



REPUBLIC OF SOUTH AFRICA
GOVERNMENT GAZETTE

STAATSKOERANT
VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

PRICE 20c PRYS
OVERSEAS 30c OORSE
POST FREE — POSVRY

As 'n Nuisblad by die Poskantoor Geregistreer

VOL. 161]

PRETORIA, 10 NOVEMBER 1978

[No. 6213

GENERAL NOTICE

NOTICE 914 OF 1978

DEPARTMENT OF EDUCATION AND
TRAINING

DRAFT EDUCATION AND TRAINING BILL

The Secretary for Education and Training hereby publishes the following Draft Bill for information and comments.

The intention is to submit the Draft Bill, due regard being had to the comments received, to the Minister of Education and Training for consideration.

Comments on the Draft Bill must reach the Secretary for Education and Training, Parliamentary Section, Private Bag X212, Pretoria, 0001, before 15 December 1978.

EDUCATION AND TRAINING BILL
BILL

To provide for the control of education for Blacks by the Department of Education and Training; to repeal the Black Education Act, 1953, and the Black Special Education Act, 1964; and to provide for matters incidental thereto.

Definitions

1. In this Act, unless the context otherwise indicates—

(i) "advanced technical education" means technical education and training of a standard which is higher than the standard ordinarily required for an examination for standard 10 or any equivalent examination and which the Minister declares to be advanced technical education for the purpose of this Act;

(ii) "Advisory Council" means the Advisory Council for Education referred to in section 4;

(iii) "Black" or "Black person" means a Black as defined in section 1 of the Population Registration Act, 1950 (Act 30 of 1950);

(iv) "Black state" means any area for which a legislative assembly has been established in terms of section 1 of the Black States Constitution Act, 1971 (Act 21 of 1971);

3055—1

ALGEMENE KENNISGEWING

KENNISGEWING 914 VAN 1978

DEPARTEMENT VAN ONDERWYS EN
OPLEIDING

**KONSEPWETSONTWERP OP ONDERWYS EN
OPLEIDING**

Die Sekretaris van Onderwys en Opleiding publiseer hierby onderstaande Konsepwetsontwerp ter inligting en vir kommentaar.

Die bedoeling is om die Konsepwetsontwerp met inagneming van die kommentaar wat ontvang word, vir oorweging aan die Minister van Onderwys en Opleiding voor te lê.

Kommentaar op die Konsepwetsontwerp moet die Sekretaris van Onderwys en Opleiding, Parlementêre Afdeling, Privaatsak X212, Pretoria, 0001, voor 15 Desember 1978 bereik.

**WETSONTWERP OP ONDERWYS EN
OPLEIDING**

WETSONTWERP

Om voorsiening te maak vir die beheer oor onderwys vir Swartes deur die Departement van Onderwys en Opleiding; om die Wet op Swart Onderwys, 1953, en die Wet op Buitengewone Onderwys vir die Swarte, 1964, te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

Woordomskrywing

1. Tensy uit die samehang anders blyk, beteken in hierdie Wet—

(i) "Adviesraad" die Adviesraad vir Onderwys vermeld in artikel 4;

(ii) "beampte" 'n beampte of 'n werknemer soos omskryf in artikel 1 van die Staatsdienswet, 1957 (Wet 54 van 1957);

(iii) "beheerraad" 'n beheerraad ingestel ingevolge artikel 6;

(iv) "bestuursliggaam", met betrekking tot 'n skool, die persoon wat die skool bestuur, en sluit dit die eienaar in wanneer daar nie 'n persoon aangestel is om die skool te bestuur nie;

6213—1

(v) "community school" means a school referred to in section 7;

(vi) "Department" means the Department of Education and Training;

(vii) "education" means any education or training including—

(a) special education;

(b) advanced technical education;

(c) technical and trade training;

(d) adult education provided in any part-time class; and

(e) education provided in any nursery school;

but does not include—

(i) education provided by a university or university college established by or under any law; and

(ii) "training" as defined in the Black Employees' In-Service Training Act, 1976 (Act 86 of 1976);

(viii) "governing body", in relation to any school, means the person managing such school, and includes the owner if a person has not been appointed to manage the school;

(ix) "governing council" means any governing council established in terms of section 6;

(x) "handicapped child" means a Black between the ages of three and 23 years who, in the opinion of the Secretary, is capable of deriving benefit from a suitable course of education, but deviates to such an extent from the majority of persons of his age in body, mind or behaviour that he—

(a) cannot derive sufficient benefit from the instruction normally provided in the ordinary course of education;

(b) requires special education to facilitate his adaptation to the community; and

(c) should not attend an ordinary class in an ordinary school, because such attendance may be harmful to him or to other pupils in that class,

but is nevertheless educable and will derive sufficient benefit from education referred to in paragraph (b);

(xi) "independent state" means a territory which formed part of the Republic and became an independent state in terms of an Act of Parliament;

(xii) "mentally retarded child" means a Black between the ages of three and 23 years who in the opinion of the Secretary, is not capable of deriving benefit from a suitable course of education, but who is nevertheless capable of being trained and is capable of deriving benefit from a suitable training programme;

(xiii) "Minister" means the Minister of Education and Training;

(xiv) "nursery school" means a school for the education of children of the age of two years and above but below the age at which they may be admitted to an ordinary school or in the case of a handicapped or mentally retarded child, until he has reached the prescribed age of admission to a special school;

(xv) "officer" means an officer or employee as defined in section 1 of the Public Service Act, 1957 (Act 54 of 1957);

(xvi) "parent" means the father or the mother of a pupil born of or legitimated by a marriage (including a registered marriage according to the customary law of Blacks) or the legal guardian;

(xvii) "part-time class" means any class for the education and training of persons who do not attend school on a full-time basis;

(v) "buitengewone onderwys" onderwys of opleiding van 'n gespesialiseerde aard en ook—

(a) dié sielkundige, mediese, tandheelkundige, paramediese en terapeutiese behandeling (met inbegrip van die uitvoer van operasies);

(b) dié voorsiening van kunsmatige mediese hulpmiddels en apparaat;

(c) dié versorging en onderhoud in 'n skoolkoshuis, hospitaal of ander inrigting; en

(d) die verskaffing van dié vervoer en begeleiding en van dié ander dienste,

wat verskaf word om in die behoeftes van 'n gestremde of geestesvertraagde kind te voorsien;

(vi) "deeltydse klas" 'n klas vir die onderwys van persone wat nie skool op 'n voltijdse grondslag bywoon nie;

(vii) "Departement" die Departement van Onderwys en Opleiding;

(viii) "geestesvertraagde kind" 'n Swarte tussen die ouderdomme van drie en 23 jaar wat volgens die oordeel van die Sekretaris nie voldoende voordeel uit 'n geskikte onderwyskursus kan trek nie, maar nogtans opgelei kan word en in staat is om voordeel uit 'n geskikte opleidingsprogram te trek;

(ix) "gemeenskapskool" 'n skool bedoel in artikel 7;

(x) "gestremde kind" 'n Swarte tussen die ouderdomme van drie en 23 jaar wat volgens die oordeel van die Sekretaris in staat is om voordeel uit 'n geskikte onderwyskursus te trek, maar wat in so 'n mate in liggaam, verstand of gedrag van die meerderheid van persone van sy ouderdom afwyk dat hy—

(a) nie voldoende voordeel kan trek uit die gewone onderrig wat in die normale loop van onderwys verskaf word nie;

(b) buitengewone onderwys nodig het om sy aanpassing by die gemeenskap te vergemaklik; en

(c) nie 'n gewone klas in 'n gewone skool behoort by te woon nie, omdat sodanige bywoning vir hom of vir ander leerlinge in daardie klas skadelik kan wees,

maar nogtans opvoedbaar is en voldoende baat sal vind by onderwys bedoel in paragraaf (b);

(xi) "gevoorderde tegniese onderwys" tegniese onderwys en opleiding van 'n peil wat hoër is as die peil wat gewoonlik vir 'n eksamen vir standerd 10 of 'n gelykwaardige eksamen vereis word en wat deur die Minister vir die doeleindes van hierdie Wet tot gevorderde tegniese onderwys verklaar word;

(xii) "hierdie Wet" ook 'n regulasie;

(xiii) "kleuterskool" 'n skool vir die onderwys van kinders van twee jaar en ouer maar onder die ouderdom waarop hulle tot 'n gewone skool toegelaat kan word, of in die geval van 'n gestremde of geestesvertraagde kind, totdat hy die voorgeskrewe ouderdom van toelating tot 'n spesiale skool bereik het;

(xiv) "leerling" iemand wat ingevolge die bepalings van hierdie Wet tot 'n skool toegelaat is;

(xv) "Minister" die Minister van Onderwys en Opleiding;

(xvi) "onafhanklike staat" 'n gebied wat deel van die Republiek uitgemaak het en ingevolge 'n Wet van die Parlement 'n onafhanklike staat geword het;

(xvii) "onderwys" enige onderwys of opleiding, met inbegrip van—

(a) buitengewone onderwys;

(b) gevorderde tegniese onderwys;

(c) tegniese en ambagsopleiding;

(xviii) "prescribed" means prescribed by regulation in the *Gazette*;

(xix) "private school" means a school other than a State school, a community school or a State-aided school;

(xx) "pupil" means a person admitted to a school in terms of the provisions of this Act;

(xxi) "regulation" means a regulation made under this Act;

(xxii) "school" means any school, special school, class, part-time class, college, centre or any other institution for the education of Blacks;

(xxiii) "school board" means a school board referred to in section 8;

(xxiv) "school committee" means a school committee referred to in section 8;

(xxv) "Secretary" means the Secretary for Education and Training;

(xxvi) "special education" means education or training of a specialised nature, including—

(a) such psychological, medical, dental, paramedical and therapeutic treatment (including the performance of operations);

(b) such provision of artificial medical aids and apparatus;

(c) such care and maintenance in a school hostel, hospital or other institution; and

(d) the provision of transport and escort and of such other services,

as are provided to meet the needs of a handicapped or mentally retarded child;

(xxvii) "special school" means a school in which handicapped or mentally retarded children receive special education, either on a full-time or on a part-time basis, and includes a class which is attached to an ordinary school and in which such children receive special education;

(xxviii) "State-aided school" means a school in respect of which grants-in-aid or subsidies are made in terms of section 11 or in respect of which a loan was granted in terms of that section;

(xxix) "State school" means a school referred to in section 5;

(xxx) "teacher" includes any principal and any member of the teaching staff of a school;

(xxxi) "Teachers' Council" means the Teachers' Council for Blacks referred to in section 34;

(xxxii) "this Act" includes any regulation.

Control and administration of education

2. It shall be the function of the Department, under the direction and control of the Minister, to perform all the work necessary for or incidental to the general administration of education for Blacks.

Determination of education policy

3. The Minister, after consultation with or consideration of proposals made by the Advisory Council, may from time to time determine the general policy to be pursued in regard to education in schools within the framework of the following principles, namely:

(a) That education in schools maintained, managed and controlled or subsidised by the Department shall have a Christian character, but that the religious persuasion of the parents and the pupils shall be respected in regard to religious instruction and religious ceremonies;

(d) onderwys vir volwassenes verskaf in 'n deeltydse klas; en

(e) onderwys verskaf in 'n kleuterskool; maar dit omvat nie—

(i) onderwys wat verskaf word deur 'n universiteit of universiteitskollege wat by of kragtens 'n wet ingestel is nie; en

(ii) "opleiding" soos omskryf in die Wet op Indiensopleiding van Swart Werknemers, 1976 (Wet 86 van 1976), nie;

(xviii) "onderwyser" ook 'n prinsipaal en enige lid van die onderwyspersoneel van 'n skool;

(xix) "Onderwysersraad" die Onderwysersraad vir Swartes bedoel in artikel 34;

(xx) "ouer" die vader of die moeder van 'n leerling gebore uit of gewettig deur 'n huwelik (met inbegrip van 'n geregistreerde huwelik volgens die gewoontereg van Swartes), of die wettige voog;

(xxi) "private skool" 'n skool wat nie 'n Staatskool, 'n gemeenskapsskool of 'n Staatsondersteunde skool is nie;

(xxii) "regulasie" 'n regulasie kragtens hierdie Wet uitgevaardig;

(xxiii) "Sekretaris" die Sekretaris van Onderwys en Opleiding;

(xxiv) "skool" enige skool, spesiale skool, klas, deeltydse klas, kollege, sentrum of enige ander inrigting vir die onderwys van Swart persone;

(xxv) "skoolkomitee" 'n skoolkomitee bedoel in artikel 8;

(xxvi) "skoolraad" 'n skoolraad bedoel in artikel 8;

(xxvii) "spesiale skool" 'n skool waarin gestremde of geestesvertraagde kinders buitengewone onderwys ontvang, hetsy op 'n voltydse of op 'n deeltydse grondslag, en ook 'n klas wat verbonde is aan 'n gewone skool en waarin sodanige kinders buitengewone onderwys ontvang;

(xxviii) "Staatsondersteunde skool" 'n skool ten opsigte waarvan hulptoelae of subsidies ingevolge artikel 11 toegeken word of ten opsigte waarvan 'n lening ingevolge gemelde artikel toegestaan is;

(xxix) "Staatskool" 'n skool bedoel in artikel 5;

(xxx) "Swarte" of "Swart persoon" 'n Swarte soos omskryf in artikel 1 van die Bevolkingsregistrasiewet, 1950, (Wet 30 van 1950);

(xxxi) "Swart staat" 'n gebied waarvoor 'n wetgewende vergadering kragtens artikel 1 van die Grondwet van die Swart state, 1971 (Wet 21 van 1971), ingestel is;

(xxxii) "voorgeskrewe" of "voorgeskryf" by regulasie in die *Staatskoerant* voorgeskryf.

Beheer oor en administrasie van onderwys

2. Die Departement, onder leiding en beheer van die Minister, is belas met die verrigting van al die werksaamhede wat nodig is vir, of in verband staan met, die algemene administrasie van onderwys vir Swartes.

Bepaling van onderwysbeleid

3. Die Minister kan, na oorlegpleging met, of met inagneming van voorstelle van, die Adviesraad van tyd tot tyd die algemene beleid wat ten opsigte van onderwys in skole gevolg moet word, bepaal, en wel binne die raamwerk van die volgende beginsels, naamlik:

(a) Dat die onderwys in skole wat deur die Departement in stand gehou, bestuur en beheer of gesubsidieer word, 'n Christelike karakter moet hê, maar dat die geloofsoortuiging van die ouers en die leerlinge geëerbiedig moet word wat betref godsdiensonderrig en godsdienstige plegtighede;

(b) that the universally accepted educational principle of the use of the mother tongue as the medium of instruction be observed: Provided that this principle shall be applied at least up to and including standard four: Provided further that the wishes of the parents shall be taken into consideration in the application of this principle after standard four and also in the choice of one of the official languages as medium of instruction where the mother tongue cannot be used as medium after standard four;

(c) that it shall be the aim and objective to introduce compulsory education in all areas with the co-operation of the parents;

(d) that in the provision of education the ability, aptitude and interest of the pupil as well as the needs of the country shall be taken into account and that appropriate guidance shall be given to pupils in this regard;

(e) that there shall be co-ordination with the other departments of education with regard to syllabuses, courses and examination standards and that the matriculation or senior certificate or an equivalent examination of either the Department of National Education or of the Joint Matriculation Board shall be conducted;

(f) that recognition be given to the active involvement of the parents and the communities in the education system through parent-teachers' associations, school committees, school boards, governing councils or governing bodies or in any similar authoritative manner; and

(g) that school health services be introduced in conjunction with the Department of Health.

Advisory Council for Education

4. (1) There shall be an Advisory Council for Education consisting of at least 20 members appointed by the Minister, and of whom—

(a) one shall be designated by the Minister as chairman and another as vice-chairman of the Advisory Council and executive committee of the Advisory Council;

(b) at least three shall be lecturers from three different universities for Blacks and they shall preferably be lecturers in the faculties or departments of education;

(c) one shall be a representative of an inspectors' association; and

(d) one shall be a representative of a recognised teachers' association.

(2) When appointing members in terms of subsection (1), the Minister shall accord representation to each of the regions determined by him and the Minister may also accord representation to any other person who in his discretion may make a contribution in the interests of education.

(3) The members appointed in terms of subsection (1) (c) and (d) shall either be in the employ of the Department or employed at a State-aided school.

(4) The chairman, vice-chairman and another member designated by the Advisory Council shall constitute the executive committee of the Advisory Council.

(5) The Department shall place a full-time secretary at the disposal of the Advisory Council with such remuneration and allowances as may be determined by the Minister in consultation with the Minister of Finance and on the recommendation of the Public Service Commission.

(6) The duties, powers, privileges and functions of and the quorum for and procedures at meetings of the Advisory Council, the executive committee and other

(b) dat die universeel aanvaarde opvoedkundige beginsel van die gebruik van die moedertaal as die medium van onderrig nageleef word: Met dien verstande dat hierdie beginsel ten minste tot en met standaard vier toegepas word: Met dien verstande voorts dat die wense van die ouers in ag geneem moet word by die toepassing van dié beginsel ná standaard vier en ook by die keuse van een van die amptelike tale as medium van onderrig waar die moedertaal ná standaard vier nie as medium gebruik kan word nie;

(c) dat dit die doel en strewe is om verpligte onderwys met die samewerking van die ouers in alle gebiede in te voer;

(d) dat daar met die verskaffing van onderwys rekening gehou moet word met die bekwaamheid, aansleg en belangstelling van die leerling en die behoeftes van die land, en dat gepaste voorligting in dié verband aan leerlinge verstrekkend moet word;

(e) dat daar koördinasie met ander onderwysdepartemente moet wees ten opsigte van sillabusse, kursusse en eksamenstandaarde, en dat die matrikulasie- of seniorsertifikaateksamen, of gelykwaardige eksamen, van of die Departement van Nasionale Opvoeding of die Gemeenskaplike Matrikulasieraad afgeneem moet word;

(f) dat erkenning verleen word aan die aktiewe betrokkenheid van die ouers en die gemeenskappe in die onderwysstelsel deur middel van ouer-onderwysverenigings, skoolkomitees, skoolrade, beheerrade en beheerliggame of op 'n soortgelyke gesaghebbende wyse; en

(g) dat skoolgesondheidsdienste in samewerking met die Departement van Gesondheid ingevoer word.

