



STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

PRYS 40c PRICE
Plus AVB/GST
BUITELANDS 50c ABROAD
POSVRY · POST FREE

Vol. 229

KAAPSTAD, 11 JULIE 1984

CAPE TOWN, 11 JULY 1984

No. 9292

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1361.

11 Julie 1984

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

No. 76 van 1984: Wet op die Nasionale Beleid vir Algemene Onderwysake, 1984.

No. 1361.

11 July 1984

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

No. 76 of 1984: National Policy for General Education Affairs Act, 1984.

Wet No. 76, 1984

WET OP DIE NASIONALE BELEID VIR ALGEMENE
ONDERWYSSAKE, 1984

WET

Om voorsiening te maak vir die bepaling van 'n nasionale beleid vir algemene onderwys sake binne die raamwerk van sekere beginsels, en vir aangeleenthede wat daarmee in verband staan.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 19 Junie 1984.)*

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

Woordbepaling.

1. In hierdie Wet, tensy die samehang anders aandui, beteken—

- (i) "formele onderwys" onderwys wat aan of deur 'n skool, kollege, teknikon, universiteit of ander opvoedkundige inrigting verskaf word vir die verwerwing van 'n opvoedkundige graad, sertifikaat of diploma wat by of kragtens wet ingestel is; (iii)
- (ii) "georganiseerde onderwysprofessie" die onderwysprofessie, of 'n deel daarvan, soos verteenwoordig deur 'n onderwysersvereniging of 'n federale of nasionale liggaam van onderwysersverenigings wat deur die Minister, met die instemming van die Minister van 'n Staatsdepartement verantwoordelik vir onderwys wat betrokke mag wees, verleen waar toepaslik na oorleg met die betrokke Administrateur, as verteenwoordigend van daardie professie of deel daarvan beskou word, en ook 'n registrasie- en 'n beroepsraad vir onderwysers; (vii) 20
- (iii) "informele onderwys" onderwys uitgesonderd onderwys bedoel in die omskrywing van "formele onderwys" en "nie-formele onderwys", en ook opvoeding of onderrig wat spontaan verskaf of ervaar word; (iv)
- (iv) "komitee" die Komitee van Onderwysdepartementshoofde by artikel 5 ingestel; (i) 25
- (v) "Minister" die Minister van die Staatsdepartement vir algemene sake verantwoordelik vir algemene onderwys sake; (v)
- (vi) "nie-formele onderwys" onderwys, uitgesonderd onderwys bedoel in die omskrywing van "formele onderwys", verskaf deur enige persoon, liggaam van persone of inrigting; (vi)
- (vii) "raad" die Suid-Afrikaanse Raad vir Onderwys by artikel 3 ingestel. (ii) 35

Bepaling van algemene onderwysbeleid.

2. (1) Behoudens die bepalinge van hierdie artikel en die bepalinge van die een of ander algemene wet betreffende die finansiering van onderwys, kan die Minister by kennisgewing in die *Staatskoerant* die algemene beleid bepaal wat met betrekking tot formele, informele en nie-formele onderwys in die Republiek gevolg moet word ten opsigte van—

- (a) norme en standaarde vir die finansiering van lopende en kapitaalkoste van onderwys vir alle bevolkingsgroepe;
- (b) salarisse en diensvoorwaardes van personeel; 45
- (c) die professionele registrasie van onderwysers;

NATIONAL POLICY FOR GENERAL EDUCATION AFFAIRS ACT,
1984

Act No. 76, 1984

ACT

To provide for the determination of a national policy for general education affairs within the framework of certain principles, and for matters connected therewith.

*(Afrikaans text signed by the State President.)
(Assented to 19 June 1984.)*

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

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

Definitions.

- (i) "committee" means the Committee of Heads of Education Departments established by section 5; (iv)
- (ii) "council" means the South African Council for Education established by section 3; (vii)
- (iii) "formal education" means education provided at or by a school, college, technikon, university or other educational institution to obtain an educational degree, certificate or diploma instituted by or under any law; (i)
- (iv) "informal education" means education other than education contemplated in the definition of "formal education" and "non-formal education", and includes upbringing and instruction provided or experienced spontaneously; (iii)
- (v) "Minister" means the Minister of the department of State for general affairs responsible for general education matters; (v)
- (vi) "non-formal education" means education, other than education contemplated in the definition of "formal education", provided by any person, body of persons or institution; (vi)
- (vii) "organized teaching profession" means the teaching profession, or a part thereof, as represented by a teachers' association or a federal or national body of teachers' associations recognized by the Minister, with the concurrence of the Minister of a department of State responsible for education who may be concerned, granted, where appropriate, after consultation with the Administrator concerned, as representative of that profession or part thereof, and includes a registering and a professional council for teachers. (ii)

2. (1) Subject to the provisions of this section and the provisions of any general law regarding the financing of education, the Minister may by notice in the *Gazette* determine the general policy to be applied with regard to formal, informal and non-formal education in the Republic in respect of—

Determination of general education policy.

