



**THE BECHUANALAND TEACHING SERVICE
(AMENDMENT) LAW, 1966**

No. 12



1966

I assent,

20th June, 1966

H.S. Norman-Walker,
Her Majesty's Commissioner.

**A LAW TO AMEND THE
BECHUANALAND TEACHING SERVICE LAW, 1964**

(1st July, 1966)

ENACTED by the Legislature of Bechuanaland.

Short Title and Commencement.

1. This Law may be cited as the Bechuanaland Protectorate Teaching Service (Amendment) Law, 1966.

Amendment of Section 2 of Law No. 35 of 1964.

2. Section 2 of the Bechuanaland Protectorate Teaching Service Law, 1964 (No. 35 of 1964) (hereinafter referred to as the principal law) is amended —

- (a) by the deletion of the definitions of "aided school", "employer", "maintained school", "qualified teacher", and "school committee";
- (b) by the deletion of the definition of "teacher", and the substitution of "teacher" means a member of the Service;".

Repeal of Section 3 of Law No. 35 of 1964.

3. Section 3 of the principal law is repealed.

Replacement of Section 5 of Law No. 35 of 1964.

4. Section 5 of the principal law is repealed and the following section substituted therefor —

“Membership

5.(1) The Director may admit to membership of the Service any qualified person who, in his opinion, is suitable for admission thereto.

(2) In this section, “qualified person” means any person (not being a public officer) who possesses such qualifications as may be prescribed or, until qualifications are so prescribed, such qualifications as the Director may deem sufficient.”.

Repeal of Section 6 of Law No. 35 of 1964.

5. Section 6 of the principal law is repealed.

Amendment of Section 7 of Law No. 35 of 1964.

6. Section 7 of the principal law is amended in sub-section (1) by the deletion of paragraph (c) and the substitution of —

“(c) two members selected by the Minister from among persons who appear to him to possess, by reason of their experience of and capacity in matters relating to education, qualities likely to benefit the work of the committee;”.

Repeal of Section 9 of Law No. 35 of 1964.

7. Section 9 of the principal law is repealed.

Amendment of Section 11 of Law No. 35 of 1964.

8. Section 11 of the principal law is amended by the deletion of sub-section (2).

Amendment of Section 14 of Law No. 35 of 1964.

9. Section 14 of the principal law is amended in paragraph(a) by the deletion of “a school term” and the substitution of “the month in which any term ends”.

Replacement of Section 15 of Law No. 35 of 1964.

10. Section 15 of the principal law is repealed and the following section substituted therefor —

“Retirement:

“Retirement

15. The Director may require an employer to terminate the appointment of a teacher —

(a) at any time after the teacher has reached the age of 55; or

(b) if in the opinion of the Director the teacher has become incapable of discharging his duties adequately by reason of any infirmity of mind or body which a medical practitioner has certified is likely to be permanent or to continue for more than six months.”

Replacement of Section 18 of Law No. 35 of 1964.

11. Section 18 of the principal law is repealed and the following section substituted therefor —

“Absence without Leave

18. (1) Without prejudice to the other provisions of this Part, if any teacher is absent from duty without leave or other sufficient cause, he shall forfeit his salary for the period of such absence.

(2) For the purposes of this section, ill-health shall not be accepted as sufficient cause for absence from duty unless the employer is satisfied that that absence was in fact due to and was necessary by reason of such ill-health.”

Amendment of Section 21 of Law No. 35 of 1964.

12. Section 21 of the principal law is amended by the deletion of sub-section (3) and the substitution of —

“(3) where any teacher has been interdicted, proceedings in respect of his misconduct shall be commenced under section *twenty* without delay. If in pursuance of sub-section (3) of section *twenty* the Director thereafter decides —

(a) to impose the penalty of dismissal, the teacher’s appointment shall be deemed to have been terminated;

(b) to impose any other penalty or no penalty, the teacher shall be reinstated in his appointment ;

with effect from the day on which he was so interdicted.”

Amendment of Section 23 of Law No. 35 of 1964.

13. Section 23 of the principal law is amended in sub-section (1) by the insertion after “misconduct” of “in pursuance of section *twenty* or *twenty-two*.”

Amendment of Section 24 of Law No. 35 of 1964.

14. Section 24 of the principal law is amended by the deletion of "in a maintained school or an aided school".

Amendment of Section 26 of Law No. 35 of 1964.

15. Section 26 of the principal law is amended —

(a) by the deletion from paragraph (b) of "twenty, twenty-one or twenty-two" and the substitution of "twenty-one";

(b) by the insertion in paragraph (b) after the semi-colon of "or"; and

(c) by the insertion after paragraph (b) of the following new paragraph —

"(c) to refuse to admit any person to the Service under section *five*, to impose a penalty, other than that of reprimand, under section *twenty-three* or to refuse to permit a teacher to be re-employed in pursuance of section *twenty-four*;"

Amendment of Section 28 of Law No. 35 of 1964.

16. Section 28 of the principal law is amended by the deletion of "be" where it appears for the second time in the first line.

Passed by the Legislative Assembly this day, the 21st March, 1966.

G. T. MATENGE.
Clerk of the Legislative Assembly.