Adviesraad vir Onderwys

4. (1) Daar is 'n Adviesraad vir Onderwys wat bestaan uit minstens 20 lede wat deur die Minister aangestel word en van wie—

(a) een as voorsitter en een as ondervoorsitter van die Adviesraad en uitvoerende komitee van die Adviesraad deur die Minister aangewys word;

(b) minstens drie dosente van drie verskillende universiteite vir Swartes moet wees en wat verkieslik dosente in die fakulteite of departemente van opvoedkunde moet wees;

(c) daar een verteenwoordiger van 'n inspekteursvereniging moet wees; en

(d) daar een verteenwoordiger van 'n erkende onderwysersvereniging moet wees.

(2) Wanneer die Minister lede ingevolge subartikel (1) aanstel, moet hy verteenwoordiging aan elk van die streke wat hy bepaal, verleen, en die Minister kan ook verteenwoordiging aan enige ander persoon verleen wat volgens sy oordeel 'n bydrae in belang van die onderwys kan lewer.

(3) Die lede wat ingevolge subartikel (1) (c) en (d) aangestel word, moet of in diens van die Departement of in diens by 'n Staatsondersteunde skool wees.

(4) Die voorsitter, ondervoorsitter en een ander lid wat deur die Adviesraad aangewys moet word, maak die uitvoerende komitee van die Adviesraad uit.

(5) Die Departement stel 'n voltijdse sekretaris tot beskikking van die Adviesraad, met besoldiging en toeslaes, as daar is, wat deur die Minister in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie bepaal word.

(6) Die pligte, bevoegdhede, voorregte, werksaamhede en kworum vir en prosedures op vergaderings van die Adviesraad, die uitvoerende komitee en ander komi-

committees of the Advisory Council and the period of office of the chairman, vice-chairman and other members of the said council and the constitution of committees of the Advisory Council shall be as prescribed.

(7) The fees and allowances, if any, payable to a member of the Advisory Council who is not in the full-time service of the State, shall be determined by the Minister in consultation with the Minister of Finance.

(8) The Advisory Council for Black Education established in terms of the Black Education Act, 1953 (Act 47 of 1953), shall continue to function until the term of office of its members expires and shall, during such period, be deemed for the purposes of this Act to have been established under this section.

Establishment of State schools

5. (1) The Minister may, out of moneys appropriated by Parliament for this purpose—

(a) establish, erect, maintain and manage schools which shall be known as State schools; and

(b) establish, erect, maintain and manage any hostel, teachers' quarters, school clinic or any other appurtenance of a State school.

(2) Any State school established or deemed to have been established as such in terms of any law repealed by section 46 and in existence on the date of commencement of this Act shall be deemed to have been established under subsection (1).

(3) The Minister may at any time close or dis-establish a State school but, if a governing council has been established for such school, only after consultation with such council.

(4) The Minister may, if he deems it in the interests of education, and after consultation with or at the request of the governing council concerned, if such governing council has been established, convert a State school into a community school.

Governing Councils for State schools

6. (1) The Minister may establish a governing council for a State school to advise the Minister and the Secretary in regard to such matters as may be prescribed, and may accord representation on such governing council to any person.

(2) The constitution, functions, powers and duties of and the quorum for and procedures at meetings of a governing council and the term of office of the members shall be as prescribed.

(3) No remuneration shall be paid to a member of a governing council but he may in respect of the attendance of a meeting of the governing council and in respect of any journey to such meeting be paid such subsistence and travelling allowances as the Minister may determine in consultation with the Minister of Finance: Provided that a member who is in the full-time service of the State shall receive allowances in accordance with the law governing his conditions of employment.

Community schools

7. (1) The Minister may, out of moneys appropriated by Parliament for the purpose, establish and maintain schools which shall be known as community schools.

(2) Any community school registered or deemed to have been registered in terms of the Black Education Act, 1953 (Act 47 of 1953), and in existence immediately prior to or on the date of commencement of this Act shall be deemed to have been established under subsection (1).

tees daarvan en die ampstermyn van die voorsitter, vise-voorsitter en ander lede van die Adviesraad en die samestelling van komitees van die Adviesraad is soos voorgeskryf.

(7) Die gelde en toelaes, as daar is, betaalbaar aan 'n lid van die Adviesraad wat nie in die voltydse diens van die Staat is nie, word deur die Minister in oorleg met die Minister van Finansies bepaal.

(8) Die Adviesraad vir Swart Onderwys, wat ingevolge die Wet op Swart Onderwys, 1953 (Wet 47 van 1953), ingestel is, gaan voort om te funksioneer totdat die ampstermyn van die lede verstryk en word gedurende dié tydperk vir die doeleindes van hierdie Wet geag kragtens hierdie artikel tot stand te gekom het.

Instelling van Staatskole

5. (1) Die Minister kan, uit geld wat die Parlement vir dié doel bewillig het—

(a) skole wat Staatskole heet, instel, oprig, in stand hou en bestuur; en

(b) enige koshuis, kwartiere vir onderwysers, skool-kliniek of enige toebehoorsel van 'n Staatskool instel, oprig, in stand hou en bestuur.

(2) 'n Staatskool ingestel of wat geag word as sodanig ingestel te wees ingevolge 'n wet herroep by artikel 46 en wat op die datum van inwerkingtreding van hierdie Wet bestaan, word geag ingestel te wees kragtens subartikel (1).

(3) Die Minister kan te eniger tyd 'n Staatskool sluit of die instelling daarvan intrek, maar, indien 'n beheerraad vir dié skool ingestel is, slegs ná oorlegpleging met dié raad.

(4) Die Minister kan, indien hy dit in belang van die onderwys ag, en na oorlegpleging met of op versoek van die betrokke beheerraad, indien so 'n beheerraad ingestel is, 'n Staatskool in 'n gemeenskapskool omskep.

Beheerrade vir Staatskole

6. (1) Die Minister kan vir 'n Staatskool 'n beheerraad instel om die Minister en die Sekretaris aangaande aangeleenthede wat voorgeskryf word, van advies te dien, en kan verteenwoordiging in so 'n beheerraad aan iemand verleen.

(2) Die samestelling, werksaamhede, bevoegdhede en pligte van, die kworum vir en prosedures op vergaderings van 'n beheerraad en ampstermyn van die lede is soos voorgeskryf.

(3) Geen besoldiging word aan 'n lid van 'n beheerraad betaal nie, maar hy kan ten opsigte van die bywoning van 'n vergadering van die beheerraad en ten opsigte van 'n reis na so 'n vergadering dié reis- en verblyftoelaes betaal word wat die Minister in oorleg met die Minister van Finansies bepaal: Met dien verstande dat 'n lid wat op 'n voltydse grondslag in diens van die Staat is, toelaes ontvang ooreenkomstig die wetsbepalings wat sy diensvoorwaardes reël.

Gemeenskapskole

7. (1) Die Minister kan, uit geld wat die Parlement vir dié doel bewillig het, skole wat gemeenskapskole heet, instel en in stand hou.

(2) 'n Gemeenskapskool wat ingevolge die Wet op Swart Onderwys, 1953 (Wet 47 van 1953), geregistreer is of wat ingevolge gemelde Wet geag word geregistreer te wees en wat onmiddellik voor of op die datum van inwerkingtreding van hierdie Wet bestaan, word geag ingestel te wees kragtens subartikel (1).

(3) The Minister may at any time close or disestablish any community school: Provided that, before exercising his discretion under this subsection, the Minister shall afford an opportunity for representations relating to the proposed closing or disestablishment to be made to him by the school board concerned in such manner as he may determine.

(4) The Minister may at any time, if he deems it in the interests of education, and after consultation with or at the request of the school board concerned, convert a community school into a State school.

School boards and school committees for community schools

8. (1) The Minister may, with due regard to the principle of providing for active participation by the parents and the community in the control and management of community schools, establish school boards and school committees to advise the Minister and the Secretary in regard to such matters as may be prescribed.

(2) The constitution, duties, powers, privileges and functions of a school board or school committee established under subsection (1) and the term of office of its members shall be as prescribed.

(3) The allowances, if any, payable to members of a school board or school committee established under subsection (1) shall be as determined by the Minister in consultation with the Minister of Finance.

(4) The Minister may at any time disestablish any school board or school committee established under subsection (1): Provided that, before exercising his discretion under this subsection, the Minister shall afford an opportunity for representations relating to the proposed disestablishment to be made to him by the school board or school committee in question in such manner as he may determine.

(5) If the Minister is satisfied that any school board or school committee established under subsection (1) cannot be properly constituted or that such school board or school committee fails to perform or exercise the duties, powers and functions referred to in subsection (2), the Minister may authorise any person to perform or exercise such duties, powers and functions on behalf of that school board or school committee for such period not exceeding 12 months as the Minister may determine.

(6) Any duty, power or function exercised or performed by any person authorised in terms of subsection (5) shall, for the purposes of this Act, be deemed to have been exercised or performed by the school board or school committee in question.

(7) Any school board or school committee established under any law repealed by section 46 shall, subject to the provisions of this Act, continue to function until a school board or school committee has been constituted in terms of the regulations contemplated in subsection (2) for the community school or community schools concerned.

Registration of State-aided and private schools

9. (1) No person shall provide education to any Black person unless it takes place—

(a) at a school registered or deemed to have been registered in terms of this section; or

(b) at any State school or community school established or deemed to have been established in terms of this Act; or

(c) at any school which has been exempted from registration by regulation; or

(3) Die Minister kan te eniger tyd 'n gemeenskapskool sluit of die instelling daarvan intrek: Met dien verstande dat die Minister, voordat hy sy diskresie kragtens hierdie subartikel uitoefen, die betrokke skoolraad die geleentheid moet bied om versoë betreffende die voorgenome sluiting of intrekking van die instelling aan hom te rig op die wyse wat hy bepaal.

(4) Die Minister kan te eniger tyd, indien hy dit in belang van die onderwys ag en na oorlegpleging met of op versoek van die betrokke skoolraad, 'n gemeenskapskool in 'n Staatskool omskep.

Skoolrade en skoolkomitees vir gemeenskapskole

8. (1) Die Minister kan, met behoorlike inagneming van die beginsel dat daar vir die aktiewe deelname deur ouers en die gemeenskap aan die beheer en bestuur van gemeenskapskole voorsiening gemaak word, skoolrade en skoolkomitees instel om die Minister en die Sekretaris aangaande aangeleenthede wat voorgeskryf word, van advies te dien.

(2) Die samestelling, pligte, bevoegdhede, voorregte en werksaamhede van 'n kragtens subartikel (1) ingestelde skoolraad of skoolkomitee en die ampstermyn van die lede is soos voorgeskryf.

(3) Die toelaes, as daar is, betaalbaar aan lede van 'n kragtens subartikel (1) ingestelde skoolraad of skoolkomitee, is soos deur die Minister in oorleg met die Minister van Finansies bepaal.

(4) Die Minister kan te eniger tyd 'n kragtens subartikel (1) ingestelde skoolraad of skoolkomitee afskaf: Met dien verstande dat die Minister, voordat hy sy diskresie kragtens hierdie subartikel uitoefen, die betrokke skoolraad of skoolkomitee die geleentheid moet bied om versoë betreffende die voorgenome afskaffing aan hom te rig op die wyse wat hy bepaal.

(5) Indien die Minister oortuig is dat 'n kragtens subartikel (1) ingestelde skoolraad of skoolkomitee nie behoorlik saamgestel kan word nie of dat sodanige skoolraad of skoolkomitee in gebreke bly om die in subartikel (2) bedoelde pligte, bevoegdhede en werksaamhede te verrig of uit te oefen, kan die Minister iemand magtig om vir 'n tydperk van hoogstens 12 maande, wat die Minister bepaal, namens daardie skoolraad of skoolkomitee die bedoelde pligte, bevoegdhede en werksaamhede te verrig of uit te oefen.

(6) 'n Plig, bevoegdheid of werksaamheid wat deur 'n kragtens subartikel (5) gemagtigde persoon uitgeoefen of verrig is, word by die toepassing van hierdie Wet geag deur die betrokke skoolraad of skoolkomitee, na gelang van die geval, uitgeoefen of verrig te wees.

(7) 'n Skoolraad of skoolkomitee wat ingestel is kragtens 'n wet herroep by artikel 46, gaan, behoudens die bepalings van hierdie Wet, voort om te funksioneer totdat 'n skoolraad of skoolkomitee vir die betrokke gemeenskapskool of gemeenskapskole ingevolge die regulasies beoog in subartikel (2) saamgestel word.

Registrasie van Staatsondersteunde en private skole

9. (1) Niemand mag onderwys aan 'n Swart persoon verskaf nie, tensy dit geskied—

(a) by 'n skool wat kragtens hierdie artikel geregistreer is of geag word daarkragtens geregistreer te wees; of

(b) by 'n Staatskool of 'n gemeenskapskool wat ingevolge hierdie Wet ingestel is of geag word ingestel te wees; of

(c) by 'n skool wat by regulasie van registrasie vrygestel is; of

(d) through a correspondence course of a correspondence college registered in terms of section 11 of the Correspondence Colleges Act, 1965 (Act 59 of 1965).

(2) Any person who wishes to provide education for Black persons shall apply to the Department for the registration of a school, and the Minister may in his discretion register such school as a State-aided school or a private school.

(3) Any registration under subsection (2) may be made subject to such conditions as the Minister may deem fit, and the Minister may at any time—

(a) withdraw or amend any such condition or impose further conditions as he may deem fit;

(b) withdraw any registration under subsection (2) if he is of the opinion that any condition has not been complied with or that other good and sufficient reasons for such withdrawal exist:

Provided that the Minister shall not act under paragraph (a) or (b) of this subsection unless he has first afforded the governing body concerned a reasonable opportunity to submit representations to him in regard to the proposed action in such manner as the Minister may determine.

(4) Any person who contravenes the provisions of subsection (1), whether as a member of the governing body or owner of such school or as a teacher thereat, or any person who admits any Black person to a school which is not registered or exempted from registration in terms of this Act shall be guilty of an offence and liable on conviction to a fine not exceeding R500 or to imprisonment for a period not exceeding one year or to both such fine and such imprisonment.

(5) Any person who has been convicted of an offence under subsection (4) and who at any time after such conviction carries on the activities in respect of which he was so convicted may again be charged and punished in respect of such activities.

(6) Any State-aided or private school registered or approved or deemed to have been registered or approved as such in terms of any law repealed by section 46 and in existence on the date of commencement of this Act shall be deemed to have been registered under subsection (2), and any condition to which the registration or approval of such school is subject at such commencement shall be deemed to have been imposed under this Act.

Classification of schools

10. State schools referred to in section 5, community schools referred to in section 7 and State-aided and private schools referred to in section 9 shall be classified according to the prescribed categories or types of schools.

Making of grants-in-aid or subsidies and loans in respect of State-aided schools

11. (1) The Minister may, out of moneys appropriated by Parliament for the purpose, make grants-in-aid or subsidies and loans to the owner or governing body of any school registered or deemed to have been registered in terms of section 9, and such school shall be known as a State-aided school.

(2) The making of grants-in-aid or subsidies and loans in terms of subsection (1) shall be effected on such basis and subject to such conditions as the Minister

(d) deur middel van 'n korrespondensiekursus van 'n korrespondensiekollege wat ingevolge artikel 11 van die Wet op Korrespondensiekolleges, 1965 (Wet 59 van 1965), geregistreer is.

(2) Iemand wat onderwys aan Swart persone wil verskaf, moet by die Departement om die registrasie van 'n skool aansoek doen en die Minister kan na goed-dunke so 'n skool as 'n Staatsondersteunde skool of 'n private skool registreer.

(3) Enige registrasie ingevolge subartikel (2) kan onderworpe gemaak word aan die voorwaardes wat die Minister goedvind, en die Minister kan te eniger tyd—

(a) enige sodanige voorwaarde intrek of wysig of verdere voorwaardes oplê soos hy goedvind;

(b) enige registrasie ingevolge subartikel (2) intrek indien hy van oordeel is dat enige voorwaarde nie nagekom is of word nie of dat daar ander goeie en genoegsame redes vir die intrekking bestaan:

Met dien verstande dat die Minister nie ingevolge paragraaf (a) of (b) van hierdie subartikel optree nie tensy hy vooraf aan die betrokke bestuursliggaam 'n redelike geleentheid gegee het om in verband met die voorgestelde optrede vertoë tot hom te rig op die wyse wat die Minister bepaal.

(4) Iemand wat die bepalings van subartikel (1) oortree, hetsy as lid van die bestuursliggaam of as eienaar van so 'n skool of as 'n onderwyser daarvan, of iemand wat 'n Swart persoon tot 'n skool toelaat wat nie kragtens hierdie Wet geregistreer of van registrasie vrygestel is nie, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R500 of gevangenisstraf vir 'n tydperk van hoogstens een jaar of met beide dié boete en dié gevangenisstraf.

(5) Iemand wat aan 'n misdryf bedoel in subartikel (4) skuldig bevind is en wat te eniger tyd na daardie skuldigbevinding voortgaan met die handelinge ten opsigte waarvan hy aldus skuldig bevind is, kan weer ten opsigte van daardie handelinge aangekla en gestraf word.

(6) 'n Staatsondersteunde of private skool wat op die datum van inwerkingtreding van hierdie Wet bestaan en as sodanig geregistreer of goedgekeur is of geag word geregistreer of goedgekeur te wees kragtens 'n Wet herroep by artikel 46, word geag ingevolge die bepalings van subartikel (2) geregistreer te wees en enige voorwaarde waaraan die registrasie of goedkeuring van sodanige skool by sodanige inwerkingtreding onderworpe is, word geag kragtens hierdie Wet opgelê te wees.

Indeling van skole

10. Staatskole bedoel in artikel 5, gemeenskapskole bedoel in artikel 7 en Staatsondersteunde en private skole bedoel in artikel 9, word ingedeel volgens die voorgeskrewe kategorieë of soorte skole.

