

ACT 778
EDUCATION ACT, 2008

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ACT 778
EDUCATION ACT, 20081(1)

AN ACT to provide for the establishment of an educational system intended to produce well balanced individuals with the requisite knowledge, skills, values, aptitudes and attitudes to become functional and productive citizens for the total development and the democratic advancement of the nation, and for related matters.

General

1. System of education

- (1) The system of education shall be organised in three progressive levels to be known as
 - (a) basic education,
 - (b) second cycle education, and
 - (c) tertiary education.
- (2) The basic level of education shall consist of
 - (a) two years of kindergarten education,
 - (b) six years of primary education, and

(c) three years of junior high school education.

(3) The second cycle level of education shall consist of four years of senior high school education, technical, vocational, business and agricultural education, or appropriate apprenticeship training of not less than one year.

(4) The tertiary education shall consist of education provided in a university, polytechnic or college of education established by an Act of Parliament or accredited by the National Accreditation Board.

(5) Each level of education shall, where appropriate, include provision for distance learning programmes.

(6) In addition to subsections (1) to (5), there shall be a system of non-formal functional and life long educational programmes.

(7) The Ministry of Education and the District Assemblies may establish open colleges at the district level.

(8) The open colleges and life long educational colleges shall also provide avenues for skills training and formal education as determined by the Minister by legislative instrument.

2. Free and compulsory basic education

(1) A child who has attained school going age shall, at the basic level, attend a course of instruction as laid down by the Minister in a school recognised for that purpose by the Minister.

(2) Education at the basic level is free and compulsory.

(3) A District Assembly shall subject to section 3, provide the necessary infrastructural needs and any other facilities for the education of the population in the area of its authority.

(4) Where a child does not attend a course of instruction in compliance with subsection (1) the parent shall, in the first instance, appear before the social welfare committee of the District Assembly for appropriate action.

(5) A parent who fails to comply with the appropriate action agreed on with the social welfare committee, commits an offence, and is liable on conviction by a District Court,

(a) for a first offence, to a fine not exceeding five penalty units, and

(b) for a continuing offence, to a fine of one penalty unit in respect of each day during which the offence continues;

or in lieu of the payment of the fine, to community service as determined by the Court in consultation with the Social Welfare Committee.

(6) Where a parent cannot genuinely afford to educate the child, the District Assembly may provide the support necessary for the education of the child.

3. Decentralisation of education

The Minister shall take measures for the effective decentralisation of executive responsibility for the provision and management of basic and second cycle schools to the District Assemblies.

4. The Education Service

The Education Service provided for by article 190 of the Constitution and as restructured under the

Ghana Education Service Act, 1995 (Act 506) is responsible for the co-ordination of the approved national policies and programmes relating to pre-tertiary education.

5. Inclusive education

(1) The District Assemblies and heads of institutions shall ensure that designs for schools are user-friendly for children with special needs.

(2) Institutions that deliver education to children with special needs shall improve upon the existing infrastructure and provide for additional facilities where necessary.

(3) A parent or guardian shall take advantage of the inclusive education facilities to send the child with special needs to the appropriate education facility, or subject to the availability of resources, make a request for the provision of the appropriate education facility.

(4) For the purposes of this section, “**inclusive education**” means the value system which holds that all persons who attend an educational institution are entitled to equal access to learning, achievement and the pursuit of excellence in all aspects of their education, and which transcends the idea of physical location but incorporates the basic values that promote participation, friendship and interaction.

6. Medical examination of children

The Education Service in collaboration with the Health Service and the Ministry responsible for social welfare shall undertake

- (a) the screening of children on admission, and
- (b) the regular medical examination of children.

7. Inspection and supervision

(1) There is established by this Act a body known as the National Inspectorate Board consisting of

- (a) the chairperson,
- (b) one representative of the Universities of Education,
- (c) one special education specialist or practitioner,
- (d) one representative of the National Teaching Council,
- (e) one representative of the Association of Private Schools,
- (f) one representative of the West African Examinations Council,
- (g) one representative of the Council for Technical Vocational Education and Training,
- (h) the Chief Inspector of Schools,
- (i) three nominees of the President, at least one of whom is a woman,
- (j) one representative of the Catholic Bishops Conference and the Joint Anglican Diocesan Council,
- (k) one representative of the Federation of Muslim Councils and the Ahamadiya Mission, and
- (l) one representative of the Christian Council and the Ghana Pentecostal Council.

