



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

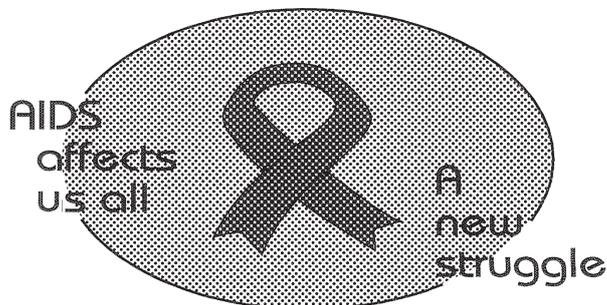
**Provincial Gazette
Igazethi Yephondo
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BISHO/KING WILLIAM'S TOWN
26 FEBRUARY 2016
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No. 3600

We all have the power to prevent AIDS



**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

Prevention is the cure

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Government Printing Works

Notice submission deadlines

Government Printing Works has over the last few months implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submit your notice request.

In line with these business rules, GPW has revised the notice submission deadlines for all gazettes. Please refer to the GPW website www.gpwonline.co.za to familiarise yourself with the new deadlines.

CANCELLATIONS

Don't forget!

Cancellation of notice submissions are accepted by GPW according to the deadlines stated in the table above. Non-compliance to these deadlines will result in your request being failed. **Please pay special attention to the different deadlines for each gazette.**

Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

take note!

With effect **from 01 October**, GPW will not longer accept amendments to notices. The cancellation process will need to be followed and a new notice submitted thereafter for the next available publication date.

CUSTOMER INQUIRIES



Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a **2-working day turnaround time for processing notices** received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

PROOF OF PAYMENTS

REMINDER

GPW reminds you that all notice submissions **MUST** be submitted with an accompanying proof of payment (PoP) or purchase order (PO). If any PoP's or PO's are received without a notice submission, it will be failed and your notice will not be processed.

When submitting your notice request to submit.egazette@gpw.gov.za, please ensure that a purchase order (GPW Account customer) or proof of payment (non-GPW Account customer) is included with your notice submission. All documentation relating to the notice submission must be in a single email.

A reminder that documents must be attached separately in your email to GPW. (In other words, your email should have an Adobe Form plus proof of payment/purchase order – 2 separate attachments – where notice content is applicable, it should also be a 3rd separate attachment).

REMINDER OF THE GPW BUSINESS RULES

- Single notice, single email – with proof of payment or purchase order.
- All documents must be attached separately in your email to GPW.
- 1 notice = 1 form, i.e. each notice must be on a separate form
- Please submit your notice **ONLY ONCE**.
- Requests for information, quotations and inquiries must be sent to the Contact Centre **ONLY**.
- The notice information that you send us on the form is what we publish. Please do not put any instructions in the email body.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

National, Provincial, Road Carrier Permits and Tender notices will pay the price as published in the Government Gazettes.

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Gazette *Page*
No. *No.*

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

3	Eastern Cape Adjustments Appropriation Act (8/2015): Publication for general information that the Premier of Eastern Cape has assented to the Act	3600	4
4	Eastern Cape Fort Cox Institute Interim Provisions Act (7/2015): Publication for general information.....	3600	25

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 3 OF 2016

PROVINCE OF THE EASTERN CAPE

PROVINCIAL NOTICE

OFFICE OF THE PREMIER

**EASTERN CAPE ADJUSTMENTS APPROPRIATION
ACT 2015, ACT NO. 8 OF 2015**

It is hereby published for general information that the Premier of the Province of the Eastern Cape has assented to the above-mentioned Act.

PROVINCE OF THE EASTERN CAPE

ADJUSTMENTS APPROPRIATION ACT, 2015
(EASTERN CAPE)

ACT NO. 8 OF 2015 (EC)

<p>BILL PROVINCE OF THE EASTERN CAPE Assented To in Terms of Section 121 R.W. Section 123, 124 And 127 OF Act 106 OF 1996</p>
<p><i>[Handwritten Signature]</i> Signature</p>
<p>21-12-2015 Date</p>
<p>G.P. MASUALLE Full Names</p>
<p>TITLE PREMIER- ACTING PREMIER (Delete whichever is not applicable)</p>
<p>(NOTE: ON THE DATE HEREOF, ENGLISH IS THE ONLY OFFICIAL LANGUAGE OF THE PROVINCE)</p>

ACT NO 8 OF 2015 (EC) ADJUSTMENT'S APPROPRIATION ACT, 2015 (EASTERN CAPE)

ACT

To appropriate amounts of money for the requirements of the Province of the Eastern Cape for the Financial year ending 31 March 2016 and to provide for matters incidental thereto.

BE IT ENACTED by the Legislature of the Province of the Eastern Cape, as follows:-

Appropriation of amounts of money for the requirements of the Province of the Eastern Cape.

1. Subject to the provisions of the Public Finance Management Act, 1999 (Act No. 1 of 1999), there is hereby appropriated adjusted amounts of money from and to the Departments into and out of the Provincial Revenue Fund for the requirements of the Province of the Eastern Cape in respect of the financial year ending 31 March 2016, the adjusted amount of R1,446,294,000 (one billion four hundred and forty six million two hundred and ninety four thousand) as shown in the schedule hereto.

Short title

2. This Act is called the Adjustments Appropriation Act, 2015 (Eastern Cape).

ACT NO 8 OF 2015 (EC) ADJUSTMENTS APPROPRIATION ACT, 2015 (EASTERN CAPE)

ADJUSTMENTS APPROPRIATION ACT, 2015 (EASTERN CAPE)

SCHEDULE PER DEPARTMENT

VOTE	DEPARTMENT	AMOUNT R'000
1	Office of the Premier	252,753
2	Provincial Legislature	37,463
3	Health	527,788
4	Social Development	30,910
5	Roads and Public Works	130,127
6	Education	253,136
7	Cooperative Governance and Traditional Affairs	(21,859)
8	Rural Development and Agrarian Reform	7,076
9	Economic Development, Environmental Affairs and Tourism	60,062
10	Transport	63,652
11	Human Settlements	106,350
12	Provincial Treasury	(23,560)
14	Sport, Recreation, Arts and Culture	19,373
15	Safety and Liaison	3,023
	TOTAL	1,446,294

Annexure A - Details of 2015/16 Adjustment Estimates								
Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
		R'000	R'000	R'000	R'000	R'000	R'000	R'000
1.	Office of the Premier	252,753	404	21,688	-	228,955	796	-
	<i>Aim:</i>							
	Coordinating functions of the provincial administration through the provision of the strategic leadership in policy development, planning and implementation support.							
	1. Administration	231,670	7,954	21,385	-	201,635	796	-
	<i>Aim:</i>							
	To provide efficient and effective support to the Premier, the Director General and the department in achieving its mandate.							
	<i>Of which</i>							
	Compensation of Employees		7,954					
	Goods and Services			21,385				
	Provinces and Municipalities					2		
	Departmental agencies and accounts					200,000		
	Households					1,533		
	Machinery and equipment						796	
	2. Institutional Building and Transformation	15,944	(2,650)	(9,736)	-	28,330	-	-
	<i>Aim:</i>							
	To provide institutional development and organisational support services to ensure that the provincial government has sufficient capacity to effectively and efficiently deliver on its mandate.							
	<i>Of which</i>							
	Compensation of Employees		(2,650)					
	Goods and Services			(9,736)				
	Public Corporations and Private Enterprises					10,000		
	Higher Education Institutions					18,330		
	3. Policy and Governance	285	(6,090)	6,355	-	-	-	-
	<i>Aim:</i>							
	To ensure the monitoring and evaluation of performance of the provincial government, and the coordination of provincial policies and planning.							
	<i>Of which</i>							
	Compensation of Employees		(6,090)					
	Goods and Services			6,355				
	4. Executive Support Services	4,874	1,190	3,684	-	-	-	-
	<i>Aim:</i>							
	To provide effective and efficient Executive support services to the Premier, the Executive Council, Office of The Premier and other Executive Structures of the provincial government.							
	<i>Of which</i>							
	Compensation of Employees		1,190					
	Goods and Services			3,684				

