



# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

# GOVERNMENT GAZETTE

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

Verkoopprys • Selling price  
(AVB uitgesluit/GST excluded)

Plaaslik **45c** Local  
Buiteland 60c Other countries  
Posvry • Post free

VOL. 255

KAAPSTAD, 10 SEPTEMBER 1986

No. 10424

CAPE TOWN, 10 SEPTEMBER 1986

## KANTOOR VAN DIE STAATSPRESIDENT

No. 1862.

10 September 1986

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

No. 89 van 1986: Wysigingswet op Technikons (Nasionale Opvoeding), 1986.

## STATE PRESIDENT'S OFFICE

No. 1862.

10 September 1986

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

No. 89 of 1986: Technikons (National Education) Amendment Act, 1986.

Wet No. 89, 1986

WYSIGINGSWET OP TECHNIKONS (NASIONALE OPVOEDING),  
1986

## ALGEMENE VERDUIDELIKENDE NOTA:

- I** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.
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- Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.
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## WET

Tot wysiging van die Wet op Technikons (Nasionale Opvoeding), 1967, ten einde "technikon" nader te omskryf; die lidmaatskap van die Komitee van Technikonhoofde uit te brei; daar die Komitee se werksaamhede verder te reël; en voorsiening te maak vir samewerking met selfregerende gebiede; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Staatspresident geteken.)  
(Goedgekeur op 3 September 1986.)

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

Wysiging van artikel 1 van Wet 40 van 1967, soos gewysig deur artikel 3 van Wet 69 van 1973, artikel 1 van Wet 43 van 1979, artikel 1 van Wet 11 van 1981 en artikel 1 van Wet 84 van 1983.

Wysiging van artikel 28 van Wet 40 van 1967, soos vervang deur artikel 17 van Wet 84 van 1983 en gewysig deur artikel 10 van Wet 75 van 1984.

1. Artikel 1 van die Wet op Technikons (Nasionale Opvoeding), 1967 (hieronder die Hoofwet genoem), word hierby gewysig deur die omskrywing van "technikon" deur die volgende omskrywing te vervang:  
"technikon" 'n inrigting vir gevorderde tegniese onderwys wat kragtens hierdie Wet ingestel is of geag word ingestel te wees en, by die toepassing van artikels 28 en 28A, ook 'n technikon soos omskryf in artikel 1 van die 10 Wet op Gevorderde Tegniese Onderwys vir Indiërs, 1968 (Wet No. 12 van 1968), en artikel 1 van die Wet op Technikons (Onderwys en Opleiding), 1981 (Wet No. 27 van 1981), en die Technikon Skiereiland, ingestel by artikel 2 van die Wet op die Technikon Skier-15 eiland, 1982 (Wet No. 52 van 1982)."

2. Artikel 28 van die Hoofwet word hierby gewysig—  
(a) deur subartikel (1) deur die volgende subartikel te vervang:  
"(1) Daar is 'n komitee, bekend as die Komitee van 20 Technikonhoofde, wat, behoudens artikel 28C, bestaan uit  
**I(a)** die hoof (of rektor, na gelang van die geval) van elke technikon [en];  
(b) in 'n raadgewende hoedanigheid, hoogstens twee 25 bykomende lede wat die raad van elke technikon van tyd tot tyd aanstel.>";  
(b) deur subartikel (1A) deur die volgende subartikel te vervang:  
"(1A) Die komitee van hoofde is 'n regspersoon."";  
(c) deur subartikel (5) deur die volgende subartikel te vervang:  
"(5) (a) Die komitee van hoofde kan onderkomitees [wat uit lede van dié komitee sowel as ander persone bestaan,] aanstel om hom by die verrigting 35 van sy werksaamhede by te staan.  
(b) Die voorsitter van so 'n onderkomitee word deur die komitee van hoofde [uit sy eie lede] aangevys.""; en

## TECHNIKONS (NATIONAL EDUCATION) AMENDMENT ACT, 1986

Act No. 89, 1986

## GENERAL EXPLANATORY NOTE:

**I** Words in bold type in square brackets indicate omissions from existing enactments.

Words underlined with solid line indicate insertions in existing enactments.

