

REPUBLIC OF VANUATU

BILL FOR THE TEACHING SERVICE (AMENDMENT) ACT NO. OF 2026

Explanatory Note

This Bill amends the Teaching Service Act No. 38 of 2013 (the “Act”).

The Act was recently amended in 2025 to strengthen institutional collaboration between the Teaching Service Commission (“the TSC”) and the Ministry of Education and Training (“the Ministry”). It also clarifies the respective roles and responsibilities of these institutions and ensures that the education objectives under the Ministry’s Corporate Plan and the National Sustainable Development Plan 2030 are implemented.

However, some gaps and outstanding matters remain; therefore, further amendments are necessary to address these gaps and outstanding matters.

The key features of this Bill include:

- (a) the introduction of the definitions of institute, PSET, teacher and VET, to reflect the broader education and training sector; and
- (b) the strengthening of the composition of the Teaching Service Commission by including the Chief Executive Officer of the Vanuatu Qualifications Authority; and
- (c) improving the appointment and vacancy processes for the appointed members of the Commission, making it a requirement for positions to be advertised by the Office of the Director General when these positions become vacant; and
- (d) expanding the scope of the Teaching Service to recognise disability and special needs teachers and teachers working in VET institutes, TVET and higher education sectors; and
- (e) clarifying the administration of the Teaching Service Secretariat, including placing the Secretary and other Secretariat staff under the direction of the Chairperson; and
- (f) reinstating provisions relating to the register of teachers; and
- (g) the classification of teaching employees into different categories and levels and allowing the Commission to prescribe their positions, duties, responsibilities and eligibility requirements.

Minister of Education and Training



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An Act to amend the Teaching Service Act No. 38 of 2013.

Be it enacted by the President and Parliament as follows-

1 Amendment

The Teaching Service Act No. 38 of 2013 is amended as set out in the Schedule.

2 Transitional Provision

On and after the commencement of this Act, the Secretary and the staff of the Secretariat of the Commission appointed by the Public Service Commission are to continue to be employed as the Secretary and the staff of the Secretariat of the Commission:

- (a) on the same terms and conditions of employment with the same accrued and accruing entitlements; and
- (b) in the same position and with the same classification,

until such time as the person's employment lawfully ceases or the person's employment terms and conditions, position or classification lawfully changes.

3 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF TEACHING SERVICE ACT NO. 38 OF 2013

1 Section 4

Insert in their correct alphabetical positions:

“institute” means any registered Post School Education and Training Provider that offers qualifications according to the Vanuatu Qualifications Framework levels;

“PSET” means Post School Education and Training;

“teacher” means a person who provides assistance to students to acquire knowledge, skills, competency, or virtue, through the practice of teaching, normally in a formal setting or any other type of setting;

“VET” means Vocational Education and Training;”

2 Subsections 5(2), (3), (4), (5) and (6)

Repeal the subsections, substitute

“(2) The Commission consists of the following members:

- (a) a Chairperson appointed subject to subsection (7); and
- (b) the Director of Policy and Planning of the Ministry of Education and Training; and
- (c) the Chief Executive Officer of the Vanuatu Qualifications Authority; and
- (d) 4 other members appointed subject to subsection (7).

(3) The members under paragraphs (2)(a) and (d) are to be appointed by the President, on the recommendation of the Minister.

(4) For the purpose of paragraph (2)(d):

- (i) at least 2 of the members must be women; and
- (ii) a person is eligible to be appointed as a member if he or she satisfies the following criteria:
 - (A) has a wide and detailed knowledge or experience in education issues, education management or education policy; and
 - (B) is of good standing in the community and has a good character.”

3 Subsection 5(7)

Repeal the subsection, substitute

- “(7) The positions of the Chairperson under paragraph (2)(a) and the four other members appointed under paragraph (2)(d) must be advertised by the Office of the Director-General within 3 months from the date on which these positions become vacant.”

4 Subsection 5(7A)

After “Chairperson”, insert “and the four members appointed under paragraph (2)(d)”

5 After paragraph 9(b)

Insert

- “(c) to designate employees as teachers and classify them into different categories and levels of teaching positions within schools, TVET and higher education sectors;”

6 Paragraph 9(d)

Repeal the paragraph, substitute

- “(d) to develop policies and standards for all teachers; and”

7 Paragraph 9(e)

After “maintain a”, insert “register and”

8 Paragraph 9(g)

Delete “monitor and enforce”, substitute “and maintain the”

9 Subparagraph 9(j)(ii), subsection 11(1) and paragraph 18(2)(f)

Delete “recruitment”, substitute “appointment”

10 Paragraph 10(2)(b)

Repeal the paragraph, substitute

- “(b) to prescribe the categories of employees engaged by the Commission or any other authority under the Education and Training Act No. 9 of 2014, including their position, duties and responsibilities, and the eligibility requirements for registration as teachers.”

11 Section 13

Repeal the section, substitute

- “(1) The Chairperson is the head of the Commission and has the following functions:
 - (a) to oversee the effective operation, management and performance of the functions of the Commission; and
 - (b) to call and preside over all meetings of the Commission; and
 - (c) to represent the Commission in all matters affecting the Commission; and
 - (d) such other functions as may be conferred on the Chairperson by or under this Act or any other Act.
- (2) To avoid doubt, for the purpose of paragraph (1)(a), the Chairperson, in overseeing the operation of the Commission, is able to provide directions to the staff of the Commission.”

12 Subsection 15(1)

Delete “Public Service”

13 Subsections 15(4) and 37(3)

Repeal the subsections.

14 Subsection 37(1)

After “schools”, insert “and VET institutes”

15 Subsection 37(2)

After “secondary schools”, insert “, primary schools and VET institutes”

16 Subsection 42(2)

Delete “school principal positions”, substitute “a school and VET institute principal position”

17 After subsection 42(2)

Insert

“(2A) The terms of engagement of a contract worker are as follows:

- (a) in the case of a school or VET institute principal a term of 4 years and may be renewed for one term only, based on good performance; and
- (b) in the case of any other contract worker for such a term as determined by the Commission.”

18 Subsection 54(3)

(a) After “relevant school”, insert “or a VET institute”

(b) After “school”, insert “or a VET institute”