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
2	Provincial Legislature	37,463	(531)	24,963	-	15,531	(2,500)	-
	<i>Aim:</i> The Eastern Cape Provincial Legislature strives to deepen democracy, promote development, build a better life for all through law-making, effective public participation and vigorous oversight.							
	1. Administration	15,463	-	15,963	-	-	(2,500)	-
	<i>Aim:</i> Provides political and administrative leadership to the Legislature to strengthen provincial, national and international relations.							
	<i>Of which:</i>							
	Goods and Services			15,963			(2,500)	
	Machinery and equipment							
	2. Facilities for Members and Political Parties	17,000	(531)	2,000	-	15,531	-	-
	<i>Aim:</i> Render administrative support services to political office-bearers and MPLs with regard to facilities and benefits.							
	<i>Of which:</i>							
	Compensation of Employees		(531)					
	Goods and Services			2,000				
	Non-profit institutions					15,531		
	3. Parliamentary Services	7,000	-	7,000	-	-	-	-
	<i>Aim:</i> To strengthen strategic management for the division's effectiveness, improve management, access and sharing of information, improve parliamentary support for an effective oversight function of the Legislature, and improve parliamentary support for effective public education.							
	<i>Of which:</i>							
	Goods and Services			7,000				

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
3	Health	527,788	166,850	275,221	-	12,279	73,498	-
	<i>Aim: To provide and ensure accessible comprehensive integrated services in the Eastern Cape, emphasizing the primary health care approach, optimally utilizing all resources to enable all its present and future generations to enjoy health and quality of life.</i>							
	1. Administration	52,227	7,837	31,767	-	-	12,623	-
	<i>Aim: To conduct the strategic management and overall administration of the department.</i>							
	<i>Of which</i>							
	Compensation of Employees		7,837					
	Goods and Services			31,767				
	Machinery and equipment						11,723	
	Software and intangible assets						800	
	2. District Health Services	181,605	78,282	141,481	-	(14,016)	(23,942)	-
	<i>Aim: Renders Primary Health Care Services and District Hospital Services.</i>							
	<i>Of which</i>							
	Compensation of Employees		78,282					
	Goods and Services			141,481				
	Provinces and Municipalities					6,676		
	Departmental agencies and accounts					1,308		
	Higher education institutions							
	Households					(22,000)		
	Machinery and equipment						(23,942)	
	3. Emergency Medical Services	100,193	63,811	-	-	-	36,382	-
	<i>Aim: Renders pre-hospital emergency medical services including inter-hospital transfers and planned patient transport.</i>							
	<i>Of which</i>							
	Compensation of Employees		63,811					
	Machinery and Equipment						36,382	
	4. Provincial Hospital Services	99,598	52,607	71,989	-	(27,334)	2,336	-
	<i>Aim: Ensures the delivery of hospital services, which are accessible, appropriate, effective and provide general specialist services, including a specialized rehabilitation service, as well as a platform for training health professionals and research.</i>							
	<i>Of which</i>							
	Compensation of Employees		52,607					
	Goods and Services			71,989				
	Households					(27,334)		
	Buildings and other fixed structures							
	Machinery and equipment						2,336	
	5. Central Hospital Services	35,981	-	(329)	-	-	36,710	-
	<i>Aim: Provides tertiary health services and creates a platform for the training of health workers.</i>							
	<i>Of which</i>							
	Compensation of Employees							
	Goods and Services			(329)				
	Buildings and other fixed structures						3,285	
	Machinery and equipment						33,425	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
6.	Health Sciences and Training	35,443	(40,237)	25,165	-	53,629	(3,114)	-
	<i>Aim: Provides training and development services to actual and potential employees of the department.</i>							
	<i>Of which</i>							
	Compensation of Employees		(40,237)					
	Goods and Services			25,165				
	Departmental agencies and accounts					(9,320)		
	Higher Education institutions					(25,000)		
	Households					87,949		
	Machinery and equipment						(3,114)	
	Conditional Grants:							
7.	Health Care Support Services	679	679	-	-	-	-	-
	<i>Aim: Renders support services required by the department to realise its objectives.</i>							
	<i>Of which</i>							
	Compensation of Employees		679					
8.	Health Facilities Management	21,462	3,871	5,148	-	-	12,443	-
	<i>Aim: Provides new health facilities, upgrades and maintains existing community health centres and Primary Health Care facilities.</i>							
	<i>Of which</i>							
	Compensation of Employees		3,871					
	Goods and Services			5,148				
	Buildings and other fixed structures						122,502	
	Machinery and Equipment						(110,059)	

No.	Title	Total per Vote and Main Division	Details of appropriation 2015/16					Payments for Capital Assets	Payments for Financial Assets
			Current Payments			Transfers and Subsidies			
			Compensation of Employees	Goods and Services	Other				
4	Social Development	30,910	36,991	6,641	-	(25,700)	13,978	-	
	<i>Aim: To transform our society by building conscious and capable citizens through the provision of integrated social development services.</i>								
	1. Administration	8,111	(559)	5,195	-	-	3,475	-	
	<i>Aim: Captures strategic management and support services at all levels of the department.</i>								
	<i>Of which</i>								
	Compensation of Employees		(559)						
	Goods and Services			5,195					
	Buildings and other fixed structures						3,018		
	Machinery and Equipment						(675)		
	Software and other intangible assets						1,132		
	2. Social Welfare Services	(5,150)	(14,855)	460	-	2,800	6,445	-	
	<i>Aim: Provides integrated developmental social welfare services to the poor and vulnerable in partnership with stakeholders and civil society organisations.</i>								
	<i>Of which</i>								
	Compensation of Employees		(14,855)						
	Goods and Services			460					
	Non-profit institutions					2,800			
	Buildings and other fixed structure						5,990		
	Machinery and Equipment						455		
	3. Children and Families	5,582	29,499	506	-	(28,000)	3,657	-	
	<i>Aim: Provides comprehensive child and family care and support services to communities in partnership with stakeholders and civil society organisations.</i>								
	<i>Of which</i>								
	Compensation of Employees		29,499						
	Goods and Services			506					
	Non-profit institutions					(28,000)			
	Machinery and equipment						3,657		
	4. Restorative Services	13,000	15,000	-	-	(2,000)	-	-	
	<i>Aim: Provides integrated developmental social welfare services to the poor and vulnerable in partnership with stakeholders and civil society organisations.</i>								
	<i>Of which</i>								
	Compensation of Employees		15,000						
	Non-profit institutions					(2,000)			
	5. Development and Research	9,387	7,905	(520)	-	1,500	501	-	
	<i>Aim: Provides sustainable development programmes which facilitates empowerment of communities, based on empirical research and demographic information.</i>								
	<i>Of which</i>								
	Compensation of Employees		7,905						
	Goods and Services			(520)					
	Households					1,500			
	Buildings and other fixed structures						2,000		
	Machinery and equipment						(1,499)		

