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GOVERNMENT NOTICES

DEPARTMENT OF EDUCATION AND TRAINING

No. R. 2364

25 November 1988

AMENDMENT OF THE REGULATIONS REGARDING THE CONSTITUTION, DUTIES, POWERS, PRIVILEGES AND FUNCTIONS OF AND THE QUORUM FOR AND PROCEDURE AT MEETINGS OF THE COUNCIL FOR EDUCATION AND TRAINING, THE EXECUTIVE COMMITTEE AND OTHER COMMITTEES OF THE COUNCIL, AND THE PERIOD OF OFFICE OF THE CHAIRMAN, VICE-CHAIRMAN AND OTHER MEMBERS OF THE COUNCIL, MADE IN TERMS OF THE EDUCATION AND TRAINING ACT, 1979.

The Minister of Education and Development Aid has, under section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published under Government Notice R. 957, dated 1 May 1981.

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of "secretary" of the following definition:

"'secretary' shall mean the secretary placed at the disposal of the Council in terms of section 4 (4) of the Act."

3. Regulation 2 of the Regulations is hereby amended—

(a) by the substitution for paragraphs (b), (c), (d), (e) and (f) of subregulation (1) of the following paragraphs respectively:

"(b) two inspectors who shall be nominated from among members by the national body of such inspectors' association as the Minister may determine;

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN ONDERWYS EN OPLEIDING

No. R. 2364

25 November 1988

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE SAMESTELLING, PLIGTE, BEVOEGDHEDE, VOORREGTE EN WERKSAAMHEDE VAN EN DIE KWORUM VIR EN PROSEDURES OP VERGADE- RINGS VAN DIE RAAD VIR ONDERWYS EN OPLEI- DING, DIE UITVOERENDE KOMITEE EN ANDER KOMITEES VAN DIE RAAD, EN DIE AMPSTERMYN VAN DIE VOORSITTER, VISE-VOORSITTER EN ANDER LEDE VAN DIE RAAD, UITGEVAARDIG KRAGTENS DIE WET OP ONDERWYS EN OPLEI- DING, 1979

Die Minister van Onderwys en Ontwikkelingshulp het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitge- vaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regula- sies afgekondig by Goewermentskennisgewing R. 957 van 1 Mei 1981.

2. Regulasie 1 van die Regulasies word hierby gewysig deur die omskrywing van "sekretaris" deur die volgende omskrywing te vervang:

"'sekretaris' die sekretaris wat ingevolge artikel 4 (4) van die Wet tot die beskikking van die Raad gestel is."

3. Regulasie 2 van die Regulasies word hierby gewysig—

(a) deur paragrawe (b), (c), (d), (e) en (f) van subregula- sie (1) deur onderskeidelik die volgende paragrawe te vervang:

"(b) twee inspekteurs wat uit eie geledere benoem word deur die nasionale liggaam van die inspekteursvereniging wat die Minister be- paal;

- (c) not more than five teachers who shall be nominated from among their members by the provincial and national bodies of such associations of teachers referred to in section 30 of the Act as the Minister may determine;
 - (d) not more than six persons nominated from the staff in question by the councils of such universities and technikons as the Minister may determine;
 - (e) two persons nominated from the staff in question by the governing councils of such colleges of education as the Minister may determine;
 - (f) not more than five experts designated by the Minister from such institutions, organisations, associations, bodies, groups, professions or occupations as the Minister may determine.”;
 - (b) by the substitution for subregulation (2) of the following subregulation:

“(2) The Council shall, either by secret ballot or by a show of hands, elect a chairman and a vice-chairman from among its number.”.
4. The following regulation is hereby inserted after regulation 2 of the Regulations:

“NOMINATION OF OBSERVERS

- 2A. The Minister who administers education in a national state may nominate a person to act as an observer at the meetings of the Council.”.

5. Regulation 3 of the Regulations is hereby amended—

- (a) by the insertion in subregulation (1), after the word “continuously”, of the word “and”; and
- (b) by the deletion in subregulation (2) of the words “at the Minister’s request”.

6. Regulation 4 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (1) for the word “five” of the word “three”;
- (b) by the substitution for paragraphs (a) and (b) of subregulation (3) of the following paragraphs, respectively:

“(a) paragraphs (a), (b), (c), (d) and (e) of regulation 2 (1) may at any time be terminated by the Minister, after consultation with or at the request of the committee, provincial or national body, council or governing council which had nominated such member.”; and

(b) paragraph (f) of regulation 2 (1) may at any time be terminated by the Minister;

- (c) by the insertion after subregulation (4) of the following subregulation:

“(4A) If the member occupying the office of chairman or vice-chairman of the Council resigns from that office, or if his period of office as chairman or vice-chairman is terminated by the Minister, he may, subject to this regulation, continue to be a member of the Council.”.

7. Regulation 9 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (1) for the word “appoint” of the word “establish”;
- (b) by the substitution for subregulation (2) of the following subregulation:

“(2) A committee shall consist of not more than 22 members, of whom—

- (a) one member shall be the regional director concerned;

- (c) hoogstens vyf onderwysers wat uit eie gelede benoem word deur die provinsiale en nasionale liggame van die verenigings van onderwysers in artikel 30 van die Wet bedoel wat die Minister bepaal;
- (d) hoogstens ses persone benoem uit die betrokke personeel deur die rade van die universiteite en technikons wat die Minister bepaal;
- (e) twee persone benoem uit die betrokke personeel deur die beheerrade van die onderwyskolleges wat die Minister bepaal;
- (f) hoogstens vyf deskundiges deur die Minister aangewys uit die instellings, organisasies, verenigings, liggame, groepe, professies of beroepe wat die Minister bepaal.”; en
- (b) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Die Raad kies of by geheime stemming of die opsteek van hande ’n voorsitter en ’n vise-voorsitter uit eie gelede.”.

4. Die volgende regulasie word hierby na regulasie 2 van die Regulasies ingevoeg:

“BENOEMING VAN WAARNEMERS

- 2A. Die Minister wat onderwys in ’n nasionale staat administreer, kan ’n persoon benoem om as ’n waarnemer by die vergaderings van die Raad op te tree.”.

5. Regulasie 3 van die Regulasies word hierby gewysig—

- (a) deur in die Engelse teks van subregulasie (1) die woord “and” na die woord “continuously” in te voeg; en
- (b) deur in subregulasie (2) die woorde “op versoek van die Minister” te skrap.

6. Regulasie 4 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (1) die woord “vyf” deur die woord “drie” te vervang;
- (b) deur paragrafe (a) en (b) van subregulasie (3) deur onderskeidelik die volgende paragrafe te vervang:

“(a) paragrafe (a), (b), (c), (d) en (e) van regulasie 2 (1), te eniger tyd deur die Minister, na oorlegpleging met of op versoek van die komitee, provinsiale of nasionale liggaam, raad of beheerraad wat sodanige lid benoem het, beëindig word; en

(b) paragraaf (f) van regulasie 2 (1), te eniger tyd deur die Minister beëindig word.”;

- (c) deur die volgende subregulasie na subregulasie (4) in te voeg:

“(4A) Indien die lid wat die amp van voorsitter of vise-voorsitter van die Raad beklee, uit daardie amp bedank, of indien sy ampstermyn as voorsitter of vise-voorsitter deur die Minister beëindig word, kan hy, behoudens hierdie regulasie, voortgaan om ’n lid van die Raad te wees.”.

7. Regulasie 9 van die Regulasies word hierby gewysig—

- (a) deur in die Engelse teks van subregulasie (1) die woord “appoint” deur die woord “establish” te vervang;
- (b) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) ’n Komitee bestaan uit hoogstens 22 lede, van wie—

- (a) een lid die betrokke streekdirekteur is;

- (b) one member shall be nominated from among its members by the local body of the inspectors' association;
- (c) two members shall be nominated from among its members by the local body of the association of teachers referred to in section 30 of the Act;
- (d) one member shall be nominated from among their members by the provincial body of the association of teachers referred to in section 30 of the Act or, if the region falls within two provinces, by both such provincial bodies;
- (e) not more than three members shall be designated by the regional director from among experts in such institutions, organizations, associations, bodies, groups, professions or occupations as the Minister may determine; and
- (f) the other members shall be the chairmen of the committees of chairmen referred to in regulation 1 of the Regulations regarding Councils and Committees for Public Schools, 1982, promulgated under Government Notice R. 828, dated 30 April 1982, in the region where the committee functions.”;

(c) by the substitution for subregulation (3) of the following subregulation:

“(3) The committee shall, either by secret ballot or a show of hands, elect a chairman, a vice-chairman and a secretary from among its number.”; and

(d) by the deletion of subregulation (4).

8. Regulation 11 of the Regulations is hereby amended—

(a) in subregulation (1)—

(i) by the substitution for the word “five” of the word “three”; and

(ii) by the addition of the following proviso:

“: Provided further that the term of office of the members referred to in regulation 9 (2) (f) shall co-incide with their term of office as chairman of the committees concerned.”;

(b) by the insertion in subregulation (2), after the expression “(7)”, of the following expression:

“, excluding subregulation (4A).”;

(c) in subregulation (3)—

(i) by the substitution for paragraphs (a) and (b) of the following paragraphs, respectively:

“(a) paragraphs (b), (c) and (d) of regulation 9 (2) may at any time be terminated by the Minister, after consultation with or at the request of the local or provincial body or provincial bodies which had nominated such member;

(b) paragraph (e) of regulation 9 (2) may at any time be terminated by the Minister.”;

(ii) by the addition of the following paragraph:

“(c) paragraph (f) of regulation 9 (2) may at any time be terminated by the Minister, after consultation with or at the request of the committee concerned.”; and

(b) een lid uit eie geledere benoem word deur die plaaslike liggaam van die inspekteursvereniging;

(c) twee lede uit eie geledere benoem word deur die plaaslike liggaam van die vereniging van onderwysers in artikel 30 van die Wet bedoel;

(d) een lid uit eie geledere benoem word deur die provinsiale liggaam van die vereniging van onderwysers in artikel 30 van die Wet bedoel of, indien die streek binne twee provinsies val, deur beide sodanige provinsiale liggame;

(e) hoogstens drie lede deur die streekdirekteur aangewys word uit deskundiges in die instellings, organisasies, verenigings, liggame, groepe, professies of beroepe wat die Minister bepaal; en

(f) die ander lede die voorsitters is van die komitees van voorsitters bedoel in regulasie 1 van die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, afgekondig by Goewermentskennisgewing R. 828 van 30 April 1982, in die streek waar die komitee funksioneer.”;

(c) deur subregulasie (3) deur die volgende subregulasie te vervang:

“(3) Die komitee kies of by geheime stemming of deur die opsteek van hande ’n voorsitter, ’n vise-voorsitter en ’n sekretaris uit eie geledere.”; en

(d) deur subregulasie (4) te skrap.

8. Regulasie 11 van die Regulasies word hierby gewysig—

(a) in subregulasie (1)—

(i) deur die woord “vyf” deur die woord “drie” te vervang; en

(ii) deur die volgende voorbehoudsbepaling by te voeg:

“: Met dien verstande voorts dat die ampstermyn van die lede in regulasie 9 (2) (f) bedoel, saamval met hul ampstermyn as voorsitters van die betrokke komitees.”;

(b) deur in subregulasie (2) die volgende uitdrukking na die uitdrukking “(7)” in te voeg:

“, uitgesonderd subregulasie (4A).”;

(c) in subregulasie (3)—

(i) deur paragrawe (a) en (b) deur onderskeidelik die volgende paragrawe te vervang:

“(a) paragrawe (b), (c) en (d) van regulasie 9 (2) te eniger tyd deur die Minister, na oorlegpleging met of op versoek van die plaaslike of provinsiale liggaam, of provinsiale liggame, wat sodanige lid benoem het, beëindig word;

(b) paragraaf (e) van regulasie 9 (2) te eniger tyd deur die Minister beëindig word.”;

(ii) deur die volgende paragraaf by te voeg:

“(c) paragraaf (f) van regulasie 9 (2) te eniger tyd deur die Minister, na oorlegpleging met of op versoek van die betrokke komitee, beëindig word.”; en

(d) by the addition of the following subregulation:

“(4) If the member occupying the office of chairman, vice-chairman or secretary of a committee resigns from that office, or if, in the case of the chairman of a committee, his term of office as a member of the Council in terms of regulation 2 (1) (a) is terminated by the Minister in terms of regulation 4 (3), he shall vacate his office as chairman, vice-chairman or secretary of the committee, but may, subject to subregulations (2) and (3), continue to be a member of the committee.”

9. Regulation 15 of the Regulations is hereby amended by the substitution in the heading thereto for the word “Board” of the word “Council”.

No. R. 2365

25 November 1988

EDUCATION AND TRAINING ACT, 1979
(ACT 90 OF 1979)

AMENDMENT OF THE REGULATIONS REGARDING
COUNCILS AND COMMITTEES FOR PUBLIC
SCHOOLS, 1982

The Minister of Education and Development Aid has, under section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

1. In this Schedule the principal Regulations means the regulations published by Government Notice R. 828, dated 30 April 1982, as amended by Government Notice R. 672, dated 31 March 1983.

2. Regulation 1 of the principal Regulations is hereby amended—

(a) by the insertion before the definition of “circuit inspector” of the following definition:

“ ‘committee of chairmen’ shall mean a committee of chairmen of governing councils and management councils contemplated in regulation 53;”;

(b) by the substitution for the definition of “governing council” of the following definition:

“ ‘governing council’ shall mean, for the purposes of—

(a) Part I of these regulations, a governing council established for a public school and constituted in terms of regulation 2;

(b) Part III of these regulations, a governing council established for a public school and constituted in terms of regulation 3 of the Governing Council Regulations for Primary and Secondary Schools, 1988, published by Government Notice R. 2366, dated 25 November 1988;”;

(c) by the insertion after the definition of “inspector” of the following definition:

“ ‘management council’ shall mean a management council established for a public school and constituted in terms of regulation 13;”;

(d) by the deletion of the definition of “parent”; and

(e) by the deletion of the definition of “school committee”.

3. The following regulation is hereby substituted for regulation 13 of the principal Regulations:

“Constitution

13. (1) A management council shall consist of nine parents who shall, subject to the provisions of regulation 48 (6), be elected at a meeting of

(d) deur die volgende subregulasie by te voeg:

“(4) Indien die lid wat die amp van voorsitter, vise-voorsitter of sekretaris van ’n komitee beklee uit daardie amp bedank, of indien, in die geval van die voorsitter van ’n komitee, sy ampstermyn as lid van die Raad ingevolge regulasie 2 (1) (a) deur die Minister beëindig word kragtens regulasie 4 (3), ontruim hy sy amp as voorsitter, vise-voorsitter of sekretaris van die komitee, maar kan hy, behoudens subregulasies (2) en (3), voortgaan om ’n lid van die komitee te wees.”

9. Regulasie 15 van die Regulasies word hierby gewysig deur in de Engelse teks van die opskrif daarby die woord “Board” deur die woord “Council” te vervang.

No. R. 2365

25 November 1988

WET OP ONDERWYS EN OPLEIDING 1979
(WET 90 VAN 1979)

WYSIGING VAN DIE REGULASIES BETREFFENDE
RADE EN KOMITEES VIR OPENBARE SKOLE, 1982

Die Minister van Onderwys en Ontwikkelingshulp het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae beteken die Hoofregulasies die regulasies afgekondig by Goewermentskennisgewing R. 828 van 30 April 1982, soos gewysig by Goewermentskennisgewing R. 672 van 31 Maart 1983.

2. Regulasie 1 van die Hoofregulasies word hierby gewysig—

(a) deur die omskrywing van “beheerraad” deur die volgende omskrywing te vervang:

“ ‘beheerraad’, by die toepassing van—

(a) Deel I van hierdie regulasies, ’n beheerraad vir ’n openbare skool ingestel en ingevolge regulasie 2 saamgestel;

(b) Deel III van hierdie regulasies, ’n beheerraad vir ’n openbare skool ingestel en ingevolge regulasie 3 van die Beheerraadregulasies vir Primêre en Sekondêre Skole, 1988, afgekondig by Goewermentskennisgewing R. 2366 van 25 November 1988, saamgestel;”;

(b) deur die volgende omskrywing na die omskrywing van “beheerraad” in te voeg:

“ ‘bestuursraad’ ’n bestuursraad vir ’n openbare skool ingestel en ingevolge regulasie 13 saamgestel;

(c) deur die volgende omskrywing na die omskrywing van “inspekteur” in te voeg:

“ ‘komitee van voorsitters’ ’n komitee van voorsitters van beheerrade en bestuursrade in regulasie 53 bedoel;”;

(d) deur die omskrywing van “ouer” te skrap; en

(e) deur die omskrywing van “skoolkomitee” te skrap.

3. Regulasie 13 van die Hoofregulasies word hierby deur die volgende regulasie vervang:

“Samestelling

13. (1) ’n Bestuursraad bestaan uit nege ouers wat, behoudens die bepalings van regulasie 48 (6), op ’n vergadering van kiesers verkies word:

voters: Provided that the management council may, if authorised thereto in terms of regulation 34A, at any time co-opt not more than two additional members, which members need not be parents and who shall, subject to subregulation (2), have the same powers, be charged with the same duties, and perform the same functions as the elected members.

- (2) The nine elected members contemplated in subregulation (1) shall, from among their number, elect a chairman and a vice-chairman."

4. The following regulation is hereby substituted for regulation 14 of the principal Regulations:

"Secretary of management council"

14. (1) The management council shall, from among their number, elect a secretary of the management council, and if the secretary is absent from any meeting of the management council, the management council shall designate one of its members to act as secretary of the management council at such meeting.
- (2) The principal, or, when the post is vacant, the acting principal, shall *ex officio* be the assistant secretary of the management council, and he shall assist the secretary in the drawing up of agendas and the writing of minutes.
- (3) The assistant secretary of a management council may take part in the discussions at meetings of the management council and make recommendations to the council, but shall not have the right to vote at such meetings."

5. The following regulation is hereby substituted for regulation 17 of the principal Regulations:

"Term of office of members of a management council"

17. (1) Subject to the provisions of these Regulations, a member of a management council shall hold office—
- (a) in the case of a member elected on or after 1 January 1992, but not later than 30 March 1992, as from the date of his election up to and including 31 March 1995;
- (b) in the case of a member elected on or after 31 March 1992, for a cycle of three years, the first cycle commencing on 1 April 1992 and expiring on 31 March 1995, and subsequent cycles commencing on 1 April of the first year and expiring on 31 March of the third year, as the case may be;
- (c) in the case of a member co-opted under regulation 13 (1), for the same period as the period of office of the members who co-opted him: Provided that his period of office shall commence on the date of his co-option,

unless he resigns by submitting his resignation in writing to the secretary of the management council or vacates his office for any other reason before the expiry of his term of office.

- (2) Where a management council is constituted after the commencement date of any cycle contemplated in subregulation (1) (b), the term of office of the members shall commence on the date of their election or co-option, as the case may be.

Met dien verstande dat die bestuursraad, indien daartoe gemagtig ingevolge regulasie 34A, te eniger tyd hoogstens twee bykomende lede kan koöpteer, welke lede nie ouers hoef te wees nie en wat, behoudens subregulasie (2), oor dieselfde bevoegdhede beskik, met dieselfde pligte belas is en dieselfde werksaamhede verrig as die verkose lede.

- (2) Die nege verkose lede in subregulasie (1) bedoel, kies uit eie geledere 'n voorsitter en 'n vise-voorsitter."

4. Regulasie 14 van die Hoofregulasies word hierby deur die volgende regulasie vervang:

"Sekretaris van bestuursraad"

14. (1) Die bestuursraad kies uit eie geledere 'n sekretaris van die bestuursraad, en indien die sekretaris van 'n vergadering van die bestuursraad afwesig is, wys die bestuursraad een van sy lede aan om op sodanige vergadering as sekretaris van die bestuursraad op te tree.
- (2) Die prinsipaal of, wanneer die pos vakant is, die waarnemende prinsipaal is *ex officio* die assistent-sekretaris van die bestuursraad, en hy help die sekretaris met die opstel van agendas en die skryf van notules.
- (3) Die assistent-sekretaris van 'n bestuursraad kan aan die besprekings op vergaderings van die bestuursraad deelneem en aanbevelings aan die bestuursraad doen, maar het nie die reg om op sulke vergaderings te stem nie."

5. Regulasie 17 van die Hoofregulasies word hierby deur die volgende regulasie vervang:

"Ampstermyn van lede van bestuursraad"

17. (1) Behoudens die bepalings van hierdie regulasies is die ampstermyn van 'n lid van 'n bestuursraad—
- (a) in die geval van 'n lid wat op of na 1 Januarie 1992 maar nie later nie as 30 Maart 1992 verkies word, vanaf die datum van sy verkiesing tot en met 31 Maart 1995;
- (b) in die geval van 'n lid wat op of na 31 Maart 1992 verkies word, 'n siklus van drie jaar, waarvan die eerste siklus op 1 April 1992 'n aanvang neem en op 31 Maart 1995 verstryk, met daaropvolgende siklusse wat op 1 April van die eerste jaar 'n aanvang neem en op 31 Maart van die derde jaar verstryk, na gelang van die geval;
- (c) in die geval van 'n lid wat ingevolge regulasie 13 (1) gekoöpteer word, dieselfde tydperk as die ampstermyn van die lede wat hom gekoöpteer het: Met dien verstande dat sy ampstermyn 'n aanvang neem op die datum van sy koöptering,

tensy hy voor die verstryking van sy ampstermyn bedank deur sy bedanking skriftelik by die sekretaris van die bestuursraad in te dien of sy amp om 'n ander rede ontruim.

- (2) Waar 'n bestuursraad saamgestel word ná die aanvangsdatum van 'n siklus in subregulasie (1) (b) bedoel, neem die ampstermyn van die lede 'n aanvang op die datum van hul verkiesing of koöptering, na gelang van die geval.

