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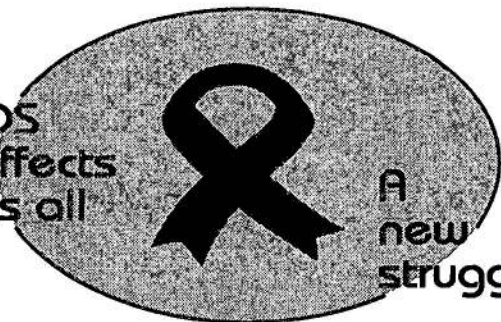
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PRETORIA, 15 OCTOBER
OKTOBER 1999

No. 20552

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
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DEPARTMENT OF HEALTH

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR**No. R. 1230****15 October 1999****SKILLS DEVELOPMENT LEVIES ACT, 1999 (ACT No. 9 of 1999)****PROPOSED REGULATIONS ON THE SKILLS DEVELOPMENT LEVIES AND
RELATED ISSUES IN THE SKILLS DEVELOPMENT LEVIES ACT, 1999**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, after consultation with the Minister of Finance and the National Skills Authority (NSA), hereby publish for public comment the proposed regulations on the skills development levies and related issues in the Schedule.

Interested parties are invited to submit written comments on the proposed regulations before 15 November 1999 by -

- (a) posting comments to -

The Project Manager of Project 6
Messrs. J du Preez / F Strydom
C/o Department of Labour
Private Bag X 117
Pretoria
0001

- (b) fax to - (012) 309 4048

- (c) delivering comments to -

Room 329A(M) or 329B(M) or 327(M)
Third Floor
Laboria House Building
Cnr Schoeman and Paul Kruger Streets
PRETORIA

(d) e-mail to Isobel@labourhq.pwv.gov.za or Strydom@labourhq.pwv.gov.za

MMS MDLADLANA

MINISTER OF LABOUR

SCHEDULE

Definitions

1. In these draft regulations any word or expression to which a meaning has been assigned in the Skills Development Levies Act, 1999 (Act No. 9 of 1999) shall have such a meaning, unless the context otherwise indicates -

“Act” means the Skills Development Levies Act, 1999 (Act No. 9 of 1999);

“NSA” means the National Skills Authority established by section 4 of the Skills Development Act, 1998;

“SARS” means the South African Revenue Service, established by the South African Revenue Service Act, 1997 (Act No. 34 of 1997);

Employer registration and payment of levies

- 2 (1) The procedures and documentation to be completed for registration by an employer for purposes of paying the levy, as well as the procedures to follow on the payment of the levy will be contained in document/s drafted and published by SARS for general knowledge and use.
- 2 (2) In a case where a SETA has been granted approval to collect the levy from employers of the specific sector the employer must comply with the requirements of section 5(5) of the Act. For the purpose of notifying SARS of its registration with and the payment of the levy to the applicable SETA the relevant statement/s must be completed and submitted to SARS in accordance with the procedures and documentation drafted and published by SARS as referred to in regulation 2(1).

Furthermore, the procedures and documentation to be completed for registration by an employer for purposes of paying the levy to the applicable SETA, as well as the procedures to follow on the payment of the levy will be contained in document/s drafted and published by the applicable SETA for general knowledge and use.

- 2 (3) At the request of the NSA or a SETA, the Director General may challenge an employer's selection of a SETA if it can be demonstrated that the selection does not comply with the criteria contained in section 5(2) of the Act.

The Director-General must inform the employer in writing that he/she has 14 days (?) to defend the selection, after which the Director-General will make a decision on which SETA the employer must join. Where the employer's selection is changed, the Director-General must inform SARS of this change.

- 2 (4) Where an employer's business activities complies with the following criteria:
- (a) The levy paid by the company is more than R.... million (amount to be defined),
 - (b) The core business of the company is clearly divided between two or more SETA's, and
 - (c) The core business activities are demonstrated to make up between 40% and 60% of total business operations,
- 2 (5) The company must still select a single SETA to pay its levy to but, based on an agreement between the company and SETA's concerned, the SETA selected to receive the levies may transfer the full amount of the levies to the second SETA, in proportion to the company's business activities falling under the jurisdiction of the second SETA.

At a workshop of representatives of stakeholders during September 1999 it was agreed that the Department of Labour / NSA must have some power to contest an employer's selection of a SETA, on registration with SARS, where the employer's core business clearly does not fall into the scope of that SETA. However, this should not be applied to "Grey-areas", where a company clearly falls between two or more SETA's.

