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GOEWERMENSKENNISGEWING

DEPARTEMENT VAN ONDERWYS EN OPLEIDING

No. R. 2571

25 Oktober 1991

WET OP ONDERWYS EN OPLEIDING, 1979
(WET No. 90 VAN 1979)

REGULASIES OP TEGNIESE KOLLEGES

Die Minister van Onderwys en Opleiding het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet No. 90 van 1979), die regulasies in die Bylae vervat, uitgevaardig.

BYLAE

DEEL 1

WOORDOMSKRYWING

1. In hierdie regulasies het enige uitdrukking waaraan in die Wet op Onderwys en Opleiding, 1979 (Wet No. 90 van 1979) (hieronder "die Wet" genoem), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is en, tensy uit die samehang anders blyk, beteken—

"**beheerpersoneel**" die prinsipaal, senior adjunk-prinsipaal, adjunkprinsipaal, afdelingshoofde en senior lektore van 'n kollege;

"**doserende personeel**" die prinsipaal, senior adjunkprinsipaal, adjunkprinsipaal, afdelingshoofde, senior lektore en lektore van 'n kollege asook iemand anders wat in die kollege onderwyspligte vervul;

"jaar" 'n tydperk van een jaar wat op die eerste dag van Januarie begin en op die laaste dag van Desember eindig;

"kalenderjaar" die tydperk wat strek van 'n dag in enige maand in 'n jaar tot en met die dag voor die ooreenstemmende dag in die ooreenstemmende maand in die volgende jaar;

GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION AND TRAINING

No. R. 2571

25 October 1991

EDUCATION AND TRAINING ACT, 1979
(ACT No. 90 OF 1979)

REGULATIONS ON TECHNICAL COLLEGES

The Minister of Education and Training has, in terms of section 44 of the Education and Training Act, 1979 (Act No. 90 of 1979), made the regulations contained in the Schedule.

SCHEDULE

PART 1

DEFINITIONS

1. In these regulations any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act No. 90 of 1979) (hereinafter referred to as "the Act"), shall have the meaning so assigned thereto and, unless inconsistent with the context—

"calendar year" means the period extending from a day in any month in a year up to and including the day preceding the corresponding day in the corresponding month in the following year;

"college" means a technical college established under the Act to offer post-school education and training;

"control staff" means the principal, the senior deputy principal, the deputy principal, a head of a division or a senior lecturer;

"council", with regard to a college, means a college council constituted under regulation 2;

"lecturing staff" means the principal, the senior deputy principal, the deputy principal, a head of a division, a senior lecturer, lecturer, or any other person performing educational duties;

"kollege" 'n tegniese kollege kragtens die Wet ingestel om naskoolse onderwys te verskaf;

"maand" 'n tydperk wat strek van die eerste tot die laaste dag van enigeen van die 12 maande van 'n jaar;

"plaaslike owerheid" 'n plaaslike owerheid soos omskryf in die Wet op Swart Plaaslike Owerhede, 1982 (Wet No. 102 van 1982), of 'n instelling of liggaam beoog in artikel 84 (1) (f) van die Wet op Proviniale Bestuur, 1961 (Wet No. 32 van 1961);

"prinsipaal" die prinsipaal of waarnemende prinsipaal van 'n kollege of van 'n gekombineerde skool waarvan 'n gedeelte as kollege funksioneer;

"raad", met betrekking tot 'n kollege, 'n kollegeraad ingevolge regulasie 2 saamgestel;

"semester" 'n tydperk wat as 'n semester vasgestel is in 'n kollegekalender wat deur die Direkteur-generaal of 'n beampete in die Departement deur hom vir dié doel aangewys, vir 'n bepaalde kollege ten opsigte van 'n bepaalde kalenderjaar opgestel is;

"streekhoofdirekteur" 'n beampete in die Departement wat in beheer is van die onderwys in 'n streek wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;

"trimester" 'n tydperk wat as 'n trimester vasgestel is in 'n kollegekalender wat deur die Direkteur-generaal of 'n beampete in die Departement deur hom vir dié doel aangewys, vir 'n bepaalde kollege ten opsigte van 'n bepaalde kalenderjaar opgestel is.

DEEL 2 KOLLEGERADE

Samestelling

2. (1) 'n Raad word vir elke kollege saamgestel op die wyse in hierdie regulasie voorgeskryf.

(2) Sodra daar 'n prinsipaal by 'n nuwe kollege aangestel is, moet hy binne drie maande vanaf die datum van sy aanstelling die samestelling van die raad ini-sieer deur gemotiveerde aanbevelings vir die aanstelling van gesikte persone in die raad aan die betrokke streekhoofdirekteur voor te lê.

(3) Die raad van 'n kollege bestaan uit minstens sewe maar hoogstens 11 lede en word met die goedkeuring van die Direkteur-generaal soos volg saamgestel:

(a) Die betrokke streekhoofdirekteur of 'n senior beampete deur die streekhoofdirekteur aangewys;

(b) hoogstens drie verteenwoordigers van die plaaslike owerheid binne wie se reggebied die kollege geleë is, welke persone deur die streekhoofdirekteur benoem word;

(c) hoogstens drie verteenwoordigers van die handel en nywerheid in die betrokke streek, welke persone deur die streekhoofdirekteur benoem word;

(d) hoogstens drie persone wat op grond van hulle besondere kennis van of belangstelling in die sake van die kollege deur die streekhoofdirekteur benoem word; en

(e) een persoon wat deur die Raad vir Onderwys en Opleiding benoem word of uit eie geledere of uit een van sy komitees ingestel vir enige streek.

"local authority" means a local authority as defined in the Black Local Authorities Act, 1982 (Act No. 102 of 1982), or an institution or body contemplated in section 84 (1) (f) of the Provincial Government Act, 1961 (Act No. 32 of 1961);

"month" means a period extending from the first to the last day of any one of the 12 months of a year;

"principal", means the principal or acting principal of a college or a combined school, a section of which functions as a college;

"regional chief director" means an officer of the Department who is in control of education in any region determined by the Minister in terms of section 2 (2) of the Act;

"semester" means a period fixed as a semester in a college calendar drawn up by the Director-General or an officer in the Department designated by him for this purpose, for a particular college in respect of a particular calendar year;

"trimester" means a period fixed as a trimester in a college calendar drawn up by the Director-General or an officer in the Department designated by him for this purpose, for a particular college in respect of a particular calendar year;

"year" means a period beginning on the first day of January and ending on the last day of December.

PART 2

COLLEGE COUNCILS

Constitution

2. (1) A council shall be constituted for each college in the manner prescribed by this regulation.

(2) Within three months from the date of his appointment at a new college, a principal shall initiate the constitution of the council by submitting recommendations, together with motivations, to the regional chief director concerned for the appointment of suitable persons to the council.

(3) A council of a college shall consist of not less than seven but not more than 11 members and shall, with the approval of the Director-General, be constituted as follows:

(a) The regional chief director concerned or a senior officer designated by the regional chief director;

(b) three representatives of the local authority in whose area of jurisdiction the college is situated and who are nominated by the regional chief director;

(c) three representatives of commerce and industry in the region concerned who are nominated by the regional chief director;

(d) three persons who, on account of their special knowledge of or interest in matters concerning the college, shall be nominated by the regional chief director; and

(e) one person nominated by the Council for Education and Training, either from among their number or from one of the Council's committees established for any region.

(4) Indien die streekhoofdirekteur, of die beampete deur hom aangewys, nie 'n vergadering van die betrokke raad kan bywoon nie, wys die streekhoofdirekteur 'n beampete op streekvlek aan om hom op die vergadering te verteenwoordig en namens hom te stem.

(5) Geen vakature in 'n raad of 'n tekort in die ledetal van 'n raad—

(a) raak die geldigheid van die samestelling van die raad of sy voortgesette bestaan nie;

(b) raak, behoudens die bepalings van hierdie regulasies in verband met 'n kworum, eniglets deur die raad gedoen nie.

Ampstermy van lede

3. (1) Behoudens die bepalings van hierdie regulasies, beklee 'n lid van 'n raad, behalwe 'n persoon in regulasie 2 (3) (a) bedoel, sy amp vir 'n tydperk van hoogstens drie jaar.

(2) 'n Lid van 'n raad wie se ampstermy verstryk het, kan weer benoem word.

(3) Indien daar by die verstryking van die ampstermy van 'n lid van 'n raad nie 'n ander lid kragtens regulasie 2 aangestel is nie, hou eersgenoemde lid aan om 'n lid te wees totdat iemand aangestel word om die vakature te vul.

(4) Enige beheerraad wat voor die inwerkingtreding van hierdie regulasies saamgestel is kragtens die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, aangekondig by Goewermentskennisgewing No. R. 828 van 30 April 1982, soos gewysig by Goewermentskennisgewings Nos. R. 672 van 31 Maart 1983, R. 2365 van 25 November 1988, R. 2366 van 25 November 1988 en R. 331 van 3 Maart 1989, gaan voort om te funksioneer totdat die ampstermy van sy lede verstryk, waarna 'n nuwe raad ingevolge regulasie 2 van hierdie regulasies saamgestel moet word: Met dien verstande dat so 'n beheerraad geag word ingevolge hierdie regulasies saamgestel te gewees het en origens aan hierdie regulasies onderworpe is.

(5) Indien omstandighede dit na die oordeel van die Direkteur-generaal noodsaak, kan hy die ampstermy van lede van 'n beheerraad bedoel in subregulasië (4) verleng, maar die ampstermy van 'n bepaalde lid mag nie 'n totaal van vier jaar oorskry nie.

Ontruiming van amp deur lede

4. 'n Lid van 'n raad aangestel kragtens paragrawe (b) tot en met (e) van regulasie 2 (3) van hierdie regulasies ontruim sy amp, indien—

(a) hy sonder verskoning aan die raad of sonder verlof van die raad van drie agtereenvolgende vergaderings van die raad afwesig is;

(b) hy as gevolg van 'n geestes- of liggaamswakheid of -siekte onbekwaam word om sy ampspligte na te kom;

(c) hy in diens van die kollege van die raad waarvan hy 'n lid is, aangestel word;

(d) hy skuldig bevind word aan 'n misdryf waarby oneerlikheid betrokke is of waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;

(e) hy insolvent raak;

(4) If the regional chief director or the officer appointed by him cannot be present at a meeting of the Council, the regional chief director shall designate an officer at regional level to represent him and to vote for him at such meeting.

(5) No vacancy or deficiency in the number of members of the council—

(a) shall affect the validity of the constitution of the council or its continued existence;

(b) shall, subject to the provisions of these regulations regarding a quorum, affect anything done by the council.

Term of office of members

3. (1) Subject to the provisions of these regulations, a member of a council, other than a member contemplated in regulation 2 (3) (a), shall hold office for a period not exceeding three years.

(2) A member of a council whose term of office has expired may be renominated.

(3) If, on the expiry of the term of office of a member of a council, no other member has been appointed in terms of regulation 2, the first-mentioned member shall continue to be a member until another person has been appointed to fill the vacancy.

(4) Any governing council constituted under the Regulations regarding Councils and Committees for Public Schools, 1982, published under Government Notice No. R. 828 of 30 April 1982, as amended by Government Notices Nos. R. 672 of 31 March 1983, R. 2365 of 25 November 1988, R. 2366 of 25 November 1988 and R. 331 of 3 March 1989, before the commencement of these regulations, shall continue to function until such time as the term of office of its members expires, after which a new council shall be constituted in terms of regulation 2 above: Provided that such governing council shall be deemed to have been constituted under these regulations and shall otherwise be subject to these regulations.

(5) If, in the opinion of the Director-General, circumstances so require, he may extend the period of office of members of an existing council as contemplated in subregulation (4), but the period of office of any particular member shall not exceed a total of four years.

Vacating of office by members

4. A member of a council appointed in terms of paragraphs (b) up to and including (e) of regulation 2 (3) shall vacate his office if—

(a) he is absent from three consecutive meetings without leave or permission of the council;

(b) he becomes incompetent, as a result of mental or physical weakness or illness, to perform his official duties;

(c) he is appointed to the service of the college of whose council he is a member;

(d) he is found guilty of an offence involving dishonesty or for which he is sentenced to imprisonment without the option of a fine;

(e) he becomes insolvent;

(f) hy skriftelik sy bedanking deur middel van die raad by die Direkteur-generaal indien en die Direkteur-generaal sy bedanking aanvaar; of

(g) die Direkteur-generaal sy lidmaatskap beëindig op gronde wat die Direkteur-generaal in die openbare belang ag.

Vulling van vakature

5. Indien 'n lid van 'n raad, aangestel kragtens regulasie 2, van hierdie regulasies sy amp ontruim voor die verstryking van sy ampstermyn, kan die Direkteur-generaal 'n persoon benoem om die vakature te vul vir die onverstreke gedeelte van die tydperk waarvoor die lid aangestel is.

Voorsitter en ondervoorsitter

6. (1) Die lede van 'n raad verkies uit eie geledere onder voorsitterskap van die prinsipaal op die eerste vergadering van die raad na die inwerkingtreding van hierdie regulasies, en daarna wanneer dit nodig word, 'n voorsitter en 'n ondervoorsitter, wat vir 'n ampstermyn van een jaar moet dien mits die termyn nie langer is nie as die onverstreke gedeelte van die tydperk waarvoor die voorsitter of ondervoorsitter as lid van die betrokke raad aangestel is, en indien die termyn langer is, verstryk sy voorsitterskap of ondervoorsitterskap, na gelang van die geval, wanneer die tydperk waarvoor hy as lid aangestel is, verstryk.

(2) Wanneer 'n voorsitter of ondervoorsitter om enige rede verkies moet word, moet die sekretaris van die raad die Direkteur-generaal van dié feit en van die betrokke lid se naam in kennis stel.

Sekretaris van raad

7. (1) Die prinsipaal van 'n kollege ten opsigte waarvan 'n raad saamgestel is, is ampshalwe die sekretaris van die raad.

(2) Indien die prinsipaal nie op 'n vergadering van die raad teenwoordig kan wees nie, wys hy 'n lid van sy beheerpersoneel aan om op die betrokke vergadering as sekretaris van die raad op te tree.

(3) Die sekretaris van 'n raad kan aan die besprekings op 'n vergadering van die raad deelneem en aanbevelings aan die raad doen, maar het nie die reg om op 'n vergadering te stem nie.