(2) The Chief Inspector of Schools is the secretary to the Board.

(3) The members of the Board shall be appointed by the President in accordance with article 70 of the Constitution.

8. Functions of the National Inspectorate Board

(1) The functions of the National Inspectorate Board are,

- (a) to undertake the inspection of schools,
- (b) to evaluate, on a periodic basis, the first and second cycle institutions, and
- (c) to set and enforce standards to be observed at the basic and second cycle levels in both public and private educational institutions.

(2) For the purposes of paragraph (c) of subsection (1), the Board shall set up inspection panels to provide an independent external evaluation of the quality and standards in educational institutions by focusing on.

- (a) the quality of leadership and management of the educational institution,
- (b) the quality of teaching and learning provided by the educational institution,
- (c) the educational standards achieved by the educational institution,
- (d) the levels of scholarship attained by the educational institution,
- (e) the facilities available in the educational institution,
- (f) the system of internal and external examiners in place at the educational institution,
- (g) the values emphasized and taught in the educational institution including community service by the students or pupils and staff, and
- (h) the statistical data of the educational institution or tracer studies tracking the achievement of past students.

(3) Subsection (1) shall not preclude a religious body from setting up, in conjunction with the District Assembly, its own directorate for the inspection and supervision of the educational institutions established by that religious body.

(4) The directors and supervisors within the regional and district directorates of education shall undertake, in accordance with the directives or guidelines of the Board, routine inspection of schools to ensure the maintenance of standards of performance in teaching and learning.

National Teaching Council

9. National Teaching Council

There is established by this Act a body known as the National Teaching Council.

10. Functions of the Council

The functions of the Council are,

- (a) to advise the Minister responsible for Education
 - (i) on matters relating to the professional standing and status of teachers, and

- (ii) on teacher education, including the provision of facilities for in-service training, and the employment of teachers;
- (b) to recommend to the Minister professional standards required for the registration of teachers;
- (c) to periodically review professional practice and ethical standards for teachers and teaching;
- (d) to register teachers after they have satisfied the appropriate conditions for initial licensing and issue the appropriate licence;
- (e) to review, through its disciplinary committees, appeal cases of professional misconduct and confirm, vary or rescind the decision of the district disciplinary committee;
- (f) to confirm, vary or rescind a decision of the district disciplinary committee;
- (g) to revoke a teacher's licence to teach after establishing a case of grave professional misconduct;
- (h) to give approval for the suspension of a teacher from teaching after satisfying itself that the teacher has contravened laid down regulations governing the professional conduct of teachers; and
- (i) to approve the re-registration of a suspended teacher who has served the suspension and has been recommended for re-registration by the district disciplinary committee.

11. Composition of the Council

(1) The National Teaching Council consists of

- (a) the chairman,
- (b) one representative each of
 - (i) the Ministry responsible for Education,
 - (ii) the National Council for Tertiary Education,
 - (iii) the Council for Technical, Vocational Education and Training,
 - (iv) the National Inspectorate Board,
 - (v) the Conference of District Directors of Education,
 - (vi) the Conference of Heads of Colleges of Education,
 - (vii) the Conference of Managers of Education Units, and
- (c) two representatives,
 - (i) one from the Universities involved in teacher education,
 - (ii) one from industry and commerce,
- (d) two representatives of Teachers Association, and
- (e) three other members one of whom is a woman.

(2) The members of the Council shall be appointed by the President in accordance with article 70 of the Constitution.

12. Licensing of teachers

(1) The Council is the governing authority responsible for matters relating to the licensing of teachers, including where necessary, the emergency certification of teachers after the Council has given approval for a special course of study for the emergency certification.

(2) Provisional licence may be required where there is need for the training of

- (a) persons who the Council considers suitable for short training to meet a crisis in teacher shortage, or
- (b) any other person who desires to take up teaching as a profession and register for the provisional licence.

(3) A person shall not be admitted to teaching as a professional career teacher without satisfying the laid down credentialing requirements issued by the Council for normal or emergency certification.

(4) The programmes of study for pre-tertiary education teachers that lead to a licence to teach shall be developed in consultation with the Council.