A second problem arises where a large company's business is more or less equally split between two or more SETA's. In these instances the company will face real problems in accessing the services and influencing the policies and direction of the other SETA, while the other SETA's will experience large revenue losses. The result is likely to be large and complex inter-service and funding arrangements between these SETA's. It was therefore proposed that in exceptional cases, defined in terms of quantum of levy and proportional division of business between two SETA's, the SETA the company selects to pay its levy to should be allowed to transfer the appropriate proportion of funds to the second SETA, by agreement between the SETA's and company.

Criteria when SETA request to collect levies for the sector

- 3 (1) If it is the intention of a SETA to apply to the Department to collect the levies from the employers of the specific sector as provided in section 7 of the Act the following requirements will be applicable -
- (a) The SETA must submit a fully motivated request to the Director-General.
 - (b) The request of a SETA will be evaluated against the requirements stipulated in the Act, in consultation with the Minister of Finance.

- (c) If such request is approved a notice to that effect must be published in the Gazette to inform all employers that fall within the jurisdiction of such specified SETA to pay the levy to that SETA.
- 3 (2) The criteria to be used to consider a request from a SETA as indicated in regulation 3(1)(b) are *inter alia* the following -]
- (a) Sufficient grounds exist for a SETA to collect the levy from the employers in its jurisdiction - section 7(2)(a) of the SD-Levies Act, 1999;
 - (b) The SETA must submit motivation why the levies cannot be based on payroll and why the rate and basis must differ from the provisions of section 3(1) to (4) of the Act;
 - (c) The SETA must demonstrate the required competence, financial and organisational ability on a national basis to collect the levy - section 7(2)(b) of the SD-Levies Act, 1999;
 - (d) The SETA must demonstrate the required competence, financial and organisational ability to comply with the applicable requirements of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
 - (e) The SETA must demonstrate that it has the capacity to *inter alia* perform the undermentioned functions other than the collection of the levies and its other functions in accordance with the Act and the Skills Development Act, 1998, namely -
 - (i) The calculation and collection of interest on late levy payments by employers - section 11 of the SD-Levies Act, 1999;
 - (ii) The calculation and collection of penalties on default - section 12 of the SD-Levies Act, 1999;
 - (iii) Recovery of levies from employers - section 14 of the SD-Levies Act, 1999;
 - (iv) Appointment and employment of inspectors at the cost of the SETA - section 15(2) of the SD-Levies Act, 1999;
 - (v) The capacity to institute legal proceedings concerning a contravention of the SD-Levies Act, 1999 and the applicable provisions of the Income Tax Act, 1962 (Act No. 58 of 1962), in so far it relates to the collection of levies by a SETA at its own costs;
 - (vi) The capacity and infrastructure to pay the 20% of the levies collected by that SETA, and any interest and penalties collected in respect thereof, to the National Skills Fund not later than the 15th day of each month - section 9 of the SD-Levies Act, 1999;
 - (vii) The SETA must be in a position and have the necessary information system/s to submit any information to SARS and to the Department, as required, regarding all the employers who pay the levies directly to the SETA.

- (f) The SETA confirm that the costs pertaining to the requirements stipulated in regulation 3(2)(e) will not exceed 2% of the total amount of levies collected – section 7(2)(c) of the SD-Levies Act, 1999.

Levies payable – different rate & base (Year 1) – section 3(6) & (7)

4.

(Because of the sensitivity of this matter a legal opinion must still be obtained)

Submission of Sector Skills Plan by SETA

- 5 (1) For the purpose of section 8(3)(b) of the Act the business plan to be submitted by a SETA with its application for establishment will be regarded as sufficient until the 31 July 2000 to allow the Director-General to initiate the transfer of the levy and related monies to a SETA.
- 5 (2) The submission of a sector skills plan by a SETA will with effect from 31 July 2000 be a requirement to initiate the further transfer of the levy and related monies to a SETA.
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No. R. 1231

15 October 1999

SKILLS DEVELOPMENT LEVIES ACT, 1999 (ACT No. 9 of 1999)**PROPOSED REGULATIONS ON THE SKILLS DEVELOPMENT LEVIES AND
RELATED MATTERS IN THE SKILLS DEVELOPMENT LEVIES ACT, 1999**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, after consultation with the Minister of Finance and the National Skills Authority (NSA), hereby publish for public comment the proposed regulations on the skills development levies and related matters in the Schedule.

