



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 7985

Regulasiekoerant

Vol. 468

**Pretoria, 11 June
Junie 2004**

No. 26464



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

CONTENTS • INHOUD*No.**Page
No. Gazette
No.***GOVERNMENT NOTICE****Labour, Department of***Government Notice*

R. 729	Skills Development Act (97/1998): Skills Development Funding Regulations: Amendment	3	26464
--------	---	---	-------

GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 729

11 June 2004

SKILLS DEVELOPMENT ACT, 1998 (ACT NO.97 OF 1998) SKILLS DEVELOPMENT FUNDING REGULATIONS: AMENDMENT

The Minister of Labour has under the Skills Development Act, 1998 (Act No. 97 of 1998) and after consultation with the National Skills Authority made regulations in the Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the regulations published by Government Notice No.R571 of 22 June 2001 as amended by Government Notice No. R344 of 7 March 2003.

Amendment of Regulation 3 of the Regulations

2. Regulation 3 of the Regulations is hereby amended by the insertion in sub-regulation (1) of the following words:

"A SETA may in terms of section 14(3)(b) of the Act not, without the prior written approval of the Director-General, use more than 12,5% of the money it receives in terms of the Skills Development Levies Act to pay for its administration costs."

Amendment of Regulation 4 of the Regulations

3. Regulation 4 of the Regulations is hereby amended by the insertion of the following sub-regulation:

- (4) A SETA must implement its annual business plan and take all reasonable steps to meet the income, expenditure and other targets contained in the plan.

Amendment of Regulation 6 of the Regulations

4. Regulation 6 of the Regulations is hereby amended by -

- (a) the substitution for the expression "2002/3 and 2003/4 financial years" in sub-regulation (2)(b) of the expression "2002/3, 2003/4 and 2004/5 financial years.
- (b) the insertion of the following sub-regulation after sub-regulation (2)A-

(2)B Subject to any limits and conditions that the Director-General may determine, a SETA may allocate a mandatory grant to an employer with less than 50 employees who has not submitted a workplace skills plan.

- (c) the substitution for sub-regulation (3) of the following sub-regulation:

"[A] Subject to any limits or conditions that the Director General may determine, a SETA may of any surplus moneys determine and allocate discretionary grants to -

- (a) an employer if the employer has submitted an application for a discretionary grant in the form prescribed in Annexure C to these Regulations; **[and]**

- (b) the insertion of sub-regulation (3)(c)

(c) an employer, if the employer has submitted an application for a discretionary grant in the form determined by the SETA for the following national skills priority areas-

- (i) adult basic education and training;
- (ii) HIV/Aids awareness training;
- (iii) learnerships involving learners contemplated in section 18(2) of the Act; and

- (iv) achieving equity targets, including special programs aimed at people with disabilities;
- (v) scarce skills
- (c) the insertion of sub-regulation (3)(d)
(d) a lead employer contemplated in Regulation 3(4) of the Learnership Regulations, 2001 if the lead employer has submitted an application for a discretionary grant to fund its administration costs in the form determined by the SETA;
- (d) the insertion of sub-regulation (3)(e)
(e) an employer if the employer has submitted an application for a discretionary grant in the form determined by the SETA for learnerships registered in terms of Regulation 2 of the Learnership Regulations, 2001 by another SETA; and
- (d) The substitution and insertion in sub-regulation (5) of the following words:

“[Each] Subject to sub-regulation (5A), each SETA must prepare and distribute to employers and education and training providers and workers a schedule setting out the dates by which employers and education and training providers and workers must submit their applications for the grants as contemplated in sub-regulations (1),(2) and (3), including any circumstances under which employers and education and training providers and workers may be granted extensions to the dates stipulated by the relevant SETA for the submission of applications.”
- (e) The insertion of sub-regulation (6)

‘(6) Each SETA must, in the schedule contemplated in sub-regulation (5), require every application for a grant to be submitted -

- (i) no later than three months after the end of the financial year in respect of which the application is made; or
- (ii) within such shorter period as may be determined by the SETA.

**UMNYANGO WEZEMISEBENZI
UMTHETHO WOKUTHUTHUKISA AMAKHONO, 1998 (UMTHETHO NO. 97 KA
1998)**

IZIMALI ZEZIMISELO ZOTHUTHUKISA AMAKHONO: UKUCHIBIYELWA

Ungqongqoshe weZemisebenzi ngaphansi koMthetho wokuThuthukisa aMakhono, 1998 (uMthetho No. 97 ka1998) futhi ngemuva kokubonisana neGunya laMakhono likaZwelonke benza izimiselo kwiSheduli.