- (3) Where a management council is constituted during the third year of a cycle contemplated in subregulation (1) (b), the term of office of the members shall not expire at the end of that year but shall continue until the end of the following cycle of three years.
- (4) When a management council is required to be reconstituted as a result of the expiry of the term of office of the members, the meeting of voters for the election of members of the management council shall take place before the term of office, or the extended term of office as contemplated in subregulation (5) or (6), expires, and in such case the term of office of the newly elected members shall commence on the day following the day on which the term of office of the existing members expires.
- (5) If, as a result of unrest or any other circumstances beyond the control of the electoral officer, it is not possible to convene a meeting of voters for the election of members of a management council before the expiration of the term of office of the existing members of the management council, the existing members shall, notwithstanding the provisions of subregulation (1), remain in office for a further period of 12 months.
- (6) Notwithstanding the provisions of subregulations (1) and (5), the regional director concerned may, at his discretion, extend the term of office of the members of any management council: Provided that an extension of a term for longer than 12 months shall not occur without the prior approval of the Director-General.
- (7) If, as a result of the operation of subregulation (5) or (6), the members of a management council exceed their normal term of office as contemplated in subregulation (1), the members of the succeeding management council shall only be elected for the remainder of the term of office that they would normally have served."

6. The following transitional provisions shall apply for the period 1 January 1988 to 31 March 1992:

- (a) Subject to the provisions of paragraphs (b) and (c), a school committee constituted in terms of the principal Regulations before the commencement of these regulations shall be deemed to be a management council constituted in terms of the principal Regulations, as amended by these regulations, and anything done before that commencement in terms of any provision of the principal Regulations in respect of a school committee or the constitution of a school committee shall be deemed to have been done in terms of the corresponding provision of the principal Regulations, as amended by these regulations.
- (b) Notwithstanding the provisions of paragraph (a), the regional director concerned may, with at least one month's written notice to the members, dissolve a management council contemplated in that subregulation and constituted before 1 January 1988, and thereupon a new management council shall be constituted in terms of the principal Regulations, as amended by these regulations.

- (3) Waar 'n bestuursraad saamgestel word gedurende die derde jaar van 'n siklus in subregulasie (1) (b) bedoel, verstryk die ampstermyn van die lede nie aan die einde van daardie jaar nie maar duur dit voort tot die einde van die daaropvolgende siklus van drie jaar.
- (4) Wanneer 'n bestuursraad hersaamgestel moet word as gevolg van die verstryking van die ampstermyn van die lede, moet die vergadering van kiesers vir die verkiesing van lede van die bestuursraad plaasvind voordat die ampstermyn, of die verlengde ampstermyn soos in subregulasie (5) of (6) bedoel, verstryk, en in so 'n geval neem die ampstermyn van die nuut verkose lede 'n aanvang op die dag wat volg op die dag waarop die ampstermyn van die bestaande lede verstryk.
- (5) Indien dit as gevolg van onrus of enige ander omstandighede buite die beheer van die kiesbeampte nie moontlik is om 'n vergadering van kiesers vir die verkiesing van lede van 'n bestuursraad voor die verstryking van die ampstermyn van die bestaande lede van die bestuursraad byeen te roep nie, bly die bestaande lede, ondanks die bepalings van subregulasie (1), in hul amp aan vir 'n verdere tydperk van hoogstens 12 maande.
- (6) Ondanks die bepalings van subregulasies (1) en (5) kan die betrokke streekdirekteur die ampstermyn van die lede van 'n bestuursraad na goeë dunks verleng: Met dien verstande dat 'n verlenging vir 'n tydperk van langer as 12 maande nie sonder die voorafgaande goedkeuring van die Direkteur-generaal mag geskied nie.
- (7) Indien die lede van 'n bestuursraad hul normale ampstermyn soos vermeld in subregulasie (1) as gevolg van die werking van subregulasie (5) of (6) oorskry, word die lede van die opvolgende bestuursraad verkies slegs vir die oorblywende gedeelte van die ampstermyn wat hulle normaalweg sou bekleë het."

6. Die volgende oorgangsbepalings geld vir die tydperk 1 Januarie 1988 tot 31 Maart 1992:

- (a) Behoudens die bepalings van paragraaf (b) en (c) word 'n skoolkomitee wat voor die inwerkingtreding van hierdie regulasies ingevolge die Hoofregulasies saamgestel is, geag 'n bestuursraad te wees wat ingevolge die Hoofregulasies, soos gewysig by hierdie regulasies, saamgestel is, en enigiets wat voor daardie inwerkingtreding ingevolge 'n bepaling van die Hoofregulasies met betrekking tot 'n skoolkomitee of die samestelling van 'n skoolkomitee gedoen is, word geag ingevolge die ooreenstemmende bepaling van die Hoofregulasies, soos gewysig by hierdie regulasies, gedoen te wees.
- (b) Ondanks die bepalings van paragraaf (a) kan die betrokke streekdirekteur 'n bestuursraad in daardie subregulasie bedoel en voor 1 Januarie 1988 saamgestel, met minstens een maand skriftelike kennisgewing aan die lede ontbind, en daarop word 'n nuwe bestuursraad ingevolge die Hoofregulasies, soos gewysig by hierdie regulasies, saamgestel.

(a) deur in subregulatie (1) die woord "oververga-
ding" deur de woorde "vergaeding van kiesers" te
vervang; en
(b) deur in subregulatie (2) die uitdrukking "14" deur
die uitdrukking "sewe" te vervang.
10. Regulatie 25 van die Hoofregulasies word hierby
deur die volgende regulatie vervang:

"Minimum getal kiesers nodig vir verkiesing
25. Die minimum getal kiesers vir die hou van 'n verga-
dering van kiesers is 10 persent van die totale getal
kiesers of 50 kiesers, watter getal ook al die kleinste
is."

11. Regulatie 26 van die Hoofregulasies word hierby
deur die volgende regulatie vervang:

„Arstel van vergadering van kiesers

18. **“Voters at the election of a management council**

(a) by the substitution in subregulation (1) for the words „meeting of parents” of the words „meeting of voters”; and
(b) by the substitution in subregulation (2) for the expression „14” of the expression „seven”.

10. The following regulation is hereby substituted for regulation 25 of the principal Regulations:

“Cancellation of meeting of voters

26. (1) If, after the expiration of at least 60 minutes after the time stated for a meeting of voters, there are fewer voters present at the meeting, than the minimum number of voters required, the electoral officer shall cancel that meeting, and convene a second meeting in accordance with regulation 24.

(2) If, after the expiration of at least 60 minutes after the time stated for a second meeting of

are fewer voters present at that meeting than the minimum number of voters required, the electoral officer shall cancel that meeting, and it shall be deemed that it was not possible to convene a meeting of voters, as contemplated in regulation 17 (4), as a result of circumstances beyond the control of the electoral officer.

- (3) During the last month of the further period contemplated in regulation 17 (4), the electoral officer shall convene a meeting of voters in accordance with regulation 24, and if, after the expiration of at least 60 minutes after the time stated for that meeting, there are fewer voters present at that meeting than the minimum number of voters required, the electoral officer shall cancel that meeting, and it shall be deemed that the parents have failed or neglected to avail themselves of the opportunity to elect management committee members as contemplated by regulation 16.

12. Regulation 27 of the Principal Regulations is hereby amended—

- (a) by the insertion, after the word “meeting”, of the words “of voters”; and
(b) by the addition of the following subregulation, the existing regulation becoming subregulation (1):

“(2) The electoral officer may, at the request of the person nominating or seconding a candidate or of the candidate himself, introduce the candidate to the meeting by stating his name, address, occupation and place of work.”

13. Regulation 28 of the Principal Regulations is hereby amended by the deletion of the expression “a list of all the parents,”.

14. Regulation 29 of the Principal Regulations is hereby amended by the addition of the following subregulation, the existing regulation becoming subregulation (1):

“(2) The electoral officer shall not allow any person to attend the meeting of voters, other than a person who qualifies as a voter, the principal or staff member contemplated in regulation 28 or such officer or teacher as the electoral officer may designate to assist him.

15. Regulation 30 of the Principal Regulation is hereby amended—

- (a) by the substitution for paragraph (a) of the following paragraph:

“(a) That it is a closed meeting and that no persons, other than the persons referred to in regulation 29 (2), may be present;” and

- (b) by the deletion in paragraph (i) of the expression “subject to the provisions of regulation 20,”.

16. Regulation 31 of the Principal Regulations is hereby amended by the substitution of subregulation (8) for the expression “regulation 32” of the expression “regulation 32 and 32A.”.

17. Regulation 32 of the Principal Regulations is hereby amended by the substitution in subregulation (1) for the word “seven”, wherever it appears, of the word “nine”.

18. The following regulation is hereby inserted after regulation 32 of the Principal Regulations:

“Alternative method of voting

- 32A. (1) Notwithstanding the provisions of regulation 32, the method of voting set out in this regulation may be made applicable by the electoral officer if he is of the opinion that it would, in the circumstances, be more convenient for the voters.
(2) The electoral officer shall issue to each voter nine informal ballot papers bearing the official stamp of the office of the circuit inspector.

- (3) Gedurende die laaste maand van die verdere tydperk in regulasie 17 (4) beoog, roep die kiesbeampte ’n vergadering van kiesers ooreenkomstig regulasie 24 byeen, en indien daar na verloop van minstens 60 minute na die tyd vermeld vir daardie vergadering minder kiesers by daardie vergadering teenwoordig is as die minimum getal kiesers benodig, stel die kiesbeampte daardie vergadering af en word daar geag dat die ouers versuim om in gebreke gebly het om gebruik te maak van die geleentheid om bestuursraadlede te verkies soos in regulasie 16 beoog.”.

12. Regulasie 27 van die Hoofregulasies word hierby gewysig—

- (a) deur die woord “ouervergadering” deur die woorde “vergadering van kiesers” te vervang; en
(b) deur die volgende subregulasie by te voeg, terwyl die bestaande regulasie subregulasie (1) word:

“(2) Die kiesbeampte kan, op versoek van die persoon wat ’n kandidaat nomineer of sekondeer of die kandidaat self, die kandidaat aan die vergadering voorstel deur sy naam, adres, beroep en werkplek te vermeld.”.

13. Regulasie 28 van die Hoofregulasies word hierby gewysig deur die uitdrukking “’n lys van al die ouers,” te skrap.

14. Regulasie 29 van die Hoofregulasies word hierby gewysig deur die volgende subregulasie by te voeg, terwyl die bestaande regulasie subregulasie (1) word:

“(2) Die kiesbeampte laat geen persoon, behalwe ’n persoon wat as ’n kieser kwalifiseer, die prinsipaal of die personeellid in regulasie 28 bedoel of die beampte of onderwyser wat die kiesbeampte kan aanwys om hom by te staan, toe om die vergadering van kiesers by te woon nie.”.

15. Regulasie 30 van die Hoofregulasies word hierby gewysig—

- (a) deur paragraaf (a) deur die volgende paragraaf te vervang:

“(a) Dat dit ’n geslote vergadering is en dat geen persone behalwe die persone in regulasie 29 (2) bedoel, teenwoordig mag wees nie;” en

- (b) deur in paragraaf (i) die uitdrukking “behoudens die bepalings van regulasie 20” te skrap.

16. Regulasie 31 van die Hoofregulasies word hierby gewysig deur in subregulasie (8) die uitdrukking “regulasie 32” deur die uitdrukking “regulasie 32 of 32A” te vervang.

17. Regulasie 32 van die Hoofregulasies word hierby gewysig deur in subregulasie (1) die woord “sewe”, waar dit ook al voorkom, deur die woord “nege” te vervang.

18. Die volgende regulasie word hierby na regulasie 32 van die Hoofregulasies ingevoeg:

“Alternatiewe metode van stemming

- 32A. (1) Ondanks die bepalings van regulasie 32 kan die metode van stemming in hierdie regulasie uiteengesit deur die kiesbeampte van toepassing gemaak word indien hy van oordeel is dat dit in die omstandighede geriefliker vir die kiesers sal wees.
(2) Die kiesbeampte reik aan elke kieser nege informele stembriefies uit met die amptelike stempel van die kantoor van die kringinspekteur daarop.

- (3) The electoral officer shall, in respect of each candidate, mark a separate ballot box by affixing the names of the candidates on the respective ballot boxes, which ballot boxes shall be placed in an area to which only the electoral officer and one voter at a time shall be admitted and which shall be screened from the view of all other persons.
- (4) Without writing anything on the ballot paper, a voter shall cast his vote by dropping each of the nine ballot papers into the ballot boxes marked with the names of the candidates for whom he wishes to vote.
- (5) The electoral officer shall supervise the casting of votes by ensuring that only a ballot paper bearing the stamp referred to in subregulation (2), and one ballot paper only, shall be dropped into a ballot box by each voter.
- (6) The electoral officer shall reject any ballot paper not bearing the stamp referred to in subregulation (2)."

19. Regulation 33 of the principal Regulations is hereby amended—

- (a) by the substitution for subregulation (1) of the following subregulation:

"(1) The nine candidates for whom the most votes were cast shall be the elected members of the management council."

- (b) by the substitution in subregulation (2) for the expression "regulation 32" of the expression "regulation 32 or 32A, as the case may be".

20. The following regulation is hereby inserted after regulation 34 of the principal Regulations:

"Authority to co-opt additional members"

- 34A. The meeting of voters may, by a show of hands, decide to authorise the elected members of the management council to co-opt not more than two additional members in terms of regulation 13 (1)."

21. The following regulation is hereby substituted for regulation 36 of the principal Regulations:

"Election of chairman and vice-chairman"

36. (1) If all nine of the elected members are present at the meeting of voters, the newly-elected management council shall, immediately after that meeting, under the chairmanship of the electoral officer, meet to elect a chairman and vice-chairman in terms of regulation 13 (2): Provided that if not all the elected members are present, the chairman and vice-chairman shall be elected at the first meeting of the management council.
- (2) If a chairman and vice-chairman are to be elected at the first meeting of a management council, the electoral officer shall act as chairman for the duration of that election."

22. Regulation 38 of the principal Regulations is hereby amended—

- (a) by the substitution, in paragraph (a) of subregulation (1), for the words preceding subparagraph (i) of the following words:

"(a) if he is of the opinion that the alleged irregularity, error or non-compliance did in fact occur and did materially affect the result of the election—";

- (b) by the substitution in subparagraph (ii) of the said paragraph (a) for the word "parents" of the word "voters"; and

- (3) Die kiesbeampte merk ten opsigte van elke kandidaat 'n afsonderlike stembus deur die name van die kandidate op die onderskeie stembusse aan te bring, welke stembusse geplaas word in 'n gebied waartoe slegs die kiesbeampte en een kieser op 'n slag toegelaat word en wat van die sig van alle ander persone afgeskerm word.

- (4) Sonder om enigiets op die stembrief te skryf, bring 'n kieser sy stem uit deur elk van die nege stembriewe in die stembusse te plaas wat gemerk is met die name van die kandidate vir wie hy wil stem.

- (5) Die kiesbeampte hou toesig oor die uitbring van stemme deur te verseker dat slegs 'n stembrief waarop die stempel vermeld in subregulasie (2) verskyn, en net een stembrief, deur elke kieser in 'n stembus geplaas word.

- (6) Die kiesbeampte verwerp enige stembrief waarop die stempel vermeld in subregulasie (2) nie verskyn nie."

19. Regulasie 33 van die Hoofregulasies word hierby gewysig—

- (a) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die nege kandidate op wie die meeste stemme uitgebring is, is die verkose lede van die bestuursraad."

- (b) deur in subregulasie (2) die uitdrukking "regulasie 32" deur die uitdrukking "regulasie 32 of 32A, na gelang van die geval," te vervang.

20. Die volgende regulasie word hierby na regulasie 34 van die Hoofregulasies ingevoeg:

"Magtiging om bykomende lede te koöpteer"

- 34A. Die vergadering van kiesers kan deur die opsteek van hande besluit om die verkose lede van die bestuursraad te magtig om hoogstens twee bykomende lede ingevolge regulasie 13 (1) te koöpteer."

21. Regulasie 36 van die Hoofregulasies word hierby deur die volgende regulasie vervang:

"Verkiesing van voorsitter en vise-voorsitter"

36. (1) Indien al nege verkose lede op die vergadering van kiesers teenwoordig is, moet die pas verkose bestuursraad onmiddellik na afloop van daardie vergadering onder voorsitterskap van die kiesbeampte vergader om 'n voorsitter en 'n vise-voorsitter ingevolge regulasie 13 (2) te kies: Met dien verstande dat indien die verkose lede nie almal teenwoordig is nie, die voorsitter en die vise-voorsitter op die eerste vergadering van die bestuursraad verkies moet word.

- (2) Indien 'n voorsitter en 'n vise-voorsitter op die eerste vergadering van 'n bestuursraad verkies moet word, tree die kiesbeampte vir die duur van daardie verkiesing as voorsitter op."

22. Regulasie 38 van die Hoofregulasies word hierby gewysig—

- (a) deur in paragraaf (a) van subregulasie (1) die woorde wat subparagraaf (i) voorafgaan, deur die volgende woorde te vervang:

"(a) indien hy van oordeel is dat die beweerde onreëlmatigheid, fout of nie-nakoming inderdaad plaasgevind het en dié uitslag van die verkiesing wesenlik beïnvloed het—";

- (b) deur in subparagraaf (ii) van genoemde paragraaf (a) die woord "ouervergadering" deur die woorde "vergadering van kiesers" te vervang; en

- (c) by the substitution for paragraph (b) of subregulation (1) of the following paragraph:

“(b) If he is of the opinion that the alleged irregularity, error or non-compliance did in fact occur but did not materially affect the result of the election, condone such irregularity or error or non-compliance, either unconditionally or subject to compliance with any conditions he may stipulate in regard to the performance of any act omitted or relating to the irregularity which occurred, and such proceedings shall thereupon be deemed to have been carried out lawfully in accordance with the provisions of these regulations.”

23. Regulation 39 of the principal Regulations is hereby amended—

- (a) by the substitution for subregulation (1) of the following subregulation:

“(1) The executive committee of a management council shall consist of the chairman, the vice-chairman, the secretary, one other member designated by the management council for that purpose and the assistant secretary.”; and

- (b) by the insertion of the following subregulation after subregulation (1):

“(1A) The assistant secretary may take part in the discussions at meetings of the executive committee and may make recommendations to the executive committee, but shall not have the right to vote at such meetings.”

24. Regulation 41 of the principal Regulations is hereby amended by the substitution for paragraph (a) of subregulation (1) of the following paragraph:

- “(a) elect a chairman, vice-chairman and secretary if a chairman and vice-chairman have not already been elected in accordance with regulation 36 (1).”

25. Regulation 43 of the principal Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

- “(1) The minutes of every meeting of a management council shall be recorded, in such language as the management council may determine, by the secretary of the management council and kept in a book or file which shall be used for that purpose exclusively and which shall be retained in safe-keeping at the school by that secretary.”

26. Regulation 45 of the principal Regulations is hereby amended by the substitution in subregulation (2) for the expression “casting vote, also have a deliberative” of the expression “deliberative vote, also have a casting”.

27. Regulation 47 of the principal Regulations is hereby amended by the deletion in subregulation (2) of the words “and that the minutes during such period be kept by a person designated by the school committee”.

28. Regulation 48 of the principal Regulation is hereby amended—

- (a) by the deletion of paragraph (d) of subregulation (1);
(b) by the substitution for subregulation (2) of the following subregulation:

“(2) If the office of chairman, vice-chairman or secretary becomes vacant, the members of the management council shall elect a person from among their number to hold the office in question.”;

- (c) deur paragraaf (b) van subregulasie (1) deur die volgende paragraaf te vervang:

“(b) indien hy van oordeel is dat die beweerde onreëlmatigheid, fout of nie-nakoming inderdaad plaasgevind het maar nie die uitslag van die verkiesing wesenlik beïnvloed het nie, sodanige onreëlmatigheid, fout of nie-nakoming kan kondoneer, hetsy voorwaardelik of behoudens die nakoming van enige voorwaardes wat hy bepaal in verband met die verrigting van enige handeling wat nie verrig is nie of wat in verband staan met die onreëlmatigheid wat geskied het, en daarna word sodanige verrigtinge geag wettig ooreenkomstig die bepalings van hierdie regulasies uitgevoer te wees.”

23. Regulاسie 39 van die Hoofregulasies word hierby gewysig—

- (a) deur subregulasie (1) deur die volgende subregulasie te vervang:

“(1) Die dagbestuur van 'n bestuursraad bestaan uit die voorsitter, die vise-voorsitter, die sekretaris, een ander lid wat die bestuursraad vir dié doel aanwys en die assistent-sekretaris.”; en

- (b) deur die volgende subregulasie na subregulasie (1) in te voeg:

“(1A) Die assistent-sekretaris kan aan die besprekings op vergaderings van die dagbestuur deelneem en aanbevelings aan die dagbestuur doen, maar het nie die reg om op sulke vergaderings te stem nie.”

24. Regulاسie 41 van die Hoofregulasies word hierby gewysig deur paragraaf (a) van subregulasie (1) deur die volgende paragraaf te vervang:

- “(a) 'n voorsitter, 'n vise-voorsitter en 'n sekretaris verkies, indien 'n voorsitter en 'n vise-voorsitter nie reeds ooreenkomstig regulاسie 36 (1) verkies is nie.”

25. Regulاسie 43 van die Hoofregulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

- “(1) Die notule van elke vergadering van 'n bestuursraad word deur die sekretaris van die bestuursraad genoteuleer in die taal wat die bestuursraad bepaal en gehou in 'n boek of lêer wat uitsluitlik vir dié doel gebruik word en wat deur daardie sekretaris in veilige bewaring in die skool gehou word.”

26. Regulاسie 45 van die Hoofregulasies word hierby gewysig deur in die Engelse teks van subregulasie (2) die uitdrukking “casting vote, also have a deliberative” deur die uitdrukking “deliberative vote, also have a casting” te vervang.

27. Regulاسie 47 van die Hoofregulasies word hierby gewysig deur in subregulasie (2) die woorde “en dat die notule vir dié tyd gehou word deur 'n lid wat die skoolkomitee aanwys” te skrap.