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MMS MDLADLANA

MINISTER OF LABOUR

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Skills Development Act, 1998 (Act No. 97 of 1998) shall have such a meaning, unless the context otherwise indicates -

“Act” means the Skills Development Act, 1998 (Act No. 97 of 1998);

“administration costs” means the administration costs defined in Clause 2(3) of this Regulation;

“annexure” means an annexure to these regulations, and any word or expression to which a meaning has been assigned in the Act shall bear the same meaning;

“ETQA” means a body accredited in terms of section 5(1)(a)(ii) of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), responsible for monitoring and auditing achievements in terms of national standards or qualifications, and to which specific functions relating to the monitoring and auditing of national standards or qualifications have been assigned in terms of section 5(1)(b)(i) of the South African Qualifications Authority Act, 1995;

“exceptional SETA costs” means the exceptional costs defined in Clause 2(5) of this Regulation;

“financial year” means the period 1 April 2000 to 31 March 2001 for year 1 and thereafter the period of 12 consecutive months extending from 1 April to 31 March in the next succeeding years;

“levy income” means the total amount of money received by the SETA in terms of sections 7 and 8(3)(b) of the Skills Development Levies Act, 1999;

"levy payment" means the skills development levy referred to in section 3 of the Skills Development Levies Act, 1999 (Act No. 9 of 1999);

"NSA" means the National Skills Authority established by section 4 of the Act;

"NSF" means the National Skills Fund established by section 27 of the Act;

"operational costs" means the operational costs defined in this regulation;

"TEA employees" means temporary workers who are employed by any Temporary Employment Agency;

"Year one" means 1 April 2000 to 31 March 2001;

"Year two" means 1 April 2001 to 31 March 2002.

Sector Education & Training Authorities (SETA)

2. Usage of money received by SETA

- (1) For the purposes of section 14(3) of the Act the levies collected should be used in year one on the following basis and categories, namely -

(a) Portion of levy transfer to NSF (prescribed)	-	20% of levy payment;
(b) Administration and operational cost (maximum)	-	20% of levy payment;
(c) Exceptional SETA costs (maximum - year one)	-	10% of levy payment;
(d) Grants to employers (minimum)	-	50% of levy payment.

- (2) The Minister may alter the percentages and categories referred to in regulation 2(1)(a) to (d) in year two.

- (3) For the purposes of Clause 2(1)(b) of this Regulation, the **administration costs** are defined as follows -

The administration costs of a SETA must relate to the functions prescribed in the Act and will only be for costs directly related to these functions. The administration costs must for year one be less than twenty percent (20%) of the levy payment and may include the following line items; namely - rent, heat, light, power, insurances, bank charges, audit fees/ accounting fees, general administration, postage, printing and stationery, documentation/ books, advertising, reports, salaries, travel expenses, staff training, purchase of computers and information systems, maintenance of computers and systems, general maintenance, hire costs of photocopier, telephone and fax, meetings and seminars.

- (4) For the purposes of Clause 2(1)(b) of this Regulation, the **operational costs** is defined as follows -

The costs to perform the other functions of a SETA as defined in the Act, contained within the percentage limits referred to in this regulation.

- (5) For the purposes of Clause 2(1)(c) of this Regulation, examples of **exceptional SETA costs** are defined as follows -
- (i) ETQA application and once-off establishment costs;
 - (ii) Generation of national standards and qualifications applicable to the sector;
 - (iii) Development of learnerships for the sector
 - (iv) Support for and development of Skills Development facilitators. (See Annexure A of this document)
 - (v) Grants to training providers and workers (in terms of Clauses 11 and 12 of these Regulations).

Limit on administration and operational cost of SETA

3. For the purposes of section 14(3)(b) of the Act the **limit** on the administration and operational costs are determined as indicated in regulation 2(1)(b) for the financial year 1 April 2000 to 31 March 2001. As from year two these costs may not exceed 10% of the total levy payment.

Sale of services rendered by SETA's [section 14(1)(e)]

- 4 (1) For the purposes of section 14(1)(e) of the Act the **services rendered** by a SETA are subject to the following conditions -
- (a) A SETA may not charge for any services directly related to the provision of services covered under chapter 3 of the Act as this would constitute a double charge for the purposes of administration of the grants defined in regulations 9 and 10.
 - (b) A SETA wishing to charge for services other than that specified under chapter 3 of the Act must apply in writing to the Director-General seeking approval for such charges and must clearly specify the motivation and the proposed charges for such services.

