

THE EDUCATION (AMENDMENT) BILL
(No. XLV of 2004)

Explanatory Memorandum

The main object of this Bill is to provide that education shall be compulsory for every child up to the end of the academic year in the course of which the child attains the age of 16.

19 November 2004

L.S. Obeegadoo
Minister of Education
and Scientific Research

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ARRANGEMENT OF CLAUSES

Clause

1. Short title
2. Interpretation
3. Principal Act amended
4. Regulation 10 of the Education Regulations amended

A BILL

To amend the Education Act

ENACTED by the Parliament of Mauritius, as follows -

1. Short title

This Act may be cited as the Education (Amendment) Act 2004.

2. Interpretation

In this Act -

“principal Act” means the Education Act.

3. Principal Act amended

The principal Act is amended -

- (a) in section 2, by deleting the definition of “pre-vocational school”;
- (b) by repealing section 37 and replacing it by the following new section-

37. Compulsory education up to the age of 16

(1) Every child who has attained such age as may be prescribed for admission to a primary school shall attend a primary school.

(2) It shall be compulsory for every child to attend school up to the end of the academic year in the course of which he attains the age of 16.

(3) Any responsible party of a child under the age of 16 who, without reasonable cause, refuses or neglects to cause the child to attend school regularly in accordance with subsection (1) or (2) shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees and to a term of imprisonment not exceeding 2 years.

(4) For the purposes of this section -

“academic year”, in relation to a school, means such academic year as may be determined by the Minister;

“prevocational course’ means such course for students having failed the Certificate of Primary Education Examinations as may be approved by the Minister;

“school” means –

- (a) a primary or secondary school registered under this Act; or
- (b) such institution as may be authorised by the Minister to run the prevocational course.

4. Regulation 10 of the Education Regulations amended

Regulation 10 of the Education Regulations is amended -

- (a) by revoking paragraph (4);
- (b) by revoking paragraph (6) and replacing it by the following new paragraph -

(6) No child who has failed the Certificate of Primary Education Examinations shall be admitted to the prevocational course unless he has attained the age of 12 on 1 January immediately following the Certificate of Primary Education Examinations.