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
8	Roads and Public Works	190,127	(25,000)	152,034	-	15,948	(12,855)	-
	<i>Aim:</i> A custodian of provincial government immovable assets and a provider of sustainable infrastructure resulting in socio-economic reforms, sector transformation and development.							
	1. Administration	35,834	10,400	23,000	-	-	2,534	-
	<i>Aim:</i> Provides administrative, strategic, financial and corporate support services in order to ensure that it delivers on its mandate in an integrated, efficient, effective and sustainable manner.							
	<i>Of which</i>							
	Compensation of Employees		10,400					
	Goods and Services			23,000				
	Machinery and equipment						2,534	
	2. Public Works Infrastructure	43,085	(2,900)	29,168	-	15,885	932	-
	<i>Aim:</i> Provides a balanced and equitable provincial government building infrastructure by promoting accessibility that is sustainable, integrated and environmentally sensitive, which supports economic development and social empowerment. It plans, regulates and facilitates the provision of government buildings infrastructure through co-operation with local authorities.							
	<i>Of which</i>							
	Compensation of Employees		(2,900)					
	Goods and Services			29,168				
	Provinces and Municipalities					15,885		
	Buildings and other fixed structures						932	
	3. Transport Infrastructure	(71,992)	(39,000)	(7,884)	-	63	(24,571)	-
	<i>Aim:</i> To promote accessibility and the safe, affordable movement of people, goods and services through the delivery and maintenance of transport infrastructure that is sustainable, integrated and environmentally sensitive, which supports and facilitates social empowerment and economic growth.							
	<i>Of which</i>							
	Compensation of Employees		(39,000)					
	Goods and Services			(7,884)				
	Households					63		
	Buildings and other fixed structures						(29,821)	
	Machinery and Equipment						250	
	Software and other intangible assets						5,000	
	4. Expanded Public Works Programme	122,500	6,500	107,750	-	-	8,250	-
	<i>Aim:</i> The implementation of programmes and strategies that lead to the development and empowerment of communities and contractors. This includes the provincial management and co-ordination of the Expanded Public Works Programme.							
	<i>Of which</i>							
	Compensation of Employees		6,500					
	Goods and Services			107,750				
	Buildings and other fixed structures						8,250	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
6	Education	259,136	(351,993)	559,182	-	186,365	(140,408)	-
	<i>Aim: To implement appropriate and relevant educational programmes through quality teaching and learning, and at the same time mobilizing community and stakeholder support through participation and to institutionalize a culture of accountability at all levels of the department.</i>							
	1. Administration	315,929	68,131	223,016	-	-	23,776	-
	<i>Aim: Provides overall management of the education system in accordance with the National Education Policy Act and other policies/legislation.</i>							
	<i>Of which</i>							
	Compensation of Employees		68,131					
	Goods and Services			223,016				
	Machinery and equipment						21,466	
	Software and other intangible assets						2,311	
	2. Public Ordinary Schools	(89,059)	(509,367)	351,141	-	82,014	(12,847)	-
	<i>Aim: Provides for public ordinary schools from grades 1 to 12, in accordance with the current legislation.</i>							
	<i>Of which</i>							
	Compensation of Employees		(509,367)					
	Goods and Services			351,141				
	Non-profit Institutions					1,210		
	Households					80,804		
	Machinery and Equipment						(12,847)	
	3. Independent Schools	(1,210)	-	-	-	(1,210)	-	-
	<i>Aim: Supports independent schools in accordance with the South African Schools Act.</i>							
	<i>Of which</i>							
	Non-profit institutions					(1,210)		
	4. Public Special Schools	68,243	68,243	5,362	-	(5,362)	-	-
	<i>Aim: Provides compulsory public education in special schools in accordance with the South African Schools Act and White Paper 6 on Inclusive education, including e-learning and the inclusive education.</i>							
	<i>Of which</i>							
	Compensation of Employees		68,243					
	Goods and Services			5,362				
	Non-profit institutions					(5,362)		
	5. Early Childhood Development	(41,665)	-	(41,665)	-	-	-	-
	<i>Aim: Provides Early Childhood Development at the grade R and pre-grade R in accordance with White Paper 5 (e-learning is also included).</i>							
	<i>Of which</i>							
	Goods and Services			(41,665)				
	6. Infrastructure Development	(137,467)	-	-	-	17,248	(154,715)	-
	<i>Aim: Provides and maintains infrastructure facilities for schools and non-schools.</i>							
	<i>Of which</i>							
	Provinces and Municipalities					7,248		
	Non Profit Institutions					10,000		
	Buildings and other fixed structures						(154,715)	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
7.	Examination and Education Related Services	136,371	20,000	21,328	-	93,665	3,378	-
	<i>Aim: Provides education institutions as a whole with examination related services.</i>							
	<i>Of which</i>							
	Compensation of Employees		20,000					
	Goods and Services			21,328				
	Departmental agencies and accounts					87,000		
	Non-profit institutions					6,665		
	Machinery and Equipment						3,378	

No.	Title	Total per Vote and Main Division	Details of appropriation 2015/16					
			Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
7	Co-operative Governance and Traditional Affairs	(21,858)	(12,164)	20,413	-	(37,349)	7,241	-
	<i>Aim: To promote a developmental local state and traditional institutions that are accountable, focused on citizen's priorities and capable of delivering high-quality services consistently and sustainably through co-operative governance and participatory democracy.</i>							
	1. Administration	14,513	(158)	10,268	-	1,151	3,252	-
	<i>Aim: Provide overall management in the department in accordance with all applicable acts and policies.</i>							
	<i>Of which</i>							
	Compensation of Employees		(158)					
	Goods and Services			10,268				
	Households					1,151		
	Machinery and equipment						3,252	
	2. Local Governance	(21,604)	(16,370)	(5,264)	-	-	30	-
	<i>Aim: Promotes and facilitates viable and sustainable local governance.</i>							
	<i>Of which</i>							
	Compensation of Employees		(16,370)					
	Goods and Services			(5,264)				
	Machinery and equipment						30	
	3. Development and Planning	(37,120)	(3,935)	3,173	-	(40,000)	3,642	-
	<i>Aim: Promotes Integrated Development Planning and facilitate the development of credible and simplified IDPs.</i>							
	<i>Of which</i>							
	Compensation of Employees		(3,935)					
	Goods and Services			3,173				
	Provinces and Municipalities					(40,000)		
	Buildings and other fixed structures						3,595	
	Machinery and equipment						27	
	Software and other intangible assets						30	
	4. Traditional Institutional Management	13,175	6,739	4,936	-	1,500	-	-
	<i>Aim: Promote and facilitate viable and sustainable Traditional Institutions.</i>							
	<i>Of which</i>							
	Compensation of Employees		6,739					
	Goods and Services			4,936				
	Households					1,500		
	5. House of Traditional Leaders	9,177	1,560	7,300	-	-	817	-
	<i>Aim: Exercise oversight and participate in the promulgation of legislation by the Provincial Legislature, and oversee service delivery by government departments and municipalities on matters of African culture, customs, traditions and the general economic and developmental welfare of traditional communities.</i>							
	<i>Of which</i>							
	Compensation of Employees		1,560					
	Goods and Services			7,300				
	Machinery and equipment						817	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
B	Rural Development and Agrarian Reform	7,076	(11,324)	(1,202)	-	6,000	13,602	-
	<i>Aim:</i> Promote, support and coordinate Rural Development and Agrarian Reform interventions to reduce poverty and underdevelopment through job creation, integrated food security programmes, and equitable participation in development by all rural communities.							
	1. Administration	18,865	(5,000)	14,228	-	9,000	797	-
	<i>Aim:</i> To manage and formulate policy directives and priorities and to ensure there is appropriate support services to all programmes with regard to finance, personnel, information, communication and procurement.							
	<i>Of which</i>							
	Compensation of Employees		(5,000)					
	Goods and Services			14,228				
	Households					9,000		
	Machinery and equipment						797	
	2. Sustainable Resources Management	(7,147)	(9,000)	167	-	-	1,686	-
	<i>Aim:</i> To provide agricultural support services to farmers in order to ensure sustainable development and management of agricultural resources.							
	<i>Of which</i>							
	Compensation of Employees		(9,000)					
	Goods and Services			167				
	Buildings and other fixed structures						2,912	
	Machinery and equipment						(1,226)	
	3. Farmers Support and Development Services	4,821	(324)	(1,527)	-	-	6,472	-
	<i>Aim:</i> To provide support to farmers through agricultural development programmes.							
	<i>Of which</i>							
	Compensation of Employees		(324)					
	Goods and Services			(1,527)				
	Buildings and other fixed structures						1,017	
	Machinery and equipment						5,455	
	4. Veterinary Services	(7,077)	(9,000)	1,455	-	-	468	-
	<i>Aim:</i> To provide veterinary services to clients in order to ensure healthy animals, safe animal products and the welfare of South Africans.							
	<i>Of which</i>							
	Compensation of Employees		(9,000)					
	Goods and Services			1,455				
	Machinery and equipment						468	
	5. Research and Technology Development Services	(6,882)	3,500	(12,330)	-	(9,000)	10,968	-
	<i>Aim:</i> To provide expert and needs based research, development and technology transfer services impacting on development objectives.							
	<i>Of which</i>							
	Compensation of Employees		3,500					
	Goods and Services			(12,330)				
	Departmental agencies and accounts					(9,000)		
	Building and other fixed structures						10,165	
	Machinery and equipment						3,633	
	Biological Assets						(2,820)	
	6. Agricultural Economics Services	1,134	2,000	(1,860)	-	6,000	(6,006)	-
	<i>Aim:</i> To provide timely and relevant agricultural economic services to the sector in support of sustainable agricultural and agri-business development to increase economic growth.							
	<i>Of which</i>							
	Compensation of Employees		2,000					
	Goods and Services			(1,860)				
	Departmental agencies and accounts					6,000		
	Buildings and other fixed structures						(5,431)	
	Machinery and equipment						425	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
7.	Structured Agricultural Education and Training	1,442	2,500	965	-	-	(2,023)	>
	<i>Aim:</i> To facilitate and provide structured agricultural education and training in line with the Agricultural Education and Training Strategy to all participants in the agricultural sector in order to establish a knowledgeable, prosperous and competitive sector.							
	<i>Of which</i>							
	Compensation of Employees		2,500					
	Goods and Services			965				
	Buildings and other fixed structures						(2,802)	
	Machinery and equipment						779	
8.	Rural Development Coordination	2,000	4,000	(2,300)	-	-	300	-
	<i>Aim:</i> To develop, plan, and monitor rural development coordination of the various departments and organize social facilitation in relation to community priorities and organizational structures.							
	<i>Of which</i>							
	Compensation of Employees		4,000					
	Goods and Services			(2,300)				
	Machinery and Equipment						300	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
9	Economic Development, Environmental Affairs and Tourism	60,082	5,842	30,470	-	(51,150)	74,900	-
	<i>Aim: To lead economic and environmental management in the Eastern Cape.</i>							
	1. Administration	4,017	3,400	617	-	-	-	-
	<i>Aim: Provide leadership, strategic management in accordance with legislation, regulations, policies, and ensures appropriate support service to all other programmes.</i>							
	<i>Of which</i>							
	Compensation of Employees		3,400					
	Goods and Services			617				
	2. Economic Development and Tourism	54,950	100	31,100	-	(51,150)	74,900	-
	<i>Aim: Administer sustainable economic policies and developing appropriate strategies to promote business development and job creation. The overall goal of the programme is to sustain economic development through policies and partnership.</i>							
	<i>Of which</i>							
	Compensation of Employees		100					
	Goods and Services			31,100				
	Provinces and Municipalities					79,000		
	Departmental agencies and accounts					(130,150)		
	Buildings and other fixed structures						74,900	
	3. Environmental Affairs	1,095	2,342	(1,247)	-	-	-	-
	<i>Aim: Administer environmental policies that are cascaded from national level. The portfolio is also responsible for developing strategies in line with the mandate of the department. Importantly, the component regulates developments and biodiversity through instruments such as environmental impact assessments, compliance and enforcement.</i>							
	<i>Of which</i>							
	Compensation of Employees		2,342					
	Goods and Services			(1,247)				