SETA bank accounts

- 5 (1) In compliance with good financial practice each SETA must establish three separate bank accounts from which (1) the amounts for the administration for the SETA activities, (2) grant disbursements and (3) investments amounts will be both lodged and withdrawn.
- 5 (2) A SETA receiving funds from dissolved Industrial Training Board/s (ITBs) must open an additional bank account other than that specified in regulation 5(1) for a transitional period until all outstanding commitments are cleared.

Financial year of a SETA

6. The financial year of a SETA will cover the period as defined in this regulation.

Chamber/s of SETA

- 7 (1) For the purposes of section 12(4) of the Act a chamber must use the levies in accordance with the delegations of the SETA to the chamber as required in section 12(3) of the Act.
- 7 (2) The regulations, which are applicable to the administration costs, operational costs and exceptional SETA costs of a SETA are similarly applicable to a chamber.
- 7 (3) The limits prescribed in Clause 2(1) of this Regulation must reflect the aggregate total of the costs incurred and grants allocated by each chamber in a SETA.

Allocation of grants to employers, education and training providers and workers**8. Grant disbursement to employers by a SETA or chamber**

- 8 (1) These regulations are applicable to sections 10(1)(b)(iii), 10(1)(f), 14(3) and 20(2)(a) of the Act.
- 8 (2) As an interim measure for year one, employers will be able to access a percentage of the levy payment by way of the four different grants stipulated in regulation 9.
- 8 (3) In year one a SETA may allocate grants to all employers under their jurisdiction who have paid their levy. The minimum amount available to employers is 50% of their levy payment.

Grant recovery by employers for the year starting 1 April 2000 and ending 31 March 2001

- 9 (1) An employer seeking recovery of a grant against the levy payment must meet the eligibility criteria for grant recovery approved by the Director-General, following consultations between the SETA, the NSA and the Department of Labour.
- 9 (2) The functions of a SETA are listed in section 10 of the Act. This regulation authorises the SETA to allocate grants in the prescribed manner in its sector.
- 9 (3) An employer seeking recovery against the levy payment by way of grants must satisfy the following conditions -
 - (a) must have registered with SARS as per section 5 of the Skills Development Levies Act, 1999;
 - (b) must have paid the levies directly to SARS or the SETA where applicable in the manner and within the period determined in section 6 of the Skills Development Levies Act, 1999;
 - (c) must be up to date with the levy payments to -
 - SARS, or
 - the SETA, where applicable,

at the time of approval and payment of a grant from the payments of the levy income transferred to the SETA from -

- SARS via the National Revenue Funds, or
- from the National Revenue Funds from levies collected by the SETA.

and in accordance with the timetable for payment and such criteria and guidelines as may be issued by SETAs. Three guidelines are attached to serve as an interim measure to enable companies to access a percentage of the levies paid and to give guidance to SETAs.

- 9 (4) In year one an employer can recover a minimum of 50%(*) of the total levy payment by complying with the following grant categories, namely -

(a) **GRANT "A" - (15%)**

- (i) An employer can recover **15%** of the total levy payment for the employment and/or use of a Skills Development Facilitator in accordance with the Guidelines contained in **Annexure A**;
- (ii) An employer must have nominated a Skills Development Facilitator who is -
 - An employee, or
 - A Skills Development Facilitator formally contracted to the employer, or
 - A Skills Development Facilitator who is jointly contracted by the employer and a number of other employers to meet the skills development needs of the group of employers and all their employees;
- (iii) Compliance with the grant criteria issued by the SETA will enable an employer to recover the grant. The detailed criteria shall be set out in guidelines and in accordance with a timetable to be issued by the SETA.

(b) **GRANT "B" - (10%)**

- (i) An employer who is approved for GRANT "A" can recover **10%** of the total levy payment by the employer for preparing and submitting a Workplace Skills Plan for the year 1 April 2000 to 31 March 2001. **Annexure B** contains a guideline regarding the Workplace Skills Plan;
- (ii) Employers must complete and return a Workplace Skills Plan in accordance with the set timetables and supplementary guidelines issued by the SETA.

