to be of an unsound mind or under a legal disability.

**10. Filling of vacancies.** —(1) If the term of office of a member is terminated in terms of section 9, the vacancy must be filled, with the necessary changes, in accordance with section 6.

(2) The term of office of a member appointed in terms of subsection (1), is the remainder of the term of office of the relevant predecessor.

(3) (a) If the office of chairperson becomes vacant in terms of section 9, the remaining members and the Minister must act in accordance with section 7 (1).

(b) The person so appointed as chairperson holds office for the remainder of the term of office of the relevant predecessor.

**11. Executive committee.** —(1) The executive committee of the council consists of—  
(a) the chairperson of the council, who is the chairperson of the committee;  
(b) six other members appointed by the council of whom at least one is a member referred to in [section 6 \(1\) \(c\)](#); and  
(c) the chief executive officer.  
(2) The council must, subject to this Act, determine the functions of the executive committee.  
(3) A decision of the executive committee is regarded as a decision of the council, unless the decision is revoked by the council at its ensuing meeting.  
(4) Anything done in implementing the decision of the executive committee before it is revoked by the council, is not invalid by reason only of the fact that the decision is subsequently revoked by the council.

**12. Registration committee.** —(1) The registration committee of the council consists of—  
(a) the chairperson, who is a member of, and appointed by, the council;  
(b) four other members appointed by the council; and  
(c) the chief executive officer.  
(2) Subject to [Chapter 3](#), the registration committee must—  
(a) consider and make recommendations to the council on minimum criteria and procedures for the registration or provisional registration of educators;  
(b) consider and make recommendations to the council on any application for registration or provisional registration;  
(c) recommend the period of validity of the registration of an educator to the council; and  
(d) exercise or perform any other power or duty delegated or assigned to it by the council.  
(3) The registration committee must keep a record of its proceedings.

**13. Professional development committee.** —(1) The professional development committee of the council consists of—  
(a) the chairperson, who is a member of, and appointed by, the council;  
(b) four other members appointed by the council, of whom at least one must be a member referred to in [section 6 \(1\) \(c\)](#); and  
(c) the chief executive officer.  
(2) The professional development committee must, subject to this Act—  
(a) consider and make recommendations to the council in relation to powers and duties contemplated in [section 5 \(b\)](#); and  
(b) exercise or perform any other power or duty delegated or assigned to it by the council.  
(3) The professional development committee must keep a record of its proceedings.

**14. Disciplinary committee.** —(1) The disciplinary committee of the council consists of—  
(a) the deputy chairperson of the council, who is the chairperson of the committee;  
(b) four other members appointed by the council, of whom at least one must be a member referred to in [section 6 \(1\) \(c\)](#); and  
(c) the chief executive officer.  
(2) The disciplinary committee must—  
(a) compose, maintain and from time to time review a code of professional ethics;  
(b) ensure that an alleged breach of the code of professional ethics is investigated;  
(c) establish panels to investigate and hear complaints against educators;  
(d) ensure that a fair hearing, in accordance with the procedure determined by the council in terms of [section 5 \(c\) \(ii\)](#), is conducted;  
(e) on the basis of a recommendation of the relevant panel, recommend a finding and appropriate action, if any, to the council; and  
(f) exercise or perform any other power or duty delegated or assigned to it by the council.  
(3) A relevant panel must make a recommendation to the disciplinary committee in regard to a finding, and, if any, disciplinary action concerning a complaint referred to it.  
(4) For the purposes of the investigation and hearing, a panel may summon any person who—  
(a) may be able to give information of material importance concerning the subject of the investigation or hearing; or

(b) has possession, custody or control of or over any book, document or object which may have a bearing on the matter, to appear before the panel and to produce the book, document or object, if any.

(5) The summons must be in a form prescribed by the council and be signed by the chairperson of the disciplinary committee or the chief executive officer and be served on a person by way of—

(a) delivery by hand;

(b) telefax; or

(c) registered post.

(6) The date on which the summons is served is regarded as, in a case of—

(a) service by hand, the date of delivery;

(b) service by telefax, the dispatching date reflected on the telefax; and

(c) service by registered post, the date on which the letter was signed for, in the absence of proof to the contrary.

(7) The disciplinary committee and a panel must keep a record of the proceedings of every investigation and disciplinary hearing.

**15. Committees of council.** —(1) The council may establish other committees to assist in the performance of its functions and may co-opt other persons to attend committee meetings on the basis of their expertise.

(2) Any committee, other than the executive committee, may include persons who are not members of the council.

(3) Subject to sections 11 and 14 the chairperson of a committee must be appointed by the council from among its members.

(4) Members of committees referred to in subsection (1) may be appointed for such period as the council may determine.

(5) Members of a panel referred to in section 14 (2) (c) need not be members of the council.

**16. Meetings, and procedure at meetings of council and committees.** —

(1) The council must hold at least two meetings during each calendar year at its head office, and may in addition hold such other meetings as the chairperson of the council may determine.

(2) The council may make rules relating to the procedure at meetings of the council and its committees, and on any other matter necessary for the performance of its functions.

(3) A majority of the members of the council or a committee constitutes a quorum at any meeting of the council or committee.

(4) (a) A decision of the majority of the members of the council or of a committee present at any meeting constitutes a decision of the council or committee.

(b) In the event of an equality of votes, the presiding member has a casting vote in addition to a deliberative vote.

(5) A decision taken by the council or a committee is not invalid by reason only of a vacancy on the council or a committee, as the case may be, at the time when the decision was taken.

**17. Appointment and functions of chief executive officer and staff.** —

(1) The council must appoint a chief executive officer and may appoint other employees as it may deem necessary to assist it in the performance of its functions.

(2) The chief executive officer is the accounting officer of the council.

(3) The chief executive officer is, subject to the directions and in accordance with the policy of the council, responsible for the—

(a) formation and development of an efficient administration;

(b) organisation, control, management and discipline of the staff; and

(c) implementation of the decisions of the council.

(4) As accounting officer the chief executive officer is responsible for—

(a) all income and expenditure of the council;

(b) all assets and the discharging of all liabilities of the council; and

(c) the proper and diligent implementation of the operational plans of the council.

(5) The council is the employer and must determine the conditions of service of its employees.

**18. Remuneration and allowances of members of council and committees.**—The chairperson of the council, the deputy chairperson, every member and any person appointed as a member of a

committee or panel who is not in the service of the State may, in respect of services rendered by them in connection with the affairs of the council, a committee or panel, be paid by the council—

(a) such travelling, subsistence and other allowances; and

(b) in the case of the chairperson of the council, such additional remuneration, as the council may determine.

**19. Funds of council.** —(1) The funds of the council consist of—

(a) compulsory fees;

(aA) money appropriated by Parliament;

[Para. (aA) inserted by s. 20 of Act No. 15 of 2011.]

(b) money received from donations, contributions, interest or fines; and

(c) other money received by the council from any other source.

(2) The council—

(a) must during each financial year, at such time and in such manner as the Minister may determine, submit to the Minister for approval a detailed statement of its estimated income and expenditure for the ensuing financial year;

(b) may during any financial year submit to the Minister for approval adjusted statements of its estimated income and expenditure; and

(c) may not incur any expenditure which exceeds the total amount approved in terms of paragraphs (a) and (b).

(3) If the Minister does not approve the statement of estimated income and expenditure of the council, the Minister must request the council to submit a revised statement of its estimated income and expenditure within a specified period.

(4) (a) The funds contemplated in subsection (1) must be used by the council in accordance with the approved statement referred to in subsection (2).

(b) Any unexpended balance must be carried forward as a credit to the following financial year.

(5) Subject to subsection (4), the council may invest any portion of its funds in such manner as the council may approve.

(6) The books of account and financial statements of the council must be audited at the end of each financial year by a chartered accountant registered in terms of the Public Accountants' and Auditors' Act, 1991 (Act No. 80 of 1991), appointed by the council.

(7) A copy of the audited financial statements must be submitted to the Minister within three months after the end of the council's financial year.

### Repealed Act

Act 80 of 1991 has been repealed by s 58 of Act 26 of 2005

**20. Annual report.** —(1) The council must, within three months after the end of each financial year, submit a report to the Minister on the performance of its functions during that financial year.

(2) The Minister must table the report in Parliament as soon as is reasonably practicable.

## CHAPTER 3

### REGISTRATION OF EDUCATORS

**21. Compulsory registration of educators.** —(1) A person who qualifies for registration in terms of this Act must register with the council prior to being appointed as an educator.

(2) No person may be employed as an educator by any employer unless the person is registered with the council.

**22. Application for registration.** —(1) (a) An application for registration must be made to the council in the manner and form determined by the council.

(b) The applicant must submit the documentation and information required by the council together with the registration fee referred to in section 5 (d) (i).

(2) The council must consider an application for registration in terms of the requirements for registration determined by the council.

(3) If an applicant for registration satisfies the requirements referred to in subsection (1), the council must register the applicant and issue a registration certificate to the educator.



(4) If an applicant does not satisfy all the requirements but the council is of the opinion that the requirements will be satisfied within a reasonable time, the council may register the applicant provisionally on such conditions as the council may determine.

(5) When an educator who is provisionally registered as contemplated in subsection (4) satisfies all the requirements for registration and the conditions referred to in that subsection, the council must register the educator in accordance with subsection (3).

(6) If an educator referred to in subsection (4) does not satisfy the requirements for registration within the period specified, the provisional registration lapses and the name of the person is removed from the register.

(7) The period for which an educator is provisionally registered may be extended by the council, and different conditions in respect of different applicants may be determined if there is a reasonable basis for the differentiation.

(8) Different categories of registration may be determined by the council—

(a) to allow for special circumstances of different sectors in education; or

(b) if there is a reasonable basis for such differentiation.

**23. Removal of name from register.** —(1) The council may direct the chief executive officer to remove the name of an educator from the register if—

(a) after having been registered, the relevant qualification of the educator is withdrawn or cancelled by the higher education institution which issued it;

(b) the educator was registered by error or by means of fraud;

(c) the educator was found guilty of a breach of the code of professional ethics;

(d) the educator requests de-registration, permanently or for a specified period;

(e) the educator fails to pay the fees prescribed by the council within a specified period; or

(f) the educator dies.