ISHEDULI

Incazelo

1. Kulezizimiselo "Izimiselo" zichaza izimiselo eshicilelwe ngeSaziso sikaHulumeni No. R571 ka 22 uNcwaba 2001 njengoba kuchibiyelwe kwiSaziso sikaHulumeni No. R344 ka 7 Ndasa 2003.

Ukuchibiyelwa kweSimiselo 3 seZimiselo

2. ISimiselo 3 zeZimiselo siyachibiyelwa ngokufakela isimiselo esingaphansi (1) ngamagama alandelayo:

"ISETA ingeke ngokwesigaba 14(3)(b) soMthetho, ngaphadle kokuthola imvume ebhaliwe kaMqondisi-Jikelele kuqala, isebenzise ngaphezulu kwamaphesenti awu-12,5 wezimali ezitholile ngokoMthetho weZibizontela wokuThuthukisa aMakhono ukukhokhela izindleko zokuphathwa zayo."

Ukuchibiyelwa kweSimiselo 4 seZimiselo

3. ISimiselo 4 seZimiselo siyachitshiyelwa ngokufakela isimiselo esingaphansi esilandelayo:

(4) ISETA mayenze uhlelo lwebhizinisi lonyaka futhi ithathe zonke izinyathelo eziqondekayo ukuhlangabezana nezingeniso, imali esetshenzisiwe kanye nezinye izinhloso eziqukethwe ohlelweni.

Ukuchibiyelwa kweSimiselo 6 seZimiselo

4. ISimiselo 6 seZimiselo siyachibiyelwa ngoku-

- (a) umfakela womusho “iminyaka yezimali 2002/3 kanye no 2003/4” kwisimiselo esingaphansi (2)(b) komusho “2002/3, 2003/4 kanye no 2004/5 kwiminyaka yezimali.
- (b) fakwa kwesimiselo esingaphansi esilandelayo emuva kwesimiselo esingaphansi (2)A-

(2)B Kuya nanganoma yimiphi imikhawulo nezimo lezo uMqondisi-Jikelele angazinquma, iSETA ingabela imali yokwelekelela egunyaziwe kumqashi onabasebenzi abangaphansi kuka-50 onganikezelanga ngohlelo lwamakhono kwindawo yokusebenzela.

(c) ukususwa kwesimiselo 3 esingaphansi sesimiselo esingaphansi esilandelayo:

“[A] Kuya nanganoma yimiphi imikhawulo nezimo lezo uMqondiso-Jikelele angazinquma, iSETA inga noma yiziphi izimali ezisalile nquma futhi yabe izimali zokwelekelela ezingagunyaziwe ku-

- (a) mqashi uma umqashi enikezelile ngesicelo sezimali zokwelekelela kwifomu elibekiwe kuMfakela C kuleziZimiselo; [futhi]
- (b) umqashi, uma umqashi enikezelile isicelo semali yokwelekelela engagunyaziwe kwifomu elinqunyiwe yiSETA yalezizindawo ezilandelayo zamakhono kazwelonke abalulekile-
 - (i) imfundo noqeqesho yabadala eyisisekelo
 - (ii) uqeqesho lokuqwashisa ngesandulela ngculazi nengculazi
 - (iii) izinhlelo zokufunda ezifaka abafundi njengokucatshangwe kwisigaba 18(2) soMthetho;

- (iv) ekuzuzeni izinhloso ezilinganayo, kufake izinhlelo ezikhethiwe eziqonde nabantu abakhubazekile: kanye
- (v) amakhono angandile
- (c) umqashi ophambili njengokucatshangwe kwisimiselo 3(4) weZimiselo zeziNhlelo zokuFunda, 2001 uma umqashi ophambili enikezelile ngesicelo semali yokwelelela ebonelelwayo ukukhokhela izindleko zokuphathwa kwayo kwifomu eliqunywe yiSETA:
- (d) umqashi uma umqashi enikezelile ngesicelo semali yokwelelela ebonelelwayo kwifomu enqunyiwe iSETA yohlelo lokufunda olubhalisiwe ngokweSimiselo 2 soHlelo lokuFunda lweZimiselo, 2001 ngenye iSETA:
- (d) Ukususwa kwesimiselo esingaphansi (5) samagama alendalayo:

“[Ngayinye] Ngokwesimiselo esingaphansi (5A), ISETA ngayinye kufanele ilungise futhi icazele abaqashi kanye nabahlinzeki nabasebenzi bemfundo noqeqesho isheduli ekhombisa izinsuku lezo abaqashi abahlinzeki nabasebenzi bemfundo noqeqesho kufanele banikezele izicelo zabo zezimali zokwelelela njengoba kucatshangwe kwisimiselo esingaphansi (1),(2) kanye (3), kufakwe nanoma iziphi izimo ngaphansi kwazo abaqashi abahlinzeki bemfundo noqeqesho nabasebenzi abangagunyazwa ukwelulelwa izinsuku ezibekwe yiSETA eqondene nokunikezelwa kwezicelo.
- (e) “ukususwa kwesimiselo esingaphansi (6) sesimiselo esingaphansi esilandelayo.”