** These percentage values indicate the allocations to firms where 50% of the levy paid is reimbursed. Where grants to firms are greater than 50% of the levy paid, then the percentage values for grants indicated here would increase by a pro rata amount.*

(c) **GRANT "C" - (20%)**

- (i) An employer who is approved for GRANT "A" and GRANT "B" can claim a further grant of 20% of the total levy payment by the employer for the implementation of the Workplace Skills Plan submitted for GRANT "B" in year one.
- (ii) The employer seeking grant payment must submit an acceptable report accompanied by appropriate training records by the date required by the SETA. Annexure C contains a guideline with regard to the reporting format.

(d) **GRANT "D" - (5%)**

- (i) Each SETA will make available grants to the equivalent of 5% of the total levy payment by the employer as a Grant "D". These grants will be for specific skill shortages in its sector and to implement recommendations from the NSA. The grants may be paid to an employer as a percentage of the total levy payment by the employer or a fixed price in Rands for training conducted.
- (ii) Each SETA will recommend a list of skills shortages that merit grants under GRANT "D". The grant will be paid on a basis of outcome achieved.

For guidance to a SETA, the following are possible criteria for grant payment under Grant "D":

- An employer who submits and implements a workplace skills plan demonstrably linked to an employment equity plan for the employees;
- An employer who submits and implements a workplace skills plan that includes learnerships for existing employees and new recruits;
- The SETA may want to allocate grants for SME development by employers in their sector either on a national basis or in disadvantaged areas;
- Bursaries for disadvantaged employees or new recruits in the sector may also be considered for grant purposes.

- (iii) The SETA is required to submit its criteria for making Grant "D" allocations to the Department of Labour by no later than 31 March 2000.

Temporary Employment Agencies (TEA's) covered by the Services SETA:

- 10 (1) For the purpose of the disbursement of grants to employers of TEA workers, the Services SETA will make provision for a Labour Recruitment Chamber. The Temporary Employment Agencies will form part of the Labour Recruitment Chamber. The Labour Recruitment Chamber will have two functional fields, namely labour recruitment and temporary employment agencies.

- 10 (2) The skills levies payable by Temporary Employment Agencies will consist of the skills levies payable for the permanent employees and the skills levies payable for the TEA workers. The Temporary Employment Agencies must submit a copy of the SARS skills levy payment return form to the applicable SETA with indications of the amounts of the skills levies applicable to the permanent employees and the TEA workers, as soon as the monthly skills levy contribution is paid or posted to SARS.
- 10 (3) The structure to disburse the grant payments to employers who employ TEA workers (Temporary Employment Agencies) will be defined by the SETA and/or chamber.
- 10 (4) The grant payments to be disbursed to employers who employ TEA workers (Temporary Employment Agencies) will be based on the grant models referred to in regulation 9(4)(a) to (d), but furthermore specifically include of recognition of prior learning assessment to Grant B and Grant C.
- 10 (5) For purposes of the Act and relating to the development of workplace skills plans the definition of permanent employee within a Temporary Employment Agency, will be any worker who is employed by that agency for more than three months in any one financial year.

Allocation of grants to education and training providers by a SETA

11. For the purpose of section 10(1)(b)(iii) of the Act the grants allocated to **education and training providers** in year one will be regarded as being covered under exceptional SETA costs referred to in regulation 2(5).

Allocation of grants to workers by a SETA

12. For the purpose of section 10(1)(b)(iii) of the Act the grants allocated to **workers** in year 1 will be regarded as being covered under exceptional SETA costs referred to in regulation 2(5).

Allocation of grants where no SETA has been established

13. In circumstances where no SETA has been established for a specific sector, by 4 January 2000, levy payments by the employer in that sector will be transferred, in year one, to the National Skills Fund as determined in section 27 (2) (b) of the Skills Development Act and section 8 (3) (c) of the Skills Development Levies Act.

Submission of audited financial statements annually to DoL

- 14 (1) A SETA must submit annually to the Department, within one month after receipt of the audited financial statements from the Auditor-General, an original copy of such financial statements; and
- 14 (2) For purposes of sound financial management a SETA or a chamber of a SETA must comply with the applicable provisions of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

Criteria when SETA request to collect levies for the sector

15. For the purposes of section 10(1)(f) of the Act the criteria that will be applied to consider an application from a SETA seeking approval to collect the skills levies of the specific sector will be the criteria described in the regulations issued under the Skills Development Levies Act, 1999.

