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STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

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[No. 7430

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 345.

25 Februarie 1981.

No. 345.

25 February 1981.

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

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

No. 9 van 1981: Wysigingswet op Onderwys vir Indiërs, 1981.

No. 9 of 1981: Indians Education Amendment Act, 1981.

Act No. 9, 1981

INDIANS EDUCATION AMENDMENT ACT, 1981

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Indians Education Act, 1965, so as to declare the contravention of or non-compliance with a provision of the rules of the constitution of a compulsory medical aid scheme for persons employed at certain schools to be misconduct; to provide for steps to be taken if persons employed at certain schools are found to be unfit or inefficient; and to provide for the substitution in the powers granted to the Minister to make regulations, for the words "nursery schools" of the words "pre-primary schools"; and to provide for incidental matters.

(Afrikaans text signed by the State President.)
(Assented to 10 February 1981.)

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

Amendment of section 16 of Act 61 of 1965, as amended by section 9 of Act 39 of 1979.

1. Section 16 of the Indians Education Act, 1965 (hereinafter referred to as the principal Act), is hereby amended by the addition of the following paragraph:

"(s) he 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."

Amendment of section 18 of Act 61 of 1965, as substituted by section 11 of Act 39 of 1979.

2. Section 18 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

"(3) When the Minister, having considered any report referred to in subsection (1) and any comments lodged in respect thereof in terms of subsection (2) (c), is satisfied that the person concerned is unfit for or incapable of efficiently performing the duties attached to his post, the Secretary shall by notice in writing, delivered or sent by post, notify such person accordingly and further notify him—

(a) that a further investigation in regard to such duties **[(a)]** will be instituted after the expiry of a period of at least 90 days and not more than one year from the date of such notice; **[or]** and

(b) that, if such person within a period of 30 days from the date of such notice in writing requests the Secretary to cause such further investigation to be instituted by a person other than the person who lodged the said report, such further investigation will be instituted [as soon as may be practicable after expiry of such period of 30 days] by such other person as may be directed thereto by the Secretary."

WYSIGINGSWET OP ONDERWYS VIR INDIËRS, 1981

Wet No. 9, 1981

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Onderwys vir Indiërs, 1965, ten einde die oortreding of nie-nakoming van 'n bepaling van die reëls van die konstitusie van 'n verpligte mediese hulpskema vir persone in diens by sekere skole tot wangedrag te verklaar; voorsiening te maak vir stappe wat gedoen moet word indien persone in diens by sekere skole ongeskik of onbekwaam bevind word; en daarvoor voorsiening te maak dat in die bevoegdhede wat aan die Minister verleen is om regulasies uit te vaardig, die woord „kleuterskole” deur die woorde „pre-primêre skole” vervang word; en om vir bykomstige aangeleenthede voorsiening te maak.

(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 10 Februarie 1981.)

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

1. Artikel 16 van die Wet op Onderwys vir Indiërs, 1965 (hieronder die Hoofwet genoem), word hierby gewysig deur die 5 volgende paragraaf by te voeg:

„(s) hy '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 10 bedoelde reëls waaraan dit uit hoofde van sy lidmaatskap van sodanige mediese hulpfonds of mediese hulpvereniging sy plig is om te voldoen.”.
2. Artikel 18 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:

15 „(3) Wanneer die Minister na oorweging van 'n verslag bedoel in subartikel (1) en enige kommentaar wat ingevolge subartikel (2) (c) ten opsigte daarvan ingedien is, oortuig is dat die betrokke persoon ongeskik is om of nie in staat is nie om op bekwame wyse die pligte uit te voer wat aan sy 20 betrekking verbonde is, moet die Sekretaris daardie persoon by skriftelike kennisgewing, oorhandig of deur die pos gestuur, dienooreenkomstig verwittig en verder meedeel—

(a) dat 'n verdere ondersoek met betrekking tot daardie pligte **[(a)]** na verloop van 'n tydperk van minstens 90 25 dae en hoogstens een jaar vanaf die datum van daardie kennisgewing ingestel sal word; **[of]** en

(b) dat, indien daardie persoon die Sekretaris binne 'n 30 tydperk van 30 dae vanaf die datum van daardie kennisgewing skriftelik versoek om sodanige verdere ondersoek te laat instel deur iemand anders as die persoon wat genoemde verslag ingedien het, **[so gou doenlik na verloop van daardie tydperk van 30 dae]** daardie verdere ondersoek ingestel sal word deur die ander persoon deur die Sekretaris daartoe gelas.”.

Wysiging van artikel 16 van Wet 61 van 1965, soos gewysig deur artikel 9 van Wet 39 van 1979.

Wysiging van artikel 18 van Wet 61 van 1965, soos vervang deur artikel 11 van Wet 39 van 1979.

Act No. 9, 1981

INDIANS EDUCATION AMENDMENT ACT, 1981

Amendment of
section 33 of
Act 61 of 1965.

3. Section 33 of the principal Act is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) as to the award of grants-in-aid or subsidies and loans to governing bodies of State-aided schools, including **[nursery] pre-primary schools, and hostels;**”.

Short title.

4. This Act shall be called the Indians Education Amendment Act, 1981.

WYSIGINGSWET OP ONDERWYS VIR INDIËRS, 1981

Wet No. 9, 1981

3. Artikel 33 van die Hoofwet word hierby gewysig deur Wysiging van
paragraaf (c) van subartikel (1) deur die volgende paragraaf te artikel 33 van
vervang: Wet 61 van 1965.

- 5 „(c) betreffende die toekenning van hulptoelaes of subsidies en lenings aan bestuursliggame van Staatsondersteunde skole, met inbegrip van **[kleuterskole]** pre-primêre skole, en koshuise;”.

4. Hierdie Wet heet die Wysigingswet op Onderwys vir Kort titel.
Indiërs, 1981.

3. Artikel 33 van die Hoofwet word herby gewysig deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te word: "c) die toekenning van hulpskole of ander skole, met inbegrip van [kennerskole] die [kennerskole], en kennerskole."

4. Hierdie Wet heet die Wysigingswet op Onderwys vir Kenners, 1981.