Toekenning van hulptoelaes of subsidies en lenings ten opsigte van Staatsondersteunde skole

11. (1) Die Minister kan uit geld wat die Parlement vir dié doel bewillig het, hulptoelaes of subsidies en lenings toeken aan die eienaar of bestuursliggaam van 'n skool wat kragtens artikel 9 geregistreer is of geag word geregistreer te wees en so 'n skool staan as 'n Staatsondersteunde skool bekend.

(2) Die toekenning van hulptoelaes of subsidies en lenings ingevolge subartikel (1) moet geskied op dié grondslag en onderworpe aan dié voorwaardes wat die

in consultation with the Minister of Finance may in every particular case determine and subject to such other conditions as may be prescribed.

(3) Any grant-in-aid, subsidy or loan made immediately prior to or on the date of commencement of this Act in respect of any State-aided school under any law repealed by section 46 shall be deemed to have been made to such school in terms of subsection (1) with effect from the said date, and any condition to which such grant-in-aid, subsidy or loan is subject at such date of commencement shall be deemed to have been imposed under subsection (2).

(4) The Minister may at any time in his discretion terminate, reduce or withdraw any grant-in-aid, subsidy or loan made in respect of a State-aided school in terms of this section if it appears to the Minister that the conditions subject to which such grant-in-aid, subsidy or loan is being made are not being complied with or if there are other good and sufficient reasons for such termination, reduction or withdrawal: Provided that before exercising his discretion under this subsection, the Minister shall afford an opportunity for representations relating to the proposed action to be made to him by the governing body or owner in question in such manner as he may determine.

Transfer of management and control of a State-aided or private school to the Department

12. (1) The Minister may, with the concurrence of the Minister of Finance and with effect from a date determined by the Minister, take over the management and control of a State-aided or a private school or any part thereof as a State school or a community school if—

- (a) the owner or governing body of the school in question has agreed thereto; or
- (b) the registration of such school is withdrawn in terms of section 9 (3) (b).

(2) The taking over of the management and control of any such school shall be on such conditions concerning the take-over of the property of such school as may be agreed upon between the Minister and the owner or governing body concerned.

(3) As from the date of any such taking over, the school concerned shall be deemed to be a State school established under section 5 or a community school established under section 7, as the Minister may determine, and the owner or governing body concerned shall cease to have any rights, powers or duties in regard to such school.

(4) If any property which by trust, donation or bequest was vested in or would have accrued to any owner or governing body becomes vested in the Department, the Secretary shall deal with such property in accordance with the conditions of such trust, donation or bequest.

(5) As from the date referred to in subsection (1) the rights and liabilities acquired or incurred by the owner or governing body in question for the purposes of or in connection with the school concerned shall pass to the Department.

Establishment of, and appointment, promotion and discharge of teachers in State schools

13. (1) The teaching establishment at any State school shall be determined by the Minister on a basis to be laid down from time to time in consultation with the

Minister in oorleg met die Minister van Finansies in iedere besondere geval bepaal, en onderworpe aan die ander voorwaardes wat voorgeskryf word.

(3) 'n Hulptoelae, subsidie of lening wat onmiddellik vóór of op die datum van inwerkingtreding van hierdie Wet ten opsigte van 'n Staatsondersteunde skool toegeken word kragtens 'n wet herroep by artikel 46, word geag toegeken te wees ten opsigte van sodanige Staatsondersteunde skool ingevolge subartikel (1) en wel met ingang van genoemde datum, en enige voorwaarde waaraan sodanige hulptoelae, subsidie of lening onderworpe is op sodanige datum van inwerkingtreding, word geag kragtens subartikel (2) opgelê te wees.

(4) Die Minister kan te eniger tyd na goeddunke 'n hulptoelae, subsidie of lening wat ten opsigte van enige Staatsondersteunde skool kragtens hierdie artikel verleen word, staak, verminder of intrek indien dit vir die Minister blyk dat die voorwaardes waarop sodanige hulptoelae, subsidie of lening verleen of toegeken word, nie nagekom word nie of indien daar ander goeie en genoegsame redes vir sodanige staking, vermindering of intrekking bestaan: Met dien verstande dat die Minister, voordat hy sy diskresie kragtens hierdie subartikel uitoefen, die betrokke bestuursliggaam of eienaar die geleentheid moet bied om vertoë betreffende die voorgename handeling aan hom te rig op die wyse wat hy bepaal.

Oordrag van bestuur van en beheer oor private skole en Staatsondersteunde skole aan die Departement

12. (1) Die Minister kan, met die instemming van die Minister van Finansies, en met ingang van 'n datum wat die Minister bepaal, die bestuur van en beheer oor 'n Staatsondersteunde skool of 'n private skool of 'n gedeelte daarvan as 'n Staatskool of 'n gemeenskapsskool oorneem indien—

- (a) die eienaar of bestuursliggaam van bedoelde skool daartoe ingestem het; of
- (b) die registrasie van sodanige skool ingevolge artikel 9 (3) (b) ingetrek word.

(2) Die oorname van die bestuur van en beheer oor so 'n skool geskied op die voorwaardes aangaande die oorname van die eiendom van die skool waarop deur die Minister en die betrokke eienaar of bestuursliggaam onderling ooreengekom word.

(3) Vanaf die datum van so 'n oorname word die betrokke skool geag 'n Staatskool ingestel kragtens artikel 5 of 'n gemeenskapsskool ingestel kragtens artikel 7, na gelang die Minister bepaal, te wees en het die betrokke eienaar of bestuursliggaam geen verdere regte, bevoegdhede of pligte ten opsigte van daardie skool nie.

(4) Indien eiendom wat uit hoofde van 'n trust, skenking of bemaking by 'n eienaar of bestuursliggaam berus het of aan hom sou toegeval het, op die Departement oorgaan, moet die Sekretaris met sodanige eiendom handel ooreenkomstig die voorwaardes van bedoelde trust, skenking of bemaking.

(5) Met ingang van die datum in subartikel (1) vermeld, gaan die regte en verpligtings wat die betrokke eienaar of bestuursliggaam vir die doeleindes van of in verband met die betrokke skool verkry of opgeloop het, op die Departement oor.

Diensstaat van en aanstelling, bevordering en ontslag van onderwysers in Staatskole

13. (1) Die onderwysdiensstaat by enige Staatskool word deur die Minister bepaal op 'n basis wat van tyd tot tyd in oorleg met die Minister van Finansies en

Minister of Finance and on the recommendation of the Public Service Commission.

(2) The power of appointment, promotion or discharge of teachers in State schools shall, subject to the provisions of this Act, vest in the Minister.

(3) Any teacher who immediately prior to as well as on the date of commencement of this Act occupies a post on the teaching establishment of any State school referred to in section 5 (2) shall be deemed to have been appointed as from the said date in terms of this section.

(4) Any disciplinary proceedings in respect of misconduct by any teacher referred to in subsection (3) before the date of commencement of this Act may be continued or instituted by the Department as if such misconduct had been committed after the said date.

Establishment of, and appointment, promotion and discharge of teachers in, community schools

14. (1) The teaching establishment at any community school shall be determined by the Minister on the basis referred to in section 13 (1).

(2) The power of appointment, promotion or discharge of teachers in community schools shall, subject to the provisions of this Act, vest in the Minister.

(3) Any teacher who immediately prior to as well as on the date of commencement of this Act was employed by a school board established in terms of any law repealed by section 46 as a teacher on the teaching establishment of a community school referred to in section 7 (2) shall, as from the said date, be deemed to have been appointed on probation by the Minister in terms of subsection (2).

(4) Any disciplinary proceedings in respect of misconduct by any teacher referred to in subsection (3) before the date of commencement of this Act may be continued or instituted by the Department as if such misconduct had been committed after the said date.

Establishment of, and appointment, promotion and discharge of persons employed at, State-aided schools

15. (1) Subject to the provisions of subsection (2)—

(a) the establishment at a State-aided school shall be determined by the Minister on the basis laid down from time to time in consultation with the Minister of Finance;

(b) the power to appoint any person for service at a State-aided school, to promote or discharge him shall be vested in the governing body in question, subject in each case to the approval of the Minister: Provided that, in the case of the discharge of such teacher, such approval shall take place beforehand.

(c) the salary, salary scale and allowances of any person appointed under paragraph (b) in a subsidised post shall be determined by the Minister on the recommendation of the Public Service Commission and with the concurrence of the Minister of Finance; and

(d) the conditions of service and leave privileges of teachers employed at a State-aided school in subsidised posts shall be as prescribed.

(2) If in the opinion of the Minister a governing body fails to have a vacant subsidised teaching post referred to in subsection (1) suitably filled within a period regarded by the Minister as reasonable, and if such failure, in the opinion of the Minister, is prejudicial to the State-aided school, the Minister may

op aanbeveling van die Staatsdienskommissie neergelê word.

(2) Die bevoegdheid om onderwysers in Staatskole aan te stel, te bevorder of te ontslaan, berus behoudens die bepalings van hierdie Wet by die Minister.

(3) 'n Onderwyser wat onmiddellik vóór sowel as op die datum van inwerkingtreding van hierdie Wet 'n pos beklee op die onderwysdiensstaat van 'n Staatskool vermeld in artikel 5 (2), word vanaf bedoelde datum geag ingevolge hierdie artikel aangestel te wees.

(4) Enige dissiplinêre stappe ten opsigte van wangedrag wat deur 'n in subartikel (3) bedoelde onderwyser voor die datum van inwerkingtreding van hierdie Wet gepleeg is, kan deur die Departement voortgesit of ingestel word asof die wangedrag ná die genoemde datum gepleeg was.

Diensstaat van en aanstelling, bevordering en ontslag van onderwysers in gemeenskapskole

14. (1) Die onderwysdiensstaat by enige gemeenskapskool word deur die Minister bepaal op die basis bedoel in artikel 13 (1).

(2) Die bevoegdheid om onderwysers in gemeenskapskole aan te stel, te bevorder of te ontslaan, berus behoudens die bepalings van hierdie Wet by die Minister.

(3) 'n Onderwyser wat onmiddellik vóór sowel as op die datum van inwerkingtreding van hierdie Wet in diens is van 'n skoolraad ingestel ingevolge 'n wet herroep by artikel 46, as 'n onderwyser op die onderwysdiensstaat van 'n gemeenskapskool vermeld in artikel 7 (2), word vanaf bedoelde datum geag ingevolge subartikel (2) deur die Minister op proef aangestel te wees.

(4) Enige dissiplinêre stappe ten opsigte van wangedrag wat deur 'n in subartikel (3) bedoelde onderwyser voor die datum van inwerkingtreding van hierdie Wet gepleeg is, kan deur die Departement voortgesit of ingestel word asof die wangedrag na die genoemde datum gepleeg was.

Diensstaat van en aanstelling, bevordering en ontslag van persone in diens by Staatsondersteunde skole

15. (1) Behoudens die bepalings van subartikel (2)—

(a) word die diensstaat by 'n Staatsondersteunde skool deur die Minister bepaal op die basis wat van tyd tot tyd in oorleg met die Minister van Finansies neergelê word;

(b) berus die bevoegdheid om iemand vir diens by 'n Staatsondersteunde skool aan te stel, om hom te bevorder of om hom te ontslaan, by die betrokke bestuursliggaam, onderworpe in elke geval aan die goedkeuring van die Minister: Met dien verstande dat in die geval van die ontslag van so 'n onderwyser, sodanige goedkeuring vooraf moet geskied;

(c) word die salaris, salarisskaal en toelaes van iemand wat kragtens paragraaf (b) in 'n gesubsidieerde pos aangestel word, deur die Minister bepaal op aanbeveling van die Staatsdienskommissie en met die instemming van die Minister van Finansies; en

(d) is die diensvoorwaardes en verlofvoorregte van onderwysers in diens by 'n Staatsondersteunde skool in gesubsidieerde poste soos voorgeskryf.

(2) As, na die oordeel van die Minister, 'n bestuursliggaam in gebreke bly om 'n gesubsidieerde onderwyspos bedoel in subartikel (1) wat vakant is, paslik te vul binne 'n tydperk wat die Minister as redelik beskou, en sodanige versuim volgens die oordeel van die Minister tot nadeel van die Staatsondersteunde skool strek,

appoint a teacher to such post, and such appointment shall be deemed to have been made in terms of subsection (1) (b).

(3) Any teacher who immediately prior to as well as on the date of commencement of this Act is employed at a State-aided school referred to in section 9 (6) shall be deemed to have been appointed in terms of subsection (1) (b) of this section in such employment.

(4) Any disciplinary proceedings in respect of misconduct by any teacher referred to in subsection (3) before the date of commencement of this Act may be continued or instituted by the governing body as if such misconduct had been committed after the said date.

(5) Any teacher employed in terms of this section in a subsidized post at a State-aided school shall, for the purposes of the Workmen's Compensation Act, 1941 (Act 30 of 1941), be deemed to be a Government employee, unless the Minister determines otherwise in any particular case.

Appointment of teachers additional to determined teaching establishments at State schools

16. (1) The Minister may, with the concurrence of the Minister of Finance and on the recommendation of the Public Service Commission, appoint teachers additional to the teaching establishments at State schools determined in terms of section 13 (1) to perform such services and work as the Minister may from time to time determine.

(2) The provisions of sections 13 (2) and 19 (1) shall *mutatis mutandis* apply to teachers appointed under this section.

Secondment of certain teachers to service of other bodies

17. The Minister may, with the consent of the teacher concerned, second any teacher attached to a State school or a community school or any teacher appointed in terms of section 16 on such conditions (in addition to those prescribed by or under any law) as the Minister with the concurrence of the Minister of Finance may approve, to the service of any other government or department, or of any council, institution or body established by or under any law, or of any other body or person, either for a particular service or period of time, and while he is so seconded such teacher shall remain subject to the provisions of this Act.

Transfer of certain teachers employed at State schools and community schools

18. (1) Any teacher employed at a State school or a community school may be transferred by the Minister from the post in which he is employed to any other post at the same school or at any other State or community school or at any other institution under the control of the Department, whether or not such transfer is to a post of a lower grade: Provided that no transfer involving a reduction in such teacher's pensionable emoluments shall be made without his consent, unless the transfer is in consequence of a reduction of rank imposed in connection with misconduct or inefficiency as a teacher.

(2) A teacher who has been transferred to a post of a grade higher than a grade to which his rank is appropriate shall not, by reason only of such transfer and service in such post, be entitled to the higher salary applicable to that post.

kan die Minister 'n onderwyser in sodanige pos aanstel, en sodanige aanstelling word geag ingevolge subartikel (1) (b) gedoen te wees.

(3) 'n Onderwyser wat onmiddellik vóór sowel as op die datum van inwerkingtreding van hierdie Wet in diens is by 'n Staatsondersteunde skool bedoel in artikel 9 (6), word geag ingevolge subartikel (1) (b) van hierdie artikel in sodanige diens aangestel te wees.

(4) Enige dissiplinêre stappe ten opsigte van wangedrag wat deur 'n in subartikel (3) bedoelde onderwyser voor die datum van inwerkingtreding van hierdie Wet gepleeg is, kan deur die bestuursliggaam voortgesit of ingestel word asof die wangedrag ná die genoemde datum gepleeg was.

(5) 'n Onderwyser wat in 'n gesubsidieerde pos by 'n Staatsondersteunde skool ingevolge hierdie artikel in diens is, word vir die doeleindes van die Ongevalwet, 1941 (Wet 30 van 1941), as 'n Regeringswerknemer beskou, tensy die Minister in 'n spesifieke geval anders bepaal.

Aanstelling van onderwysers addisioneel tot bepaalde onderwysdiensstate by Staatskole

16. (1) Die Minister kan, met die instemming van die Minister van Finansies en op aanbeveling van die Staatsdienskommissie, onderwysers aanstel addisioneel tot die ingevolge artikel 13 (1) bepaalde onderwysdiensstate by Staatskole om die dienste en werksaamhede te verrig wat die Minister van tyd tot tyd bepaal.

(2) Die bepalinge van artikels 13 (2) en 19 (1) is *mutatis mutandis* van toepassing op onderwysers kragtens hierdie artikel aangestel.

Afstaan van sekere onderwysers aan die diens van andere

17. Die Minister kan 'n onderwyser verbonde aan 'n Staatskool of 'n gemeenskapskool of 'n onderwyser aangestel kragtens artikel 16 met die betrokke onderwyser se toestemming en op die voorwaardes (benewens dié wat by of kragtens een of ander wet voorgeskryf word) wat die Minister met die instemming van die Minister van Finansies goedkeur, aan die diens van 'n ander regering of departement of van 'n raad, inrigting of liggaam wat by of kragtens een of ander wet ingestel is, of van enige ander liggaam of persoon, afstaan, hetsy vir 'n besondere diens of vir 'n tydperk, en sodanige onderwyser bly, terwyl hy aldus afgestaan is, onderworpe aan die bepalinge van hierdie Wet.

Verplasing van sekere onderwysers in diens by Staatskole en gemeenskapskole

18. (1) 'n Onderwyser wat by 'n Staatskool of 'n gemeenskapskool in diens is, kan deur die Minister verplaas word van die pos waarin hy diens doen na enige ander pos in dieselfde skool of in enige ander Staatskool of gemeenskapskool of in enige ander inrigting onder die beheer van die Departement, hetsy daardie verplasing na 'n pos met 'n laer graad is al dan nie: Met dien verstande dat 'n verplasing wat 'n vermindering in sodanige onderwyser se pensioengewende verdienste meebring, nie sonder sy toestemming geskied nie, tensy die verplasing geskied as gevolg van 'n verlaging van rang wat na aanleiding van wangedrag of onbekwaamheid as onderwyser opgelê word.

(2) 'n Onderwyser wat verplaas is na 'n pos met 'n hoër graad as 'n graad wat by sy eie rang pas, is nie uit hoofde alleen van dié verplasing en diens in sodanige pos geregtig op die hoër salaris wat op daardie pos van toepassing is nie.

Salaries, salary scales, allowances and conditions of service of teachers employed at State schools and community schools

19. (1) Notwithstanding anything to the contrary contained in any other law, but subject to the provisions of this Act, the Minister shall, in consultation with the Minister of Finance and on the recommendation of the Public Service Commission, determine the salaries, salary scales and allowances, if any, and prescribe the conditions of service, including leave privileges, of teachers employed in a permanent, temporary or part-time capacity at any State school or community school.

