

**Private School Registration Law**  
**(Pyidaungsu Hluttaw Law No. 14/2012)**  
**The 7<sup>th</sup> Waxing day of Nataw, 1373 M.E.**  
**2<sup>nd</sup> December 2011**

The Pyidaungsu Hluttaw enacts the following Law.

**Chapter (1)**

**Title and Definitions**

1. This law shall be called the Private School Registration Law.
2. The expressions contained in this law shall have the meanings given hereunder:
  - (a) **"Private School"** means the basic education school established by private, to promote the efficiency of education, giving training according to the curriculum and subject contents of the Ministry of Education or the additional lessons for those curriculums.
  - (b) **"Private School Teacher"** means the person who holds the registration certificate to teach in private school.
  - (c) **"Founder"** means the person who invests finances, place, class room, hostel, property and furniture.
  - (d) **"Private School Registration Certificate"** means the certificate which is issued by the Ministry of Education to the founder who has been allowed to establish a private school.
  - (e) **"Registration Certificate of Private School Teacher"** means the certificate which is issued by the Ministry of Education to the person who has been allowed to teach in a private school.
  - (f) **"Boarding House"** means the building for accommodation for the private school students.
  - (g) **"Additional Subject"** means not only the teaching subjects but also the additional subjects for language and subjects prescribed by the Ministry of Education.
  - (h) **"Additional Lessons"** means not only the teaching lessons but also the additional lessons and additional lessons for language.
  - (i) **"Ministry of Education"** means the Ministry of Education of the Union Government.

- (j) **"Director General"** means the Director General of the Basic Education Department who has been assigned to supervise the education affairs in respective Region or State.
- (k) **"Education Officer"** means the education officer of the Region or State who has been assigned to supervise and manage the basic education offices and schools within the related Region or State.

## Chapter II

### Obligations

- 3. The obligations of the Ministry of Education are shown as below:
  - (a) to lay down policy for private schools and private school teachers;
  - (b) giving required supervision and guidelines to the Director Generals and the education officers relating to supervise for the private schools and private school teacher;
  - (c) to form teams to inspect the additional lessons which are to be taught in private schools;
  - (d) right to issue permission or denying for founding a private school or revocation of registration certificate;
  - (e) to carry out the duties assigned by the Union Government occasionally.
- 4. The Ministry of Education shall ask for the advisory opinion from the relevant Division or State Government before issuing a permit for establishing a private school.
- 5. Duties of the Director General are as follows:
  - (a) to supervise the education officer to be systematic and abiding of disciplines for the private school teachers;
  - (b) together with own opinion, shall forward the report submitted by the education officer relating to the establishing of private school or the private school which breaches discipline or not in accord with prescribed requirement;
  - (c) to form and perform inspection team for additional lessons;
  - (d) to submit to the Ministry of Education together with his opinion after scrutinizing the additional lessons;
  - (e) to inspect or instruct to inspect occasionally whether the teaching system is in line with the direction or not;
  - (f) to decide the appeal from the education officer regarding to the private school teacher;
  - (g) the Director General's decision made by under sub-section shall be final and conclusive;

- (h) to perform as assigned by the Ministry of Education.
6. Duties of education officer are as follows:
- (a) to form a inspection team to go and check upon the application for establishing a private school and report the result to the DG together with the advisory opinion;
  - (b) report the inquiry result to the DG together with the advisory opinion regarding to the school which violates the disciplines or not fulfill and in line with the directives;
  - (c) to get permission to teach additional subject by registered private teacher's application submitted to get approval from director general and to get his remarks;
  - (d) to issue or to deny on the registration certificate of private school teacher;
  - (e) to report the opinion to the Director General on additional lessons; to allow or not on the additional lessons according to the opinion of the Director General;
  - (f) giving warning to the private teacher who violate the discipline; suspending for a certain period or canceling the registration certificate of private school teacher;
  - (g) to inspect or to carry out inspection occasionally whether the teaching system in accord with the prescriptions;
  - (h) to carry out the duties assigned by the Ministry of Education and the Director General occasionally.