(5) A teacher's licence is the only legal authorisation for teaching, and

- (a) shall be issued by the Council, and
- (b) shall bear the registration number of the teacher.

(6) A teacher shall be required to possess the Council's licensing certificate as evidence of professional standing and authorisation for teaching.

(7) The legal possession of the Council's certificate signifies that the teacher meets the knowledge and skill standards prescribed by the National Teaching Council and is duly licensed to teach.

13. Registration of teachers

(1) The Council shall maintain a register of teachers in which shall be recorded the particulars of a person registered as a teacher under this Act.

(2) A person desiring to be registered as a teacher shall submit for approval by the Council an application in the prescribed form.

(3) A person is not qualified to be registered and issued with the Council's licence to teach

- (a) where that person does not possess at least the initial prescribed teacher training diploma certificate or its equivalent qualification as determined by the Council, or
- (b) if that person has been disqualified from teaching by reason of a grave professional misconduct, or
- (c) if within a period of six months immediately preceding the date of the application
 - (i) that person has been refused registration as a teacher, or
 - (ii) the registration of that person as a teacher has been cancelled.

(4) The Council may refuse to register a person as a teacher,

- (a) if that person suffers from a mental disability, as certified by a registered medical practitioner, likely to interfere with the practice of teaching, or
- (b) if that person has been convicted of a criminal offence of a nature which in the opinion of the Council renders that person not a proper person to be a teacher in an educational institution,

or

- (c) if that person has, in an application for registration as a teacher, made a statement or furnished information which that person knows is false, or
- (d) if that person has not passed the requisite teacher certification examination recognised by the Council and does not satisfy the standards required for a teacher's licence at the level which that person has applied for certification to teach.

(5) A person aggrieved by a refusal under subsection (5) may appeal to the Minister against the decision, and the Minister may confirm, vary or rescind the decision of the Council.

(6) Where a decision of the Council is rescinded, the Minister shall direct the Council to register as a teacher, the person affected by the decision.

(7) A person aggrieved by a decision of the Minister may apply to the High Court for redress.

(8) A person holding out as a teacher shall be required to meet the normal certification requirements or certification requirements of the Council.

14. Employment of registered teachers

A person shall not be employed as a teacher in a pre-tertiary educational institution unless that person has been registered as a teacher by the Council.

15. Employment of unregistered teachers

(1) Despite section 14, the Council may authorize the employment of persons not registered under this Act as teachers in pre-tertiary educational institutions.

(2) The provisions on qualifications and conditions relating to registered teachers provided by the Council shall apply to the employment of unregistered teachers.

Tertiary Education

16. Tertiary education

(1) The National Council for Tertiary Education established under the National Council for Tertiary Education Act, 1993 (Act 454) shall perform the functions specified for it under this Act.

(2) The teaching programmes and academic standards for tertiary institutions are subject to the accreditation requirements set out by the National Accreditation Board Act, 2007 (Act 744).

Curriculum and Assessment

17. National Council for Curriculum and Assessment

(1) There is established by this Act a body to be known as the National Council for Curriculum and Assessment, consisting of

- (a) the chairman,
- (b) the executive secretary of the National Council,
- (c) one representative each of

- (i) the National Council for Tertiary Education,
 - (ii) the National Teaching Council,
 - (iii) the National Accreditation Board,
 - (iv) the National Board for Professional and Technical Examinations,
 - (v) the Council for Technical and Vocational Education and Training,
 - (vi) the National Inspectorate Board,
 - (vii) the Ministry responsible for Education, not below the rank of a Director,
 - (viii) the Association of Ghanaian industries,
 - (ix) the Ghana Employers Association,
 - (x) the teacher Association,
 - (xi) the Catholic Bishops conference and the Joint Anglican Diocesan Council,
 - (xii) the Federation of Muslim Council and the Ahmadiya Mission,
 - (xiii) Christian Council and the Ghana Pentecostal Council, and
 - (xiv) the Ministry responsible for Labour.
- (d) two representatives of the Education Service, one of whom is a person with experience in curriculum development or curriculum assessment,
 - (e) the Director, Books Development Council,
 - (f) one nominee of the West Africa Examinations Council, and
 - (g) one nominee of the Ghana Federation of the Disabled.

