Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

Provincial Gazette Extraordinary

8478

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8478

Woensdag, 25 Augustus 2021

As 'n Nuusblad by die Poskantoor Geregistreer

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*(*Afskrifte is verkrygbaar by Kamer M21, Provinsiale Wetgewer-gebou, Waalstraat 7, Kaapstad 8001.)*

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11 Premier van die Wes-Kaap: Oordrag van funksies kragtens artikel 137 van die Grondwet van die Republiek van Suid-Afrika, 1996, saamgelees met artikel 47 van die Grondwet van die Wes-Kaap, 1997 (Wet 1 van 1998) 2

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IZIQULATHO

*(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso-Mthetho, 7 Wale Street, eKapa 8001.)*

UMpoposho

11 UNkulumbuso yeNtshona Koloni: Udluliselo lweMisebenzi phantsi kwecandelo 137 loMgaqo-siseko weRiphabliki yoMzantsi Afrika, 1996, ofundeka neCandelo 47 loMgaqo-siseko weNtshona Koloni, 1997 (uMthetho 1 ka-1998) 3

PROCLAMATION

BY THE PREMIER OF THE WESTERN CAPE

NO. 11/2021

TRANSFER OF FUNCTIONS UNDER SECTION 137 OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996, READ WITH SECTION 47 OF THE CONSTITUTION OF THE WESTERN CAPE, 1997 (ACT 1 OF 1998)

I, Alan Richard Winde, under section 137 of the Constitution of the Republic of South Africa, 1996, read with section 47 of the Constitution of the Western Cape, 1997 (Act 1 of 1998), transfer, with effect from 1 April 2022, to the Provincial Minister of Education the administration of, and the powers and functions in terms of, the Children's Act, 2005 (Act 38 of 2005) (''the Children's Act''), to the extent set out in the Schedule in so far as the administration of those powers and functions are entrusted by that Act to the Provincial Minister of Social Development.

Signed at Cape Town on this 25th day of August 2021.

AR WINDE
PREMIER OF THE WESTERN CAPE

Countersigned by:

SG FERNANDEZ
PROVINCIAL MINISTER OF SOCIAL DEVELOPMENT
DATE: 25 AUGUST 2021

DA SCHÄFER
PROVINCIAL MINISTER OF EDUCATION
DATE: 25 AUGUST 2021

SCHEDULE

(a) Chapter 5 of the Children's Act in respect of partial care facilities that provide early childhood development services as contemplated in section 91(2) and early childhood development programmes as contemplated in section 91(3) of the Children's Act, to the extent that they provide such service or programme.

(b) Chapter 6 of the Children's Act.

(c) Chapters 20 and 21 of the Children's Act—

(i) insofar as those Chapters apply to Chapter 5 of the Children's Act, to the extent contemplated in paragraph (a);

(ii) insofar as those Chapters apply to Chapter 6 of the Children's Act.

PROKLAMASIE

DEUR DIE PREMIER VAN DIE WES-KAAP

NR. 11/2021

OORDRAG VAN FUNKSIES KRAGTENS ARTIKEL 137 VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1996, SAAMGELEES MET ARTIKEL 47 VAN DIE GRONDWET VAN DIE WES-KAAP, 1997 (WET 1 VAN 1998)

Ek, Alan Richard Winde, kragtens artikel 137 van die Grondwet van die Republiek van Suid-Afrika, 1996, saamgelees met artikel 47 van die Grondwet van die Wes-Kaap, 1997 (Wet 1 van 1998), met ingang van 1 April 2022, dra aan die Provinsiale Minister van Onderwys die administrasie oor van, en die bevoegdhede en funksies ingevolge, die ''Children's Act, 2005'' (Wet 38 van 2005) (''die Kinderwet''), in die mate uiteengesit in die Bylae vir sover die administrasie van daardie bevoegdhede en funksies deur daardie Wet aan die Provinsiale Minister van Maatskaplike Ontwikkeling opgedra is.