**ACT**

To amend the Technikons (National Education) Act, 1967, so as to further define "technikon"; to extend the membership of the Committee of Technikon Principals; to further regulate the functions of that Committee; and to provide for co-operation with self-governing territories; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)  
(Assented to 3 September 1986.)

**B**E IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

1. Section 1 of the Technikons (National Education) Act, 1967 (hereinafter referred to as the principal Act), is hereby amended by the substitution for the definition of "technikon" of the following definition:

"technikon" means an institution for advanced technical education established or deemed to have been established under this Act, and, for the purposes of sections 28 and 28A, includes a technikon as defined in section 1 of the Indians Advanced Technical Education Act, 1968 (Act No. 12 of 1968), and section 1 of the Technikons (Education and Training) Act, 1981 (Act No. 27 of 1981), and the Peninsula Technikon, established by section 2 of the Peninsula Technikon Act, 1982 (Act No. 52 of 1982)."

Amendment of section 1 of Act 40 of 1967, as amended by section 3 of Act 69 of 1973, section 1 of Act 43 of 1979, section 1 of Act 11 of 1981 and section 1 of Act 84 of 1983.

2. Section 28 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) There shall be a committee to be known as the Committee of Technikon Principals, consisting, subject to section 28C, of [a] the principal (or rector, as the case may be) of each technikon

Amendment of section 28 of Act 40 of 1967, as substituted by section 17 of Act 84 of 1983 and amended by section 10 of Act 75 of 1984.

[b] in an advisory capacity, not more than two additional members whom the council of each technikon may appoint from time to time].";

(b) by the substitution for subsection (1A) of the following subsection:

"(1A) The committee of principals is a juristic person.;"

(c) by the substitution for subsection (5) of the following subsection:

"(5) (a) The committee of principals may appoint subcommittees [consisting of members of that committee or of both members of that committee and other persons,] to assist it in the performance of its functions.

(b) The chairman of any such subcommittee shall be designated by the committee of principals [from among its own members.]; and

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**Wet No. 89, 1986****WYSIGINGSWET OP TECHNIKONS (NASIONALE OPVOEDING),  
1986**

(d) deur die volgende subartikels by te voeg:

“(6) Die raad van elke technikon kan hoogstens twee persone aanstel om die hoof (of rektor, na gelang van die geval) van sy technikon in 'n raadgewende hoedanigheid in die komitee van hoofde by te staan.

(7) Die besluit van minstens twee derdes van die lede wat op 'n vergadering van die komitee van hoofde aangesig is, maak 'n besluit van daardie komitee uit.”.

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**3. Artikel 28A van die Hoofwet word hierby gewysig—**

(a) deur paragraaf (b) deur die volgende paragraaf te vervang:

“(b) **[oorweging skenk aan, en aan]** uit eie beweging of op versoek van die Minister **[aanbevelings doen insake]**, die Minister adviseer oor enige aangeleentheid **[wat bedoelde komitee as van gemeenskaplike belang vir die]** bedoel in artikel 2 (1) van die Wet op die Nasionale Beleid vir Algemene Onderwys-sake, 1984 (Wet No. 76 van 1984), vir sover sodanige aangeleentheid op technikons **[beskou of wat deur die Minister of deur die Direkteur-generaal na hom verwys word]** betrekking het; **[en]**”

(b) deur die volgende paragrawe by te voeg:

“(d) uit eie beweging of op versoek van die Minister of die Direkteur-generaal, die Minister en elke Minister van 'n Staatsdepartement verantwoordelik vir onderwys adviseer oor enige aangeleentheid wat betrekking het op samewerking tussen sodanige Staatsdepartemente, vir sover technikons betrokke is;

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(e) behoudens die algemene beleid beoog in artikel 2 (1) van die Wet op die Nasionale Beleid vir Algemene Onderwyssake, 1984 (Wet No. 76 van 1984), en met die goedkeuring van die Minister, die voorwaardes en standarde vir toelating tot studie aan 'n technikon voorskryf, en goedkeuring verleen dat die sertifikaat van 'n persoon wat aan die minimum vereistes vir toelating tot studie aan 'n technikon voldoen het dienooreenkomsig geëndosseer word soos beoog in artikel 9 (2) van die Wet op die Suid-Afrikaanse Sertifiseringsraad, 1986.”; en

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(c) deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:

“(2) Die komitee van hoofde kan, op die voorwaardes wat hy bepaal, die beampies en werknemers aanstel wat hy nodig ag om hom behulpsaam te wees by die verrigting van sy werkzaamhede.”.