### **Chapter III**

#### **Issuance of Registration Certificate for Private School**

7. (a) For establishing a private school:
- (i) it shall not be a funded by the foreign State;
  - (ii) it shall not be a established by foreign organization or such organization's aid;
  - (iii) it shall not be a missionary school.
- (b) the person who wants to establish private school shall be in compliance with below:
- (i) shall be a Myanmar citizen if it is established alone;
  - (ii) if it is established by an organization, all executive members shall be the Myanmar citizens.
8. For establishing a private school, it shall be covered under mentioned requirements:
- (a) have plan to open basic education primary school, middle school or high school;

- (b) shall be cleanliness and healthiness within compound and environs of school and classes;
  - (c) the building shall be suitable for using as a school;
  - (d) shall have sufficient space for students and age-wise, sufficient furniture for number of students, enough teaching aids, assembly and recreation center;
  - (e) to draw complete scheme for additional curriculum;
  - (f) there must be sufficient teachers for various subjects in every class;
  - (g) to draw weekly teaching plan systematically;
  - (h) if there has boarding house,
    - (i) the building shall be suitable for a boarding house;
    - (ii) to provide boarding house separately for male and female students, providing with security fencing;
    - (iii) to provide warden for every boarding house;
    - (iv) to provide plans for emergency health care;
    - (v) to provide a healthful-mess.
9. The person who is in compliance under section 7, and who reaches the requirements under Section 8, shall apply to the Region or State Education Officer Office to establish a private school.
10. (a) The education officer, together with his opinion, after scrutinizing according to prescription, shall submit the application which applying under Section 9 to the Director General;
- (b) Director General, upon receiving education officer's submission, shall submit to Ministry of Education with his opinion;
- (c) After receiving under sub-section (b) and after scrutinizing the application by the Ministry of Education may grant or reject the application;
- (d) Before allowing establishing private school, the Ministry of Education asks for opinion from the Region or State Government;
- (e) The decision of the Ministry of Education made under the sub-section (d) is conclusive and final.
11. If the private school is allowed to establish under sub-section(c) of Section 10, it shall pay prescribed registration fees be paid in, and the applicant will receive the registration permit with regulations attached on it from the Ministry of Education.

CONVENIENCE TRANSLATION – for further  
information, contact [info@pwplegal.com](mailto:info@pwplegal.com)

12. Education Officer concerned shall register the data of the private school in the register book and that register book shall be allowed to inspect by public at proper time.
13. The founder shall stick up the registration certificate of private school on public conspicuous place.
14. The founder shall pay the annual fee according to the prescription if the private school is to be extended.
15. The founder shall inform to the education officer according to the prescription when the new private school teacher is resigned or appointed.
16. Any private school shall follow under mentioned prescriptions:
  - (a) not to disintegrate the Union and also National consolidation, and not to lose the sovereignty of this country;
  - (b) to fulfill the requirements which are provided under Section (8) to establish a private school;
  - (c) to assign a person who has the qualification to supervise the school systematically;
  - (d) to appoint as a private school teacher who has paid the annual fee and the private school registration certificate in hand;
  - (e) to provide an atmosphere and teaching environment to motivate the students in the sectors of characteristic, intelligence and fitness;
  - (f) to be taught the appropriate subject for the Myanmar school children in private schools and to enhance the teaching ability of the private school teachers;
  - (g) it is prohibited to teach or giving exercise or manage to do so for the students which are adverse to the national interest or against with the state policy;
  - (h) shall not be reduced the prescribed curriculum or additional lessons for respective classes in private school;
  - (i) in respective subjects for each level of class or additional lessons or curriculum for each class should not be reduced;
  - (j) manage to teach the exact additional lessons;
  - (k) allow to check the person who is performing the duties under Section 37.
  - (l) to be recorded systematically regarding with the qualification record for each student and the list of enrollment, leaving and transferring school;
  - (m) to be compiled systematically regarding with the age, date of birth in accord with the prescribed instruction of Ministry of Education;

- (n) budget account of private school shall be in accordance with the financial regulation and to be inspected by the authorities concerned in any time;
- (o) manage to hold the examinations regularly for promoting the grade, classification, transferring and issuing the school leaving certificate according to the students' educational;
- (p) manage to provide the sufficient amount of subject wise teachers and teaching aids and to be carried out according to the instructions of the Ministry of Education;
- (q) shall be changed the founder name or the name of the private school only under the permission of the Ministry of Education;
- (r) shall be changed the name of the student only under the permission of the parent or the guardian;
- (s) specifying the proper uniform (to be specified a colour for uniform and to be extinguished from other schools);
- (t) shall not be allowed to teach the lessons relating to the religious;
- (u) to abide by the regulations for the private school.