- (a) norms and standards for the financing of running and capital costs of education for all population groups;
- (b) salaries and conditions of employment of staff;
- (c) the professional registration of teachers;

Wet No. 76, 1984

WET OP DIE NASIONALE BELEID VIR ALGEMENE
ONDERWYSSAKE, 1984

(d) norme en standaarde vir leerplanne en eksaminering, en vir sertifisering van kwalifikasies, binne die raamwerk van die volgende beginsels:

- (i) Dat gelyke onderwysgeleenthede, met inbegrip van gelyke onderwysstandaarde, vir elke inwoner van die Republiek, ongeag ras, kleur, geloof of geslag, nagestreef moet word;
- (ii) dat erkenning aan sowel die gemeenskaplikheid as die diversiteit van die religieuse en kulturele leefwyse en aan die tale van die inwoners van die Republiek verleen moet word;
- (iii) dat, behoudens die bepalings van die een of ander wet betreffende die bywoning van 'n skool vir 'n bepaalde bevolkingsgroep deur 'n leerling van 'n ander bevolkingsgroep, erkenning aan die keusevryheid van die individu, ouers en organisasies verleen moet word;
- (iv) dat die voorsiening van onderwys op opvoedkundig verantwoorde wyse op die behoeftes van die individu en dié van die samelewing, en die eise van ekonomiese ontwikkeling, gerig moet wees, en rekening met die mannekragbehoeftes van die Republiek moet hou;
- (v) dat 'n positiewe verband tussen formele, informele en nie-formele onderwys in die skool, samelewing en gesin bevorder moet word;
- (vi) dat die Staat vir die voorsiening van formele onderwys verantwoordelik moet wees, maar dat die individu, ouers en die gemeenskap 'n medeverantwoordelikheid en seggenskap in daardie verband moet hê.
- (vii) dat die private sektor en die Staat medeverantwoordelik vir die voorsiening van nie-formele onderwys moet wees;
- (viii) dat daar by die voorsiening van onderwys vir die stigting en Staatsubsidiëring van private onderwysvoorsiening gemaak moet word;
- (ix) dat by die voorsiening van onderwys 'n balans tussen sentralisasie en desentralisasie in die administrasie daarvan nagestreef moet word;
- (x) dat die professionele status van die onderwyser en dosent erken moet word;
- (xi) dat die voorsiening van onderwys op voortgesette navorsing moet berus.

(2) Die beleid beoog in subartikel (1) word deur die Minister bepaal na oorleg met elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys en—

- (a) die raad, ten opsigte van onderwys op skoolvlak en die opleiding van onderwysers;
- (b) die Adviesraad vir Universiteite en Technikons ingestel by artikel 2 van die Wet op die Adviesraad vir Universiteite en Technikons, 1983 (Wet No. 99 van 1983), ten opsigte van die aangeleenthede bedoel in artikel 3 van daardie Wet,

en, ten opsigte van die aangeleenthede bedoel in subartikel (1) (a) en (b), met die instemming van die Minister van Finansies.

(3) Die Minister moet na oorleg met elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys—

- (a) 'n komitee instel om hom te adviseer oor enige aangeleentheid wat op die salarisse en diensvoorwaardes van personeel bedoel in subartikel (1) (b) betrekking het;
- (b) 'n navorsingskomitee instel waarin die georganiseerde onderwysprofessie verteenwoordig moet wees, om 'n komitee in paragraaf (a) bedoel by die verrigting van sy werksaamhede by te staan.

(4) Elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys moet die beleid wat kragtens subartikel (1) bepaal is, vir sover dit op die betrokke bevolkingsgroep van toepassing is, uitvoer.

