

REPUBLIC OF VANUATU

BILL FOR THE TEACHING SERVICE (AMENDMENT) ACT NO. OF 2024

Explanatory Note

This Bill amends the Teaching Service Act No. 38 of 2013.

The amendments are necessary to enable the Teaching Service Commission (“the TSC”) and the Ministry of the Education and Training to work collaboratively to ensure the role and responsibilities of school administrators, educators and learners are achieved as provided for in the Ministry’s Corporate Plan and the National Sustainable Development Plan 2030.

The Bill provides for the following:

- the replacement of the Executive Officer of the Vanuatu National Training Council with the Director Policy and Planning of the Ministry of Education and Training as a member of the TSC; and
- the Office of the Director General is to advertise the position of the Chairperson when it is vacant; and
- when the position of the Chairperson is vacant, the President may, on the recommendation of the Minister, appoint an Acting Chairperson from amongst the existing members of the Commission; and
- the power of the TSC to appoint teachers and principals in all government and assisted non-government schools; and
- the power of the TSC to appoint other staff, including early childhood education teachers and other youth and adult education environments as required; and
- the Secretary and other staff of the Commission are subject to the directions of the Commission.

Minister of Education and Training



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**BILL FOR THE
TEACHING SERVICE (AMENDMENT)
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REPUBLIC OF VANUATU

BILL FOR THE TEACHING SERVICE (AMENDMENT) ACT NO. OF 2024

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 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 its correct alphabetical position:

““Director-General” means the Director-General of the Ministry responsible for Education and Training;”

2 Paragraph 5(2)(b)

Delete “Executive Officer of the Vanuatu National Training Council”, substitute “Director of Policy and Planning of the Ministry of Education and Training”

3 Subsection 5(7)

Repeal the subsection, substitute

“(7) The position of the Chairperson must be advertised by the Office of the Director-General within 3 months from the date on which the position of the Chairperson is vacant.

(7A) The appointment of the Chairperson must be based on merit as provided under section 19 and must follow a fair and transparent selection process.”

4 Subsection 6(4)

Delete “Executive Officer of the Vanuatu National Training Council”, substitute “Director of Policy and Planning of the Ministry of Education and Training”

5 Section 7

Delete “the members are to designate another member of the Commission” substitute “the President may, on the recommendation of the Minister, appoint an Acting Chairperson from amongst the existing members of the Commission”

6 Paragraphs 9(a) and (c)

Repeal the paragraphs.

7 Paragraph 9(e)

Delete “register and”

8 Section 10

Repeal the section, substitute

“10 Powers of the Commission

- (1) The Commission has the power to do all things that are necessary or convenient to be done for or in connection with the performance of its functions under this Act or any other Act.

- (2) Without limiting the generality of subsection (1), the Commission has the power to do all or any of the following:
 - (a) to appoint teachers and principals in all government and assisted non- government schools;

 - (b) to appoint other staff, including early childhood education teachers and other youth and adult education environments as required."

9 Subsection 15(1)

Delete “after consultation with the Commission”

10 After Subsection 15(3)

Delete “Chairperson”, substitute “Commission”