Vergaderings

8. (1) Die prinsipaal van 'n kollege verrig die sekretariële en administratiewe werk van die raad van die kollege en kan 'n personeellid van die kollege aanwys om hom behulpsaam te wees met die verrigting van sy sekretariële en administratiewe pligte.

(2) Die prinsipaal hou of laat hou notule van die verrigtinge op elke vergadering van die raad en stuur binne 14 dae na afloop van so 'n vergadering 'n afskrif van die notule aan die Direkteur-generaal en aan die streekhoofdirekteur en die ander lede van die raad.

(3) Die voorsitter of, indien hy nie beskikbaar is nie, die ondervoorsitter bepaal in oorelog met die prinsipaal die datum, tyd en plek van 'n vergadering, asook die sakelys, en laat skriftelik kennis daarvan aan elke lid van die raad gee sodat dit die lede minstens agt dae voor die bepaalde datum bereik: Met dien verstande dat kennis van 'n buitengewone vergadering gegee kan word op enige ander wyse wat die voorsitter of die ondervoorsitter, na gelang van die geval, nodig ag.

(f) he submits his resignation to the Director-General in writing via the council and the Director-General accepts his resignation; or

(g) the Director-General terminates his membership on grounds that the Director-General deems in the public interest.

Filling of vacancies

5. If a member of a council appointed in terms of regulation 2 vacates his office before the expiry of his term of office, the Director-General may nominate a person to fill the vacancy for the unexpired portion of the period for which that member was appointed.

Chairman and vice-chairman

6. (1) The members of a council shall, under the chairmanship of the principal, at the first meeting of the council after the commencement of these regulations and thereafter, whenever it becomes necessary, elect from their number a chairman and a vice-chairman to serve for a term of office of one year, provided such term of office does not extend beyond the unexpired portion of the period for which the chairman or vice-chairman has been appointed a member of the council concerned and that, should such term extend beyond such period, his chairmanship or vice-chairmanship, as the case may be, shall expire when the period for which he has been appointed a member expires.

(2) Whenever a chairman or vice-chairman is to be elected for any reason, the Director-General shall be advised of the fact and of the name of the member concerned by the secretary of the council.

Secretary to a council

7. (1) The principal of a college in respect of which a council has been constituted shall *ex officio* be secretary to the council.

(2) If the principal cannot be present at a meeting of the council, he shall designate a member of his control staff to act as secretary to the council at the meeting concerned.

(3) The secretary to a council may take part in the discussions at a meeting of the council and may make recommendations to the council, but shall not have the right to vote at the meeting.

Meetings

8. (1) The secretarial and administrative duties of the council of a college shall be performed by the principal of that college, who may designate a staff member of the college to assist him in his secretarial and administrative duties.

(2) The principal shall keep minutes or cause them to be kept of the proceedings of each meeting of the council and shall send a copy of each set of minutes to the Director-General, the regional chief director and members of the council within 14 days of the meeting having been held.

(3) The chairman, or, if he is not available, the vice-chairman, shall, in consultation with the principal, set the date, time and venue and draw up the agenda of a meeting and shall cause written notice thereof to be given to each member of the council so as to reach them not less than eight days prior to the set date: Provided that notice of an extraordinary meeting may be given in any other manner that the chairman or vice-chairman, as the case may be, may deem necessary.

(4) Gewone vergaderings van 'n raad moet minstens een keer per trimester binne die eerste maand van 'n trimester gehou word.

Procedure op vergaderings

9. (1) Die voorsitter van 'n raad sit voor op 'n vergadering, en indien hy afwesig is, sit die ondervoorsitter voor en indien albei afwesig is, verkies die teenwoordige lede, mits daar 'n kworum is, iemand uit eie geledere om voor te sit en het die aldus verkose lid op daardie vergadering al die bevoegdhede en pligte van 'n voorsitter.

(2) Op 'n gewone vergadering behandel die raad sake waarvan daar vooraf kennis gegee is, asook die dringende sake wat lede met die goedkeuring van die vergadering opper.

(3) Op 'n buitengewone vergadering word geen ander sake as dié waarvan vooraf kennis gegee is, behandel nie.

(4) Alle sake word beslis deur 'n meerderheidstem van die lede van 'n raad wat teenwoordig is en stem.

(5) Die voorsitter en elke lid teenwoordig beskik oor een stem wanneer 'n saak tot stemming gebring word: Met dien verstande dat, in geval van 'n staking van stemme, die voorsitter of die persoon wat in sy afwesigheid as voorsitter optree, benewens sy gewone stem ook 'n beslissende stem het.

(6) Die voorsitter beslis oor 'n vraag van orde of procedure: Met dien verstande dat indien 'n lid teen so 'n beslissing beswaar maak, die vraag sonder bespreking tot stemming gebring word en die beslissing van die vergadering afdoende is.

(7) Elke mosie of amendement moet gesekondeer en, indien die voorsitter daartoe opdrag gee, op skrif gestel word, en geen mosie of amendement word sonder die toestemming van die vergadering teruggetrek nie.

(8) Indien die vergadering aldus besluit, word daar genotuleer hoeveel lede ten gunste van of teen 'n mosie of amendement gestem het, en op versoek van 'n lid of lede gelas die voorsitter dat die stem van sodanige lid of lede aangeteken word.

(9) Kennis van 'n mosie deur 'n lid van 'n raad word minstens een week voor die datum van die vergadering skriftelik by die betrokke sekretaris ingedien.

(10) Geen lid mag sonder verlof van die vergadering meer as een keer oor 'n mosie of 'n amendement praat nie, maar die voorsteller van 'n mosie of 'n amendement het die reg om repliek te lewer.

Notule

10. (1) Die oorspronklike notule van elke vergadering van 'n raad moet deur die sekretaris van die raad gehou word in 'n boek of lêer wat spesifiek vir dié doel gebruik word en moet deur die sekretaris van die raad in 'n veilige plek by die kollege bewaar word.

(2) Die sekretaris van die raad moet in die notule van elke vergadering die name van die lede wat teenwoordig of met of sonder verskoning afwesig is, notuleer.

(3) Niemand, behalwe 'n lid van die raad, 'n beampte of iemand wat skriftelik deur die Direkteurgeneraal daartoe gemagtig is, het insae in die notule van enige vergadering nie.

(4) Ordinary meetings of a council shall be held at least once a trimester within the first month of the trimester.

Procedure at meetings

9. (1) The chairman of a council shall preside at a meeting and in his absence the vice-chairman shall preside, and if both are absent the members present, provided there is a quorum, shall elect one of their number to preside and the member so elected shall, at that meeting, have all the powers and duties of a chairman.

(2) At an ordinary meeting a council shall deal with matters of which prior notice has been given and with such urgent matters as may be raised by members with the approval of the meeting.

(3) At an extraordinary meeting no other matters than those of which prior notice has been given shall be dealt with.

(4) All decisions shall be taken by a majority of votes of the members of a council who are present and who vote.

(5) The chairman and each member present shall have one vote when a matter is brought to vote: Provided that, in the event of an equality of votes, the chairman or the person acting as chairman in his absence shall, in addition to this deliverative vote, have a casting vote.

(6) The chairman shall give his ruling on a question of order or procedure: Provided that, if any member objects to such ruling, the question shall be put to the vote without further discussion and the decision of the meeting shall be final.

(7) Each motion or amendment shall be seconded and, if the chairman so directs, taken down in writing, and no motion or amendment shall be withdrawn without the consent of the meeting.

(8) If a meeting so decides, the number of members voting for or against a motion or amendment shall be recorded in the minutes, and, at the request of any member or members, the chairman shall direct that the vote of such member or members be recorded.

(9) Notice of a motion by a member of a council shall be submitted in writing to the secretary concerned not less than one week prior to the date of the meeting.

(10) No member shall, without the permission of the meeting, speak more than once on a motion or an amendment, but the proposer of a motion or an amendment shall have the right to reply.

Minutes

10. (1) The original minutes of each meeting of a council shall be kept by the secretary of the council in a book or file which is used specifically for this purpose and which shall be kept in a safe place at the college by the secretary to the council.

(2) The secretary of the council shall record in the minutes of each meeting the names of the members who are present or absent with or without apology.

(3) No person, other than a member of the council, an officer or a person authorised thereto in writing by the Director-General, shall have access to the minutes of any meeting.

Kworum

11. (1) Die meerderheid van die lede van 'n raad maak 'n kworum vir 'n vergadering uit.

(2) Indien daar by 'n gewone vergadering wat behoorlik belê is, nie 'n kworum teenwoordig is nie, word die vergadering vir minstens agt maar hoogstens 30 dae (met inbegrip van die dag waarop die vergadering sou plaasvind) uitgestel, en op die aldus bepaalde datum handel die vergadering, wat ooreenkomsdig regulasie 8 (3) belê moet word, die agenda af, hetsydaar dan 'n kworum teenwoordig is of nie, mits skriftelike verskonings deur die afwesige lede ingedien is.

(3) Indien daar nie skriftelike verskonings ingedien is nie, mag die vergadering nie gehou word nie en moet die prosedure by subregulasie (2) voorgeskryf, gevvolg word om die vergadering te hou.

Bywoning van vergaderings deur nieleden en verlaat van vergadering deur prinsipaal

12. (1) Behoudens die bepalings van hierdie regulasies, is elke vergadering van 'n raad geslote en word niemand wat nie 'n lid is nie, toegelaat om dit by te woon nie.

(2) Die raad kan besluit dat die prinsipaal en die personeellid bedoel in regulasie 8 (1) die vergadering tydelik moet verlaatanneer 'n aangeleentheid rakende die persoon van die prinsipaal bespreek word en dat die notule gedurende dié tyd gehou moet word deur 'n lid wat die raad aanwys.

(3) Die raad kan besluit dat die personeellid bedoel in regulasie 8 (1) die vergadering moet verlaatanneer 'n aangeleentheid rakende die persoon van die personeellid bespreek word en dat die notule gedurende dié tyd deur die prinsipaal gehou moet word.

(4) 'n Raad kan die teenwoordigheid van 'n lid van die betrokke doserende personeel op enige vergadering van die raad vereis in verband met enige aangeleentheid wat binne die voorgeskrewe pligte van die raad val, en so 'n lid moet, wanneer hy daar toe versoek word, vir die tydperk wat die raad bepaal die vergadering bywoon.

(5) Indien 'n raad dit nodig ag, kan enige ander persoon wat na die mening van die raad moontlik inligting kan verskaf oor 'n aangeleentheid wat binne die bevoegdheid van die raad val, 'n vergadering van die raad bywoon vir die tydperk wat die raad bepaal: Met dien verstande dat so 'n persoon geen stemreg het nie en die vergadering moet verlaat sodra die betrokke aangeleentheid afgehandel is.

Pligte, werksaamhede en bevoegdhede van 'n raad

13. Benewens die pligte, werksaamhede en bevoegdhede wat by hierdie regulasies aan rade opgelê en verleen word, is die pligte, werksaamhede en bevoegdhede van 'n raad—

- (a) om die belangte van die Departement te bevorder en te beskerm;
- (b) om 'n wakende oog oor die algemene welsyn van die kollege te hou;
- (c) om die belangte van die kollege te bevorder en te beskerm;
- (d) om die streekhoofdirekteur en die Direkteur-generaal oor die doeltreffende funksionering van die kollege in te lig;

Quorum

11. (1) The majority of the members of a council shall form a quorum for a meeting.

(2) Should there not be a quorum present at any properly convened ordinary meeting, the meeting shall be postponed for at least eight days and for not more than 30 days (including the day on which the meeting should have been held); and on the date so determined the meeting, which shall be convened in accordance with regulation 8 (3), shall deal with the agenda, whether or not a quorum is present, provided written apologies have been submitted by the absent members.

(3) The meeting shall not be held if no written apologies have been submitted, and the procedure prescribed in subregulation (2) shall be followed for convening another meeting.

Attendance of meetings by non-members and leaving of meeting by principal

12. (1) Subject to the provisions of these regulations, every meeting of a council shall be closed and no person who is not a member shall be permitted to attend it.

(2) The council may rule that the principal and the staff member contemplated in regulation 8 (1) shall leave the meeting temporarily when any matter concerning the person of the principal is discussed and that during such period the minutes shall be kept by a member designated by the council.

(3) The council may rule that the staff member contemplated in regulation 8 (1) should leave the meeting temporarily when any matter concerning his person is discussed and that during such period the minutes be kept by the principal.

(4) A council may require the presence of any member of the lecturing staff concerned at any meeting of a council in connection with any matter falling within the prescribed duties of the council, and such member shall, when required to do so, attend the meeting for such period as the council may determine.

(5) If the council deems it necessary, any other person who in the opinion of the council may be able to provide information on any matter falling within the competence of the council, may attend any meeting of the council for such period as the council may determine: Provided that such person cannot cast a vote and shall leave the meeting as soon as the matter in question has been settled.