18. Functions of the National Council

The functions of the National Council, to be performed in accordance with government policies, are

- (a) to determine the goals, aims and structure of courses at the various levels of pre-tertiary education;
- (b) to ensure an inclusive and representative curriculum development process, and guide curriculum development in a timely and an effective manner;
- (c) to recommend the number of core and elective subjects;
- (d) to recommend new subjects, as the subjects become necessary for the educational system;
- (e) to review, periodically, and make recommendations on, the linkages between tertiary and pre-tertiary education after consultations with the Minister, the National Council for Tertiary Education, the National Accreditation Board and any other relevant organisation or agency;
- (f) to approve the time table arrangements for the relevant educational institutions;
- (g) to receive reports on the quality and quantities of text books and any other materials of educational value, and make the appropriate recommendations to the Minister;
- (h) to recommend to the Minister the periods and time duration for curriculum reviews and sample size for trial testing of the various subjects in pre-tertiary education;

- (i) to review the criteria and conditions for the appointment of members of syllabus panels;
- (j) to receive reports on monitoring assessments, school based assessment and end of course examinations, and make recommendations on the nature of examinations and any other recommendations for improving learning in educational institutions;
- (k) to receive reports on school inspection, half yearly, and make the necessary recommendations to the Education Service for the improvement of the various sections of the education system; and
- (l) to consider any other matter assigned to it by the Minister for improving the quality of teaching and learning in educational institutions.

Library Services

19. Schools Library and Information Directorate

- (1) There is hereby established a Schools Library and Information Directorate.
- (2) An educational institution shall establish and maintain a well equipped library for the benefit of its teachers, pupils and students.

20. Functions of the Directorate

The functions of the Schools Library and Information Directorate are

- (a) to advise the Minister on library and educational information policies, and
- (b) to harmonise library activities within a network system.

Decentralised Education Service

21. Regional education directorates

- (1) There shall be established a regional education directorate in each Region.
- (2) The regional education directorate shall
 - (a) co-ordinate the activities of the district directorates in the Region;
 - (b) co-ordinate regional sports and cultural activities in schools in collaboration with the appropriate institutions and authorities;
 - (c) exercise jurisdiction in matters of discipline over personnel at the regional directorate; and
 - (d) as much as possible, work in collaboration with the Regional Co-ordinating Council.

22. District education directorates

- (1) The District Assembly shall, for its area of authority and as far as its functions extend, contribute to the total development of the community by ensuring that efficient education throughout the basic, second cycle and functional literacy education levels including non-formal education is available to meet the needs of the population of its area.
- (2) The District Assembly shall, in the prescribed manner, and with financial assistance provided by the Government,

- (a) build, equip and maintain public basic schools in the district,
 - (b) establish public schools that are in the opinion of the district director of education required in the district in consultation with the district chief executive, and
 - (c) perform any other functions conferred on the district education oversight committee by this Act.
- (3) The District Assembly shall establish a district education directorate.
- (4) The district education directorate in consultation with the appropriate religious educational units are responsible for the efficient delivery of educational services to meet the peculiar needs of the areas within the district and in accordance with the educational policy and directives as determined by the Minister.
- (5) The preparation, administration and control of budgetary allocations of the district directorate of education is the responsibility of the District Assembly.
- (6) The District Assembly shall appoint a district education oversight committee consisting of
- (a) the district chief executive, as the chairman, or in the absence of the district chief executive, the chairman of the subcommittee responsible for education shall preside at the meetings of the oversight committee,
 - (b) the chairman of the subcommittee responsible for education,
 - (c) the district director of education, who shall also be the secretary of the oversight committee,
 - (d) the district director of health,
 - (e) the district social welfare officer,
 - (f) one representative of the District Assembly, who is a woman,
 - (g) one representative of the traditional rulers in the district,
 - (h) one representative each of the religious bodies,
 - (i) one representative of the associations of teachers in the district on a rotational basis,
 - (j) one representative of the district parent-teacher association,
 - (k) one representative of the school management committee in the district,
 - (l) one woman identified generally with social development in the district, and
 - (m) one representative of the private schools in the district.
- (7) A district education oversight committee shall oversee
- (a) the conditions of school buildings and any other infrastructural requirements of the schools;
 - (b) the provision of teachers and the regular and punctual attendance of teachers and pupils at the schools;
 - (c) the proper performance of functions by the staff at the schools;
 - (d) the moral and professional behaviour of the staff and pupils and matters relating to general discipline;
 - (e) complaints relating to teachers, non-teaching personnel and learning materials, and complaints from teachers;