(2) Any teacher who, immediately prior to the date on which the management and control of any State-aided or private school is transferred to the Department in terms of section 12 (1), occupies a post on the establishment of such school shall, subject to the requirements for appointment referred to in section 21 and unless the Minister decides otherwise, as from that date—

(a) be transferred to the service of the Department; and

(b) be deemed to have been appointed to such post on probation in terms of and subject to the provisions of this Act.

(3) As from the date on which a teacher is transferred to the service of the Department in terms of subsection (2), his salary shall be adjusted to such notch on the salary scale applicable to his post as the Minister may in consultation with the Public Service Commission determine.

(4) Any continuous whole-time employment of any teacher referred to in subsection (2) at any State-aided school immediately prior to such transfer shall, for leave purposes, be deemed to have been employment in the service of the Department: Provided that any sick and accumulative vacation leave to which such teacher is entitled on the date of such transfer shall, subject to such conditions as the Minister on the recommendation of the Public Service Commission may determine, be deemed to be leave earned in terms of this Act.

(5) Any continuous whole-time employment of any teacher referred to in section 14 (3) who immediately prior to the date of commencement of this Act was employed by a school board established in terms of any law repealed by section 46 shall, for leave purposes, be deemed to have been employment in the service of the Department: Provided that any sick and accumulative vacation leave to which such teacher is entitled on the date of such transfer shall be deemed to be leave earned in terms of this Act.

Protection of pension rights and retirement benefits

20. Subject to the provisions of the Government Service Pension Act, 1973 (Act 57 of 1973), or the Government non-White Employee Pension Act, 1966 (Act 42 of 1966), as the case may be, any teacher who at the date of commencement of this Act is employed in a permanent or temporary capacity at any State school, community school or State-aided school shall retain all the rights and privileges and remain subject to all the obligations acquired or incurred by him for pension purposes under any law which applied to him immediately before the said date.

Requirements for appointment

21. (1) Subject to the provisions of sections 13 (3), 14 (3) and 15 (3), no persons shall be appointed in a permanent capacity to a post included in the teaching

Salarisse, salarisskale, toelaes en diensvoorwaardes van onderwysers in diens by Staatskole en gemeenskapskole

19. (1) Ondanks andersluidende bepalings van enige ander wet, maar behoudens die bepalings van hierdie Wet, moet die Minister, in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie, die salarisse, salarisskale en toelaes, as daar is, van onderwysers wat permanent, tydelik of deeltyd by 'n Staatskool of 'n gemeenskapskool in diens is, bepaal en die diensvoorwaardes, met inbegrip van verlofvoorregte, van sulke onderwysers voorskryf.

(2) 'n Onderwyser wat, onmiddellik voor die datum waarop die bestuur van en beheer oor 'n Staatsondersteunde of private skool ingevolge artikel 12 (1) aan die Departement oorgedra word, 'n pos op die diensstaat van so 'n skool beklee, word, behoudens die aanstellingsvereistes vermeld in artikel 21 en tensy die Minister anders besluit, met ingang van bedoelde datum—

(a) na die diens van die Departement oorgeplaas; en

(b) geag in sodanige pos op proef aangestel te wees kragtens en onderworpe aan die bepalings van hierdie Wet.

(3) Met ingang van die datum waarop 'n onderwyser ingevolge subartikel (2) na die diens van die Departement oorgeplaas word, word sy salaris aangepas by die salarisskaal wat op sy pos van toepassing is, en wel op die kerf van daardie skaal wat die Minister in oorleg met die Staatsdienskommissie bepaal.

(4) Die ononderbroke voltydse diens van 'n onderwyser vermeld in subartikel (2) by 'n Staatsondersteunde skool onmiddellik vóór sodanige oorplasing, word vir verlofdoeleindes geag diens by die Departement te wees: Met dien verstande dat siekte- en oplopende vakansieverlof waarop sodanige onderwyser op die datum van sodanige oorplasing geregtig is, geag word, onderworpe aan die voorwaardes wat die Minister op aanbeveling van die Staatsdienskommissie bepaal, verlof te wees wat ingevolge hierdie Wet verdien is.

(5) Die ononderbroke voltydse diens van 'n onderwyser bedoel in artikel 14 (3) wat onmiddellik vóór die datum van inwerkingtreding van hierdie Wet in diens was van 'n skoolraad ingestel kragtens 'n wet herroep by artikel 46, word vir verlofdoeleindes geag diens by die Departement te wees: Met dien verstande dat siekte- en oplopende vakansieverlof waarop sodanige onderwyser geregtig is, geag word verlof te wees wat ingevolge hierdie Wet verdien is.

Beskerming van pensioenregte en uitdienstredingsvoordele

20. Behoudens die bepalings van die Regeringsdienspensioenwet, 1973 (Wet 57 van 1973), of die Wet op Pensioene vir Nie-Blanke Regeringswerknemers, 1966 (Wet 42 van 1966), na gelang van die geval, behou 'n onderwyser wat op die datum van inwerkingtreding van hierdie Wet permanent of tydelik by 'n Staatskool, gemeenskapskool of 'n Staatsondersteunde skool in diens is, al die regte en voorregte en bly hy onderworpe aan al die verpligtings wat hy vir pensioendoeleindes verkry of aangegaan het kragtens een of ander wetsbepaling wat onmiddellik voor die genoemde datum op hom van toepassing was.

Aanstellingsvereistes

21. (1) Behoudens die bepalings van artikels 13 (3), 14 (3) en 15 (3), word niemand in 'n pos wat inbegrepe is by die onderwysdiensstaat van 'n Staatskool,

establishment of a State school, community school or State-aided school, unless—

(a) he is in possession of qualifications determined by the Minister and is able to submit satisfactory evidence in this regard;

(b) he is of good character;

(c) he is free from any mental or physical defect, disease or infirmity likely to hamper the proper discharge of his duties or to necessitate his retirement before attaining his pensionable age; and

(d) he is a South African citizen or a citizen of an independent state.

(2) Notwithstanding the provisions of subsections (1) (a) and (d), the Minister may approve that any person—

(a) who does not possess the specified qualifications but possesses other qualifications which, in the opinion of the Minister, will enable such person to render satisfactory service; or

(b) who is not a South African citizen but whose permanent appointment will, in the opinion of the Minister, be in the interests of education,

be appointed at such school in a permanent capacity.

(3) Appointments and promotions of persons in teaching posts at State schools and community schools shall be made on probation and the period of probation shall be at least 12 calendar months, but the Secretary may extend the period to not more than 36 calendar months: Provided that, if a teacher who is serving on probation is promoted to another post, a shorter period of service on probation in the new post may be approved by the Secretary which, together with the period of service on probation in his previous post, shall be not less than 12 months: Provided further that the probationary period of a teacher shall be extended by the number of days leave (excluding leave during school holidays) taken by him during the period of probation or any extension thereof.

Temporary and part-time appointments

22. If a teaching post included in the establishment of a State school, a community school or a State-aided school cannot be filled by a permanent appointment in terms of section 21, such post may, subject to the provisions of sections 13, 14 and 15, be filled by the appointment on a full-time or part-time basis of a suitable person in a temporary capacity.

Discharge of teachers employed at State schools and community schools

23. (1) Any teacher employed at a State school or a community school may be discharged by the Minister from the service of the Department—

(a) on account of continued ill-health;

(b) owing to the abolition of his post or any reduction in or reorganisation or readjustment of the staff of a State school or a community school;

(c) if for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the school in question;

(d) subject to the provisions of section 26, on account of unfitness for his duties, or incapacity to carry them out efficiently;

(e) subject to the provisions of section 25, on account of misconduct as defined in section 24; and

(f) if, in the case of a teacher appointed on probation, his appointment is not confirmed.

gemeenskapskool of 'n Staatsondersteunde skool in 'n vaste hoedanigheid aangestel nie, tensy—

(a) hy in besit is van kwalifikasies soos deur die Minister bepaal en bevredigende bewys in dié verband kan voorlê;

(b) hy van goeie karakter is;

(c) hy vry is van enige verstandelike of liggaamlike gebrek, siekte of swakheid wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy uitdienstreding voordat hy sy pensioenleefyd bereik, sal noodsaak; en

(d) hy 'n Suid-Afrikaanse burger of 'n burger van 'n onafhanklike staat is.

(2) Ondanks die bepalings van subartikel (1) (a) en (d) kan die Minister goedkeur dat iemand—

(a) wat nie die bepaalde kwalifikasies besit nie, maar ander kwalifikasies besit wat volgens die oordeel van die Minister sodanige persoon in staat sal stel om bevredigende diens te lewer; of

(b) wat nie 'n Suid-Afrikaanse burger is nie, maar wie se vaste aanstelling volgens die oordeel van die Minister in belang van die onderwys is,

in 'n vaste hoedanigheid by so 'n skool aangestel word.

(3) Aanstellings en bevorderings van persone in onderwysposte by Staatskole en gemeenskapskole geskied op proef en die proeftydperk is minstens 12 kalendermaande, maar die tydperk kan deur die Sekretaris tot hoogstens 36 kalendermaande verleng word: Met dien verstande dat indien 'n onderwyser wat op proef diens doen, bevorder word na 'n ander pos, 'n korter dienstyd op proef in die nuwe pos deur die Sekretaris goedgekeur kan word, wat, saam met die proeftyd in diens in die vorige pos, minstens 12 kalendermaande moet wees: Met dien verstande voorts dat die proeftyd van 'n onderwyser verleng word met die getal dae verlof (uitgesonderd verlof gedurende skoolvakansies) wat hy gedurende die proeftyd of enige verlenging daarvan geneem het.

Tydlike en deeltydse aanstellings

22. Indien 'n onderwyspos wat inbegrepe is by die diensstaat van 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool nie deur 'n vaste aanstelling ingevolge artikel 21 gevul kan word nie, kan sodanige pos, behoudens die bepalings van artikels 13, 14 en 15, deur die aanstelling op 'n voltydse of deeltydse grondslag van 'n geskikte persoon in tydelike hoedanigheid gevul word.

Ontslag van onderwysers in diens by Staatskole en gemeenskapskole

23. (1) 'n Onderwyser in diens by 'n Staatskool of 'n gemeenskapskool kan deur die Minister uit die diens van die Departement ontslaan word—

(a) weens voortdurende swak gesondheid;

(b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van die personeel van 'n Staatskool of 'n gemeenskapskool;

(c) as om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging by die betrokke skool sal bevorder;

(d) behoudens die bepalings van artikel 26, weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer;

(e) behoudens die bepalings van artikel 25, weens wangedrag soos omskryf in artikel 24; en

(f) as, in die geval van 'n onderwyser wat op proef aangestel is, sy aanstelling nie bekragtig word nie.

(2) Any teacher employed at a State school or a community school who, without the permission of the Secretary—

(a) is absent from duty for a period exceeding 14 days; or

(b) is absent from duty and has accepted other employment;

shall, subject to the provisions of subsection (3), be deemed to have been discharged on account of misconduct with effect from the day immediately succeeding the last day on which he was on duty.

(3) If any teacher referred to in subsection (2) (a) reports for duty at any time after the expiry of the period referred to in the said paragraph, the Minister may, on such conditions as he may determine, reinstate such teacher in employment, and in that event the period of his absence from duty shall be deemed to have been absence on vacation leave without pay or leave on such other conditions as the Minister may determine.

(4) For the purposes of subsection (1) (a), the Minister may at any time require any permanent teacher to undergo examination by a district surgeon on a specified date, and any teacher who fails or refuses to undergo such examination shall be deemed to be guilty of misconduct as defined in section 24 (c) and shall *mutatis mutandis* be subject to the provisions of section 25 (23) to (27), inclusive.

(5) A teacher appointed in a permanent capacity at a State school or a community school may terminate his services by giving written notice of one school quarter or such shorter notice as may be acceptable to the Secretary.

(6) The services of a temporary or part-time teacher employed at a State school or a community school may be terminated by the Minister or the teacher by 24 hours' notice in writing.

Definition of misconduct

24. A teacher employed at a State school or a community school shall be guilty of misconduct and may be dealt with in accordance with the provisions of section 25 if he—

(a) contravenes or fails to comply with any provision of this Act, with which it is his duty to comply;

(b) does, or causes, or permits to be done, or connives at, any act which is prejudicial to the administration, discipline or efficiency of a school, department, office or institution of the Government;

(c) disobeys, disregards or makes wilful default in carrying out a lawful order given to him, or by word or conduct displays insubordination;

(d) is negligent or indolent in the discharge of his duties;

(e) undertakes, without the permission of the Secretary, any private agency or private work in connection with any matter connected with the performance of his official functions or the discharge of his official duties;

(f) publicly comments adversely upon the administration of any department of State (including a provincial administration);

(g) attempts to secure intervention, through any person not in the employment of the Department, in relation to his position and conditions of service, unless it is done to obtain redress of any grievance through Parliament;

(2) 'n Onderwyser in diens by 'n Staatskool of 'n gemeenskapskool wat, sonder verlof van die Sekretaris—

(a) langer as 14 dae van sy diens afwesig is; of

(b) van sy diens afwesig is en ander werk aanvaar het,

word, behoudens die bepalings van subartikel (3), geag weens wangedrag ontslaan te wees met ingang van die dag wat onmiddellik volg op die laaste dag waarop hy diens verrig het.

(3) Indien 'n onderwyser vermeld in subartikel (2) (a) hom te eniger tyd na verstryking van die tydperk vermeld in genoemde paragraaf vir diens aanmeld, kan die Minister op die voorwaardes deur hom bepaal, sodanige onderwyser in diens herstel en in so 'n geval word die tydperk van afwesigheid van diens geag afwesigheid met vakansieverlof sonder betaling, of verlof op die ander voorwaardes wat die Minister bepaal, te wees.

(4) By die toepassing van subartikel (1) (a), kan die Minister 'n permanente onderwyser gelas om op 'n bepaalde datum deur 'n distriksgeneesheer ondersoek te word, en 'n onderwyser wat versuim of weier om aldus ondersoek te word, word geag skuldig te wees aan wangedrag soos omskryf in artikel 24 (c) en is *mutatis mutandis* onderworpe aan die bepalings van artikel 25 (23) tot en met (27).

(5) 'n Onderwyser wat in 'n vaste hoedanigheid aangestel is by 'n Staatskool of 'n gemeenskapskool, kan sy dienste beëindig deur een skoolkwartaal skriftelik kennis te gee of sodanige korter kennisgewing as wat vir die Sekretaris aanneemlik is.

(6) Die dienste van 'n tydelike of deeltydse onderwyser in diens by 'n Staatskool of 'n gemeenskapskool kan deur die Minister of die onderwyser met 24 uur skriftelike kennisgewing beëindig word.

Omskrywing van wangedrag

24. 'n Onderwyser in diens by 'n Staatskool of 'n gemeenskapskool is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van artikel 25 met hom gehandel word, as hy—

(a) 'n bepaling van hierdie Wet wat hy moet nakom, oortree of versuim om daaraan te voldoen;

(b) 'n daad wat nadelig is vir die administrasie, dissipline of doeltreffendheid van 'n skool, departement, kantoor of inrigting van die Regering doen of laat doen, of toelaat of oogluikend toelaat dat dit gedoen word;

(c) 'n wettige bevel wat aan hom gegee is, nie gehoorsaam nie of verontagsaam of opsetlik versuim om dit uit te voer, of hom deur woord of gedrag aan insubordinasie skuldig maak;

(d) nalatig of traag by die vervulling van sy pligte is;

(e) sonder die toestemming van die Sekretaris 'n private agentskap of private werk onderneem in verband met 'n aangeleentheid wat in verband staan met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte;

(f) in die openbaar kritiek uitoefen op die administrasie van 'n Staatsdepartement (met inbegrip van 'n provinsiale administrasie);

(g) deur middel van iemand wat nie in die diens van die Departement is nie, probeer om ingryping in verband met sy posisie en diensvoorwaardes te verkry, tensy dit geskied om herstel van 'n grief deur bemiddeling van die Parlement te probeer verkry;

(h) conducts himself in a disgraceful, improper or unbecoming manner, or, whilst on duty, is grossly discourteous to any person;

(i) uses intoxicants or stupefying drugs excessively, or, whilst he is or should be on duty, is under the influence of intoxicants or stupefying drugs to an extent which is prejudicial to the school or the Department or to the efficient performance of his duties, unless it is proved that it is not due to any improper conduct or action on his part;

(j) becomes insolvent or compromises with his creditors or if a decree of civil imprisonment is made against him by any court of law, unless it is shown that his insolvency or such composition or the making of such decree against him has been occasioned by unavoidable misfortune;

(k) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause and is not prejudicial to the faithful performance of his duties;

(l) without first having obtained the permission of the Secretary, discloses, otherwise than in the discharge of his official duties, information gathered or obtained by him through his employment at a school or in the Department, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information;

(m) accepts or demands in respect of the discharge of or the failure to discharge his duties any commission, fee or other reward, not being the emoluments payable to him in respect of his duties, or fails to report to the Secretary the offer of any such commission, fee or reward;

(n) misappropriates or improperly uses any property of the State or the school, and such misappropriation or use does not constitute an offence;

(o) commits a criminal offence;

(p) absents himself from his school or duty without leave, unless he can prove a valid cause for his absence;

(q) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or to causing prejudice to the Government or a department of State or the educational service or a member of such service, makes a false or incorrect statement, knowing it to be false or incorrect; or

(r) contravenes any provision of the rules of the constitution of a medical aid fund or medical aid society of which he is required to be a member in terms of the regulations or fails to comply with any provision of the said rules with which it is his duty to comply by virtue of his membership of such medical aid fund or medical aid society.

Procedure in case of misconduct

25. (1) If a teacher employed at a State school or a community school is accused of misconduct as defined in section 24, the Secretary or any person authorised thereto by the Secretary may charge him in writing under his hand with that misconduct.