(2) Notice of the removal of the name of an educator from the register must be given by the chief executive officer to the educator concerned by way of certified mail addressed to the relevant address appearing in the register.

(3) The name of an educator contemplated in subsection (1) (a), (b), (c) and (e) may not be removed from the register unless the educator was given a reasonable opportunity to make representations to the council.

(4) As from the date on which notice contemplated in subsection (2) has been given to the educator any registration certificate issued to the educator concerned is regarded to be cancelled.

**24. Registration certificates.** —(1) A registration certificate must be issued and sent to the educator upon registration by the council.

(2) If the chief executive officer is satisfied, on proof submitted by a registered educator, that a registration certificate has been destroyed or lost, a duplicate registration certificate must be issued to that educator upon payment of the fee prescribed by the council.

## **CHAPTER 4 GENERAL**

**25. Transitional provisions.** —(1) The terms of office of the members of the council in office immediately prior to the commencement of this Act, expire on the day prior to the date on which the appointment of the members takes effect in terms of section 6 (8).

(2) Any function performed by the council prior to the commencement of this Act, is regarded to have been performed in terms of the corresponding provision of this Act.

(3) Despite the provisions of subsection (2), any disciplinary proceedings instituted against an educator for an alleged breach of the code of professional ethics prior to the commencement of this Act must be continued and concluded in terms of the procedure determined in terms of Chapter 6 of the Employment of Educators Act, 1998 (Act No. 76 of 1998).

(4) The constitution, registration procedure, code of professional ethics and other procedures of the council existing immediately prior to the commencement of this Act, remain in force until amended or repealed by the council under this Act, except where they are in conflict with the provisions of this Act.

(5) The compulsory registration fees and other fees payable to the council immediately prior to the commencement of this Act, remain in force until amended or repealed by the council under this Act.

(6) The agreements of employment existing immediately prior to the commencement of this Act between the employees of the council, and the council, continue to exist subject to applicable labour law.

(7) Practising educators to whom the provisions of the Employment of Educators Act, 1998 (Act No. 76 of 1998), do not apply and who are required in terms of this Act to register are, subject to subsection (8), regarded to be provisionally registered with the council, irrespective of their qualifications.

(8) Provisional registration contemplated in subsection (7) remains valid until a date determined by the Minister, prior to which date the educators concerned must apply for and obtain registration in terms of Chapter 3 in order to remain registered.

**26. Information to be furnished to council.** —(1) A higher education institution and the employer of an educator must furnish the council, at its request, with such information as is reasonably required by the council for the performance of its functions.

(2) In each case where disciplinary steps are taken against any educator by the employer resulting in a sanction other than a caution or reprimand, a certified summary of the record of the proceedings at the hearing and of the sanction imposed must be forwarded to the council by such employer.

**27. Offences and penalties.** —Any person who—

(a) has been duly summoned under section 14 (5) and who fails without sufficient cause—

(i) to attend at the time and place specified in the summons; or

(ii) to remain in attendance until excused by the panel from further attendance;

(b) refuses to be sworn or to affirm as a witness; or

(c) fails without sufficient cause—

(i) to answer fully and satisfactorily any question lawfully put to that person; or

(ii) to produce any book, document or object in that person's possession or custody or under that person's control which that person was required to produce in terms of the said section 14 (5), is guilty of an offence and liable on conviction to a fine or to imprisonment for a period not exceeding six months.

**28. Repeal of law.** —Chapter 6 of the Employment of Educators Act, 1998 (Act No. 76 of 1998), is hereby repealed.

**29. Short title.** —This Act is called the South African Council for Educators Act, 2000.

# REPUBLIC OF NIGERIA

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## CHAPTER T3 TEACHERS REGISTRATION COUNCIL OF NIGERIA ACT

An Act to establish the Teachers Registration Council of Nigeria charged with the duty of determining the standards of knowledge and skill to be attained by persons seeking to become registered as teachers and for matters connected there-with.

[1993 No. 31.] [4th May, 1993] [Commencement]

### 1. Establishment of the Teachers Registration Council of Nigeria.

(1) There is hereby established a body to be known as the Teachers Registration Council of Nigeria (in this Act referred to as "the Council") which shall be a body corporate under that name and be charged with the general duty of-

- (a) Determining who are teachers for the purpose of this Act;
- (b) Determining what standards of knowledge and skill are to be attained by persons seeking to become registered as teachers under this Act and raising those standards from time to time as circumstances may permit;
- (c) Securing in accordance with the provisions of this Act the establishment and maintenance of a register of teachers and the publication from time to time of the lists of those persons;
- (d) Regulating and controlling the teaching profession (in this Act referred to as the profession") in all its aspects and ramifications;
- (e) Classifying from time to time members of the teaching profession according to their level of training and qualification;
- (f) Performing through the Council established under this Act the functions conferred on it by this Act.

(2) The Council shall have perpetual succession and a common seal which shall be kept in such custody as the Council may, from time to time authorize.

(3) The Council may sue and be sued in its corporate name and may, subject to the Land use Act, hold, acquire and dispose of any property, movable or immovable.

### 2. Membership of the Council

(1) The Council shall consist of a Chairman to be appointed by the President and the following other members, that is- (a) A representative each of the Committee of: (i.) Deans of Education and of Directors of Education in Nigerian Universities, (ii) Provosts of Colleges of Education, (iii) Rectors of Polytechnics; (b) One person to represent each of the following bodies, that is; (i) The National Universities Commission, (ii,) The National Commission for Colleges of Education, (iii) The National Board for Technical Education, (iv) The National Teachers' Institute, (c) A representative of the Federal Ministry of Education (d) Six persons to represent the State Ministries of Education to be elected in rotation among the states of the Federation to be appointed by the Federal Ministry of Education every two years; (e) Two persons to represent the Nigerian Academy of Education; (f) Five persons elected by the Nigeria Union of Teachers in the manner for the time being provided by the constitution of that Association; and (g) the registrar.

(2) The provisions of the first schedule to this Act shall have effect with respect to the qualifications and tenure of office of members of the Council and the other matters therein mentioned.

[First Schedule.]

(3) The Council may make regulations providing for an increase or reduction in the membership of the Council and may make such consequential amendments of paragraph (1) of the first schedule to this Act as the Minister considers expedient in consequence of the increase or reduction.

### **3. Establishment and management of the fund**

(1) The Council shall establish and maintain a fund, the management and control of which shall be in the hands of the council.

(2) There shall be paid into the fund established pursuant to subsection (1) of this section:

(a) All fees and other moneys payable to the Council whether in the course of the discharge of its functions or not; (b) Such moneys as may be provided by the Federal Government to the Council by way of grant or by way of loan or otherwise.

(3) There shall be paid out of the fund of the Council- (a) The remuneration and allowances of Registrar and other employees of the Council; (b) All other expenditure incurred by the Council in the discharge of its function under this Act; and c) Such reasonable travelling and subsistence allowances of members of the Council in respect of the time spent on the business of the Council as the Council may determine.

(4) The Council may invest moneys in the fund in any security created or issued by or on behalf of the Government of the Federation or in any other securities in Nigeria approved by the Council.

(5) The Council may from time to time, borrow money for the purpose of the Council and any interest payable on moneys so borrowed shall be paid out of the fund,

(6) The Council shall keep proper accounts in respect of each year and proper records in relation to those accounts; and the Council shall cause the accounts to be audited by an auditor appointed from the list of auditors and in accordance with the guidelines supplied by the Auditor-General of the Federation.

(7) The audited accounts shall be submitted to the registered members for approval by the general meeting of the Council,

(8) The auditor, appointed for the purpose of this section, shall not be a member of the Council.

### **4. Appointment of the registrar, other staff and preparation of the register**

(1) There shall be appointed by the President, the Council a Registrar.

(2) The Registrar shall be the Chief Executive and Secretary to the Council and be responsible for the day to day administration of the Council.

(3) The Registrar shall hold office for a term of five years in the first instances and shall be eligible for re-appointment for one further term of five years and no more.

(4) The Council may, from time to time, appoint such other persons as the Council may deem fit to assist the Registrar in the performance of his functions under this Act.

(5) It shall be the duty of the Registrar to prepare and maintain, in accordance with rules made by the Council, a register of the names, addresses, approved qualifications and such other

qualifications and particulars as may be specified in the rules, of all persons who are entitled in accordance with the provisions of this Act to be registered as members of the profession and who apply to be so registered.

(6) Subject to the following provisions of this section, the Council may make rules, with respect to the form and keeping of the register and the making of entries therein, and in particular- (a) the making of applications for registration; (b) providing for notification to the Registrar, by the person to whom any registered particulars relate, of any change in those particulars; (c) authorizing a registered person to have any qualification which is, in relation to the relevant division of the profession, either an approved qualification or an accepted qualification for the purpose of this Act, entered in relation to his name in addition to or, as he may elect, in substitution for any other qualification so registered; (d) specifying the fees, including any annual subscription to be paid to the Council in respect of the entry of a name on the register and authorizing the registrar to refuse to enter a name on the register until any fee specified for the entry has been paid

(e) Specifying anything falling to be specified under the foregoing provisions of this section: Provided that rules for the purposes of paragraph of this subsection shall Not come into force until they are confirmed at a special meeting of the Council convened for the purpose thereafter or at the next general meeting of the registered members as the case may be.

(7). It shall be the duty of the Registrar to-

(a) to correct, in accordance with the Councils directions, any entry in the register which the Council directs him to correct as being in the Councils opinion an entry which was incorrectly made; (b,) to make, from time to time, any necessary alteration to the registered particulars of registered persons; (c) to remove from the register the name of any registered who has died; (d) to record the names of any registered members of the profession who are in default for more than four months in the payment of the annual subscriptions and to take such action in relation thereto (including removal of the names of defaulters from the register) as the Council under this Act may direct or require.

(8) If the Registrar-

(a) sends by post to any registered person, a registered letter addressed to him at his address on the register enquiring whether the registered particulars relating to him are correct and receives no reply to the letter within the period of six months from the time of posting it; and (b) upon the expiration of that period sends in the like manner i.e. person in question. a second similar letter and receives no reply to that letter within three months from the date of posting it; The registrar may remove the particulars relating to the person in question from the register; provided that the Council directs the registrar to restore to the appropriate part of the register any particulars removed there from under this subsection.