Learnerships

- 16 (1) The costs related to learnerships payable from a SETA would for year one be accessed under the grant models referred to in regulations 9, 10 and 13.
- 16 (2) Financial contributions from the National Skills Fund towards persons enrolled in a learnership under Clause 18(2) of the Skills Development Act will be administered on the basis and conditions recommended by the National Skills Authority and approved by the Director-General.

Skills Programmes

17. For the purposes of section 20 of the Act where it is applicable to a SETA to administer skills programmes it will be covered within the scope of the grant models referred to in regulations 9, 10, 12 and 13.

National Skills Fund

18. For the purposes of section 28 of the Act, the projects identified in the national skills development strategy for year one will be the development of training programmes and the training of target groups identified by the NSA and approved by the Director-General of which the identified training and related costs will be paid from the NSF.

Public Service employers and national and provincial public entities

- 19 (1) For the purposes of section 30 of the Act (as **amended** by section 23 of the Skills Development Levies Act, 1999) the word payroll has the same meaning as the word leviable amount as contained in section 3(4) of the Skills Development Levies Act, 1999.
- 19 (2) For the purposes of section 30A of the Act (as **inserted** by section 23 of the Skills Development Levies Act, 1999) the word payroll has the same meaning as the word leviable amount as contained in section 3(4) of the Skills Development Levies Act, 1999.

ANNEXURE A

Please note: the forms to be completed for claiming Grants B and C will be sent to the employer when he/she has nominated a Skills Development Facilitator. The tables in Annexures B and C are an indication of the type of information that may be required. The information required will be finalised after consultation with each SETA.

GUIDELINE: GRANT "A"

1. Description: 15% of levy paid for appointment of a Skills Development Facilitator.

2. Purpose

- 2.1 To encourage each employer to identify a person who will be responsible for the development and planning of the firm's skills development strategy
- 2.2 To enable the SETA to maintain a register of firm- level contacts with whom it can liaise
- 2.3 To provide a mechanism through which Grant A allocations can be released from SETAs to individual organisations.

3. General:

- 3.1 Compliance with the requirement set for Grant A below will enable a firm to access a grant of 15% of levy paid.
- 3.2 Compliance with the requirements set for Grant A below serve as a prerequisite for access to other Grants.
- 3.3 Employers with less than 50 employees or having a sales turnover as defined in the Employment Equity Act, 1998 Section 1(b), may jointly appoint a Skills Development Facilitator to handle all skills development activities required by the employees in order to access Grant A.
- 3.4 The Skills Development Facilitators will serve as a resource with regard to criteria required for accreditation, skills programmes and learnership development and such matters as may be required by an employer for skills development as envisaged by the Skills Development Act.

4. Criteria

Compliance with the following criteria for grant recovery will enable the employer to recover a grant of 15% of the levy paid by that employer.

- 4.1 An employer must have nominated a Skills Development Facilitator who complies with the requirements listed below and submit his/her particulars to the relevant Sector Education and Training Authority.
- 4.2 The Skills Development Facilitator will serve as the contact person between the Company and the relevant Sector Education and Training Authority.
- 4.3 The Skills Development Facilitator must be registered and approved by the SETA by 15 May 2000 to meet the skill development requirements of the employer and employees concerned. Skills Development Facilitators should be formally qualified within three years and should, in the interim, conform to forthcoming guidelines regarding appropriate skills and qualifications.

5. Who can serve as a Skills Development Facilitator?

5.1 An employer must have nominated a Skills Development Facilitator, who is;

- An employee or
- A formally contracted, external person
- A person who is jointly employed by this employer and a number of other employers to assess the skills development needs of the group of employers and the employees concerned.

5.2 Any employer or his/her designated representative in the employ of the Company.

5.3 In addition, a Skills Development Facilitator shall be competent to perform the functions listed below.

6. Functions to be performed by the Skills Development Facilitator:

It will be expected of the Skills Development Facilitator to perform the following functions:

- 6.1 To assist the employer and employees in the development of a Workplace Skills Plan which complies with the requirements set out in Annexure B.
- 6.2 To submit the Workplace Skills Plan to the relevant Sector Education and Training Authority.
- 6.3 To advise the employer on the implementation of the Workplace Skills Plan.
- 6.4 To assist the employer with the drafting of an Annual Training Report against the approved Workplace Skills Plan and which complies with the requirements set out in Annexure C.
- 6.5 To advise the employer on quality assurance requirements as set by the relevant Sector Education and Training Authority.
- 6.6 To serve as a contact person between the employer and the relevant Sector Education and Training Authority.