- (f) the environmental cleanliness of the schools, lands and of any other facilities;
 - (g) the supply of text books and any other teaching or learning materials; and
 - (h) the management and maintenance of the education management information system at the district level.
- (8) The district education oversight committee shall appoint
- (a) the appointments and promotions subcommittee,
 - (b) the disciplinary subcommittee,
 - (c) the administration and finance subcommittee, and
 - (d) the monitoring and evaluation subcommittee.
- (9) The Director-General of the Education Service or a person authorised by the Director-General may attend the meetings of the directorate of education or a district education oversight committee, but is not entitled to vote on a matter for decision by the directorate or committee.
- (10) Subject to this Act, the district education oversight committee shall determine the membership and functions of a subcommittee appointed under this section.

Private Educational Institutions

23. Establishment of private educational institutions

(1) A person or an institution may establish, manage and operate a private educational institution in accordance with the guidelines issued, and the Regulations made in that behalf, by the Minister, in consultation with the Education Service Council or the National Accreditation Board.

(2) A private educational institution shall

- (a) be incorporated as a legal entity with a governing body;
- (b) have at least one-third of the teaching staff being persons who are professionally qualified under this Act;
- (c) provide the requisite education and training to a child or any other person who qualifies to attend;
- (d) meet the standards regarding curricula and syllabi and the facilities set by the Ministry with regard to the physical, academic and any other facilities and requirements;
- (e) operate under the supervision of the district director of education, or, as appropriate, the National Council for Tertiary Education;
- (f) send a copy of its annual report on its programmes and activities to the Minister; and
- (g) make available to the Minister any other information in writing requested by the Minister;

and in the case of a private tertiary educational institution, shall not begin operations unless the National Accreditation Board has granted it the requisite accreditation.

(3) The proprietor of a private educational institution in existence before the commencement of this Act shall, within ninety days after the commencement, apply as appropriate to the District Assembly or the National Accreditation Board for approval.

(4) The District Assembly or the National Accreditation Board as appropriate may grant provisional approval or accreditation to enable preparatory work to be done towards the establishment of the private educational institution.

(5) The proprietor of a private educational institution shall not set, change or raise the level of fees without the consent of the Minister.

(6) A proprietor who contravenes a provision of this section or of the Regulations commits an offence and is liable on summary conviction to a fine not exceeding two thousand five hundred penalty units or to a term of imprisonment not exceeding five years or to both.

24. Change in ownership

(1) Where there is a change in the ownership or location of a private educational institution, the proprietor of the institution shall notify the Minister in writing of the change.

(2) Where there would be a long period of closure of a private educational institution, the proprietor of the institution shall within 90 days prior to the closure, notify the Minister of the closure and give reasons for the closure and the proposed date of re-opening.

25. Closure of private educational institutions

(1) The Minister shall, acting in accordance with the advice of the National Accreditation Board or the District Assembly, withdraw the licence of a private educational institution

- (a) if the operation of the institution is detrimental to the physical or moral welfare of the pupils attending the institution, or
- (b) the continuing existence of the institution is against the public interest.

(2) Where a licence is withdrawn the owner, proprietor and the person in charge of the institution shall cease the operation of the institution.

(3) A person who contravenes subsection (2) commits an offence and is liable on conviction

- (a) to a term of imprisonment not exceeding six months or to a fine not exceeding two hundred penalty units, and
- (b) for each day during which the offence continues, to a fine of one thousand penalty units.

26. Tax exemption

Subject to article 174 of the Constitution, the Government may provide tax reliefs or subsidies to a duly registered private educational institution.

27. Relations with Ministry

The Ministry responsible for Education shall improve and strengthen its relations with private educational institutions by involving them in free and open participation in education programmes.

28. Grievances

(1) A parent aggrieved with the inferior standards of teaching or learning in a public or private educational institution or has cause to suspect discrimination or apathy or for any other sufficient cause may appeal to the National Accreditation Board or the district education oversight committee.

(2) The National Accreditation Board or the district education oversight committee shall, by directions in writing, afford the person responsible for the operation of the institution a reasonable time to correct the substance of the grievance.

