



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

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## KANTOOR VAN DIE EERSTE MINISTER

No. 396.

12 Maart 1982.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 25 van 1982: Wysigingswet op die Nasionale Onderwysbeleid, 1982.

## OFFICE OF THE PRIME MINISTER

No. 396.

12 March 1982.

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 25 of 1982: National Education Policy Amendment Act, 1982.

Wet No. 25, 1982

WYSIGINGSWET OP DIE NASIONALE  
ONDERWYSBELEID, 1982

## ALGEMENE VERDUIDELIKENDE NOTA:

**I** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordeningen aan.

**—** Woorde met 'n volstreep daaronder, dui invloegings in bestaande verordeningen aan.

## WET

Tot wysiging van die Wet op die Nasionale Onderwysbeleid, 1967, ten einde 'n omskrywing van „Direkteur-generaal” in te voeg, die omskrywing van „onderwyshoof” te wysig en die omskrywing van „Sekretaris” te skrap; 'n verwysing na die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945, deur 'n verwysing na die Wet op Finansiële Verhoudings, 1976, te vervang; sekere van die beginsels wat gevvolg moet word by die bepaling van die algemene beleid betreffende onderwys in skole, te wysig; 'n verwysing na die Senaat te skrap; en die verwysing na 'n kollege vir gevorderde tegniese onderwys deur 'n verwysing na 'n technikon te vervang; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 22 Februarie 1982.)

DAAR WORD BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 1 van Wet 39 van 1967, soos gewysig deur artikel 1 van Wet 73 van 1969, artikel 2 van Wet 69 van 1973, artikel 1 van Wet 92 van 1974 en artikel 1 van Wet 25 van 1978.

Wysiging van artikel 1A van Wet 39 van 1967, soos ingevoeg deur artikel 2 van Wet 73 van 1969 en vervang deur artikel 2 van Wet 92 van 1974.

1. Artikel 1 van die Wet op die Nasionale Onderwysbeleid, 1967 (hieronder die Hoofwet genoem), word hierby gewysig—
  - (a) deur na die omskrywing van „departement” die volgende omskrywing in te voeg: „Direkteur-generaal” die Nationale Opvoeding;”;
  - (b) deur die omskrywing van „onderwyshoof” deur die volgende omskrywing te vervang: „Onderwyshoof” die Sekretaris Direkteur-generaal of die Direkteur van Onderwys van 'n provinsie, [of van die gebied Suidwes-Afrika] en ook, by die toepassing van artikels 4 (1) (a) en 6 alleen, die [Direkteur] hoof van die tak onderwys van die Departement;”; en
  - (c) deur die omskrywing van „Sekretaris” te skrap.
2. Artikel 1A van die Hoofwet word hierby gewysig—
  - (a) deur subartikel (1) deur die volgende subartikel te vervang:
    - (1) Behoudens die bepalings van subartikel (2), artikel 2A van die Wet op Gevorderde Tegniese Onderwys, 1967 (Wet No. 40 van 1967), en artikel [22A van die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945 (Wet No. 38 van 1945)] 28 van 25 die Wet op Finansiële Verhoudings, 1976 (Wet No. 65 van 1976), kan die opleiding van blanke persone as onderwysers vir sekondêre skole slegs aan 'n universiteit verskaf word: Met dien verstande dat vir die doeleindes van die toekenning van 'n graad, diploma 30 of sertifikaat aan 'n student aan 'n universiteit, daardie

## NATIONAL EDUCATION POLICY AMENDMENT ACT, 1982

Act No. 25, 1982

## GENERAL EXPLANATORY NOTE:

- I** Words in bold type in square brackets indicate omissions from existing enactments.
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- Words underlined with solid line indicate insertions in existing enactments.
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## ACT

To amend the National Education Policy Act, 1967, so as to insert a definition of "Director-General", to amend the definition of "head of education" and to delete the definition of "Secretary"; to substitute a reference to the Financial Relations Act, 1976, for a reference to the Financial Relations Consolidation and Amendment Act, 1945; to amend certain of the principles which shall be followed in the determination of the general policy relating to education in schools; to delete a reference to the Senate; and to substitute a reference to a technikon for the reference to a college for advanced technical education; and to provide for incidental matters.

