

**The Private School Registration Law**  
( The Pyidaungsu Hluttaw Law No. 14 /2011 )  
The 7th Waxing of Nadaw , 1373 M.E.  
( 2nd December , 2011 )

The Pyidaungsu Hluttaw hereby enacts the following Law.

**Chapter I**  
**Title and Definition**

1. This Law shall be called the Private School Registration Law.
2. The following expressions contained in this Law shall have the meanings given hereunder:
  - (a) Private School means the basic education school established privately and that teaches according to the subjects contained in basic education curriculum and syllabus prescribed by the Ministry of Education or with added lessons for the said subjects for raising the quality of education;
  - (b) Private School Teacher means a person who has obtained the registration certificate of a private school teacher to teach in a private school;
  - (c) Promoter means a person who has invested money, land plot, teaching hall, hostel, material, furniture etc. to establish the private school;
  - (d) Registration Certificate of Private School means the registration certificate recognized and issued as a private school by the Ministry of Education to a person who is entitled to establish the private school;
  - (e) Registration Certificate of Private School Teacher means the registration certificate recognized and issued as a private school teacher by the Education Officer to a person who is entitled to teach as a private school teacher;

- (f) Hostel means a building arranged to accommodate the students of private school;
- (g) Added Subject means the languages and subjects added and taught with the permission of the Ministry of Education in addition to the stipulated school subjects;
- (h) Added Lessons mean the lessons taught in added subject, lessons added and taught in addition to the subject contained in school teaching subject;
- (i) Ministry of Education means the Ministry of Education of the Union Government;
- (j) Director General means the Director General of the relevant Department of Basic Education assigned duty to supervise the educational works of the stipulated Region or State;
- (k) Education Officer means the Region or State Education Officer assigned duty to supervise the basic education offices and schools within the relevant Region or State.

**Chapter II**  
**Functions and Duties**

3. The functions and duties of the Ministry of Education are as follows:
  - (a) laying down policy relating to private schools and private school teachers;
  - (b) guiding and supervising Directors General and Education Officers as may be necessary relating to supervision of private schools and private school teachers;
  - (c) forming and assigning duty to inspection bodies for added lessons to be taught in a private school;
  - (d) allowing or refusing to allow the establishment of a private school or cancellation of the registration certificate of the private school;

- (e) carrying out functions and duties assigned by the Union Government from time to time.

4. The Ministry of Education shall, in respect of permission to establish the private school, request the remark from the relevant Region or State Government before establishing the school.

5. The functions and duties of the Director General are as follows:

- (a) supervising the relevant Education Officers for the systematic and disciplined work performances of private schools and private school teachers;
- (b) continuing to submit with the remark on the submission of the Education Officer to the Ministry of Education relating to application for establishing of a private school or a private school which violates a condition or a private school which is not in conformity with the stipulation;
- (c) forming and carrying out the inspection bodies for the added lessons;
- (d) scrutinizing the added lessons and submitting to the Ministry of Education with remark, continuing to inform the remark of the Ministry of Education;
- (e) inspecting and causing to inspect, from time to time, as to whether or not the teaching of a private school conforms to the stipulations;
- (f) giving decision of appeal on the decision of the Education Officer in respect of the private school teacher;
- (g) being final and conclusive to the decision of the Director General passed under sub-section (f);
- (h) carrying out functions and duties assigned by the Ministry of Education from time to time.

6. The functions and duties of the Education Officer are as follows:

- (a) carrying out field inspection after forming a body relating to the application for establishing of a private school and submitting the finding to the Director General with the remark;
- (b) submitting the finding relating to a private school that violates a condition or is not in conformity with the stipulation to the Director General with the remark;
- (c) obtaining remark by submitting to the Director General if applied to obtain the registration certificate of a private school teacher for added subject;
- (d) issuing or refusing to issue the registration certificate of a private school teacher;
- (e) submitting to the Director General with remark on the added lessons, permitting or refusing to teach according to the remark of the Director General;
- (f) warning the private school teacher who violates the discipline, suspending for a limited period or cancelling the registration certificate of a private school teacher;
- (g) inspecting and causing to inspect, from time to time, as to whether or not the teaching of a private school conforms to the stipulations;
- (h) carrying out functions and duties assigned, from time to time, by the Ministry of Education and the Director General.