(3) Where the person responsible for the institution does not correct the substance of the grievance within the time specified by the National Accreditation Board or the district education oversight committee, the Board or the oversight committee shall recommend to the Minister, the closure of the institution.

(4) A person aggrieved by the decision of the Minister by virtue of subsection (3) may appeal to the High Court.

Miscellaneous Provisions

29. Regulations

The Minister may, by legislative instrument, in consultation with the appropriate body, make Regulations in respect of

- (a) the role, composition and any other functions of the inspectorate set up under section 7;
- (b) development and assessment of the curriculum for educational institutions;
- (c) the role of parent-teacher organisations in the education system;
- (d) the ownership of schools by a community;
- (e) the fee structure in the education system;
- (f) the establishment, management and operation of private educational institutions;
- (g) information and communication technology in education;
- (h) specifying the objectives, mission management, structures and functions of the schools library and information directorate including the establishment of a central catalogue of libraries and library books;
- (i) distance education;
- (j) science and technology education;
- (k) guidance and counselling;
- (l) private participation in education;
- (m) the determination of the relationship between the district education directorate and the education units of the religious bodies;
- (n) discipline in schools;
- (o) gender equity at all levels and programmes of education;
- (p) the provision of adequate facilities for persons with disability or special needs;
- (q) the provision of in service training for teachers;
- (r) the financing of education;
- (s) a matter that is required to be prescribed or will give effect to this Act;

- (t) acts that constitute misconduct and grave misconduct and the corresponding penalties;
- (u) the level of autonomy that is commensurate with the achievements of an educational institution; and
- (v) any other matter that will advance or enhance the principles and purposes of this Act.

30. Interpretation

In this Act, unless the context otherwise requires,

“Board” means the National Inspectorate Board established by subsection (1) of section 7;

“college of education” means teacher training institutions;

“community college” means a post-basic educational institution which admits students with or without prior qualification;

“Council” means the National Teaching Council established by section 9;

“District Assembly” includes the Municipal and the Metropolitan Assembly;

“free education” includes tuition fees, provision of teachers and the essential requirements for quality teaching and learning for the basic level of education provided by the responsible body or authority;

“functions” includes powers and duties;

“institution of tertiary education” includes

- (a) a university or university college,
- (b) an open university,
- (c) a polytechnic
- (d) any other diploma awarding institution, and
- (e) a post secondary educational institution;

“Minister” means the Minister responsible for Education;

“National Council” means the National Council for Curriculum Development and Assessment;

“open college” includes a community college;

“open university” includes a post secondary educational institution which admits mature students;

“parent” includes a natural parent and a person acting in the capacity of a parent

“prescribed” means prescribed by this Act or the Regulations;

“pre-tertiary education” means education below university, university college, polytechnic, community college and colleges of education;

“pre-tertiary educational institutions in the public system” means schools and institutions for pre-tertiary education for which Government has direct responsibility in providing teachers, teaching and learning material;

“public” in relation to an institution means established or maintained wholly or in part from moneys provided by Parliament, from the Consolidated Fund or any other public funds;

“religious bodies” includes the National Catholic Secretariat, the Christian Council, the Anglican Church of Ghana, the Pentecostal Council, the Federation of Muslim Councils and the Ahmadiyya Mission;

“register” means the register of teachers;

“Regulations” means the Regulations made under this Act;

“school going age” means the age determined by the Minister for the purposes of section 2;

“Service” means the Education Service provided for under article 190 of the Constitution;

“special education” means a course of instruction approved by the Minister for a person with disability.

31. Repeals, savings and transitional provisions

(1) The Education Act, 1961 (Act 87) is hereby repealed.

(2) Until Regulations are made under this Act, Regulations made under the repealed Act shall continue in force in so far as those Regulations are not inconsistent with a provision of this Act.

(3) Within twelve months of the coming into force of this Act, the Ghana Education Service Act, 1995 (Act 506) shall be amended to conform with the provisions of this Act.

(4) Until arrangements are made for the licensing and registration of persons who are not professionally qualified as teachers, those persons shall be certified by the Council to teach.

(5) All certificated teachers in the educational system before the coming into force of this Act, shall be recognised as teachers and shall be permitted by the Council to teach until otherwise directed by the Council.

Endnotes

1 (Popup - Footnote)

1. This Act was assented to on 6th January, 2009 and notified in the *Gazette* on 9th January, 2009.