## **5. Publication of register and lists of corrections**

(1) It shall be the duty of the Registrar- (a) to cause the register to be printed, published and put on sale to members of the public not later than two years from the appointed day; and (b) thereafter in each year after that in which the register is first published under paragraph (a) of this subsection, to cause to be printed, published and put on sale as aforesaid, either a corrected edition of the register or list of corrections made to the register since it was last printed; and (c) to cause a print of each edition of the register and of each list of corrections to be deposited at the principal offices of the Council, And it shall be the duty of the Council to keep the register and lists to deposited available at all reasonable times for inspection by members of the public.

(2) A document purporting to be a print of an edition of the register published under this section by authority of the Registrar, or documents purporting to be prints of an edition of the register so published and of the list of corrections to that edition so published shall (without prejudice to any other mode of proof) be admissible in any proceedings as evidence that any

person specified in the document, or the documents read together, as being registered was so registered at the date of the edition or of the list of corrections, as the case may be, and that any person not so specified was not so registered.

(3) Where in accordance with subsection (2) of this section, a person is, in any proceedings, shown to have been, or not to have been registered at a particular date, he shall, unless the contrary is proved, be taken for the purposes of those proceedings as having at all material times thereafter Continued to be, or not be, so registered.

## **6. Registration of teachers**

(1) Subject to rules made under section 4(6) of this Act, a person shall be entitled to be registered as a member of the profession if

(a) he passes a qualifying examination accepted by the Council and completes the practical teaching prescribed by the Council under this Act; or

(b) not being a Nigerian, he holds a qualification granted outside Nigeria which for the time being is recognized by the Council and he is by law entitled to practice the profession in the country in which the qualification was granted provided that the other law entitled to practice the profession in the country in which the qualification was granted provided that the other Country accords Nigerian professional teachers the same reciprocal treatment and that he satisfies the Council that he has sufficient practical experience as a teacher.

(2) An applicant for registration shall, in addition to evidence of qualification, satisfy the Council that: (a) he is of good character; (b) he has attained the age of twenty-one years; and (c) he has not been convicted in Nigeria or elsewhere of an offence involving fraud or dishonesty.

(3) The Council shall from time to time, publish in the federal Gazette particulars of qualifications for the time being accepted by the Council for purposes of registration.

## **7. Approval of qualification etc.**

(1) The Council may approve an institution for the purposes of this Act, and may for those purposes approve: a) any course of raining at any approved institution which is intended for persons who are seeking to become or are ready teachers and which the Council considers is designed to confer on persons completing it sufficient knowledge and skill for admission as professional teachers; (b) any qualification which, as a result of examination taken in conjunction with a course of training approved by the Council under this section, is granted to candidates reaching a standard at the examination indicating in the opinion of the members of the Council that the candidates have sufficient knowledge and skill to practice the profession.

(2) The Council may, if it thinks fit withdraw any approval given under this section in respect of any course, qualification or institution, but before withdrawing such an approval the council, shall: a) give notice that it proposes to withdraw such approval to each person in Nigeria appearing to the Council to be a person by whom the course is conducted or the qualification is granted or the institution is controlled, as the case may be; and (b) Give each such person an opportunity of making representation to the Council with regard to the proposals; and, (c) Take into consideration any representation made in respect of the proposal in pursuance of paragraph (b) of this subsection.

(3) Any period during which the approval of the Council under this section for a course, qualification or institution is withdrawn, the course qualification or institution shall not be treated as approved under this section; but the withdrawal of such an approval shall not prejudice the registration or eligibility for registration of any person who by virtue of the approval was registered or eligible for registration immediately before the approval was withdrawn.

(4) The giving or withdrawal of an approval under this section shall have effect from such date, either before or after the execution of the instrument signifying the giving or withdrawal of the

approval, as the Council may specify in that instrument; and the Council shall: a) Publish as soon as possible a copy of every such instrument in the newspapers; and (b) Not later than seven days before its publication as aforesaid, send a copy of the instrument to the Minister.

#### **8. Supervision of instruments and examination leading to approved qualifications**

(1) It shall be the duty of members of the Council to keep themselves informed of the nature of:“(a) the instructions given at approved institutions to persons attending approved courses of training; and (b) the examinations as a result of which approved qualifications; are granted and for the purposes of performing that duty, the Council may appoint, either from among its own members or otherwise, persons to visit approve institutions, or to observe such examinations.

(2) It shall be the duty of a person appointed under subsection (1) of this section to report to the Council on:

(a) the sufficiency of the instructions given to persons attending approved courses of training at institutions visited by him; (b) the adequacy of examinations attended by him; and (c) any other matters relating to the institutions examination in which the Council may, either generally or in a particular case, request him to report, but no visitor shall interfere with the giving of any instruction or the holding of any examination, (3) On receiving a report made in pursuance of this section, the Council may if it thinks fit, and shall if so required by the registered members send a copy of the report to the person appearing to the Council to be in charge of the institution or responsible for the examinations to which the report relates requesting that person to make observations on the report to the Council within such period as may be specified in the request, not being less than one month beginning with the date of the request,

#### **9. Establishment of the Disciplinary Committee and Investigating Panel**

(1) There is hereby established a tribunal to be known as the Teachers Disciplinary Committee (in this Act referred to as “the committee”), which shall be charged with the duty of considering and determining any case referred to it by the Teachers Investigating Panel (in this Act referred to as “the panel”) established by the following provisions of this section and any other case of which the committee has cognizance under the following provision of this Act.

(2) The committee shall consist of the chairman of the Council and ten other members appointed by the Council.

(3) There shall be established in each state of the Federation and the Federal Capital Territory, Abuja a body, to be known as the State Teachers Investigating panel as the case may be (in this Act referred to as “the panel”), which shall be charged with the duty of: a) conducting a preliminary investigation into any case where it is alleged that a member has misbehaved in his capacity as a professional teacher, or should, for any other reason be the subject of proceedings before the committee; and (b) deciding whether the case should be referred to the committee.

(4) A panel shall be appointed by the Council after consultation with the State Ministry of Education or the Federal Ministry of Education and in the case of the Federal Capital Territory, Abuja and shall consist of five members one of whom shall be a legal practitioner.

(5) The provisions of schedule 2 to this Act shall, so far as they are applicable to the committee and panel respectively have effect with respect to those bodies

(6) The Council may make rules not inconsistent with this Act as to acts which constitute professional misconduct.

#### **10. Penalties for unprofessional conduct, etc.**

(1) Where: a) a member is judged by the committee to be guilty of infamous conduct in any professional respect; or (b) a member is convicted, by any court or tribunal in Nigeria or

elsewhere having power to award imprisonment of an offence (whether or not punishable with imprisonment) which in the opinion of the committee is incompatible with status of teacher; or (c) the committee is satisfied that the name of any person has been fraudulently registered; the committee may, if it thinks fit, give a direction reprimanding that person or ordering the Registrar to strike his name off the relevant part of the register

(2) The committee may if it thinks fit, defer its decision as to the giving of a direction under subsection (1) of this section until a subsequent meeting of the committee; but this section, and any other case of which the committee has cognizance under the following provisions of this Act, (a) No decision shall be deferred under this subsection for any period exceeding two years in the aggregate; and (b) no person shall be a member of the committee for the purposes of reaching a decision which has been deferred or further deferred unless he was present as a member of the committee when the decision was deferred,

(3) For the purposes of subsection (1) (b) of this section, a person shall not be treated as convicted as therein mentioned. Unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

(4) When the committee gives a direction under subsection (1) of this section, the committee shall cause notice of the direction to be served on the person to whom it relates.

(5) The person to whom such a direction relates may. At any time within twenty eight days from the date of service on him of notice of the direction, appeal against the direction to the Court of Appeal; and the committee may appear as respondent to the appeal and. For the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the committee. The committee shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

(6) A direction of the committee under subsection (1) of this section shall take effect: (a) where no appeal under this section is brought against the direction within the time limited for, such an appeal on the expiration of that time; or

(b) where such an appeal is brought and he is withdrawn or struck out for want of prosecution or the withdrawal or striking out of the appeal; or (c) where such an appeal is brought and it is not withdrawn or struck out as aforesaid, if and when the appeal is dismissed, and shall not take effect except in accordance with the foregoing provisions of this subsection.

(7) A person whose name is removed from the register in pursuance of a direction on the committee under this section. Shall not be entitled to be registered again except in pursuance of a direction in that behalf given by the committee on the application of that person; and a direction under this section for the removal of a person's name from the register, may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and where he has duly made such an application, from the date of his last application) as may be specified in the direction.

## **11. Duty to report**

(1) It shall be the duty of the head of an educational institution to report any misconduct by a registered member to the panel,

(2) A person in breach of the provisions of subsection (1) of this section shall be guilty of an offence and liable on conviction to a fine of N 1000 or to imprisonment for a term of three months.

## **12. When person is deemed a registered member**

A person shall be deemed to practice as a registered teacher if, in consideration of remuneration received or to be received, and whether by himself or in partnership with any other person: (c) he engages himself in teaching or holds himself out to the public as a teacher; or (b)



He renders any other service which may by regulations made by the Council with the approval of the Minister be designed as service constituting teaching.

### **(13) Rules as to practicing fees, etc.**

(1) The Council may make rules (a) for the training of suitable persons in teaching practice and method; (b) for the supervision and regulations of the engagement, training and transfer of such persons; and (c) for the fees to be paid by registered members,

(2) The Council may also make rules, prescribing the amount and date for payment of the annual subscription and for such purposes different amounts may be prescribed by the rules according to whether the registered member of the profession is a qualified or an auxiliary teacher.

(3) Rules when made under this section shall, if the Chairman of the Council so directs, be published in the newspapers.

### **14. Honorary membership**

The Council may if it thinks fit, award honorary membership of the profession to persons whom it considers worthy of such honor, on terms and conditions as may be prescribed by the Council,

### **15 Provision of library facilities, etc.**

The Council shall: (a) provide and maintain a library comprising books and publications for the advancement of knowledge of teaching, and such other books and publications as the Council may think necessary for the purpose;

(b) encourage research into teaching methods and allied subjects to the extent that the Council may, from time to time, consider necessary

### **16 Regulations and rules**

Any regulations made under this Act shall be published in the newspaper as soon as may be after they are made.