Duties, functions and powers of a council

13. In addition to the duties, functions and powers vested in or imposed upon councils in these regulations, the duties, functions and powers of a council shall be to—

- (a) promote and protect the interests of the Department;
- (b) keep a watchful eye on the general welfare of the college;
- (c) promote and protect the interests of the college;
- (d) advise the regional chief director and the Director-General with regard to the effective functioning of the college;

(e) om toe te sien dat die geboue, terrein, omheining en ander bybehore van die kollege behoorlik versorg word en om enige skade of noodaaklike herstelwerk onverwyd skriftelik aan die streekhoofdirekteur te rapporteer;

(f) om ondersoek in te stel na enige skriftelike klagte in verband met die kollege en indien die raad dit nodig ag, aan die Direkteur-generaal verslag te doen en in so 'n geval die skriftelike klagte tesame met sy bevinding en aanbeveling aan die streekhoofdirekteur en die Direkteur-generaal voor te lê;

(g) om by die Direkteur-generaal aan te beveel dat 'n ondersoek deur die Direkteur-generaal ingestel word indien, na die oordeel van die raad, 'n lid van die personeel van die kollege—

(i) ingevolge artikel 24 van die Wet ongeskik is vir die pligte wat aan sy pos verbonden is of nie in staat is om daardie pligte op bekware wyse uit te voer nie, soos in genoemde artikel beoog;

(ii) aan voortdurende swak gesondheid ly, soos in artikel 21 (a) van die Wet beoog; of

(iii) hom aan wangedrag soos omskryf in artikel 22 van die Wet skuldig gemaak het;

(h) om enige vertoë van ouers, studente, die gemeenskap, die handel, die nywerheid en werkgewers te behandel en sodanige vertoë tesame met sy aanbevelings aan die Direkteur-generaal voor te lê;

(i) om metodes in werking te stel om die aktiewe belangstelling, daadwerklike steun en samewerking van die ouers, studente, die gemeenskap, die handel, die nywerheid en werkgewers in belang van die kollege te verkry;

(j) om 'n aangeleentheid wat na die oordeel van die raad op die welsyn, dissipline en doeltreffendheid van die kollege betrekking het, deur die ampelike kanale onder die aandag van die Direkteur-generaal te bring;

(k) om ooreenkomsdig regulasie 30, wanneer nodig, oorweging te skenk aan optrede teen studente wat hulle aan wangedrag skuldig maak;

(l) om ooreenkomsdig die bepalings vervat in Deel 3 van hierdie regulasies 'n kollegefonds te beheer;

(m) om die inligting, verslae en advies wat die Direkteur-generaal en streekhoofdirekteur van tyd tot tyd mag verlang, te verstrek;

(n) om die ander pligte uit te voer wat die Direkteur-generaal of die streekhoofdirekteur aan die raad opdra; en

(o) om die Direkteur-generaal van advies te bedien aangaande enige aangeleentheid in verband met die kollege.

Dagbestuur van 'n raad

14. (1) Die dagbestuur van 'n raad word deur die raad op die eerste vergadering van elke jaar aangewys om vir die betrokke jaar te dien en bestaan uit die voorsteller en twee ander lede.

(2) 'n Dagbestuur wat saamgestel is voor die inwerkingtreding van hierdie regulasies gaan voort om te funksioneer totdat die ampstermy van sy lede verstryk, waarna 'n nuwe dagbestuur ingevolge subregulasie (1) saamgestel word; Met dien verstande dat eersbedoelde dagbestuur geag word ingevolge subregulasie (1) saamgestel te wees en origens aan hierdie regulasies onderworpe is.

(e) see to it that the buildings, grounds, fences and other accessories of the college are properly cared for and that any damage or necessary repair work is reported to the regional chief director in writing without delay;

(f) inquire into any written complaint in connection with the college and to report thereon to the Director-General should the council deem it necessary, and in such case to submit the written complaint together with its findings and recommendation to the regional chief director and the Director-General;

(g) recommend to the Director-General that an inquiry be conducted by the Director-General if, in the opinion of the council, any member of the staff of the college—

(i) in terms of section 24 of the Act, is unfit for or incapable of performing efficiently the duties attached to his post, as contemplated in the said section;

(ii) suffers from continuous ill-health as contemplated in section 21 (a) of the Act; or

(iii) has rendered himself guilty of misconduct as defined in section 22 of the Act;

(h) deal with any representations by parents, students, the community, commerce, industry and employers and to submit such representations, together with its recommendations, to the Director-General;

(i) devise methods of obtaining the active interest, active support and co-operation of parents, students, the community, commerce, industry and employers in the interests of the college;

(j) bring to the notice of the Director-General, through the official channels, any matter which in the opinion of the council relates to the welfare, discipline and efficiency of the college;

(k) when necessary, consider action against students who render themselves guilty of misconduct in accordance with regulation 30;

(l) control any college fund in accordance with the provisions contained in Part 3 of these regulations;

(m) furnish such information, reports and advice as the Director-General and regional chief director may require from time to time;

(n) perform such other duties as the Director-General or the regional chief director may assign to the council; and

(o) advise the Director-General with regard to any matter in connection with the college.

Executive committee of a council

14. (1) The executive committee of a council shall be designated by the council at the first meeting of every year to serve for the year concerned and shall consist of the chairman and two other members.

(2) An executive committee constituted before the commencement of these regulations shall continue to function until the term of office of its members expires, after which a new executive committee shall be constituted in terms of subregulation (1): Provided that the first-mentioned executive committee shall be deemed to have been constituted under subregulation (1) and shall otherwise be subject to these regulations.

(3) 'n Raad kan aan sy dagbestuur enige van die raad se pligte, werksaamhede of bevoegdhede opdra: Met dien verstande dat die raad nie ontdoen is nie van'n plig, werksaamheid of bevoegdheid wat hy aan sy dagbestuur opgedra het, en dat 'n besluit van die dagbestuur deur die raad by sy eerste vergadering na die neem van die betrokke besluit, bekragtig, gewysig of tersyde gestel kan word.

(4) Die meerderheid van die lede van 'n dagbestuur maak 'n kworum uit.

(5) In die geval van 'n staking van stemme op 'n vergadering van 'n dagbestuur het die voorsitter, soos die ander lede, net 'n gewone stem.

(6) Die prinsipaal is die sekretaris van die dagbestuur en tree op sonder stemreg.

(7) Notule moet van elke vergadering van die dagbestuur gehou word en die notule moet op die eersvolgende vergadering van die raad vir bekragtiging voorgelê word.

Komitees

15. (1) 'n Raad kan van tyd tot tyd die komitees van die raad, saamgestel soos in subregulasie (2) uiteengesit, instel wat hy nodig ag, en kan enige van die raad se pligte, werksaamhede of bevoegdhede aan so 'n komitee deleer: Met dien verstande dat die raad minstens 'n studiekomitee en 'n skakel- en reklamekomitee moet instel: Met dien verstande voorts dat die raad nie ontdoen is nie van 'n plig, werksaamheid of bevoegdheid wat aldus gedeleer is, en 'n besluit van so 'n komitee by die raad se eerste vergadering na die neem van die betrokke besluit kan bekragtig, wysig of tersyde stel.

(2) Elke komitee van 'n raad bestaan uit—

(a) die prinsipaal en twee lede van die doserende personeel van die kollege, wat die raad van tyd tot tyd aanwys;

(b) twee ander lede van die raad, wat hul amp beklee solank dit die raad behaag; en

(c) een lid aangewys uit die gemeenskap van of die handel of nywerheid in die betrokke streek, na gelang van die doel van sodanige komitee, op grond van sy spesialiskennis van of belangstelling in die aangeleentheide wat deur die betrokke komitee behartig word.

(3) Die prinsipaal bedoel in subregulasie (2) (a), tree as voorsitter van die komitee op, maar indien die prinsipaal nie as voorsitter kon optree nie, wys die raad 'n voorsitter vir die komitee aan uit een van die lede in subregulasie (2) (b) bedoel, en indien laasgenoemde voorsitter nie 'n vergadering van die komitee kan bywoon nie, kies die komitee uit eie geledere 'n voor-

sitter om by daardie vergadering voor te sit.

(4) 'n Komitee ingevolge subregulasie (1) ingestel, kom byeen in opdrag van die raad.

(5) Notule moet van elke vergadering van 'n komitee gehou word en die notule moet op die eersvolgende vergadering van die raad vir bekragtiging voorgelê word.

(3) The council may assign to the executive committee any of the council's duties, functions or powers: Provided that the council shall not be divested of any duty, function or power which it has assigned to its executive committee, and that any decision of the executive committee may be confirmed, amended or set aside by the council at its first meeting after the decision in question has been made.

(4) The majority of members of an executive committee shall form a quorum.

(5) In the event of an equality of votes at a meeting of an executive committee, the chairman, like the other members, shall have only a deliberative vote.

(6) The principal shall be the secretary to the executive committee and shall act without any voting powers.

(7) Minutes shall be kept of every meeting of the executive committee, and the minutes shall be submitted for confirmation at the next meeting of the council.

Committees

15. (1) A council may from time to time establish such committees of the council, constituted in terms of subregulation (2), as may be deemed necessary, and may delegate any of the council's duties, powers or functions to such committee: Provided that the council shall establish at least a study committee and a liaison and publicity committee: Provided further that the council shall not be divested of any duty, power or function so delegated and may confirm, amend or set aside any decision of such committee at the first meeting of the council after the decision in question has been taken.

(2) Each committee of a council shall consist of—

(a) the principal and two members of the lecturing staff of the college who shall be designated by the council from time to time;

(b) two other members of the council, who shall hold office for as long as it pleases the council;

(c) one member designated from the community or from commerce or industry in the region concerned, depending on the object of such committee, on the grounds of his specialist knowledge of or interest in the matters to be dealt with by the relevant committee.

(3) The principal mentioned in subregulation (2) (a), shall act as chairman of the committee, but if the principal is not in a position to act as chairman the council shall designate a chairman for the committee from among the members mentioned in subregulation (2) (b), and if the last-mentioned chairman cannot attend a meeting of the committee, the committee shall elect a chairman from any of its number to chair such meeting.

(4) A committee established in terms of subregulation (1) shall meet on the instruction of the council.

(5) Minutes shall be kept of every meeting of the committee and the minutes shall be submitted or confirmation at the next meeting of the council.

Studiekomitee**16. (1) Die studiekomitee van 'n kollege—**

(a) oefen die bevoegdhede in verband met die organisasie van en beheer oor die onderrig, opleiding en tug van die studente aan die kollege uit, wat die raad aan hom toewys;

(b) dien die raad van advies met betrekking tot 'n aangeleentheid wat die raad na hom vir sy advies verwys; en

(c) kan die aanbevelings wat hy dienstig ag betrefende akademiese aangeleenthede van belang vir die kollege, aan die raad doen.

Skakel- en reklamekomitee**17. (1) Die skakel- en reklamekomitee van 'n kollege—**

(a) verleen publisiteit aan die kollege-aktiwiteite en bevorder die beeld van die kollege as 'n inrigting vir naskoolse onderwys;

(b) dra sorg dat daar effektiewe en gesonde skakeling is tussen die kollege, die privaat sektor en die gemeenskap met die oog op die handhawing van deurlopende dienslewering en die uitbreiding van kollege-aktiwiteite.

DEEL 3**KOLLEGEFONDSE****Stigting van kollegefondse**

18. (1) 'n Kollegefonds word gestig deur die raad van elke kollege wat kragtens artikel 5 of 6 van die Wet, na gelang van die geval, ingestel is of geag word daar-kragtens ingestel te wees.

(2) 'n Fonds wat deur 'n beheerraad bedoel in regulasie 3 (4) voor die datum van inwerkingtreding van hierdie regulasies by 'n kollege gestig of in stand gehou is, bly voortbestaan en word geag ingevolge hierdie regulasies ingestel te wees.

(3) 'n Kollegefonds word deur die raad van die betrokke kollege beheer.

(4) Die prinsipaal van 'n kollege is ampshalwe die tesourier van die kollegefonds: Met dien verstande dat die prinsipaal met die goedkeuring van die raad aan 'n personeellid van die betrokke kollege die plig kan opdra om die kollegefondsboeke by te hou: Met dien verstande voorts dat, ongeag wie verantwoordelik is vir die byhou van die kollegefondsboeke, die prinsipaal die tesourier van die kollegefonds bly en verantwoordelik is vir die byhou van juiste en volledige rekenings en bewyssukkies van alle geldte wat deur die raad as kollegefondse bestee of ontvang is en, met inagneming van die bepalings van regulasie 20, self aan die raad oor alle aangeleenthede ten opsigte van die kollegefonds verslag moet doen.

Bydraes tot kollegefondse

19. (1) 'n Kollegefonds bestaan uit geldte wat deur 'n raad ingesamel word deur middel van—

- (a) bydraes deur of namens studente;
- (b) skenkings, bemakings en trustgelde aan die kollegefonds;
- (c) inkomste uit kollegegeleenthede;
- (d) inkomste uit 'n kafeteria;
- (e) inkomste uit 'n boekwinkel;

Board of studies**16. (1) The study committee of a college—**

(a) shall exercise such powers in connection with the organization of and control over the instruction, training and discipline of the students at the college as are assigned to it by the council;

(b) shall advise the council with regard to any matter that the council may refer to it for advice; and

(c) may make such recommendations to the council on academic matters of interest to the college as it may deem expedient.

Liaison and publicity committee**17. (1) The liaison and publicity committee of a college—**

(a) shall publicise the activities of the college and promote the image of the college as an institution for post-school education;

(b) shall ensure that an effective and sound liaison exists between the college, the private sector and the community, with a view to the maintenance of continuous services and the expansion of college activities.

PART 3**COLLEGE FUNDS****Establishment of college funds**

18. (1) A college fund shall be established by the council of every college established or deemed to have been established in terms of section 5 or 6 of the Act, as the case may be.

(2) A fund which has been established or which is maintained at a college by a governing council referred to in regulation 3 (4) before the date of commencement of these regulations shall continue to exist and shall be deemed to have been established in terms of these regulations.

(3) A college fund shall be controlled by the council of the college concerned.

(4) The principal of a college shall *ex officio* be the treasurer of the college fund: Provided that the principal may, with the approval of the council, instruct a member of the staff of the college concerned to keep the college fund books: Provided further that, irrespective of who is responsible for the keeping of the college fund books, the principal shall remain the treasurer of the college fund and shall remain responsible for the keeping of correct and full accounts and vouchers of all moneys spent by the council or received as college funds, and shall, with due regard to the provisions of regulation 20, report in person to the council on all matters regarding the college fund.

Contributions to college funds

19. A college fund shall consist of moneys collected by the council by means of—

- (a) contributions by or on behalf of the students;
- (b) donations, bequests and trust moneys to the college fund;
- (c) income from college functions;
- (d) income from a cafeteria;
- (e) income from a bookshop;

(f) inkomste uit privaat werk en produkte wat op kollege deur studente vervaardig is as deel van hul onderrig en waarvoor die benodighede uit die kollegefonds aangekoop is.

(2) Die bedrag van die bydraes deur studente bedoel in subregulasie (1) (a) word deur die raad met die instemming van die Direkteur-generaal bepaal.

(3) Indien die raad 'n bedrag wat ingevolge subregulasie (2) bepaal is, wil verhoog, moet hy die voorgestelde bedrag, tesame met 'n uiteensetting van die redes vir die verhoging en die doeleindes waarvoor die bykomende gelde aangewend gaan word, vir goedkeuring aan die streekhoofdirektein voorlê.