28. Regulاسie 48 van die Hoofregulasies word hierby gewysig—

- (a) deur paragraaf (d) van subregulasie (1) te skrap;
(b) deur subregulasie (2) deur die volgende subregulasie te vervang:

“(2) Indien die amp van voorsitter, vise-voorsitter of sekretaris vakant raak, kies die lede van die bestuursraad 'n persoon uit eie geledere om die betrokke amp te vul.”;

(c) by the substitution in subregulation (5) for the words "a post" of the words "the office";

(d) by the insertion in subregulation (6), after the word "If", of the following words:

"a member whose office became vacant was an elected member and";

(e) by the insertion of the following subregulation after subregulation (6):

"(6A) If a member whose office has become vacant was a co-opted member, the management council may co-opt any other person to fill such vacancy for the remaining portion of the term of office of the member whose office has become vacant.";

(f) by the substitution for subregulation (7) of the following subregulation:

"(7) The secretary of any management council shall, immediately after any vacancy has been filled in terms of subregulation (2), (6) or (6A), inform the circuit inspector concerned of the name of the member whose office became vacant, the reasons for the vacancy and the name and address of the member elected or co-opted to fill such vacancy."; and

(g) by the substitution for paragraph (a) of subregulation (8) of the following paragraph:

"(a) furnish the member elected or co-opted in terms of subregulation (6) or (6A) with a written confirmation of his election or co-option and term of office.";

29. Regulation 49 of the principal Regulations is hereby amended—

(a) by the addition to paragraph (b) of subregulation (1) of the following words:

"and to advise the principal on the drafting of a school policy, including specific standards the management council wishes to set";

(b) by the insertion after paragraph (d) of subregulation (1) of the following paragraphs:

"(dA) receive applications for the use of school buildings and to forward such applications, together with its recommendations, to the circuit inspector for the decision of the regional director;

(dB) advise the principal on extra-mural activities and to participate in organising them.";

(c) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:

"(e) make recommendations to the Director-General regarding the appointment, promotion and discharge of staff of the school, excluding staff in respect of whom the principal has informed the chairman of the management council that they were appointed in a temporary capacity.";

(d) by the insertion after paragraph (k) of subregulation (1) of the following paragraphs:

"(kA) advise the principal on the hours of attendance at the school, including opening and closing times and the duration of breaks and study periods, subject to section 36 of the Act;

(kB) advise the principal on the application of the policy regarding the admission of pupils above or under the age limits and the maximum enrolment at the school.";

(c) deur in subregulasie (5) die woorde " 'n pos" deur die woorde "die amp" te vervang;

(d) deur in subregulasie (6) na die woord "Indien" die volgende woorde in te voeg:

" 'n lid wie se amp vakant geraak het 'n verkose lid was en";

(e) deur die volgende subregulasie na subregulasie (6) in te voeg:

"(6A) Indien 'n lid wie se amp vakant geraak het 'n gekoopteerde lid was, kan die bestuursraad 'n ander persoon koopteer om sodanige vakature vir die oorblywende gedeelte van die ampstermyn van die lid wie se amp vakant geraak het, aan te vul.";

(f) deur subregulasie (7) deur die volgende subregulasie te vervang:

"(7) Die sekretaris van 'n bestuursraad moet onmiddellik nadat 'n vakature ingevolge subregulasie (2), (6) of (6A) aangevul is, die betrokke kringinspekteur in kennis stel van die naam van die lid wie se amp vakant geraak het, die redes vir die vakature en die naam en adres van die lid wat verkies of gekoopteer is om sodanige vakature aan te vul."; en

(g) deur paragraaf (a) van subregulasie (8) deur die volgende paragraaf te vervang:

"(a) aan die lid wat ingevolge subregulasie (6) of (6A) verkies of gekoopteer is, 'n skriftelike bevestiging van sy verkiesing of kooptering en ampstermyn verstrek.";

29. Regulasie 49 van die Hoofregulasies word hierby gewysig—

(a) deur die volgende woorde by paragraaf (b) van subregulasie (1) te voeg:

"en om die prinsipaal te adviseer oor die opstel van 'n skoolbeleid, met inbegrip van spesifieke standarde wat die bestuursraad wil stel";

(b) deur die volgende paragrawe na paragraaf (d) van subregulasie (1) in te voeg:

"(dA) om aansoeke vir die gebruik van skoolgeboue te ontvang en dit saam met sy aanbevelings aan die kringinspekteur deur te stuur vir die streekdirekteur se besluit;

(dB) om die prinsipaal te adviseer oor buitemuurse bedrywighede en deel te neem aan die organisering daarvan";

(c) deur paragraaf (e) van subregulasie (1) deur die volgende paragraaf te vervang:

"(e) om aanbevelings by die Direkteur-generaal te doen oor die aanstelling, bevordering en ontslag van personeel van die skool, uitgesonderd personeel ten opsigte van wie die prinsipaal die voorsitter van die bestuursraad meegedeel het dat hulle in 'n tydelike hoedanigheid aangestel is";

(d) deur die volgende paragrawe na paragraaf (k) van subregulasie (1) in te voeg:

"(kA) om, behoudens artikel 36 van die Wet, die prinsipaal te adviseer oor die bywoningsure by die skool, met inbegrip van aanvangs- en sluitingstye en die duur van pouses en studieperiodes;

(kB) om die prinsipaal te adviseer oor die toepassing van die beleid betreffende die toelating van leerling bo of onder die ouderdomsperk en die maksimum inskrywing by die skool";

- (e) by the addition to paragraph (1) of subregulation (1) of the following words:

"and to approve school magazines and regular newsletters to parents;" and

- (f) by the insertion after subregulation (1) of the following subregulation:

"(1A) If the principal or any officer has received any advice, report or recommendation from the management council or any matter referred to in subregulation (1), the principal or officer shall, as soon as may be practicable, report to the management council on the outcome of such matter."

30. The principal Regulations are hereby amended by the substitution for the expressions "school committee", "school committees" and "committee", wherever they occur, of the expressions "management council", "management councils" and "council", respectively.

31. The principal Regulations are hereby amended by the addition of the following part:

"PART III

COMMITTEES OF CHAIRMEN OF GOVERNING COUNCILS AND MANAGEMENT COUNCILS ESTABLISHED BY THE MINISTER IN TERMS OF SECTION 7 OF THE ACT

Determination of seats and areas

53. In every region of the Department there shall be not more than 13 committees of chairmen of governing councils and management councils, and the regional director shall determine the seat and area of such a committee, having regard to inspectorial circuits, the number of schools (at least 10 of which shall be represented on such a committee), the distances between schools, communication, geographical factors, local facilities and other considerations.

Constitution

54. (1) A committee of chairmen shall consist of—
- (a) the chairmen of the governing councils and management councils of schools situated within the area of the committee of chairmen; and
 - (b) the circuit inspector concerned, who may take part in the discussions at meetings of the committee of chairmen and make recommendations to the committee, but shall not have the right to vote at such meetings.
- (2) A chairman of a governing council or a management council may appoint an alternate to represent him at a meeting of a committee of chairmen.
- (3) The members of a committee of chairmen contemplated in subregulation (1) (a) shall at their first meeting, either by secret ballot or by a show of hands, elect a chairman, a vice-chairman and a secretary from among their number.

Term of office

55. A member of a committee of chairmen, other than the circuit inspector, shall hold office for as long as he remains the chairman of a governing council or management council: Provided that if a chairman, vice-chairman or secretary of a committee of chairmen holds the office of chairman of a governing council or management council for a period exceeding three years by virtue of the provisions of regulation 17 (4) or (5) or of regulation 5 (6) of the Governing Council Regulations for Primary and Secondary Schools, 1988, as the case may be, he shall hold the office of chairman, vice-chairman or secretary of the committee of chairmen for a period not exceeding three years.

- (e) deur die volgende woorde by paragraaf (1) van subregulasie (1) in te voeg:

"en om skoolblaai en gereelde nuusbriewe aan ouers goed te keur;" en

- (f) deur die volgende subregulasie na subregulasie (1) in te voeg:

"(1A) Indien die prinsipaal of 'n beamppte enige advies, verslag of aanbeveling van die bestuursraad in verband met enige aangeleentheid bedoel in subregulasie (1) ontvang het, stel die prinsipaal of beamppte so gou doenlik die bestuursraad van die uitslag van sodanige aangeleentheid in kennis."

30. Die Hoofregulasies word hierby gewysig deur die uitdrukkings "skoolkomitee", "skoolkomitees", "skoolkomiteelede" en "komitee" waar dit ook al voorkom, deur onderskeidelik die uitdrukkings "bestuursraad", "bestuursrade", "bestuursraadslede" en "raad" te vervang.

31. Die Hoofregulasies word hierby gewysig deur die volgende deel te voeg:

"DEEL III

KOMITEES VAN VOORSITTERS VAN BEHEERRADE EN BESTUURSRADDE DEUR DIE MINISTER KRAGTENS ARTIKEL 7 VAN DIE WET INGESTEL

Bepaling van setels en gebiede

53. In elke streek van die Departement is daar hoogstens 13 komitees van voorsitters van beheerrade en bestuursrade, en die streekdirekteur bepaal die setel en gebied van so 'n komitee met inagneming van inspeksiekringe, die getal skole (waarvan daar minstens 10 in 'n komitee verteenwoordig moet wees), die afstande tussen skole, kommunikasie, geografiese faktore, plaaslike geriewe en ander oorwegings.

Samestelling

54. (1) 'n Komitee van voorsitters bestaan uit—
- (a) die voorsitters van die beheerrade en bestuursrade van skole wat in die gebied van die komitee van voorsitters geleë is; en
 - (b) die betrokke kringinspekteur, wat aan die besprekings op vergaderings van die komitee van voorsitters kan deelneem en aanbevelings aan die komitee kan doen, maar nie die reg het om op sulke vergaderings te stem nie.
- (2) 'n Voorsitter van 'n beheerrade of bestuursraad kan 'n *sekundus* aanstel om hom by 'n vergadering van 'n komitee van voorsitters te verteenwoordig.
- (3) Die lede van 'n komitee van voorsitters in subregulasie (1) (a) bedoel kies by hul eerste vergadering of by geheime stemming of deur die opsteek van hande 'n voorsitter, 'n vise-voorsitter en 'n sekretaris uit eie geledere.

Ampstermyn

55. 'n Lid van 'n komitee van voorsitters, behalwe die kringinspekteur, beklee sy amp vir solank hy die voorsitter van 'n bestuursraad of beheerrade bly: Met dien verstande dat indien 'n voorsitter, vise-voorsitter of sekretaris van 'n komitee van voorsitters vir 'n langer tydperk as drie jaar die amp van voorsitter van 'n beheerrade of bestuursraad beklee uit hoofde van die bepalings van regulasie 17 (4) of (5), of regulasie 5 (6) van die Beheerraderegulasies vir Primêre en Sekondêre Skole, 1988, na gelang van die geval, hy die amp van voorsitter, vise-voorsitter of sekretaris van die komitee van voorsitters slegs vir 'n tydperk van hoogstens drie jaar beklee.

Executive committee of a committee of chairmen

56. (1) The executive committee of a committee of chairmen shall consist of the chairman, the vice-chairman, the secretary, one other member designated by the committee of chairmen for that purpose and the circuit inspector.
- (2) The circuit inspector may take part in the discussions at meetings of the executive committee and may make recommendations to the executive committee, but shall not have the right to vote at such meetings.
- (3) A committee of chairmen may assign any of its powers or functions to its executive committee: Provided that the committee of chairmen shall not be divested of any power or function which it has assigned to its executive committee and that it may alter or set aside any decision of the executive committee at its first meeting after the decision in question was made.
- (4) The quorum for any meeting of an executive committee shall be three members of the executive committee.
- (5) In voting at a meeting of an executive committee, the chairman shall have a deliberative vote only.
- (6) The secretary of the committee of chairmen shall also be the secretary of the executive committee.
- (7) Minutes shall be kept of every meeting of the executive committee and such minutes shall be submitted for approval at the first ensuing meeting of the committee of chairmen.

Convening of meetings of committees of chairmen

57. (1) The first meeting of any committee of chairmen shall be convened by the regional director concerned, and at this meeting the committee shall be duly constituted: Provided that the date of the meeting shall not be later than three weeks after the date of commencement of the term of office of the elected members of management councils referred to in regulation 13 (1): Provided further that the holding of the first meeting on a later date may be approved by the regional director if he sees fit to do so.
- (2) Notwithstanding the provisions of subregulation (1), if the terms of office of members of a committee in their capacities as chairmen of governing councils or management councils do not commence on the same date by virtue of the provisions of regulation 17 (4) or (5) or of regulation 5 (6) of the Governing Council Regulations for Primary and Secondary Schools, 1988, as the case may be, the period of three weeks referred to in subregulation (1) shall be reckoned from the date on which the term of office of the majority of the members of the committee in their capacities as chairmen of governing councils or management councils commenced, or, if there is no such majority, the first meeting of the committee shall be held on a date determined by the regional director.

First meeting of a committee of chairmen

58. (1) At its first meeting a committee of chairmen shall—
- (a) elect a chairman, vice-chairman and secretary in accordance with regulation 54 (3);

Dagbestuur van 'n komitee van voorsitters

56. (1) Die dagbestuur van 'n komitee van voorsitters bestaan uit die voorsitter, die vise-voorsitter, die sekretaris, een ander lid wat die komitee van voorsitters vir dié doel aanwys en die kringinspekteur.
- (2) Die kringinspekteur kan aan die besprekings op vergaderings van die dagbestuur deelneem en aanbevelings aan die dagbestuur doen, maar het nie die reg om op sulke vergaderings te stem nie.
- (3) 'n Komitee van voorsitters kan aan sy dagbestuur enige van sy bevoegdhede of werksaamhede opdra: Met dien verstande dat die komitee van voorsitters nie ontdoen is van 'n bevoegdheid of werksaamheid wat hy aan sy dagbestuur opgedra het nie, en dat hy 'n besluit van die dagbestuur by sy eerste vergadering na die neem van die betrokke besluit kan wysig of tersyde stel.
- (4) Die kworum vir 'n vergadering van 'n dagbestuur is drie lede van die dagbestuur.
- (5) In die geval van 'n stemming op 'n vergadering van 'n dagbestuur het die voorsitter slegs 'n beraadslagende stem.
- (6) Die sekretaris van die komitee van voorsitters is ook die sekretaris van die dagbestuur.
- (7) Notule moet van elke vergadering van die dagbestuur gehou word en sodanige notule moet op die eersvolgende vergadering van die komitee van voorsitters vir bekragtiging voorgelê word.

Belê van vergaderings van komitees van voorsitters

57. (1) Die eerste vergadering van 'n komitee van voorsitters word deur die betrokke streekdirekteur belê en op hierdie vergadering word die komitee behoorlik gekonstitueer: Met dien verstande dat die datum van die vergadering nie later nie as drie weke na die datum van die begin van die ampstermyn van die verkose lede van bestuursrade in regulasie 13 (1) bedoel mag wees nie: Met dien verstande verder dat die hou van die eerste vergadering op 'n later datum na goedgekeurde deur die streekdirekteur goedgekeur kan word.
- (2) Ondanks die bepalings van subregulasie (1), indien die ampstermyne van lede van 'n komitee in hul hoedanighede as voorsitters van beheerrade of bestuursrade nie op dieselfde datum 'n aanvang neem nie uit hoofde van die bepalings van regulasie 17 (4) of (5), of regulasie 5 (6) van die Beheerraadregulasies vir Primêre en Sekondêre Skole, 1988, na gelang van die geval, word die tydperk van drie weke in subregulasie (1) bedoel bereken vanaf die datum waarop die ampstermyne van die meerderheid van die lede van die komitee in hul hoedanighede as voorsitters van beheerrade of bestuursrade 'n aanvang geneem het, of as daar geen sodanige meerderheid is nie, word die eerste vergadering van die komitee gehou op 'n datum deur die streekdirekteur bepaal.

Eerste vergadering van komitee van voorsitters

58. (1) 'n Komitee van voorsitters moet op sy eerste vergadering—
- (a) 'n voorsitter, 'n vise-voorsitter en 'n sekretaris ooreenkomstig regulasie 54 (3) verkies;

- (b) constitute an executive committee in accordance with regulation 56 (1);
- (c) decide on the length of the period of notice that shall be given for an extraordinary meeting;
- (d) determine the procedure to be followed in connection with notices concerning any extraordinary meeting;
- (e) deal with such other matters as circumstances may require.

Subsequent meetings of a committee of chairmen

59. (1) Ordinary meetings of a committee of chairmen shall be held at least once per semester.
- (2) The notices of ordinary meetings shall explicitly state the day, time and venue of the meeting and shall be accompanied by an agenda.
- (3) Notices of ordinary meetings shall be in writing and shall be posted to or personally handed to the members by the secretary of the committee of chairmen on the authority of the chairman, so as to be in their possession at least eight days before the day of the meeting concerned.
- (4) Subject to the provisions of regulation 61, the non-receipt of a notice referred to in subregulation (2) and the consequent absence of a member shall not be prejudicial to the validity of the proceedings at such meetings.
- (5) Should the chairman for any reason fail to convene at least one ordinary meeting per semester, the vice-chairman or at least four members may at the expiration of a semester during which no meeting was held, direct the secretary of the committee of chairmen to convene a meeting and to issue notices to all the members in which the day, time and venue of the meeting are stated.
- (6) The executive committee may at any time, after consultation with the regional director, direct the chairman to convene an extraordinary meeting of the committee of chairmen or the executive committee if, in its opinion, circumstances necessitate such a meeting: Provided that such a meeting shall be convened if at least four members of the committee of chairmen request it in writing.
- (7) The chairman shall convene a meeting of the committee of chairmen or the executive committee if the regional director concerned requests him to do so.

Minutes

60. (1) The minutes of every meeting of a committee of chairmen shall be recorded, in the language determined by the committee, by the secretary of the committee in a book or file which shall be used for that purpose exclusively and which shall be retained in safe-keeping by that secretary.
- (2) The secretary of a committee of chairmen shall record the names of the members who are present and who are absent in the minutes of every meeting.

- (b) 'n dagbestuur ooreenkomstig regulasie 56 (1) saamstel;
- (c) besluit hoe lank kennis van 'n buitengewone vergadering gegee moet word;
- (d) die prosedure bepaal wat gevolg moet word in verband met kennisgewings betreffende 'n buitengewone vergadering;
- (e) die ander sake behandel wat omstandighede vereis.

Daaropvolgende vergaderings van komitee van voorsitters

59. (1) Gewone vergaderings van 'n komitee van voorsitters moet minstens een keer per semester gehou word.
- (2) Die kennisgewings van gewone vergaderings moet die dag, tyd en plek van die vergadering uitdruklik vermeld en vergesel gaan van 'n sakelys.
- (3) Kennisgewings van gewone vergaderings moet skriftelik op gesag van die voorsitter deur die sekretaris van die komitee van voorsitters aan die lede geos of persoonlik aan hulle oorhandig word sodat dit minstens agt dae voor die dag van die betrokke vergadering in hulle besit is.
- (4) Behoudens die bepalings van regulasie 61 doen die nie-ontvangs van 'n kennisgewing in subregulasie (2) bedoel en die gevolglike afwesigheid van 'n lid nie afbreuk aan die geldigheid van die verrigtings op sodanige vergaderings nie.
- (5) Indien die voorsitter om die een of ander rede versuim om minstens een gewone vergadering per semester te belê, kan die vise-voorsitter of minstens vier lede by verstryking van 'n semester waarin daar nie 'n vergadering gehou is nie, die sekretaris van die komitee van voorsitters gelas om 'n vergadering te belê en om kennisgewings aan al die lede uit te reik waarin die dag, tyd en plek van die vergadering vermeld word.
- (6) Die dagbestuur kan te eniger tyd na oorlegpleging met die streekdirekteur die voorsitter gelas om 'n buitengewone vergadering van die komitee van voorsitters of die dagbestuur te belê indien omstandighede na die oordeel van die dagbestuur so 'n vergadering noodsaak: Met dien verstande dat so 'n vergadering belê moet word indien minstens vier lede van die komitee van voorsitters skriftelik aldus versoek.
- (7) Die voorsitter moet 'n vergadering van die komitee van voorsitters of die dagbestuur belê indien die betrokke streekdirekteur hom versoek om dit te doen.

Notule

60. (1) Die notule van elke vergadering van 'n komitee van voorsitters word deur die sekretaris van die komitee in die taal wat die komitee bepaal gehou in 'n boek of lêer wat uitsluitlik vir dié doel gebruik word en wat deur daardie sekretaris in veilige bewaring gehou word.
- (2) Die sekretaris van 'n komitee van voorsitters moet die name van die lede wat teenwoordig en afwesig is in die notule van elke vergadering notuleer.

- (3) After an ordinary meeting has been constituted, the minutes of the previous ordinary meeting, as well as the minutes of any subsequent extraordinary meeting or any meeting of the executive committee, shall be read and confirmed by the signature of the chairman: Provided that objections to the minutes shall be raised and dealt with before they are confirmed.
- (4) A copy of the minutes shall, within 14 days of a meeting of the committee of chairmen, be forwarded by the secretary concerned to the other members and to the regional director concerned.

Quorum

61. (1) The quorum for meetings of a committee of chairmen shall be half of the members: Provided that where the committee consists of an uneven number, the quorum shall be rounded off to the nearest whole number greater than the half.
- (2) If there is no quorum present at any properly convened ordinary meeting, such meeting shall be postponed to a day at least eight, but not more than 12, days from the day on which such meeting was convened, and on the day so determined the meeting, which shall be convened in accordance with regulation 59 (2) and (3), shall deal with the agenda, irrespective of whether there is a quorum or not.

Voting

62. (1) All matters discussed at a meeting of a committee of chairmen shall be decided by a majority of the members of the committee who are present and voting.
- (2) A member of a committee of chairmen, other than the circuit inspector, shall have one vote when a matter is put to the vote: Provided that in the event of an equality of votes, the chairman or the person acting as chairman in his absence shall, in addition to his deliberative vote, also have a casting vote.
- (3) In respect of every decision, the number of members voting for or against any motion shall be recorded in the minutes, and at the request of any member the chairman shall direct that the vote of such member be recorded.
- (4) When so ruled by the chairman, voting shall be by ballot.