Details of Vote		Details of Appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
10	Transport	63,652	20,361	9,388	-	4,705	29,198	-
	<i>Aim:</i> Provide, facilitate, develop, regulate, and enhance safe, affordable and reliable multi-modal transport system which is integrated with land uses to ensure improving levels of accessibility and optimal mobility of people and goods in support of socio-economic growth and development in the province of the Eastern Cape.							
	1. Administration	7,018	1,948	2,802	-	1,770	498	-
	<i>Aim:</i> Provides the department with the overall management, administrative, strategic, financial and corporate support services in order to ensure that it delivers on its mandate in an integrated, efficient, effective, and sustainable manner.							
	<i>Of which</i>							
	Compensation of Employees		1,948					
	Goods and Services			2,802				
	Households					1,770		
	Machinery and Equipment						498	
	2. Transport Infrastructure	(3,177)	(8)	(3,446)	-	131	146	-
	<i>Aim:</i> To plan for the provision of transport services, facilities and infrastructure including provision of support and co-ordination of the Integrated Transport Planning at the local sphere.							
	<i>Of which</i>							
	Compensation of Employees		(8)					
	Goods and Services			(3,446)				
	Households					131		
	Machinery and Equipment						146	
	3. Transport Operation	56,076	14,677	7,156	-	2,754	31,489	-
	<i>Aim:</i> To plan, regulate and facilitate the provision of public transport services and infrastructure through own provincial resources and through cooperation with local authorities, as well as the private sector in order to enhance the mobility of all communities.							
	<i>Of which</i>							
	Compensation of Employees		14,677					
	Goods and Services			7,156				
	Public Corporations and Private Enterprises					350		
	Households					2,404		
	Buildings and other fixed structures						29,813	
	Machinery and equipment						1,576	
	4. Transport Regulation	3,724	3,724	2,935	-	-	(2,935)	-
	<i>Aim:</i> To ensure adequate road safety engineering on provincial roads and ensure that all vehicles registered in the province are licensed each year and that all drivers are appropriately authorised to drive their vehicles while also promoting road safety awareness.							
	<i>Of which</i>							
	Compensation of employees		3,724					
	Goods and Services			2,935				
	Machinery and equipment						(2,935)	
	5. Community Based Programme	11	20	(9)	-	50	-	-
	<i>Aim:</i> To ensure delivery of accessible services through integrated, socially just, developmental and empowering processes in order to improve the quality of life of communities within the province by way of community development programmes.							
	<i>Of which</i>							
	Compensation of employees		20					
	Goods and Services			(9)				
	Households					50		

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
11	Human Settlements	106,350	(2,326)	9,161	-	102,325	(2,611)	-
	<i>Aim: Facilitate and co-ordinate provision of quality, integrated and sustainable human settlement that offer our communities a better living environment.</i>							
	1. Administration	783	(1,777)	5,080	-	581	(3,111)	-
	<i>Aim: Provides overall management in the department in accordance with all applicable acts and policies.</i>							
	<i>Of which</i>							
	Compensation of Employees		(1,777)					
	Goods and Services			5,080				
	Households					581		
	Machinery and equipment						(3,111)	
	2. Housing Needs, Research and Planning	536	125	75	-	285	40	-
	<i>Aim: To facilitate and undertake housing delivery planning.</i>							
	<i>Of which</i>							
	Compensation of Employees		125					
	Goods and Services			75				
	Households					285		
	Machinery and Equipment						40	
	3. Housing Development	104,445	(594)	3,956	-	100,903	180	-
	<i>Aim: To provide individual subsidies and housing opportunities to beneficiaries in accordance with the housing policy.</i>							
	<i>Of which</i>							
	Compensation of Employees		(594)					
	Goods and Services			3,956				
	Households					100,903		
	Machinery and Equipment						180	
	4. Housing Asset Management	587	(80)	50	-	537	80	-
	<i>Aim: To facilitate, coordinate and manage the implementation of the social housing, rental housing and land acquisition programmes for housing development purposes.</i>							
	<i>Of which</i>							
	Compensation of Employees		(80)					
	Goods and Services			50				
	Households					537		
	Machinery and Equipment						80	