(4) Gelde wat ingesamel is as skenkings, bemaakings of trustfondse, word deur die raad beheer en bestuur: Met dien verstande dat sodanige skenkings, bemaakings of trustfondse met die doel en oogmerke van die betrokke kollege moet ooreenkomm: Met dien verstande voorts dat waar daar enige voorwaardes aan sodanige skenkings, bemaakings of trustfondse gekoppel is, die ontvangs, beheer en bestuur daarvan onderworpe is aan die goedkeuring van die Direkteur-generaal en afsonderlike rekenings vir elke sodanige trustfonds bygehou moet word.

Finansiële bestuur en boekhouding

20. (1) Die boekjaar van 'n kollegefondsrekening strek van 1 Januarie tot 31 Desember.

(2) 'n Raad moet vir alle gelde onder sy beheer 'n lopende rekening in die naam van die betrokke kollege by die naaste geregistreerde bankinstelling open.

(3) Indien die bedrag van gelde ontvang en bestaan opsigte van 'n kollegefonds na die oordeel van die betrokke raad nie 'n lopende rekening regverdig nie, moet 'n spaarrekening by 'n poskantoor, onderlinge bouvereniging of bankinstelling geopen word.

(4) Die tesourier moet daagliks alle gelde ten behoeve van die kollegefonds ontvang, in rekening bring en sover moontlik op die dag van ontvangs of by die vroegs moontlike geleentheid, maar nie later nie as die eerste werksdag na ontvangs daarvan, in die kollegefonds se rekening deponeer.

(5) 'n Raad mag onder geen omstandighede sy bankrekening oortrek nie.

(6) Onttrekkings uit die lopende of spaarrekening geskied slegs per tjeuk of opvraagstrokie en met die goedkeuring van die raad, en vir dié doel magtig die raad sy voorsitter en die tesourier om tjeeks en ander dokumente wat betrekking het op die kollegefonds, gesamentlik namens die raad te teken: Met dien verstande dat die raad, in die afwesigheid van die voorsitter of die tesourier of albei, een of twee van sy ander lede kan magtig om te teken.

(7) Kontanttjeks mag uitgereik word slegs vir doelendes van die aanvulling van 'n kleinkasrekening.

(8) Die tesourier moet 'n behoorlike kontantontvangstejoernaal byhou waarin besonderhede van alle gelde ontvang, kwitansienommers en deposito's aangeteken word, asook 'n kontantuitbetelingsjoernaal waarin alle betalings en tjeuknommers aangeteken word, en aan die einde van elke maand moet die joernale afgesluit, gebalanseer en na die bankrekening oorgeboek word en met die grootboek gerekonsileer word.

(f) income from private work and products manufactured by the students at the college as part of their instruction and for which the materials were purchased out of college funds.

(2) The amount of the contributions by students referred to in subregulation (1) (a) shall be determined by the council with the concurrence of the Director-General.

(3) If the council wishes to increase the amount determined in terms of subregulation (2), it shall submit the proposed amount with a statement of the reasons therefore and the purposes for which the additional moneys will be used, to the regional chief director for approval.

(4) Money collected as donations, bequests or trust funds shall be controlled and administered by the council: Provided that such donations, bequests or trust funds shall be consistent with the aims and goals of the college concerned: Provided further that, where any conditions are attached to such donations, bequests or trust funds, the receipt, control and administration thereof shall be subject to the approval of the Director-General and separate accounts shall be kept for each trust fund.

Financial administration and bookkeeping

20. (1) The financial year of college fund account shall extend from 1 January to 31 December.

(2) A council shall open a current account in the name of the college concerned with the nearest registered banking institution for all moneys under its control.

(3) If, in the opinion of the council concerned, the amount of money received and spent in respect of a college fund does not justify a current account, a savings account shall be opened at a post office, mutual building society or banking institution.

(4) The treasurer shall daily update the account with all moneys received on behalf of the college fund and as far as possible deposit the monies in the college fund account on the day of receipt or as soon as possible thereafter, but not later than the first working day after receipt thereof.

(5) No council shall, under any circumstances, overdraw its banking account.

(6) Withdrawals from the current or savings account may be made only by cheque or withdrawal slip and with the approval of the council, for which purpose the council shall authorise its chairman and the treasurer jointly to countersign cheques and other documents relating to the college fund on behalf of the council: Provided that, in the absence of the chairman or the treasurer or both, the council may authorise one or two of its other members to sign.

(7) Cash cheques may be issued only for the purpose of the replenishment of the petty cash account.

(8) The treasurer shall keep a cash receipts journal, in which particulars of all moneys received, receipt numbers and deposits shall be entered, and also a cash payments journal, in which all payments and cheque numbers shall be entered, and at the end of each month the two journals shall be closed, balanced and transferred to the banking account and reconciled with the ledger.

(9) Die tesourier moet toesien dat kwitansies onmiddellik uitgereik word vir alle gelde wat, uit watter bron ook al, ontvang is en dat kwitansies verkry word vir alle gelde wat bestee word.

(10) Die tesourier moet slegs een kwitansieboek op 'n keer gebruik.

(11) Kwitansies word in volgnommerorde uitgeskryf en geen wysigings aan die naam of die bedrag in woorde of syfers op 'n kwitansie mag aangebring word nie, en 'n kwitansie word deur middel van deurslagpapier afgedruk op 'n duplikaat wat in die kwitansieboek behou moet word.

(12) Die deurslae van gebruikte kwitansievorms, asook die oorspronklikes en duplike van gekanselleerde vorms, word in hul oorspronklike posisies in die kwitansieboek vir inspeksie en ouditering veilig bewaar.

(13) Indien 'n foutiewe inskrywing op 'n kwitansie gedoen is, moet sowel die oorspronklike as die duplike kwitansie gekanselleer en in die kwitansieboek behou word en moet 'n nuwe kwitansie uitgereik word.

(14) Besonderhede van die tesourier se kwitansies wat uitgereik is, moet daagliks in die kontantontvangstejoernaal geskryf word.

(15) Die volgnommers van alle kwitansieboeke wat aangekoop word, moet deur die tesourier in 'n uitreikingsregister aangeteken word, en wanneer 'n kwitansieboek aan 'n personeellid uitgereik word, moet die personeellid in die uitreikingsregister vir die ontvangs van die spesifieke kwitansieboek teken.

(16) Alle betalings geskied slegs na voorlegging aan die tesourier van 'n behoorlik gespesifiseerde rekening wat die naam van die persoon of firma aan wie die betaling gedoen moet word, die aard en datum van die eis of gelewerde dienste en die verskuldigde bedrag toon: Met dien verstande dat betaling geskied nadat die raad die rekening nagegaan en aanvaar het en sy voorsitter gemagtig het om die betaling daarvan goed te keur deur sy handtekening en die datum van die vergadering waarop die goedkeuring gemagtig is, daarop aan te bring.

(17) Alle besonderhede met betrekking tot die betaling van rekenings wat deur die raad gemagtig is, moet in die notule van die vergadering opgeneem word.

(18) Alle bewyssukkies van betaalde rekenings moet vir ouditering in veilige bewaring geplaas word.

(19) Gelde in 'n kollegefonds mag nie aangewend word vir die aangaan van enige afbetalingsverkooptransaksie nie.

(20) Skuld wat strydig met die bepalings van hierdie regulasies aangegaan is, mag nie teen die kollegefonds in berekening gebring word nie en raadslede wat volgens die notule gestem het ten gunste van die besluit om sodanige skuld aan te gaan, is gesamentlik en afsonderlik daarvoor aanspreeklik.

(21) Die Departement is nie aanspreeklik vir enige skuld wat die raad ingevolge of strydig met die bepalings van hierdie regulasies aangaan nie.

(22) Geen lenings word uit die kollegefonds toegestaan nie.

(9) The treasurer shall see to it that receipts are issued immediately for all moneys received from whatever source, and that receipts are obtained for all moneys expended.

(10) The treasurer shall use only one receipt book at a time.

(11) Receipts shall be made out in serial number order and no alterations to the name or the amount in words or figures may be made on a receipt, and a receipt shall be impressed by means of carbon paper on a duplicate, which shall be retained in the receipt book.

(12) Carbon copies of issued receipt forms as well as the originals and duplicates of cancelled forms shall be kept in their original places in the receipt book for inspection and audit purposes.

(13) If an incorrect entry has been made on a receipt, the original as well as the duplicate receipt shall be cancelled and kept in the receipt book and a fresh receipt shall be issued.

(14) Particulars of receipts issued by the treasurer shall be entered in the cash receipts journal daily.

(15) The serial numbers of all receipt books purchased, shall be recorded by the treasurer in a distribution register, and, when a receipt book is issued to a staff member, the staff member shall sign for the specific receipt book in the distribution register.

(16) All payments shall be made only on submission of a properly specified account to the treasurer, which shall reflect the name of the person or firm to whom payment is to be made, the nature and date of the claim or services rendered and the due amount: Provided that payment shall be made only after the council has checked and accepted the account and has authorized its chairman to approve payment by signing the account and stating the date of the meeting at which the approval was authorized.

(17) All particulars in connection with the payment of accounts that have been approved by the council shall be recorded in the minutes of the meeting.

(18) All vouchers of accounts paid shall be held in safe keeping for audit purposes.

(19) Moneys in a college fund may not be utilised for the conclusion of any instalment sale transaction.

(20) Debts incurred contrary to the provisions of these regulations shall not be charged against the college fund and council members who, according to the minutes, have voted in favour of a decision to incur such debts, shall be jointly and separately liable therefor.

(21) The Department shall not be liable for any debts incurred by the council in terms of or contrary to the provisions of these regulations.

(22) No loans shall be made from the college fund.

(23) Die raad kan goedkeuring verleen dat die tesourier 'n kleinkasrekening van hoogstens R20 volgens die voorskotstelsel hou, en die aanvulling van en uitbetalings uit die kleinkas moet behoorlik in die kleinkasboek ingeskryf word.

(24) Saldo's van geld wat vir 'n spesifieke doel onttrek is en nie bestee is nie, moet by die vroegs moontlike geleentheid deur die tesourier in die kollegefondsrekening teruggestort word.

(25) Ondanks die bepalings van regulasie 18 (4) moet 'n raad wanneer die tesourier hom skuldig maak aan oneerlikheid of wangedrag en nie sy pligte as tesourier na behore nakom nie, die voorsitter opdrag gee om die kollegefondsrekening te bevries, en die voorsitter moet die aangeleentheid aan die betrokke streekhoofdirekteur rapporteer.

(26) Wanneer die kollegefondsrekening van 'n raad bevries is, gaan al die pligte en verantwoordelikhede van die tesourier oor op die voorsitter van die raad tot tyd en wyl die aangeleentheid tot tevredenheid van die raad afgehandel is.

(27) 'n Begroting van die verwagte inkomste en uitgawes vir die lopende boekjaar ten opsigte van 'n kollegefonds moet jaarliks in Januarie deur die tesourier aan die raad vir oorweging en goedkeuring voorgelê word.

(28) Nadat 'n begroting bedoel in subregulasie (27) goedgekeur is, mag die raad geen skulde aangaan waarvoor daar nie in die begroting voorsiening gemaak is nie, tensy dit uit besparings gedelg kan word.

(29) 'n Ouditverslag van die inkomste en uitgawes vir die voorafgaande boekjaar moet jaarliks gedurende Maart deur die tesourier vir aanvaarding deur die raad aan die raad voorgelê word.

Aanwending van kollegefondse

21. Kollegefondse kan, met inagneming van die voorwaardes van enige skenking, bemaking of trust, aangewend word vir—

- (a) die aankoop van sportuitrusting, met inbegrip van sportdrag vir spanlede;
- (b) die betaling van affiliasiegelde vir lidmaatskap van sportunies;
- (c) die subsidiëring van die vervoer van sportspanne asook deelnemers aan konserte en ander goedgekeurde kultuurbedrywighede;
- (d) prysse van klas-, kollege- en sportprestasies;
- (e) die subsidiëring van opvoedkundige uitstappies of toere, met inbegrip van die verblyfkoste, verversings (uitgesonderd alkoholiese drank) en toegangsgelde van studente en begeleidende doserende personeel;
- (f) die subsidiëring van vakansiekampe vir studente asook begeleidende doserende personeel, met inbegrip van vervoer, die huur van persele, lokale of tente en die aankoop van voedselware en ander noodsaklikhede;
- (g) die huur, aankoop of herstel van opvoedkundige hulpmiddels, met inbegrip van radio's, bandopname-masjiene en toebehore, projektors en toebehore, afrol-en tikmasjiene, interkommunikasiestelsels, platespelers en speelplate van opvoedkundige waarde, naslaanwerke, goedgekeurde biblioteekboeke en tydskrifte;
- (h) die huur van vermaakklikheidsfilms;

(23) The council may grant approval for the treasurer to keep a petty cash account not exceeding R20 according to an imprest account system and replenishment of an payments, out of petty cash shall be properly recorded in the petty cash book.

(24) Balances of moneys withdrawn for a specific purpose and not expended shall, at the earliest possible opportunity, be redeposited by the treasurer in the college fund account.

(25) Notwithstanding the provisions of regulation 18 (4), a council shall, if the treasurer is guilty of dishonesty or misconduct and does not perform his duties as treasurer properly, instruct the chairman to freeze the college fund account, and the chairman shall report the matter to the regional chief director.

(26) When the college fund account of a council has been frozen, all the duties and responsibilities of the treasurer shall be vested in the chairman of the council until such time as the matter has been settled to the satisfaction of the council.

(27) Estimates of expected income and expenditure in respect of a college fund for the current financial year shall be submitted by the treasurer to the council for consideration and approval annually during January.

(28) After the estimates contemplated in subregulation (27) have been approved, the council shall not incur any debts for which provision has not been made in the estimates, unless they can be settled out of savings.

(29) An audit report on the income and expenditure for the preceding financial year shall be submitted by the treasurer to the council, for acceptance by the council, annually during March.