NATIONAL POLICY FOR GENERAL EDUCATION AFFAIRS ACT,
1984

Act No. 76, 1984

(d) norms and standards for syllabuses and examination,
and for certification of qualifications,
within the framework of the following principles:

- 5 (i) That equal opportunities for education, including
equal standards of education, shall be strived after
for every inhabitant of the Republic irrespective of
race, colour, creed or sex;
- 10 (ii) that recognition shall be granted both to that
which is common and to that which is diverse in
the religious and cultural way of life of the inhabi-
tants of the Republic, and to their languages;
- 15 (iii) that, subject to the provisions of any law regarding
the attending of a school for a particular popu-
lation group by a pupil of another population
group, recognition shall be granted to the freedom
of choice of the individual, parents and organiza-
tions;
- 20 (iv) that the provision of education shall be directed in
an educationally responsible manner at the needs
of the individual and those of society, and the de-
mands of economic development, and shall take
into account the manpower needs of the Republic;
- 25 (v) that a positive relationship shall be promoted be-
tween formal, informal and non-formal education
in the school, society and the family;
- 30 (vi) that the State shall be responsible for the provision
of formal education, but that the individual, par-
ents and society shall share responsibility and have
a say in that regard;
- 35 (vii) that the private sector and the State shall share re-
sponsibility for the provision of non-formal educa-
tion;
- 40 (viii) that in providing education provision shall be
made for the establishment and State subsidizing
of private education;
- 45 (ix) that in providing education a balance between cen-
tralization and decentralization in the administra-
tion thereof shall be strived after;
- 50 (x) that the professional status of the teacher and the
lecturer shall be recognized;
- 55 (xi) that the provision of education shall be based on
continuing research.

(2) The policy contemplated in subsection (1) shall be deter-
mined by the Minister after consultation with every Minister of a
45 department of State responsible for education and—

- 50 (a) the council, in respect of education at school level and
the training of teachers;
- (b) the Universities and Technikons Advisory Council es-
tablished by section 2 of the Universities and Techni-
kons Advisory Council Act, 1983 (Act No. 99 of 1983),
in respect of matters contemplated in section 3 of that
Act,

and, in respect of the matters contemplated in subsection (1) (a)
and (b), with the concurrence of the Minister of Finance.

55 (3) The Minister shall after consultation with every Minister of
a department of State responsible for education—

- 60 (a) establish a committee to advise him on any matter re-
lating to the salaries and conditions of employment of
staff contemplated in subsection (1) (b);
- (b) establish a research committee on which the organized
teaching profession shall be represented, to assist a
committee contemplated in paragraph (a) in the per-
formance of its functions.

(4) Every Minister of a department of State responsible for
65 education shall carry out the policy determined under subsection
(1) in so far as it applies to the population group in question.

Wet No. 76, 1984

WET OP DIE NASIONALE BELEID VIR ALGEMENE
ONDERWYSSAKE, 1984

(5) Geen wetgewing oor onderwys wat betrekking het op 'n aangeleentheid in artikel 2 (1) bedoel, met inbegrip van wetgewing oor onderwys wat aan 'n universiteit of technikon wat by of kragtens wet ingestel is, verskaf word, word by die Parlement ingedien nie behalwe na oorleg tussen die Minister en elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys. 5

Instelling van Suid-Afrikaanse Raad vir Onderwys.

3. Daar word hierby 'n raad ingestel wat die Suid-Afrikaanse Raad vir Onderwys heet en wat bestaan uit—

- (a) 'n voorsitter deur die Minister aangestel;
- (b) vier lede deur die Minister aangestel uit 'n lys van persone wie se name deur die liggame bedoel in die omskrywing van "georganiseerde onderwysprofessie" vir dié doel voorgelê is;
- (c) hoogstens twintig lede wat kundiges is deur die Minister aangestel na oorleg met elke Minister van 'n 15 Staatsdepartement verantwoordelik vir onderwys; en
- (d) 'n beamppte in diens van die Staat wat deur die Minister, met inagneming van die wette op die Staatsdiens, as uitvoerende beamppte van die raad aangestel is.

Werksaamhede van raad.

4. Behalwe vir sover dit betrekking het op 'n aangeleentheid bedoel in artikel 3 (1) van die Wet op die Adviesraad vir Universiteite en Teknikons, 1983 (Wet No. 99 van 1983), moet die raad ten opsigte van formele, informele en nie-formele onderwys, met inbegrip van onderwysersopleiding—

- (a) die Minister oor enige aangeleentheid bedoel in artikel 2 (1) adviseer;
- (b) elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys oor enige aspek rakende samewerking tussen die onderskeie Staatsdepartemente verantwoordelik vir onderwys adviseer. 30

Instelling van Komitee van Onderwysdepartementshoofde.

