



REPUBLIC OF SOUTH AFRICA



GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

Registered at the Post Office as a Newspaper

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Local **80c** Plaaslik
Other countries R1,10 Buitelands
Post free • Posvry

Vol. 313

CAPE TOWN, 3 JULY 1991

KAAPSTAD, 3 JULIE 1991

No. 13347

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 1496.

3 July 1991

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

No. 100 of 1991: Education and Training Amendment Act, 1991

No. 1496.

3 Julie 1991

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

No. 100 van 1991: Wysigingswet op Onderwys en Opleiding, 1991

GENERAL EXPLANATORY NOTE:

[] 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 Education and Training Act, 1979, so as to provide that the language to be used as a medium of instruction at a school shall be determined by the Minister after consultation with the parents of the pupils enrolled at that school; and to further provide for the rendering of health services at certain schools; and to provide for incidental matters.

*(Afrikaans text signed by the State President.)
(Assented to 27 June 1991.)*

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

Amendment of section 3 of Act 90 of 1979, as amended by section 3 of Act 35 of 1989

1. (1) Section 3 of the Education and Training Act, 1979 (hereinafter referred to as the principal Act), is hereby amended by the substitution for paragraph (b) of the following paragraph: 5

“(b) that the language or languages to be used as the medium of instruction at a school and the extent and duration of such use shall be determined by the Minister after consultation by him in the prescribed manner with the parents of the pupils enrolled at that school;” 10

(2) The principle which immediately prior to the commencement of subsection (1) applied in terms of paragraph (b) of section 3 of the Education and Training Act, 1979 (Act No. 90 of 1979), in respect of the language used as the medium of instruction at a particular school, shall, notwithstanding the commencement of subsection (1), continue to apply to that school until it is superseded by a determination made in terms of the said paragraph as substituted by subsection (1). 15

Amendment of section 41 of Act 90 of 1979, as amended by section 5 of Act 35 of 1989

2. Section 41 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 20

“(1) The Director-General of a provincial administration may in consultation with the [provincial secretary of a provincial administration] Director-General [cause] render health services [to be rendered] at public schools and State-aided schools and hostels attached to such schools.”

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Onderwys en Opleiding, 1979, ten einde voorsiening te maak dat die taal wat as medium van onderrig by 'n skool gebruik word, deur die Minister na oorleg met die ouers van leerlinge wat by daardie skool ingeskryf is, bepaal word; en verdere voorsiening te maak vir die verskaffing van gesondheidsdienste by sekere skole; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Afrikaanse teks deur die Staatspresident geteken.)
(Goedgekeur op 27 Junie 1991.)*

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

Wysiging van artikel 3 van Wet 90 van 1979, soos gewysig deur artikel 3 van Wet 35 van 1989

- 5 1. (1) Artikel 3 van die Wet op Onderwys en Opleiding, 1979 (hieronder die Hoofwet genoem), word hierby gewysig deur paragraaf (b) deur die volgende paragraaf te vervang:

10 “(b) dat die taal of tale wat as die medium van onderrig by 'n skool gebruik moet word en die omvang en duur van sodanige gebruik, deur die Minister bepaal word nadat hy op die voorgeskrewe wyse met die ouers van die leerlinge wat by daardie skool ingeskryf is, oorleg gepleeg het;”

15 (2) Die beginsel wat onmiddellik voor die inwerkingtreding van subartikel (1) ingevolge paragraaf (b) van artikel 3 van die Wet op Onderwys en Opleiding, 1979 (Wet No. 90 van 1979), gegeld het ten opsigte van die taal wat as medium van onderrig by 'n bepaalde skool gebruik word, bly ondanks die inwerkingtreding van subartikel (1) op daardie skool van toepassing totdat dit vervang word deur 'n bepaling wat gemaak is kragtens genoemde paragraaf soos vervang deur subartikel (1).

20 **Wysiging van artikel 41 van Wet 90 van 1979, soos gewysig deur artikel 5 van Wet 35 van 1989**

2. Artikel 41 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

25 “(1) Die Direkteur-generaal van 'n provinsiale administrasie kan in oorleg met die **[provinsiale sekretaris van 'n provinsiale administrasie]** Direkteur-generaal gesondheidsdienste in openbare skole en Staatsondersteunde skole en koshuise verbonde aan sodanige skole, **[laat]** lewer.”

Short title and commencement

3. (1) This Act shall be called the Education and Training Amendment Act, 1991, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may be so fixed in respect of different provisions of this Act. 5

Kort titel en inwerkingtreding

3. (1) Hierdie Wet heet die Wysigingswet op Onderwys en Opleiding, 1991, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.
- 5 (2) Verskillende datums kan aldus ten opsigte van verskillende bepalings van hierdie Wet bepaal word.