### Chapter III

#### Issuing the Registration Certificate of the Private School

7. (a) In establishing the private school:
- (i) it shall not be the school established with foreign aid;
  - (ii) it shall not be the school led and established by a foreign organization or established with the aid of such organization;
  - (iii) it shall not be a missionary school.
- (b) The person who desires to establish a private school shall conform with the following facts;
- (i) being a Myanmar citizen if a sole person desires to establish;
  - (ii) being all members of the administrative body of such organization are Myanmar citizens if an organization desires to establish.
8. The following requirements shall be fulfilled for enabling to establish a private school:
- (a) arranging to open the basic Primary School, Middle School or High School;
  - (b) keeping the school surroundings, compound, classrooms in conformity with health, neatness and tidiness;
  - (c) the school building being in a condition to be used as a school;
  - (d) having adequate school furniture, teaching aids instruments, accommodations, places for school assembly and sport according to age of students and number of students;
  - (e) compiling and submitting the added lessons completely and correctly;
  - (f) having adequate number of private school teachers to teach according to the subject in the classes of a private school;

- (g) having drawn systematically the weekly teaching programme to teach in a private school;
  - (h) if a hostel is kept;
    - (i) the hostel building being in a condition to be used as a hostel;
    - (ii) keeping separately a male hostel and a female hostel and fencing the hostel securely;
    - (iii) keeping a warden according to the hostel;
    - (iv) keeping measures for emergency health care;
    - (v) keeping and arranging mess in accord with health.
9. If a person who conforms to section 7 desires to establish a private school that fulfils the requirements contained in section 8, shall apply to the relevant State or Division Education Office.
10. (a) The Education Officer shall, after scrutinizing the application under section 9 in accord with the stipulations, submit to the Director General with remarks.
- (b) The Director General shall, after scrutinizing the submission of the Education Officer under sub-section (a) in accord with the stipulations, submit to the Ministry of Education with remarks.
- (c) The Ministry of Education may, after scrutinizing the application for registration of a private school submitted under sub-section (b), permit or refuse to establish a private school;
- (d) The Ministry of Education shall, before the establishment of a private school, request the remark from the relevant Region or State Government in respect of permission to establish a school;
- (e) The decision of the Ministry of Education passed under sub-section (c) is final and conclusive.

11. If it is permitted to establish a private school under sub-section (c) of section 10, the Ministry of Education shall issue the registration certificate of a private school to the relevant applicant, along with the conditions after causing to pay the stipulated registration fee.

12. The relevant Education Officer shall enter the particulars of the private school that obtained the right to register, in the registration book. The said registration book shall be permitted to be inspected by the public at a suitable time.

13. The promoter shall hang the registration certificate of the private school in a public place in the said private school.

14. The promoter shall, if he desires to continue the establishment of the private school, pay the stipulated annual fee in accord with the stipulations.

15. The promoter shall, in accord with the stipulations, submit and inform the Education Officer when the private school teacher resigns or is newly appointed.

16. Every private school shall abide by the following facts:

- (a) performing respectfully the non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of the national sovereignty;
- (b) performing the requirements fully to establish the private school contained in section 8;
- ( c) assigning duty as supervisor of a private school only to the person who is qualified in managing the private school systematically;
- (d) allowing only the private school teacher registration certificate holder who has paid the prescribed annual fee for the relevant academic year;
- (e) performing to create environmental condition or teaching condition for the development of moral, intellectual and physical capacities of students;
- (f) performing that the subjects taught at a private school cause suitability for Myanmar citizen children and cause to improve the teaching of private school teachers;

- (g) being not to carry out teaching and training of students in matters affecting the interest of the State or contravening the State policy or arrangements for doing so in a private school;
- (h) performing so as not to reduce the subjects or added lessons of the respective grades lower than the syllabus prescribed for the relevant grades in a private school;
- (i) supervising and performing for enabling to teach exactly the added lessons;
- (j) allowing to enter, inspect and carry out easily to any person carrying out duty under section 37;
- (k) keeping systematically, in accord with the stipulation, the lists of the qualification record and admission, leaving , transfer of school according to each student;
- (l) keeping and scrutinizing systematically the age and date of birth of each student in accord with the directive prescribed by the Ministry of Education.
- (m) causing to keep the accounts of the receipts and expenditures of a private school in accord with the financial rules and also allowing such lists to be inspected by the relevant authorized persons at any time;
- (n) holding examinations regularly and carrying out class promotion and division of sections for the students, according to their qualification and issuing certificates of transferring and leaving school ;
- (o) managing, keeping and teaching by having adequate private school teachers who teach according to the subject and teaching aids and performing effectively and successfully the works directed by the Ministry of Education;
- (p) changing the promoter or the name of a private school only by obtaining the permission of the Ministry of Education;

- (q) changing the name or adding name of a student only by obtaining the approval of the parent or guardian;
- (r) determining the suitable school uniform (In determining, the colour of uniform may be prescribed in order to differ from other private schools.)
- (s) the lessons relating to religion shall not be allowed to teach;
- (t) complying with the disciplines relating to a private school.

#### **Chapter IV**

##### **Issuing the Registration Certificate of a Private School Teacher**

17. (a) If any of the following persons desire to perform as a private school teacher, he shall apply to the relevant Region or State Education Office to obtain the registration certificate of a private school teacher in accord with the stipulations:
- (i) person who obtained a Doctorate or Bachelor of Education from any local or foreign university;
  - (ii) person who obtained a diploma or certificate relating to teaching after obtaining a degree from any local or foreign university;
  - (iii) person who obtained a certificate of short-term teachers' training course opened by the Ministry of Education after obtaining a degree from any local or foreign university.
- (b) Although he has not obtained a degree of Bachelor of Education, Diploma certificate of teachers' training education or certificate of short-term teachers' training course opened by the Ministry of Education contained in sub-section (a), a person who obtained a degree from any local or foreign university and performed as a teacher in the University, College or Basic Education School or as a language teacher permitted by the Union and has teaching experience of at least five years relating to a subject is entitled to apply as a private school teacher.