(English text signed by the State President.)  
(Assented to 22 February 1982.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the National Education Policy Act, 1967 (hereinafter referred to as the principal Act), is hereby 5 amended—
- (a) by the insertion after the definition of "Department" of the following definition:  
"Director-General" means the Director-General of National Education;"
  - 10 (b) by the substitution for the definition of "head of education" of the following definition:  
"head of education" means the Secretary Director-General, or the Director of Education of any province, or of the territory of South West Africa and includes, for the purposes of sections 4 (1) (a) and 6 only, the Director head of the education branch of the Department;" and
  - (c) by the deletion of the definition of "Secretary".
2. Section 1A of the principal Act is hereby amended—
- 20 (a) by the substitution for subsection (1) of the following subsection:  
"(1) Subject to the provisions of subsection (2), section 2A of the Advanced Technical Education Act, 1967 (Act No. 40 of 1967), and section 22A of the Financial Relations Consolidation and Amendment Act, 1945 (Act No. 38 of 1945), 28 of the Financial Relations Act, 1976 (Act No. 65 of 1976), the training of white persons as teachers for secondary schools may be provided at a university only: Provided that for the purposes of conferring a degree upon or granting a diploma or certificate to any student at any university, such university may recognize any examination con-
- Amendment of section 1 of Act 39 of 1967, as amended by section 1 of Act 73 of 1969, section 2 of Act 69 of 1973, section 1 of Act 92 of 1974 and section 1 of Act 25 of 1978.
- Amendment of section 1A of Act 39 of 1967, as inserted by section 2 of Act 73 of 1969 and substituted by section 2 of Act 92 of 1974.

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universiteit 'n eksamen kan erken wat deur 'n kollege afgeneem is en met goeie gevolg deur daardie student afgelê is."; en  
(b) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Die Minister kan na oorleg met die raad van 'n universiteit en 'n Administrateur of die raad van 'n **[kollege vir gevorderde tegniese onderwys]** technikon en op die voorwaardes wat hy goedvind, toestemming verleen dat die opleiding van persone as onderwysers vir sekondêre skole in 'n vak of ooreenkomsdig 'n kursus wat hy van tyd tot tyd bepaal ook verskaf word aan 'n kollege wat—

- (a) deur die Departement in stand gehou, bestuur en beheer of gesubsidieer word; of  
(b) deur 'n provinsiale administrasie in stand gehou, bestuur en beheer word.”.

Wysiging van artikel 2 van Wet 39 van 1967, soos gewysig deur artikel 3 van Wet 73 van 1969 en artikel 3 van Wet 92 van 1974.

3. Artikel 2 van die Hoofwet word hierby gewysig deur paragraaf (e) van subartikel (1) deur die volgende paragraaf te vervang:

„(e) aan leerlinge wie se ouers in die Republiek woon of Suid-Afrikaanse burgers is (uitgesonderd die kategorie pre-primêre, primêre en sekondêre leerlinge wat die Minister bepaal, leerlinge wat deeltydse onderrig ontvang, en vaseerlinge), vry onderwys **[(met inbegrip van boeke en skryfbehoefte)]** verskaf **[moet]** kan word in skole wat 'n Staatsdepartement (met inbegrip van 'n provinsiale administrasie) in stand hou, bestuur en beheer;”.

4. Artikel 3 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Geen voorgestelde wetgewing (uitgesonderd provinsiale ordonnansies met betrekking tot diensvoorraad of die bewilliging van fondse) wat op ander onderwys as onderwys verskaf aan 'n by of kragtens wet ingestelde universiteit betrekking het, word in die **[Senaat of die] Volksraad of in 'n provinsiale raad ingedien nie, behalwe na oorlegpleging vooraf tussen die Minister en enige ander belanghebbende Minister of Administrateur.”.**

Wysiging van artikel 4 van Wet 39 van 1967, soos vervang deur artikel 5 van Wet 73 van 1969 en gewysig deur artikel 5 van Wet 92 van 1974, artikel 1 van Wet 17 van 1975 en artikel 2 van Wet 25 van 1978.