(2) The person who signed the charge shall serve it upon the person charged by causing it to be delivered

(h) hom op 'n skandelige, onbehoorlike of onbetaamlike wyse gedra of, terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor 'n ander persoon skuldig maak;

(i) buitensporig gebruik maak van sterk drank of bedwelmende middels, of, terwyl hy aan diens is of behoort te wees, onder die invloed van sterk drank of bedwelmende middels is in 'n mate wat tot nadeel strek van die skool of Departement of van die doeltreffende verrigting van sy pligte, tensy daar bewys word dat dit nie aan onbetaamlike gedrag of optrede van sy kant te wyte is nie;

(j) insolvent word, of 'n akkoord met sy skuldeisers aangaan, of as 'n bevel tot siviele gyseling deur 'n geregshof teen hom uitgereik word, tensy daar bewys word dat sy insolvensie of dié akkoord of die uitreiking van dié bevel teen hom deur onvermydelike teenspoed veroorsaak is;

(k) in geldelike moeilikheid raak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie, en nie nadelig is vir die getroue uitvoering van sy pligte nie;

(l) sonder dat hy eers die toestemming van die Sekretaris verkry het, inligting wat hy ingewin of bekom het as gevolg van sy werk by 'n skool of in die Departement, openbaar maak anders as by die vervulling van sy ampspligte, of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie;

(m) enige kommissie, geld of ander beloning wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie, aanneem of eis, ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of as hy versuim om die Sekretaris van die aanbod van sodanige kommissie, geld of beloning te verwittig;

(n) hom eiendom van die Staat of die skool wederregtelik toeëien of op onbehoorlike wyse daarvan gebruik maak, en sodanige toeëiening of gebruikmaking nie 'n misdryf uitmaak nie;

(o) 'n kriminele misdryf pleeg;

(p) sonder verlof van sy skool of diens wegbly, tensy hy 'n geldige rede vir sy afwesigheid kan bewys;

(q) met die oog op die verkryging van enige voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die Regering of 'n Staatsdepartement of die onderwysdiens of 'n lid van so 'n diens, 'n valse of onjuiste verklaring aflê terwyl hy weet dat dit vals of onjuis is; of

(r) 'n bepaling van die reëls van die konstitusie van 'n mediese hulpfonds of mediese hulpvereniging waarvan hy ingevolge die regulasies verplig is om lid te wees, oortree of versuim om te voldoen aan 'n bepaling van bedoelde reëls waaraan dit uit hoofde van sy lidmaatskap van sodanige mediese hulpfonds of mediese hulpvereniging sy plig is om te voldoen.

Prosedure in geval van wangedrag

25. (1) Indien 'n onderwyser wat by 'n Staatskool of 'n gemeenskapskool in diens is, beskuldig word van wangedrag soos in artikel 24 omskryf, kan die Sekretaris of iemand wat deur die Sekretaris daartoe gemagtig is, hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die persoon wat die aanklag onderteken het, moet dit aan die aangeklaagde bestel deur dit aan hom te laat oorhandig of per aangetekende brief te stuur

or sent by registered letter to him or to be left at his place of residence or last known place of residence.

(3) The charge shall contain or shall be accompanied by a direction calling upon the person charged to transmit or deliver, within a period which is to be specified in such direction and is to be reasonable, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) The Minister or, if authorised thereto by the Minister either generally or in a particular case, the Secretary or any other officer in the Department may suspend from duty any person accused of misconduct as defined in section 24, whether or not such person has been charged with misconduct.

(5) The Minister or the other person who suspended any person in terms of subsection (4) may at any time cancel the suspension, but the cancellation of the suspension shall not affect any proceedings in connection with the charge of misconduct.

(6) A person who has been suspended from duty in terms of subsection (4) shall not be entitled to any emoluments in respect of the period of his suspension: Provided that the Minister may order payment to the said person of the whole or a portion of his emoluments.

(7) If no charge under this section is preferred against a person who has been so suspended from duty, he shall be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(8) (a) If the person charged admits the charge, he shall be deemed to have been found guilty in terms of this section of the misconduct with which he has been charged.

(b) If the person charged denies the charge or fails to comply with the direction mentioned in subsection (3), the Secretary shall appoint a person to inquire into the charge.

(9) (a) The person who is to hold the inquiry shall, in consultation with the person who signed the charge, fix the time and place of the inquiry, and the person who signed the charge shall give the person charged reasonable written notice of the time and place so fixed: Provided that the Secretary shall have the power to postpone the inquiry on good cause shown.

(b) The law relating to witnesses and evidence which applies in connection with criminal cases in a magistrate's court shall *mutatis mutandis* apply for the purposes of and at any such inquiry: Provided that subpoenas to procure the attendance of witnesses thereat shall be issued by the person who is to hold the inquiry.

(10) The person who signed the charge may authorise any person to be present at the inquiry and to adduce evidence and arguments in support of the charge, and to cross-examine any person called as a witness for the defence.

(11) (a) At the inquiry the person charged may be present, shall have the right to be heard, to cross-examine any person called as a witness in support of the charge, to inspect any documents produced in evidence and to call other persons as witnesses, either personally or by a representative, and may give evidence himself.

(b) The failure of the person charged to be present at the inquiry, either personally or by a representative, shall not invalidate the proceedings.

of dit te laat afgee by sy woonplek of die plek waar, sover bekend, hy laas gewoon het.

(3) Die aanklag moet 'n aanseggings bevat of met 'n aanseggings gepaard gaan waarby die aangeklaagde aangesê word om binne 'n tydperk wat in die aanseggings vermeld moet word en redelik moet wees, 'n skriftelike erkenning of ontkenning van die aanklag en, indien hy dit verlang, 'n skriftelike verduideliking van die wangedrag waarvan hy aangekla word, aan iemand insgelyks vermeld, te stuur of te oorhandig.

(4) Die Minister of, indien daartoe deur die Minister in die algemeen of in 'n besondere geval gemagtig, die Sekretaris of 'n ander beampte in die Departement, kan iemand wat beskuldig word van wangedrag soos in artikel 24 omskryf, in sy diens skors, hetsy hy van wangedrag aangekla is of nie.

(5) Die Minister of die ander persoon wat iemand ingevolge subartikel (4) geskors het, kan die skorsing te eniger tyd intrek, maar die intrekking van die skorsing raak geen verrigtings in verband met die beskuldiging van wangedrag nie.

(6) Iemand wat ingevolge subartikel (4) in sy diens geskors is, is op geen besoldiging ten opsigte van die tydperk van sy skorsing geregtig nie: Met dien verstande dat die Minister kan gelas dat aan so iemand sy volle besoldiging of 'n gedeelte daarvan betaal word.

(7) As geen aanklag kragtens hierdie artikel ingebring word nie teen iemand wat aldus in sy diens geskors is, moet hy toegelaat word om so spoedig doenlik sy diens te hervat, en moet sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal word, vir sover dit nie reeds gedoen is nie.

(8) (a) Indien die aangeklaagde die aanklag erken, word hy geag ingevolge hierdie artikel skuldig bevind te wees aan die wangedrag waarvan hy aangekla is.

(b) Indien die aangeklaagde die aanklag ontken of versuim om te voldoen aan die aanseggings vermeld in subartikel (3), moet die Sekretaris iemand aanstel om ondersoek na die aanklag in te stel.

(9) (a) Die persoon wat die ondersoek moet instel, moet in oorleg met die persoon wat die aanklag onderteken het, die tyd en plek van die ondersoek vasstel, en die persoon wat die aanklag onderteken het, moet die aangeklaagde redelike skriftelike kennis gee van die tyd en plek aldus vasgestel: Met dien verstande dat die Sekretaris die bevoegdheid het om die ondersoek uit te stel indien goeie redes daarvoor aangevoer word.

(b) Die reg met betrekking tot getuies en getuienis wat geld in verband met strafsake in 'n landdroshof, geld *mutatis mutandis* vir die doeleindes van en by so 'n ondersoek: Met dien verstande dat dagvaardings om die aanwesigheid van getuies daarby te verkry, uitgereik moet word deur die persoon wat die ondersoek moet instel.

(10) Die persoon wat die aanklag onderteken het, kan iemand magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die aanklag aan te voer, en om iemand wat as getuie vir die verweer opgeroep is, onder kruisverhoor te neem.

(11) (a) By die ondersoek kan die aangeklaagde teenwoordig wees, het hy die reg om persoonlik of deur 'n verteenwoordiger aangehoor te word, om iemand wat as getuie ter stawing van die aanklag opgeroep is, onder kruisverhoor te neem, om stukke wat as getuienis voorgelê is, in te sien, en om ander persone as getuies op te roep, en kan hy self getuienis aflê.

(b) Die versuim van die aangeklaagde om persoonlik of deur 'n verteenwoordiger by die ondersoek teenwoordig te wees, maak nie die verrigtings ongeldig nie.

(c) The person holding the inquiry shall keep a record of the proceedings at the inquiry and of the evidence given thereat.

(12) If the misconduct with which any person is charged, is the commission of an offence and it is proved that he has been convicted thereof by a court of law, a certified copy of the record of his trial and conviction by that court shall be *prima facie* evidence of the commission by him of that offence.

(13) The person holding the inquiry shall after the conclusion thereof decide whether the person charged is guilty or not guilty of the misconduct with which he has been charged and inform him and the Secretary of his decision.

(14) If the person holding the inquiry finds that the person charged is not guilty of the misconduct with which he has been charged and the person charged was suspended from duty in terms of subsection (4), he shall be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(15) If the person holding the inquiry finds that the person charged is guilty of the misconduct with which he has been charged, the person charged may within 14 days after the date on which he was informed of the finding appeal therefrom to the Minister by delivering or posting to the person who held the inquiry a written notice of appeal setting forth fully the grounds on which the appeal is based.

(16) If the person holding the inquiry finds that the person charged is guilty of the misconduct with which he has been charged, he shall—

(a) after expiry of the period referred to in subsection (15), forward to the Secretary—

(i) the record of the proceedings at the inquiry;
(ii) the documentary evidence admitted thereat;
(iii) a statement of his finding and his reasons therefor;

(iv) any observations which he may wish to make on the case; and

(v) if there is an appeal from his finding in terms of subsection (15), the notice of appeal; and

(b) if there is such an appeal from his finding, furnish the appellant with a copy of his reasons for the finding.

(17) If the appellant applies to the Secretary for a copy of the record of the proceedings at the inquiry and of the documentary evidence admitted thereat, within seven days after the date upon which he was furnished with a copy of the reasons for the finding, the Secretary shall furnish him with it.

(18) The appellant may, if he has made an application in terms of subsection (17), within 14 days after the date upon which he was furnished with the copy in question, or if he did not make such an application, within 21 days after the date upon which he was furnished with the copy of the reasons for the finding, submit to the Secretary written representations in support of his appeal, and the Secretary shall after receipt thereof or, if he did not receive such representations within the prescribed period, after the expiry of such period, submit to the Minister the record of the proceedings at the inquiry, the other documents in his possession which relate to the inquiry or appeal, and his recommendation concerning the appeal.

(c) Die persoon wat die ondersoek instel, moet notule hou van die verrigtings by die ondersoek en van die getuienis wat daarby afgelê word.

(12) Indien die wangedrag waarvan iemand aangekla word, die pleeg van 'n misdryf is en daar bewys word dat hy deur 'n geregshof daaraan skuldig bevind is, is 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof *prima facie*-bewys dat hy daardie misdryf gepleeg het.

(13) Die persoon wat die ondersoek instel, moet na afloop daarvan beslis of die aangeklaagde skuldig of onskuldig is aan die wangedrag waarvan hy aangekla is, en hom en die Sekretaris van sy beslissing verwittig.

(14) Indien die persoon wat die ondersoek instel, bevind dat die aangeklaagde onskuldig is aan die wangedrag waarvan hy aangekla is en die aangeklaagde ingevolge subartikel (4) in sy diens geskors is, moet hy toegelaat word om so spoedig doenlik sy diens te hervat en moet sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal word, vir sover dit nie reeds gedoen is nie.

(15) Indien die persoon wat die ondersoek instel, bevind dat die aangeklaagde skuldig is aan die wangedrag waarvan hy aangekla is, kan die aangeklaagde binne 14 dae ná die datum waarop hy van die bevinding verwittig is, na die Minister daarteen appelleer deur aan die persoon wat die ondersoek ingestel het, 'n skriftelike kennisgewing van appèl te oorhandig of te pos waarin die gronde waarop die appèl gebaseer is, volledig uiteengesit word.

(16) Indien die persoon wat die ondersoek instel, bevind dat die aangeklaagde skuldig is aan die wangedrag waarvan hy aangekla is, moet hy—

(a) ná verstryking van die tydperk vermeld in subartikel (15), aan die Sekretaris stuur—

(i) die notule van die verrigtings by die ondersoek;
(ii) die dokumentêre bewysstukke wat daarby toegelaat is;

(iii) 'n uiteensetting van sy bevinding en sy redes daarvoor;

(iv) enige opmerkings wat hy oor die saak wil maak; en

(v) indien teen sy bevinding ingevolge subartikel (15) geappelleer is, die kennisgewing van appèl; en

(b) indien daar aldus teen sy bevinding geappelleer is, aan die appellant 'n afskrif van sy redes vir die bevinding verstrek.

(17) Indien die appellant binne sewe dae na die datum waarop 'n afskrif van die redes vir die bevinding aan hom verstrek is, by die Sekretaris aansoek doen om 'n afskrif van die notule van die verrigtings by die ondersoek en die dokumentêre bewysstukke wat daarby toegelaat is, moet die Sekretaris dit aan hom verstrek.

(18) Die appellant kan, indien hy 'n aansoek ingevolge subartikel (17) gedoen het, binne 14 dae ná die datum waarop die betrokke afskrif aan hom verstrek is, of, indien hy nie aldus aansoek gedoen het nie, binne 21 dae ná die datum waarop die afskrif van die redes vir die bevinding aan hom verstrek is, skriftelike vertoë ter stawing van sy appèl aan die Sekretaris voorlê, en die Sekretaris moet na ontvangs daarvan of, indien hy geen sodanige vertoë binne die voorgeskrewe tydperk ontvang het nie, ná verstryking van dié tydperk, die notule van die verrigtings by die ondersoek, die ander stukke in sy besit wat op die ondersoek of appèl betrekking het, en sy aanbeveling omtrent die appèl, aan die Minister voorlê.

(19) After consideration of the record and other documents in question the Minister may allow the appeal in whole or in part and set aside or vary the finding, dismiss the appeal and confirm the finding, or, before arriving at a final decision on the appeal, remit any matter in connection with the inquiry to the person who held the inquiry and direct him to report thereon or to hold a further inquiry and to arrive at a finding thereon.

(20) If the Minister has directed that a further inquiry be held, the provisions of subsections (9), (10) and (11) shall apply thereto.

(21) If the Minister has arrived at a final decision on the appeal, he shall convey that decision in writing to the appellant and the Secretary.

(22) If the Minister allows the appeal and the appellant has been suspended from duty in terms of subsection (4), he shall be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(23) If the person charged has admitted the charge of misconduct as contemplated in subsection (3), or if he has been found guilty of misconduct in terms of subsection (13) and has not appealed therefrom within the period prescribed, or has appealed therefrom and the appeal has been dismissed wholly or in part in terms of this section, the Secretary shall, subject to the provisions of subsection (24), recommend to the Minister that—

(a) the person charged be cautioned or reprimanded;

(b) a fine, not exceeding R200, be imposed upon the person charged;

(c) the person charged be transferred to another post;

(d) the emoluments or rank or both the emoluments and rank of the person charged be reduced;

(e) the person charged be discharged from the service of his employer or be called upon to resign therefrom; or

(f) the person charged shall not be appointed as a teacher for a period determined by the Minister.

(24) (a) Except where the Secretary makes a recommendation under subsection (23) (e), he may make a recommendation under more than one of the other paragraphs of that subsection.

(b) The Secretary may postpone for a period not exceeding 12 months the making of a recommendation under subsection (23).

(25) (a) The Minister may act in accordance with the recommendation of the Secretary in terms of subsection (23) or take any other action which he could have taken if the Secretary had recommended it in terms of that subsection.

(b) If a fine is imposed upon any person in terms of this subsection, such fine may be recovered by deducting it from his emoluments in such instalments as the Minister may determine.

(c) If the Minister discharges any person in terms of this subsection, the discharge shall take effect on a date fixed by the Minister.

(d) If the Minister calls upon any person in terms of this subsection to resign from the service of his employer and such person fails so to resign with effect from a date fixed by the Minister, he shall be deemed to have been discharged in terms of this subsection from such service with effect from that date.

(19) Ná oorweging van die betrokke notule en ander stukke kan die Minister die appèl geheel en al of ten dele toestaan en die bevinding ter syde stel of wysig, die appèl van die hand wys en die bevinding bekragtig, of, voordat hy tot 'n finale beslissing oor die appèl kom, 'n aangeleentheid in verband met die ondersoek terugverwys na die persoon wat die ondersoek ingestel het, en hom gelas om verslag daaroor te doen of nadere ondersoek in te stel en 'n bevinding daaroor te doen.

(20) Indien die Minister gelas dat nadere ondersoek ingestel word, is die bepalings van subartikels (9), (10) en (11) ten opsigte daarvan van toepassing.

(21) Indien die Minister tot 'n finale beslissing oor die appèl gekom het, moet hy dié beslissing skriftelik meedeel aan die appellant en die Sekretaris.

(22) Indien die Minister die appèl toestaan en die appellant ingevolge subartikel (4) in sy diens geskors is, moet hy toegelaat word om so spoedig doenlik sy diens te hervat en moet sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal word, vir sover dit nie reeds gedoen is nie.

(23) Indien die aangeklaagde die aanklag van wan gedrag erken het soos in subartikel (3) beoog, of indien hy aan wangedrag skuldig bevind is ingevolge subartikel (13) en nie binne die voorgeskrewe tydperk daarteen geappelleer het nie, of daarteen geappelleer het en die appèl geheel en al of ten dele van die hand gewys is ingevolge hierdie artikel, moet die Sekretaris behoudens die bepalings van subartikel (24) by die Minister aanbeveel dat—

(a) die aangeklaagde gewaarsku of berispe word;

(b) die aangeklaagde 'n boete van hoogstens R200 opgelê word;

(c) die aangeklaagde na 'n ander pos oorgeplaas word;

(d) die aangeklaagde se besoldiging of rang of sy besoldiging sowel as sy rang verlaag word;

(e) die aangeklaagde uit die diens van sy werk-gewer ontslaan word of gelas word om daaruit te bedank; of

(f) die aangeklaagde vir 'n tydperk wat die Minister bepaal, nie as 'n onderwyser aangestel mag word nie.