### **17. Offences**

(1) If any person for the purpose of procuring the registration of any name, qualification or other matter: a) Makes a statement which he believes to be false in material particular, or (b,) Recklessly makes a statement which is false in a material particular, he shall be guilty of an offence.

(2) if on or after the commencement of this Act any person being a registered member of the profession practices as a registered member of the profession or in expectation of reward, or takes or uses any name, title, addition or description implying that he is in practice as a registered member of the profession, he shall be guilty of an offence; provided that, in the case of a person falling within section 10 of this Act- (a) this subsection shall not apply in respect of anything done by him during the period of three months mentioned in that section; and (b) if within that period he duly applies for membership of the profession, then, unless within that period he is notified that his application has not been approved this subsection shall not apply in respect of anything done by him between the end of that period and the date on which he is enrolled or registered or is notified aforesaid.

(3) If the Registrar or any other person employed by or on behalf of the Council willfully makes any falsification in any matter relating to the register, he shall be guilty of an offence.

(5) a person guilty of an offence under this section shall be liable, a) on conviction to a fine of an amount not exceeding N 1000: or

(b) On conviction on indictment to a fine of an amount not exceeding N5000 or, to imprisonment for a term not exceeding two years, or to both such fine and imprisonment

(6) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person reporting to act in any such capacity, or as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

### **18. Interpretation**

In this Act, unless the context otherwise requires-

“Committee” means the Teachers Disciplinary committee established by section 9 of this Act; “Council” means the Teacher Registration Council of Nigeria established by Section I of this Act; “fees” includes annual subscriptions, “Member” means a member of the Council and includes the chairman; “Panel” means the Teachers Investigating Panel established by section 9 of this Act, “Register” means the register maintained in pursuance of section (4) of this Act; “Minister” means the Minister charge with responsibility for matters relating to education.

### **19. Short title**

This Act may be cited as the: Teachers Registration Council of Nigeria Act 1993.

## **SCHEDULES First Schedule [Section 2 (2) and 3.] Supplementary provisions relating to the Council**

### **Qualification and tenure of member of office of member**

I. (1) Subject to the provision of this paragraph every elected member of Council shall hold office for one year in the first instance and shall be eligible for re-election for a further term of two years in the same office beginning with the date of his appointment or election.

(2) any elected member may by notice in writing under his hand addressed to the Chairman resign his office, and any appointed member may, likewise so resign his office.

(3) A person who retires from or otherwise ceases to be an elected member of the Council shall be eligible to become a member of the Council, and any appointed member may be re-appointed.

(4) Elections to the Council shall be held in such manner as may be prescribed by rules made by the Council, and until so prescribed they shall be decided by a show of hands.

(5) If for any reason there is a vacation of office by a member and such member was elected, then Council may, if the time between the unexpired portion of the term of office and the next general meeting of the Council appears to warrant the filling of the vacancy, co-opt some other fit persons for such time as aforesaid.

### **Power of Council**

2. The Council shall have power to do anything which in its opinion is calculated to facilitate the carrying on of its activities.

### **Proceedings of the Council**

3. (1). Subject to the provision of this Act the Council may make standing orders regulating its proceedings, and may appoint such committees as it deems fit, and may make standing orders therefore.

(2). Standing orders shall provide for decisions to be taken by a majority of the members, and in event of equality of votes, the chairman, shall have a casting vote.

- (3). Standing orders made for a committee shall provide that the committee shall report to the Council' on any matter not within its competence to decide.
- (4). The quorum of the Council shall be eight and the quorum of a committee of the Council shall be fixed by the Council.

#### **Meeting of the Council**

4. (1) Subject to the provisions of any standing orders of the Council, the Council shall meet whenever it is summoned by the Chairman, and if the Chairman is required to do so by notice in writing given to him by not less than five other members of the Council, he shall summon a meeting of the Council to be held within seven days from "the date on which the notice is given.
- (2) At any meeting of the Council, the Chairman or in his absence the Vice Chairman shall preside; but if both are absent, the members present at the meeting shall appoint one of their members to preside at that meeting.
- (3) Where the Council desires to obtain advice from any person on a particular matter, the Council may co-opt him as a member for such period as the Council thinks fit, but a person who is a member by- virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Council, and shall not count towards a quorum.

#### **Committees**

5. (1) The Council may appoint one or more committee to carry out on its behalf such functions as the Council may determine.
- (2) A committee appointed under this paragraph shall consist of the number of persons determined by the Council, and a person other than a member of the Council shall hold office on the committee in accordance with the terms of the instrument by which he is appointed.
- (3) A decision of a committee of the Council shall be of no effect until it is confirmed by the Council.

#### **Miscellaneous**

- (1) The fixing of the seal of the Council shall be authenticated by the signature of the Chairman or of some other member of the Council authorized generally or specially by the Council to act for that purpose.
- (2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not, be required to be under seal, may be made or executed on behalf of the Council by any person generally or specially authorized to act for that purpose by the Council.
- (3) Any document purporting to be duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed.
7. The validity of any proceeding of the Council or of a committee of the Council shall not be affected by any vacancy in the membership, or by any defect in the appointment of a member of the Council or of a person to serve on the committee or by reason that a person not entitled to do so took part in the proceedings.
8. A member of the Council, or any person holding office on a committee of the Council, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or on behalf of the Council or a committee thereof, shall forthwith disclose his interest to the Chairman or to the Council, as the case may be and shall not vote on any question relating to the contract or arrangement.
9. A person shall not by reason only of his membership of the Council be required to disclose any interest relating solely to the audit of the accounts of the Council.

#### **SECOND SCHEDULE [Section 9 (5).]**

Supplementary provisions relating to the Disciplinary Committee and Investigating panel

### **The Committee**

1. The quorum of the committee shall be four of whom at least two shall be registered members.
2. (1) The Attorney-General of the Federation shall make rules as to the selection of members of the committee for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in the proceedings before the committee.  
(2) The rules shall in particular provide- (a) for securing that notice of the proceedings shall be given, at such time and in such manner as may be specified by the rules, to the person who is the subject of the proceedings; (b) For determining who in addition to the person aforesaid, shall be a party to the proceedings; (c) For securing that any party to the proceedings shall, if he so requires, be entitled to be heard by the committee; (d) for enabling any party to the proceedings to be represented by a legal practitioner; (e) subject to the provisions of section 9 of this decree, as to the costs of proceedings before the committee; (f) for requiring, in a case where it is alleged that the person who is the subject of the proceedings is guilty of infamous conduct in any professional respect, that where the committee adjudges that the allegation has not been proved it shall record a finding that the person is not guilty of such conduct in respect of the matters to which the allegation relates; (g) For publishing in the newspaper notice of any direction of the committee which has taken effect providing that a person's name shall be struck off a register.
3. For the purpose of any proceedings before the committee, any member of the committee may administer oaths and any party to the proceedings may sue out of the registry of the High Court writ of subpoena ad testificandum ad duces tecum; but no person appearing before the committee shall be compelled- (a) To make any statement before the committee' tending to incriminate himself; or (b) To produce any document under such a writ which he could not be compelled to produce at the trial of an action.
4. (1) For the purpose of advising the committee on questions of law arising in proceedings before it, there shall in all such proceedings be an assessor to the committee who shall be appointed by the Council on the nomination of the Attorney-General of the Federation and shall be a legal practitioner of no less than seven years standing.  
(2) The Attorney-General of the Federation shall make rules as to the functions of assessors appointed under this paragraph, and in particular such rules shall contain provisions for ensuring- (a) that where an assessor advises the committee on any question of law as to evidence, procedure or any other matters specified by the rules, he shall do so in the presence of every party or person representing a party to the proceedings who appear there at or, if the advice is tendered while the committee is deliberating in private, that every such party or person as aforesaid shall be informed what advice the assessor has tendered (b) that every such party or person as aforesaid shall be informed If in any case the committee does not accept the advice of the assessor on such a question as aforesaid  
(3) An assessor may be appointed under this paragraph either generally or for any particular proceedings, and shall hold and vacate office in accordance with the terms of the instrument by which he is appointed.

### **The Panel**

5. The quorum of the panel shall be three.
6. (1) The panel may, at any meeting of the panel attended by the members of the panel, make standing orders with respect to the panel.  
(2) Subject to the provisions of any such standing orders, the Panel may regulate its own procedure.

### **Miscellaneous**

(1) A person ceasing to be a member of the committee or the Panel shall be eligible for reappointment as a member of that body.

(2) A person may, if otherwise eligible, be a member of both the committee and the panel; but no person who acted as a member of the panel with respect to any case shall act as a member of the committee with respect to that case.

8. The committee or the panel may act notwithstanding any vacancy in its membership; and the proceedings of either body shall not be invalidated by any irregularity in the appointment of a member of that body; or (subject to paragraph 7 (2) of this schedule) by reason of the fact any person who was not entitled to do so took part in the proceedings of that body.

9. Any document authorized or required by virtue of this Act to be served on the committee or the panel shall be served on the Registrar appointed in pursuance of section 4 of this Act.

10. Any expenses of the committee or the panel shall be defrayed by the council.

### **CHAPTER T3**

TEACHERS REGISTRATION COUNCIL OF NIGERIA ACT

SUBSIDIARY LEGISLATION

No Subsidiary legislation

# REPUBLIC OF GHANA

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## REPUBLIC OF GHANA EDUCATION ACT, 2008 (ACT 778)

### **National Teaching Council**

9. There is established, by this Act a body known as the National Teaching Council.

#### Functions of the Council

10. The functions of the Council are:

- (a) To advise the Minister responsible for Education
  - (i) On matters relating to the professional standing and status of teachers, and
  - (ii) On teacher education, including the provision of facilities for in-service training, and the employment of teachers
- (b) To recommend to the Minister professional standards required for the registration of teachers
- (c) To periodically review professional practice and ethical standards for teachers and teaching
- (d) To register teachers after they have satisfied the appropriate conditions for initial licensing and issue the appropriate license
- (e) To review through its disciplinary committees, appeal cases of professional misconduct and confirm, vary or rescind the decision of the district disciplinary committee
- (f) To confirm, vary or rescind a decision of the district disciplinary committee
- (g) To revoke a teacher's licence to teach after establishing a case of grave professional misconduct
- (h) To give approval for the suspension of a teacher from teaching after satisfying itself that the teacher has contravened laid down governing the professional '8Ondiict.cif,teabliers.; and to approve the re-registration of a suspended teacher who has served the suspension and has been recommended for re-registration by the district disciplinary committee

#### **Composition of the Council**

11. (1) The National Teaching Council consists of;

- (a) The chairman
- (b) One representing each
  - (i) The Ministry responsible for Education
  - (ii) The National Council for Tertiary Education

(iii) The Council for Technical, Vocational Education and Training

(iv) The National Inspectorate Board

(v) The Conference of District Directors of Education

(vi) The Conference of Heads of colleges of Education

(vii) The Conference of Managers of Education Units and

(c) Two representatives

(i) One from the Universities involved in teacher education

(ii) One from industry and commerce

(d) Two representatives of Teachers Association and

(e) Three other members, one of who is a woman.

