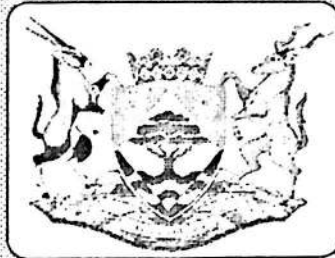


PROVINCE OF THE NORTHERN CAPE

PROFENSI YA KAPA-BOKONE



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PREMIER'S NOTICE

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No. 9

11 June 1999

PROVINCE OF THE NORTHERN CAPE

OFFICIAL NOTICE BY THE PREMIER OF THE NORTHERN CAPE

SPECIAL ALLOWANCES OF MEMBERS OF THE PROVINCIAL LEGISLATURE OF THE NORTHERN CAPE

In terms of section 6 (3) (a) of the Remuneration of Public Office Bearers Act, 1998 (Act No. 20 of 1998), I hereby determine that a once-off special allowance equal to one-twelfth of the total annual remuneration payable to a Member of the Provincial Legislature of the Northern Cape, shall be payable to a person who, on 1 June 1999—

- (a) is a Member of the said Provincial Legislature; and
- (b) is not subsequently designated as a representative by the Electoral Commission in terms of item 16 of Schedule 2 to the Constitution of the Republic of South Africa Act, 1993 (Act No. 200 of 1993), as amended by Annexure A to Schedule 6 to the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996), pursuant to the election of the said provincial Legislature on 2 June 1999:

Provided that, subject to the above provisions, no allowance is payable in terms of this Notice to a person who, within one month of 1 June 1999, is elected or appointed to any office under the State and receives or will receive remuneration for serving in that office.

Given under my Hand at Kimberley this 8th day of June 1999.

E. M. DIPICO
Premier

DRAFT

REGULATIONS FOR THE ESTABLISHMENT OF THE EDUCATION AND TRAINING COUNCIL

PREAMBLE

The Member of the Executive Council for Education, Training, Arts and Culture has in terms of section 32 (7) of the Northern Cape School Education Act, 1996 (Act No. 6 of 1996, the Act), made these regulations for the establishment of the Education and Training Council.

CHAPTER ONE: DEFINITIONS

1. Definitions

- (a) Subject to subregulation (2) and unless the context indicates otherwise, a word is defined in the Act shall have the same meaning in these regulations.
- (b) In these regulations, unless the context indicates otherwise—
 - "department staff"** means employees of the department;
 - "designated"** organisation means an organisation designated by the Member of the Executive Council in terms of regulation 3;
 - "educational institution"** means any institution for the education of students;
 - "head of institution"** means the Chief Executive Officer of any educational institution;
 - "nominated member"** means a member of the council nominated in terms of regulation 2(1), 2(2) or 2(3);
 - "student"** means any person enrolled at any educational institution other than a school.

CHAPTER TWO: EDUCATION AND TRAINING COUNCIL

2. Composition of Council

The following persons shall be appointed by the Member of the Executive Council as members of the Education and Training Council:

- (1) One representative nominated by—
 - (a) each Regional Council established in terms of section 39 of the Act; and
 - (b) each Specialist Council established in terms of section 45 of the Act.
- (2) One representative nominated by each designated organisation representing the following institutions in the province:
 - (a) Parents of learners enrolled at school;
 - (b) educators;
 - (c) learners enrolled at school;
 - (d) students;
 - (e) heads of institutions;
 - (f) principals;
 - (g) departmental staff;
 - (h) governing bodies of public schools;
 - (i) private educational institutions;
 - (j) private schools;
 - (k) non-governmental education organisations;
 - (l) business;
 - (m) labour.

- (3) One representative nominated by each training board in the province.
- (4) One representative nominated by the provincial colts oversight committee.
- (5) Subject to subregulations (6) and (7) such persons as the Member of the Executive Council in his or her discretion may appoint as members of the Council.
- (6) Persons appointed in terms of subregulation (5) shall be persons who are by virtue of their experiences or expertise, able to make a valuable contribution to education in the province.
- (7) The total number of persons appointed in terms of subregulation (5) shall be less than 20% of the total number of members of the Council at the time of the appointment of such persons.