5. Daar word hierby 'n komitee ingestel wat die Komitee van Onderwysdepartementshoofde heet en wat bestaan uit—

- (a) die hoof van die Staatsdepartement vir algemene sake verantwoordelik vir algemene onderwys, of iemand in diens van daardie Departement deur die Minister aangewys, wat die voorsitter is;
- (b) die hoofde van die ander Staatsdepartemente verantwoordelik vir onderwys;
- (c) die hoof van 'n provinsiale onderwysdepartement wat deur die Komitee van Onderwyshoofde bedoel in artikel 6 van die Wet op die Nasionale Onderwysbeleid, 1967 (Wet No. 39 van 1967), aangewys word. 40

Werksaamhede van komitee.

6. Die komitee moet—

- (a) die Minister oor enige aangeleentheid bedoel in artikel 2 (1) adviseer; 45
- (b) die Minister en elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys oor enige aspek rakende samewerking tussen die Staatsdepartemente verantwoordelik vir onderwys adviseer.

Komitees en subkomitees van raad en komitee.

7. (1) Die raad en die komitee kan onderskeidelik komitees en subkomitees instel om hulle by die verrigting van hulle werk-saamhede by te staan, en kan persone wat nie lede van die raad of die komitee is nie, as lede van die komitees en subkomitees aanstel. 50

(2) Die raad of komitee stel iemand uit die georganiseerde onderwysprofessie aan as lid van elke komitee of subkomitee, na gelang van die geval, bedoel in subartikel (1).

(3) Die voorsitter van 'n komitee ingestel kragtens subartikel (1) word deur die raad uit sy geledere aangewys.

Vergaderings van raad en komitee.

8. (1) Vergaderings van die raad en die komitee word gehou op die tye en plekke wat die voorsitter van die raad of komitee, na gelang van die geval, bepaal. 60

NATIONAL POLICY FOR GENERAL EDUCATION AFFAIRS ACT,
1984

Act No. 76, 1984

(5) No legislation on education relating to a matter contemplated in section 2 (1), including legislation on education provided at a university or technikon established by or under any law, shall be introduced in Parliament except after consultation between the Minister and every Minister of a department of State responsible for education.

3. There is hereby established a council called the South African Council for Education consisting of—

Establishment of South African Council for Education.

- (a) a chairman appointed by the Minister;
- 10 (b) four members appointed by the Minister from a list of persons whose names have been submitted by the bodies contemplated in the definition of "organized teaching profession" for that purpose;
- 15 (c) not more than 20 members being experts appointed by the Minister after consultation with every Minister of a department of State responsible for education; and
- (d) an officer in the employment of the State appointed by the Minister, with due regard to the laws relating to the Public Service, as the executive officer of the council.

20 4. Except in so far as it relates to a matter contemplated in section 3 (1) of the Universities and Technikons Advisory Council Act, 1983 (Act No. 99 of 1983), the council shall, with regard to formal, informal and non-formal education, including teacher training—

Functions of council.

- 25 (a) advise the Minister on any matter contemplated in section 2 (1);
- (b) advise every Minister of a department of State responsible for education on any aspect regarding co-operation between the various departments of State responsible for education.
- 30

5. There is hereby established a committee called the Committee of Heads of Education Departments consisting of—

Establishment of Committee of Heads of Education Departments.

- 35 (a) the head of the department of State for general affairs responsible for general education matters or a person in the employment of that Department designated by the Minister, who shall be the chairman;
- (b) the heads of the other departments of State responsible for education;
- 40 (c) the head of a provincial education department designated by the Committee of Heads of Education contemplated in section 6 of the National Education Policy Act, 1967 (Act No. 39 of 1967).

6. The committee shall—

Functions of committee.

- 45 (a) advise the Minister on any matter contemplated in section 2 (1);
- (b) advise the Minister and every Minister of a department of State responsible for education on any aspect regarding co-operation between the various departments of State responsible for education.

50 7. (1) The council and the committee may establish committees and sub-committees, respectively, to assist them in the performance of their functions, and may appoint persons who are not members of the council or the committee to be members of those committees and sub-committees.

Committees and sub-committees of council and committee.

55 (2) The council or committee shall appoint a person from the organized teaching profession as a member of every committee or subcommittee, as the case may be, contemplated in subsection (1).

(3) The chairman of a committee established under subsection 60 (1) shall be appointed by the council from among its members.