(2) The Members of the Council shall be appointed by the President in accordance with article 70 of the Constitution Licensing of teachers 12.

(1) The Council is the go-verging authority responsible for matters relating to the licensing of teachers, including where necessary, the emergency 8 certification of teachers after the Council has given approval for a special course of study for the emergency certification.

(2) Provisional license may be required where there is need for the training of

(a) Persons who the Council considers suitable for short training to meet a crisis in teacher shortage, or

(b) Any other person who desires to take up teaching as a profession and registers for the provisional license.

(3) A person shall not be admitted to teaching as a professional career teacher without satisfying the laid down credentialing requirements issued by the Council for normal or emergent certification.

(4) The programmes of study for pre-tertiary education teachers that lead to a licence to teach shall be developed in consultation with the Council.

(5) A teacher's license is the only legal authorization for teaching, and

(a) Shall be issued by the Council and

(b) Shall bear the registration Nurnberg of the teacher.

(6) A teacher shall be required to possess the Council's licensing certificate as evidence of professional standing and authorization for teaching.

(7) The legal possession of the Council's certificate signifies that the teacher meets the knowledge and skill standards prescribed by the National Teaching Council and is duly licensed to teach.

#### Registration of teachers

13. (1) The Council shall maintain a register of teachers in which shall be recorded the particulars of a person registered as a teacher under this Act.

(2) A person desiring to be registered as a teacher shall submit for approval by the Council an application in the prescribed form.

(5) A person is not qualified to be registered and issued with the Council's license to teach

(a) where that person does not possess at least the initial prescribed teacher training diploma certificate or its equivalent qualification as determined by the Council, or

(b) If that person has been disqualified from teaching by reason of a grave professional misconduct

(c) If within a period of six months immediately preceding the date of the application.

(i) That person has been refused registration as a teacher

(ii) The registration of that person as a teacher has been cancelled.

(4) The Council may refuse to register a person as a teacher.

(a) If that person suffers from a mental disability, as certified by a registered medical practitioner, likely to interfere with the practice of teaching.

(b) If that person has been convicted of a criminal offence of any nature which in the opinion of the Council renders that person not a fit person to be a teacher in an educational institution, or

(c) If that person has, in an application for registration as a teacher, made a statement or furnish false information which that person

(d) If that person has not passed the requisite teacher certification examination recognized by the Council and does not satisfy the standards required for a teacher's license at the level which that person has applied for certification to teach.

(5) A person aggrieved by a refusal under section (5) may appeal to the Minister for the decision, and the Minister may confirm, vary or rescind the decision of the Council. Where the decision of the Council is rescinded, the Minister shall direct the Council to register as teacher, the person affected by the decision.

(7) A person aggrieved by a decision of the Minister may apply to the right Court for redress.

(8) A person out as a teacher shall be required to meet the national certification requirements or certification requirements of the Council. Reemployment of registered teachers 14. A person shall not be employed as a teacher in a pre-tertiary educational institution unless that person has been registered as a teacher by the Council.

### **Employment of unregistered teachers 15.**

(1) Despite section 14, the Council may authorize the employment of persons not registered under this Act as teachers in pre-tertiary educational institutions.

(2) The provisions on qualifications and conditions relating to registered teachers provided by the Council shall apply to the employment of unregistered teachers tertiary education

### **Tertiary education**

16. (1) The National Council for Tertiary Education established under the National Council for Tertiary Education Act, 1993 (Act 454) shall perform the functions specified for it under this Act.



(2) The teaching programmes and academic standards for tertiary institutions are subject to the accreditation requirements set out by the National Accreditation Board Act, 2007 (Act 744). Curriculum and Assessment National Council for Curriculum and Assessment 17.

(1) There is established by this Act a body to be known as the National Council for Curriculum and Assessment, consisting of

(a) The chairman

(b) The executive secretary of the National Council

(c) One representative each of

(i) The National Council for Tertiary Education

(ii) The National Teaching Council

(iii) The National Accreditation Board

(iv) The National Board for Professional and Technical Examinations

(v) The council for Technical and Vocational Education and Training

(vi) The National Inspectorate Board

(vii) The Ministry responsible for Education, not below the rank of a Director

(viii) The Association of Ghanaian industries

(ix) The Ghana Employers Association

(x) The Teacher Association

(xi) The Catholic Bishops conference and the Joint Anglican Diocesan Council

# REPUBLIC OF ZAMBIA

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## THE TEACHING PROFESSION ACT, 2013

### ARRANGEMENT OF SECTIONS

#### PART I

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#### Section

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2. Interpretation

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#### THE TEACHING COUNCIL OF ZAMBIA

3. Establishment of Teaching Council of Zambia
4. Seal of Council
5. Composition of Council
6. Functions of Council
7. Registrar, Deputy Registrar and other staff
8. Inspectors

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#### REGISTRATION OF TEACHERS

9. Classes of membership
10. Application for registration
11. Certificate of registration
12. Disqualification from registration
13. Changes in detail 14. Cancellation of registration
15. Application for practicing certificate
16. Renewal of practicing certificate
17. Cancellation of practicing certificate
18. Regulations relating to practicing certificates
19. Conditions of certificate
20. Prohibition of transfer of certificate
21. Reregistration 2.

Duplicate certificate

23 Register

24. Removal and restoration of name on register

25. Publication of copies of register

26. Holding out as teacher

27. Offences regarding registered teachers

28, Recognition of foreign qualifications

29. Offences and penalties relating to registration

30. Appeals

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##### **TRAINING of TEACHERS**

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32. Application for approval of training programme

31. Review of approved training programme

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36. Continuing professional development and training

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##### **ACCREDITATION OF COLLEGES OF EDUCATION**

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39. Grant of accreditation

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##### **DISCIPLINARY MATTERS**

45. Code of ethics

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47. Initiation or disciplinary action

- 48. Disciplinary Committee
- 49. Functions of Disciplinary Committee
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## **PART VII**

### **GENERAL PROVISIONS**

- 55. Jurisdiction over acts committed outside Zambia
- 56. General penalty
- 57. Offences by body corporate or unincorporated body
- 58. Guidelines
- 59. Regulations

## **SCHEDULE**

### **GOVERNMENT OF ZAMBIA**

ACT

No. 5 of 2013

Date of Assent: 21st March, 2013 An Act to establish the Teaching Council of Zambia and define its functions and powers; provide for the regulation of teachers, their practice and professional conduct; provide for the accreditation and regulation of colleges of education; and provide for matters connected with, or incidental to, the foregoing. [22nd March, 2013 ENACTED by the Parliament of Zambia.

## **PART I**

### **PRELIMINARY 1.**

1. This Act maybe cited as the Teaching Profession Act, 2013.
2. 2. In this Act, unless the context otherwise requires
  - " aided educational institution " has the meaning assigned to it in the Education Act, 2011;
  - " certificate of registration " means the certificate of registration issued under section eleven;
  - " Chairperson " means the person appointed as Chairperson under section five;
  - " Code of Ethics " means the code of professional conduct and ethics adopted and published by the Council;
  - " college of education " has the meaning assigned to it in the Education Act, 2011;
  - " Council " means the Teaching Council of Zambia established under section three;
  - " Disciplinary Committee " means the Committee constituted under section forty-eight;
  - "educational institution " has the meaning assigned to it in the Education Act, 2011;
  - inspector " means a person appointed as an inspector under section eight;
  - " learner " has the meaning assigned to it in the Education Act, 2011; " practicing certificate " means a certificate issued under section fifteen; " private educational institution " has the meaning assigned to it in the Education Act, 2011; "
  - professional misconduct " has the meaning assigned to it under section forty-six;

" public service " means the service in an office in the Republic in respect of which the emoluments are a charge on, or paid out of the Consolidated Fund, public funds or out of moneys appropriated by Parliament;

" Register " means the register of registered teachers kept by the Registrar under section twenty-three;

" Registrar " means the person appointed as Registrar under section seven;

"relative " in relation to a person means

(a) a parent, son, daughter, brother, sister, niece, uncle, aunt, grandparent or cousin of that person or that person's spouse; and

(b) a spouse of that person;

" teacher " means a person who is qualified, registered and teaches or instructs, a head of school, a principal or lecturer of a college of education, a technical education instructor, a head of department of education or an education unit at any other educational institution, other than a university; " Vice-Chairperson " means the person appointed as Vice- Chairperson under section five; and " Zambia Qualifications Authority " means the Zambia Qualification Authority established under the Zambia Qualifications Authority Act, 2011.

## PART 11

### THE TEACHING COUNCIL OF ZAMBIA

3. (1 ) There is hereby established the Teaching Council of Establishment of Teaching Zambia which shall be a body corporate with perpetual succession Council of and a common seal, capable of suing and being sued in its corporate Zambia name and shall, subject to the provisions of this Act, have power to do all such acts and things as a body corporate may, by law, do or perform.

(2) The provisions of the Schedule apply to the Council.

4. (1) The seal of the Council shall be such device as may be determined by the Council and shall be kept by the Registrar.

(2) The affixing of the seal shall be authenticated by the Chairperson or the Vice-Chairperson and the Registrar or any other person authorized in that behalf by a resolution of the Council.

(3) A contract or instrument which, if entered into or executed by a person not being a body corporate would not be required to be under seal may be entered into or executed without seal on behalf of the Council by the Registrar or any other person generally or specifically authorized by the Council in that behalf.