Geteken te Kaapstad op hierdie 25ste dag van Augustus 2021.

AR WINDE
PREMIER VAN DIE WES-KAAP

Mede-onderteken deur:

SG FERNANDEZ
PROVINSIALE MINISTER VAN MAATSKAPLIKE ONTWIKKELING
DATUM: 25 AUGUSTUS 2021

DA SCHÄFER
PROVINSIALE MINISTER VAN ONDERWYS
DATUM: 25 AUGUSTUS 2021

BYLAE

(a) Hoofstuk 5 van die Kinderwet ten opsigte van gedeeltelikesorgfasiliteite wat vroeëkinderontwikkelingsdienste soos beoog in artikel 91(2) en vroeëkinderontwikkelingsprogramme soos beoog in artikel 91(3) van die Kinderwet verskaf, in die mate waarin hulle sodanige diens of program verskaf.

(b) Hoofstuk 6 van die Kinderwet.

(c) Hoofstuk 20 en 21 van die Kinderwet—

(i) vir sover daardie Hoofstukke van toepassing is op Hoofstuk 5 van die Kinderwet, in die mate beoog in paragraaf (a);

(ii) vir sover daardie Hoofstukke van toepassing is op Hoofstuk 6 van die Kinderwet.

UMPOPOSHO

YINKULUMBUSO YENTSHONA KOLONI

ONGUNOMBOLO 11/2021

UDLULISELO LWEMISEBENZI PHANTSI KWECANDELO 137 LOMGAQO-SISEKO WERIPHABLIKI YOMZANTSI AFRIKA, 1996, OFUNDEKA NECANDELO 47 LOMGAQO-SISEKO WENTSHONA KOLONI, 1997 (UMTHETHO 1 KA-1998)

Mna, Alan Richard Winde, phantsi kwecandelo 137 loMgaqo-siseko weRiphabliki yoMzantsi Afrika, 1996, ofundeka necandelo 47 loMgaqo-siseko weNtshona Koloni, 1997 (uMthetho 1 ka-1998), ndidlulisela ukususela ngomhla woku-1 kwekaTshazimpuzi 2022, ulawulo kuMphathiswa wezeMfundo wePhondo, kunye namagunya nemisebenzi ngokoMthetho waBantwana, 2005 (uMthetho 38 ka-2005) (''uMthetho waBantwana''), ngokokumiselwe kwiShedyuli ngokubhekiselele kulawulo laloo mandla nemisebenzi ekulo Mthetho eya kuMphathiswa wePhondo woPhuhliso loLuntu.

Utyikitywe eKapa ngalo mhla wama-25 kweyeThupha 2021.

AR WINDE
INKULUMBUSO YENTSHONA KOLONI

Ungqinwe lutyikityo luka:

SG FERNANDEZ
UMPHATHISWA WEPHONDO WOPHUHLISO LOLUNTU
UMHLA: 25 KWEYETHUPA 2021

DA SCHÄFER
UMPHATHISWA WEPHONDO WEZEMFUNDO
UMHLA: 25 KWEYETHUPA 2021

ISHEDYULI

(a) ISahluko 5 soMthetho waBantwana ngokubhekisele kumaziko onakekelo lwethutyana abonelela ngeenkonzo zophuhliso lwabantwana abancinci njengoko kuchaziwe kwicandelo 91(2) nakwiinkqubo zophuhliso lwabantwana abancinci njengoko kuchaziwe kwicandelo 91(3) loMthetho waBantwana, kangangokuba abonelela ngenkqubo okanye ngenkonzo enjalo.

(b) ISahluko 6 soMthetho waBantwana.

(c) ISahluko 20 nesama-21 zoMthetho waBantwana—

(i) ngokubhekiselele ekusetyenzisweni kwezo zahluko kwiSahluko 5 soMthetho waBantwana, ukuya kuma ngoko kuchazwe kumhlathi (a);

(ii) ngokubhekiselele ekusetyenzisweni kwezo zahluko kwiSahluko 6 soMthetho waBantwana.

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