3. Designation of organisations for membership of Council

- (1) The Member of the Executive Council may on written application by an organisation representing a constituency contemplated in regulation 2(2) or 2(3) declare it to be a designated organisation if—
 - (a) it has a written constitution which provides for the membership of the organisation in a manner which does not violate the provisions of section 8 of the constitution; and
 - (b) he or she is satisfied that the organisation represents a significant proportion of the relevant constituency in the province.
- (2) If a Member of the Executive Council rejects an application by an organisation to be declared a designated organisation, he or she shall provide that organisation with written reasons for the decision to reject the application.
- (3) The designation of an organisation shall be valid for a period of two years.
- (4) On the expiry of the period of two years contemplated in subregulation (3) an organisation may re-apply for designation in terms of subregulation 1.
- (5) After 1 January 2000 any decision by the Member of the Executive Council to declare an organisation to be a designated organisation shall be taken after consultation with the Council.

4. Withdrawal of designation of organisation

- (1) The Member of the Executive Council may, after consultation with the Council, withdraw the designation of an organisation—
 - (a) if the organisation so request;
 - (b) if the organisation ceases to be qualified for designation in terms of regulation 3(1); or
 - (c) if a representative of the organisation has failed to attend three consecutive meetings of the council and the council has passed a resolution requesting the Member of the Executive Council to withdraw the designation of the organisation.
- (2) The Member of the Executive Council may not withdraw the designation of an organisation unless he or she has given the organisation an opportunity to make representations relating to any decision to withdraw its designation.
- (3) The Member of the Executive Council shall duly consider such representations referred to in subregulation (2) and furnish the organisation with reasons, in writing for his/her decision.

5. Terms of office of members of Council

- (1) Subject to these regulations, the term of office of a Member of the Council shall be two years from the date upon which he or she is appointed by the Member of the Executive Council.
- (2) A nominated Member of the Council may, at any time, have his or her nomination withdrawn by the Regional Council, Specialist Council or designated organisation which nominated him or her.
- (3) If the nomination of a nominated Member of the Council is withdrawn, he or she shall immediately cease to be a Member of the Council and the relevant Regional Council, Specialist Council or designated organisation may nominate another representative to replace that person as a Member of the Council.
- (4) A person replacing a nominated member of the Council in terms of subregulation (3) shall be a Member of the Council for the remainder of the term of office of the nominated Member of the Council whom he or she replaces.

- (5) A member of the Council who was nominated by an organisation whose designation has been withdrawn shall cease to be a Member of the Council on the date on which the Member of the Executive Council withdraws the designation of the organisation.
- (6) Notwithstanding the provisions of this regulation, the Member of the Executive Council may extend the term of office of any Member of the Council for a period not exceeding one year.
- (7) "In the event of a vacancy occurring in the Council, other than as contemplated herein, such vacancy shall be filled in accordance with regulation (2)."
- (8) "When a vacancy is filled as contemplated in subregulation (7) the provisions contained in subregulation (4) shall apply *mutatis mutandis*".

6. Executive committee

- (1) At the first meeting of the Council it shall elect an executive committee consisting of the following members:
 - (a) A chairperson;
 - (b) a vice-chairperson;
 - (c) a treasurer;
 - (d) a public relations officer;
 - (e) a liaison officer.
- (2) The Head of Department shall preside over the election of a chairperson of the Council, where upon the chairperson shall take over the chairing of the meeting to preside over the election of the rest of the Executive Committee members as contemplated in subregulation 9.
- (3) The Head of Department shall appoint a person designated in terms of regulation 8 as administrative officer for the Council.
- (4) The administrative officer shall be a non-voting Member of the Executive Council.

7. Administration of finance

The Council shall—

- (1) control in accordance with the directions of the Head of Department all money received by it; and
- (2) keep such books, records and statements as may be required by the Head of Department.

8. Designation of staff

The Head of Department shall designate such persons in the service of the department as he or she deems necessary to perform the work relating to the performance of the functions of the Council.

9. Meetings

The Council and the executive committee shall each meet at least four times a year.

10. Minutes of meetings

The minutes of the proceedings of every meeting of the Council and the Executive Committee shall be kept, and shall at all reasonable times be open to inspection by members of the public, at the office of the administrative officer.

11. Constitution of Council

The Council may, by a majority of two thirds of its members, adopt a constitution not inconsistent with the provisions of the Act, and this regulation.

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