(4) A document purporting to be a document under the seal of the Council or issued on behalf of the Council shall be received in evidence and shall be executed or issued, as the case may be, without further proof, unless the contrary is proved. 5. (1) The Council shall consist of the following part-time Composition members appointed by the Minister:

a) One representative recommended by the Ministry responsible for education vocational and entrepreneurship training;

(b) one representative each recommended by

(i) a public higher education institution;

(ii) a private higher education institution;

(iii) a public educational institution;

(iv) a private educational institution;

(v) a community educational institution; and

(vi) an aided educational institution;

(c) three representatives of the recognised teacher unions;

(d) A registered teacher who is a member of an association dealing with persons with disabilities;

(e) a representative of the Examinations Council of Zambia; a representative of the Teaching Service Commission; and

(g) two other persons with expertise in matters relating to teaching.

(2) A person shall not be appointed as a member of the Council if the person

(a) has been adjudged bankrupt under any written law;

(b) in the case of a teacher, has committed any professional misconduct within a period of five years preceding the appointment;

(c) is in lawful custody or the person's freedom of movement is restricted under any law in force in or outside Zambia on the date of the appointment;

(d) in the case of a teacher, has been de-registered in accordance with section fourteen

(e) is declared to be of unsound mind under the Mental Disorders Act; or

(f) has been convicted of an offence under any other written law and sentenced to a term of imprisonment exceeding six months without the option of a fine.

(3) The Minister shall appoint the Chairperson of the Council from among the members.

(4) The members of the Council shall elect the Vice-Chairperson of the Council from among themselves.

(5) The Minister shall publish the names and designation of the members of the Council in a daily newspaper of general circulation in Zambia.

6. (1) The functions of the Council are to

(a) register teachers;

(b) regulate the professional conduct of teachers;

(c) accredit colleges of education, monitor quality control and assurance of education facilities and services;

(d) develop, maintain and improve appropriate standards of qualification in the teaching profession and promote continuing professional development amongst teachers;

(e) develop, promote and enforce internationally comparable teaching profession practice standards so as to improve the quality of education in Zambia and promote an understanding of professional ethics amongst the teachers;

(f) create awareness of the importance of protecting the public against unsound teaching practices and ensure that the rules and guidelines for professional ethics are responsive to the expectations of the public and those who rely on the teaching profession; investigate allegations of professional misconduct and impose such sanctions as may be necessary;

(h) advise the Government on matters relating to the teaching profession;

(i) facilitate the acquisition of knowledge by teachers through the establishment of technical libraries, and the provision of monetary grants, books, apparatus and any other facilities necessary to achieve that end;

(1) raise the character and status of the teaching profession to promote honourable and good practice and where necessary, declare any particular teaching practice to be undesirable for all, so as to increase the confidence of the public in teachers;

(k) promote, protect and advance the general interests of teachers;

(l) collaborate with the relevant unions on conditions of service and remuneration of teachers; provide a forum for the communication and interchange of views on matters relating to the teaching profession and disseminate these views to the public; and

(n) do all such other things as are necessary or incidental to the performance of its functions under this Act.

(2) The Council may

(a) determine and levy fees that the Council considers necessary to finance its activities under this Act;

(b) determine the fees payable for an inspection conducted for the purposes of this Act; and

(e) determine what portion of any fee is payable in respect of any part of a year and the date on which the fee or portion thereof is payable.

(3) The validity of any proceedings, act or decision of the Council shall not be affected by any person's absence from any meeting of the Council or by reason that a person not entitled to do so took part in the proceedings.

7. (1) The Council shall appoint a Registrar, who shall be the chief executive officer of the Council, on such terms and conditions as the Council may determine. (2) The Registrar shall be the Secretary to the Council and shall be responsible for the day-to-day administration of the affairs of the Council, under the supervision of the Council.

(3) The Council shall appoint a Deputy Registrar who shall assist the Registrar in performing the Registrar's duties under the Act.

(4) The Registrar and Deputy Registrar shall be registered teachers.

(5) The Council shall appoint, on such terms and conditions as the Council may determine, such other staff as may be necessary for the purposes of this Act. 8.

(1) The Council shall appoint suitably qualified persons as inspectors to ensure compliance with this Act.

(2) The Council shall provide an inspector with a certificate of appointment which shall be prima facie evidence of the inspector's appointment as such.

(3) An inspector shall, in performing any function under this Act—

(a) be in possession of the certificate of appointment referred to under subsection (2); and show the certificate of appointment to any person who requests to see the certificate or is subject to an investigation or inspection for purposes of this Act.

(4) An inspector may, for the purpose of enforcing the provisions of this Act, at any reasonable time, without prior notice, and on the authority of a warrant, enter any premises that the inspector has reasonable grounds to believe is used for the commission of an offence or contrary to the provisions of this Act, and

(a) search the premises;

(b) search any person on the premises if the inspector has reasonable grounds to believe that the person has possession of an article, document or record that has a bearing on an inspection or investigation, except that a person shall only be searched by a person of the same sex;

(c) take extracts from, or make copies of any book, document or record that is on the premises and that has a bearing on an inspection or investigation;

(d) demand the production of, and inspect, relevant certificates; and

(e) make such inquiries as may be necessary to ascertain whether the provisions of this Act or any other law on which an inspection or investigation is based, have been complied with.

(5) A person who

(a) delays or obstructs an inspector in the performance of the inspector's functions under this Act; refuses to give an inspector such reasonable assistance as the inspector may require for the purpose of performing the inspector's functions; gives an inspector false or misleading information in answer to an inquiry made by the inspector; or

(d) impersonates an inspector or presents oneself to be an inspector; commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both.

6) An inspector shall furnish the Council with a written report and any other information relating to an inspection.

## PART 111

### REGISTRATION OF TEACHERS 9.

(1) There shall be such classes of membership as shall be prescribed.

(2) Each class of membership shall have such rights, privileges and obligations as may be prescribed.

(3) The Council may categorise the type of teaching work to be performed by each class of membership.

10. (1) A person shall apply to the Council for registration as a teacher in the prescribed manner and form upon payment of the prescribed fee.

(a) The Council has reasonable grounds to believe that the registration was obtained through fraud, misrepresentation or concealment of any material fact;

(b) the teacher is found guilty of professional misconduct under this Act or the Code of Ethics;

(c) the teacher is convicted of an offence under any written law and sentenced to imprisonment for a period exceeding six months without the option of a fine; or

(d) since the registration, circumstances have arisen disqualifying the teacher from registration.

(2) The Council shall, before cancelling the registration under subsection.

(1), give the teacher an opportunity to be heard.

(3) The Council may, before cancelling the registration of a teacher, suspend the teacher for such period and on such terms and conditions as the Council may determine.

(4) Where the Council cancels a certificate of registration under this section, the name of the teacher shall not be restored except on such conditions as may be prescribed by the Council and upon payment of the prescribed fee.

15. (1) A teacher shall apply to the Council for a practicing certificate in the prescribed manner and form upon payment of the prescribed fee.

(2) The Council shall, within thirty days of receipt of an application under subsection

(1) and where the application meets such requirements as may be prescribed, issue the applicant with a practicing certificate.

(3) The Council shall reject an application which does not meet the requirements of this Act, and shall inform the applicant, in writing, and give the reasons for the rejection.

16. (1) A practicing certificate shall be renewed every three years in the prescribed manner and form upon payment of the prescribed fee.



(2) A practicing certificate that is not renewed in accordance with subsection (l) is void.

(3) A teacher who practices or provides any teaching service during any period in which a practicing certificate is void commits an offence and is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a period not exceeding five years, or to both.

17. (1) The Council shall cancel a practicing certificate if the holder

(a) is found guilty of any professional misconduct; is declared to be of unsound mind under the Mental Disorders Act; is an undercharged bankrupt;

(d) Obtained the practicing certificate through fraud, misrepresentation or concealment of a material fact;

(e) commits an offence under this Act or contravenes the Code of Ethics; or 09 has been convicted of an offence under any written law and sentenced to a term of imprisonment exceeding six months without the option of a fine.

(2) The Council shall, before cancelling a practicing certificate under this section, give the holder of the practicing certificate an opportunity to be heard,

(3) The Council may, before cancelling the practicing certificate of a teacher, suspend the teacher for such period and on such terms and conditions as the Council may determine.

(4) Where a certificate of registration is cancelled under this Act, the practicing certificate held by the holder of the certificate of registration shall be void and shall be surrendered to the Council.

18. The Minister may, by statutory instrument, on the recommendation of the Council, make regulations to provide for.

(a) the terms and conditions for the issuance of practicing certificates;

(b) the type of continuing professional development and training and any other information required for the issuance of a practicing certificate; and any other matter necessary for purposes of this Act.

19. A certificate issued under this Part shall contain such terms and conditions as the Council may determine.

20. A certificate issued under this Part shall not be transferred to a third party.

21. Where a certificate of registration or practicing certificate has been cancelled or suspended, the holder of the certificate of registration or practicing certificate may, subject to such terms and conditions as the Council may determine, apply for reregistration.

22. (1) A person whose certificate of registration or practicing I certificate is destroyed or lost may apply to the Registrar for a duplicate certificate in the prescribed manner and form upon payment of a prescribed fee.

(2) The Registrar may, upon receipt of an application under subsection

(1), issue a duplicate certificate of registration or practicing certificate, as the case may be, to the applicant.

23. (1) The Registrar shall keep and maintain a register of all persons registered under this Act in which the Registrar shall enter the details and particulars relating to(a) registered teachers;

(b) the applications rejected and the reasons for the rejection; and

(c) any other information as the Council may determine.

(2) The Register shall be kept in the custody of the Registrar at the offices of the Council, and shall be open for inspection by members of the public during normal office hours upon payment of such fees as the Council may determine.

(3) The Registrar may, upon application by any person, issue to the person a certified extract from the Register or a copy of a certificate of registration or practicing certificate, upon payment of such fee as the Council may determine.

24. (1) The Minister may, on the recommendation of the Council, make regulations prescribing the circumstances and manner in which a teacher

(a) may be removed from the Register; and

(b) who is removed from the Register, may be restored on the Register and the fee to be paid for the restoration.

(2) Subject to subsection

(1), a teacher who is removed from the Register ceases to be registered as a teacher.

