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GOVERNMENT GAZETTE

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CAPE TOWN, 13TH JUNE, 1973.

[No. 3924.

KAAPSTAD, 13 JUNIE 1973.

DEPARTMENT OF THE PRIME MINISTER.

No. 1015. 13th June, 1973.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 53 of 1973: Coloured Persons Education Amendment Act, 1973.

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. 1015. 13 Junie 1973.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 53 van 1973: Wysigingswet op Onderwys vir Kleurlinge, 1973.

Act No. 53, 1973. COLOURED PERSONS EDUCATION AMENDMENT ACT, 1973.

ACT

To amend the Coloured Persons Education Act, 1963, so as further to define "vocational education"; to regulate further the admission of persons to training-colleges, the registration of private schools and the granting of assistance for education and training; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 30th May, 1973.)

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 47 of 1963, as amended by section 1 of Act 76 of 1967.

1. (1) Section 1 of the Coloured Persons Education Act, 1963 (hereinafter referred to as the principal Act), is hereby amended—

- (a) by the substitution for the definition of "training-college" of the following definition:
" 'training-college' means, subject to the provisions of subsection (2), an institution for the education and training of student teachers who are Coloured persons and have passed the examination for the tenth standard or an equivalent examination;";
- (b) by the substitution for the definition of "vocational education" of the following definition:
" 'vocational education' means education or training which the Minister by notice in the *Gazette* declares to be vocational education for the purposes of this Act;";
- (c) by the deletion of the definitions of "commercial vocational education", "domestic science vocational education" and "technical vocational education"; and
- (d) by the addition of the following subsections, the existing section becoming subsection (1):
" (2) Coloured persons, too, who—
(a) have completed, but have not passed, the examination for the tenth standard or an equivalent examination; or
(b) have passed the examination for the eighth standard or an equivalent examination, may receive education and training in any training-college as student teachers.
(3) The Minister may, whenever he considers it expedient, by notice in the *Gazette* withdraw or amend a notice referred to in the definition of 'vocational education'."

(2) Subsection (1) (a) shall be deemed to have come into operation on the first day of January, 1964.

(3) Paragraphs (a) and (b) of subsection (2) of section 1 of the principal Act, as added by subsection (1) (d) of this section, shall be deemed to have come into operation on the first day of January, 1972, and the first day of January, 1964, respectively.

WYSIGINGSWET OP ONDERWYS VIR KLEURLINGE, 1973. Wet No. 53, 1973

WET

Tot wysiging van die Wet op Onderwys vir Kleurlinge, 1963, ten einde „beroepsonderwys” verder te omskryf; die toelating van persone tot opleidingskolleges, die registrasie van private skole en die verlening van hulp vir onderwys en opleiding verder te reël; en om vir aangeleenthede wat daarmee in verband staan, voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 30 Mei 1973.)

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. (1) Artikel 1 van die Wet op Onderwys vir Kleurlinge, 1963 (hieronder die Hoofwet genoem), word hierby gewysig—
 - (a) deur die omskrywing van „beroepsonderwys” deur die volgende omskrywing te vervang:

„beroepsonderwys” onderwys of opleiding wat die Minister by kennisgewing in die *Staatskoerant* tot beroepsonderwys vir die doeleindes van hierdie Wet verklaar;”;
 - (b) deur die omskrywing van „opleidingskollege” deur die volgende omskrywing te vervang:

„opleidingskollege”, behoudens die bepalings van subartikel (2), ’n inrigting vir die onderwys en opleiding van leerlingonderwysers wat Kleurlinge is en die eksamen vir die tiende standerd, of ’n gelykwaardige eksamen, met goeie gevolg afgelê het;”;
 - (c) deur die omskrywings van „handel-beroepsonderwys”, „huishoudkundige beroepsonderwys” en „tegniese beroepsonderwys” te skrap; en
 - (d) deur die volgende subartikels by te voeg, terwyl die bestaande artikel subartikel (1) word:

„(2) Ook Kleurlinge wat—

 - (a) die eksamen vir die tiende standerd, of ’n gelykwaardige eksamen, voltooi het, dog nie met goeie gevolg nie; of
 - (b) die eksamen vir die agste standerd, of ’n gelykwaardige eksamen, met goeie gevolg afgelê het, kan in ’n opleidingskollege onderwys en opleiding as leerlingonderwysers ontvang.