(24) (a) Behalwe wanneer die Sekretaris 'n aanbeveling kragtens subartikel (23) (e) doen, kan hy 'n aanbeveling kragtens meer as een van die ander paragrawe van daardie subartikel doen.

(b) Die Sekretaris kan die doen van 'n aanbeveling kragtens subartikel (23) vir 'n tydperk van hoogstens 12 maande uitstel.

(25) (a) Die Minister kan volgens die aanbeveling van die Sekretaris ingevolge subartikel (23) handel of enigiets anders doen wat hy sou kon gedoen het indien die Sekretaris dit ingevolge daardie subartikel aanbeveel het.

(b) Indien iemand ingevolge hierdie subartikel 'n boete opgelê word, kan dié boete verhaal word deur dit van sy besoldiging af te trek in die paaiementte wat die Minister bepaal.

(c) Indien die Minister iemand ingevolge hierdie subartikel ontslaan, tree die ontslag in werking op 'n datum wat die Minister bepaal.

(d) Indien die Minister ingevolge hierdie subartikel iemand gelas om uit die diens van sy werk-gewer te bedank en so iemand versuim om aldus te bedank met ingang van 'n datum wat die Minister bepaal, word hy geag ingevolge hierdie subartikel uit die diens ontslaan te wees met ingang van daardie datum.

(26) If any person has been suspended from duty in terms of subsection (4) and the Minister deals with him in a manner contemplated in subsection (23) (a), (b), (c) or (d), or the secretary deals with him in accordance with subsection (24) (b), such person shall be allowed to resume duty in an appropriate post as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already: Provided that if the emoluments or rank of such person is reduced as contemplated in subsection (23) (d), his emoluments in respect of the period of his suspension shall be calculated on the basis of the reduced emoluments or rank, as the case may be: Provided further that if in respect of the period of his suspension emoluments in excess of the emoluments so calculated have already been paid to him in terms of subsection (6), he shall not be obliged to refund the excess.

(27) If any person who has been suspended or charged with misconduct in terms of this section resigns from the service of his employer or assumes other employment before the appropriate charge of misconduct has been disposed of under this section, he shall be deemed to have been discharged on account of misconduct from such service with effect from a date fixed by the Minister, unless prior to the receipt of his notification of resignation or his assumption of other employment, he was notified that he would not be charged with misconduct or, as the case may be, that the charge of misconduct against him had been withdrawn.

(28) The fact that a person has been convicted or acquitted by a court of law of the commission of an offence shall not preclude the taking of any steps in terms of this section against such person.

Action in the case of inefficient teachers employed at State schools or community schools

26. (1) If it is alleged that any teacher employed at a State school or community school is unfit for, or is incapable of performing efficiently, the duties attached to his post for causes not within his control and not attributable to the performance of his duties in the employment of the Department or the school in question, the Secretary may appoint a person to inquire into the allegation.

(2) The provisions of section 25 (9), (10), (11), (13), (15) to (21), inclusive, and (23) and (25) (a) and (c) shall *mutatis mutandis* apply in respect of any inquiry referred to in subsection (1) and the teacher in respect of whom the allegation was made: Provided that in the application of the said subsection (23) the Secretary shall be empowered only to recommend that the teacher in question be discharged from the service of the Department or that his rank be reduced and, if his emoluments are more than the maximum for the reduced rank, such emoluments be reduced to that maximum.

Manner in which notice is to be given

27. Whenever by section 25 or 26 it is provided that—

(a) any notice, statement or other document is to be given or furnished to or served upon any person or that any matter is to be or may be conveyed to any person in writing, such notice, statement, document or writing may be sent by post in a registered letter or be delivered personally to him or left at his last known place of residence; or

(26) Indien iemand ingevolge subartikel (4) in sy diens geskors is en die Minister met hom handel soos in subartikel (23) (a), (b), (c) of (d) beoog, of die Sekretaris met hom handel ooreenkomstig subartikel (24) (b), moet so iemand so spoedig doenlik toegelaat word om diens in 'n gepaste pos te hervat en moet sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal word, vir sover dit nie reeds gedoen is nie: Met dien verstande dat indien so iemand se besoldiging of rang verlaag word soos beoog in subartikel (23) (d), sy besoldiging ten opsigte van die tydperk van sy skorsing bereken word op die grondslag van die verlaagde besoldiging of rang, na gelang van die geval: Met dien verstande voorts dat indien ten opsigte van die tydperk van sy skorsing reeds 'n hoër besoldiging aan hom ingevolge subartikel (6) betaal is as die besoldiging aldus bereken, hy nie verplig is om die verskil terug te betaal nie.

(27) Indien iemand wat ingevolge hierdie artikel geskors of van wangedrag aangekla is, uit die diens van sy werkgewer bedank of ander werk aanvaar voordat die toepaslike aanklag van wangedrag kragtens hierdie artikel afgehandel is, word hy geag weens wangedrag uit dié diens ontslaan te wees met ingang van 'n datum wat die Minister bepaal, tensy, voordat sy kennisgewing van bedanking ontvang is of hy die ander werk aanvaar het, hy in kennis gestel is dat hy nie van wangedrag aangekla sal word nie, of, na gelang van die geval, dat die aanklag van wangedrag teen hom teruggetrek is.

(28) Die feit dat iemand deur 'n geregshof skuldig of onskuldig aan die pleeg van 'n misdryf bevind is, belet nie dat stappe teen so iemand ingevolge hierdie artikel gedoen word nie.

Optrede in die geval van onbekwame onderwysers in diens by Staatskole of gemeenskapskole

26. (1) Indien beweer word dat 'n onderwyser in diens by 'n Staatskool of 'n gemeenskapskool ongeskik is vir die pligte wat aan sy betrekking verbonde is of nie in staat is om daardie pligte op bekwame wyse uit te voer nie weens oorsake wat buite sy beheer is en nie aan die uitvoering van sy pligte in die diens van die Departement of die betrokke skool toe te skryf is nie, kan die Sekretaris iemand aanstel om ondersoek na die bewering in te stel.

(2) Die bepalings van artikel 25 (9), (10), (11), (13), (15) tot en met (21) en (23) en (25) (a) en (c) is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek vermeld in subartikel (1) en die onderwyser ten opsigte van wie die bewering gedoen is: Met dien verstande dat by die toepassing van genoemde subartikel (23) die Sekretaris slegs kan aanbeveel dat die betrokke onderwyser uit die diens van die Departement ontslaan word of dat sy rang verlaag word en, indien sy besoldiging meer is as die maksimum vir die verlaagde rang, dié besoldiging tot dié maksimum verminder word.

Wyse waarop kennis gegee of verstrek moet word

27. Waar daar by artikel 25 of artikel 26 bepaal word dat—

(a) enige kennisgewing, verklaring of ander stuk aan iemand gegee of verstrek of bestel moet word of dat enige aangeleentheid skriftelik aan iemand meegedeel moet of kan word, kan dié kennisgewing, verklaring, dokument of stuk per pos in 'n aangetekende brief aan hom gestuur word of aan homself afgelewer word of gelaat word by die plek waar, sover bekend, hy laas gewoon het; of

(b) any person is to be informed of any decision or finding he may be informed thereof orally or by a document sent by post in a registered letter or delivered personally to him or left at his last known place of residence: Provided that when a person is informed orally of a decision or finding, such decision or finding shall be confirmed in writing as provided in paragraph (a).

Misconduct and inefficiency of teachers employed at State-aided schools

28. (1) The provisions of section 24 shall *mutatis mutandis* apply to all teachers employed in subsidised posts at State-aided schools: Provided that any reference in section 24 to any act which is or may be prejudicial to the Government, a department of State or the educational service shall, in such application, be deemed to include a reference to such an act in respect of the State-aided school or governing body in question.

(2) The procedure to be adopted in the case of a teacher referred to in subsection (1) who is alleged to be inefficient or whose conduct is alleged to be unsatisfactory shall be prescribed in the conditions of service referred to in section 15 (1) (d).

Effect of striking off of names of certain teachers in register of Teachers' Council

29. (1) Any Black teacher who is employed in a full-time permanent teaching capacity at a State school, a community school or a State-aided school where full-time education is provided up to a standard not higher than standard 10 and—

(a) who is registered or provisionally registered by the Teachers' Council in terms of section 34 (3), and whose name is, after the date referred to in section 34 (6), struck off the register of the Teachers' Council; or

(b) in respect of whom registration was refused by the Teachers' Council before the date referred to in paragraph (a),

shall be deemed to have resigned from his employment with effect from the date immediately succeeding the day on which his name was so struck off, or, in the case of a teacher in respect of whom registration was refused, on the date referred to in section 34 (6), as the case may be: Provided that if, on the date on which his name is struck off the register, or, in the case of a teacher in respect of whom registration was refused, on the date referred to in the said section 34 (6), any charge of misconduct in terms of section 25 is pending against the teacher concerned, such teacher shall not be so deemed to have resigned from his employment until the inquiry into such charge has been concluded and he has not been discharged from his employment for misconduct in terms of the provisions of this Act, or is not deemed to have been so discharged.

(2) The provisions of subsection (1) shall *mutatis mutandis* apply to any White teacher whose name is struck off the register of the South African Teachers' Council for Whites in terms of the South African Teachers' Council for Whites Act, 1976 (Act 116 of 1976), or in respect of whom registration as a teacher was refused by such Council in terms of the said Act.

(b) 'n persoon van 'n beslissing of bevinding verwittig moet word, kan hy mondeling daarvan verwittig word, of deur middel van 'n geskrif wat per pos in 'n aangetekende brief aan hom gestuur word of aan homself afgelewer word of by die plek waar, sover bekend, hy laas gewoon het, gelaat word: Met dien verstande dat wanneer iemand mondeling van 'n beslissing of bevinding verwittig word, sodanige beslissing of bevinding skriftelik bevestig moet word ooreenkomstig die bepalinge van paragraaf (a).

Wangedrag en onbekwaamheid van onderwysers in diens by Staatsondersteunde skole

28. (1) Die bepalinge van artikel 24 is *mutatis mutandis* van toepassing op alle onderwysers wat in gesubsidieerde poste in diens by Staatsondersteunde skole is: Met dien verstande dat 'n verwysing in artikel 24 na enige handeling wat tot nadeel van die Regering, 'n Staatsdepartement of die onderwysdiens strek of kan strek, by sodanige toepassing geag word ook 'n verwysing na sodanige handeling ten opsigte van die betrokke Staatsondersteunde skool of bestuursliggaam te wees.

(2) Die prosedure wat gevolg moet word in die geval van 'n onderwyser bedoel in subartikel (1) wat na bewering onbekwaam is of wie se gedrag na bewering onbevredigend is, word voorgeskryf in die diensvoorwaardes in artikel 15 (1) (d) bedoel.

Uitwerking van skrapping van name van sekere onderwysers in die register van die Onderwysersraad

29. (1) 'n Swart onderwyser wat in 'n heeltydse permanente hoedanigheid by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool waar heeltydse onderwys verskaf word tot 'n standaard wat nie hoër as standaard 10 is nie, in diens is om onderwys te gee, en—

(a) wat ingevolge artikel 34 (3) deur die Onderwysersraad geregistreer of voorwaardelik geregistreer is en wie se naam ná die datum in artikel 34 (6) bedoel, in die register van die Onderwysersraad geskrap word; of

(b) ten opsigte van wie voor die datum in paragraaf (a) bedoel, registrasie deur die Onderwysersraad geweier is,

word geag uit sy diens te bedank het met ingang van die datum wat onmiddellik volg op die dag wat sy naam aldus geskrap is, of, in die geval van die persoon ten opsigte van wie registrasie geweier is, op die datum in artikel 34 (6) bedoel, na gelang van die geval: Met dien verstande dat indien op die datum waarop sy naam in die register geskrap word, of, in die geval van die persoon ten opsigte van wie registrasie geweier is, op die datum in die genoemde artikel 34 (6) bedoel, 'n aanklag van wangedrag ooreenkomstig die bepalinge van artikel 25 teen die betrokke onderwyser hangende is, sodanige onderwyser nie aldus geag word uit sy diens te bedank het nie alvorens die ondersoek na sodanige aanklag afgehandel is en hy nie ingevolge die bepalinge van hierdie Wet weens wangedrag uit sy diens ontslaan is of geag word weens wangedrag aldus ontslaan te wees nie.

(2) Die bepalinge van subartikel (1) is *mutatis mutandis* van toepassing op 'n Blanke onderwyser wie se naam van die register van die Suid-Afrikaanse Onderwysersraad vir Blankes ingevolge die Wet op die Suid-Afrikaanse Onderwysersraad vir Blankes, 1976 (Wet 116 van 1976), geskrap word of ten opsigte van wie registrasie as onderwyser deur dié Raad ingevolge gemelde Wet geweier is.

Holding of office by teachers employed at State schools, community schools and State-aided schools

30. (1) Any teacher employed at a State school, a community school or a State-aided school shall not be or become a member of any statutory committee, council, authority or body without the consent of the Minister: Provided that the Minister may at any time withdraw such consent.

(2) Any teacher referred to in subsection (1) shall not hold any office which in the opinion of the Minister will interfere with the performance of his duties in the service of the school concerned.

(3) If a dispute arises between the State and a statutory committee, council, authority or body referred to in subsection (1), a teacher who is a member of such committee, council, authority or body in terms of subsection (1) shall not take part in the discussion or voting regarding that dispute.

(4) If any teacher employed at a State school, a community school or a State-aided school—

(a) accepts a nomination or a requisition as candidate for election as a member of Parliament, a provincial council or a legislative body of a Black state or an independent state; or

(b) is nominated, designated or appointed as a member of a body referred to in paragraph (a),

he shall be deemed to have voluntarily retired from the service at such school with effect from the date on which he accepted such nomination or requisition or on which he is so nominated, designated or appointed.

Performance of other work by teachers employed at State schools, community schools and State-aided schools

31. (1) Unless it is otherwise provided in his conditions of service—

(a) every teacher employed at a State school, a community school or a State-aided school shall at all times be at the disposal of the Department or school at which he is employed;

(b) no teacher employed at a State school, a community school or a State-aided school shall perform or engage himself to perform remunerative work outside his employment at such school without the permission of the Secretary; and

(c) no teacher employed at a school referred to in paragraph (a) may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

(2) The Secretary may require any teacher employed at a State school or a community school temporarily to perform duties other than those ordinarily assigned to such teacher or appropriate to the grade, designation or classification of his post.

Classification of certain posts on establishments of State schools, community schools, State-aided schools and school board offices as posts in the Public Service

32. The Minister may on the recommendation of the Public Service Commission designate any non-teaching post included in the establishment of a State school, a community school, a State-aided school or a school board office as a post which is to be classified in terms of the provisions of the Public Service Act, 1957 (Act 54 of 1957), under the fixed establishment as defined in section 1 of the said Act, and in respect of which the provisions of the said Act shall apply.

Bekleding van ampte deur onderwysers in diens by Staatskole, gemeenskapskole en Staatsondersteunde skole

30. (1) 'n Onderwyser in diens by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool mag nie sonder die Minister se toestemming lid van 'n statutêre komitee, raad, bestuur of liggaam wees of word nie: Met dien verstande dat die Minister te eniger tyd sodanige toestemming kan intrek.

(2) 'n Onderwyser bedoel in subartikel (1) mag nie 'n amp beklee wat volgens die oordeel van die Minister die uitvoering van sy pligte in die diens van die betrokke skool sal belemmer nie.

(3) As 'n geskil ontstaan tussen die Regering en 'n in subartikel (1) bedoelde statutêre komitee, raad, bestuur of liggaam, mag 'n onderwyser wat ingevolge subartikel (1) 'n lid van sodanige komitee, raad, bestuur of liggaam is, nie aan die bespreking of stemming oor daardie geskilpunt deelneem nie.

(4) As 'n onderwyser in diens by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool—

(a) 'n nominasie of rekwisisie aanvaar as kandidaat vir verkiesing tot lid van die Parlement, 'n provinsiale raad of 'n wetgewende liggaam van 'n Swart staat of 'n onafhanklike staat; of

(b) benoem, aangewys of aangestel word as lid van 'n liggaam bedoel in paragraaf (a),

word hy geag vrywillig uit die diens by so 'n skool te getree het met ingang van die datum waarop hy sodanige nominasie of rekwisisie aanvaar het of waarop hy aldus benoem, aangewys of aangestel is.

Verrigting van ander werk deur onderwysers in diens by Staatskole, gemeenskapskole en Staatsondersteunde skole

31. (1) Tensy in sy diensvoorwaardes anders bepaal word—

(a) moet 'n onderwyser in diens by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool te alle tye tot beskikking wees van die Departement of skool waar hy in diens is;

(b) mag 'n onderwyser in diens by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool nie sonder die toestemming van die Sekretaris besoldigde werk buite sy werk in diens van sodanige skool verrig of hom verbind om sodanige werk te verrig nie; en

(c) kan geen onderwyser in diens by 'n skool bedoel in paragraaf (a) regtens aanspraak maak op bykomende betaling ten opsigte van enige amptelike diens of werk wat hy deur 'n bevoegde owerheid aangesê is om te verrig nie.

(2) Die Sekretaris kan 'n onderwyser verbonde aan 'n Staatskool of 'n gemeenskapskool aansê om tydelik ander pligte te verrig as dié wat gewoonlik aan so 'n onderwyser opgedra word, of wat by die graad, benaming of indeling van sy pos pas.

Indeling van sekere poste op die diensstate van Staatskole, gemeenskapskole, Staatsondersteunde skole en skoolraadskantore as poste in die Staatsdiens

32. Die Minister kan op aanbeveling van die Staatsdienskommissie 'n pos wat inbegrepe is by die diensstaat van 'n Staatskool, 'n gemeenskapskool, 'n Staatsondersteunde skool of 'n skoolraadskantoor en nie 'n onderwyspos is nie, aanwys as 'n pos wat ingevolge die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957), ingedeel moet word by die vaste diensstaat soos in artikel 1 van daardie Wet omskryf, en ten opsigte waarvan die bepalings van genoemde Wet van toepassing is.