Details of Vote		Details of appropriation 2015/16						
No.	TITLE	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
12	Provincial Treasury	(29,560)	(37,629)	10,666	-	3,124	279	-
	<i>Aim: To provide strategic and technical leadership in the allocation, management and utilisation of financial resources in order to improve the quality of life in the province.</i>							
	1. Administration	(1,199)	(7,182)	5,704	-	-	279	-
	<i>Aim: Provide leadership and strategic management and appropriate support services to all other programmes.</i>							
	<i>Of which</i>							
	Compensation of Employees		(7,182)					
	Goods and Services			5,704				
	Machinery and equipment						279	
	2. Sustainable Resource Management	(7,214)	(7,601)	(559)	-	946	-	-
	<i>Aim: Ensures the effective and efficient planning, utilisation, implementation and monitoring of provincial resources.</i>							
	<i>Of which</i>							
	Compensation of Employees		(7,601)					
	Goods and Services			(559)				
	Households					946		
	3. Asset & Liabilities Management	(4,480)	(4,771)	308	-	3	-	-
	<i>Aim: Provides a policy direction, promote and enforce transparency and effectiveness of supply chain management and Asset Management in the province.</i>							
	<i>Of which</i>							
	Compensation of Employees		(4,771)					
	Goods and Services			308				
	Households					3		
	4. Financial Governance	(1,901)	(6,722)	3,091	-	1,790	-	-
	<i>Aim: To promote accountability through comprehensive accounting practices, financial activities, governance as well as compliance with financial norms and standards in PFMA compliant institutions and financial systems management.</i>							
	<i>Of which</i>							
	Compensation of Employees		(6,722)					
	Goods and Services			3,091				
	Households					1,790		
	5. Municipal Financial Governance	(8,786)	(11,353)	2,182	-	385	-	-
	<i>Aim: Provides support to the achievement of sound and sustainable financial management at municipal level through the provision of technical support, and capacity building in the following areas: budgeting, accounting practices, supply chain management, asset management, governance, as well as Municipal Finance Management Act.</i>							
	<i>Of which</i>							
	Compensation of Employees		(11,353)					
	Goods and Services			2,182				
	Households					385		

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
14	Sports, Recreation, Arts and Culture	19,373	(1,109)	11,843	-	9,856	4,783	-
	<i>Aim: To develop and promote sport, recreation, arts and culture for spiritual, intellectual, physical and material advancement of the people of the Eastern Cape.</i>							
	1. Administration	19,047	3,162	8,600	-	722	563	-
	<i>Aim: To provide political leadership and administrative support to the department and to provide an enabling environment for the implementation of the department's mandate.</i>							
	<i>Of which</i>							
	Compensation of Employees		3,162					
	Goods and services			8,600				
	Provinces and Municipalities					10		
	Departmental agencies and accounts					(241)		
	Households					853		
	Machinery and equipment						563	
	2. Cultural Affairs	634	(1,392)	1,546	-	1,191	(811)	-
	<i>Aim: Responsible for actualising and maximizing the preservation, conservation, promotion and development of arts and culture, museums and heritage and the provision of language services.</i>							
	<i>Of which</i>							
	Compensation of Employees		(1,392)					
	Goods and Services			1,546				
	Households					1,191		
	Machinery and equipment						(811)	
	3. Libraries and Archives	4,880	(971)	(1,050)	-	763	6,198	-
	<i>Aim: To promote access to information, developing and sustaining a reading culture, regularising good records keeping and preservation of provincial heritage and social memory.</i>							
	<i>Of which</i>							
	Compensation of Employees		(971)					
	Goods and Services			(1,050)				
	Households					763		
	Buildings and other fixed structures						6,333	
	Machinery and equipment						(2,195)	
	4. Sport and Recreation	912	(1,908)	2,747	-	1,180	(1,107)	-
	<i>Aim: Provides assistance to provincial sport associations and other relevant bodies to stimulate the development of sport. Formulate inputs regarding sport policy regarding sport programmes. Stimulate and present capacity building programmes. Control, promote, and develop the provincial sport academy. Develop and contribute towards sport marketing strategies. Facilitate development of facilities with a view to improving the life of a disadvantaged. Promote and develop sport tourism through major events.</i>							
	<i>Of which</i>							
	Compensation of Employees		(1,908)					
	Goods and Services			2,747				
	Non-profit institutions					650		
	Households					530		
	Machinery and equipment						(1,107)	

Details of Vote		Details of appropriation 2015/16						
No.	Title	Total per Vote and Main Division	Current Payments			Transfers and Subsidies	Payments for Capital Assets	Payments for Financial Assets
			Compensation of Employees	Goods and Services	Other			
15	Safety and Liaison	3,023	(84)	2,341	-	244	522	-
	<i>Aim: To make the Eastern Cape the leading province in providing a safe and secure environment that supports growth and development through liaison with the relevant stakeholders.</i>							
	1. Administration							
	<i>Aim: To promote professional, competitive and customer focused work environment.</i>	3,480	1,186	1,528	-	244	522	-
	<i>Of which</i>							
	Compensation of Employees		1,186					
	Goods and services			1,528				
	Departmental Agencies and accounts					160		
	Households					84		
	Machinery and equipment						522	
	2. Civilian Oversight	(457)	(1,270)	813	-	-	-	-
	<i>Aim: To exercise oversight function with regards to law enforcement agencies in the province.</i>							
	<i>Of which</i>							
	Compensation of Employees		(1,270)					
	Goods and Services			813				
	Total for all Votes	1,446,294	(211,712)	1,134,809	-	466,034	60,163	-

CERTIFIED AS CORRECT AS PASSED BY THE PROVINCIAL LEGISLATURE
 SIGNATURE: *pp. Mampurba*
 DATE: *09/2/2015*
 SECRETARY TO PROVINCIAL LEGISLATURE

PROVINCIAL NOTICE 4 OF 2016

PROVINCE OF THE EASTERN CAPE

PROVINCIAL NOTICE

OFFICE OF THE PREMIER

**EASTERN CAPE FORT COX INSTITUTE INTERIM
PROVISIONS ACT 2015, ACT NO. 7 OF 2015**

It is hereby published for general information that the Premier of the Province of the Eastern Cape has assented to the above-mentioned Act.

PROVINCE OF THE EASTERN CAPE

**FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015
(EASTERN CAPE)**

Act No 7 of 2015

<p>BILL PROVINCE OF THE EASTERN CAPE Assented To in Terms of Section 121 F.W. Section 123, 124 And 127 OF Act 108 OF 1996</p>
<p><i>[Handwritten Signature]</i></p> <p>Signature</p>
<p><i>21-12-2015</i></p> <p>Date</p>
<p><i>G.P. MASUAE</i></p> <p>Full Names</p>
<p>TITLE PREMIER- ACTING PREMIER (Delete whichever is not applicable)</p>
<p>(NOTE: ON THE DATE HEREOF, ENGLISH IS THE ONLY OFFICIAL LANGUAGE OF THE PROVINCE)</p>

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

ACT

To repeal the Fort Cox Institute Decree, to provide for the continued existence of the Fort Cox Institute as an autonomous institution, to provide for the administration and control of the affairs of the Institute and to provide for matters incidental thereto.

BE IT ENACTED by the Legislature of the Province of the Eastern Cape as follows: -

Definitions

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

"Academic Board" means the academic board of the Institute constituted in terms of section 19;

"advanced education" means education in agriculture and forestry which is of a standard higher than that which is or would ordinarily be prescribed for grade 12;

"Council" means the council constituted in terms of section 7;

"Department" means the department responsible for the administration of this Act;

"ex-officio member" means a non-voting member of the Council;

"Head of Department" means the Head of Department;

"higher education institution" means an institution as defined in the Higher Education Act, 1997 (Act No. 101 of 1997);

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

"Institute" means the Fort Cox Agriculture and Forestry Training Institute contemplated in section 3;

"labour representative" means a person representing a union operating in the Institute;

"MEC" means the Member of the Executive Council responsible for the administration of this Act;

"organised labour" means recognized unions operating in the Institute;

"principal" means the principal of the Institute referred to in section 2;

"SRC" means the Students' Representative Council;

"student" means a person registered to study at the Institute;

"student representative" means a person registered to study at the Institute and elected by the SRC to represent them on the Council;

"this Act" includes the regulations;

"the existing institution" means the Fort Cox Agricultural Institute in the district of Middledrift; and

"Province" means the Province of the Eastern Cape established by section 103 of the Constitution.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

2. FUNCTIONS OF THE INSTITUTE**(1) The Institute must –**

- (a) Develop and maintain effective and well-coordinated Agricultural Education and Training programmes that are integrated at all levels and applied research that respond appropriately to South African Agriculture, Forestry and Rural Development.
- (b) Provide Rural Wealth Creation programmes and applied research for rural areas of the Province.
- (c) Provide advanced education in Agriculture, Forestry and related disciplines.
- (d) Provide such other education and training, whether on a full-time or part-time basis, as the Council may determine with the approval of the MEC.
- (e) Align the Agricultural Education and Training curricula with urgent challenges faced by the South African Agriculture, Forestry and Rural Development sector especially in the Province.
- (f) Enhance equitable access and meaningful participation in Agricultural Education and Training by all South Africans.
- (g) Recognise credits from other credible higher education institutions.