Ruling of chairman

63. The ruling of the chairman on a point of order or procedure shall be binding, unless immediately challenged by a member, in which event such ruling shall be submitted, without discussion, to the meeting, whose decision shall be final.

Attendance of meetings by non-members

64. (1) Subject to the provision of section 7 (1) of the Act, every meeting of a committee of chairmen shall be a closed meeting and, save as is provided for in these regulations, no person who is not a member shall be permitted to attend it.
- (2) If a committee or chairmen considers it necessary, any other person who may in its opinion, be able to provide information on any matter falling within its powers may attend any meeting of the committee for such period as the committee may determine.

- (3) Nadat 'n gewone vergadering gekonstitueer is, moet die notule van die voorafgaande gewone vergadering, asook die notule van enige daaropvolgende buitengewone vergadering of vergadering van die dagbeteur, gelees en deur die handtekening van die voorsitter bekragtig word: Met dien verstande dat besware teen 'n notule voor die bekragtiging daarvan geopper en afgehandel moet word.

- (4) 'n Afskrif van die notule van 'n vergadering van 'n komitee van voorsitters moet binne 14 dae na daardie vergadering deur die betrokke sekretaris aan die ander lede en aan die betrokke streek-direkteur gestuur word.

Kworum

61. (1) Die kworum vir vergaderings van 'n komitee van voorsitters is die helfte van die lede: Met dien verstande dat waar die komitee uit 'n onegelyke getal lede bestaan, die kworum afgerond word tot die naaste heelgetal wat groter as die helfte is.
- (2) Indien daar by 'n gewone vergadering wat behoorlik belê is, nie 'n kworum is nie, word sodanige vergadering uitgestel tot 'n dag minstens agt dae maar hoogstens twaalf dae vanaf die dag waarop sodanige vergadering belê is, en op die aldus bepaalde dag handel die vergadering, wat ooreenkomstig regulasie 59 (2) en (3) belê moet word, die agenda af, ongeag of daar 'n kworum teenwoordig is al dan nie.

Stemming

62. (1) Alle aangeleenthede wat op 'n vergadering van 'n komitee van voorsitters bespreek word, word beslis deur 'n meerderheid van die lede van die komitee wat teenwoordig is en stem.
- (2) 'n Lid van 'n komitee van voorsitters, behalwe die kringinspekteur, het een stem wanneer 'n aangeleentheid tot stemming gebring word: Met dien verstande dat by 'n staking van stemme die voorsitter of die persoon wat in sy afwesigheid as voorsitter optree, benewens sy beraadslagende stem ook 'n beslissende stem het.
- (3) Ten opsigte van elke besluit word daar in die notule aangeteken hoeveel lede ten gunste van of teen 'n mosie gestem het, en op versoek van 'n lid gelas die voorsitter dat die stem van sodanige lid aangeteken word.
- (4) Wanneer die voorsitter aldus beslis, word daar by wyse van stembriefies gestem.

Beslissing van die voorsitter

63. Die beslissing van die voorsitter op 'n orde- of procedurepunt is bindend, tensy 'n lid onmiddellik daarteen beswaar maak, in welke geval sodanige beslissing sonder bespreking voorgelê word aan die vergadering, wie se beslissing finaal is.

Bywoning van vergaderings deur nie-lede

64. (1) Behoudens die bepalinge van artikel 7 (1) van die Wet is elke vergadering van 'n komitee van voorsitters 'n geslote vergadering en word niemand wat nie 'n lid is nie, behalwe waar dit in hierdie regulasies anders bepaal word, toegelaat om dit by te woon nie.
- (2) Indien 'n komitee van voorsitters dit nodig ag, kan enige ander persoon wat na sy mening moontlik inligting kan verskaf oor 'n aangeleentheid wat binne sy bevoegdheid val, 'n vergadering van die komitee bywoon vir die tydperk wat die komitee bepaal.

- (3) An officer authorised thereto by the Director-General or by the regional director concerned shall have the right to attend any meeting of a committee of chairmen in an advisory capacity or as an observer.

Procedure in respect of vacancies and absence of certain members

- 65 (1) If a member of a committee of chairman vacates his office as chairman of a governing council or management council, the vacancy in the committee of chairmen shall be filled by the succeeding chairman of that governing council or management council.
- (2) If a chairman of a committee of chairmen resigns as chairman of that committee, or if his term of office as member of a committee referred to in regulation 9 of the Regulations published by Government Notice R. 957, dated 1 May 1981, is terminated by the Minister, or if he resigns or vacates his office in terms of regulation 11 of the said regulations, he shall vacate his office as chairman of the committee of chairmen, but he may, subject to these regulations, remain a member of the committee of chairmen.
- (3) If the office of chairman, vice-chairman or secretary of a committee of chairmen becomes vacant, the members of the committee shall, either by secret ballot or by a show of hands, fill the vacancy from among their number.
- (4) If the chairman is absent from a meeting of a committee of chairmen, the vice-chairman shall act as chairman and if the chairman as well as the vice-chairman are absent from a meeting, the committee shall elect a person from among their number to preside at the meeting.
- (5) If the secretary is absent from a meeting of a committee of chairmen, the committee shall elect a person from among their number to act as secretary at that meeting.

Powers and functions of a committee of chairmen

66. In addition to the powers and functions vested in or imposed upon committees of chairmen by these regulations, the powers and functions of a committee shall be to—
- keep a watchful eye on the general well-being of the schools which are represented on the committee;
 - bring such matters as, in its opinion, may have a bearing on the well-being and efficiency of such schools to the attention of the regional director by means of minutes;
 - device an overall plan of action according to which steps can be taken against pupils who disrupt activities at such schools;
 - advise the regional director or other officers on the problems arising from the excessive movement of pupils to certain schools and to assist in solving such problems;
 - consider all matters referred to it by a governing council or management council and to advise such council and the circuit inspector concerned on the steps to be taken in connection therewith;

- (3) 'n Beampte wat daartoe gemagtig is deur die Direkteur-generaal, of die betrokke streekdirekteur, het die reg om 'n vergadering van 'n komitee van voorsitters in 'n raadgewende hoedanigheid of as waarnemer by te woon.

Prosedure ten opsigte van vakatures en afwesigheid van lede

65. (1) Indien 'n lid van 'n komitee van voorsitters sy amp as voorsitter van 'n beheerraad of bestuursraad ontruim, word die vakature in die komitee van voorsitters deur die opvolgende voorsitter van daardie beheerraad of bestuursraad aangevul.
- (2) Indien 'n voorsitter van 'n komitee van voorsitters as voorsitter van daardie komitee bedank, of indien sy ampstermyn as 'n lid van 'n komitee bedoel in regulasie 9 van die regulasies afgekondig by Goewermentskennisgewing R. 957 van 1 Mei 1981 deur die Minister beëindig word, of indien hy uit sy amp bedank of sy amp ontruim ingevolge regulasie 11 van genoemde regulasies, ontruim hy sy amp as voorsitter van die komitee van voorsitters, maar kan hy, behoudens hierdie regulasies, as 'n lid van die komitee van voorsitters aanbly.
- (3) Indien die amp van voorsitter, vise-voorsitter of sekretaris van 'n komitee van voorsitters vakant raak, vul die lede van die komitee of by geheime stemming of deur die opsteek van hande die vakature uit eie geledere.
- (4) Indien die voorsitter van 'n vergadering van die komitee van voorsitters afwesig is, neem die vise-voorsitter as voorsitter waar en indien die voorsitter sowel as die vise-voorsitter van 'n vergadering afwesig is, kies die komitee iemand uit eie geledere om op die vergadering voor te sit.
- (5) Indien die sekretaris van 'n vergadering van die komitee van voorsitters afwesig is, kies die komitee iemand uit eie geledere om by daardie vergadering as sekretaris op te tree.

Bevoegdhede en werksaamhede van 'n komitee van voorsitters

66. Benewens die bevoegdhede en werksaamhede wat komitees van voorsitters by hierdie regulasies verleen of opgelê word, is die bevoegdhede en werksaamhede van 'n komitee van voorsitters—
- om 'n wakende oog te hou oor die algemene welsyn van die skole wat in die komitee verteenwoordig is;
 - om die aangeleenthede wat na sy oordeel die welsyn en doeltreffendheid van sodanige skole raak, deur middel van notules onder die aandag van die streekdirekteur te bring;
 - om 'n oorhoofse plan van aksie te beraam waarvolgens stappe gedoen kan word teen leerlinge wat werksaamhede by sodanige skole ontwrig;
 - om die streekdirekteur of ander beamptes te adviseer oor die probleme wat ontstaan as gevolg van die oormatige beweging van leerlinge na sekere skole en om bystand te verleen by die oplossing van sodanige probleme;
 - om alle aangeleenthede wat deur 'n beheerraad of bestuursraad na die komitee verwys word, te oorweeg en sodanige raad en die kringinspekteur te adviseer oor die stappe wat in verband daarmee gedoen moet word;

- (f) make recommendations in respect of planning and preferential lists referred to it by the executive committee or the circuit inspector;
- (g) deal with representations by parents of pupils and submit such representations to the regional director;
- (h) ensure that the provisions regarding compulsory education are enforced;
- (i) advise the circuit inspector on the fixing of school boundaries and assist in implementing them;
- (j) ensure that the regulations in respect of the age of pupils are applied uniformly;
- (k) advise the circuit inspector regarding the re-allocation of buildings to specific schools;
- (l) liaise with the committees referred to in regulation 9 of the Regulations published by Government Notice R. 957, dated 1 May 1981;
- (m) furnish the Director-General with such information, reports and advice as the Director-General may from time to time require; and
- (n) perform such other functions as may be entrusted to it by the Director-General.

Members not to receive payment

67. The provisions of regulation 50 shall apply *mutatis mutandis* in respect of members of a committee of chairmen.

Access to books and documents

68. The provisions of regulation 51 shall apply *mutatis mutandis* in respect of a committee of chairmen.

Short title

69. These regulations shall be called the Regulations regarding Councils and Committees for Public Schools, 1982."

No. R. 2366

25 November 1988

EDUCATION AND TRAINING ACT, 1979 (ACT 90 OF 1979)

GOVERNING COUNCIL REGULATIONS FOR PRIMARY AND SECONDARY SCHOOLS, 1988

The Minister of Education and Development Aid has under section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, any expression to which a meaning has been assigned in the Act, shall have the meaning so assigned thereto, and, unless the context otherwise indicates—

"circuit inspector" means an officer of the Department who is in control of education in an inspection circuit determined by the Minister in terms of section 2 (2) of the Act;

"governing council", in relation to a public primary or secondary school, means a governing council constituted in accordance with regulation 3;

"inspector" means a circuit inspector or any other officer authorised in terms of section 33 (1) of the Act to hold an inspection or an inquiry in regard to any matter referred to in that section;

"regional director" means an officer of the Department who is in control of education in a region determined by the Minister in terms of section 2 (2) of the Act;

"the Act" means the Education and Training Act, 1979 (Act 90 of 1979).

- (f) om aanbevelings te doen oor beplanning en voorkeurlyste wat deur die dagbestuur of die kringinspekteur na hom verwys is;
- (g) om vertoë deur ouers van leerlinge te hanteer en sodanige vertoë aan die streekdirekteur voor te lê;
- (h) om te verseker dat die bepalings betreffende skoolplig toegepas word;
- (i) om die kringinspekteur te adviseer in verband met die bepaling van skoolgrense en om bystand te verleen by die implementering daarvan;
- (j) om te verseker dat die regulasies in verband met die ouderdom van leerlinge eenvormig toegepas word;
- (k) om die kringinspekteur te adviseer oor die her-toewysing van geboue aan bepaalde skole;
- (l) om te skakel met die komitees bedoel in regulasie 9 van die regulasies afgekondig by Goewermentskennisgewing R. 957 van 1 Mei 1981;
- (m) om die inligting, verslae en advies wat die Direkteur-generaal van tyd tot tyd vereis, aan die Direkteur-generaal te verstrek; en
- (n) om die ander werksaamhede wat die Direkteur-generaal aan hom opdra, te verrig.

Lede ontvang geen betaling nie

67. Die bepalings van regulasie 50 is *mutatis mutandis* ten opsigte van lede van 'n komitee van voorsitters van toepassing.

Toegang tot boeke en dokumente

68. Die bepalings van regulasie 51 is *mutatis mutandis* ten opsigte van 'n komitee van voorsitters van toepassing.

Kort titel

69. Hierdie regulasies heet die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982."

No. R. 2366

25 November 1988

WET OP ONDERWYS EN OPLEIDING, 1979 (WET 90 VAN 1979)

BEHEERRAADREGULASIES VIR PRIMÊRE EN SEKONDÊRE SKOLE, 1988

Die Minister van Onderwys en Ontwikkelingshulp het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies het enige uitdrukking waaraan daar in die Wet 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en tensy uit die samehang anders blyk, beteken—

"beheerraad", ten opsigte van 'n openbare primêre of sekondêre skool, 'n beheerraad saamgestel ooreenkomstig regulasie 3;

"die Wet" die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979);

"inspekteur" 'n kringinspekteur of 'n ander beamppte wat ingevolge artikel 33 (1) van die Wet gemagtig is om 'n inspeksie te hou of 'n ondersoek te doen met betrekking tot 'n aangeleentheid in daardie artikel bedoel;

"kringinspekteur" 'n beamppte in die Departement wat in beheer is van die onderwys in 'n inspeksiekring wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;

"streekdirekteur" 'n beamppte in die Departement wat in beheer is van die onderwys in 'n streek wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is.

Policy regarding governing councils

2. (1) Governing councils shall be established only in exceptional cases, such as in the case of schools of which the pupils are boarders and which are located in areas where there is no local community or only a community which has few or no ties with the school.

(2) Wherever possible, governing councils shall be replaced by management councils contemplated in Part II of the Regulations regarding Councils and Committees for Public Schools, 1982, published by Government Notice R. 828, dated 30 April 1982, as amended by Government Notices R. 672, dated 31 March 1983, and R. 2365, dated 25 November 1988.

Constitution

3. (1) A governing council shall consist of not more than 11 members, of whom—

- (a) three members shall be appointed by the regional director concerned after consultation with such local interested persons as the Director-General may in general or in a particular case determine;
- (b) three members shall be nominated by a committee referred to in regulation 9 of the Regulations published by Government Notice R. 957, dated 1 May 1981;
- (c) three members shall be elected by the parents of pupils attending the school, in a manner determined by the regional director: Provided that regulations 18 and 19 of the Regulations regarding Councils and Committees for Public Schools, 1982, shall apply *mutatis mutandis* to elections in terms of this paragraph; and
- (d) two members shall be elected by the members referred to in paragraphs (a) to (c) under the chairmanship of the regional director or an officer authorised thereto by him.

(2) The council shall elect a chairman and a vice-chairman from among their number.

(3) Should the regional director be of the opinion that an election of the members referred to in subregulation (1) (c) is not practicable, the non-election of such members shall not merely for that reason affect the validity of the constitution of the governing council.

Secretary of governing council

4. (1) The governing council shall elect from among their number a secretary of the governing council, and if the secretary is absent from a meeting of the governing council, the governing council shall designate one of its members to act as secretary of the governing council at such meeting.

(2) The principal or, when the post is vacant, the acting principal shall *ex officio* be the assistant secretary of the governing council, and he shall assist the secretary in the drawing up of agendas and the writing of minutes.

(3) The assistant secretary of a governing council may take part in the discussions at a meeting of the governing council and make recommendations to the council, but shall not have the right to vote at such meeting.

Term of office of members of a governing council

5. (1) Subject to the provisions of these regulations, a member of a governing council shall hold office—

- (a) in the case of a member appointed, nominated or elected in terms of regulation 3 (1) (a), (b) or (c) on or after 1 January 1992, but not later than 30 March 1992, as from the date of his appointment, nomination or election up to and including 31 March 1995;

Beleid in verband met beheerrade

2. (1) Beheerrade word slegs in uitsonderlike gevalle ingestel, byvoorbeeld in die geval van skole waarvan die leerlinge loseerders is en wat geleë is in gebiede waar daar geen plaaslike gemeenskap is nie of slegs 'n gemeenskap wat min of geen verbintenis met die skool het.

(2) Waar dit ook al moontlik is, word beheerrade vervang deur bestuursrade bedoel in Deel II van die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, afgekondig by Goewermentskennisgewing R. 828 van 30 April 1982, soos gewysig by Goewermentskennisgewings R. 672 van 31 Maart 1983 en R. 2365 van 25 November 1988.

Samestelling

3. (1) 'n Beheerraad bestaan uit hoogstens 11 lede, van wie—

- (a) drie lede deur die betrokke streekdirekteur aangestel word na oorlegpleging met die plaaslike belanghebbende persone wat die Direkteur-generaal in die algemeen of in 'n besondere geval bepaal;
- (b) drie lede benoem word deur 'n komitee vermeld in regulasie 9 van die Regulasies afgekondig by Goewermentskennisgewing R. 957 van 1 Mei 1981;
- (c) drie lede verkies word deur ouers van leerlinge wat die skool bywoon, op 'n wyse deur die streekdirekteur bepaal: Met dien verstande dat regulasies 18 en 19 van die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, *mutatis mutandis* van toepassing is op verkiesings ingevolge hierdie paragraaf; en
- (d) twee lede verkies word deur die lede in paragrafe (a) tot (c) vermeld, onder voorsitterskap van die streekdirekteur of 'n beaampte deur hom daartoe gemagtig.

(2) Die raad kies 'n voorsitter en 'n vise-voorsitter uit eie geledere.

(3) Indien die streekdirekteur van oordeel is dat 'n verkiesing van die lede in subregulasie (1) (c) vermeld nie prakties uitvoerbaar is nie, raak die nie-verkiesing van sodanige lede nie bloot om daardie rede die geldigheid van die samestelling van die beheerraad nie.

Sekretaris van beheerraad

4. (1) Die beheerraad kies uit eie geledere 'n sekretaris van die beheerraad, en indien die sekretaris afwesig is van 'n vergadering van die beheerraad, wys die beheerraad een van sy lede aan om vir dié vergadering as sekretaris van die beheerraad op te tree.

(2) Die prinsipaal of, wanneer die pos vakant is, die waarnemende prinsipaal, is *ex officio* die assistent-sekretaris van die beheerraad, en hy staan die sekretaris by by die opstel van agendas en die skryf van notules.

(3) Die assistent-sekretaris van 'n beheerraad kan aan die besprekings op 'n vergadering van die beheerraad deelneem en aanbevelings maak, maar het nie die reg om op sodanige vergadering te stem nie.

Ampstermyn van lede van 'n beheerraad

5. (1) Behoudens die bepalings van hierdie regulasies bekleë 'n lid van 'n beheerraad sy amp—

- (a) in die geval van 'n lid wat op of na 1 Januarie 1992 maar nie later nie as 30 Maart 1992 ingevolge regulasie 3 (1) (a), (b) of (c) aangestel, benoem of verkies word, vanaf die datum van sy aanstelling, benoeming of verkiesing tot en met 31 Maart 1995;

(b) in the case of a member appointed, nominated or elected in terms of regulation 3 (1) (a), (b) or (c) on or after 31 March 1992, for a cycle of three years, the first cycle commencing on 1 April 1992 and expiring on 31 March 1995 and subsequent cycles commencing on 1 April of the first year and expiring on 31 March of the third year, as the case may be;

(c) in the case of a member elected in terms of regulation 3 (1) (d), for the same period as the term of office of the members who elected him: Provided that his term of office shall commence on the date of his election,

unless he resigns by submitting his resignation in writing to the secretary of the governing council or vacates his office for any other reason before the expiry of his term of office.

(2) Where a governing council is constituted after the commencement date of any cycle contemplated in subregulation (1) (b), the term of office of the members shall commence on the date of their appointment, nomination or election, as the case may be.

(3) Where a governing council is constituted during the third year of a cycle contemplated in subregulation (1) (b), the term of office of the members shall not expire at the end of that year but shall continue until the end of the following cycle of three years.

(4) When a governing council is required to be reconstituted as a result of the expiry of the term of office of the members, the appointment or nomination of the members contemplated in regulation 3 (1) (a) or (b) and the meeting of voters for the election of the members contemplated in regulation 3 (1) (c) shall take place before the term of office, or the extended term of office as contemplated in subregulation (6), expires, and in such case the term of office of the newly appointed, nominated or elected members shall commence on the day following the day on which the term of office of the existing members expires.

(5) If it is, as a result of unrest or any other circumstances beyond the control of the electoral officer not possible to convene a meeting of voters for the election of the members contemplated in regulation 3 (1) (c) before the expiration of the term of office of the existing members of the governing council, the existing members contemplated in regulation 3 (1) (c) shall, notwithstanding the provisions of subregulation (1), remain in office for as long as the members of the succeeding governing council, appointed, nominated or elected in terms of regulation 3 (1) (a), (b) or (d), hold office: Provided that the regional director concerned may direct that an election of new members be held as soon as possible in terms of regulation 3 (1) (c), in which case the persons so elected shall hold office for the remainder of the term for which their precursors would have held office had it not been for the election.

(6) Notwithstanding the provisions of subregulations (1) and (5), the regional director concerned may at his discretion extend the term of office of the members of any governing council: Provided that an extension of any term for longer than 12 months shall not occur without the prior approval of the Director-General.

(7) Should the members of a governing council exceed their normal term of office as stated in subregulation (1) as a result of the operation of subregulation (6), the members of the succeeding governing council shall only be elected for the remainder of the term of office that they would normally have served.

(b) in die geval van 'n lid wat op of na 31 Maart 1992 ingevolge regulasie 3 (1) (a), (b) of (c) aangestel, benoem of verkies word, vir 'n siklus van drie jaar, waarvan die eerste siklus op 1 April 1992 'n aanvang neem en op 31 Maart 1995 verstryk, met daaropvolgende siklusse wat op 1 April van die eerste jaar 'n aanvang neem en op 31 Maart van die derde jaar verstryk, na gelang van die geval;

(c) in die geval van 'n lid wat ingevolge regulasie 3 (1) (d) verkies word, vir dieselfde tydperk as die ampstermyn van die lede wat hom verkies het: Met dien verstande dat sy ampstermyn 'n aanvang neem op die datum van sy verkiesing,

tensy hy voor die verstryking van sy ampstermyn bedank deur sy bedanking skriftelik by die sekretaris van die beheerraad in te dien of sy amp om 'n ander rede ontruim.