(3) Die Minister kan, wanneer hy dit raadsaam ag, by kennisgewing in die *Staatskoerant* ’n kennisgewing in die omskrywing van „beroepsonderwys” bedoel, intrek of wysig.”.
- (2) Subartikel (1) (b) word geag op die eerste dag van Januarie 1964 in werking te getree het.
- (3) Paragrafe (a) en (b) van subartikel (2) van artikel 1 van die Hoofwet, soos deur subartikel (1) (d) van hierdie artikel bygevoeg, word geag op onderskeidelik die eerste dag van Januarie 1972 en die eerste dag van Januarie 1964 in werking te getree het.

Wysiging van artikel 1 van Wet 47 van 1963, soos gewysig deur artikel 1 van Wet 76 van 1967.

Act No. 53, 1973

COLOURED PERSONS EDUCATION AMENDMENT ACT, 1973.

Substitution of
section 6 of
Act 47 of 1963.

2. (1) The following section is hereby substituted for section 6 of the principal Act:

"Registra-
tion of
private
schools.

6. (1) No person shall, except at a State school, a State-aided school, a school of industries or a reform school or through a correspondence college registered in terms of section 11 of the Correspondence Colleges Act, 1965 (Act No. 59 of 1965), provide for reward education to Coloured persons—

- (a) unless such person has been registered with the Department in the prescribed manner as a private school for Coloured persons and complies with the prescribed requirements; and
- (b) otherwise than in accordance with the prescribed conditions.

(2) The Secretary may at any time cause any private school referred to in subsection (1) to be inspected by any person authorized thereto by him.

(3) If at any time it appears to the Minister that the conditions referred to in subsection (1) (b) are not being complied with in any particular case, he may direct that the registration, in terms of subsection (1), of the private school concerned be cancelled as from a date determined by him, and as from such date such private school shall for the purposes of subsection (1) be deemed not to be registered.

(4) Any person who contravenes the provisions of subsection (1), or who obstructs, hinders or interferes with any other person in the execution of his duties in terms of subsection (2), shall be guilty of an offence and liable on conviction to a fine not exceeding five hundred rand or to imprisonment for a period not exceeding twelve months.

(5) The provisions of this section shall not exempt any person from any other duty in respect of registration in terms of any other law."

(2) Any school which at the commencement of this Act has been registered with the Department of Coloured Relations and Rehoboth Affairs in terms of section 6 of the principal Act, as it existed prior to such commencement, or is deemed in terms thereof to have been so registered, shall for the purposes of section 6 of the principal Act, as substituted by this section, be deemed to have been registered in terms of that section as so substituted.

Substitution of
section 24 of
Act 47 of 1963.

3. (1) The following section is hereby substituted for section 24 of the principal Act:

"Financial
and other
assistance
for educa-
tion and
training.

24. The Minister may out of moneys appropriated by Parliament for the purpose and on such basis and subject to such conditions as he may after consultation with the Minister of Finance determine, grant financial or other material assistance or both financial and other material assistance to—

- (a) a pupil at a State school or a State-aided school;
- (b) a Coloured person who is a student at a university college or a university established by or under any law; or
- (c) a Coloured person, other than such a pupil or student, for training approved by the Minister."

(2) Paragraph (b) of section 24 of the principal Act, as substituted by subsection (1) of this section, shall be deemed to have come into operation on the first day of January, 1964.

WYSIGINGSWET OP ONDERWYS VIR KLEURLINGE, 1973. Wet No. 53, 1973

2. (1) Artikel 6 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 6 van Wet 47 van 1963.

„Registrasie van private skole.

6. (1) Niemand mag, behalwe by 'n Staatskool, 'n Staatsondersteunde skool, 'n nywerheidsskool of 'n verbeteringskool of deur middel van 'n korrespondensiekollege wat ingevolge artikel 11 van die Wet op Korrespondensiekolleges, 1965 (Wet No. 59 van 1965), geregistreer is, teen beloning onderwys aan Kleurlinge verskaf nie—

(a) tensy so iemand by die Departement as 'n private skool vir Kleurlinge op die voorgeskrewe wyse geregistreer is en aan die voorgeskrewe vereistes voldoen; en

(b) anders as ooreenkomstig die voorgeskrewe voorwaardes.

(2) Die Sekretaris kan te eniger tyd 'n private skool bedoel in subartikel (1) laat inspekteer deur iemand deur hom daartoe gemagtig.

(3) Indien dit te eniger tyd aan die Minister blyk dat die voorwaardes bedoel in subartikel (1) (b) in 'n bepaalde geval nie nagekom word nie, kan hy gelas dat die registrasie, ingevolge subartikel (1), van die betrokke private skool vanaf 'n datum deur hom bepaal, ingetrek word, en vanaf bedoelde datum word daardie private skool vir die doeleindes van subartikel (1) geag nie geregistreer te wees nie.