8. (1) Meetings of the council and the committee shall be held at such times and places as the chairman of the council or the committee, as the case may be, may determine.

Meetings of council and committee.

Wet No. 76, 1984

WET OP DIE NASIONALE BELEID VIR ALGEMENE
ONDERWYSSAKE, 1984

(2) Die verrigtinge van die raad of die komitee is nie ongeldig bloot op grond van die feit dat daar 'n vakature in die raad of komitee bestaan nie.

(3) Indien die voorsitter van die raad of die komitee van 'n vergadering van die betrokke liggaam afwesig is, moet die aanwesige lede iemand uit hul geledere kies om by daardie vergadering voor te sit.

(4) Die raad en die komitee kan, met die goedkeuring van die Minister, reëls opstel met betrekking tot die prosedure by hul vergaderings, met inbegrip van die kworum vir hul vergaderings, en enige ander aangeleentheid wat hulle noodsaaklik of dienstig ag vir die behoorlike verrigting van hulle werksaamhede of die uitoefening van hulle bevoegdhede.

(5) Die raad en die komitee moet elkeen elke jaar aan die Minister 'n verslag voorlê oor hul werksaamhede gedurende die voorafgaande jaar.

(6) Die Minister lê afskrifte van elke sodanige verslag in die Parlement ter Tafel binne veertien dae na ontvangs daarvan indien die Parlement dan in gewone sitting is, of, indien die Parlement dan nie in gewone sitting is nie, binne 14 dae na die aanvang van sy cersvolgende gewone sitting.

Toelaes en
besoldiging van
lede van raad en
komitee.

9. Daar kan aan 'n lid van die raad of die komitee en aan 'n persoon wat kragtens artikel 7 (1) as lid van 'n komitee of subkomitee aangestel is en wat nie in die heeltidse diens van die Staat is nie ten opsigte van die dienste deur so 'n lid of persoon in verband met die sake van die raad of komitee gelewer, uit geld deur die Parlement vir dié doel bewillig—

(a) die reis-, verblyf- en ander toelaes; en

(b) in die geval van 'n voorsitter bedoel in artikel 3 (a), indien hy nie in die heeltidse diens van die Staat is nie, 30 daARBENEWENS die besoldiging,

betaal word wat die Minister, met die instemming van die Minister van Finansies, bepaal.

Administratiewe
werksaamhede van
raad en komitee.

10. Die administratiewe werksaamhede van die raad en die komitee word deur beamptes van die Staatsdepartement vir algemene sake verantwoordelik vir algemene onderwysake verrig.

Kort titel en
inwerkingtreding.

11. Hierdie Wet heet die Wet op die Nasionale Beleid vir Algemene Onderwysake, 1984, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

NATIONAL POLICY FOR GENERAL EDUCATION AFFAIRS ACT,
1984

Act No. 76, 1984

(2) The proceedings of the council or the committee shall not be invalid merely by virtue of the fact that there is a vacancy in the council or the committee.

(3) If the chairman of the council or the committee is absent from a meeting of the body in question, those members of the body in question who are present shall elect a person from among their number to take the chair at that meeting.

(4) The council and the committee may, with the approval of the Minister, draw up such rules regarding the procedure at their meetings, including the quorum for their meetings, and any other matter as they may deem necessary or expedient for the proper performance of their functions or the exercise of their powers.

(5) The council and the committee shall each in each year submit to the Minister a report on their activities during the preceding year.

(6) The Minister shall lay copies of every such report on the Table of Parliament within fourteen days after receipt thereof if Parliament is then in ordinary session, or, if Parliament is not then in ordinary session, within 14 days after the commencement of its next ensuing ordinary session.

9. A member of the council or the committee and a person appointed under section 7 (1) as a member of a committee or sub-committee who is not in the full-time employment of the State may, in respect of the services rendered by that member or person in connection with the affairs of the council or committee, from money appropriated for that purpose by Parliament be paid—

Allowances and remuneration of members of council and committee.

(a) such travelling and subsistence and other allowances; and

(b) in the case of a chairman contemplated in section 3 (a), if he is not in the full-time employment of the State, such remuneration in addition,

as the Minister, with the concurrence of the Minister of Finance, may determine.

10. The administrative functions of the council and the committee shall be performed by officers of the department of State for general affairs responsible for general education matters.

Administrative functions of council and committee.

11. This Act shall be called the National Policy for General Education Affairs Act, 1984, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

Short title and commencement.