(3) The Council may, where a holder of a practicing certificate does not intend to practice for a specified period of time, maintain the name of the holder of the practicing certificate on the Register, in a nonpracticing category, for that period of time.

25. (1) The Registrar shall, on the direction of the Council, cause copies of the Register and any alterations thereof, or additions thereto, to be printed and published in such manner and form as the Council may direct.

(2) The Council may register a person as a teacher under this Act, who is not a citizen of Zambia or is not practicing or working as a teacher in Zambia prior to the application, if that person

(a) is engaged to work as a teacher in Zambia under an international agreement entered into by the Government of the Republic of Zambia; or

(b) undertakes such number of courses as the Council may determine and passes the final examination for the courses.

(3) Notwithstanding anything to the contrary in the Immigration /14 and Deportation Act, 2010, an immigration officer shall not, without of the recommendation of the Council, issue an employment or entry permit to a person who intends to practice, or be employed, as a teacher in Zambia.

(4) A person who contravenes this section commits an offence and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units or to imprisonment for a period not exceeding three years, or to both. 29.

(1) A person commits an offence if that person

(a) makes or causes to be made an unauthorised entry, and an alteration or erasure in a register or in any other certified e-copy of any entry on a register or a certificate;

(b) procures, or attempts to procure, for that person or any other person, registration by fraud, false representation or the concealment of a material fact;

(c) forges or alters any document purporting to be a certificate of registration, a certified copy of any entry on a register or a certificate;

(d) impersonates a registered teacher; or

(e) takes, uses or publishes in any way whatsoever any name, title, description or symbol in relation to a person who is not registered under this Act; and is liable, upon conviction, to a fine not exceeding seven hundred thousand penalty units or to imprisonment for a period not exceeding seven years, or to both. 30.

(1) A person aggrieved with a decision of the Council may within thirty days of service of the decision, appeal to the Minister.

(2) A person aggrieved with a decision of the Minister may, within thirty days of service of the decision, appeal to the High Court.

## **PART IV**

### **TRAINING OF TEACHERS 31.**

(1) A college of education shall not provide, or hold out as providing, training to prepare students for the teaching profession, unless the training programme is approved by the Council.

(2) A college of education that contravenes subsection (1) commits an offence and is liable, upon conviction, to a fine not exceeding three hundred thousand penalty units, and to a fine of fifty thousand penalty units for each day during which the offence continues, 32. (1) A college of education that intends to offer training in the teaching profession shall apply to the Council for approval of the training programme in the prescribed manner and form upon payment of a prescribed fee. (2) The Council may, after review of a proposed training programme and in consultation with the Zambia Qualifications Authority, approve the training programme if the training programme meets the requirements of this Act and if the training programme shall adequately prepare students for the teaching profession.

(3) The Council may accept the successful completion of a training programme approved under subsection

(2), as meeting some or all of the requirements for registration in the teaching profession.

(4) The Council shall not, where a college of education uses a training programme which is not approved under this section, accept the training as meeting the requirements of this Act. 33. The Council shall, at least every five years from the date of the approval of a training programme under section thirty-two, review the approved training programme, including the performance of the graduates of the programme. 34. The Council shall withdraw the approval of a training programme, where it considers that the training programme no longer meets the requirements of this Act; or the graduates of the training programme consistently fail to meet the standards required by the teaching profession. 35.

(1) The Council shall, in consultation with the Minister and the appropriate examining authorities introduce an in-service education and training programme for teachers.

(2) The Council shall determine the nature and duration of in-service training that shall be mandatory for all registered teachers. 36.

(1) The Minister may, by statutory instrument, on the recommendation of the Council, make regulations to provide for continuing professional development and training to be undertaken by teachers.

(2) Notwithstanding the generality of subsection

(1), the regulations may provide for

(a) the nature and extent of continuing professional development and training to be undertaken by teachers;

(b) the criteria for recognition by the Council of continuing professional development, the training programme and college of education for purposes of this Act;

(c) the minimum professional and technical training to be provided by a training institution to a person who is to be registered in the teaching profession; and

(d) the requisite infrastructure of colleges of education, the educational and training curricula, the training equipment and staffing levels. 37. The Minister may, on the recommendation of the Council, make regulations prescribing

(a) the conditions for entry to teacher training and the duration of the training;

- (b) the courses and course structure of the training; and
- (c) the system of teacher preparation.

## **PART V**

### **ACCREDITATION OF COLLEGES OF EDUCATION 38.**

(1) A college of education shall apply to the Council for AI accreditation in the prescribed manner and form upon payment of the prescribed fee act

(2) The Council shall, upon receipt of an application under subsection (1), direct an inspector to inspect the college of education in respect of which an application is made in order to determine whether it meets the requirements for accreditation. 39. (1) The Council shall, within thirty days of receipt of an G application, grant a college of education accreditation

- (a) its premises, including any hostel or other buildings used by the learners are suitable and adequate for the purpose;
- (b) it has sufficient and suitable learning resources;
- (c) it shall ensure the provision of, and access to, adequate resources and services required to support the courses, programmes and other educational activities;
- (d) it has a clearly defined and published mission statement;
- (e) it offers approved education and training courses;
- (f) Efficient and suitable instruction is provided at the college of education, having regard to the standards of professional competence, effectiveness and commitment required of a teacher;
- (g) The teaching staff employed at the college of education are sufficiently qualified, experienced, registered and are adequate for the purpose;
- (h) It is managed by experienced and qualified staff;
- (i) It has suitable permanent physical structures; and
- (j) It complies with the provisions of this Act.

(2) The Council may grant provisional accreditation to a college of education, for a period not exceeding one year, where it determines that the college of education demonstrates reasonable progress towards full accreditation, but is not in conformity with accreditation requirements, and it is able to provide the accredited service in its current condition.

(3) The Minister may, on the recommendation of the Council, by statutory instrument, make regulations for the accreditation of colleges of education, including the requirements for staffing, facilities, equipment, procedures, record keeping, data collection, staff training and compliance with the prescribed standards of education and quality assurance. 40.

(1) The Council shall not grant accreditation to a college of education if the college does not meet the requirements of this Act.

(2) The Council shall, where it rejects an application for accreditation, inform the applicant, in writing, within fourteen days of such rejection\and give the reasons for the rejection.

- i. An accreditation granted under section thirty-nine may be renewed in the prescribed manner and form. (2) The Council may require reporting of data, including quality assurance information, as a condition for the renewal of accreditation. (3) The Council may cause inspections to be carried out to confirm continuing compliance with accreditation requirements. 42. (1) The Council shall, where a college of education is in violation of the accreditation requirements, inform it, in writing, of the Council's intention to revoke the accreditation and give it an opportunity to be heard. (2) The Council shall not revoke the accreditation of a college of education if it takes remedial measures to the satisfaction of the Council within such period as the Council may specify. (3) The Council shall revoke the accreditation of a college of education if it fails to show cause to the satisfaction of the Council or to take any remedial measures within the specified period. (4) A college of education whose accreditation is revoked under this section shall cease to provide the training in respect of which the accreditation was granted. 43. A college of education that provides training or holds out as an

accredited college of education without accreditation from the Council commits an offence and is liable, upon conviction, to a fine not exceeding one million penalty units. 44. The Registrar shall keep or cause to be kept a register of accredited colleges of education.

## **PART VI**

### **DISCIPLINARY MATTERS 45.**

(1) The Teaching Service Commission shall, in consultation C with the Council, prescribe and publish a Code of Ethics for E teachers.

(2) The Code of Ethics referred to in subsection (1) shall be published in the Gazette and a daily newspaper of general circulation in Zambia upon which it shall bind all persons regulated under this Act. 46. A teacher Council professional misconduct if the F teacher—(a) contravenes the provisions of this Act; (b) engages in conduct that is dishonest, fraudulent or deceitful;

- (c) commits an offence under this Act or any other law and is sentenced to imprisonment for a period exceeding six months without the option of a fine;
- (d) engages in any conduct that is prejudicial to the teaching profession or is likely to bring it into disrepute; or
- (e) Breaches the Code of Ethics or encourages another teacher to breach or disregard the principles of the Code of Ethics. 47. (1) A person who alleges that a teacher has contravened the Code of Ethics or any provision of this Act, may lodge a complaint in the case of a teacher employed
  - (a) In the public service, with the Teaching Service Commission; or
  - (b) in the private sector, with the Disciplinary Committee.

(2) The Council or the Teaching Service Commission, as the case may be, may initiate disciplinary action under this section where it has reasonable grounds to believe that a teacher has contravened the Code of Ethics or any provision of this Act.

(3) The Council shall, where the Teaching Service Commission recommends the suspension or removal of a teacher's name from the Register, remove that teacher's name from the Register accordingly. 48.

(l) The Council shall establish a Disciplinary Committee which shall comprise the following members:

- (a) a Chairperson;
- (b) a Vice-Chairperson;
- (c) two registered teachers employed in the public service;
- (d) one registered teacher employed in the private sector;
- (e) a representative of the Teaching Service Commission serving in the capacity of Commissioner; and of three representatives of the Teachers' Unions.

(2) The Chairperson and Vice-Chairperson of the Disciplinary Committee shall be legal practitioners qualified to hold, or who have held, hit judicial office. (3) A person shall not be appointed as a member of the Disciplinary Committee of the person

- (a) Has committed or been convicted of any professional misconduct;
- (b) is in lawful custody or the person's freedom of movement is restricted under any law in force within or outside Zambia;
- (c) has been convicted of an offence under any law and sentenced to imprisonment for a period exceeding six months without the option of a fine; or

(d) is declared to be of unsound mind under the Mental ca Disorders Act.

(4) A member of the Disciplinary Committee shall hold office for three years and may be reappointed for a further term of three years.

(5) A member of the Disciplinary Committee shall not serve for more than two terms.

(6) The Chairperson, or in the absence of the Chairperson, the Vice-Chairperson, shall preside at every meeting and sitting of the Disciplinary Committee. 49.

(1) The functions of the Disciplinary Committee are to hear and determine—(a) any disciplinary action initiated by the Council against a teacher employed in the private sector or in private practice that has contravened any provision of the Code of Ethics or any provision of this Act; or (b) any complaint or allegation that a teacher has committed professional misconduct or contravened a provision of this Act.

