

Zambia

African Education Act, 1951

Chapter 135

Legislation as at 31 December 1996

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African Education Act, 1951

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Zambia

African Education Act, 1951

Chapter 135

Commenced on 15 January 1952

[This is the version of this document at 31 December 1996.]

[Repealed by [Education Act, 2011 \(Act 23 of 2011\)](#) on 18 April 2011]

*[38 of 1951; 51 of 1955; 10 of 1958; 11 of 1959; 27 of 1960; *29 of 1962; 69 of 1965; 28 of 1966; Government Notices 292 of 1964; 497 of 1964; Statutory Instruments; 9 of 1964; 123 of 1965]*

*Act No. 29 of 1962 is deemed to have come into force on 1st November, 1961.

An Act to create a Unified African Teaching Service; to establish a Teaching Service and a Teaching Service Commission; and to provide for matters incidental to or connected with the foregoing.

1. Short title

This Act may be cited as the African Education Act and shall be read as one with the Education Act.

[Cap. 134]

[As amended by No. 28 of 1966]

2. Interpretation

In this Act, unless the context otherwise requires—

"**Ministry**" means the Ministry of Education;

"**Secretary**" means the Permanent Secretary, Ministry of Education.

[As amended by No. 51 of 1955, No. 10 of 1958, No. 11 of 1959, No. 29 of 1962, G.N. No. 292 of 1964, No. 69 of 1965 and No. 28 of 1966]

3. Unified African Teaching Service

(1) There shall be created a Unified African Teaching Service to which shall belong—

(a) all African teachers who are approved by the Secretary for appointment—

(i) in local education authority schools and assisted schools;

(ii) at such schools or class of schools as may be exempted from all or any of the provisions of the Education Act under subsection (2) of section three of that Act; and

[Cap. 134]

(b) such other persons or classes of persons engaged in the supervision or administration of schools as the Secretary, with the approval of the Minister, may from time to time specify.

(2) The Unified African Teaching Service shall be governed by regulations made in that behalf under the provisions of this Act:

Provided that African teachers employed as such by the Government at the date of the introduction of such regulations shall be entitled, if they so desire, to retain their existing terms and conditions of service.

*Act No. 29 of 1962 is deemed to have come into force on 1st November, 1961.

- (3) No person shall be permitted to join the Unified African Teaching Service as from the 1st November, 1962.

[As amended by No. 51 of 1955, No. 10 of 1958, No. 11 of 1959, No. 29 of 1962 and S.I. No. 123 of 1965]

4. Teaching Service and Teaching Service Commission

- (1) There is hereby established a Teaching Service to which shall belong all persons who make application to join the said Service and are approved for entry to the said Service by the Secretary.
- (2) Any person who on the 1st November, 1961, was a member of the Unified African Teaching Service may make application to join the Teaching Service with effect from the 1st November, 1961.
- (3) Any person who becomes a member of the Unified African Teaching Service after the 1st November, 1961, may make application to join the Teaching Service with effect from the date that he became such a member of the Unified African Teaching Service.
- (4) No application to join the Teaching Service under the provisions of subsection (2) or (3) shall be made later than three months after the 16th October, 1962.
- (5) The Secretary in his discretion may approve the entry to the Teaching Service of a person who makes application to join the said Service under the provisions of subsection (2) or (3) with effect from such date as is stated in the application of that person.
- (6) The Teaching Service shall be governed by regulations made in that behalf under the provisions of this Act.
- (7) There is hereby established a Teaching Service Commission which shall advise the Secretary as to the management of the Teaching Service, and which shall be constituted and regulate its procedure in such manner as may be prescribed.
- (8) The Minister shall appoint a Regional Teaching Service Committee for each Region, which shall be constituted and regulate its procedure in such manner and carry out such functions as may be prescribed.
- (9) The Secretary shall be responsible for co-ordination between the Government, the Teaching Service Commission and the Regional Teaching Service Committees in the control of the Teaching Service and the Unified African Teaching Service.

[No. 29 of 1962 as amended by S.I. No. 123 of 1965 and No. 28 of 1966]

5. Regulations

- (1) The Minister may, by statutory instrument, make regulations for all or any of the following purposes:
- (a) the composition of any board or committee to be constituted under this Act;
 - (b) the functions, duties and the conduct of the proceedings of any board or committee constituted under this Act;
 - (c) the establishment and control of a Unified African Teaching Service and the control of the Teaching Service and the conditions of service of the members thereof including the classification, discipline, termination of appointment and leave of, and the payment of pensions and gratuities to, such members;
 - (d) the establishment of teacher training colleges and the appointment, qualifications, control and the conditions of service of the staffs thereof;

- (e) appeals against any refusal or revocation of registration or against any conditions imposed under regulations made under any of the preceding paragraphs;
 - (f) generally to carry out the purposes of this Act and to prescribe anything required to be prescribed thereunder.
- (2) Regulations made under the provisions of paragraphs (c) and (d) of subsection (1) and published in the *Gazette* before the 1st January, 1963, may be given retrospective effect to the 1st November, 1961.
- (3) Whenever the Minister is satisfied that any regulation made under paragraph (c) or (d) of subsection (1) should have retrospective effect in order to confer a benefit upon, or remove a disability attaching to, any person, that regulation may, notwithstanding the provisions of subsection (2), be given retrospective effect for that purpose.

*[As amended by No. 11 of 1959, *No. 27 of 1960, No. 29 of 1962, G.N. No. 292 of 1964, S.I. No. 123 of 1965 and No. 28 of 1966]*

*This amendment is deemed to have had effect from 20th June, 1953. (See Act [No. 27 of 1960](#).)