(2) The Institute may, with the approval of the MEC, acting with the concurrence of the Minister for Higher Education and Training and the Minister for Agriculture, Forestry and Fisheries, enter into any agreement with any higher education institute or other institution or body or any department of State, regarding –

- (a) the exercise, development or extension of the activities of the College, including farm management and any research;
- (b) the provision of teaching or training personnel, whether on secondment or

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

otherwise;

- (c) the procedure to be adopted for the identification and selection of students;
- (d) the educational and training methods to be followed, and the maintenance, improvement and monitoring of such training generally;
- (e) the curriculum to be followed in respect of any course;
- (f) staff and student evaluation procedures;
- (g) develop relevant policies pertaining to the running of the Institute; and
- (h) generally any other matter concerning the promotion and maintenance of the quality of education and training offered by the Institute and the enhancement of its status.

3. CONSTITUTION OF THE INSTITUTE

The Institute must consist of the: -

- (a) Council;
- (b) Principal;
- (c) Academic Board; and
- (d) Staff and students of the Institute.

4. PRINCIPAL OF THE INSTITUTE

- (1) The principal is the administrative head of the Institute and must be appointed by the Council, subject to the approval of the MEC.
- (2) Whenever the post of the principal becomes vacant, or the principal is for any reason incapable of carrying out his or her duties, the Council, with the concurrence of the MEC, may designate a member of the staff of the Institute or any other suitable person to act as principal.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (3) Any acting principal must hold office as such until the permanent incumbent returns to duty or his or her successor is appointed, as the case may be.

5. FUNCTIONS OF THE PRINCIPAL

The principal must -

- (a) Be the accounting officer of the Institute;
- (b) Manage the affairs of the Institute;
- (c) Perform all the functions of an accounting officer contemplated in the Public Finance Management Act, 1999 (Act No. 1 of 1999) and all other relevant legislation;
- (d) Manage the appointment of staff of the Institute within applicable prescripts;
- (e) Develop and submit strategic plans for approval by the Council;
- (f) Develop and submit the annual operational plan together with the annual budget for approval by the Council and further submission thereof to the Department;
- (g) Be ultimately accountable for all formal and non-formal aspects of the programmes offered by the Institute;
- (h) Manage the staff of the Institute;
- (i) Manage facilities and infrastructure of the Institute;
- (j) Facilitate local, provincial, national and international partnerships, subject to the Board and the MEC's concurrence on international partnerships; and
- (k) Subject to the approval of the Board, facilitate fundraising for the Institute.

6. FUNCTIONS OF THE COUNCIL

- (1) The primary role of the Council is to provide support to the principal of the Institute in areas of leadership and governance to ensure that the Institute is managed professionally.
- (2) Governance of and control over the Institute vests in the Council.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (3) The Council must -
- (a) ensure the sound management of the Institute, and support the principal of the Institute in carrying out his or her work;
 - (b) promote the best interests of the Institute;
 - (c) ensure the provision of quality Agricultural Education and Training programmes at the Institute;
 - (d) give strategic guidance to the Institute;
 - (e) develop a constitution and code of conduct for students and staff;
 - (f) oversee development of rules and procedures on any matter relating to students and staff at the Institute;
 - (g) oversee the administration of all the Institute's infrastructure;
 - (h) recommend to the MEC the appointment of the principal of the Institute;
 - (i) review and approve budgets of the Institute subject to applicable legislation;
 - (j) review and approve the Institute's academic programmes and related matters;
 - (k) oversee the development and implementation of an internal quality assurance system;
 - (l) adjudicate on academic issues that cannot be resolved by Institute management; and
 - (m) oversee performance of the principal.

7. CONSTITUTION OF THE COUNCIL

- (1) The Council must be appointed by the MEC and must consist of -
- (a) the principal who must be an ex-officio member;
 - (b) three members from the Department nominated by the MEC;
 - (c) two members of the teaching staff of institutions of higher learning in the Province nominated by their Councils;

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (d) six other members by virtue of their qualifications, skills, expertise, experience and knowledge in the fields of agriculture, forestry, rural development, law, financial management and business;
 - (e) one member nominated by organised labour to serve as an ex officio member;
 - (f) one SRC member who is a registered student and nominated by the SRC to serve as an ex officio member;
 - (g) one member of the Provincial Agricultural Education and Training Forum to serve as an ex-officio member; and
 - (h) one member of the local community nominated by the community.
- (2) A body, organization or person contemplated in subsection (1) (c), (e), (f), (g) and (h) must nominate a person to represent them on the Council and must submit such nominations to the MEC for consideration.

8. TERM OF OFFICE

- (1) A member of the Council, other than the principal, may hold office for a period of three years.
- (2) Any member whose term of office has expired is eligible for reappointment for one further term.
- (3) Despite subsection (1), the MEC may, by notice in the *Gazette*, after consultation with the Council, extend the term of office of all the Council members for a period of six months, but he or she may only extend the term of office of the Council twice.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

9. DISQUALIFICATION FROM APPOINTMENT TO OR REMAINING A MEMBER OF THE COUNCIL

(1) A person is disqualified from being appointed or remaining a member of the Council if that person -

- (a) is or becomes a Member of the National Assembly or National Council of Provinces, any provincial legislature, municipal council or is in the full-time employ of an organ of state with the exception of the representatives of the Department contemplated in section 7;
- (b) is not a South African citizen or a permanent resident in the Republic;
- (c) is or becomes subject to a final order of court whereby his or her estate is sequestrated under the Insolvency Act, 1936 (Act 24 of 1936), or if his or her estate is sequestrated in terms of the laws of any other country or territory by a competent court or agency of such country or territory, or if he or she has assigned his or her estate for the benefit of his or her creditors;
- (d) is declared by a competent court to be of unsound mind or suffers a mental illness or has a severe or profound intellectual disability as contemplated in the Mental Health Care Act, 2002 (Act 17 of 2002);
- (e) has been convicted, whether in the Republic or elsewhere, of theft, fraud, forgery or uttering a forged document, perjury, or any offence involving dishonesty or of any offence in terms of the Prevention of Corruption Act, 1958 (Act 6 of 1958), the Corruption Act, 1992 (Act 94 of 1992), Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 or the Companies Act, 2008 (Act 71 of

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (f) 2008), or of contravening this Act, irrespective of whether such imprisonment was wholly or partly suspended or not;
 - (g) has been convicted of an offence, other than an offence contemplated in paragraph (e) and sentenced to imprisonment without the option of a fine for a period of not less than three months, irrespective of whether such imprisonment was wholly or partly suspended or not;
 - (h) without authorisation discloses or improperly acts on information gained as a result of his or her membership of the Council; or
 - (i) contravenes the Council's code of conduct
- (2) A body, organization or person by whom any member was nominated to the Council may at any time, and on good cause shown, withdraw such member from the Council.

10. RESIGNATION OF A MEMBER AND VACATING OF OFFICE

- (1) A Member of the Council may at any time resign from the Council upon one month's written notice tendered to the chairperson who must immediately inform the MEC and the Council accordingly.
- (2) A member of the Council who resigns as contemplated in subsection 1 must vacate his or her office at the end of the notice period contemplated therein.
- (3) A member of the Council ceases to be a member and must vacate his or her office with immediate effect if he or she -
- (a) is no longer eligible in terms of section 9 to be a member; or
 - (b) is removed from office by the MEC in terms of section 11.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

11. REMOVAL OF MEMBER OF COUNCIL, DISSOLUTION OF COUNCIL AND APPOINTMENT OF INTERIM COUNCIL

- (1) The MEC may, after due process, remove a member of the Council from office on account of any or all of the following -
 - (a) misconduct;
 - (b) contravention of the Council's code of conduct;
 - (c) inability to perform the duties of his or her office efficiently; and
 - (d) absence from three consecutive meetings of the Council without the permission of the Council, except on good cause shown.