(2) Waar 'n beheerraad saamgestel word ná die aanvangsdatum van 'n siklus in subregulasie (1) (b) bedoel, neem die ampstermyn van die lede 'n aanvang op die datum van hul aanstelling, benoeming of verkiesing, na gelang van die geval.

(3) Waar 'n beheerraad saamgestel word gedurende die derde jaar van 'n siklus in subregulasie (1) (b) bedoel, verstryk die ampstermyn van die lede nie aan die einde van daardie jaar nie maar duur dit voort tot die einde van die daaropvolgende siklus van drie jaar.

(4) Wanneer 'n beheerraad hersaamgestel moet word as gevolg van die verstryking van die ampstermyn van die lede, moet die aanstelling of benoeming van die lede in subregulasie 3 (1) (a) of (b) bedoel en die vergadering van kiesers vir die verkiesing van die lede in regulasie 3 (1) (c) bedoel, plaasvind voordat die ampstermyn, of die verlengde ampstermyn soos in subregulasie (6) bedoel, verstryk, en in so 'n geval neem die ampstermyn van die nuut aangestelde, benoemde of verkose lede 'n aanvang op die dag wat volg op die dag waarop die ampstermyn van die bestaande lede verstryk.

(5) Indien dit as gevolg van onrus of enige ander omstandighede buite die beheer van die kiesbeampte nie moontlik is om 'n vergadering van kiesers vir die verkiesing van die lede in regulasie 3 (1) (c) bedoel voor die verstryking van die ampstermyn van die bestaande lede van die beheerraad byeen te roep nie, bly die bestaande lede in regulasie 3 (1) (c) bedoel, ondanks die bepalinge van subregulasie (1), in hul amp aan vir solank as wat die lede van die opvolgende beheerraad, wat aangestel, benoem of verkies is ingevolge regulasie 3 (1) (a), (b) of (d), hul amp beklee: Met dien verstande dat die betrokke streekdirekteur kan gelas dat 'n verkiesing, sodra dit moontlik is, gehou word van nuwe lede ingevolge regulasie 3 (1) (c), in welke geval die aldus verkose persone hul amp beklee vir die oorblywende tydperk wat hul voorgangers hul amp sou beklee het as dit nie vir die verkiesing was nie.

(6) Ondanks die bepalinge van subregulasies (1) en (5) kan die betrokke streekdirekteur die ampstermyn van die lede van 'n beheerraad na goedgekeurde verleng: Met dien verstande dat 'n verlenging vir 'n tydperk van langer as 12 maande nie sonder die voorafgaande goedkeuring van die Direkteur-generaal mag geskied nie.

(7) Indien die lede van 'n beheerraad hul normale ampstermyn soos vermeld in subregulasie (1) as gevolg van die werking van subregulasie (6) oorskry, word die lede van die opvolgende beheerraad verkies slegs vir die oorblywende gedeelte van die ampstermyn wat hulle normaalweg sou beklee het.

**Transitional Provisions for the period from
1 January 1988 to 31 March 1992**

6. (1) Subject to the provisions of subregulations (2) and (3), a governing council constituted in terms of a previous regulation before the commencement of these regulations shall be deemed to be a governing council constituted in terms of these regulations, and anything done before that commencement in terms of any provision of a previous regulation in respect of a governing council or the constitution of a governing council shall be deemed to have been done in terms of the corresponding provision of these regulations.

(2) Notwithstanding the provisions of subregulation (1), the regional director concerned may, on at least one month's written notice to the members, dissolve a governing council contemplated in that subregulation and constituted before 1 January 1988, and thereupon a new governing council shall be constituted in terms of these regulations.

(3) Notwithstanding the provisions of subregulation (1) the term of office of the members of a governing council contemplated in that subregulation and constituted on or after 1 January 1988 shall expire on 31 March 1992, and those members may at any time elect not more than two additional members, who shall be charged with the same duties and perform the same functions as the first-mentioned members.

(4) Notwithstanding the provisions of regulation 5, the members of a governing council appointed, nominated or elected after the commencement of these regulations, but not later than 31 December 1991, shall hold office from the date of their appointment, nomination or election up to and including 31 March 1992.

Membership of more than two governing councils

7. No person shall be a member of more than two governing councils at the same time.

Termination of membership

8. The membership of any member of any given governing council may be terminated at any time by the Minister if the Minister is of the opinion that the conduct or behaviour of the member does not promote the interests of the school or of education.

Executive committee of a governing council

9. (1) The executive committee of a governing council shall consist of the chairman, the vice-chairman, the secretary, one other member designated by the governing council for this purpose and the assistant secretary.

(2) The assistant secretary may take part in the discussions at meetings of the executive committee and may make recommendations to the executive committee, but shall not have the right to vote at such meetings.

(3) A governing council may assign any of its powers and functions to its executive committee: Provided that the governing council shall not be divested of any power or function which it has assigned to its executive committee and that it may alter or set aside any decision of the executive committee at its first meeting after the decision in question was made.

(4) The quorum for any meeting of an executive committee shall be three members of the executive committee.

(5) In voting at a meeting of an executive committee, the chairman shall have a deliberative vote only.

(6) The secretary of the governing council shall also be the secretary of the executive committee.

(7) Minutes shall be kept of every meeting of the executive committee and such minutes shall be submitted for approval at the first ensuing meeting of the governing council.

**Oorgangsbepalings vir die tydperk 1 Januarie 1988 tot
31 Maart 1992**

6. (1) Behoudens die bepaling van subregulasies (2) en (3) word 'n beheerraad wat voor die inwerkingtreding van hierdie regulasies ingevolge 'n vorige regulasie saamgestel is, geag 'n beheerraad ingevolge hierdie regulasies saamgestel te wees, en enigiets wat voor daardie inwerkingtreding ingevolge die een of ander bepaling van 'n vorige regulasie met betrekking tot 'n beheerraad of die samestelling van 'n beheerraad gedoen is, word geag ingevolge die ooreenstemmende bepaling van hierdie regulasies gedoen te wees.

(2) Ondanks die bepaling van subregulasie (1) kan die betrokke streekdirekteur 'n beheerraad in daardie subregulasie bedoel en voor 1 Januarie 1988 saamgestel, met minstens een maand skriftelike kennisgewing aan die lede ontbind, en daarop word 'n nuwe beheerraad ingevolge hierdie regulasies saamgestel.

(3) Ondanks die bepaling van subregulasie (1) verstryk die ampstermyn van die lede van 'n beheerraad in daardie subregulasie bedoel en op of na 1 Januarie 1988 saamgestel, op 31 Maart 1992, en daardie lede kan te eniger tyd hoogstens twee bykomende lede verkies wat met dieselfde pligte belas is en dieselfde werksaamhede verrig as eersgenoemde lede.

(4) Ondanks die bepaling van regulasie 5 beklee die lede van 'n beheerraad wat na die inwerkingtreding van hierdie regulasies maar nie later nie as 31 Desember 1991 aangestel, benoem of verkies word, hul amp vanaf die datum waarop hulle aangestel, benoem of verkies word tot en met 31 Maart 1992.

Lidmaatskap van meer as twee beheerrade

7. Niemand mag gelyktydig lid van meer as twee beheerrade wees nie.

Beëindiging van lidmaatskap

8. Die lidmaatskap van 'n lid van 'n bepaalde beheerraad kan te eniger tyd deur die Minister beëindig word indien die Minister van oordeel is dat die optrede of gedrag van die lid nie bevorderlik vir die skool of die onderwys is nie.

Dagbestuur van 'n beheerraad

9. (1) Die dagbestuur van 'n beheerraad bestaan uit die voorsitter, die vise-voorsitter, die sekretaris, een ander lid deur die beheerraad vir dié doel aangewys en die assistent-sekretaris.

(2) Die assistent-sekretaris kan aan die besprekings op vergaderings van die dagbestuur deelneem en aanbevelings aan die dagbestuur maak, maar het nie die reg om op sulke vergaderings te stem nie.

(3) 'n Beheerraad kan enige van sy bevoegdhede of werksaamhede aan sy dagbestuur opdra: Met dien verstande dat die beheerraad nie ontdoen is van 'n bevoegdheid of werksaamheid wat hy aan sy dagbestuur opgedra het nie, en dat hy enige besluit van die dagbestuur by sy eerste vergadering na die neem van die betrokke besluit, kan wysig of tersyde stel.

(4) Die kworum vir 'n vergadering van 'n dagbestuur is drie lede van die dagbestuur.

(5) By 'n stemming op 'n vergadering van 'n dagbestuur het die voorsitter net 'n beraadslagende stem.

(6) Die sekretaris van die beheerraad is ook die sekretaris van die dagbestuur.

(7) Notule moet van elke vergadering van die dagbestuur gehou word en sodanige notule moet op die eersvolgende vergadering van die beheerraad vir bekragtiging voorgelê word.

Convening of meetings of governing councils

10. (1) The first meeting of any governing council shall be convened by the circuit inspector concerned, and at this meeting the governing council shall be duly constituted: Provided that the date of the meeting shall not be later than three weeks after the date of the commencement of the term of office of the members: Provided further that the holding of the first meeting on a later date may be approved by the circuit inspector if he sees fit to do so.

(2) Notwithstanding the provisions of subregulation (1), a governing council which has been reconstituted in view of the termination of the term of office of the previous members shall not meet before the term of office referred to has terminated.

First meeting of a governing council

11. At its first meeting a governing council shall—

- (a) elect a chairman and vice-chairman in accordance with regulation 3 (2) and a secretary in accordance with regulation 4 (1);
- (b) constitute an executive committee in accordance with regulation 9 (1);
- (c) decide on the length of the period of notice that shall be given for an extraordinary meeting;
- (d) determine the procedure to be followed in connection with notices concerning any extraordinary meeting;
- (e) deal with such other matters as circumstances may require.

Subsequent meetings of a governing council

12. (1) Ordinary meetings of a governing council shall be held at least once a quarter.

(2) The notices of meetings shall explicitly state the day, time and venue of the meeting and shall be accompanied by an agenda.

(3) Notices of ordinary meetings shall be in writing and shall be posted to or personally handed to the members by the secretary of the governing council on the authority of the chairman, so as to be in their possession at least eight days before the day of the meeting concerned.

(4) Subject to the provisions of regulation 14, the non-receipt of a notice referred to in subregulation (2) and the consequent absence of a member shall not be prejudicial to the validity of the proceedings at such meetings.

(5) Should the chairman for any reason neglect or fail to convene at least one ordinary meeting a quarter, the vice-chairman or at least four members may at the expiration of a quarter during which no such meeting was held, direct the secretary of the governing council to convene a meeting and to issue notices to all the members in which the day, time and venue of the meeting are stated.

(6) The chairman may at any time convene an extraordinary meeting if, in his opinion, circumstances necessitate such a meeting: Provided that such a meeting shall be convened if at least four members of the governing council request it in writing.

(7) The chairman shall convene a meeting of the governing council or of the executive committee should the regional director or circuit inspector concerned request him to do so.

Minutes

13. (1) The minutes of every meeting of a governing council shall be recorded, in the language determined by the council, by the secretary of the governing council in a book or file which shall be used for that purpose exclusively and which shall be retained in safe-keeping at the school by that secretary.

Belê van vergaderings van beheerraad

10. (1) Die eerste vergadering van 'n beheerraad word deur die betrokke kringinspekteur belê en op hierdie vergadering word die beheerraad behoorlik gekonstitueer: Met dien verstande dat die datum van die vergadering nie later nie as drie weke na die datum van die begin van die ampstermyn van die lede moet wees: Met dien verstande voorts dat die hou van die eerste vergadering op 'n later datum na goeddunke deur die kringinspekteur goedgekeur kan word.

(2) Ondanks die bepalings van subregulasie (1) mag 'n beheerraad wat hersaamgestel is met die oog op die verstryking van die ampstermyn van die vorige lede, nie vergader voordat bedoelde ampstermyn verstryk het nie.

Eerste vergadering van 'n beheerraad

11. 'n Beheerraad moet op sy eerste vergadering—

- (a) 'n voorsitter en 'n vise-voorsitter ooreenkomstig regulasie 3 (2) en 'n sekretaris ooreenkomstig regulasie 4 (1) verkies;
- (b) 'n dagbestuur ooreenkomstig regulasie 9 (1) saamstel;
- (c) besluit hoe lank vooraf kennis van 'n buitengewone vergadering gegee moet word;
- (d) die prosedure bepaal wat gevolg moet word in verband met kennisgewings betreffende 'n buitengewone vergadering;
- (e) sodanige ander sake behandel as wat omstandighede vereis.

Daaropvolgende vergadering van 'n beheerraad

12. (1) Gewone vergaderings van 'n beheerraad moet minstens een keer per kwartaal gehou word.

(2) Die kennisgewings van vergaderings moet die dag, tyd en plek van die vergadering uitdruklik vermeld en vergesel gaan van 'n sakelys.

(3) Kennisgewings van gewone vergaderings moet skriftelik op gesag van die voorsitter deur die sekretaris van die beheerraad aan die lede geos of persoonlik aan hulle oorhandig word sodat dit minstens agt dae voor die dag van die betrokke vergadering in hulle besit is.

(4) Behoudens die bepalings van regulasie 14 doen die nie-ontvangs van 'n kennisgewing bedoel in subregulasie (2) en die gevolglike afwesigheid van 'n lid nie afbreuk aan die geldigheid van die verrigtings op sodanige vergaderings nie.

(5) Indien die voorsitter, om watter rede ook al, versuim of in gebreke bly om minstens een gewone vergadering per kwartaal te belê, kan die vise-voorsitter of minstens vier lede na afloop van 'n kwartaal waarin daar nie so 'n vergadering gehou is nie, die sekretaris van die beheerraad gelas om 'n vergadering te belê en kennisgewings aan al die lede uit te reik wat die dag, tyd en plek van die vergadering bepaal.

(6) Die voorsitter kan te eniger tyd 'n buitengewone vergadering belê indien omstandighede so 'n vergadering volgens sy oordeel noodsaaklik maak: Met dien verstande dat so 'n vergadering belê moet word op die skriftelike versoek van minstens vier lede van die beheerraad.

(7) Die voorsitter moet 'n vergadering van die beheerraad of die dagbestuur belê indien die betrokke streekdirekteur of kringinspekteur hom aldus versoek.

Notule

13. (1) Die notule van elke vergadering van 'n beheerraad word in die taal wat die beheerraad bepaal, deur die sekretaris van die beheerraad gehou in 'n boek of 'n lêer wat uitsluitlik vir dié doel gebruik word en wat deur daardie sekretaris in veilige bewaring by die skool gehou moet word.

(2) The secretary of a governing council shall record the names of the members who are present and who are absent, stating whether such absence is with or without leave, in the minutes of every meeting.

(3) After an ordinary meeting has been constituted, the minutes of the previous ordinary meeting, as well as the minutes of any subsequent extraordinary meeting or any meeting of the executive committee, shall be read and confirmed by the signature of the chairman: Provided that objections to the minutes shall be raised and dealt with before the minutes are confirmed.

(4) The minutes of a governing council shall lie open to inspection at the school at all reasonable times to a member of such council and the circuit inspector concerned or any officer authorised thereto by him: Provided that the circuit inspector may request that a copy of the minutes of any meeting be made available to him.

Quorum

14. (1) The quorum for a meeting of a governing council shall be four members of the governing council.

(2) If there is no quorum present at any properly convened meeting, such meeting shall be postponed to a day at least eight, but not more than 12, days from the day on which such meeting was convened, and on the day so determined the meeting, which shall be convened in accordance with regulation 12 (2) and (3), shall deal with the agenda, irrespective of whether there is a quorum.

Voting

15. (1) All matters discussed at a meeting of a governing council shall be decided by a majority of the members of the governing council who are present and voting.

(2) A member of a governing council shall have one vote when a matter is put to the vote: Provided that, in the event of an equality of votes, the chairman or the person acting as chairman in his absence shall, in addition to his deliberative vote, also have a casting vote.

(3) In respect of every decision, the number of members voting for or against any motion shall be recorded in the minutes, and at the request of any member the chairman shall direct that the vote of such member be recorded.

(4) When so ruled by the chairman, voting shall be by ballot.

Ruling of chairman

16. The ruling of the chairman on a point of order or procedure shall be binding, unless immediately challenged by a member, in which event such ruling shall be submitted, without discussion, to the meeting, whose decision shall be final.

Attendance of meetings by non-members and leaving of meeting by principal

17. (1) Subject to the provisions of section 7 (1) of the Act, every meeting of a governing council shall be a closed meeting and, save as is provided for in these regulations, no person who is not a member shall be permitted to attend it.

(2) The governing council may decide that the principal concerned must absent himself temporarily from the meeting when any matter concerning his person is discussed.

(3) If the governing council requires the presence of a staff member of the school concerned at any meeting of the governing council in connection with any matter falling within the prescribed duties of a governing council, the staff member referred to shall, when requested to do so, attend such meeting for such period as the governing council may determine.

(2) Die sekretaris van 'n beheerraad moet in die notule van elke vergadering die name notuleer van die lede wat teenwoordig en afwesig is, met 'n aanduiding of sodanige afwesigheid met of sonder verskoning is.

(3) Nadat 'n gewone vergadering gekonstitueer is, word die notule van die voorafgaande gewone vergadering asook die notule van enige daaropvolgende buitengewone vergadering of vergadering van die dagbestuur gelees en bekragtig deur die handtekening van die voorsitter: Met dien verstande dat besware teen die notule voor die bekragtiging daarvan geopper en afgehandel moet word.

(4) Die notule van 'n beheerraad lê op alle redelike tye in die skool ter insae van 'n lid van sodanige raad en die betrokke kringinspekteur of 'n deur hom daartoe gemagtigde beampte: Met dien verstande dat die kringinspekteur kan versoek dat 'n afskrif van die notule van enige vergadering aan hom beskikbaar gestel moet word.

Kworum

14. (1) Die kworum vir 'n vergadering van 'n beheerraad is vier lede van die beheerraad.

(2) Indien daar by 'n gewone vergadering wat behoorlik belê is, nie 'n kworum is nie, word sodanige vergadering uitgestel tot 'n dag minstens agt maar hoogstens 12 dae vanaf die dag waarop sodanige vergadering belê is, en op die aldus bepaalde datum handel die vergadering, wat belê moet word ooreenkomstig regulasie 12 (2) en (3), die agenda af, ongeag of daar 'n kworum is of nie.

Stemming

15. (1) Alle sake wat op 'n vergadering van 'n beheerraad bespreek word, word beslis deur 'n meerderheid van die lede van die beheerraad wat teenwoordig is en stem.

(2) 'n Lid van 'n beheerraad beskik oor een stem wanneer 'n saak tot stemming gebring word: Met dien verstande dat by 'n staking van stemme die voorsitter, of die persoon wat in sy afwesigheid as voorsitter optree, benewens sy beraadslagende stem, ook 'n beslissende stem het.

(3) Ten opsigte van elke besluit word daar genotuleer hoeveel lede ten gunste van of teen 'n mosie gestem het, en op versoek van 'n lid gelas die voorsitter dat die stem van sodanige lid aangeteken word.

(4) Wanneer die voorsitter so reël, word daar by wyse van stembriefies gestem.

Beslissing van die voorsitter

16. Die beslissing van die voorsitter op 'n punt van orde of prosedure is bindend, tensy 'n lid onmiddellik daarteen beswaar maak, in welke geval sodanige beslissing sonder bespreking voorgelê word aan die vergadering, wie se beslissing finaal is.

Bywoning van vergaderings deur nie-lede en verlatting van vergadering deur prinsipaal

17. (1) Behoudens die bepalings van artikel 7 (1) van die Wet is elke vergadering van 'n beheerraad geslote, en behalwe waar dit in hierdie regulasies anders bepaal word, word niemand wat nie 'n lid is nie, toegelaat om dit by te woon nie.

(2) Die beheerraad kan besluit dat die betrokke prinsipaal die vergadering tydelik moet verlaat wanneer 'n aangeleentheid rakende sy persoon bespreek word.

(3) Indien die beheerraad die teenwoordigheid van 'n lid van die betrokke skool se personeel op enige vergadering van die beheerraad vereis in verband met enige saak wat binne die voorgeskrewe pligte van 'n beheerraad val, moet bedoelde personeellid, wanneer hy daartoe versoek word, sodanige vergadering bywoon vir sodanige tydperk as wat die beheerraad bepaal.

(4) If a governing council considers it necessary, any other person who, in the opinion of the governing council, may be able to provide information on any matter falling within the powers of the governing council, may attend any meeting of the governing council for such period as the governing council may determine.

(5) Any officer authorised thereto by the Director-General or by the regional director or circuit inspector concerned shall have the right to attend any meeting of a governing council in an advisory capacity or as an observer.

Procedure in respect of vacancies and the absence of members of governing councils

18. (1) If a member of a governing council—

- (a) resigns;
- (b) dies;
- (c) is no longer, in terms of the regulations referred to in regulation 3 (1) (c), qualified to be a member in terms of that regulations; or
- (d) has been absent without notice or reason acceptable to the governing council from three consecutive ordinary meetings;

he shall cease to be a member of the governing council concerned.

(2) If the office of chairman, vice-chairman or secretary becomes vacant, the members of the governing council shall, from among their number, elect a person to the office in question.

(3) If the chairman is absent from a meeting of the governing council, the vice-chairman shall act as chairman, and if both the chairman and the vice-chairman are absent from a meeting, the governing council shall, from among their number, elect a person to preside at the meeting.

(4) If a member is absent from any ordinary meeting of the governing council, without stating a reason, acceptable to the governing council, for his absence, the secretary of the governing council shall request him, in writing, to state the reason for his absence.

(5) If the office of a member of any governing council has become vacant in terms of subregulation (1), the chairman shall at the next meeting declare that such vacancy has occurred and shall give the reasons for the vacancy.