5. Artikel 4 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:  
„(a) al die onderwyshoofde behalwe die **[Sekretaris] Direkteur-generaal;**”;  
(b) deur subparagraph (v) van paragraaf (b) van subartikel (1) deur die volgende subparagraph te vervang:  
„(v) een 'n direkteur van 'n **[kollege vir gevorderde tegniese onderwys]** technikon is;”; en  
(c) deur paragraaf (bA) van subartikel (3) deur die volgende paragraaf te vervang:  
„(bA) adviseer die Minister, behoudens die bepalings van paragrawe (a), (b), (c) en (d) van hierdie subartikel op sy versoek, aangaande hoër onderwys soos omskryf in **[artikel 17 (a), (b), (c) en (e) van die Konsolidasie- en Wysigingswet op Finansiële Verhoudings, 1945]** paragrawe (a), (b), (c) en (e) van artikel 14 van die **Wet op Finansiële Verhoudings, 1976** (Wet No. 65 van 1976);”.

6. Artikel 6 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

„(1) Daar is 'n komitee van onderwyshoofde (in hierdie artikel die komitee genoem), wat bestaan uit die onderwyshoofde en waarvan die **[Sekretaris] Direkteur-generaal** die voorsitter is.”.

Kort titel.

7. Hierdie Wet heet die Wysigingswet op die Nasionale Onderwysbeleid, 1982.

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- ducted by any college and passed by such student.”;
- and
- (b) by the substitution for subsection (2) of the following subsection:
- “(2) The Minister may, after consultation with the council of a university and an Administrator or the council of a [college for advanced technical education] technikon and on such conditions as he deems fit, grant permission that the training of persons as teachers for secondary schools in any subject or according to any such course as he may determine from time to time be provided also at a college—
- (a) maintained, managed and controlled or subsidized by the Department; or
- (b) maintained, managed and controlled by a provincial administration.”.
3. Section 2 of the principal Act is hereby amended by the substitution for paragraph (e) of subsection (1) of the following paragraph:
- “(e) education (including books and stationery) [shall] may be provided free of charge in schools maintained, managed and controlled by a department of State (including a provincial administration) to pupils whose parents reside in the Republic or are South African citizens (other than such categories of pre-primary, primary and secondary pupils as the Minister may determine, pupils receiving instruction on a part-time basis and apprentices);”.
4. Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
- “(1) No proposed legislation (not being provincial ordinances relating to conditions of service or the appropriation of funds) relating to education, other than education provided at a university established by or under any law, shall be introduced in the [Senate or the] House of Assembly or in a provincial council, except after prior consultation between the Minister and any other interested Minister or Administrator.”.
5. Section 4 of the principal Act is hereby amended—
- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:
- “(a) all the heads of education except the [Secretary] Director-General;”;
- (b) by the substitution for subparagraph (v) of paragraph (b) of subsection (1) of the following subparagraph:
- “(v) one shall be a director of a [college for advanced technical education] technikon;”;
- (c) by the substitution for paragraph (bA) of subsection (3) of the following paragraph:
- “(bA) shall, subject to the provisions of paragraphs (a), (b), (c) and (d) of this subsection advise the Minister at his request in regard to higher education as defined in [section 17 (a), (b), (c) and (e) of the Financial Relations Consolidation and Amendment Act, 1945] paragraphs (a), (b), (c) and (e) of section 14 of the Financial Relations Act, 1976 (Act No. 65 of 1976);”.
6. Section 6 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:
- “(1) There shall be a committee of [educational] heads of education (in this section referred to as the committee), consisting of the [educational] heads of education and of which the [Secretary] Director-General shall be chairman.”.
- 65 7. This Act shall be called the National Education Policy Short title.  
Amendment Act, 1982.

Amendment of  
section 2 of  
Act 39 of 1967,  
as amended by  
section 3 of  
Act 73 of 1969  
and section 3 of  
Act 92 of 1974.Amendment of  
section 3 of  
Act 39 of 1967,  
as amended by  
section 4 of  
Act 73 of 1969  
and section 4 of  
Act 92 of 1974.Amendment of  
section 4 of  
Act 39 of 1967,  
as substituted by  
section 5 of  
Act 73 of 1969  
and amended by  
section 5 of  
Act 92 of 1974,  
section 1 of  
Act 17 of 1975  
and section 2 of  
Act 25 of 1978.Amendment of  
section 6 of  
Act 39 of 1967,  
as amended by  
section 7 of  
Act 73 of 1969  
and section 1 of  
Act 69 of 1973.