7. Establishment of a Training Committee:

Employers with more than 50 employees must establish an in-company forum for consultation with regard to skills development. Where a workplace is unionised, trade union/management structures shall fulfill this function. Accordingly, references to employer responsibilities outlined in Clauses 3, 4 and 5 above are intended to convey the meaning that these workplace consultative structures have been consulted in the appointment of a Skills development Facilitator.

ANNEXURE B

GUIDELINE: GRANT "B"

1. **Description:** 10% of levy paid for preparation and submission of a Workplace Skills Plan for all staff employed.

2. Purpose

1. To provide a mechanism against which Grant B can be released from Sector Education and Training Authorities to individual organisations.
2. To serve as a format for the collection of information by Sector Education and Training Authorities from individual organisations (Skills Development Act, 1998, Section 10(b)(ii)).

SECTION A: ADMINISTRATIVE DETAIL

1. **Name of Company:** -----

2. Address:

Physical: ----- ----- -----	Postal: ----- ----- Postcode: -----
---	--

3. **Main business activity:** -----

4. **Total employment:** -----

5. **SARS registration number:** -----

6. **UIF registration number:** -----

7. **Company registration number:** -----

8. SETA to which affiliated: _____

9. If submitted on behalf of one or more subsidiary establishments, please attach a list of names and addresses for the subsidiary(ies), including physical and post address.
10. (a) Total payroll for the end of the last financial year:

- (b) Amount of levy paid in terms of the Skills Development Levies Act, 1999 ¹.

11. Name of Skills Development Facilitator:

¹ If you are a public service organisation, indicate the amount budgeted for training and skills development.

12. Current skills profile:

NQF Band ²	NQF level	Male				Female				Total			
		African	Indian	Coloured	White	African	Indian	Coloured	White	African	Indian	Coloured	White
Higher Education and Research	8												
	7												
	6												
	5												
Further Education and Training (G10-G12)	4												
	3												
	2												
General Education and Training (G9)	1												
Below GETC	0												
Total													

² Definitions and explanatory notes will be available via SETAs.

SECTION B: MAPPING OF STRATEGIC PRIORITIES

Please indicate the number of persons who have received training during the year ended 31/3/2000, the strategic priorities for skills development in the current year and the number of persons to be trained to pursue these strategic priorities. See notes at the end of the document for further guidance.

B.1. NUMBER OF PERSONS IN EACH OCCUPATIONAL GROUP WHO RECEIVED TRAINING DURING THE YEAR ENDED THE 31/3/2000:

Occupational Groups ³	Africans		Coloureds		Indians/ Asians		Whites		Total		
	M	F	M	F	M	F	M	F	M	F	D
Senior officials and managers											
Professionals											
Technicians and associate professionals											
Clerks											
Service workers, shop and market sales workers											
Agricultural and fishery workers											
Craft and related workers											
Plant and machine operators and assemblers											
Labourers and related workers											
Other											
Other											
Total											

M: Male
F: Female
D: Disabled

Indicate the total amount of money spent for the year ended the 31/3/2000 on training excluding wages (see explanatory note number 2):

Internal		External	
Total number	Total in Rands	Total number	Total in Rands

³ Definitions and explanatory notes will be available via SETAs

**B.2. STRATEGIC SKILLS DEVELOPMENT PRIORITIES FOR THE LEVY GRANT
YEAR 1/4/2000 – 31/3/2001 (see explanatory notes 3 - 5)**

Strategic Priorities	Skill Priorities (expressed as learning outcomes using SAQA fields, sub-fields and levels wherever possible) ⁴	Beneficiaries		Nature of learning intervention e.g. In-house, external training, formal educational institution	Estimated cost	
		Occupation	Number		In Company	External
		Senior officials and managers				
		Professionals				
		Technicians and associate professionals				
		Clerks				
		Service workers				
		Agricultural and fishery workers				
		Craft and related trade workers				
		Plant and machine operators and assemblers				
		Labourers and related workers				
		Other				
		Other				
				Total		

⁴ An explanatory booklet, detailing SAQA fields, sub-fields and levels and their link to occupational classifications, will be available from your SETA or the National Skills Authority.

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