(6) Any vacancy caused by the death or vacation of office of a member referred to in—

- (a) regulation 3 (1) (a) shall be filled by appointment by the regional director concerned in accordance with the procedure set out in that regulation;
- (b) regulation 3 (1) (b) shall be filled by nomination by the committee referred to in that regulation;
- (c) regulation 3 (1) (c) shall be filled by election by parents of pupils in accordance with that regulation;
- (d) regulation 3 (1) (d) shall be filled by election by the members of the governing council referred to in that regulation;

for the remaining portion of the term of office of the member whose office has become vacant.

(7) The secretary of any governing council shall, immediately after any vacancy has been filled in terms of subregulation (2) or (6), inform the circuit inspector concerned of the name of the member whose office became vacant, the reasons for the vacancy and the name and address of the member appointed, nominated or elected to fill such vacancy.

(8) The circuit inspector shall without delay—

- (a) inform the member elected in terms of subregulation (2) or (6) (d) of his election and term of office;

(4) Indien die beheerraad dit nodig ag, kan enige ander persoon wat na die mening van die beheerraad moontlik inligting kan verskaf oor 'n saak wat binne die bevoegdheid van die beheerraad val, 'n vergadering van die beheerraad bywoon vir sodanige tydperk as wat die beheerraad bepaal.

(5) 'n Beamppte wat daartoe gemagtig is deur die Direkteur-generaal of die betrokke streekdirekteur of kringinspekteur, het die reg om enige vergadering van 'n beheerraad in 'n raadgewende hoedanigheid of as waarnemer by te woon.

Prosedure ten opsigte van vakatures en afwesigheid van lede van beheerraad

18. (1) Indien 'n beheerraadlid—

- (a) bedank;
- (b) te sterwe kom;
- (c) nie meer ingevolge die regulasies in regulasie 3 (1) (c) vermeld as lid kwalifiseer ingevolge daardie regulasie nie;
- (d) van drie agtereenvolgende gewone vergaderings sonder kennisgewing, of vir die beheerraad aanvaarbare redes, afwesig was;

hou hy op om lid van die betrokke beheerraad te wees.

(2) Indien die amp van voorsitter, vise-voorsitter of sekretaris vakant raak, kies die lede van die beheerraad 'n persoon uit eie geledere om die betrokke amp te vul.

(3) Indien die voorsitter van 'n vergadering van die beheerraad afwesig is, neem die vise-voorsitter as voorsitter waar en indien die voorsitter en die vise-voorsitter van 'n vergadering afwesig is, kies die beheerraad iemand uit eie geledere om op die vergadering voort sit.

(4) Indien 'n lid van 'n gewone vergadering van die beheerraad afwesig is sonder dat hy vir die beheerraad 'n aanvaarbare rede vir sy afwesigheid verstrek, moet die sekretaris van die beheerraad hom skriftelik versoek om die rede vir sy afwesigheid te verstrek.

(5) Indien die amp van 'n lid van 'n beheerraad ingevolge subregulasie (1) vakant geraak het, moet die voorsitter op die eersvolgende vergadering verklaar dat sodanige vakature ontstaan het en die rede daarvoor verstrek.

(6) 'n Vakature veroorsaak deur die dood of ontruiming van sy amp van 'n lid in—

- (a) regulasie 3 (1) (a) bedoel, word gevul deur 'n aanstelling deur die betrokke streekdirekteur ooreenkomstig die prosedure in daardie regulasie uiteengesit;
- (b) regulasie 3 (1) (b) bedoel, word gevul deur 'n benoeming deur die komitee in daardie regulasie vermeld;
- (c) regulasie 3 (1) (c) bedoel, word gevul deur verkiesing deur ouers van leerlinge ooreenkomstig daardie regulasie;
- (d) regulasie 3 (1) (d) bedoel, word gevul deur verkiesing deur die lede van die beheerraad in daardie regulasie vermeld.

vir die oorblywende gedeelte van die ampstermyn van die lid wie se amp vakant geraak het.

(7) Die sekretaris van 'n beheerraad moet onmiddellik nadat 'n vakature ingevolge subregulasie (2) of (6) gevul is, die betrokke kringinspekteur in kennis stel van die naam van die lid wie se amp vakant geraak het, die redes daarvoor en die naam en adres van die lid wat aangestel, benoem of verkies is om sodanige vakature te vul.

(8) Die kringinspekteur moet onverwyld—

- (a) die lid wat ingevolge subregulasie (2) of (6) (d) verkies is, van sy verkiesing en ampstermyn in kennis stel;

- (b) inform a member whose membership was terminated in terms of subregulation (1) (c) or (e) of the termination of his membership;
- (c) provide the regional director concerned, in writing, with the information contemplated in subregulation (7).

Powers and functions of a governing council

19. (1) In addition to the powers and functions vested in or conferred upon governing councils by these regulations, the powers and functions of any governing council shall be to—

- (a) keep a watchful eye on the general well-being of the school;
- (b) promote and protect the interests of the school;
- (c) advise the Director-General in regard to the efficient functioning of the school;
- (d) see to it that the buildings, grounds, fences and other accessories of the school are properly cared for and to report any damage or necessary repairs, in writing, to the Department without delay;
- (e) make recommendations to the Director-General regarding the appointment, promotion and discharge of staff of the school, excluding staff in respect of whom the principal has informed the chairman of the governing council that they were appointed in a temporary capacity;
- (f) inquire into any written complaint concerning the school and to report thereon to the Department if it considers it necessary, in which case the governing council shall submit the written complaint, together with its finding and recommendation, to the Director-General;
- (g) recommend to the Director-General that an inquiry be held by the Director-General if, in the opinion of the governing council, any member of the teaching staff of the school—
 - (i) is, in terms of section 24 of the Act, incapable of performing his duties properly;
 - (ii) has, owing to continued ill-health or some or other physical or mental defect, become incapable of teaching properly; or
 - (iii) has rendered himself guilty of misconduct as defined in section 22 of the Act;
- (h) deal with the representations of parents and to submit such representations, together with its recommendation, to the Director-General;
- (i) bring to the notice of the Director-General, through the official channels, any matter which, in the opinion of the governing council, relates to the well-being and efficiency of the school;
- (j) control a school fund in accordance with the regulations published by Government Notice R. 830, dated 30 April 1982, regarding the control of money which is raised for or with regard to a school;
- (k) consider, when necessary, action against pupils who render themselves guilty of misconduct, in accordance with the regulations published by Government Notice R. 1143, dated 29 May 1981, as amended by Government Notices R. 833, dated 30 April 1982, and R. 742, dated 4 April 1985, regarding the control and treatment of pupils at a school;
- (l) put methods into effect to obtain the active interest, actual support and co-operation of the parents and the community in the interests of the school;

- (b) 'n lid wie se lidmaatskap ingevolge subregulasie (1) (c) of (e) beëindig is, van die beëindiging van sy lidmaatskap in kennis stel;
- (c) die inligting bedoel in subregulasie (7) skriftelik aan die betrokke streekdirekteur meedeel.

Bevoegdhede en werksaamhede van 'n beheerraad

19. (1) Benewens die bevoegdhede en werksaamhede wat beheerrade in hierdie regulasies verleen of opgelê word, is die bevoegdhede en werksaamhede van 'n beheerraad—

- (a) om 'n wakende oog oor die algemene welsyn van die skool te hou;
- (b) om die belange van die skool te bevorder en te beskerm;
- (c) om die Direkteur-generaal te adviseer oor die doeltreffende funksionering van die skool;
- (d) om toe te sien dat die geboue, terrein, omheining en ander bybehore van die skool behoorlik versorg word en om enige skade of noodsaaklike herstelwerk onverwyld skriftelik aan die Departement te rapporteer;
- (e) om aanbevelings by die Direkteur-generaal te doen oor aanstellings, bevorderings en ontslag van personeel van die skool, behalwe personeel ten opsigte van wie die prinsipaal die voorsitter van die beheerraad ingelig het dat hulle in 'n tydelike hoedanigheid aangestel is;
- (f) om ondersoek in te stel na 'n skriftelike klagte in verband met die skool en verslag te doen aan die Departement indien hy dit nodig ag, en in dié geval moet die beheerraad die skriftelike klagte tesame met sy bevinding en aanbeveling aan die Direkteur-generaal voorlê;
- (g) om by die Direkteur-generaal aan te beveel dat 'n ondersoek deur die Direkteur-generaal ingestel word indien, na die oordeel van die beheerraad, 'n lid van die onderwyspersoneel van die skool—
 - (i) ingevolge artikel 24 van die Wet onbekwaam is om sy pligte behoorlik uit te voer;
 - (ii) weens voortdurende swak gesondheid of die een of ander liggaamlike of geestelike gebrek onbekwaam geword het om behoorlik onderwys te gee; of
 - (iii) hom skuldig gemaak het aan wangedrag soos omskryf in artikel 22 van die Wet;
- (h) om die verhoë van ouers te behandel en sodanige verhoë tesame met sy aanbeveling aan die Direkteur-generaal voor te lê;
- (i) om 'n saak wat na die oordeel van die beheerraad op die welsyn en doeltreffendheid van die skool betrekking het, deur die amptelike kanale onder die aandag van die Direkteur-generaal te bring;
- (j) om ooreenkomstig die regulasies afgekondig by Goewermentskennisgewing R. 830 van 30 April 1982, betreffende die beheer oor geld wat vir of met betrekking tot 'n skool ingesamel word, 'n skoolfonds te beheer;
- (k) om ooreenkomstig die regulasies afgekondig by Goewermentskennisgewing R. 1143 van 29 Mei 1981, soos gewysig by Goewermentskennisgewings R. 833 van 30 April 1982 en R. 742 van 4 April 1985, betreffende die beheer oor en die behandeling van leerlinge by 'n skool, wanneer nodig, oorweging te skenk aan optrede teen leerlinge wat hulle aan wangedrag skuldig maak;
- (l) om metodes in werking te stel om die aktiewe belangstelling, daadwerklike steun en samewerking van die ouers en gemeenskap in belang van die skool te verkry;

- (m) advise the Director-General in regard to any matter in connection with the school;
- (n) furnish the Director-General with such information, reports and advice as the Director-General may from time to time require;
- (o) advise the principal on the drafting of a school policy, including specific standards the governing council wishes to set;
- (p) receive applications for the use of school buildings and to forward such applications, together with its recommendations, to the circuit inspector for the decision of the regional director;
- (q) advise the principal on extra-mural activities and to participate in organising them;
- (r) approve school magazines and regular newsletters to parents;
- (s) advise the principal on the hours of attendance at the school, including opening and closing times and the duration of breaks and study periods, subject to section 36 of the Act;
- (t) advise the principal on the application of the policy regarding the admission of pupils above or under the age limits and the maximum enrolment at the school;
- (u) perform such other functions as may be entrusted to the governing council by the Director-General or the regional director; and
- (v) be responsible for the supervision of the school in general.

(2) If the principal or any officer has received any advice, report or recommendation from the governing council on any matter referred to in subregulation (1), the principal or officer shall, as soon as may be practicable, report to the governing council on the outcome of such matter.

(3) If, in the opinion of the Director-General, any governing council neglects or fails to exercise or fulfil any power or function contemplated in subregulation (1) or any power or function vested in or imposed upon it in terms of these regulations, or neglects or fails to exercise or fulfil it properly within a fixed period, the Director-General or a person designated by him may exercise such power or fulfil such function, and such power or function shall be deemed for the purposes of these regulations to have been exercised or fulfilled by the governing council: Provided that this subregulation shall not apply to expenditure or other commitments out of school funds.

Members of council shall not receive payment

20. (1) Subject to the provisions of section 7 (2) (b) of the Act, no member of a governing council may receive any payment, direct or indirect, pecuniary or otherwise, from any person for or in connection with his services as a member.

(2) Any member of a governing council who contravenes any provision of subregulation (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R50 or to imprisonment not exceeding three months.

Access to books and documents

21. The Director-General, or any officer duly authorised thereto by him, shall have access at any time to the books, minutes and documents of any governing council at any time.

- (m) om die Direkteur-generaal van advies te dien aangaande enige aangeleentheid in verband met die skool;
- (n) om sodanige inligting, verslae en advies as wat die Direkteur-generaal van tyd tot tyd verlang, aan die Direkteur-generaal te verstrek;
- (o) om die prinsipaal te adviseer by die opstel van skoolbeleid, met inbegrip van spesifieke standaarde wat die beheerraad wil stel;
- (p) om aansoeke vir gebruikmaking van skoolgeboue te ontvang en dit tesame met sy aanbeveling aan die kringinspekteur deur te stuur vir die streekdirekteur se besluit;
- (q) om die prinsipaal te adviseer oor buitemuurse bedrywighede en deel te neem aan die organisering daarvan;
- (r) om skoolblaie en gereelde nuusbriewe aan ouers goed te keur;
- (s) om, behoudens artikel 36 van die Wet, die prinsipaal te adviseer oor die bywoningsure by die skool, met inbegrip van aanvangs- en sluitingstye en die duur van pouses en studieperiodes;
- (t) om die prinsipaal te adviseer oor die toepassing van die beleid in verband met die toelating van leerlinge van bo en onder die ouderdomsperk en die maksimum inskrywing van die skool;
- (u) om die ander werksaamhede uit te voer wat deur die Direkteur-generaal of die streekdirekteur aan die beheerraad opgedra word; en
- (v) om algemene toesig oor die skool uit te oefen.

(2) Indien die prinsipaal of 'n beampte advies, 'n verslag of 'n aanbeveling in verband met enige aangeleentheid in subregulasie (1) bedoel van die beheerraad ontvang het, doen die prinsipaal of beampte so gou dit prakties moontlik is verslag aan die beheerraad aangaande die uitslag van sodanige aangeleentheid.

(3) Indien 'n beheerraad volgens die oordeel van die Direkteur-generaal versuim of in gebreke bly om enigiën van die bevoegdhede of werksaamhede bedoel in subregulasie (1) of enige bevoegdheid of werksaamheid wat ingevolge hierdie regulasies by 'n beheerraad berus of aldus aan hom opgedra word, uit te oefen of te verrig of versuim of in gebreke bly om dit behoorlik uit te oefen of te verrig binne 'n vasgestelde tydperk, kan die Direkteur-generaal of iemand deur hom aangewys, daardie bevoegdheid uitoefen of werksaamheid verrig, en sodanige bevoegdheid of werksaamheid word vir die doeleindes van hierdie regulasies geag deur die beheerraad uitgeoefen of verrig te wees: Met dien verstande dat hierdie subregulasie nie op uitgawes of ander verpligtinge uit skoolfondse van toepassing is nie.

Lede van 'n beheerraad ontvang geen betaling nie

20. (1) Behoudens die bepalings van artikel 7 (2) (b) van die Wet mag geen lid van 'n beheerraad enige betaling, regstreeks of onregstreeks, geldelik of andersins, vir of in verband met sy dienste as sodanige lid van enigiemand ontvang nie.

(2) 'n Lid van 'n beheerraad wat 'n bepaling van subregulasie (1) oortree, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 of gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Toegang tot boeke en dokumente

21. Die Direkteur-generaal, of enige beampte behoorlik deur hom daartoe gemagtig, het te eniger tyd toegang tot die boeke, notule en dokumente van 'n beheerraad.

Dissolution of a governing council

22. (1) The Minister may, subject to the provisions of section 7 (3) of the Act, dissolve any governing council—

- (a) in order to replace it with a management council in terms of regulation 2 (2);
- (b) if he is of the opinion that such governing council has failed to carry out its duties satisfactorily or has acted in a manner which is not in the best interests of the school concerned or of education.

(2) When a governing council has been dissolved under section 7 of the Act, it shall cease to function on a date determined by the Minister, after which it shall be replaced by a new governing council constituted in accordance with regulation 3 or by a management council constituted in accordance with regulation 2 (2): Provided that the Minister may, in the case of a governing council which has been dissolved in terms of subregulation (1) (b), instruct that the school concerned shall have no governing council for a period determined by him or for an indefinite period which he may terminate at his discretion.

Amendment of Regulations regarding Councils and Committees for Public Schools, 1982

23. The Regulations regarding Councils and Committees for Public Schools, 1982, published by Government Notice R. 828, dated 30 April 1982, as amended by Government Notices R. 672, dated 31 March 1983, and R. 2365 dated 25 November 1988, are hereby amended by the deletion of subregulations (1) and (2) of regulation 2.

Short title

24. These regulations shall be called the Governing Council Regulations for Primary and Secondary Schools, 1988.

No. R. 2367

25 November 1988

AMENDMENT OF THE REGULATIONS RELATING TO THE ADMISSION OF PUPILS TO, AND THE CONTROL OF PUPILS AT, PUBLIC SCHOOLS AND STATE-AIDED SCHOOLS, MADE IN TERMS OF THE EDUCATION AND TRAINING ACT, 1979

The Minister of Education and Development Aid has under section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations set out in the Schedule.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations published by Government Notice R. 1143 of 29 May 1981, as amended by Government Notices R. 833 of 30 April 1982, R. 742 of 4 April 1985 and R. 2287 of 11 November 1988.

2. Regulation 1 of the Regulations is hereby amended—

- (a) by the addition to the definition of "circuit inspector" of the following words:
"or any other officer in the Department authorised by the regional director concerned to act in the place of such circuit inspector;"
- (b) by the substitution in the definition of "controlling body" for the words "State school or a community school" of the words "public school";
- (c) by the insertion after the definition of "expulsion" of the following definition:

" 'regional director' shall mean an officer of the Department who is in control of education in any region which has been determined by the Minister in terms of section 2 (2) of the Act;" and

Ontbinding van 'n beheerraad

22. (1) Die Minister kan, behoudens die bepalings van artikel 7 (3) van die Wet, 'n beheerraad ontbind—

- (a) ten einde dit deur 'n bestuursraad te vervang ingevolge regulasie 2 (2);
- (b) indien hy van oordeel is dat sodanige beheerraad in gebreke gebly het om sy pligte bevredigend uit te voer, of op 'n wyse opgetree het wat nie in die beste belang van die betrokke skool of die onderwys is nie.

(2) Wanneer 'n beheerraad kragtens artikel 7 van die Wet ontbind is, hou dit op om te funksioneer op 'n datum wat deur die Minister vasgestel word, waarna dit vervang word deur 'n nuwe beheerraad saamgestel ooreenkomstig regulasie 3 of deur 'n bestuursraad saamgestel ooreenkomstig regulasie 2 (2): Met dien verstande dat die Minister, in die geval van 'n beheerraad wat kragtens subregulasie (1) (b) ontbind is, kan gelas dat die betrokke skool vir 'n tydperk wat deur hom vasgestel word, of vir 'n onbepaalde tydperk wat hy na goeë dinge kan beëindig, geen beheerraad moet hê nie.

Wysiging van Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982

23. Die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, afgekondig by Goewermentskennisgewing R. 828 van 30 April 1982, soos gewysig by Goewermentskennisgewings R. 672 van 31 Maart 1983 en R. 2365 van 25 November 1988, word hierby gewysig deur subregulasies (1) en (2) van regulasie 2 te skrap.

Kort titel

24. Hierdie regulasies heet die Beheerraadregulasies vir Primêre en Sekondêre Skole, 1988.

No. R. 2367

25 November 1988

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE TOELATING VAN LEERLINGE TOT, EN DIE BEHEER OOR LEERLINGE BY, OPENBARE SKOLE EN STAATSONDERSTEUNDE SKOLE, UITGEVAARDIG Kragtens DIE WET OP ONDERWYS EN OPLEIDING, 1979

Die Minister van Onderwys en Ontwikkelingshulp het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 1143 van 29 Mei 1981, soos gewysig by Goewermentskennisgewings R. 833 van 30 April 1982, R. 742 van 4 April 1985 en R. 2287 van 11 November 1988.

2. Regulasie 1 van die Regulasies word hierby gewysig—

- (a) deur in die omskrywing van "beheerliggaam" die woorde "Staatskool of 'n gemeenskapskool" deur die woorde "openbare skool" te vervang;
- (b) deur die volgende omskrywing na die omskrywing van "beheerliggaam" in te voeg:
" 'die Wet' die Wet op Onderwys en Opleiding, 1979;"
- (c) deur in die omskrywing van "kringsinspekteur" die volgende woorde by te voeg:

"of enige ander beampte in die Departement wat deur die betrokke streekdirekteur gemagtig is om in die plek van sodanige kringsinspekteur op te tree;" en

(d) by the addition of the following definition:

“ ‘the Act’ shall mean the Education and Training Act, 1979.”

3. Regulation 2 of the Regulations is hereby amended—

(a) in subregulation (1)—

(i) by the substitution for paragraph (a) of the following paragraph:

“(a) application for his admission has been made to the principal of the school by his parent, who shall accompany him when application is so made: Provided that if for any reason it is not reasonably possible for the parent to visit the school in order so to make application there, the parent may authorise any person in writing so to make application on his behalf, or that the regional director concerned may at the request of the principal make such arrangements as he may deem fit in order to enable the parent so to make application at a place determined by the regional director, which shall be as close as possible to the place where the parent resides or works;”;

(ii) by the insertion after paragraph (a) of the following paragraph:

(aA) the parent undertakes in writing to see to it that the person concerned attends school regularly;”;

(iii) by the substitution for the word “Government” in paragraph (e) (i) of the word “public”;

(iv) by the substitution for paragraph (aa) of the proviso to paragraph (e) (i) of the following paragraph:

“(aa) who has previously been refused admission to any school or who has in terms of regulation 7 been expelled or suspended from any school on account of misconduct;”;

(v) by the deletion of paragraph (bb) of the said proviso to paragraph (e) (i);

(vi) by the deletion of the words “community school or a” in paragraph (e) (ii);

(vii) by the deletion of the proviso to paragraph (e) (ii); and

(b) by the addition of the following subregulations:

“(8) (a) If the Director-General considers it to be in the interests of education he may make any person’s admission to a public school subject to one or more of the following conditions:

(i) That the pupil shall receive the additional or remedial tuition determined by the Director-General in a subject or subjects forming part of the syllabus applicable to the pupil;

(ii) that the pupil shall hand in any text books issued to him by the school during the previous year, or that he shall make good the deliberate or negligent loss of or damage to such text books;

(d) deur die volgende omskrywing na die omskrywing van “skorsing” in te voeg:

“ ‘streekdirekteur’ ’n beamppte in die Departement wat in beheer is van die onderwys in ’n streek wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;”.

