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**No. 34245**

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## GOVERNMENT NOTICE

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### DEPARTMENT OF HIGHER EDUCATION AND TRAINING

No. 372

21 April 2011

#### SKILLS DEVELOPMENT ACT, 1998 (ACT NO. 97 OF 1998)

#### APPOINTMENT OF THE SERVICES SECTOR EDUCATION AND TRAINING AUTHORITY SETA (SERVICES SETA) ADMINISTRATOR

I, Gwebinkundla Felix Qonde, Acting Director-General: Department of Higher Education and Training, by virtue of the powers vested in me by section 15(2) of the Skills Development Act, 1998 (Act No. 97 of 1998) hereinafter referred to as the Act, hereby suspend the Accounting Authority (AA) of the Services SETA as directed by the Minister of Higher Education and Training in terms of section 15(1) and section 15(4) of the Act; and in terms of section 15(2)(d) hereby directs the transfer of all of the funds in the Services SETA's bank account to the National Skills Fund with immediate effect; and

Appoint Dr S Moon as an Administrator for a period of six (6) months from the date of publication of this notice to take over the administration of the Services SETA that was established in terms of Government Notice No. R.1055 in *Government Gazette* 33756 of 11 November 2010, read with Government Notice No. R. 252 in *Government Gazette* 34155 of 25 March 2011 and the appointment which may be reviewed at the expiry of the said period.

**The Powers and Duties of this Administrator shall be as indicated in Schedule 1 of this Notice.**

**Mr. Gwebinkundla Felix Qonde**  
**Acting Director-General: Department of Higher Education and Training**  
**20 April 2011**

**SCHEDULE 1****POWERS AND DUTIES OF THE ADMINISTRATOR****1. Powers of the administrator are as follows:**

- (a) Take over the role of the accounting authority of the Services SETA as provided for in the Public Finance Management Act (PFMA), 1999 (Act No. 1 of 1999) and the relevant Regulations;
- (b) Transfer all of the funds in the Services SETA's bank account to the National Skills Fund with immediate effect;
- (c) Establish, if necessary, with the Minister's approval, chambers as provided for in sections 12 and 13 of the Act;
- (d) Review the terms and conditions of employment of the Services SETA employees where necessary;
- (e) Suspend, institute disciplinary proceedings or replace, where it is necessary any of the officials of the Services SETA for reasons as contemplated in relevant legislation;
- (f) Facilitate the review of a constitution for the Services SETA in terms of section 13 of the Act and other relevant legislation for approval and publication by the Minister if necessary;
- (g) Facilitate the appointment of a new Services SETA Accounting Authority;
- (h) Ensure the management of the Services SETA funds in liaison with the Department of Higher Education and Training (DHET) using the relevant provisions of the Act and as provided for the PFMA Act, 1999 and the relevant Regulations;
- (i) Make rules relating to Services SETA and chamber meetings, financial matters, general procurements and administrative matters which are in accordance with the provisions of the Constitution of the Republic of South Africa, 1996, the Act or any applicable law.

**2. Duties of the Administrator shall include the following:**

- (a) The Administrator will work closely with the:
  - Acting Chief Executive Officer of the Services SETA;

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- Established joint working committees comprising of Sector Experts;
  - The key stakeholders of the Services SETA and their subsequent delegated committees or officials;
  - Acting Director-General: Department of Higher Education and Training.
- (b) Perform the functions of Services SETA in terms of the Act, the Public Finance Management Act 1999 and other relevant legislation;
- (c) Transfer of all of the funds in the Services SETA's bank account to the National Skills Fund with immediate effect;
- (d) Ensure the management of the National Skills Development Strategy III within the Services SETA;
- (e) Ensure proper management of the Services SETA funds in liaison with the DHET using the relevant provisions of the Act and as provided for in the PFMA Act, 1999 and the relevant Regulations;
- (f) Ensure submission of the progress report with regard to the developments pertaining to the administrative progress of the Services SETA to the acting Director-General: Department of Higher Education and Training;
- (g) Perform any such other tasks as may be delegated or instructed by the Minister or acting Director-General: Department of Higher Education and Training, relating to the SETA from time to time;
- (h) Conclude the project and submit a close out report to the Department of Higher Education and Training.
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