(4) Iemand wat die bepalinge van subartikel (1) oortree, of wat iemand anders by die uitvoering van sy pligte ingevolge subartikel (2) belemmer of hinder, of wat hom met so iemand anders by die uitvoering van sodanige pligte bemoei, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens vyfhonderd rand of met gevangenisstraf vir 'n tydperk van hoogstens twaalf maande.

(5) Die bepalinge van hierdie artikel onthef nie iemand van enige ander verpligting ten opsigte van registrasie ingevolge 'n ander wet nie.”

(2) 'n Skool wat by die inwerkingtreding van hierdie Wet by die Departement van Kleurlingbetrekkinge en Rehobothaangeleenthede ingevolge artikel 6 van die Hoofwet, soos dit voor sodanige inwerkingtreding gegeld het, geregistreer is of daarkragtens geag word aldus geregistreer te wees, word by die toepassing van artikel 6 van die Hoofwet, soos deur hierdie artikel vervang, geag ingevolge daardie artikel soos aldus vervang, geregistreer te wees.

3. (1) Artikel 24 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 24 van Wet 47 van 1963.

„Finansiële en ander hulp vir onderwys en opleiding.

24. Die Minister kan uit geld wat die Parlement vir dié doel bewillig het, en op die grondslag en voorwaardes wat hy na oorlegpleging met die Minister van Finansies bepaal, finansiële of ander materiële hulp of finansiële sowel as ander materiële hulp verleen aan—

(a) 'n leerling van 'n Staatskool of 'n Staatsondersteunde skool;

(b) 'n Kleurling wat 'n student is van 'n universiteitskollege of 'n universiteit wat by of kragtens 'n wet ingestel is; of

(c) 'n Kleurling wat nie so 'n leerling of student is nie, vir opleiding deur die Minister goedgekeur.”

(2) Paragraaf (b) van artikel 24 van die Hoofwet, soos deur subartikel (1) van hierdie artikel vervang, word geag op die eerste dag van Januarie 1964 in werking te getree het.

Act No. 53, 1973

COLOURED PERSONS EDUCATION AMENDMENT ACT, 1973.

Amendment of
section 34 of
Act 47 of 1963,
as amended by
section 4 of
Act 76 of 1967.

4. (1) Section 34 of the principal Act is hereby amended—
- (a) by the substitution for paragraph (d) of subsection (1) of the following paragraph:
“(d) as to the registration of private schools referred to in section 6, and the requirements and conditions referred to in that section;” and
 - (b) by the substitution for paragraph (p) of subsection (1) of the following paragraph:
“(p) as to the granting of financial or other material assistance to—
 - (i) pupils at State schools or State-aided schools;
 - (ii) Coloured persons who are students at a university college or a university established by or under any law; and
 - (iii) Coloured persons undergoing training referred to in section 24 (c);”.

(2) Subparagraph (ii) of paragraph (p) of section 34 (1) of the principal Act, as substituted by subsection (1) (b) of this section, shall be deemed to have come into operation on the first day of January, 1964.

Short title and
commencement.

5. This Act shall be called the Coloured Persons Education Amendment Act, 1973, and sections 2 and 4 (1) (a) shall come into operation on a date to be fixed by the State President by proclamation in the *Gazette*.

WYSIGINGSWET OP ONDERWYS VIR KLEURLINGE, 1973. Wet No. 53, 1973

4. (1) Artikel 34 van die Hoofwet word hierby gewysig— Wysiging van artikel 34 van Wet 47 van 1963, soos gewysig deur artikel 4 van Wet 76 van 1967.
- (a) deur paragraaf (d) van subartikel (1) deur die volgende paragraaf te vervang:
- „(d) betreffende die registrasie van private skole in artikel 6 vermeld, en die vereistes en voorwaardes in daardie artikel vermeld;” en
- (b) deur paragraaf (p) van subartikel (1) deur die volgende paragraaf te vervang:
- „(p) betreffende die verlening van finansiële of ander materiële hulp aan—
- (i) leerlinge van Staatskole of Staatsondersteunde skole;
- (ii) Kleurlinge wat studente is van 'n universiteitskollege of 'n universiteit wat by of kragtens 'n wet ingestel is; en
- (iii) Kleurlinge wat opleiding in artikel 24 (c) bedoel, ondergaan;”.
- (2) Subparagraaf (ii) van paragraaf (p) van artikel 34 (1) van die Hoofwet, soos deur subartikel (1) (b) van hierdie artikel vervang, word geag op die eerste dag van Januarie 1964 in werking te getree het.

5. Hierdie Wet heet die Wysigingswet op Onderwys vir Kleurlinge, 1973, en artikels 2 en 4 (1) (a) tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal. Kort titelen inwerkingtreding.

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