Appointments deemed to be transfers

33. If any person employed on a full-time basis—

(a) by a department of State or any other institution of the Government of the Republic;

(b) by an education department of a Black state or an independent state; or

(c) by or at a university or university college or a school or other educational institution in the Republic established by or under any law or in receipt of grants-in-aid under any law,

is appointed in terms of the provisions of this Act without a break in service and on a full-time basis at a State school, community school or State-aided school (in a subsidised post), his appointment shall for the purposes of leave, subsistence allowance, transfer costs and transport facilities be deemed to be a transfer, unless the Minister determines otherwise.

Teachers' Council for Black teachers

34. (1) The Minister may establish a juristic person to be known as the Teachers' Council for Blacks.

(2) The object of the Teachers' Council shall be to uphold and promote esteem for education and the teaching profession and the prestige of those engaged in the teaching profession.

(3) Subject to the provisions of this Act—

(a) the Teachers' Council shall keep a register and shall upon application and payment of the prescribed fees enter therein, along with the prescribed particulars, the name of—

(i) every Black teacher holding a professional teachers' qualification as determined by the Minister; and

(ii) every other Black person who is employed in terms of this Act in a full-time permanent teaching capacity at a school;

(b) the Teachers' Council shall draw up a professional code of conduct for registered and provisionally registered persons in order to uphold and promote esteem for education and the teaching profession and the prestige of those engaged in the teaching profession;

(c) the Teachers' Council may, if a registered or provisionally registered person is, in terms of the regulations contemplated in subsection (4), found guilty of contravening any provision of the code of conduct—

(i) reprimand or caution or reprimand and caution such person;

(ii) impose on him a penalty not exceeding R50; or

(iii) strike his name off the register, after consultation with the Secretary, if he is employed at a school; and

(d) the Teachers' Council may appoint a registrar and other staff to perform such functions as may be assigned to them by the Council.

(4) The constitution, duties, powers and functions of the Teachers' Council and the term of office of its members, the quorum for and procedures at its meetings shall be as prescribed.

(5) After the Teachers' Council has been constituted as contemplated in subsection (4), and after consultation with the Teachers' Council, the Minister may make regulations regarding the following matters:

(a) Membership, registration and provisional registration of teachers, refusal of registration and payment of registration and annual fees;

Aanstellings wat oorplasing geag word te wees

33. Indien iemand wat op 'n voltydse grondslag in diens is—

(a) van 'n Staatsdepartement of een of ander Staatsinstelling van die Regering van die Republiek;

(b) van 'n onderwysdepartement van 'n Swart staat of 'n onafhanklike staat; of

(c) van of by 'n universiteit of universiteitskollege of 'n skool of ander onderwysinrigting in die Republiek wat by of kragtens 'n wet ingestel is of wat kragtens 'n wet hulptoelae van die Staat ontvang,

sonder onderbreking van diens ingevolge die bepaling van hierdie Wet op 'n voltydse grondslag by 'n Staat-skool, 'n gemeenskapskool of 'n Staatsondersteunde skool (in 'n gesubsidieerde pos) aangestel word, word sy aanstelling vir die doeleindes van verlof, verblyf-toelae, oorplasingkoste en vervoervoorregte geag 'n oorplasing te wees, tensy die Minister anders bepaal.

Onderwysersraad vir Swart onderwysers

34. (1) Die Minister kan 'n regs persoon met die naam die Onderwysersraad vir Swartes instel.

(2) Die doelstelling van die Onderwysersraad is om agting vir die onderwys en die onderwysberoep en die aansien van diegene wat in die onderwysberoep staan, te handhaaf en te bevorder.

(3) Behoudens die bepaling van hierdie Wet—

(a) hou die Onderwysersraad 'n register en skryf daarin, op aansoek, met vermelding van die voorgeskrewe besonderhede en teen betaling van die voorgeskrewe gelde, die naam van—

(i) elke Swart onderwyser wat 'n professionele onderwyserskwalifikasie wat die Minister bepaal, besit; en

(ii) elke ander Swart persoon wat in 'n heeltydse permanente hoedanigheid ingevolge die bepaling van hierdie Wet in diens by 'n skool is om onderwys te gee;

(b) stel die Onderwysersraad 'n professionele gedragskode op vir geregistreerde en voorwaardelik geregistreerde persone om agting vir die onderwys en die onderwysberoep en die aansien van diegene wat in die onderwysberoep staan, te handhaaf en te bevorder;

(c) kan die Onderwysersraad 'n geregistreerde of voorwaardelik geregistreerde persoon wat ingevolge die regulasies beoog in subartikel (4) skuldig bevind word aan 'n oortreding van die gedragskode—

(i) berispe of waarsku of berispe en waarsku; of

(ii) 'n boete van hoogstens R50 ople; of

(iii) se naam in die register skrap in oorleg met die Sekretaris indien hy by 'n skool in diens is; en

(d) kan die Onderwysersraad 'n registrateur en ander personeel aanstel om dié werksaamhede te verrig wat die raad aan hulle opdra.

(4) Die samestelling, pligte, bevoegdheids en werksaamhede van die Onderwysersraad, die ampstermyn van sy lede, die kworum vir en prosedures op sy vergaderings, is soos voorgeskryf.

(5) Nadat die Onderwysersraad soos beoog in subartikel (4) saamgestel is, en na oorlegpleging met die Onderwysersraad, kan die Minister regulasies oor die volgende aangeleenthede uitvaardig:

(a) Lidmaatskap, registrasie en voorwaardelike registrasie van onderwysers, weiering van registrasie en betaling van registrasie- en jaargelde;

(b) appeals against refusal of registration or striking off register;

(c) offences relating to registration, registers, degrees, diplomas or certificates;

(d) committees of the Teachers' Council;

(e) the fees payable in respect of—

(i) entries in the register;

(ii) certificates of registration, extracts from the register or certified copies thereof;

(f) the exercise of the right to vote by a person who is a member of more than one recognised teachers' association;

(g) the manner in which complaints, charges or allegations against any person registered or provisionally registered in terms of this Act shall be lodged;

(h) the manner in which a person shall be summoned to appear at an inquiry into an alleged contravention of the code of conduct, and the steps that may be taken against any person if he fails to obey that summons or if he obstructs or interrupts the proceedings at any such inquiry;

(i) the form of subpoenas for the attendance of witnesses at an inquiry into an alleged contravention of the code of conduct, or for the production of a book, register, document or other thing thereat;

(j) the manner in which inquiries into alleged contravention of the code of conduct shall be instituted or the procedure to be followed thereat or any other matter connected with the institution thereof;

(k) providing generally for any other matter which the Minister may deem necessary for the proper functioning of the Teachers' Council and any other matter connected therewith.

(6) From a date determined by the Minister by notice in the *Gazette*, no Black person who is not registered or provisionally registered by the Teachers' Council shall be appointed in a full-time permanent teaching capacity at a State school, a community school or a State-aided school or teach at such school in such capacity, except in a post determined by the Secretary.

(7) Any person contravening a provision of subsection (6) shall be guilty of an offence and on conviction liable to a fine not exceeding R100 or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

Recognition of teachers' associations

35. The Minister may for purposes of consultation recognise associations of teachers.

Inspection of schools

36. (1) The Secretary or any officer authorised thereto by the Secretary may hold an inspection or an inquiry in regard to—

(a) the admission of pupils to and their dismissal from any State school, community school, State-aided school or private school, the provision of education for and the care of pupils at any such school.

(b) the buildings, equipment, stores and finances of any State school, community school or State-aided school; and

(c) any other matter in connection with any State school, community school, State-aided school or private school which in his opinion ought to be investigated.

(b) appèl teen weiering van registrasie of skrapping in register;

(c) misdrywe met betrekking tot registrasie of registers, grade, diplomas en sertifikate;

(d) komitees van die Onderwysersraad;

(e) die gelde betaalbaar ten opsigte van—

(i) inskrywings in register;

(ii) registrasiesertifikate, uittreksels uit die register of gesertifiseerde afskrifte daarvan;

(f) die uitoefening van stemreg deur iemand wat lid van meer as een erkende onderwysersvereniging is;

(g) die wyse waarop klagtes, beskuldigings of bewerings teen iemand wat ingevolge hierdie Wet geregistreer of voorwaardelik geregistreer is, ingedien moet word;

(h) die wyse waarop iemand gedagvaar moet word om by 'n ondersoek na beweerde oortredings van die gedragskode te verskyn, en die stappe wat teen iemand gedoen kan word indien hy versuim om aan bedoelde dagvaarding gehoor te gee of indien hy die verrigting by so 'n ondersoek belemmer of steur;

(i) die vorm van dagvaardings vir die verskyning van getuies by 'n ondersoek na beweerde oortredings van die gedragskode of vir die oorlegging van 'n boek, register, stuk of ander voorwerp daarby;

(j) die wyse waarop 'n ondersoek na beweerde oortredings van die gedragskode ingestel moet word of die prosedure wat daarby gevolg moet word, of 'n ander aangeleentheid wat met die instel daarvan in verband staan;

(k) in die algemeen vir enige ander aangeleentheid wat volgens die oordeel van die Minister nodig is vir die behoorlike funksionering van die Onderwysersraad en enige aangeleentheid wat daarmee in verband staan.

(6) Vanaf 'n datum wat die Minister by kennisgewing in die *Staatskoerant* bepaal, mag geen Swart persoon wat nie deur die Onderwysersraad geregistreer of voorwaardelik geregistreer is as 'n onderwyser nie, in 'n heeltydse permanente hoedanigheid by 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool aangestel word om onderwys te gee of in so 'n hoedanigheid by sodanige skool onderwys gee nie, behalwe in 'n pos wat die Sekretaris bepaal.

(7) Iemand wat 'n bepaling van subartikel (6) oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met sowel dié boete as dié gevangenisstraf.

Erkenning van onderwysersverenigings

35. Die Minister kan, vir die doeleindes van raadpleging, verenigings van onderwysers erken.

Inspeksie van skole

36. (1) Die Sekretaris of 'n beampte deur die Sekretaris daartoe gemagtig, kan 'n inspeksie hou of 'n ondersoek doen met betrekking tot—

(a) die toelating van leerlinge en hul ontslag uit enige Staatskool, gemeenskapskool, Staatsondersteunde skool of private skool, die verskaffing van onderwys aan en die versorging van die leerlinge by so 'n skool;

(b) die geboue, uitrusting, voorrade en finansies van 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool; en

(c) enige ander aangeleentheid in verband met 'n Staatskool, 'n gemeenskapskool, 'n Staatsondersteunde skool of 'n private skool wat na sy oordeel ondersoek behoort te word.

(2) Any person who interferes with or hinders or disturbs the Secretary or an officer authorised by him while he is engaged in the performance of his duties under this section shall be guilty of an offence and liable on conviction to a fine not exceeding R50 or, in default of payment, imprisonment for a period not exceeding three months.

Admission of persons to and their discharge from State schools, community schools and State-aided schools

37. The admission of persons to State schools, community schools and State-aided schools shall take place in the prescribed circumstances and subject to the prescribed conditions, and any person so admitted to any such school may be discharged therefrom in the prescribed circumstances.

Courses for the education, instruction or training of persons in schools, the establishment of an examination board and the conduct of examinations

38. (1) The Minister may institute courses for the education, instruction or training of persons in schools and may abolish any course so instituted.

(2) The Minister shall determine the nature and duration of, and the conditions for admission to, any course instituted under subsection (1).

(3) (a) The Minister shall establish an examination board for the Department and may also establish committees for such board.

(b) The constitution, duties, powers and functions of such examination board and committees for such board shall be as prescribed.

(4) The syllabus or syllabuses of a course instituted under subsection (1) shall be determined by the Secretary.

(5) The Minister may cause examinations to be conducted in respect of a course instituted under subsection (1) and may cause diplomas or certificates to be issued to persons who have passed such examinations.

(6) The Minister may, with the concurrence of the Minister of Finance, determine the fees, if any, payable in respect of the attendance of courses instituted under subsection (1) and in respect of examinations, diplomas and certificates referred to in subsection (5), and may, with such concurrence, grant exemption from the payment of such fees.

Compulsory school attendance

39. (1) The Minister may, by notice in the *Gazette*, declare that regular attendance at such kind of school, and to such extent and under such circumstances as may be specified in such notice, shall be compulsory for every Black person belonging to an age group and resident in an area so specified.

(2) If a parent or the person having the custody or charge of any person who by virtue of the provisions of subsection (1) is required to attend a school regularly, after a period of six months from the date of the notice referred to in that subsection fails, without reasonable cause and after a written warning by the Department, to cause such person to attend an appropriate school regularly he shall be guilty of an offence and liable on conviction to a fine not exceeding R10 or to imprisonment for a period not exceeding one month on conviction of a first offence or to a fine not exceeding R40 or to imprisonment for a period not exceeding two months on conviction of a second or subsequent offence.

(2) Iemand wat die Sekretaris of 'n deur hom gemagtigde beampte dwarsboom of hinder of steur terwyl hy besig is om sy pligte ingevolge hierdie artikel uit te voer, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R50 of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Toelating van persone tot en ontslag uit Staatskole, gemeenskapskole en Staatsondersteunde skole

37. Die toelating van persone tot Staatskole, gemeenskapskole en Staatsondersteunde skole geskied onder die voorgeskrewe omstandighede en onderworpe aan die voorgeskrewe voorwaardes, en iemand wat aldus tot so 'n skool toegelaat is, kan onder die voorgeskrewe omstandighede daaruit ontslaan word.

Kursusse vir die onderwys, onderrig of opleiding van persone in skole, die instelling van 'n eksamenraad en die afneem van eksamens

38. (1) Die Minister kan kursusse vir die onderwys, onderrig of opleiding van persone in skole instel, en 'n kursus aldus ingestel, afskaf.

(2) Die Minister bepaal die aard en duur van en die voorwaardes vir toelating tot 'n kursus wat kragtens subartikel (1) ingestel is.

(3) (a) Die Minister stel 'n eksamenraad vir die Departement in, en kan ook komitees vir sodanige raad instel.

(b) Die samestelling, pligte bevoegdhede en werksaamhede van die eksamenraad en komitees vir sodanige raad is soos voorgeskryf.

(4) Die sillabus of sillabusse van 'n kursus wat kragtens subartikel (1) ingestel is, word deur die Sekretaris bepaal.

(5) Die Minister kan eksamens laat afneem ten opsigte van 'n kursus wat kragtens subartikel (1) ingestel is, en kan diplomas of sertifikate laat uitreik aan persone wat in sodanige eksamens geslaag het.

(6) Die Minister kan, met die instemming van die Minister van Finansies, die gelde, as daar is, bepaal wat betaalbaar is ten opsigte van die bywoning van kursusse ingestel kragtens subartikel (1) en ten opsigte van eksamens, diplomas en sertifikate vermeld in subartikel (5) en kan, met sodanige instemming, vrystelling van betaling van sodanige gelde verleen.

Verpligte skoolbesoek

39. (1) Die Minister kan by kennisgewing in die *Staatskoerant* verklaar dat gereelde besoek aan 'n soort skool vermeld in die kennisgewing, en in die mate en onder die omstandighede in die kennisgewing vermeld, verpligtend is vir elke Swart persoon wat behoort tot 'n ouderdomsgroep en woonagtig is in 'n bepaalde gebied in die kennisgewing vermeld.

(2) Indien 'n ouer van iemand wat uit hoofde van die bepalings van subartikel (1) verplig is om 'n skool gereeld te besoek, of die persoon in wie se bewaring of onder wie se toesig so iemand is, na 'n tydperk van ses maande vanaf die datum van die in daardie subartikel bedoelde kennisgewing sonder redelike oorsaak en na 'n skriftelike waarskuwing deur die Departement versuim om so iemand gereeld 'n gepaste skool te laat besoek, is hy aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R10 of met gevangenisstraf vir 'n tydperk van hoogstens een maand by skuldigbevinding by 'n eerste oortreding of met 'n boete van hoogstens R40 of met gevangenisstraf vir 'n tydperk van hoogstens twee maande by skuldigbevinding by 'n tweede of daaropvolgende oortreding.

Financial and other assistance for education and training

40. The Minister may out of moneys appropriated by Parliament for the purpose and on such basis and 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, resident in the Republic and admitted to a State school, a community school, a State-aided school or a school situated in a Black state designated by the Minister for the purposes of this section;

(b) a Black student of a university or university college established by or under any law;

(c) a Black person, other than such pupil or student,

for training approved by the Minister.

Payment of tuition and boarding fees

41. (1) Any person admitted to a State school, a community school or a State-aided special school, or the person liable for the maintenance of any such person, shall pay such tuition fees (if any) and, if such person is being provided with board by the Department, such boarding fees as the Minister after consultation with the Minister of Finance may determine: Provided that if a child's parents are not resident in the Republic, such parents shall also pay such tuition fees, boarding fees and fees for books and other educational aids as may be so determined.

(2) Different fees may be determined in respect of different categories of persons in terms of subsection (1), and after consultation with the Minister of Finance the Minister may exempt, in such manner as he may deem fit, any person or any category of persons wholly or partly from the payment of fees so determined.

Unauthorised persons may not visit certain schools or enter the school grounds or premises

42. (1) No person, except—

(a) a pupil or teacher of the school in question;

(b) the Minister, the Secretary or any officer authorised in terms of section 36;

(c) any person authorised in writing thereto by the Secretary;

(d) a member of the governing council, school board or school committee of the school in question, with the approval of the chairman of such governing council, school board or school committee;

(e) a parent in connection with the education of his child; or

(f) a visitor from some other school for the purposes of participating in school sports or other school activities;

may visit a State school or a community school or enter the school grounds or premises of such schools without the permission of the authority concerned, or cause the school buildings or grounds or other property of such schools to be damaged.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R100 or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Finansiële en ander hulp vir onderwys en opleiding

40. Die Minister kan uit geld wat die Parlement vir dié doel bewillig, en op dié 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, woonagtig in die Republiek en wat toegelaat is tot 'n Staatskool, 'n gemeenskapskool, 'n Staatsondersteunde skool of 'n skool geleë in 'n Swart staat en wat vir die doeleindes van hierdie artikel deur die Minister aangewys is;

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

(c) 'n Swart persoon wat nie so 'n leerling of student is nie,

vir opleiding deur die Minister goedgekeur.