- (2) The MEC may, after due process, dissolve the Council, if it fails in any or all of the following -
 - (a) achieving its objectives in terms of this Act; and
 - (b) carrying out its duties.

- (3) Upon the dissolution of the Council contemplated in subsection (2), the MEC must appoint an interim Council consisting of between seven and nine members.

- (4) The MEC must appoint the interim Council within 30 days after the dissolution of the Council, and the term of office of the interim Council may not exceed six months.

- (5) The MEC must appoint the chairperson and deputy chairperson of the interim Council.

- (6) The provisions of this Act regarding the Council apply to the interim Council.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

12. FILLING OF VACANCIES

Any vacancy in the Council must be filled for the unexpired portion of the term of office of the member whose seat has become vacant in accordance with the relevant provisions of section 7.

13. CHAIRPERSON AND DEPUTY CHAIRPERSON

- (1) The MEC must appoint a chairperson and the Council must appoint a deputy chairperson.
- (2) The deputy chairperson must, if the chairperson is for any reason unable to act as chairperson, perform all the functions of the chairperson and may exercise all the powers of the chairperson.
- (3) If both the chairperson and the deputy chairperson are for any reason unable to preside at a Council meeting, the members present must elect one of the members to preside at that meeting, and the person elected may perform all the functions and exercise all the powers of the chairperson.
- (4)
 - (a) A chairperson or deputy chairperson may vacate office as such, and such vacation does not terminate his or her membership of the Council.
 - (b) If the chairperson or deputy chairperson has vacated office as contemplated in subsection (a), the MEC must appoint a chairperson or deputy chairperson from the Council members for the remaining term of office of the Council.

14. MEETINGS OF COUNCIL

- (1) The MEC must, as soon as is practicable after the appointment of a Council for the first term of office, determine the time and place of its first meeting.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (2) The Council must determine the time and place of subsequent meetings of the Council.
- (3) The Council meets as often as circumstances require, but at least four times in every financial year.
- (4) A majority of Council members constitutes a quorum at a meeting.
- (5) Every Council member, including the chairperson, has one vote and in the event of an equality of votes, the chairperson of the meeting has a casting vote in addition to his or her deliberative vote.
- (6) Subject to the approval of the Council, any person who is not a Council member may attend or take part, but may not vote, in a meeting of the Council.
- (7) The Council must adopt governance rules which provides for the conduct of proceedings at meetings and recording of the proceedings including the governance rules for special meetings.

15. DECISIONS OF COUNCIL

- (1) A decision of the majority of Council members present at any duly constituted meeting constitutes a decision of the Council.
- (2) No decision taken by or act performed under the authority of the Council is invalid by reason of -
 - (a) a vacancy on the Council at the time the decision was taken or the act was authorised; or

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (b) the fact that any person who was not entitled to sit as a Council member, participated in the meeting at the time the decision was taken or the act was authorised, if the members who were present at the time followed the required procedure for decisions.

16. COUNCIL COMMITTEES

- (1) The Council may establish committees to assist in discharging its responsibilities.
- (2) The Council may co-opt any person outside the Council to sit in a committee if that person has skills and expertise, and he or she must serve in an advisory capacity without voting powers.
- (3) The Council has the power to determine the mandate, composition, powers, functions and duration of any board committee and may amend these from time to time, or dis-establish any such committee.
- (4) Council committees are accountable to the Council and must keep records of their proceedings and resolutions in the same manner as the Council.

17. DELEGATIONS BY THE COUNCIL

- (1) The Council must develop a system of delegation to maximise administrative and operational efficiency and provide for adequate checks and balances, and, in accordance with that system, may -
- (a) in writing, delegate appropriate powers, excluding the power to establish a committee, prescribe governance rules for a committee, and disburse funds, to a committee, the principal, a member of the Council or an employee of the Institute; and

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (c) approve the delegation of any of the powers delegated to the principal by the Council or granted to him or her under this Act to any employee of the Institute.
- (2) A delegation in terms of subsection (1) -
- (a) is subject to such limitations and conditions as the Council may impose;
 - (b) may authorise sub-delegation; and
 - (c) does not divest the Council or principal in the delegated power.
- (3) The Council may confirm, vary or revoke any decision taken by the committee, the Principal, a member of the Council or an employee of the Institute as a result of a delegation in terms of subsection (1).

18. FUNCTIONS OF THE ACADEMIC BOARD

The Academic Board –

- (a) must exercise such powers of and control over the institution, training and discipline of the students of the Institute as are conferred upon it by the Council.
- (b) must advise the Council in regard to any matter which the Council may refer to it for its advice;
- (c) may make such recommendations to the Council on matters of academic interest as it may deem expedient or necessary; and
- (d) must develop a Policy on Recognition of Prior Learning.

19. CONSTITUTION OF THE ACADEMIC BOARD

- (1) The Academic Board of the Institute must consist of -
- (a) the principal, who must be the chairperson;

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (b) two persons who are members of the Council designated by the Council;
- (c) deputy principal/s, heads of academic departments and total quality assurance manager and such academic, management and staff members of the Institute as the Council may from time to time determine;
- (d) one SRC member; and
- (e) such additional persons from the Industry as may be determined by the Council.

20. COMMITTEES OF THE ACADEMIC BOARD

The Academic Board may from time to time establish committees consisting of members of the board or members of the Council and other persons, as it may deem necessary.

21. DELEGATIONS BY THE ACADEMIC BOARD

The provisions of section 17 apply with the necessary changes to delegations by the Academic Board.

22. ALLOWANCES TO COUNCIL MEMBERS AND TO BOARD MEMBERS

A member of the Council or Board who is not an employee of the State or the Institute may be paid such allowances as the MEC with the concurrence of the MEC for Finance, may determine.

23. THE STUDENTS' REPRESENTATIVE COUNCIL

- (1) The Students' Representative Council must be elected by the students of the Institute.
- (2) The composition mode of election, term of office, functions and duties of the Students' Representative Council must be as prescribed by the rules made by the Students' Representative Council and approved by the Council

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

24. APPOINTMENT OF STAFF AND CONDITIONS OF SERVICE

- (1) The establishment of the Institute shall consist of -
 - (a) The posts established by Council on a basis to be determined by the MEC from time to time, with the concurrence of the MEC for Finance.
 - (b) The other posts in respect of which the MEC is of the opinion that no basis can be determined and which he may establish from time to time; provided that the Council may establish such posts as the MEC may designate from time to time.
- (2) The power to appoint, promote, transfer, second or discharge members of teaching, staff and other employees of the Institute shall vest in the Council; provided that the appointment, promotion, transfer, secondment or discharge of members of the teaching and administrative staff in such posts as the MEC may determine shall be subject to his/her approval.
- (3) No person shall be permanently appointed under the provisions of subsection (2), whether on probation or not, unless he complies with such requirements as may be prescribed by the MEC or by regulation.
- (4) The conditions of service of the persons employed by the Institute (including salary scales, allowances and leave privileges, and the conditions and circumstances under which the persons concerned may be required to become and remain members of any medical scheme or medical benefit schemes) shall be determined by the Council with the approval of the MEC and the concurrence of the MEC for Finance.