Appropriation of college funds

21. College funds may, subject to the conditions of any donation, bequest or trust, be utilised for—

- (a) the purchase of sports equipment, including sportswear for team members;
- (b) the payment of affiliation fees for membership of sports unions;
- (c) subsidising transport for sports teams as well as participants in concerts and other authorised cultural activities;
- (d) prizes for class, college and sporting achievements;
- (e) the subsidising of educational outings or tours, including subsistence costs, refreshments (alcoholic drinks excluded) and entrance fees for students and accompanying lecturing staff;
- (f) the subsidising of holiday camps for students and accompanying lecturing staff, including transport, the hiring of sites, rooms or tents, and the purchase of food and other necessities;
- (g) the rental, purchase or repair of educational aids, including radios, tape recorders and accessories, projectors and accessories, duplicating machines and typewriters, intercom systems, record players and educational records, reference books, approved library books and magazines;
- (h) the hire of entertainment films;

- (i) die verbetering en verfraaiing van die kollege-terrein en sportgronde;
- (j) die uitgawes van fondsinsamelingsgeleenenthede voorafgaan, met inbegrip van drukkerskoste en die aankoop van materiaal, vleis of bakbenodigdhede;
- (k) algemene uitgawes, met inbegrip van versekeringspremies ten opsigte van kollegefondseiendom, die huur van luidsprekers en die aankoop van klasleier-wapens;
- (l) uitgawes met betrekking tot krag- en watervoorsiening en skoonmaak- en sanitêre benodigdhede;
- (m) uitgawes verbonde aan nie-omvangryke herstelwerk aan eiendom van die kollege, met inbegrip van uitgawes vir die herstel van ruite, krane en meubels;
- (n) koste en uitgawes verbonde aan die boekhouding en administrasie van die kollegefondsrekening;
- (o) die amptelike telefoonkoste van 'n kollege;
- (p) enige regskoste wat voortspruit uit 'n regsgeding deur of teen 'n raad;
- (q) enige ander doel deur die Direkteur-generaal goedgekeur en aan 'n raad meegegee.

Kontrolering van registers, bates en voorrade

22. (1) 'n Raad kan die voorsitter of enige ander lid van die raad magtig om op alle redelike tye en sonder voorafgaande kennisgewing die tesourier aan te sê om sy rekeningboeke, registers, kwitansieboeke, bewysstukke, beskikbare kontant en enige ander benodigde state of stukke ten opsigte van die kollegefonds aan die raad van nasiening voor te lê.

(2) Die voorsitter of ander lid van die raad bedoel in subregulasie (1) moet, indien daar by nasiening enige foutiewe inskrywings of ander reken- of boekhoukundige foute gevind word, vir die inligting van of die nodige optrede deur die raad, skriftelik in die rekeningboeke, registers of ander betrokke state of stukke aandui hoe regstellings of aansuiwing gedoen moet word.

(3) Indien die voorsitter of ander lid van die raad bedoel in subregulasie (1) die rekeningboeke, registers en ander state of stukke ten opsigte van die kollegefonds korrek bevind, moet hy sertifiseer dat hy die rekeningboeke, registers en ander state of stukke in orde vind en die betrokke state of stukke onderteken en dateer.

(4) Die voorsitter of ander lid van die raad bedoel in subregulasie (1) het toegang tot alle rekeningboeke, registers, bewysstukke, dokumente, kontant, seëls, effekte of voorrade met betrekking tot die kollegefonds en die rekeninge daarvan, en kan die ondersoeke wat hy nodig ag in verband daarmee instel.

(5) Wanneer dit vir 'n raad lyk of 'n verlies van of 'n tekort in bates of voorrade van die raad of enige ongeoorloofde of ongemagtigde uitgawe uit die kollegefonds onder sy beheer in omstandighede voorgekom het wat daarop dui dat 'n strafbare misdryf begaan is, moet die voorsitter van die raad die aangeleentheid onverwyld aan die Suid-Afrikaanse Polisie en die streekhoofdirekteur rapporteer.

- (i) the improvements and beautification of the college and sports grounds;
 - (j) the expenditure which precedes fund-raising efforts, including printing costs and the purchase of material, meat or baking requisites;
 - (k) general expenditure, including insurance premiums in respect of college fund property, the renting of loudspeakers and the purchase of class-leader badges;
 - (l) expenditure in connection with electricity and water supplies and cleaning and sanitary requisites;
 - (m) expenditure on non-extensive repairs to college property, including expenditure for the repair of window panes, tapes and furniture;
 - (n) costs and expenditure in connection with the bookkeeping and administration of the college fund account.
 - (o) the official telephone expenditure of a college;
 - (p) any legal costs that may result from a lawsuit by or against a council;
 - (q) any other purposes approved by the Director-General and disclosed to the council.
- #### **Control of registers, assets and stock**
- 22.** (1) The council may authorise the chairman or any member of the council to instruct the treasurer at any reasonable time and without prior notice to submit his account books, registers, receipt books, vouchers, cash on hand and any other required statements or documents in respect of the college fund to the council for examination.
- (2) If, on examination, any incorrect entries or other arithmetical or accounting errors are found, the chairman of a council or the member referred to in subregulation (1) shall, for the information of or for the necessary steps to be taken by the council, indicate in writing in the cash journals and registers or other statements or documents concerned, how corrections or adjustments are to be made.
- (3) If the chairman of a council or the member referred to in subregulation (1) finds the account books, registers and other statements or documents in respect of the college fund to be correct, he shall certify that the account books, registers, statements and other documents are in order and shall sign and date the documents concerned.
- (4) The chairman of the council or the member referred to in subregulation (1) shall have access to all account books, registers, vouchers, documents, cash, stamps, shares or stock in connection with a college fund and the accounts thereof and may undertake any investigation relating thereto that he may deem necessary.
- (5) Whenever it appears to a council that a loss or deficit in assets or stock of the council, or that any impermissible or unauthorised expenditure from the college fund under the control of the council, has occurred in circumstances indicating that a criminal offence has been committed, the chairman of the council shall report the matter to the South African Police and the regional chief director without delay.

Ouditering van boeke

23. 'n Raad moet hoogstens twee van sy lede aanstel om die rekeningboeke en balansstaat van die kollegefonds na te gaan en goed te keur: Met dien verstande dat indien die raad verlang dat die kollegefondsrekening en -boeke geauditeer word, die raad 'n onafhanklike gekwalifiseerde persoon wat nie lid van die personeel van die kollege of die raad is nie, vir dié doel kan aanstel en vergoed.

Voorrade aangekoop met kollegefondse

24. Die tesourier moet alle materiaal en uitrusting wat met kollegefondse aangekoop is of by wyse van 'n subsidie verkry is of deur middel van skenkings of bemarkings aan 'n kollegefonds toegeval het, in 'n voorraderegister van die kollege opneem en besonderhede van alle uitreikings van materiaal en uitrusting in dié register aanteken.

Beskikking oor bates wanneer 'n kollege gesluit word

25. (1) Indien die Minister 'n kollege kragtens artikel 5 (4) van die Wet sluit of die instelling daarvan intrek, of kragtens artikel 8 (4) van die Wet die regstrasié daarvan intrek, moet die tesourier van elke sodanige kollege waar 'n kollegefonds ingevolge regulasie 18 (1) gestig is, of 'n kollegefonds bestaan het, 'n volledige staat van kollegefondsregisters, -kwitansieboeke en ander stukke ten opsigte van die fonds aan die betrokke streekhoofdirekteur en die Direkteurgeneraal voorlê, en die Direkteurgeneraal besluit, behoudens enige toepaslike wetteregtelike of gemene-regtelike bepalings, op watter wyse oor die fonds beskik moet word.

(2) Enige koste wat in verband met die beskikking oor die kollegefonds aangegaan word, moet teen die saldo van die kollegefonds in rekening gebring word.

DEEL 4

STUDENTESAKE EN SLUITING VAN KOLLEGES

Toelatingsvereistes vir studente

26. (1) Geen persoon word deur die prinsipaal as 'n student van 'n kollege ingeskryf nie, tensy sodanige persoon—

(a) op 'n aansoekvorm deur die raad goedgekeur, by die prinsipaal aansoek om toelating doen; en

(b) die sertifikaat verwerf het wat deur die Minister kragtens artikel 35 (2) van die Wet as minimum toelatingsvereiste vir die betrokke kursus bepaal is.

(2) 'n Persoon wat hom vir die eerste keer as 'n student van 'n kollege laat inskryf, moet sy identiteitsdokument aan die prinsipaal voorlê wanneer hy hom vir inskrywing aanmeld.

(3) Alle persone moet by inskrywing die dokumente wat deur die raad bepaal word, onderteken.

(4) 'n Persoon wat ingevolge regulasie 30 uit 'n kollege geskors of ontslaan is en wat om hertoelating tot dieselfde of enige ander kollege aansoek doen, se inskrywing is onderworpe aan die goedkeuring van die raad.

(5) Voordat 'n aansoeker tot 'n kollege toegelaat word, kan die prinsipaal vereis dat sodanige skriftelike of ander bewyse gelewer word as wat na sy oordeel nodig is om die juistheid van die inligting wat ten opsigte van sodanige aansoeker verstrek is, vas te stel.

Auditing of books

23. A council shall appoint not more than two of its members to check and approve the account books and balance sheet of the college fund: Provided that, should the council desire that the college fund account and books be audited, the council may appoint and remunerate an independent qualified person, who is not a member of the staff of the college or of the council, for such purpose.

Stock purchased with college funds

24. The treasurer shall enter all material and equipment purchased with college funds or acquired by way of a subsidy or by means of donations or bequest made to the college fund in a stock register of the college, and shall also enter particulars of all issues of material and equipment in the register.

Disposal of assets when a college is closed

25. (1) If the Minister closes a college in terms of section 5 (4) of the Act or disestablishes it or withdraws the registration of a college in terms of section 8 (4) of the Act, the treasurer of each such college, where a college fund has been established in terms of regulation 18 (1) or has existed, shall submit a full record of the college fund registers, receipt books and other documents in connection with the college fund to the regional chief director concerned and the Director-General, and subject to any applicable statutory or common law provisions, the Director-General shall decide in what manner the college fund shall be disposed of.

(2) Any costs incurred in connection with the disposal of the college fund shall be debited against the balance of the college fund.

PART 4

STUDENT AFFAIRS AND THE CLOSING OF COLLEGES

Requirements for the admission of students

26. (1) No person shall be registered by the principal as a student of a college unless such person—

(a) applies to the principal for admission on an application form approved by the council; and

(b) has obtained the certificate determined by the Minister in terms of section 35 (2) of the Act as the minimum requirement for admission to the course concerned.

(2) Any person registering as a student of a college for the first time, shall, when he reports for registration, submit his identity document to the principal.

(3) All persons shall, on registration, sign such documents as the council may determine.

(4) The registration of any person suspended or discharged from a college in terms of regulation 30, who applies for readmission to the same or any other college, shall be subject to the approval of the council.

(5) Before an applicant is admitted to a college, the principal may call for such written or other proof as, in his opinion, may be needed to verify the correctness of the information furnished in respect of such applicant.

Toelatingsregister

27. (1) Wanneer die toelating van 'n persoon as 'n student tot 'n kollege deur die prinsipaal gemagtig is, moet die prinsipaal van die kollege onverwyld in 'n register deur die Direkteur-generaal goedgekeur, wat die toelatingsregister genoem word, besonderhede van sodanige student aanteken, waaronder—

- (a) sy studenteregistrasienommer;
- (b) sy volle naam, van en geboortedatum soos vermeld in sy geboortesertifikaat of, indien sy geboortesertifikaat nie geredelik beskikbaar is nie, in sy doop-sertifikaat;
- (c) sy woonadres;
- (d) indien hy minderjarig is, die volle naam, van en adres van sy ouer; en
- (e) indien hy 'n geregistreerde vakleerling is, die volle naam en adres van sy werkewer.

(2) Elke persoon wat ingevolge subregulasie (1) by 'n kollege ingeskryf is, word geag behoorlik as student van sodanige kollege toegelaat en ingeskryf te wees vir die studietermyn wat vir die betrokke kursus bepaal is, hetsy 'n trimester of semester, na gelang van die geval, en is, behoudens die bepalings van die Wet en hierdie regulasies, onderworpe aan hierdie regulasies en aan die reëls van sodanige kollege wat binne of buite die terrein van die kollege op studente van toepassing is.

Beheer oor studente

28. (1) Die prinsipaal van 'n kollege moet binne drie maande na die inwerkingtreding van hierdie regulasies, of binne drie maande na die instelling van 'n nuwe kollege, 'n beleid en reëls, wat nie met die Wet of hierdie regulasies onbestaanbaar is nie, rakende die beheer oor studente aan die kollege opstel en aan die raad vir goedkeuring voorlê: Met dien verstande dat genoemde beleid en reëls met die instemming en goedkeuring van die raad van tyd tot tyd hersien en gewysig kan word.

(2) Die reëls in subregulasie (1) bedoel, kan met die volgende aangeleenthede in verband staan:

- (a) Algemene kollegeadministrasie;
- (b) die gedrag en tug van studente;
- (c) die hou van byeenkomste, vergaderings en gesellighede;
- (d) die gebruik en versorging van kollege-eiendom;
- (e) die minimum kleredragstandaarde waaraan studente moet voldoen;
- (f) enige ander aangeleenthed wat die prinsipaal vir die doeltreffende funksionering van die kollege nodig ag.

(3) Elke student moet alle lesings, tutoriale en praktiese klasse voorgeskryf vir die kursus waartoe hy toegelaat is, gereeld en stiptelik bywoon, en al die skriflike of ander werk verrig, asook al die klastoetse skryf, wat aldus voorgeskryf is.

(4) Indien 'n student 'n bepaling van subregulasie (3) nie nakom nie, moet hy so gou moontlik die rede vir sodanige nienakoming skriftelik aan die prinsipaal verstrek.

Admission register

27. (1) When the admission of any person to a college as a student has been authorised by the principal, the principal of the college shall forthwith, in a register approved by the Director-General which shall be known as the admission register enter particulars of such student, including—

- (a) his student registration number;
- (b) his full name, surname and date of birth as stated in his birth certificate or, if his birth certificate is not readily available, in his baptismal certificate;
- (c) his residential address;
- (d) if he is a minor, the full name, surname and address of his parent; and
- (e) if he is a registered apprentice, the full name and address of his employer.

(2) Every person registered at a college in terms of subregulation (1) shall be deemed to have been duly admitted and registered as a student of such college for the term of study determined for the particular course, whether a trimester or semester, as the case may be, and shall, subject to the provisions of the Act and these regulations, be bound by these regulations and by the rules of the college which apply to students on or outside its campus.