‘(6) ISETA ngayinye, kwisheduli njengokucatshangiwe kwisimiselo esingaphansi (5), mayidinge zonke izicelo zemali yokwelelela zinikezeliwe-

Ukuchibiyelwa kweSimiselo 6 seZimiselo**4. ISimiselo 6 seZimiselo siyachibiyelwa ngoku-**

- (a) umfakela womusho "iminyaka yezimali 2002/3 kanye no 2003/4" kwisimiselo esingaphansi (2)(b) komusho "2002/3, 2003/4 kanye no 2004/5 kwiminyaka yezimali.
- (b) fakwa kwesimiselo esingaphansi esilandelayo emuva kwesimiselo esingaphansi (2)A-

(2)B Kuya nanganoma yimiphi imikhawulo nezimo lezo uMqondisi-Jikelele angazinquma, iSETA ingabela imali yokwelekelela egunyaziwe kumqashi onabasebenzi abangaphansi kuka-50 onganikezelanga ngohlelo lwamakhono kwindawo yokusebenzela.

- (c) ukususwa kwesimiselo 3 esingaphansi sesimiselo esingaphansi esilandelayo:

"[A] Kuya nanganoma yimiphi imikhawulo nezimo lezo uMqondiso-Jikelele angazinquma, iSETA inga noma yiziphi izimali ezisalile nquma futhi yabe izimali zokwelekelela ezingagunyaziwe ku-

- (a) mqashi uma umqashi enikezelile ngesicelo sezimali zokwelekelela kwifomu elibekiwe kuMfakela C kuleziZimiselo; [futhi]
- (b) umqashi, uma umqashi enikezelile isicelo semali yokwelekelela engagunyaziwe kwifomu elinqunyiwe yiSETA yalezizindawo ezilandelayo zamakhono kazwelonke abalulekile-
- (i) imfundo noqeqesho yabadala eyisisekelo
- (ii) uqeqesho lokuqwashisa ngesandulela ngculazi nengculazi
- (iii) izinhlelo zokufunda ezifaka abafundi njengokucatshangwe kwisigaba 18(2) soMthetho;

-
- (i) zingakapheli izinyanga ezintathu emuva kokuphela konyaka wezimali lesosicelo esinziwe ngawo; noma
 - (ii) ngalasosikhathi esifishane singanqunywa yiSETA.
-

Dog ate your Gazette?
... read it online



www.SA Gazettes.co.za
.....

A new information Portal keeping you up to date with news, legislation, the Parliamentary programme and which is the largest pool of SA Gazette information available on the Web.

- Easily accessible through the www!
 - Government Gazettes - from January 1994
 - Compilations of all Indexes pertaining to the past week's Government Gazettes
 - All Provincial Gazettes - from September 1995
 - Parliamentary Bills - as of January 1999
- Available in full-text, with keyword searching
- Sabinet Online scans, formats, edits and organize information for you. Diagrams and forms included as images.
- No stacks of printed gazettes - all on computer. Think of the storage space you save.
- Offers Bill Tracker - complementing the SA Gazettes products.

For easy electronic access to full-text gazette info, subscribe to the SA Gazettes from Sabinet Online. Please visit us at www.sagazettes.co.za

