

A BILL

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An Act to amend the Education Act 1996.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Education (Amendment) Act 2001.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 2

2. The Education Act 1996 [*Act 550*], which in this Act is referred to as the "principal Act", is amended in section 2—

(a) by substituting for the definition of "pre-school curriculum" the following definition:

' "pre-school curriculum" means the National Pre-school Curriculum prescribed by the Minister under section 22;'; and

(b) by inserting after the definition of "Chinese language" the following definition:

' "compulsory education" means primary education which is prescribed to be compulsory education under subsection 29A(1);'.

Amendment of section 5

3. Subsection 5(3) of the principal Act is amended by inserting after the words "each State" the words "and for such area within Malaysia as may be determined by the Minister".

Amendment of section 15

4. Section 15 of the principal Act is amended by inserting after the words "expatriate schools" the words "or international schools".

Amendment of section 22

5. The principal Act is amended by substituting for section 22 the following section:

“National Pre-school Curriculum to be used by all kindergartens. 22. (1) The Minister shall prescribe a curriculum, to be known as the National Pre-school Curriculum, that shall be used by all kindergartens in the National Education System.

(2) The National Pre-school Curriculum prescribed under subsection (1) shall specify the knowledge, skills and values that are expected to be acquired by the pupils at the end of their respective period of pre-school education.

(3) Any kindergarten intending to implement any curriculum in addition to the National Pre-school Curriculum shall, before implementing such additional curriculum, inform the Registrar General of such intention in such manner as may be prescribed.

(4) A person who contravenes subsection (1) or (3) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding one year or to both.".

Amendment of section 29

6. Section 29 of the principal Act is amended by substituting for the words "national or national-type school" the words "national school, national-type school or private school".

New section 29A

7. The principal Act is amended by inserting after section 29 the following section:

"compulsory 29A. (1) The Minister may, by order published in the *Gazette*, prescribe primary education to be compulsory education.

(2) Every parent who is a Malaysian citizen residing in Malaysia shall ensure that if his child has attained the age of six years on the first day of January of the current school year that child is enrolled as a pupil in a primary school in that year and remains a pupil in a primary school for the duration of the compulsory education.

(3) The Minister may, if he considers it desirable and in the interest of the pupils or the public to do so, by order published in the *Gazette*, exempt any pupil or any class of pupils from the requirement to attend compulsory education, either absolutely or subject to such conditions as he may think fit to impose, and may at any time in his discretion revoke the exemption or revoke or alter or add to such conditions.

(4) A parent who contravenes subsection (2) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding six months or to both.

(5) The Minister may make regulations for the carrying into effect of the provisions of this section."

EXPLANATORY STATEMENT

This Bill seeks to amend the Education Act 1996 ("Act 550").

2. *Clause 1* contains the short title and the provisions on the date of commencement of the proposed amendment Act.

3. *Clause 3* seeks to amend subsection 5(3) of Act 550 to enable a Registrar of Schools and Teachers to be appointed for a Federal Territory or any other area in Malaysia.

4. *Clause 4* seeks to amend section 15 of Act 550 to clarify that the National Education System does not include education in international schools.

5. *Clause 5* seeks to replace section 22 of Act 550 with a new section 22. The proposed new section 22 seeks to empower the Minister to prescribe a National Pre-school Curriculum which shall be used by all kindergartens in the National Education System.

6. *Clause 6* seeks to amend section 29 of Act 550 to ensure that pupils in a private school are also given primary education for a period within five to seven years.

7. *Clause 7* seeks to introduce a new section 29A into Act 550. The proposed section 29A seeks to empower the Minister to prescribe primary education as compulsory education. Malaysian citizens residing in Malaysia will be required to enrol their children in primary schools. Failure to do so will be an offence.

8. Other amendments not specifically dealt with in this Statement are minor or consequential in nature.

FINANCIAL IMPLICATIONS

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

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