Control of students

28. (1) The principal of a college shall draft a policy and rules, which are not incompatible with the Act or these regulations, regarding the control of students at the college within three months of the commencement of these regulations or within three months of the establishment of a new college, and shall submit them to the council for approval: Provided that the said policy and rules may be revised and amended from time to time with the concurrence and approval of the council.

(2) The rules referred to in subregulation (1) may relate to the following matters:

- (a) General college administration;
- (b) the behaviour and discipline of students;
- (c) the holding of meetings, gatherings and functions;
- (d) the utilisation and care of college property;
- (e) the minimum standards of attire with which students must comply;
- (f) any other matter that the principal deems necessary for the efficient functioning of the college.

(3) Each student shall regularly and punctually attend all lectures, tutorials and practical classes prescribed for the course to which he has been admitted, perform all the written or other work and write all the class tests so prescribed.

(4) If a student does not comply with any provision contained in subregulation (3), he shall furnish the principal with the reason for such non-compliance in writing as soon as possible.

(5) (a) Indien 'n student wat tot 'n kollege toegelaat is, 'n besmetlike of aansteeklike siekte opdoen of daar-aan blootgestel word, word sy inskrywing by die kollege opgeskort totdat hy 'n mediese sertifikaat uitgereik deur 'n geregistreerde geneesheer aan die prinsipaal kan voorlê, waarin so 'n geneesheer verklaar dat die student se gesondheidstoestand sodanig is dat sy voortgesette bywoning aan die kollege nie 'n gevaar vir die gesondheid van sy medestudente of vir dié van die personeel van die kollege inhoud nie.

(b) 'n Student bedoel in paragraaf (a) moet, wan-neer hy deur die prinsipaal daartoe aangesê is, die perseel van die kollege en enige koshuis verbonde daar-aan verlaat en mag nie vir die duur van die opskorting van sy inskrywing op die perseel van die kollege, met inbegrip van enige terrein of koshuis verbonde daar-aan, aanwesig wees nie.

(6) Indien 'n student in die loop van sy studietermyn 'n ernstige siekte of besering opdoen, moet hy die prinsipaal so gou doenlik daarvan in kennis stel en die prinsipaal kan, na gelang van die omstandighede, vereis dat 'n mediese sertifikaat uitgereik deur 'n geregistreerde geneesheer, voorgelê word.

(7) (a) Enigiemand wat 'n studenteorganisasie op die perseel van 'n kollege of koshuis wil stig, of 'n organisasie wat elders gestig is of gestig staan te word en wat met sy bedrywighede op die perseel wil begin of sy bedrywighede daar wil voortsit, moet die konsepkonstitusie of konstitusie, na gelang van die geval, van so 'n organisasie vir goedkeuring voorlê aan die betrokke streekhoofdirekteur of 'n beampete deur hom daartoe gemagtig.

(b) Die streekhoofdirekteur of so 'n gemagtigde beampete kan die konsepkonstitusie of konstitusie goedkeur met of sonder enige wysigings wat hy aanbeveel, of dit afkeur.

(c) Geen organisasie mag met sy bedrywighede op die perseel van 'n kollege of koshuis begin of sy bedrywighede daar voortsit nie alvorens sy konsepkonstitusie of konstitusie ingevolge paragrawe (a) en (b) deur die streekhoofdirekteur of die gemagtigde beampete goedkeur is nie.

(8) 'n Goedgekeurde studenteorganisasie van 'n kollege kan met die goedkeuring van die prinsipaal vergaderings van ingeskreve studente ooreenkoms-tig die konstitusie van so 'n studenteorganisasie op die terrein van die kollege hou.

(9) Geen samekomste van studente, behalwe vergaderings van studenteorganisasies bedoel in subregulasie (8), mag op die terrein van 'n kollege gehou word nie.

(10) Geen studenteorganisasie van 'n kollege mag sonder die voorafverkreeë toestemming van die prinsipaal, van die geboue of ander fasilitete van die kollege gebruik maak vir 'n ander doel as die normale bedrywighede van so 'n studenteorganisasie ingevolge sy konstitusie nie.

(11) Geen student mag sonder die voorafverkreeë toestemming van die prinsipaal enige tydskrif, vlugskrif of ander publikasie of enige kennisgewing of plakkaat op die terrein van 'n kollege versprei of vertoon nie: Met dien verstande dat die prinsipaal na goeddunke sy bevoegdheid om aldus toestemming te gee, aan die waarnemende prinsipaal kan deleger en dat die prinsipaal so 'n delegasie te eniger tyd kan intrek, indien hy dit nodig ag.

(5) (a) If a student who has been admitted to a college contracts any infectious or contagious disease or is exposed to such disease, his registration at the college shall be suspended until he is able to submit to the principal a medical certificate issued by a registered medical practitioner in which such practitioner declares that the state of health of the student is such that his continue attendance at the college does not entail any hazard to the health of his fellow students or to that of the staff of the college.

(b) A student referred to in paragraph (a) shall leave the premises of the college and any hostel associated with the college when instructed by the principal to do so and shall not be present on the premises of the college, including any grounds or hostel, for the duration of the suspension of his registration.

(6) If, during the course of a term of study, a student contracts or sustains a serious illness or injury, he shall notify the principal thereof as soon as possible and the principal may, depending on the circumstances, require a medical certificate issued by a registered medical practitioner to be submitted.

(7) (a) Any person wishing to establish a student organisation on the premises of a college or hostel, or any organisation established or intended to be established elsewhere and which is desirous of commencing or continuing its activities on the premises, shall submit the draft constitution or constitution, as the case may be, of such organisation for approval to the regional chief director concerned or an officer authorised by him thereto.

(b) The regional chief director or such authorised officer may approve that draft constitution or constitution with or without such amendments as he may direct, or reject it.

(c) No organisation may commence or continue with its activities on the premises of a college or hostel before its draft constitution or constitution has been approved by the regional chief director or the authorised officer in terms of paragraphs (a) and (b).

(8) An approved student organisation of a college may, with the approval of the principal and in accordance with the constitution of the student organisation, hold meetings on the grounds of the college, consisting of registered students of the college.

(9) No gatherings of students other than the meetings of student organisations referred to in subregulation (8) shall be held on the grounds of a college.

(10) No student organisation of a college shall, without the prior permission of the principal, make use of the buildings or other facilities of the college for purposes other than the normal activities of such student organisation in terms of its constitution.

(11) No student shall distribute or display any periodical, pamphlet or other publication or any notice or placard on the grounds of a college without the prior permission of the principal: Provided that the principal may in his discretion delegate his power to grant such permission to the acting principal and that the principal may at any time, if he deems it necessary, revoke such delegation.

(12) Geen student of studenteorganisasie van 'n kollege mag 'n persverklarig uitrek of 'n personderhoud toestaan nie waarby die lede van die raad of personeel van die kollege of die Minister of 'n beample van die Departement betrek word, of wat die goeie naam van die kollege kan benadeel.

(13) Geen student mag op die terrein van 'n kollege alkoholieke drank gebruik of aan enige ander persoon verskaf nie.

(14) Geen motorvoertuig mag sonder die voorafverkreeë toestemming van die prinsipaal deur 'n student op die terrein van 'n kollege gebring of aangehou word nie.

(15) 'n Student wat opsetlik of nalatig skade aan die eiendom van 'n kollege veroorsaak, is aanspreeklik vir vergoeding van die skade.

(16) Geen geld of goed mag sonder die voorafverkreeë toestemming van die prinsipaal op die terrein van 'n kollege gekollekteer of ingesamel word nie.

(17) 'n Student wat 'n bepaling van enige van hierdie regulasies of van enige reël van 'n kollege wat binne of buite die terrein van die kollege geld, oortree en ontslaan word uit die kollege of 'n koshuis daarvan, verbeur enige eis om terugbetaling of betaling van gelde wat reeds deur hom betaal is of aan hom betaalbaar is, en verbeur enige reg op kwytsekelding van gelde wat deur hom verskuldig is, tensy die Direkteurgeneraal anders besluit.

Verblyf van studente

29. (1) Aansoek om toelating tot 'n koshuis moet gedoen word op die vorm wat deur die Departement opgestel en die Direkteur-generaal goedgekeur is en wat verkrybaar is by die prinsipaal, welke vorm deur die aansoeker of, in die geval van 'n minderjarige aansoeker, deur sy ouer ingevul en onderteken moet word.

(2) Wanneer 'n aansoeker skriftelik deur die prinsipaal in kennis gestel is dat 'n plek in 'n kollege en akkommodasie in 'n koshuis aan hom toegeken is, moet hy voor of op die datum wat die prinsipaal bepaal, 'n skriftelike aanvaarding van sodanige plek en akkommodasie, tesame met die vooruitbetaalbare gelde (as daar is) wat die Minister ooreenkomsdig artikel 39 (3) van die Wet van tyd tot tyd bepaal, aan die prinsipaal stuur.

(3) Die losiesgelde vir elke losiestermyn is vooruitbetaalbaar en moet die prinsipaal van die betrokke kollege binne 14 dae na die aanvang van die losiestermyn bereik: Met dien verstande dat die voorafgaande bepaling van hierdie regulasie nie van toepassing is nie op houers van losiesbeurse wat deur 'n kollege geadministreer word.

(4) Elke kosganger en, waar hulle daartoe instem, sy ouer of werkgewer, is aanspreeklik vir die volle betaling van losiesgelde vir die tydperk waarvoor akkommodasie toegeken is: Met dien verstande dat 'n kosganger en sy ouer of werkgewer van sodanige aanspreeklikheid vrygestel is waar die kosganger van die Direkteur-generaal toestemming verkry het om die betrokke kollege in die loop van die studietermyn te verlaat om gesondheids- of ekonomiese redes of in ander omstandighede wat na die oordeel van die Direkteur-generaal buiten die beheer van die student is.

(12) No student or student organisation of any college shall issue any press statement or grant any press interview which involves the members of the council or the staff of the college or the Minister or an officer of the Department, or which may prejudice the good name of the college.

(13) No student shall consume any alcoholic beverage or supply any alcoholic beverage to any other person on the grounds of a college.

(14) No motor vehicle shall be brought onto or kept on the grounds of a college by any student without the prior permission of the principal.

(15) Any student who wilfully or negligently causes damage to the property of a college shall be held liable for compensation for the damage.

(16) No money or goods shall be collected on the grounds of a college without the prior permission of the principal.

(17) Any student who contravenes a provision of any of these regulations or of any rule of a college that applies on or off its grounds and who is discharged from the college or from any hostel thereof, shall forfeit any claim to money already paid by him or payable to him and shall forfeit any right to remission with regard to money owing by him, unless the Director-General decides otherwise.

Residence of students

29. (1) Application for admission to a hostel shall be made on the form compiled by the Department and approved by the Director-General and which is obtainable from the principal, which form shall be completed and signed by the applicant or, in the case of a minor applicant, by his parent.

(2) When an applicant has been notified in writing by the principal that a place in a college and accommodation in a hostel have been reserved for him, he shall, on or before such date as may be fixed by the principal, forward to the principal a written acceptance of such place and accommodation together with such fees payable in advance (if any) as the Minister may from time to time determine in terms of section 39 (3) of the Act.

(3) The boarding-fees of each term of boarding shall be payable in advance and shall reach the principal of the college concerned within 14 days of the beginning of such term of boarding: Provided that the preceding provisions of this regulation shall not be applicable to holders of residence bursaries administered by a college.

(4) Each boarder and, should they agree thereto, his parent or employer, shall be liable for the full payment of boarding-fees for the period for which accommodation has been reserved: Provided that a boarder and his parent or employer shall be exempt from such liability if the boarder has obtained permission from the Director-General to leave the college concerned during the course of the term of study for health or economic reasons or under other circumstances which are, in the opinion of the Director-General, beyond the control of the boarder.

(5) Geen losiesgelde of gedeelte daarvan is terugbetaalbaar op grond van die sluiting van 'n koshuis ingevolge artikel 5 (4) van die Wet nie.

(6) 'n Student mag twee dae voor die aanvang van elke losiestermyn in 'n koshuis begin inwoon en mag daarin bly woon tot die laaste dag van die losiestermyn of tot een dag na die afhandeling van die laaste eksamen vir sodanige termyn vir hom voorgeskryf, welke dag ook al die vroegste is.

Skorsing en uitsetting

30. (1) (a) 'n Student kan uit 'n kollege geskors of ooreenkomsdig die bepalings van subregulasie (8) of (9) uit 'n kollege gesit word, indien hy —

(i) hom binne of buite die geboue of binne of buite die terrein van die kollege gedra op 'n wyse, of aldaar 'n handeling verrig, wat na die oordeel van die prinsipaal of die raad die handhawing van die orde of dissipline by die kollege of die doelmatige verskaffing van onderwys by die kollege ernstig benadeel of ernstig kan benadeel;

(ii) eiendom van die kollege of van enige ander persoon of liggaam wat wettiglik op die terrein is, opsetlik beskadig, vernietig of misbruik of hom dit toe-eien;

(iii) enige eksamenregulasie of -voorskrif opsetlik oortree;

(iv) opsetlik weier om 'n regmatige opdrag gegee deur die prinsipaal of 'n lid van die doserende personeel wat vir daardie doel deur die prinsipaal daartoe gemagtig is, uit te voer;

(v) opsetlik valse inligting aan die prinsipaal of 'n lid van die doserende personeel verstrek met betrekking tot 'n aangeleenthed wat hom as student raak en ten opsigte waarvan hy regtens verplig is om die betrokke inligting te verstrek;

(vi) in 'n gereghof aan 'n misdryf skuldig bevind is wat na die oordeel van die prinsipaal of die raad die handhawing van die orde of dissipline by die kollege of die doelmatige verskaffing van onderwys by die kollege ernstig benadeel het of aldus benadeel het of kan benadeel;

(vii) 'n medestudent uitlok of aanstig of verkry om enige regulasie kragtens die Wet uitgevaardig, of 'n reël van die kollege, te oortree of te versuim om daaraan te voldoen;

(viii) aan 'n boikot van kollegeklasse of -geleenthede deelneem of sodanige boikot aanstig, of aan protestompare, sitstakings of enige oproerige handeling met betrekking tot 'n kollege deelneem of dit aanstig;

(ix) na die oordeel van die prinsipaal of die raad sonder gegronde rede weier om klasse by te woon of om onderrig te ontvang, of sonder gegronde rede doelbewus afwesig is van die kollege of klasse;

(x) 'n handeling van insubordinasie verrig teenoor 'n lid van die doserende personeel of 'n ander persoon wat by die betrokke kollege in 'n gesagsposisie teenoor hom staan;

(xi) 'n gewoontevormende dwelmmiddel besit of gebruik sonder voorskrif van 'n geregistreerde geneesheer;

(5) No hostel fees or part thereof shall be refundable on the grounds of the closure of a hostel in terms of section 5 (4) of the Act.