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**4. Die volgende artikel word hierby in die Hoofwet na artikel 28B ingevoeg:**

“Samewerking met self-regerende gebiede.

**28C. Indien die regering van die Republiek en die regering van 'n gebied wat kragtens artikel 26 van die Grondwet van die Nasionale State, 1971 (Wet No. 21 van 1971), tot 'n selfregerende gebied verklaar is, daartoe ooreenkom—**

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(a) kan die hoof van 'n inrigting vir gevorderde tegniese onderwys in daardie gebied deur die Minister as 'n lid van die komitee van hoofde aangestel word; en

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(b) kan die komitee van hoofde enige van sy werkzaamhede ingevolge hierdie Wet waartoe hy by kragtens 'n wet van daardie gebied of die ooreenkoms gemagtig is, in daardie gebied verrig.”.

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**Invoeging van artikel 28C in Wet 40 van 1967.****Kort titel.****5. Hierdie Wet heet die Wysigingswet op Technikons (Nationale Opvoeding), 1986.**

## TECHNIKONS (NATIONAL EDUCATION) AMENDMENT ACT, 1986

Act No. 89, 1986

- (d) by the addition of the following subsections:
- “(6) The council of each technikon may appoint not more than two persons to assist the principal (or rector, as the case may be) of its technikon in the committee of principals in an advisory capacity.
- (7) The decision of at least two-thirds of the members present at a meeting of the committee of principals shall constitute a decision of that committee.”
3. Section 28A of the principal Act is hereby amended—
- (a) by the substitution for paragraph (b) of the following paragraph:
- “(b) [consider and make recommendations to] of its own accord or at the request of the Minister, [regarding] advise the Minister on any matter [which it considers to be of common interest to the] contemplated in section 2 (1) of the National Policy for General Education Affairs Act, 1984 (Act No. 76 of 1984), in so far as such matter relates to technikons [or which may be referred to it by the Minister or Director-General; and];”
- (b) by the addition of the following paragraphs:
- “(d) of its own accord or at the request of the Minister or the Director-General, advise the Minister and each Minister of a department of State responsible for education on any matter relating to co-operation between such departments of State, in so far as technikons are involved;
- (e) subject to the general policy contemplated in section 2 (1) of the National Policy for General Education Affairs Act, 1984 (Act No. 76 of 1984), and with the approval of the Minister, prescribe the conditions and standards for admission to study at a technikon, and grant approval that the certificate of any person who has complied with the minimum requirements for admission to study at a technikon be endorsed accordingly, as contemplated in section 9 (2) of the South African Certification Council Act, 1986.”; and
- (c) by the addition of the following subsection, the existing section becoming subsection (1):
- “(2) The committee of principals may, on such conditions as it may determine, appoint such officers and employees as it may deem necessary to assist it in the performance of its functions.”
4. The following section is hereby inserted in the principal Act after section 28B:
- “Co-operation with self-governing territories. 28C. If the Government of the Republic and the government of an area which has been declared a self-governing territory under section 26 of the National States Constitution Act, 1971 (Act No. 21 of 1971), agree thereto—
- (a) the principal of an institution for advanced technical education in that territory may be appointed by the Minister as a member of the committee of principals; and
- (b) the committee of principals may perform in that territory any of its functions in terms of this Act to which it has been empowered under any law of that territory or the agreement.”
5. This Act shall be called the Technikons (National Education) Amendment Act, 1986.

Amendment of section 28A of Act 40 of 1967.

Insertion of section 28C in Act 40 of 1967.

Short title.