3. Regulasie 2 van die Regulasies word hierby gewysig—

(a) deur in subregulasie (1)—

(i) paragraaf (a) deur die volgende paragraaf te vervang:

“(a) aansoek om sy toelating by die prinsipaal van die skool deur sy ouer gedoen is, wat hom moet vergesel wanneer aldus aansoek gedoen word: Met dien verstande dat indien dit vir die ouer om enige rede nie redelik moontlik is om die skool te besoek ten einde daar aldus aansoek te doen nie, die ouer iemand skriftelik kan magtig om namens hom aldus aansoek te doen, of dat die betrokke streekdirekteur op versoek van die prinsipaal die reëlings wat hy goedvind kan tref om die ouer in staat te stel om aldus aansoek te doen op ’n plek wat die streekdirekteur bepaal, wat so na as moontlik is aan die plek waar die ouer woon of werk;”;

(ii) die volgende paragraaf na paragraaf (a) in te voeg:

“(aA) die ouer skriftelik onderneem om toe te sien dat die betrokke persoon die skool gereeld bywoon;”;

(iii) die woord “Staatskool” in paragraaf (e) (i) deur die woorde “openbare skool” te vervang;

(iv) paragraaf (aa) van die voorbehoudsbepaling by paragraaf (e) (i) deur die volgende paragraaf te vervang:

“(aa) wat vroeër toelating tot enige skool geweier is of wat ingevolge regulasie 7 weens wangedrag uit enige skool gesit of geskors is;”;

(v) paragraaf (bb) van genoemde voorbehoudsbepaling by paragraaf (e) (i) te skrap;

(vi) die woorde “gemeenskapskool of” in paragraaf (e) (ii) te skrap; en

(vii) die voorbehoudsbepaling by paragraaf (e) (ii) te skrap; en

(b) deur die volgende subregulasies by te voeg:

“(8) (a) Indien die Direkteur-generaal van oordeel is dat dit in belang van die onderwys is, kan hy ’n persoon se toelating tot ’n openbare skool onderworpe stel aan een of meer van die volgende voorwaardes:

(i) Dat die leerling die bykomende of remediërende onderrig wat die Direkteur-generaal bepaal, ontvang in ’n vak of vakke wat deel vorm van die leergang wat op die leerling van toepassing is;

(ii) dat die leerling enige handboeke wat in die vorige jaar deur die skool aan hom uitgereik is, moet inlewer of dat hy die opsetlike of nalatige verlies van of skade aan sodanige handboeke moet vergoed;

- (iii) that the pupil shall refrain from such out-of-school activities as in the opinion of the Director-General have or will have a detrimental effect on the pupil's studies.
- (b) Unless the Director-General otherwise directs, the principal shall refuse any person admission to a public school if in his opinion a condition stipulated in paragraph (a) has not been complied with.
- (9) (a) When a pupil in the opinion of the principal contravenes a condition stipulated in subregulation (8) or fails to comply therewith after having been admitted to a public school, the principal shall forthwith, in writing, notify such pupil and his parent thereof and inform such pupil and parent that on any recurrence of the contravention or continuation of the failure, as the case may be, his name may be deleted from the admission register and all other school registers.
- (b) When a pupil, after a written notification has been made in respect of him in terms of paragraph (a), in the opinion of the principal repeats the contravention or persists in the failure referred to in that paragraph, the principal shall confront such pupil and his parent about his conduct and afford him and his parent the opportunity to present the pupil's case in writing or verbally in the presence of a teacher or other witness, and after consideration of the pupil's case the principal may delete his name from the admission register and all other school registers.
- (c) When the name of a pupil is deleted from the admission register in terms of paragraph (b)—
- (i) such pupil shall without delay leave the premises of such school and, unless the principal has directed otherwise, of any hostel connected with such school;
 - (ii) the principal shall forthwith—
 - (aa) notify the parent of such pupil in writing of the deletion and of the reasons therefor; and
 - (bb) submit a full report on the case to the Director-General.
- (d) The Director-General may after consideration of the said report confirm or at any time annul the deletion.
- (10) The admission or readmission to a public school of any person who has failed the same standard twice shall be subject to the approval of the Director-General: Provided that the Director-General may after consultation with the parent recommend such person for another direction of study."
- (iii) dat die leerling hom moet weerhou van sodanige buiteskoolse bedrywighede as wat na die oordeel van die Direkteur-generaal 'n nadelige uitwerking op die leerling se studies het of sal hê.
- (b) Tensy die Direkteur-generaal anders gelas, weier die prinsipaal toelating tot 'n openbare skool aan 'n persoon indien daar na sy oordeel nie voldoen is aan 'n voorwaarde by paragraaf (a) bepaal nie.
- (9) (a) Wanneer 'n leerling na die oordeel van die prinsipaal 'n voorwaarde by subregulasie (8) bepaal oortree of versuim om daaraan te voldoen nadat hy tot 'n openbare skool toegelaat is, moet die prinsipaal sonder versuim sodanige leerling en sy ouer skriftelik daarvan verwittig en sodanige leerling en ouer meedeel dat by 'n herhaling van die oortreding of voortsetting van die versuim, na gelang van die geval, sy naam van die toelatingsregister en alle ander skoolregisters geskrap kan word.
- (b) Wanneer 'n leerling, nadat skriftelike verwittiging ingevolge paragraaf (a) ten opsigte van hom gedoen is, na die oordeel van die prinsipaal die oortreding of versuim in daardie paragraaf bedoel, herhaal of voorsit, moet die prinsipaal sodanige leerling en sy ouer oor sy gedrag konfronteer en in die geleentheid stel om die leerling se saak skriftelik of mondeling in teenwoordigheid van 'n onderwyser of 'n ander getuie te stel, en na oorweging van die leerling se saak, kan die prinsipaal sy naam van die toelatingsregister en alle ander skoolregisters skrap.
- (c) Wanneer 'n leerling se naam kragtens paragraaf (b) van die toelatingsregister geskrap word—
- (i) moet sodanige leerling sonder versuim die perseel van sodanige skool en, tensy die prinsipaal anders gelas het, van enige koshuis verbonde aan sodanige skool verlaat;
 - (ii) moet die prinsipaal sonder versuim—
 - (aa) die ouer van sodanige leerling skriftelik in kennis stel van die skrapping en die redes daarvoor; en
 - (bb) 'n volledige verslag oor die geval by die Direkteur-generaal indien.
- (d) Die Direkteur-generaal kan na oorweging van genoemde verslag die skrapping bekragtig of te eniger tyd ophef.
- (10) Iemand wat dieselfde standaard twee keer gedruip het, se toelating of hertoelating tot 'n openbare skool is aan die goedkeuring van die Direkteur-generaal onderworpe: Met dien verstande dat die Direkteur-generaal na oorlegpleging met die ouer sodanige persoon vir 'n ander studierigting kan aanbeveel."

4. Regulation 4 of the Regulations is hereby amended by the substitution for subregulations (2) to (5), inclusive, of the following subregulations:

- “(2) The principal shall inspect every attendance register at least once a week to determine whether the provisions of subregulation (4) or (5) are applicable to a pupil.
- (3) It shall be the duty of a pupil's parent or the person with whom the pupil normally resides while he attends school, in the case of a pupil who does not reside with his parent or in a hostel, to inform the principal in writing or orally when the pupil is absent owing to illness or quarantine or for any other valid reason.
- (4) If any pupil is absent from school for more than 10 consecutive school days and the principal has not been informed in writing or orally by the parent or the person referred to in subregulation (3) that the pupil is absent owing to illness or quarantine or for any other valid reason, the principal may in consultation with the circuit inspector or the governing body, as the case may be, delete the name of such pupil from the admission and attendance registers and all other school registers, after which he shall within five days inform the parent or the said person of the deletion and of the circumstances contemplated in this subregulation that gave rise thereto.
- (5) If during the same school year a pupil is absent from school for a total period of 20 or more school days, whether consecutive or not, without a valid reason for his absence having been given to the principal by the parent or the person referred to in subregulation (3), the principal may, in consultation with the circuit inspector or the governing body, as the case may be, delete the name of such pupil from the registers referred to in subregulation (4), after which the principal shall within five days inform the parent or the said person of the deletion and of the circumstances contemplated in this subregulation that gave rise thereto.
- (6) A pupil whose name is deleted from the registers in terms of subregulation (4) or (5) shall be considered to have been expelled from the school.
- (7) The parent of a pupil whose name has been deleted from the registers in terms of subregulation (4) or (5) may within five days after being informed thereof submit representations to the circuit inspector or the governing body, as the case may be, who may confirm the action of the principal or may direct that the name of the pupil concerned be reinstated on the registers and that he be readmitted to the school as a pupil.
- (8) In the case of a pupil at a State-aided school, the decision referred to in subregulation (7) of the governing body shall be final, but in the case of a pupil at a public school, the parent who is dissatisfied with the decision of the circuit inspector may within five days after being informed of such decision lodge an appeal against such decision with the regional director concerned, whose decision shall be final.
- (9) When the name of a pupil has been deleted from the registers in terms of subregulation (4) or (5) and he wants to be readmitted to the school, application for readmission shall be made and in this case regulation 2 shall apply *mutatis mutandis*: Provided that the admission of such a person who is older than 18 years of age shall be subject to the prior approval of the Director-General.”

4. Regulاسie 4 van die Regulاسies word hierby gewysig deur subregulasies (2) tot en met (5) deur die volgende subregulasies te vervang:

- “(2) Die prinsipaal moet elke bywoningsregister minstens een keer per week nagaan om vas te stel of die bepalinge van subregulasie (4) of (5) ten opsigte van ’n leerling van toepassing is.
- (3) Dit is die plig van ’n leerling se ouer of die persoon by wie die leerling normaalweg inwoon terwyl hy die skool bywoon in die geval van ’n leerling wat nie by sy ouers woon of in ’n koshuis inwoon nie, om die prinsipaal skriftelik of mondeling mee te deel wanneer die leerling weens siekte, kwarantyn of ’n ander geldige rede afwesig is.
- (4) Indien ’n leerling meer as 10 agtereenvolgende skooldae van die skool afwesig is sonder dat die ouer of die persoon in subregulasie (3) bedoel, die prinsipaal skriftelik of mondeling meedeel dat die leerling weens siekte, kwarantyn of ’n ander geldige rede afwesig is, kan die prinsipaal in oorleg met die kringinspekteur of die bestuursliggaam, na gelang van die geval, die naam van sodanige leerling van die toelatings- en bywoningsregister en alle ander skoolregisters skrap, waarna hy die ouer of gemelde persoon binne vyf dae moet inlig oor die skrapping en die omstandighede soos in hierdie subregulasie bedoel wat daartoe aanleiding gegee het.
- (5) Indien ’n leerling gedurende dieselfde skooljaar vir ’n totale tydperk van 20 of meer skooldae, hetsy agtereenvolgend al dan nie, van die skool afwesig was sonder dat ’n geldige rede vir sy afwesigheid deur die ouer of die persoon in subregulasie (3) bedoel aan die prinsipaal verstrekk is, kan die prinsipaal in oorleg met die kringinspekteur of die bestuursliggaam, na gelang van die geval, die naam van sodanige leerling uit die registers in subregulasie (4) bedoel skrap, waarna die prinsipaal die ouer of gemelde persoon binne vyf dae moet inlig oor die skrapping en die omstandighede soos in hierdie subregulasie bedoel wat daartoe aanleiding gegee het.
- (6) ’n Leerling wie se naam kragtens subregulasie (4) of (5) van die registers geskrap word, word geag uit die skool gesit te wees.
- (7) Die ouer van ’n leerling wie se naam ingevolge subregulasie (4) of (5) van die registers geskrap is, kan binne vyf dae nadat hy daarvan in kennis gestel is, versoek indien by die kringinspekteur of die bestuursliggaam, na gelang van die geval, wat die optrede van die prinsipaal kan bekragtig of kan gelas dat die betrokke leerling se naam op die registers herstel word en dat hy as leerling tot die skool her toegelaat word.
- (8) In die geval van ’n leerling by ’n Staatsondersteunde skool is die bestuursliggaam se beslissing in subregulasie (7) bedoel, afdoende, maar in die geval van ’n leerling by ’n openbare skool kan die ouer wat met die beslissing van die kringinspekteur ontevrede is, binne vyf dae nadat hy van sodanige beslissing in kennis gestel is, appél teen sodanige beslissing aanteken by die betrokke streekdirekteur, wie se beslissing afdoende is.
- (9) Wanneer ’n leerling se naam ingevolge subregulasie (4) of (5) van die registers geskrap is en hy weer tot die skool toegelaat wil word, moet om hertoelating aansoek gedoen word, en in dié geval is regulاسie 2 *mutatis mutandis* van toepassing: Met dien verstande dat die toelating van so ’n persoon wat ouer as 18 jaar is, aan die voorafverkreë goedkeuring van die Direkteur-generaal onderworpe is.”

5. The following regulation is hereby inserted after regulation 5 of the Regulations:

"PUPIL ORGANISATIONS

- 5A (1) Any person wishing to establish an organisation of pupils on the premises of any school or hostel or any such organisation established or intended to be established elsewhere than on such premises and which is desirous of commencing or continuing with its activities on such premises shall submit the draft constitution or constitution of such organisation, as the case may be, for approval to the regional director of the region concerned or an officer authorised thereto by him.
- (2) The regional director or the authorised officer may approve the draft constitution or constitution with or without such amendments as he may direct, or reject it.
- (3) No organisation may commence or continue with its activities on the premises of a school or hostel before its draft constitution or constitution has been approved by the regional director or the authorised officer in terms of subregulation (2)."

6. The following regulation is hereby substituted for Regulation 7 of the Regulations:

"SUSPENSION AND EXPULSION

7. (1) (a) A pupil may be suspended from a school or, in terms of the provisions of subregulation (8) or (9), be expelled from a school if he—
- (i) in or outside the buildings or on or off the premises of such school, conducts himself in a manner or has there performed any act which, in the opinion of the principal or the circuit inspector or the governing body concerned, seriously prejudices or could seriously prejudice the maintenance of order or discipline or the effective provision of education at such school;
 - (ii) intentionally damages, destroys, abuses or appropriates property of the school or of any other person or body;
 - (iii) intentionally contravenes any examination regulation or examination instruction;
 - (iv) wilfully refuses to obey a legitimate instruction given by the principal or a teacher authorised for that purpose by the principal;
 - (v) intentionally gives false information to the principal or any teacher;
 - (vi) has been convicted in a court of law of an offence which, in the opinion of the principal or the circuit inspector or governing body concerned, has seriously prejudiced or so prejudices or could so prejudice the maintenance of order or discipline or the effective provision of education at such school;

5. Die volgende regulasie word hierby na regulasie 5 van die Regulasies ingevoeg:

"LEERLINGORGANISASIES

- 5A. (1) Enigiemand wat 'n organisasie van leerlinge op die perseel van 'n skool of koshuis wil stig, of so 'n organisasie wat elders as op bedoelde perseel gestig is of gestig staan te word en wat met sy bedrywigheid op daardie perseel wil begin of sy bedrywighede daar wil voortsit, moet die konsepkonstitusie of konstitusie van sodanige organisasie, na gelang van die geval, vir goedkeuring voorlê aan die streekdirekteur van die betrokke streek of 'n beampte deur hom daartoe gemagtig.
- (2) Die streekdirekteur of die gemagtigde beampte kan die konsepkonstitusie of konstitusie goedkeur met of sonder sodanige wysigings as wat hy beveel, of dit afkeur.
- (3) Geen organisasie mag met sy bedrywighede op die perseel van 'n skool of koshuis begin of sy bedrywighede daar voortsit nie alvorens sy konsepkonstitusie of konstitusie ingevolge subregulasie (2) deur die streekdirekteur of die gemagtigde beampte goedgekeur is nie."

6. Regulasie 7 van die Regulasies word hierby deur die volgende regulasie vervang:

"SKORSING EN UITSETTING

7. (1) (a) 'n Leerling kan uit 'n skool geskors of, ooreenkomstig die bepalings van subregulasie (8) of (9), uit 'n skool gesit word indien hy—
- (i) hom binne of buite die geboue of binne of buite die terrein van sodanige skool gedra op 'n wyse of aldaar 'n handeling verrig het wat na die oordeel van die prinsipaal of die betrokke kringinspekteur of bestuursliggaam die handhawing van die orde of dissipline of die doelmatige verskaffing van onderwys by sodanige skool ernstig benadeel of ernstig kan benadeel;
 - (ii) eiendom van die skool of van enige ander persoon of liggaam opsetlik beskadig, vernietig of misbruik of hom dit toe-eien;
 - (iii) enige eksamenregulasie of -voorskrif opsetlik oortree;
 - (iv) opsetlik weier om 'n regmatige opdrag gegee deur die prinsipaal of 'n onderwyser vir daardie doel deur die prinsipaal gemagtig, uit te voer;
 - (v) opsetlik valse inligting aan die prinsipaal of 'n onderwyser verstrek;
 - (vi) in 'n gereghof aan 'n misdryf skuldig bevind is wat na die oordeel van die prinsipaal of die betrokke kringinspekteur of bestuursliggaam die handhawing van orde en dissipline of die doelmatige verskaffing van onderwys by die skool ernstig benadeel het of aldus benadeel of aldus kan benadeel;

- (vii) incites or instigates or procures a fellow pupil to contravene or to fail to comply with any regulation or instruction made in terms of the Act, or any rule of such school;
 - (viii) takes part in or instigates a boycott of school classes or functions, or takes part in or instigates protest marches, sit-ins or any riotous action in relation to any school;
 - (ix) in the opinion of the principal or the circuit inspector or governing body concerned, refuses without sound reason to attend classes or to receive tuition, or without sound reason deliberately absents himself from school or classes;
 - (x) commits an act of insubordination towards a teacher or other person who occupies a position of authority over him at such school;
 - (xi) possesses or uses a habit-forming drug without a prescription from a registered medical practitioner;
 - (xii) in the opinion of the principal or the regional director concerned or any other officer in the Department authorised thereto by the regional director, is making unsatisfactory scholastic progress as a result of participation in activities not forming part of an educational, cultural, sport or recreational program approved by such principal or regional director or authorised officer; or
 - (xiii) intentionally fails to have his books or other equipment necessary for his tuition with him when it is necessary for the purposes of such tuition.
- (b) When, in the opinion of the principal, a provision of paragraph (a) is applicable to a pupil, the principal shall without delay, in writing, notify such pupil and his parents thereof and shall inform the pupil and parent that on any recurrence of the conduct in question or any further commission of the act in question or reoccurrence of the event in question, as the case may be, such pupil will be liable to be suspended or expelled, and he shall report the case to the circuit inspector or the governing body, as the case may be.
- (2) When a pupil, after a written notification in terms of subregulation (1) (b) has been made in respect of him, in the opinion of the principal repeats any conduct or act contemplated in that subregulation, or when a further occurrence contemplated in that subregulation, or when a further occurrence contemplated in that subregulation so takes place in respect of such pupil, the principal shall confront the pupil and
- (vii) 'n medeleerling uitlok of aanstig of verkry om enige regulasie of instruksie kragtens die Wet uitgevaardig, of 'n reël van sodanige skool, te oortree of te weier om daaraan te voldoen;
 - (viii) aan 'n boikot van skoolklasse of -funksies deelneem of sodanige boikotte aanstig, of aan protesopmarse, sitstakinge of enige oproerige handeling met betrekking tot 'n skool deelneem of dit aanstig;
 - (ix) na die oordeel van die prinsipaal of die betrokke kringinspekteur of bestuursliggaam sonder gegronde rede weier om klasse by te woon of om onderrig te ontvang, of sonder gegronde rede doelbewus afwesig is van die skool of klasse;
 - (x) 'n handeling van insubordinasie verrig teenoor 'n onderwyser of ander persoon wat by die betrokke skool in 'n gesagsposisie teenoor hom staan;
 - (xi) 'n gewoontevormende dwelmiddel besit of gebruik sonder voorskrif van 'n geregistreerde mediese praktisyn;
 - (xii) na die oordeel van die prinsipaal of die betrokke streekdirekteur of 'n ander beampte in die Departement deur die streekdirekteur daartoe gemagtig, onbevredigende skolasiese vordering maak as gevolg van deelname aan bedrywighede wat nie deel vorm nie van 'n opvoedkundige, kulturele, sport- of ontspanningsprogram wat deur sodanige prinsipaal of streekdirekteur of gemagtigde beampte goedgekeur is; of
 - (xiii) opsetlik versuim om sy boeke of ander uitrusting wat vir sy onderrig nodig is, wanneer dit vir die doel van sodanige onderrig nodig is, by hom te hê.
- (b) Wanneer 'n bepaling van paragraaf (a) na die oordeel van die prinsipaal op 'n leerling van toepassing is, moet die prinsipaal sonder versuim sodanige leerling en sy ouer skriftelik daarvan verwittig en die leerling en ouer meedeel dat by herhaling van die betrokke gedrag of enige verdere verrigting van die betrokke handeling of herhaling van die betrokke gebeurtenis, na gelang van die geval, sodanige leerling hom aan skorsing of uitsetting blootstel, en moet hy die saak by die kringinspekteur of die bestuursliggaam, na gelang van die geval, aanmeld.
- (2) Wanneer 'n leerling nadat 'n skriftelike verwittiging ingevolge subregulasie (1) (b) ten opsigte van hom gedoen is, na die oordeel van die prinsipaal die gedrag of 'n handeling in daardie subregulasie bedoel, herhaal, of wanneer aldus 'n verdere gebeurtenis in daardie subregulasie bedoel ten opsigte van sodanige leerling plaasvind, moet die prinsipaal die leerling en sy ouer oor sy gedrag konfronteer en in die geleentheid

his parent about his conduct and afford him and his parent the opportunity to present the pupil's case in writing or verbally in the presence of a teacher or other witness, and after consideration of the pupil's case and after consultation with the controlling body, in the case of a public school, the principal may suspend him from school for the period determined by him.