#### **Chapter IV**

##### **Issuing the Certificate for Private School Teacher**

17. (a) The following person who wants to get the certificate of private school teacher, he shall apply to the Region or State Education Officer office:
- (i) a Ph.D. degree or education degree holder of local or foreign university.
  - (ii) a degree holder of local or foreign university with a diploma or certificate relating to teacher training.
  - (iii) a degree holder of local or foreign university with a short-term course certificate relating to teacher training provided by the Ministry of Education.
- (b) Although who doesn't hold the educational degree, teaching diploma/certificate or the short-term teaching training course certificate as mentioned in sub-section (a), as a specific subject teacher allowed to do by the Government and a five-year teaching experience in a university, collage or basic education school after having a degree from a local or foreign University also may apply to a private school teacher.
18. Education officer may grant or reject to issue a registration certificate for private school teacher applied under the Section 17 after scrutinizing the application.
19. Education officer shall -

- (a) issue the registration certificate for private school teacher to the applicant after allow to issue such a certificate under the Section 18 and already paid for the registration fee.
  - (b) mention the allowed subject and grade in the registration certificate for private school teacher issued under the sub-section (a).
20. Private school teacher may continue to work after paying the annual fee for the respective academic year.
21. Private school teacher shall abide the prescribed regulations.
22. Education officer may giving warning or suspend a limited period or cancel the registration certificate for private teacher to who violates any regulation.

## **Chapter V**

### **Taking Administrative Action and Appeal**

23. Ministry of Education may giving warning or cancels its private school registration certificate to who violates any provision under Section 16.
24. Ministry of education shall -
- (a) inform to the founder of a private school for submitting an appeal within 30 days that why it should not be cancelled before cancelling the registration certificate.
  - (b) if the reason shown in written statement in defending by the founder is not satisfaction, the private school registration certificate shall be cancelled.
25. Regarding to cancellation order or decision against the private school founder, the decision order of Ministry of Education is final and conclusive.
26. Regarding to an order or decision on private school teacher made by the education officer may appeal to the Director General within 30 days in accord with the prescription.
27. Appeal under Section 26, the Director General may confirm or revise or cancel on the decision made by the education officer. The decision of the Director General is final and conclusive.

## **Chapter VI**

### **Prohibitions**

28. No one shall establish a private school without having the registration certificate.
29. No one shall work as a private school teacher without having the registration certificate.
30. No one shall teach or giving lecture relating to the political or religious affairs which are not related to the teaching curriculum.

31. No one shall -
- (a) falsify in the application apply for registration certificate of private school .
  - (b) alter or amend any particulars mentioned in the registration certificate of private school.
  - (c) falsify in the advertisement of private school.
  - (d) transfer the registration certificate of private school.
  - (e) permanently close the private school during the academic year without the permission of the Ministry of Education.
32. No one shall -
- (a) falsify in the application apply for registration certificate of private school teacher;
  - (b) alter or amend any particulars mentioned in the registration certificate of private school teacher;
  - (c) transfer the registration certificate of private school teacher.

## **Chapter VII**

### **Offence and Penalties**

33. Whoever convicted of breaching the prohibition under Section 28, shall be punished for the imprisonment of not more than three years and also a fine not more than (300,000) Kyats .
34. Whoever convicted of breaching the prohibitions under Section 30 and 31, shall be punished minimum (1) year to maximum (3) years imprisonment and also a fine up to (300,000) Kyats.
35. Whoever convicted of breaching the prohibitions under Section 29 and 32, shall be punished not more than (1) year imprisonment or a fine not more than (100,000) Kyats or both.

## **Chapter VIII**

### **Miscellaneous**

36. Ministry of Education may allow to establish a private school relating to special primary level or special middle level or special high level depends on the local situation under the sub-section (a) of Section 8 requirement.
37. The person who is not lower than Township Education Officer, assigned by the Director General of the Ministry of Education, may inspect and check any private school; enquiry about on some relevant information relating to it or inspect any documents.
38. The offences relating to this law shall be specified as cognizable offences.



CONVENIENCE TRANSLATION – for further  
information, contact [info@pwplegal.com](mailto:info@pwplegal.com)



39. The education officer, in taking legal action after receiving the approval of the Ministry of education, shall sue on behalf of the Ministry.
40. No one shall be sued civilly or criminally on any acting or intent to act in good faith under this law or rules made by this law.
41. Registration fees, annual fees and other fees to be paid by founder or a private school teacher shall be prescribed according to the Ministry of Education.
42. To carry out in accordance with provisions of this law -
  - (a) The Ministry of Education may enact required rules and regulations prior approval of the Union Government, and may issue the required notification, order, directives and procedures;
  - (b) The Department of Education, assigned by the Ministry, may issue order and directives.

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

(Sd/) Thein Sein

President

Republic of the Union of Myanmar