(2) The Disciplinary Committee may publicize, as it may consider appropriate, the facts relating to any teacher that is found guilty of, and punished for, professional misconduct. 50. (1) Five members of the Disciplinary Committee shall form a quorum.

(2) Any question at a sitting or meeting of the Disciplinary Committee shall be decided by a majority of the votes of the members of the Disciplinary Committee at the sitting or meeting and in the event of an equality of votes, the person presiding at the sitting or meeting shall have a casting vote in addition to that person's deliberative vote.

(3) All proceedings of the Disciplinary Committee shall be in camera. (4) The Disciplinary Committee shall cause to be kept a record of its proceedings. (5) A party to a hearing of the Disciplinary Committee may appear in person or be represented by a legal practitioner or, if the party so elects, by any other person.

(6) A decision of the Disciplinary Committee shall be in the form of a reasoned judgment and a copy thereof shall be supplied to each party to the proceedings and to every person affected by the decision.

(7) If a person is present at a sitting or meeting of the Disciplinary Committee at which any matter is the subject of consideration, and in which matter the person or that person's relative is directly or indirectly interested in a private capacity, that person shall, as soon as is practicable after the commencement of the sitting or meeting, disclose the interest and shall not take part in any consideration or discussion of, or vote on, any question relating to that matter. (8) A disclosure of interest made under this section shall be recorded in the minutes of the sitting or meeting at which it is made. 51. (1) The Disciplinary Committee may, for the purposes of any proceedings, hear and receive evidence and may, under the hand of the Chairperson of the Disciplinary Committee or the Registrar, summon witnesses and require the production of any book, record, document, electronic record or anything required for the purposes of the proceeding, and may through the Chairperson or Vice-Chairperson of the Disciplinary Committee, administer an oath to any witness. (2) A person summoned to attend before the Disciplinary Committee who, without any reasonable excuse—(a) refuses or fails to attend at the time and place specified in the summons or, having attended, leaves without the permission of the Disciplinary Committee; (b) having attended, refuses to be sworn or to affirm; (c) refuses to answer fully and satisfactorily to the best of that person's knowledge and belief, any question lawfully put to that person; or (d) refuses to produce any book, record, document or thing which that person has been required by summons to produce;

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**PART VII GENERAL PROVISIONS 55.** (1) The Council or a court of competent jurisdiction shall have jurisdiction over teachers for any act committed outside Zambia which, if it had been committed in Zambia, would have been an offence or professional misconduct under this Act. (2) Any proceedings against a teacher under this section which would be a bar to subsequent proceedings against the teacher for the same offence, if the offence had been committed in Zambia, shall be a bar to further proceedings against the teacher under any written law relating to the extradition of persons, in respect of the same offence outside Zambia.

(3) The Mutual Legal Assistance in Criminal Matters Act shall apply to proceedings under this Act. 56. A person who contravenes a provision of this Act for which a specific penalty is not provided, is liable, upon conviction, to a fine not exceeding five hundred thousand penalty units or to imprisonment for a period not

exceeding five years, or to both. 57. Where an offence under this Act is committed by a body corporate or an unincorporated body, every director or manager of the body corporate or an unincorporated body shall be liable, upon conviction, as if the director or manager had personally committed the offence, unless the director or manager proves to the satisfaction of the court that the act constituting the offence was done without the knowledge, consent or connivance of the director or manager or that the director or manager took reasonable steps to prevent the commission of the offence.

58, (1) The Council may, in the exercise of its functions under this Act, issue such guidelines as are necessary for the better carrying out of the provisions of this Act. (2) The Council shall publish the guidelines, referred to in subsection (1), in the Gazette and a daily newspaper of general circulation in Zambia, and the guidelines shall not take effect until the Act is published. (3) The guidelines issued by the Council shall bind all persons regulated under this Act. 59. (1) The Minister may, by statutory instrument, make regulations for the better carrying out of the provisions of this Act. (2) Notwithstanding the generality of subsection (1), regulations under that subsection may provide for--

### **SCHEDULE (Section 3 (2) ADMINISTRATION OF THE COUNCIL.**

PART I THE COUNCIL I. (1) A member of the Council shall, subject to the other provisions of this Schedule, hold office for a term of three years and may be reappointed for a further term of three years. (2) Upon the expiration of the term for which a member is appointed, the member shall continue to hold office until another member is appointed, but the extension of the period shall not exceed three months.

(3) The office of a member becomes vacant —(a) upon the member's death; (b) if the member is adjudged bankrupt; (c) if the member is absent, without reasonable excuse from three consecutive meetings of the Council, of which the member has had notice, without the prior approval of the Council; (d) upon the expiry of one month's notice of the member's intention to resign, given by the member, in writing, to the Minister; (e) if the member becomes mentally or physically incapable of performing duties as a member; 7) in the case of members of the Council registered under this Act, if the member's registration is cancelled; or if the member is convicted of an offence under this Act or any other written law and sentenced to imprisonment for a period exceeding six months without the option of a fine. (4) Where the office of a member becomes vacant before the expiry of the term of office, the Minister may appoint another person in place of the member who vacates office but that person shall only hold office for the remainder of the term.

2. (1) Subject to the other provisions of this Act, the Council may regulate its own procedure. (2) The Council shall meet for the transaction of business at least once in every three months at such places and times as the Council may determine. (3) Upon giving notice of not less than fourteen days, a meeting of the Council may be called by the Chairperson and shall be called if not less than one third of the members so request in writing, except that if the urgency of a particular matter does not permit the giving of notice, a special meeting may be called upon giving a shorter notice.

(4) Eight members of the Council shall constitute a quorum. (5) There shall preside at a meeting of the Council—(a) the Chairperson; (b) in the absence of the Chairperson, the Vice-Chairperson; Or • (c) in the absence of the Chairperson and the Vice-Chairperson, a member of the Council as the members present may elect from amongst themselves for the purposes of that meeting. (6) A decision of the Council on any question shall be by a simple majority of the members present and voting at the meeting and, in the event of an equality of votes, the person presiding at the meeting shall have, in addition to a deliberative vote, a casting vote. (7) Where a member is for any reason unable to attend a meeting of the Council, the member may, in writing, nominate another person from the same organisation to attend the meeting in that member's stead and that person shall be deemed to be a member for the purpose of that meeting. (8) The Council may invite any person whose presence, in its opinion, is desirable to attend and participate in the deliberations of a meeting of the Council, but that person shall not have any vote. (9) The validity of any proceedings, act or decision of the Council shall not be affected by any vacancy in the membership of the Council or any defect in the appointment of any member or by reason that any person not entitled to do so took part in the proceedings. (10) The Council shall cause minutes to be kept of the proceedings of every meeting of the Council and committee established by the Council,

3. (1) The Council may, for the purpose of performing its functions under this Act, constitute a committee and delegate to the committee such functions of the Council as it considers necessary. (2) The Council may appoint as members of a committee constituted under subparagraph (1), persons who are or are not members of the Council and such persons shall hold office for such period as the Council may determine. (3) Subject to any specific or general direction of the Council, any committee constituted under this paragraph may regulate its own procedure. 4. A member of the Council or any committee shall be paid such allowances as the Minister may determine. 5. (1) If any person is present at a meeting of the Council or a committee at which any matter in which that person or the person's relative is directly or indirectly interested in a private capacity, is the subject of consideration, that person shall, as soon as practicable after the commencement of the meeting, disclose that interest and shall not take part in any consideration or discussion of, or vote on any question relating to that matter. (2) A disclosure of interest made under this section shall be recorded in the minutes of the meeting at which the disclosure is made. 6. (1) A person shall not, without the consent in writing given by or on behalf of the Council, publish or disclose to any unauthorized person, otherwise than in the course of that person's duties, the contents of any document, communication or information whatsoever, which relates to, and which has come to that person's knowledge in the course of that person's duties under this Act. (2) A person who contravenes subparagraph (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand penalty units or to imprisonment for a period not exceeding two years, or to both. (3) A person who, having information which to the knowledge of that person has been published or disclosed in contravention of subpara.

7. An action or other proceeding shall not lie or be instituted against a member of the Council or a committee, or a member of staff of the Council, for or in respect of any act or thing done or omitted to be done in good faith in the exercise or performance, or purported exercise or performance, of any of the powers, functions or duties conferred under this Act.

PART II FINANCIAL PROVISIONS 8. (1) The funds of the Council shall consist of such moneys as may— (a) be appropriated by Parliament; (h) be paid to the Council by way of fees, levy, grants or donations; or (0 vest in or accrue to the Council. (2) The Council may - - (a) subject to the approval of the Minister, accept moneys by way of grants or donations from any source in or outside Zambia; (b) raise by way of loans or otherwise, moneys as the Council may require for the discharge of the Council's functions; or (c) in accordance with the regulations made under this Act, charge fees for services provided by the Council. (3) There shall be paid from the funds of the Council—(a) the salaries, allowances and loans of members of staff of the Council; (b) reasonable travelling, transport and subsistence allowances for members of the Council, or any committee thereof, when engaged in the business of the Council, at such rates as the Minister may determine; and (c) any other expenses incurred by the Council, or any committee thereof, in the performance of the Council's functions. (4) The Council may, with the prior approval of the Minister, invest such funds as the Council does not immediately require for the performance of the Council's functions under this Act.

9. The financial year of the Council shall be the period of twelve months ending on 31st December in each year. 10. (1) The Council shall cause to be kept proper books of account and other records relating to its accounts. (2) The Council shall, within ninety days of the financial year, submit to the Minister a report concerning its activities during the financial year. (3) The report referred to in subparagraph (2) shall include statements of income and expenditure and a statement of affairs or balance sheet. (4) The accounts of the Council for each financial year shall be audited by the Auditor-General. 11. (1) As soon as practicable, but not later than six months after the end of the financial year, the Council shall submit to the Minister a report concerning its activities during the financial year. (2) The report referred to in subparagraph (1) shall include information on the financial affairs of the Council and there shall be appended to the report—(a) an audited balance sheet; (b) an audited statement of income and expenditure; and (c) such other information as the Minister may require. (3) The Minister shall, not later than seven days after the first sitting of the National Assembly next after receipt of the report referred to in subparagraph (1), lay the report before the National Assembly.

Financial year Accounts and audit Annual report