18. The Education Officer may allow or refuse to issue the registration certificate of a private school teacher after scrutinizing the application under section 17 in accord with the stipulations.

19. The Education Officer shall:

- (a) if it is allowed to issue the registration certificate of a private school teacher under section 18, issue the registration certificate of a private school teacher along with the conditions to the relevant applicant after causing the prescribed registration fee to be paid;
- (b) in the registration certificate of a private school teacher issued under section (a), the subject allowed to be taught and the grade of basic education shall be mentioned.

20. The private school teacher may continue to work as a private school teacher after paying the stipulated annual fee in accord with the stipulations for the relevant academic year.

21. The private school teacher shall abide by the stipulated conditions.

22. The Education Officer may warn a private school teacher or suspend for a limited period or cancel the registration of a private school teacher who fails to abide by any condition relating to a private school teacher.

#### **Chapter V**

##### **Taking Action under Administrative Means and Appeal**

23. The Ministry of Education may warn the promoter or cancel his registration certificate of a private school who fails to abide by any fact contained in section 16.

24. The Ministry of Education shall:

- (a) send a notice before cancelling the registration certificate of a private school to the promoter to refuse within 30 days why the registration certificate of such private school should not be cancelled;

- (b) cancel the registration certificate of a private school of the promoter who cannot refuse with satisfactory reason.
25. The order or decision of the Ministry of Education passed relating to cancellation of a registration certificate of a private school is final and conclusive.
26. The person who is not satisfied with any decision or order of the Education Officer relating to a private school teacher may appeal to the Director General in accord with the stipulations within 30 days from the day of receipt of such order or decision.
27. The Director General may confirm, amend or cancel the order or decision of the Education Officer in an appeal under section 26. The decision of the Director General is final and conclusive.

**Chapter VI**

**Prohibitions**

28. No person shall establish a private school without the registration certificate of a private school.
29. No person shall perform as a private school teacher without the registration certificate of a private school teacher.
30. No person shall deliver a speech or lecture on matters relating to politics or religion not relevant to the subject to be taught at the private schools.
31. No person shall:
- (a) mention the particulars falsely in the application for registration of a private school;
  - (b) amend and alter any particular contained in the registration certificate of a private school;
  - (c) advertise falsely relating to a private school;
  - (d) transfer and allow to use the registration certificate of a private school to other person;

- (e) close the private school completely with own volition during the academic year without permission of the Ministry of Education.
32. No person shall:
- (a) mention the particulars falsely in the application for registration of a private school teacher;
  - (b) amend and alter any particular contained in the registration certificate of a private school teacher;
  - (c) transfer and allow to use the registration certificate of a private school teacher to other person.

**Chapter VII**

**Offences and Penalties**

33. Whoever violates the prohibition contained in section 28 shall, on conviction, be punished with imprisonment for a term not exceeding three years, and shall also be liable to fine not exceeding three hundred thousand kyats.
34. Whoever violates any prohibition contained in sections 30 and 31 shall, on conviction, be punished with imprisonment for a term which may extend from a minimum of one year to a maximum of three years, and shall also be liable to fine not exceeding three hundred thousand kyats.
35. Whoever violates any prohibition contained in sections 29 and 32 shall, on conviction, be punished with imprisonment for a term not exceeding one year, or with fine not exceeding one hundred thousand kyats, or with both.

**Chapter VIII**

**Miscellaneous**

36. The Ministry of Education of the Union Government may, relating to requirement contained in sub section (a) of section 8 for establishing of the private school, allow separate opening of only primary standard or only middle standard or only high standard depending on the situation relating to the region.

37. The person who is assigned duty by the Ministry of Education, the Director General or the Education Officer, not lower than the Township Education Officer may inspect and inquire any private school, investigating any matter relating to such private school or ask and inspect the relevant documents and moreover may enter any private school in order to act as such.

38. Offences contained in this Law are determined as cognizable offences.

39. In prosecuting under this Law, prior sanction of the Ministry of Education shall be obtained and the relevant Education Officer shall prosecute on behalf of the Ministry of Education.

40. No suit or prosecution shall lie against any person for anything done or intended to be done in good faith under this Law or any rule made thereunder.

41. The registration fee, annual fee and other fees to be paid by the promoter or private school teacher are as determined by the Ministry of Education.

42. In implementing the provisions of this Law:

- (a) the Ministry of Education may issue necessary rules, regulations or disciplines with the approval of the Union Government and issue necessary notifications, orders, directives and procedures;
- (b) The Department assigned duty by the Ministry of Education may issue necessary orders and directives.

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I hereby sign under the Constitution of the Republic of the Union of Myanmar.

Sd./ Thein Sein  
President of the Union  
The Republic of the Union of Myanmar