25. ADMISSION AND REGISTRATION OF STUDENTS

- (1) A person may be admitted or registered as a student of the Institute if he or she –

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (a) Has obtained the grade 12 certificate and / or National Senior Certificate, issued and confirmed by the Department of Basic Education, or any other certificate deemed by the Council to be equivalent to the said grade 12 certificate as evaluated by the South African Qualifications Authority, or satisfied the Recognition of Prior Learning Policy of the Institute; or
 - (b) Has obtained any qualification, whether of an academic or practical nature, recognised by the Council as adequate for the purpose of registration for any particular course of study in terms of its Recognition of Prior Learning Policy; or
 - (c) Complies with such other requirements as the Council may determine; and
 - (d) Pays the fees determined by the Council.
- (2) The Council may, for registration of any specific course of study at the Institute, require that a specific grade in any specific subject must have been attained at the grade 12 examination or its equivalent.
- (3) A person must be registered as a student of the Institute for one semester of study unless the Council has determined otherwise.
- (4) The Council may, after consultation with the Academic Board, limit the number of persons to be permitted to register for any course, in which case the Academic Board may select the persons who must be permitted to register for such course, with the proviso that no discrimination on the basis of race, gender, language, disability, culture or belief must be permitted.
- (5) The Council may, on recommendation of the Academic Board, recognise as equivalent to an examination required as a necessary qualification by the Council, an examination which has been passed by any person at any other educational institution regarded by the Council as the equal of the Institute, for the purpose of such person's obtaining a certificate or diploma at the Institute, provided such person

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

must at least have been successful in the examinations of the two semesters of the final year of study at the Institute.

- (6) On the expiry of a semester of study that person must, if he or she desires to remain a student of the Institute, renew his or her registration.
- (7) The Council may, after consultation with the Academic Board, determine the minimum requirements in respect of study with which any particular person must comply before he or she be permitted to renew his or her registration as a student of the Institute in terms of the academic policy of the Institute.

26. REFUSAL OF ADMISSION AND REGISTRATION AS STUDENTS

The Board may refuse to register any person as a student of the Institute if he or she does not meet the admission and registration requirements as contemplated in section 24.

27. DISCIPLINE AND PLACES OF RESIDENCE OF STUDENTS

- (1) A student of the Institute must be subject to such disciplinary measures as may be prescribed by rules and regulations made by the Council.
- (2) The Council must make rules and regulations in respect of students residing in residences of the Institute.

28. FINANCIAL ASSISTANCE TO STUDENTS

The MEC may, out of moneys lawfully appropriated for the purpose, and subject to such conditions as he or she may determine with the concurrence of the MEC for Finance,

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

grant to a student of the Institute such financial assistance as the MEC may deem appropriate.

29. FEES PAYABLE BY STUDENTS

The fees payable by a student or a prospective student of the Institute must be approved by the Council.

30. PROGRAMME OF STUDY AND DEPARTMENTS

The Council may, together with the Academic Board, establish or abolish any department or programme of study at the Institute.

31. SYLLABUS

A syllabus of any programme of study established in terms of this Act must be endorsed by the Council on the recommendations of the Academic Board.

32. RECOGNITION AND REGISTRATION OF CERTIFICATES AND DIPLOMAS

- (1) The Institute must not issue any certificate or diploma indicating that a person has passed an examination or completed a programme of study at the Institute, unless such certificate or diploma has been endorsed by the Council.
- (2) The provisions of the Higher Education Act of 1997 (Act 101 of 1997), must apply *mutatis mutandis* in respect of the certificates or diplomas of the Institute.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

33. FUNDS OF THE INSTITUTE

The funds of the Institute must consist of –

- (a) Money appropriated by the Provincial Legislature;
- (b) Fees paid by students;
- (c) Income derived from investments; and
- (d) Money accruing to the Institute from any other source.

34. ACCOUNTS AND RECORDS TO BE KEPT AND INFORMATION TO BE FURNISHED BY COUNCIL

- (1) The Council must, in accordance with generally accepted accounting principles, practice and procedure cause -
 - (a) Keeping of books, and full records of income, expenditure, assets and liabilities;
 - (b) Preparation of financial statements within 3 months of the end of the year, including at least -
 - i. a statement of income and expenditure for the previous year; and
 - ii. a balance sheet as at the end of the previous year;
 - iii. any other information the MEC may require.
 - (c) Full and true accounts and records to be kept of all moneys received or expended by or on behalf of the Institute and of all its assets and liabilities and of all relevant financial transactions, and must each year present to the MEC a balance sheet and a full statement of the income and expenditure of the Institute for the preceding financial year, together with a report on the work of the Council during that year.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

- (2) The Council must cause the books, accounts, records and balance sheet of the Institute to be audited annually by an auditor in accordance with generally accepted auditing standards.
- (3) The Council must submit to the MEC –
 - (a) a certified copy of the auditor's report in respect to the financial statements referred to in subsection (1);
 - (b) a report on the work of the Council and on the status of the Institute for the preceding year;
 - (c) and any other additional information, particulars or documents the MEC may require.

35. DELEGATION OF POWERS AND DUTIES BY THE MEC

- (1) The MEC may authorize any officer of the Department to exercise or to perform any power or duty conferred or imposed on him or her by this Act other than the power to make regulations.
- (2) The provisions of section 17 apply with the necessary changes to delegations by the MEC.

36. PROTECTION OF POWERS OF THE INSTITUTE

A vacancy in the office of the principal or deficiency in the number of members of the Board or the academic council must not prejudice or affect the corporate existence of the Institute or the exercise of any power, right or privilege conferred by this Act upon the Institute or the Board.

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

37. OFFENCES AND PENALTIES

Any person who, without the authority of the Council, –

- (a) publicizes or represents to anyone that he or she or some other person can offer any course of study or part thereof which is offered at the Institute, and which must entitle a person who has followed such a course or part thereof to the granting of any certificates or diploma which may be granted by the Institute; or
- (b) confers a certificate or diploma purporting to be a certificate or diploma granted by the Institute; or
- (c) performs any act which purports to have been performed by or on behalf of the Institute; or
- (d) establishes or conducts an institution which is not the Institute under a name which includes or resembles the name of the Institute;
- (e) is guilty of an offence and liable on conviction to a fine not exceeding one thousand rand, or to imprisonment for a period not exceeding six months.

38. REGULATIONS

The MEC may make regulations on any matter he or she deems appropriate for the purposes of achieving the objectives of this Act.

39. SAVINGS

1. The Fort Cox Institute of Agriculture must continue to exist as a juristic person and must, from the date of publication hereof, be known as the Fort Cox Agriculture and Forestry Training Institute.
2. The Registrar of Deeds must, upon the production to him of the title deed of any immovable property referred to in subsection (1) (c) endorse the same to the effect that the immovable property therein described is vested in the Institute and make the

ACT NO 7 OF 2015 (EC) FORT COX INSTITUTE INTERIM PROVISIONS ACT, 2015 (EASTERN CAPE)

necessary entries in his/her registers, and thereupon the said title deed must serve and avail for all purposes as the title deed of the Institute to the said property but subject to the provisions of section 3(2).

40. TRANSITIONAL PROVISIONS

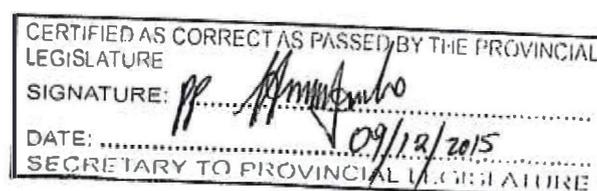
1. The assets and liabilities of the Fort Cox Agriculture and Forestry College must be assets and liabilities of the Institute
2. The legal framework which applied to appointment and conditions of employment prior to the repeal of the Decree shall continue to apply despite the repeal of the Decree.
3. The current Academic Council and Board must be deemed to be the Academic Board and Council, respectively, and must continue to be in office for a period of six months from the date of operation of the Act or until a new Council and Academic Board are constituted in terms of the Act, whichever comes first.

41. REPEAL OF LAWS

The Fort Cox College Decree, 1991 (Decree No. 5 of 1991, Ciskei) is hereby repealed.

42. SHORT TITLE AND COMMENCEMENT

This Act is called the Fort Cox Agricultural Institute Transitional Provisions Act, 2015, and comes into operation on a date determined by the Premier by Proclamation in the *Gazette*.



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