Betaling van onderwys- en losiesgelde

41. (1) Iemand wat tot 'n Staatskool of 'n gemeenskapskool of 'n Staatsondersteunde spesiale skool toegelaat is, of die persoon wat vir die onderhoud van so iemand verantwoordelik is, moet die onderwysgelde (indien daar is) en, indien losies deur die Departement aan so iemand verskaf word, die losiesgelde betaal wat die Minister met die instemming van die Minister van Finansies bepaal: Met dien verstande dat indien 'n leerling se ouers nie in die Republiek woon nie, sodanige ouers ook die onderwysgelde, losiesgelde en gelde vir boeke en ander onderwysmiddels moet betaal wat aldus bepaal word.

(2) Verskillende gelde kan ingevolge subartikel (1) ten opsigte van verskillende kategorieë persone bepaal word, en die Minister kan na oorlegpleging met die Minister van Finansies enige persoon of enige kategorie persone geheel en al of ten dele, op die wyse wat hy goedvind, vrystel van die betaling van gelde aldus bepaal.

Ongemagtigde persone mag nie 'n skool besoek of die skoolgronde of -perseel betree nie

42. (1) Niemand, behalwe—

(a) 'n leerling of onderwyser van die betrokke skool;

(b) die Minister, die Sekretaris of 'n beampete wat ingevolge artikel 36 gemagtig is;

(c) iemand wat skriftelik deur die Sekretaris daartoe gemagtig is;

(d) 'n lid van die beheerraad, skoolraad of skoolkomitee van die betrokke skool, met die goedkeuring van die voorsitter van sodanige beheerraad, skoolraad of skoolkomitee;

(e) 'n ouer in verband met die onderwys van sy kind; of

(f) 'n besoeker van 'n ander skool met die doel om aan skoolsport- of ander skoolaktiwiteite deel te neem;

mag sonder die toestemming van die betrokke owerheid 'n Staatskool of 'n gemeenskapskool besoek of die skoolgronde of -perseel van sodanige skool betree of veroorsaak dat die skoolgebou of skoolgronde of ander eiendom van sodanige skool beskadig word nie.

(2) Iemand wat subartikel (1) oortree, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R100 of gevangenisstraf vir 'n tydperk van hoogstens drie maande of met sowel dié boete as dié gevangenisstraf.

Delegation of powers, duties and functions by the Minister and the Secretary

43. (1) The Minister may delegate, either generally or in any particular case, any power, duty or function conferred upon or assigned to him by this Act, other than the powers, duties, or functions conferred upon or assigned to him by sections 3, 4, 8 (5), 9 (3) (b), 15 (1) (c) (in so far as it relates to the determination of salary scales and allowances), 19 (1) (in so far as it relates to the determination of salary scales and allowances), 25 (in so far as it relates to the discharge of a teacher and appeals), 34, 35, 38, 39 and 45, to the Secretary or any other officer in the Department on such conditions as the Minister may determine.

(2) The Secretary may delegate either generally or in any particular case, any power, duty or function conferred upon or assigned to him by this Act, other than the powers, duties and functions delegated to him in terms of subsection (1), to any other officer in the Department on such conditions as he may determine.

(3) Any delegation in terms of this section may be varied or withdrawn at any time.

Exclusion of provisions of Workmen's Compensation Act, 1941

44. No pupil at a State school, a community school or a State-aided school shall for the purposes of the Workmen's Compensation Act, 1941 (Act 30 of 1941), and in connection with his attendance at such school be regarded as a workman under the said Act or as some other person entitled to payment thereunder.

Regulations

45. (1) The Minister may make regulations—

(a) as to any matters which by this Act are required or permitted to be prescribed by regulation;

(b) prescribing the power and duties of the Secretary or any other officer of the Department in connection with the control, administration or supervision of education;

(c) as to the establishment, maintenance, management, control and disestablishment of State schools and community schools;

(d) as to the registration of State-aided and private schools, and providing for the exemption from registration of schools and the conditions of exemption;

(e) as to the making of grants-in-aid or subsidies and loans to owners or governing bodies of State-aided schools and the circumstances in which grants-in-aid, subsidies or loans may be terminated, reduced or withdrawn;

(f) relating to the control and treatment of pupils at State schools, community schools and State-aided schools and the suspension of, or the imposition or infliction of other punishment upon, pupils at such schools;

(g) as to the medium of instruction in schools;

(h) as to the appointment of teachers for duty at State schools, community schools and State-aided schools and as to the grading, promotion, transfer, termination of services, discipline, behaviour, powers, duties and hours of attendance of teachers, and the occupation of teachers' quarters by, and the payment of transport, subsistence and other allowances and remuneration, if any, for services outside the prescribed hours of attendance to, such teachers;

Oordrag van bevoegdhe, pligte en werksaamhede deur die Minister en die Sekretaris

43. (1) Die Minister kan 'n bevoegdheid, plig of werksaamheid wat by hierdie Wet aan hom verleen of opgedra is, uitgesonderd die pligte, bevoegdhe en werksaamhede aan hom verleen of opgedra by artikels 3, 4, 8 (5), 9 (3) (b), 15 (1) (c) (vir sover dit betrekking het op die bepaling van salarisskale en toelaes), 19 (1) (vir sover dit betrekking het op die bepaling van salarisskale en toelaes), 25 (vir sover dit betrekking het op die ontslag van 'n onderwyser en appèl), 34, 35, 38, 39 en 45, aan die Sekretaris of 'n ander beampte in die Departement in die algemeen of in 'n besondere geval delegeer op die voorwaardes wat hy bepaal.

(2) Die Sekretaris kan 'n bevoegdheid, plig of werksaamheid wat by hierdie Wet aan hom verleen of opgedra is, uitgesonderd 'n bevoegdheid, plig of werksaamheid aan hom ingevolge subartikel (1) gedelegeer, aan 'n ander beampte in die Departement in die algemeen of in 'n besondere geval delegeer op die voorwaardes wat hy bepaal.

(3) 'n Deegasie kragtens hierdie artikel kan te eniger tyd gewysig of ingetrek word.

Uitsluiting van bepalings van Ongevallewet, 1941

44. By die toepassing van die Ongevallewet, 1941 (Wet 30 van 1941), word geen leerling van 'n Staatskool, gemeenskapskool of 'n Staatsondersteunde skool in verband met sy bywoning van die skool beskou as 'n werkmán kragtens genoemde Wet of iemand anders wat daarkragtens op betaling geregtig is nie.

Regulasies

45. (1) Die Minister kan regulasies uitvaardig—

(a) betreffende aangeleenthede wat ingevolge hierdie Wet by regulasie voorgeskryf moet of kan word;

(b) wat die bevoegdhe en pligte van die Sekretaris of enige ander beampte in die Departement in verband met die beheer en toesig oor en die administrasie van onderwys voorskryf;

(c) betreffende die instelling, instandhouding, bestuur, beheer en sluiting van Staatskole en gemeenskapskole;

(d) betreffende die registrasie van Staatsondersteunde skole en private skole en wat vir die vrystelling van registrasie van skole en die voorwaardes van vrystelling voorsiening maak;

(e) betreffende die toekenning van hulptoelaes of subsidies en lenings aan eienaars of bestuursliggame van Staatsondersteunde skole en die omstandighede waaronder hulptoelaes, subsidies of lenings gestaak, verminder of ingetrek kan word;

(f) betreffende die beheer oor of behandeling van leerlinge van Staatskole, gemeenskapskole en Staatsondersteunde skole en die skorsing van, of die oplegging of toediening van ander strawwe aan, leerlinge van sodanige skole;

(g) betreffende die medium van onderrig in skole;

(h) betreffende die aanstelling van onderwysers vir diens by Staatskole, gemeenskapskole en Staatsondersteunde skole en betreffende die gradering, bevordering, verplasing, diensbeëindiging, tug, gedrag, bevoegdhe, pligte, diensure, en die bewoning van onderwyserskwartiere deur, en die betaling van vervoer-, verblyf- en ander toelaes en vergoeding, as daar is, vir diens buite die voorgeskrewe diensure aan sodanige onderwysers;

(i) providing for the registration by the Department of persons qualified as teachers;

(j) as to the medical examination of teachers employed at and of pupils at State schools, community schools and State-aided schools, and the issue of certificates in connection with such examinations and the circumstances in which medical examinations are required for the purposes of any provision of this Act;

(k) as to religious instruction and religious ceremonies at schools;

(l) as to the mental, bodily or other examination of any person who is suspected of being a handicapped or mentally retarded child;

(m) as to the conditions under which a person may be exempted from the obligation to attend a school;

(n) as to the inspection of schools;

(o) as to the conducting of examinations, including the appointment, discipline, conduct, powers and duties of examiners, moderators, invigilators and other persons whose services are required in connection therewith, the enrolment of candidates for examinations, the conduct and discipline of candidates before, during and after examinations, and the issue of diplomas and certificates;

(p) as to teachers' associations for the purpose of recognition in terms of section 35;

(q) as to the management, control and maintenance of any State-aided school;

(r) as to the control of moneys collected for or in relation to any State school, community school or State-aided school;

(s) as to the conditions and circumstances under which teachers employed at State schools, community schools and State-aided schools may be required to become and remain members of a medical aid fund or medical aid society;

(t) as to the constitution, powers, duties and functions of a governing body of a State-aided special school;

(u) as to the establishment, control and maintenance of any hostel attached to a school and the treatment of pupils at such hostel;

(v) generally, as to any other matter in respect of which the Minister may deem it necessary or expedient to make regulations to achieve the objects of this Act.

(2) The generality of the powers conferred by subsection (1) (v) shall not be limited by the provisions of the other paragraphs of the said subsection.

(3) The Minister shall not make any regulations as to any fee or allowance payable by or to any person or as to the control of any moneys except in consultation with the Minister of Finance.

(4) Different regulations may be made in respect of different persons or classes of persons, different schools or kinds of schools or different areas.

(5) The regulations may provide for penalties for any contravention thereof or failure to comply therewith, of a fine not exceeding R500 or, in default of payment, imprisonment for a period not exceeding 12 months.

(6) Regulations under subsection (1) (g) shall not deprive any parent of the right of final decision regarding the medium of instruction of a child of such parent where any doubt exists as to the language in which such child is more proficient.

(i) wat voorsiening maak vir die registrasie deur die Departement van persone wat hulle as onderwysers bekwaam het;

(j) betreffende die mediese ondersoek van onderwysers in diens by en van leerlinge aan Staatskole, gemeenskapskole en Staatsondersteunde skole en die uitreiking van sertifikate in verband met sodanige ondersoeke en die omstandighede waaronder mediese ondersoeke by die toepassing van hierdie Wet verlang word;

(k) betreffende godsdiensoonderrig en godsdienstige plegtighede by skole;

(l) betreffende die geestelike, liggaamlike of ander ondersoek van iemand wat, na vermoed word, 'n gestremde of geestesvertraagde kind is;

(m) betreffende die voorwaardes waaronder iemand vrygestel kan word van die verpligting om 'n skool te besoek;

(n) betreffende die inspeksie van skole;

(o) betreffende die afneem van eksamens, met inbegrip van die aanstelling, tug, gedrag, bevoegdheid en pligte van eksaminatore, moderatore, opsieners en ander persone wie se dienste in verband daarmee nodig is, die inskrywing van kandidate vir eksamens, die gedrag en tug van kandidate voor, gedurende en na eksamens en die uitreiking van diplomas en sertifikate;

(p) betreffende onderwysersverenigings vir die doeleindes van erkenning ingevolge artikel 35;

(q) betreffende die beheer oor en die bestuur en instandhouding van 'n Staatsondersteunde skool;

(r) betreffende beheer oor geld wat vir of met betrekking tot 'n Staatskool, gemeenskapskool of 'n Staatsondersteunde skool ingesamel word;

(s) betreffende die voorwaardes en omstandighede waaronder onderwysers in diens by Staatskole, gemeenskapskole en Staatsondersteunde skole verplig kan word om lede te word en te bly van 'n mediese hulpfonds of mediese hulpvereniging;

(t) betreffende die samestelling, pligte, bevoegdhede en werksaamhede van 'n bestuursliggaam van 'n Staatsondersteunde spesiale skool;

(u) betreffende die instelling en instandhouding van en beheer oor enige koshuis verbonde aan 'n skool, en die behandeling van leerlinge in sodanige koshuis;

(v) in die algemeen, betreffende enige ander aangeleentheid ten opsigte waarvan die Minister dit nodig of dienstig ag om regulasies uit te vaardig ten einde die oogmerke van hierdie Wet te bereik.

(2) Die algemeenheid van die bevoegdheid by subartikel (1) (v) verleen, word nie deur die bepalinge van die ander paragrawe van bedoelde subartikel beperk nie.

(3) Die Minister mag geen regulasie betreffende enige geld of toelae betaalbaar aan of deur iemand, of betreffende die beheer oor geld, uitvaardig nie behalwe in ooreenstemming met die Minister van Finansies.

(4) Verskillende regulasies kan ten opsigte van verskillende persone of soorte persone, verskillende skole of soorte skole of verskillende gebiede uitgevaardig word.

(5) Die regulasies kan op enige oortreding daarvan of versuim om daaraan te voldoen, straffe stel van 'n boete van hoogstens R500 of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

(6) Regulasies kragtens subartikel (1) (g) ontnem 'n ouer nie die reg om finaal te besluit oor die medium van onderrig van 'n kind van sodanige ouer waar daar twyfel bestaan oor die taal waarin sodanige kind die bedrewendste is nie.

Repeal of laws, and savings

46. (1) Subject to the provisions of this Act, the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Anything done prior to the commencement of this Act in pursuance of powers conferred on the competent authority by or by virtue of any provision of any law repealed by subsection (1), and any rights or obligations acquired or incurred prior to such commencement under or by virtue of any such provision, shall be deemed to have been done, acquired or incurred by the appropriate authority in pursuance of powers conferred by or by virtue of or in accordance with the corresponding provision of this Act.

(3) Until the Minister makes regulations in terms of section 45, the regulations in force under any law repealed by subsection (1) of this section (hereinafter referred to as the existing regulations) shall, notwithstanding such repeal and in so far as the existing regulations can be applied and are not inconsistent with the provisions of this Act, continue to apply: Provided that whenever the Minister makes regulations with regard to any of the matters referred to in section 45, that part of the existing regulations relating to any matter dealt with in the regulations so made by the Minister shall be deemed to have been withdrawn.

Short title and date of commencement

47. (1) This Act shall be called the Education and Training Act, and shall come into operation on a date fixed by the State President by Proclamation in the *Gazette*.

(2) Different dates may be fixed under subsection (1) in respect of different provisions of this Act.

SCHEDULE
LAWS REPEALED

No. and Year	Short Title	Extent of Repeal
47 of 1953...	Black Education Act, 1953.....	The whole
44 of 1954...	Black Education Amendment Act, 1954	The whole
36 of 1956...	Black Education Amendment Act, 1956	The whole
33 of 1959...	Black Education Amendment Act, 1959	The whole
55 of 1961...	Black Education Amendment Act, 1961	The whole
24 of 1964...	Black Special Education Act, 1964..	The whole
44 of 1970...	Black Education Amendment Act, 1970	The whole
57 of 1975...	General Law Amendment Act, 1975	Section 22
56 of 1977...	Black Education Amendment Act, 1977	The whole
67 of 1978...	Black Education Amendment Act, 1978	The whole

Herroeping van wette en voorbehoude

46. (1) Behoudens die bepalings van hierdie Wet, word die wette in die Bylae genoem, hierby herroep in die mate in die derde kolom daarvan aangedui.

(2) Enigiets wat voor die inwerkingtreding van hierdie Wet gedoen is ingevolge bevoegdhede verleen aan die bevoegde gesag deur of kragtens 'n bepaling van 'n wet by subartikel (1) herroep, en enige regte of verpligtings verkry of aangegaan voor sodanige inwerkingtreding, ingevolge of uit hoofde van so 'n bepaling, word geag deur die gepaste gesag ingevolge bevoegdhede verleen deur of uit hoofde van of ooreenkomstig die ooreenstemmende bepaling van hierdie Wet, gedoen, verkry of aangegaan te wees.

(3) Totdat die Minister kragtens artikel 45 regulasies uitvaardig, bly die regulasies wat ingevolge 'n wet herroep by subartikel (1) van hierdie artikel van krag is (hieronder die bestaande regulasies genoem), ondanks sodanige herroeping, van krag vir sover die bestaande regulasies toegepas kan word en nie met die bepalings van hierdie Wet onbestaanbaar is nie: Met dien verstande dat, wanneer die Minister regulasies in verband met enige aangeleentheid vermeld in artikel 45 uitvaardig, daardie gedeelte van die bestaande regulasies wat betrekking het op enige aangeleentheid behandel in die regulasies aldus deur die Minister uitvaardig, geag word ingetrek te wees.

Kort titel en inwerkingtreding

47. (1) Hierdie Wet heet die Wet op Onderwys en Opleiding, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

(2) Verskillende datums kan kragtens subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

BYLAE
WETTE HERROEP

No. en Jaar	Kort Titel	Omvang van herroeping
47 van 1953..	Wet op Swart Onderwys, 1953.....	Die geheel
44 van 1954..	Wysigingswet op Swart Onderwys, 1954	Die geheel
36 van 1956..	Wysigingswet op Swart Onderwys, 1956	Die geheel
33 van 1959..	Wysigingswet op Swart Onderwys, 1959	Die geheel
55 van 1961..	Wysigingswet op Swart Onderwys, 1961	Die geheel
24 van 1964..	Wet op Buitengewone Onderwys vir die Swartes, 1964	Die geheel
44 van 1970..	Wysigingswet op Swart Onderwys, 1970	Die geheel
57 van 1975..	Algemene Regswysigingswet, 1975..	Artikel 22
56 van 1977..	Wysigingswet op Swart Onderwys, 1977	Die geheel
67 van 1978..	Wysigingswet op Swart Onderwys, 1978	Die geheel

CONTENTS

No.	Page No.	Gazette No.
Education and Training, Department of		
General Notice		
914 Draft Education and Training Bill.....	1	6213

INHOUD

No.	Bladsy No.	Staats- koerant No.
Onderwys en Opleiding, Departement van		
Algemene Kennisgewing		
914 Konsepswetsontwerp op Onderwys en Op- leiding.....	1	6213