(6) A student may take up residence in a hostel two days prior to the beginning of each terms of boarding and may remain in residence until the last day of the term of boarding or until one day after the completion of the last examination prescribed for him for such term, whichever day is the earlier.

Suspension and expulsion

30. (1) (a) A student may be suspended from a college or, in terms of the provisions of subregulation (8) or (9), expelled from a college if he —

(i) conducts himself inside or outside the buildings or on or off the ground of the college in a manner, or has performed any act there, which, in the opinion of the principal or the council, seriously prejudices or could seriously prejudice the maintenance of order or discipline at the college or the effective provision of education at the college;

(ii) intentionally damages, destroys, abuses or appropriates property of the college or of any other person or body who or which is legally on the grounds;

(iii) intentionally contravenes any examination regulation or examination instruction;

(iv) wilfully refuses to obey a lawful instruction given by the principal or a member of the lecturing staff authorised thereto for that purpose by the principal;

(v) intentionally gives false information to the principal or any member of the lecturing staff regarding a matter concerning himself as a student and in respect of which he is legally obliged to furnish the information concerned;

(vi) has been convicted in a court of law of an offence which, in the opinion of the principal or the council, has seriously prejudiced or so prejudices or could so prejudice the maintenance of order or discipline or the effective provision of education at the college;

(vii) incites or instigates or procures a fellow student to contravene or to fail to comply with any regulation made in terms of the Act, or any rule of the college;

(viii) takes part in or instigates a boycott of college classes or functions, or takes part in or instigates protest marches, sit-ins or any riotous action with reference to any college;

(ix) in the opinion of the principal or the council, refuses without sound reason to attend classes or to receive tuition, or without sound reason deliberately absents himself from college or classes;

(x) commits an act of insubordination towards a member of the lecturing staff or any other person who occupies a position of authority over him at such college;

(xi) possesses or uses a habit-forming drug without a prescription from a registered medical practitioner;

(xii) na die oordeel van die prinsipaal of die betrokke streekhoofdirekteur of 'n ander beampete in die Departement deur die streekhoofdirekteur daar toe gemagtig onbevredigende skolastiese vordering maak as gevolg van deelname aan bedrywighede wat nie deel vorm nie van 'n opvoedkundige, kulturele, sport- of ontspanningsprogram wat deur die prinsipaal of streekhoofdirekteur of gemagtigde beampete goedgekeur is; of

(xiii) opsetlik versuim om sy boeke of die ander uitrusting wat vir sy onderrig nodig is,anneer dit vir die doel van sodanige onderrig nodig is, by hom te hê.

(b) Wanneer 'n bepaling van paragraaf (a) na die oordeel van die prinsipaal op 'n student van toepassing is, moet die prinsipaal sonder versuim sodanige student en sy ouer of werkgever skriftelik daarvan verwittig en die student en sy ouer of werkgever mededeel dat by herhaling van die betrokke gedrag of van die betrokke handeling of van die betrokke gebeurtenis, na gelang van die geval, sodanige student hom aan skorsing of uitsetting blootstel, en moet die prinsipaal die saak by die raad aanmeld.

(2) Wanneer 'n student nadat 'n skriftelike verwittiging ingevolge subregulasie (1) (b) ten opsigte van hom gedoen is, na die oordeel van die prinsipaal die betrokke gedrag of handeling herhaal, of wanneer na sodanige verwittiging die betrokke gebeurtenis hom na die oordeel van die prinsipaal, ten opsigte van sodanige student herhaal, moet die prinsipaal die student en sy ouer of werkgever in die geleentheid stel om die student se saak in antwoord op die bewerings vervat in die skriftelike verwittiging, skriftelik of mondeling in die teenwoordigheid van 'n lid van die doserende personeel of 'n ander getuie te stel, en na oorweging van die student se saak en na oorlegpleging met die raad, kan die prinsipaal hom uit die kollege skors vir die tydperk deur die prinsipaal bepaal.

(3) Wanneer 'n student kragtens subregulasie (2) geskors word—

(a) moet die student—

(i) sonder versuim die perseel van die betrokke kollege en, tensy die prinsipaal anders gelas het, van enige koshuis verbonde aan sodanige kollege verlaat; en

(ii) uitgesonderd vir die doeleindes van 'n ondersoek by subregulasie (8) bepaal, te gener tyd op die perseel van sodanige kollege, met inbegrip van enige terrein of koshuis, aanwesig wees nie;

(b) moet die prinsipaal sonder versuim—

(i) die ouer of werkgever van die student skriftelik in kennis stel van die skorsing en die redes daarvoor; en

(ii) 'n volledige verslag oor die aangeleentheid by die raad indien.

(4) Die raad kan, behoudens subregulasie (8) en na oorweging van die verslag in subregulasie (3) (b) (ii) bedoel, die skorsing bekratig of die tydperk daarvan wysig of die skorsing te eniger tyd ophef.

(5) Ondanks die bepalings van subregulasies (1) en (2) kan die prinsipaal 'n student summier uit die kollege skors vir die tydperk deur hom bepaal, indien 'n bepaling van subregulasie (1) (a) (i) of (vi) na die oordeel van die prinsipaal op die student van toepassing is.

(xii) in the opinion of the principal or the regional chief director concerned or any other officer in the Department authorised thereto by the regional chief director, is making unsatisfactory scholastic progress as a result of participation in activities not forming part of an educational, cultural, sports or recreational programme approved by the principal or regional chief director or authorised officer; or

(xiii) intentionally fails to have his books or the other equipment needed for his tuition with him when it is necessary for the purposes of such tuition.

(b) When, in the opinion of the principal, a provision of paragraph (a) applies to a student, the principal shall, without delay, notify such student and his parent or employer thereof in writing and inform the student and his parent or employer that, on any recurrence or repetition of the conduct in question or of the act in question or of the event in question, as the case may be, such student shall be liable to be suspended or expelled, and the principal shall report the case to the council.

(2) When a student, after a written notification in terms of subregulation (1) (b) has been made in regard to him, in the opinion of the principal repeats the conduct or act in question, or when, after such notification, a further occurrence of the event in question takes place, in the opinion of the principal, in respect of such student, the principal shall afford the student, and his parent or employer the opportunity to present the student's case in reply to the allegations contained in the written notification in writing or verbally in the presence of a member of the lecturing staff or another witness, and after consideration of the student's case and after consultation with the council, the principal may suspend him from college for the period determined by him.

(3) Upon the suspension of any student under subregulation (2)—

(a) such student—

(i) shall without delay leave the premises of the college concerned and, unless the principal has directed otherwise, of any hostel connected with the college; and

(ii) shall not, save for the purposes of an enquiry as provided by subregulation (8), at any time be present on the premises of such college, including any grounds or hostel;

(b) the principal shall forthwith—

(i) notify the parent or employer of the student, in writing, of the suspension and of the reasons therefor; and

(ii) submit a full report on the matter to the council.

(4) The council may, subject to subregulation (8) and after consideration of the report referred to in subregulation (3) (b) (ii), confirm the suspension, or amend the period thereof, or at any time annul the suspension.

(5) Notwithstanding the provisions of subregulations (1) and (2), the principal may summarily suspend a student from the college for the period determined by him if, in the opinion of the principal, a provision of subregulation 1 (a) (i) or (vi) applies to the student.

(6) (a) Wanneer 'n student kragtens subregulasie (5) geskors word, moet die prinsipaal sonder versuim—

(i) die student verwittig van die redes vir sy skorsing en hom meedeel dat hy binne 'n tydperk van vyf dae vertoë in verband met sy skorsing en moontlike uitsetting tot die raad kan rig;

(ii) die ouer of werkgever van die student skriftelik in kennis stel van die skorsing en die redes daarvoor, en van die mededeling bedoel in subparagraph (i); en

(iii) 'n volledige verslag oor die aangeleentheid by die raad indien.

(b) Die bepalings van subregulasie (3) (a) is *mutatis mutandis* van toepassing op 'n student wat kragtens subregulasie (5) geskors is.

(c) Die raad kan, behoudens subregulasie (8) en na oorweging van die verslag in paragraaf (a) (iii) bedoel en die vertoë in paragraaf (a) (i) bedoel (as daar is), die skorsing bekragtig of die tydperk daarvan wysig of die skorsing te eniger tyd ophef.

(7) (a) Ondanks die bepalings van subregulasies (1) (b), (2), (3), (5) en (6) kan die raad, of kan die betrokke streekhoofdirekteur of 'n ander beampete in die Departement deur die streekhoofdirekteur daartoe gemagtig, na oorlegpleging met die raad, 'n student op wie, na die oordeel van die raad of die streekhoofdirekteur of so 'n beampete, 'n bepaling van subregulasie (1) (a) van toepassing is, summier uit 'n kollege skors vir 'n tydperk van hoogstens vyf dae, en in so 'n geval is die bepalings van subregulasie (3) (a) en (b) (i) *mutatis mutandis* van toepassing, by welke toepassing die verwysing in enige sodanige bepaling na "prinsipaal" uitgelê word as 'n verwysing na die raad of die streekhoofdirekteur of so 'n ander beampete, na gelang van die geval.

(b) Wanneer 'n student kragtens hierdie subregulasie geskors word, moet die raad of die streekhoofdirekteur of so 'n ander beampete die student sonder versuim verwittig van die redes vir sy skorsing en hom meedeel dat hy binne 'n tydperk van vyf dae vertoë in verband met sy skorsing tot die raad of die streekhoofdirekteur of so 'n ander beampete kan rig.

(c) (i) Die raad of die streekhoofdirekteur of so 'n ander beampete moet binne die tydperk van vyf dae in paragraaf (a) vermeld, die vertoë in paragraaf (b) bedoel, oorweeg en kan die skorsing ophef of dit verleng vir enige verdere tydperk deur die raad of die streekhoofdirekteur of so 'n beampete, na gelang van die geval, bepaal en moet, indien geen sodanige vertoë ontvang is nie, binne bedoelde tydperk van vyf dae oorweeg of dit in belang van die onderwys aan die betrokke kollege is dat bedoelde tydperk verleng word.

(ii) Die raad of die streekhoofdirekteur of so 'n ander beampete, na gelang van die geval, moet in die geval van 'n besluit dat bedoelde tydperk van skorsing verleng moet word, die betrokke student sonder versuim daarvan en van die verlengde tydperk verwittig, en in so 'n geval is die bepalings van subregulasie (3) (a) en (b) (i) ten opsigte van die verlengde tydperk van toepassing.

(6) (a) Upon the suspension of any student under subregulation (5), the principal shall without delay—

(i) inform the student of the reasons for his suspension and notify him that he may submit representations regarding his suspension and possible expulsion to the council within a period of five days;

(ii) inform the parent and employer of the student, in writing, of the suspension and the reasons therefor, and of the notification referred to in subparagraph (i); and

(iii) submit a full report on the matter to the council.

(b) The provisions of subregulation (3) (a) shall apply *mutatis mutandis* to a student suspended in terms of subregulation (5).

(c) The council may, subject to subregulation (8) and after consideration of the report referred to in paragraph (a) (iii) and the representations mentioned in paragraph (a) (i) (if any), confirm the suspension, or amend the period thereof, or at any time annul the suspension.

(7) (a) Notwithstanding the provisions of subregulations (1) (b), (2), (3), (5) and (6), the council, or the regional chief director concerned or any other officer in the Department authorised by him thereto after consultation with the council, may summarily suspend from a college a student to whom, in the opinion of the council or the regional chief director or such officer, a provision of subregulation (1) (a) applies, for a period not exceeding five days, and in any such case the provisions of subregulation (3) (a) and (b) (i) shall apply *mutatis mutandis*, in which case the reference in any such provision to "principal" shall be construed as a reference to the council or the regional chief director or such other officer, as the case may be.

(b) Upon the suspension of any student according to this subregulation, the council or the regional chief director or such other officer shall, without delay, inform the student of the reasons for his suspension and notify him that he may submit representations regarding his suspension to the council or the regional chief director or such other officer within a period of five days.

(c) (i) The council or the regional chief director or such other officer shall, within the period of five days referred to in paragraph (a), consider the representations mentioned in paragraph (b) and may annul the suspension or extend it for a further period determined by the council or the regional chief director or such other officer, as the case may be, and shall, if no such representations are received within the said period of five days, decide whether it is in the interest of education at the college concerned that the said period be extended.

(ii) The council or the regional chief director or such other officer, as the case may be, shall in the case of a decision that the said period of suspension be extended, inform the student concerned thereof and of the extended period without delay, in which case the provisions of subregulation (3) (a) and (b) (i) shall apply in respect of the extended period.

(8) Die raad kan ondanks die bepalings van subregulasies (4) en (6) (c)—

(a) na oorweging van 'n verslag bedoel in subregulasië 3 (b) (ii) of (6) (a) (iii), na gelang van die geval; en

(b) na oorweging van die betrokke student se saak kragtens subregulasië (2) gestel, of van die vertoe in subregulasië (6) (a) (i) bedoel (as daar is); en

(c) na verdere ondersoek, indien dit dienstig geag word,

die betrokke student uit die kollege sit indien 'n bepaling van subparagrawe (i) tot en met (xi) van subregulasië (1) (a) na die oordeel van die raad op sodanige student van toepassing is.

(9) (a) Ondanks die bepalings van subregulasiës (1) (b), (2), (3), (4), (5), (6), (7) en (8) kan die raad, of kan die betrokke streekhoofdirekteur of 'n ander beampete in die Departement deur die streekhoofdirekteur daartoe gemagtig, na oorlegpleging met die raad, 'n student op wie, na die oordeel van die raad of die streekhoofdirekteur of so 'n beampete, na gelang van die geval, 'n bepaling van subregulasië (8) van toepassing is, summier uit 'n kollege sit indien die erns van die geval, na die oordeel van die raad, die streekhoofdirekteur of so 'n beampete, na gelang van die geval, van so 'n graad is dat dit in belang van die welsyn van die kollege as geheel of van enige van die studente, of van die doeltreffende voortsetting van normale kollegebedrywighede, noodsaklik is dat die student die kollege onverwyld moet verlaat.