Sabinet
 *Online*

Looking for out of print issues of Government and Provincial Gazettes

We can provide photocopies

Contact

The National Library of South Africa,
Pretoria Campus
PO Box 397
0001 PRETORIA

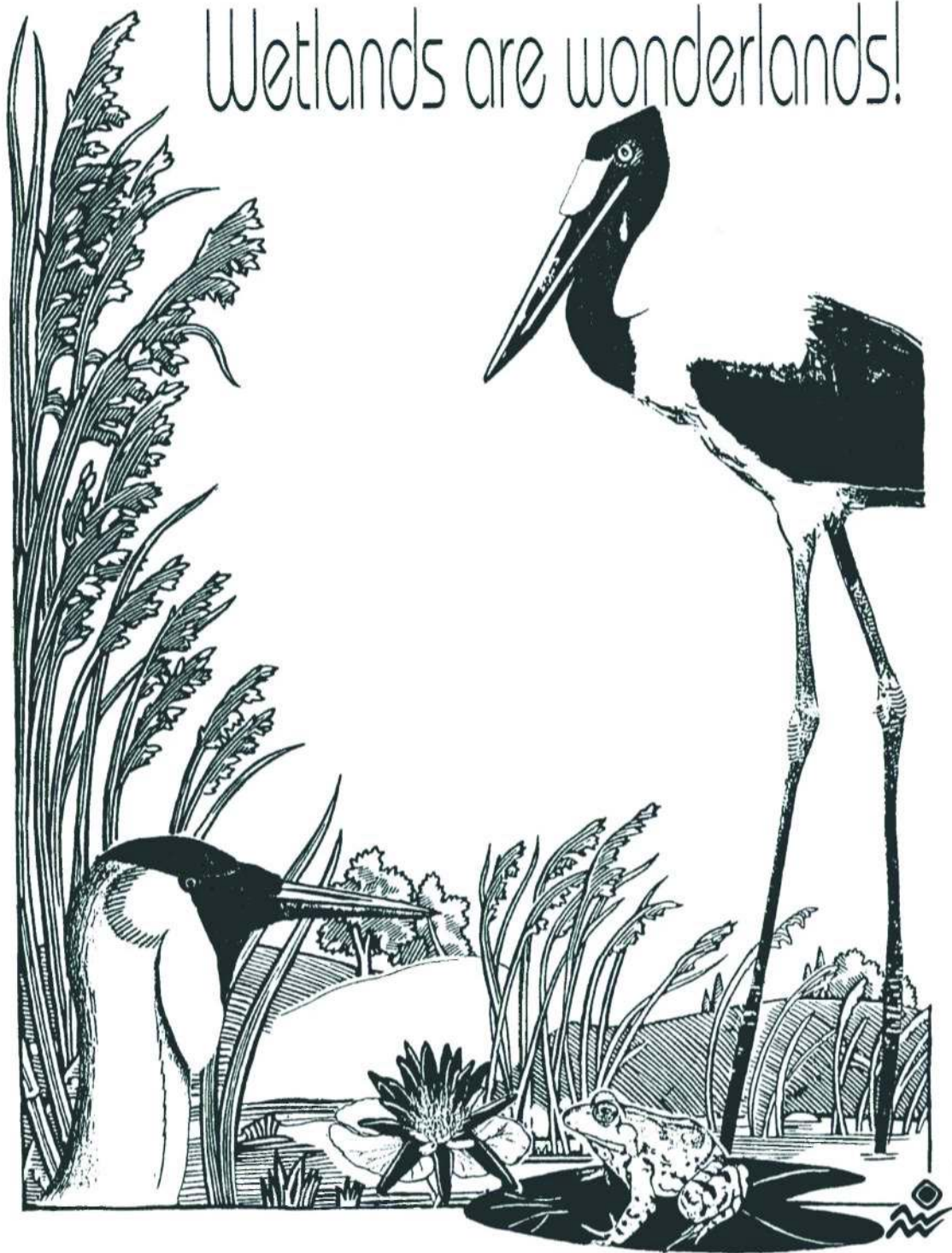
Physical address

C/o Andries and Vermeulen Streets
Entrance in Andries Street

Contact details

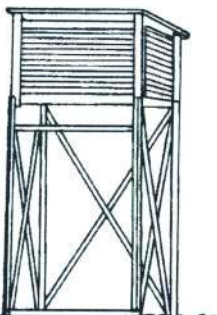
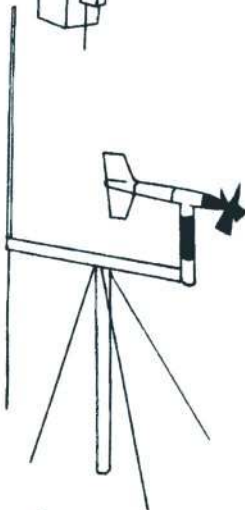
Tel: (012) 321-8931
Fax: (012) 325-5984
E-mail: infodesk@nlsa.ac.za

Wetlands are wonderlands!

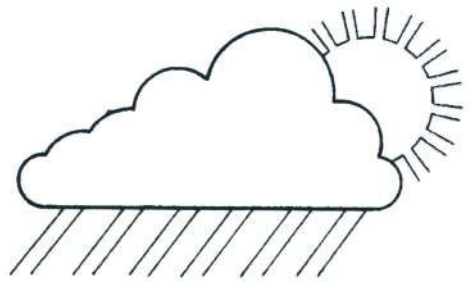


Department of Environmental Affairs and Tourism

SA WEATHER BUREAU SA WEERBURO



**W
E
A
T
H
E
R
·
S
E
R
V
I
C
E
S
·
W
E
E
R
D
I
E
N
S
T
E**



DEPT. OF ENVIRONMENTAL AFFAIRS AND TOURISM • DEPT. VAN OMGEWINGSAKE EN TOERISME

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531