(3) Upon the suspension of any pupil under subregulation (2)—

(a) such pupil—

- (i) shall without delay leave the premises of the school concerned and, unless the principal has directed otherwise, of any hostel connected with such school; and
- (ii) shall not, save for the purposes of an enquiry as provided in subregulation (8), be present on the premises of such school, including any playground or hostel;

(b) the principal shall forthwith—

- (i) notify the parent of such pupil in writing of the suspension and of the reasons therefor; and
- (ii) submit a full report on the matter to the circuit inspector or the governing body, as the case may be.

(4) The circuit inspector or the governing body may, subject to subregulation (8) and after consideration of the said report, confirm the suspension, or alter the period thereof, or at any time annul the suspension.

(5) Notwithstanding the provisions of subregulations (1) and (2), the principal may summarily suspend a pupil from the school for the period determined by him, if in the opinion of the principal a provision of subregulation (1) (a) (i) or (vi) is applicable to such pupil: Provided that, in the case of a public school, the principal shall act after consultation with the controlling body.

(6) (a) Upon the suspension of any pupil under subregulation (5), the principal shall without delay—

- (i) inform such pupil of the reasons for his suspension and notify him that he may within a period of five days submit representations regarding his suspension and possible expulsion to the circuit inspector or the governing body, as the case may be;
- (ii) inform the parent of such pupil in writing of the suspension and the reasons therefor, and of the notification referred to in subparagraph (i); and
- (iii) submit a full report on the matter to the circuit inspector or the governing body, as the case may be.

(b) The provisions of subregulation (3) (a) shall *mutatis mutandis* apply to a suspension in terms of subregulation (5).

stel om die leerling se saak skriftelik of mondeling in die teenwoordigheid van 'n onderwyser of 'n ander getuie te stel, en na oorweging van die leerling se saak en na oorlegpleging met die beheerliggaam in die geval van 'n openbare skool; kan die prinsipaal hom uit die skool skors vir die tydperk deur hom bepaal.

(3) Wanneer 'n leerling kragtens subregulasie (2) geskors word—

(a) moet die leerling—

- (i) sonder versuim die perseel van die betrokke skool en, tensy die prinsipaal anders gelas het, van enige koshuis verbonde aan sodanige skool verlaat; en
- (ii) uitgesonderd vir die doeleindes van 'n ondersoek soos in subregulasie (8) bepaal, nie op die perseel van sodanige skool, met inbegrip van enige speelterrein of koshuis, aanwesig wees nie;

(b) moet die prinsipaal sonder versuim—

- (i) die ouer van sodanige leerling skriftelik in kennis stel van die skorsing en die redes daarvoor; en
- (ii) 'n volledige verslag oor die aangeleentheid by die kringinspekteur of die bestuursliggaam, na gelang van die geval, indien.

(4) Die kringinspekteur of die bestuursliggaam kan, behoudens subregulasie (8) en na oorweging van genoemde verslag, die skorsing bekrachtig, of die tydperk daarvan wysig, of die skorsing te eniger tyd ophef.

(5) Ondanks die bepalings van subregulasies (1) en (2) kan die prinsipaal 'n leerling summier uit die skool skors vir die tydperk deur hom bepaal, indien 'n bepaling van subregulasie (1) (a) (i) of (vi) na die oordeel van die prinsipaal op sodanige leerling van toepassing is: Met dien verstande dat, in die geval van 'n openbare skool, die prinsipaal na oorlegpleging met die beheerliggaam moet optree.

(6) (a) Wanneer 'n leerling kragtens subregulasie (5) geskors word, moet die prinsipaal sonder versuim—

- (i) sodanige leerling verwittig van die redes vir sy skorsing en hom meedeel dat hy binne 'n tydperk van vyf dae vertoë in verband met sy skorsing en moontlike uitsetting aan die kringinspekteur of die bestuursliggaam, na gelang van die geval, kan rig;
- (ii) die ouer van sodanige leerling skriftelik in kennis stel van die skorsing en die redes daarvoor, en van die mededeling bedoel in subparagraaf (i); en
- (iii) 'n volledige verslag oor die aangeleentheid by die kringinspekteur of die bestuursliggaam, na gelang van die geval, indien.

(b) Die bepalings van subregulasie (3) (a) is *mutatis mutandis* van toepassing ten opsigte van 'n skorsing kragtens subregulasie (5).

- (c) The circuit inspector or the governing body may, subject to subregulation (8) and after consideration of the report referred to in paragraph (a) (iii) and the representations contemplated in paragraph (a) (i) (if any), confirm the suspension, or alter the period thereof, or at any time annul the suspension.
- (7) (a) Notwithstanding the provisions of subregulations (1) (b), (2), (3), (5) and (6), the regional director of the region concerned or any other officer in the Department authorised thereto by him, may, after consultation with the controlling body, summarily suspend from a public school a pupil to whom, in the opinion of the regional director or such other officer, a provision of subregulation (1) (a) is applicable, for a period not exceeding seven days, and in any such case the provisions of subregulation (3) (a) and (b) (i) shall *mutatis mutandis* apply, in which application the reference in any such provision to "principal" shall be construed as a reference to the regional director or such other officer, as the case may be.
- (b) Upon the suspension of any pupil under this subregulation, the regional director or such other officer shall without delay inform such pupil of the reasons for his suspension and notify him that he may within a period of five days submit representations regarding his suspension to the regional director or such other officer.
- (c) (i) The regional director or such other officer shall within the period of seven days referred to in paragraph (a) consider the representations contemplated in paragraph (b) and may annul the suspension or may extend it for any further period determined by the regional director or such other officer, as the case may be, and shall, if no such representations are received, within the said period of seven days consider whether it is in the interests of education at the school concerned that the said period be extended.
- (ii) The regional director or such other officer, as the case may be, shall in the case of a decision that the said period of suspension be extended, without delay inform the pupil concerned thereof and of the extended period, and in such a case the provisions of subregulation (3) (a) and (b) (i) shall apply in respect of the extended period.
- (8) The circuit inspector or the governing body, as the case may be, may, notwithstanding the provisions of subregulations (4) and (6) (c)—
- (a) after consideration of a report referred to in subregulation 3 (b) (ii) or 6 (a) (iii), as the case may be; and
- (b) after consideration of the case of the pupil concerned, presented in terms of subregulation (2), or of the representations contemplated in subregulation (6) (a) (i) (if any);
- (c) Die kringinspekteur of die bestuursliggaam kan, behoudens subregulasie (8) en na oorweging van die verslag in paragraaf (a) (iii) genoem en die vertoë in paragraaf (a) (i) bedoel (as daar is), die skorsing bekragtig, of die tydperk daarvan wysig, of die skorsing te eniger tyd ophef.
- (7) (a) Ondanks die bepalings van subregulasies (1) (b), (2), (3), (5) en (6) kan die streekdirekteur van die betrokke streek of 'n ander beampte in die Departement deur hom daartoe gemagtig, na oorlegpleging met die beheerliggaam 'n leerling op wie na die oordeel van die streekdirekteur of sodanige ander beampte 'n bepaling van subregulasie (1) (a) van toepassing is, summier uit 'n openbare skool skors vir 'n tydperk van hoogstens sewe dae, en in so 'n geval is die bepalings van subregulasie (3) (a) en (b) (i) *mutatis mutandis* van toepassing, by welke toepassing die verwysing in enige sodanige bepaling na "prinsipaal" uitgelê word as 'n verwysing na die streekdirekteur of sodanige ander beampte, na gelang van die geval.
- (b) Wanneer 'n leerling kragtens hierdie subregulasie geskors word, moet die streekdirekteur of sodanige ander beampte sodanige leerling sonder versuim verwittig van die redes vir sy skorsing en hom meedeel dat hy binne 'n tydperk van vyf dae vertoë in verband met sy skorsing aan die streekdirekteur of sodanige ander beampte kan rig.
- (c) (i) Die streekdirekteur of sodanige ander beampte moet binne die tydperk van sewe dae in paragraaf (a) vermeld, die vertoë in paragraaf (b) bedoel, oorweeg, en kan die skorsing ophef of dit verleng vir enige verdere tydperk deur die streekdirekteur of sodanige ander beampte, na gelang van die geval, bepaal, en moet, indien geen sodanige vertoë ontvang is nie, binne bedoelde tydperk van sewe dae oorweeg of dit in belang van die onderwys aan die betrokke skool is dat die bedoelde tydperk verleng moet word.
- (ii) Die streekdirekteur of sodanige ander beampte, na gelang van die geval, moet in die geval van 'n besluit dat bedoelde tydperk van skorsing verleng moet word, die betrokke leerling sonder versuim daarvan en van die verlengde tydperk verwittig, en in so 'n geval is die bepalings van subregulasie (3) (a) en (b) (i) ten opsigte van die verlengde tydperk van toepassing.
- (8) Die kringinspekteur of die bestuursliggaam, na gelang van die geval, kan ondanks die bepalings van subregulasies (4) en (6) (c)—
- (a) na oorweging van 'n verslag bedoel in subregulasie (3) (b) (ii) of (6) (a) (iii), na gelang van die geval; en
- (b) na oorweging van die betrokke leerling se saak kragtens subregulasie (2) gestel, of van die vertoë in subregulasie (6) (a) (i) bedoel (as daar is);

- (c) after further inquiry, if deemed expedient; and
- (d) after consultation by the circuit inspector with the controlling body, in the case of a public school,

expel the pupil concerned from the school if in the opinion of the circuit inspector or the governing body, as the case may be, a provision of subparagraph (i) to (xi), inclusive, of subregulation (1) (a) is applicable to such pupil.

- (9) (a) Notwithstanding the provisions of subregulations (1) (b), (2), (3), (4), (5), (6), (7) and (8), the regional director, the circuit inspector or any other officer in the Department authorised thereto by the regional director, or the governing body, as the case may be, may summarily expel from a school a pupil to whom, in the opinion of such director, inspector, officer or governing body, as the case may be, a provision of subregulation (8) is applicable, if the seriousness of the case, in the opinion of such director, inspector, officer or governing body, as the case may be, is of such a degree that it is necessary in the interests of the welfare of the school as a whole or of any of the pupils, or of the effective continuation of normal school activities, that the pupil must leave the school forthwith: Provided that, in the case of a public school, such director, inspector or officer shall act after consultation with the controlling body.
- (b) Upon the expulsion of a pupil from a school under this subregulation, the said regional director, circuit inspector, officer or governing body, as the case may be, shall inform such pupil and his parent of the reasons for his expulsion and notify the pupil and his parent that representations regarding the expulsion may within a period of 14 days be submitted to such regional director, circuit inspector, officer or governing body.
- (c) After consideration of representations contemplated in paragraph (b), if any, the regional director, circuit inspector, officer or governing body concerned may withdraw or confirm the expulsion.
- (10) Upon the expulsion of a pupil under subregulation (8) or upon the confirmation of the expulsion of a pupil under subregulation (9) (c), the regional director, circuit inspector, officer or governing body concerned shall without delay—
 - (a) inform the parent of such pupil in writing accordingly and furnish the reasons therefor, and also that an appeal may, in accordance with subregulation (11), be lodged against the expulsion; and
 - (b) delete the name of such pupil from the admission register and all other school registers.

- (c) na verdere ondersoek, indien dit dienstig geag word; en

- (d) na oorlegpleging deur die kringinspekteur met die beheerliggaam, in die geval van 'n openbare skool,

die betrokke leerling uit die skool sit indien 'n bepaling van subparagraaf (i) tot en met (xi) van subregulasie (1) (a) na die oordeel van die kringinspekteur of die bestuursliggaam, na gelang van die geval, op sodanige leerling van toepassing is.

- (9) (a) Ondanks die belyings van subregulasies (1) (b), (2), (3), (4), (5), (6), (7) en (8), kan die streekdirekteur, die kringinspekteur of 'n ander beampte in die Departement deur die streekdirekteur daartoe gemagtig, of die bestuursliggaam, na gelang van die geval, 'n leerling op wie na die oordeel van sodanige direkteur, inspekteur, beampte of bestuursliggaam, na gelang van die geval, 'n bepaling van subregulasie (8) van toepassing is, summier uit 'n skool sit indien die erns van die geval, na die oordeel van sodanige direkteur, inspekteur, beampte of bestuursliggaam, na gelang van die geval, van so 'n graad is dat dit in belang van die welsyn van die skool as geheel of van enige van die leerlinge of van die doeltreffende voortsetting van normale skoolbedrywighede noodsaaklik is dat die leerling die skool onverwyld moet verlaat: Met dien verstande dat in die geval van 'n openbare skool, sodanige direkteur, inspekteur of beampte na oorlegpleging met die beheerliggaam moet optree.
- (b) Wanneer 'n leerling kragtens hierdie subregulasie uit 'n skool gesit word, moet gemelde streekdirekteur, kringinspekteur, beampte of bestuursliggaam, na gelang van die geval, sodanige leerling en sy ouer verwittig van die redes vir sy uitsetting en die leerling en sy ouer meedeel dat vertoë in verband met die uitsetting binne 'n tydperk van 14 dae aan sodanige streekdirekteur, kringinspekteur, beampte of bestuursliggaam gerig kan word.
- (c) Na oorweging van vertoë in paragraaf (b) beoog, indien daar is, kan die betrokke streekdirekteur, kringinspekteur, beampte of bestuursliggaam die uitsetting intrek of bekragtig.
- (10) Wanneer 'n leerling kragtens subregulasie (8) uitgesit word of wanneer die uitsetting van 'n leerling kragtens subregulasie (9) (c) bekragtig word, moet die betrokke streekdirekteur, kringinspekteur, beampte of bestuursliggaam sonder versuim—
 - (a) die ouer van sodanige leerling dienooreenkomstig skriftelik in kennis stel en die redes daarvoor verstrek, asook dat appèl ooreenkomstig subregulasie (11) teen die uitsetting aangeteken kan word; en
 - (b) sodanige leerling se naam van die toelatingsregister en alle ander skoolregisters skrap.

- (11) Any appeal referred to in subregulation (10) (a) against the expulsion of any pupil from—

- (a) a public school may be made to the Director-General within 21 days from the date of the notification contemplated in subregulation (10) (a), and the decision of the Director-General shall be final; and
- (b) a State-aided school situated on a farm or on mine, factory or hospital premises may be made to the governing body concerned within the period mentioned in paragraph (a), and the decision of the governing body shall be final."

7. The following heading and regulation are hereby substituted for the heading of regulation 8 of the Regulations and for that regulation, respectively:

"CLOSING OF PUBLIC SCHOOLS

8. (1) If the Minister is of the opinion that the number of pupils who in terms of regulation 7 (8) or (9) have been expelled from a public school or who refuse or fail to attend classes is of such an extent that the continued existence of the school is not justified, he may, subject to regulation 8A, close the school in terms of section 5 of the Act.
- (2) The provisions of subregulation (1) shall not be construed as preventing the Minister from closing a public school in terms of and in accordance with section 5 (4) of the Act in circumstances other than those contemplated in that subregulation.
- (3) If a school is closed in terms of this regulation the Minister may order that the pupils or the remaining pupils, as the case may be, be transferred to another school.
- (4) When a school has been closed in terms of subregulation (1) or as contemplated in subregulation (2) and is subsequently reopened by the Minister, the principal may, subject, in a case contemplated in subregulation (1), to the provisions of regulation 2 (1) (e) (i), admit any person as a pupil to the said school within a period determined by the Director-General.
- (5) No person shall be admitted to the school concerned in terms of subregulation (4) unless he complies with the admission requirements prescribed in regulation 2 (1), (2), (3), (4), (6) and (7) and with any condition stipulated in regulation 2 (8)."

8. The following regulation is hereby inserted after regulation 8:

"TEMPORARY CLOSING OF PUBLIC SCHOOLS

- 8A. (1) The Minister may, instead of closing a public school in the circumstances referred to in regulation 8 (1), as contemplated in that regulation, and after consultation with the controlling body, close such school or any part thereof temporarily for a period determined by him.
- (2) The Minister may, in any case other than a case contemplated in subregulation (1), temporarily close any public school or any part thereof in terms of the provisions of that subregulation if he is of the opinion—
- (a) that the number of pupils who are absent from the school is of such an extent that the continuation of tuition at the school cannot be justified or is impossible;

- (11) 'n Appèl bedoel in subregulasie (10) (a) teen die uitsetting van 'n leerling uit—

- (a) 'n openbare skool kan binne 21 dae na die datum van die mededeling in subregulasie (10) (a) bedoel, by die Direkteur-generaal aangeteken word, en die beslissing van die Direkteur-generaal is afdoende; en
- (b) 'n Staatsondersteunde skool wat op 'n plaas of op myn-, fabriek- of hospitaalgrond geleë is, kan binne die tydperk in paragraaf (a) genoem by die betrokke bestuursliggaam aangeteken word, en die beslissing van die bestuursliggaam is afdoende."

7. Die opskrif by regulasie 8 van die Regulasies, asook daardie regulasie, word hierby onderskeidelik deur die volgende opskrif en regulasie vervang:

"SLUITING VAN OPENBARE SKOLE

8. (1) Indien die Minister van oordeel is dat die getal leerlinge wat ooreenkomstig regulasie 7 (8) of (9) uit 'n openbare skool gesit is of wat weier of versuim om klasse by te woon, van so 'n omvang is dat die voortbestaan van die skool nie geregverdig is nie, kan hy, behoudens regulasie 8A, die skool ooreenkomstig artikel 5 van die Wet sluit.
- (2) Die bepalings van subregulasie (1) word nie uitgelê as sou dit die Minister verhinder om kragtens en ooreenkomstig artikel 5 (4) van die Wet 'n openbare skool te sluit onder ander omstandighede as dié beoog in daardie subregulasie nie.
- (3) Indien 'n skool ingevolge hierdie regulasie gesluit word, kan die Minister gelas dat die leerlinge of die oorblywende leerlinge, na gelang van die geval, na 'n ander skool oorgeplaas word.
- (4) Wanneer 'n skool ingevolge subregulasie (1) of soos bedoel in subregulasie (2), gesluit is en daarna deur die Minister heropen word, kan die prinsipaal, behoudens, in 'n geval in subregulasie (1) bedoel, die bepalings van regulasie 2 (1) (e) (i), iemand binne 'n tydperk deur die Direkteur-generaal bepaal, as leerling tot bedoelde skool toelaat.
- (5) Niemand word kragtens subregulasie (4) tot die betrokke skool toegelaat nie, tensy hy voldoen aan die toelatingsvereistes voorgeskryf in regulasie 2 (1), (2), (3), (4), (6) en (7) en aan 'n voorwaarde by regulasie 2 (8) bepaal."

8. Die volgende regulasie word hierby na regulasie 8 ingevoeg:

"TYDELIKE SLUITING VAN OPENBARE SKOLE

- 8A. (1) Die Minister kan, in plaas daarvan om 'n openbare skool in die omstandighede in regulasie 8 (1) bedoel, te sluit soos in daardie regulasie bedoel, en na oorlegpleging met die beheerliggaam, sodanige skool of enige deel daarvan tydelik sluit vir 'n tydperk deur hom bepaal.
- (2) Die Minister kan, in enige ander geval as 'n geval beoog in subregulasie (1), enige openbare skool of enige deel daarvan ooreenkomstig die bepalings van daardie subregulasie tydelik sluit, indien hy van oordeel is—
- (a) dat die getal leerlinge wat van die skool afwesig is van so 'n omvang is dat die voortsetting van onderrig aan die skool nie geregverdig of moontlik is nie;

- (b) that some of or all the pupils present at the school are refusing to attend classes or to receive tuition; or
- (c) that effective teaching at the school is not possible owing to—
- the disregarding by some of or all the pupils of a lawful instruction given by the circuit inspector, the principal or a teacher authorised thereto by the principal; or
 - the deliberate or negligent contravention by some of or all the pupils of, or such failure to comply with, any regulation made under the Act or of a rule of such school; or
 - the riotous or disorderly behaviour of some of or all the pupils.
- (3) Upon the closure of a school in terms of subregulation (1) all pupils present at that school—
- shall without delay leave the premises of such school and of any hostel connected with such school; and
 - shall for the duration of the temporary closure not be present on the premises of such school and of any hostel concerned.
- (4) The Director-General may exempt a pupil from any provision of subregulation (3).
- (5) On the reopening of a school which has been temporarily closed in terms of this regulation, the principal concerned may inform any pupil whom the principal or the circuit inspector on reasonable grounds suspects, or of whom it is known, that he is guilty of an act or omission contemplated in subregulation (2), thereof in writing and grant him an opportunity to give reasons why he should not be refused admission.”.
- (b) dat sommige van of al die leerlinge wat by die skool aanwesig is, weier om klasse by te woon of onderrig te ontvang; of
- (c) dat effektiewe onderrig by die skool nie moontlik is nie weens—
- die verontagsaming deur sommige van of al die leerlinge van 'n regmatige opdrag gegee deur die kringinspekteur, die prinsipaal of 'n onderwyser deur die prinsipaal daartoe gemagtig; of
 - die opsetlike of nalatige oortreding deur sommige van of al die leerlinge van, of so 'n versuim om te voldoen aan, enige regulasie kragtens die Wet uitgevaardig of van 'n reël van sodanige skool; of
 - die oproerige of wanordelike gedrag van sommige van of al die leerlinge.
- (3) Wanneer 'n skool kragtens subregulasie (1) gesluit is, moet alle leerlinge wat by daardie skool teenwoordig is—
- sonder versuim die perseel van sodanige skool en van enige koshuis verbonde aan sodanige skool verlaat; en
 - vir die duur van die tydelike sluiting nie op die perseel van sodanige skool en van enige betrokke koshuis aanwesig wees nie.
- (4) Die Direkteur-generaal kan 'n leerling van 'n bepaling van subregulasie (3) vrystel.
- (5) By die heropening van 'n skool wat kragtens hierdie regulasie tydelik gesluit was, kan die betrokke prinsipaal enige leerling van wie die prinsipaal of die kringinspekteur op redelike gronde vermoed, of van wie dit bekend is, dat hy skuldig is aan 'n handeling of versuim in subregulasie (2) bedoel, skriftelik daarvan verwittig en hom 'n geleentheid bied om redes aan te voer waarom hy nie toelating geweier moet word nie.”.

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