(b) Wanneer 'n student kragtens paragraaf (a) uit 'n kollege gesit word, moet die betrokke raad, streekhoofdirekteur of beampete, na gelang van die geval, die student en sy ouer of werkgewer verwittig van die redes vir sy uitsetting en die student en sy ouer of werkgewer meedeel dat vertoe in verband met die uitsetting binne 'n tydperk van sewe dae tot die raad, die streekhoofdirekteur of die beampete gerig kan word.

(c) Na oorweging van die vertoe in paragraaf (b) bedoel (as daar is), kan die betrokke raad, streekhoofdirekteur of beampete die uitsetting intrek of bekragtig.

(10) Wanneer 'n student kragtens subregulasië (8) uitgesit word of wanneer die uitsetting van 'n student kragtens subregulasië (9) (c) bekragtig word, moet die betrokke raad, streekhoofdirekteur of beampete sonder versuim—

(a) die ouer of werkgewer van die student dienoordeekomstig skriftelik in kennis stel en die redes vir die uitsetting verstrek, asook meld dat appèl dienoordeekomstig subregulasië (11) teen die uitsetting aangeteken kan word; en

(b) die student se naam van die toelatingsregister en alle ander kollegeregisters skrap.

(11) 'n Appèl bedoel in subregulasië (10) (a) teen die uitsetting van 'n student uit 'n kollege kan binne 10 dae na die datum van die kennisgewing in subregulasië (10) (a) bedoel, by die Direkteur-generaal aangegeteken word, en die beslissing van die Direkteur-generaal ten opsigte van so 'n appèl is afdoende.

(8) The council may, notwithstanding the provisions of subregulations (4) and (6) (c)—

(a) after consideration of a report referred to in subregulation (3) (b) (ii) or 6 (a) (iii), as the case may be; and

(b) after consideration of the case of the student concerned, presented in terms of subregulation (2), or of the representations mentioned in subregulation (6) (a) (i), if any; and

(c) after further inquiry, if deemed expedient, expel the student concerned from the college if, in the opinion of the council, a provision of subparagraphs (i) up to and including (xi) of subregulation (1) (a) applies to such student.

(6) (a) Notwithstanding the provisions of subregulations (1) (b), (2), (3), (4), (5), (6), (7) and (8), the council, or the regional chief director concerned or any other officer in the Department authorised thereto by the regional chief director after consultation with the council, may summarily expel from a college a student to whom, in the opinion of the council, the regional chief director or such officer, as the case may be, a provision of subregulation (8) applies if the seriousness of the case, in the opinion of the council, the regional chief director or such officer, as the case may be, is of such a nature that it is necessary in the interest of the welfare of the college as a whole or of any of the students, or of the effective continuation of normal college activities, that the student leave the college forthwith.

(b) Upon the expulsion of a student from a college under paragraph (a), the council, regional chief director or officer concerned, as the case may be, shall inform the student and his parent or employer of the reasons for his expulsion and shall notify the student and his parent or employer that representations regarding the expulsion may be submitted to the council, regional chief director or officer within a period of seven days.

(c) After consideration of the representations referred to in paragraph (b), if any, the council, regional chief director or officer concerned may withdraw or confirm the expulsion.

(10) Upon the expulsion of a student under subregulation (8), or upon the confirmation of the expulsion of a student under subregulation (9) (c), the council, regional chief director or officer concerned shall without delay—

(a) inform the parent or employer of the student accordingly in writing, and shall furnish the reasons for the expulsion, and shall also state that an appeal may be lodged against the expulsion, in accordance with subregulation (11); and

(b) delete the name of the student from the admission register and all other college registers.

(11) Any appeal referred to in subregulation (10) (a) against the expulsion of a student from a college may be made to the Director-General within 10 days of the date of the notification mentioned in subregulation (10) (a), and the decision of the Director-General in respect of such appeal shall be final.

Sluiting van kolleges

31. (1) Indien die Minister van oordeel is dat die getal studente wat ooreenkomsdig regulasie 30 (8) of (9) uit 'n kollege gesit is of wat weier of versuim om klasse by te woon, van so 'n omvang is dat die voortbestaan van die kollege nie geregverdig is nie, kan hy, behoudens regulasie 32, die kollege kragtens artikel 5 (4) (b) van die Wet sluit.

(2) Die bepalings van subregulasie (1) word nie uitgelê as sou dit die Minister verhinder om kragtens en ooreenkomsdig artikel 5 (4) (b) van die Wet 'n kollege te sluit in ander omstandighede as dié bedoel in daardie subregulasie nie.

(3) Indien 'n kollege kragtens hierdie regulasie gesluit word, kan die Minister gelas dat die studente of die oorblywende studente, na gelang van die geval, na 'n ander kollege oorgeplaas word.

(4) Wanneer 'n kollege kragtens subregulasie (1) of soos bedoel in subregulasie (2) gesluit is en daarna deur die Minister heropen word, kan die prinsipaal, behoudens die voorbehoudsbepaling by artikel 34 van die Wet, iemand binne 'n tydperk deur die Direkteurgeneraal bepaal, as student tot bedoelde kollege toelaat.

(5) Niemand word kragtens subregulasie (4) tot die betrokke kollege toegelaat nie, tensy hy voldoen aan die toelatingsvereistes voorgeskryf by regulasie 26.

Opskorting van werkzaamhede by kolleges

32. (1) Die Minister kan, in plaas daarvan om 'n kollege in die omstandighede bedoel in regulasie 31 (1) en kragtens daardie regulasie te sluit, die werkzaamhede by sodanige kollege of enige deel daarvan kragtens artikel 5 (4) (a) van die Wet opskort vir 'n tydperk deur hom bepaal.

(2) Die Minister kan in enige ander geval as 'n geval beoog in subregulasie (1), die werkzaamhede by enige kollege of enige deel daarvan kragtens artikel 5 (4) (a) van die Wet opskort, indien hy van oordeel is—

(a) dat die getal studente wat van die kollege afwesig is van so 'n omvang is dat die voortsetting van onderrig aan die kollege nie geregverdig of moontlik is nie;

(b) dat sommige van of al die studente wat by die kollege aanwesig is, weier om klasse by te woon of onderrig te ontvang; of

(c) dat effektiewe onderrig by die kollege nie moontlik is nie weens—

(i) die verontagsaming deur sommige van of al die studente van 'n regmatige opdrag gegee deur die raad of 'n lid van die doserende personeel;

(ii) die opsetlike of nalatige oortreding deur sommige van of al die studente van, of so 'n versuim om te voldoen aan, enige regulasie kragtens die Wet uitgevaardig of 'n reël van sodanige kollege; of

(iii) die oproerige of wanordelike gedrag van sommige van of al die studente.

Closing of colleges

31. (1) If the Minister is of the opinion that the number of students who have been expelled from a college in terms of regulation 30 (8) or (9), or who refuse or fail to attend classes, is such that the continued existence of the college is no longer justified, he may, subject to regulation 32, close the college in terms of section 5 (4) (b) of the Act.

(2) The provisions of subregulation (1) shall not be construed as preventing the Minister from closing a college in terms of and in accordance with section 5 (4) (b) of the Act in circumstances other than those mentioned in that subregulation.

(3) If a college is closed in terms of this regulation, the Minister may order that the students or the remaining students, as the case may be, be transferred to another college.

(4) When a college has been closed in terms of subregulation (1) or as contemplated in subregulation (2) and is subsequently re-opened by the Minister, the principal may, subject to the proviso to section 34 of the Act, admit any person as a student to the said college within a period determined by the Director-General.

(5) No person shall be admitted to the college concerned in terms of subregulation (4) unless he complies with the admission requirements prescribed by regulation 26.

Suspension of activities at colleges

32. (1) The Minister may, instead of closing a college in the circumstances referred to in regulation 31 (1) and in terms of that regulation, suspend the activities at such college or any part thereof in terms of section 5 (4) (a) of the Act for a period determined by him.

(2) The Minister may, in any case other than a case contemplated in subregulation (1), suspend the activities at any college or in any part thereof in terms of section 5 (4) (a) of the Act, if he is of the opinion—

(a) that the number of students who are absent from the college is such that the continuation of instruction at the college cannot be justified or is impossible;

(b) that some of or all the students present at the college are refusing to attend classes or to receive instruction; or

(c) that effective lecturing at the college is not possible owing to—

(i) the disregard by some of or all the students of a lawful instruction given by the council or a member of the lecturing staff; or

(ii) the deliberate or negligent contravention by some of or all the students of, or such failure to comply with, any regulation made under the Act or a rule of such college; or

(iii) the riotous or disorderly behaviour of some of or all the students.

(3) Wanneer die werkzaamhede by 'n koloeg of enige deel daarvan kragtens subregulasie (1) of (2) opgeskort is, moet alle studente wat by daardie koloeg aanwesig is of wat aan die deel daarvan wat opgeskort is, verbone is—

(a) sonder versuim die perseel van die koloeg en van enige koshuis verbone aan die koloeg verlaat; en

(b) vir die duur van die opskorting nie op die perseel van die koloeg of van enige koshuis verbone aan die koloeg aanwesig wees nie.

(4) Die Direkteur-generaal kan op aansoek of uit eie beweging 'n student van 'n bepaling van subregulasie (3) vrystel.

(5) By die heropening van 'n koloeg waarvan die werkzaamhede kragtens hierdie regulasie opgeskort was, kan die prinsipaal, behoudens die voorbehoudbepaling by artikel 34 van die Wet, iemand as student tot bedoelde koloeg toelaat.

DEEL 5

MISDRYWE EN WYSIGINGS VAN REGULASIES

Misdrywe

33. Iemand wat—

(a) op die perseel van 'n koloeg, met inbegrip van enige terrein of koshuis—

(i) 'n ander kursus of sillabus aan studente aanbied as 'n kursus of sillabus wat kragtens artikel 35 van die Wet vir die onderwys, onderrig of opleiding van persone in kolleges ingestel is, behalwe 'n werkprogram, klas of kursus wat in die gewone loop van kollegewerkzaamhede algemeen by kolleges bykomstig tot die by Wet ingestelde kursusse aangebied word; of

(ii) enige onderwys, onderrig of opleiding in 'n kursus wat kragtens gemelde artikel 35 ingestel is, volgens 'n ander sillabus as die sillabus wat kragtens genoemde artikel vir daardie kursus bepaal is, aan studente aanbied;

(b) 'n klas waar onderwys, onderrig of opleiding deur 'n koloeg aan studente van die koloeg verskat word, ontwrig of belemmer;

(c) 'n sport-, sosiale of ander byeenkoms wat deur 'n koloeg vir studente van die koloeg aangebied word, ontwrig of belemmer,

pleeg 'n misdryf, en is by skuldigbevinding strafbaar met 'n boete van hoogstens R2 000 of, by wanbetaling, met gevangenisstraf vir 'n tydperk van hoogstens 12 maande.

Wysiging van regulasies

34. Die Regulasies betreffende Rade en Komitees vir Openbare Skole, 1982, vermeld in regulasie 3 (4) van hierdie regulasies, word hierby gewysig deur subregulasie (5) van regulasie 2 te skrap.

35. Die Regulasies betreffende die Beheer oor Geld wat vir of met betrekking tot 'n Staatskoloeg, 'n Gemeenskapskoloeg of 'n Staatsondersteunde Skool ingesamel word, afgekondig by Goewermentskennisgewing No. R. 830 van 30 April 1982, soos gewysig by Goewermentskennisgewing No. R. 10 van 6 Januarie 1989, word hierby gewysig deur in regulasie 1 die omskrywing van "skool" deur die volgende omskrywing te vervang:

"'skool' 'n skool soos omskryf in artikel 1 van die Wet, uitgesonderd enige inrigting vir die opleiding van onderwysers, áandskoloeg, sentrum vir die onderwys van volwassenes en tegniese koloeg;".

(3) Upon the suspension of the activities at a college or any part thereof in terms of subregulation (1) or (2), all students present at that college or who are attached to the part of the college that has been suspended—

(a) shall without delay leave the premises of the college and of any hostel connected with the college; and

(b) shall for the duration of the suspension not be present on the premises of the college or of any hostel connected with the college.

(4) The Director-General may, upon request or of his own accord, exempt a student from any provision of subregulation (3).

(5) On the re-opening of a college the activities of which have been suspended in terms of this regulation, the principal may, subject to the proviso to section 34 of the Act, admit a person to the said college as a student.

PART 5

OFFENCES AND AMENDMENT OF REGULATIONS

Offences

33. Any person who—

(a) on the premises of a college, including any grounds or a hostel—

(i) presents to students a course or syllabus other than a course or syllabus instituted under section 35 of the Act for the education, instruction or training of persons in colleges, excluding a work programme, class or course which, in the normal course of college activities, is generally presented at colleges in addition to the courses instituted by the Act; or

(ii) presents to students any education, instruction or training in a course instituted under the said section 35 according to another syllabus than the syllabus that has been prescribed under the said section for that course;

(b) disrupts or obstructs a class where education, instruction or training is being presented by a college to students of the college;

(c) disrupts or obstructs a sports, social or other meeting presented by a college to students of the college,

commits an offence, and is liable on conviction to a fine not exceeding R2 000 or, in default of payment, to imprisonment for a period not exceeding 12 months.

Amendment of regulations

34. The Regulations regarding Councils and Committees for Public Schools, 1982, mentioned in regulation 3 (4) of these regulations, are hereby amended by the deletion of subregulation (5) of regulation 2.

35. The Regulations regarding the Control of Moneys which are collected for or in respect of a State School, a Community School or a State-aided School, published under Government Notice No. R. 830 of 30 April 1982, as amended by Government Notice No. R. 10 of 6 January 1989, are hereby amended by the substitution in regulation 1 for the definition of "school" of the following definition:

"'school' shall mean a school as defined in section 1 of the Act, excluding institutions for the training of teachers, night schools, centres for the education of adults and technical colleges;".

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