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GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN ONDERWYS EN OPLEIDING

No. R. 828 30 April 1982

DIE WET OP ONDERWYS EN OPLEIDING, 1979 (WET 90 VAN 1979)

REGULASIES BETREFFENDE RADE, KOMITEES, BESTURE EN ANDER LIGGAME VIR STAATSKOLE EN GEMEENSKAPSKOLE

Die Minister van Onderwys en Opleiding het kragtens artikel 44, gelees met artikel 7 (2), van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies wat in die Bylae hiervan vervat is, uitgevaardig.

BYLAE

Wooromskrywing

1. In hierdie regulasies het enige uitdrukking waaraan daar in die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en tensy uit die samehang anders blyk, beteken—

"beheerraad", ten opsigte van 'n Staatskool of 'n gemeenskapskool, 'n beheerraad ingestel deur die Minister kragtens artikel 7 van die Wet, vir sodanige skool;

"inspekteur" 'n kringinspekteur of 'n ander beampte wat ingevolge artikel 33 (1) van die Wet gemagtig is om 'n inspeksie te hou of 'n ondersoek te doen met betrekking tot 'n aangeleentheid in daardie artikel bedoel;

"kringinspekteur" 'n beampte in die Departement wat in beheer is van die onderwys in 'n inspeksiekring wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;

"ouer", ten opsigte van 'n leerling aan 'n skool, die vader of moeder of wettige voog van so 'n leerling;

"skoolkomitee", ten opsigte van 'n Staatskool of 'n gemeenskapskool, 'n skoolkomitee ingestel deur die Minister kragtens artikel 7 van die Wet, vir sodanige skool;

"streekdirekteur" 'n beampte in die Departement wat in beheer is van onderwys in 'n streek wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is.

GOVERNMENT NOTICES

DEPARTMENT OF EDUCATION AND TRAINING

No. R. 828 30 April 1982

THE EDUCATION AND TRAINING ACT, 1979 (ACT 90 OF 1979)

REGULATIONS REGARDING COUNCILS, COMMITTEES, BOARDS AND OTHER BODIES FOR STATE SCHOOLS AND COMMUNITY SCHOOLS

The Minister of Education and Training has in terms of section 44 read with section 7 (2) of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations contained in the Schedule hereto.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act 90 of 1979), shall have the meaning so assigned thereto, and—

"circuit inspector" shall mean an officer of the Department who is in control of education in an inspection circuit determined by the Minister in terms of section 2 (2) of the Act;

"governing council" shall, in respect of a State school or a community school, mean a governing council established by the Minister for such school in terms of section 7 of the Act;

"inspector" shall mean a circuit inspector or any other officer authorised in terms of section 33 (1) of the Act to hold an inspection or an inquiry in regard to any matter referred to in that section;

"parent" shall, in respect of a pupil at a school, mean the father or mother or legal guardian of such pupil;

"regional director" shall mean an officer of the Department who is in control of education in any region determined by the Minister in terms of section 2 (2) of the Act;

"school committee" shall, in respect of a State school or community school, mean a school committee established by the Minister for such school in terms of section 7 of the Act.

DEEL I

BEHEERRADE DEUR DIE MINISTER KRAGTENS ARTIKEL 7 (1) VAN DIE WET INGESTEL

Samestelling

2. (1) 'n Beheerraad vir 'n primêre skool bestaan uit vier lede en word soos volg saamgestel:

(a) 'n Inspekteur wat deur die betrokke streekdirekteur aangewys word, wat die voorsitter is; en

(b) drie addisionele lede wat deur die betrokke streekdirekteur aangestel word na oorlegpleging met dié plaaslike belanghebbende persone wat die Direkteur-generaal in die algemeen of in 'n besondere geval bepaal.

(2) 'n Beheerraad vir 'n na-primêre skool (uitgesonderd 'n onderwysersopleidingskool of -kollege) en 'n sentrum vir die onderwys van volwassenes bestaan uit sewe lede en word soos volg saamgestel:

(a) Die betrokke streekdirekteur, wat *ex officio* die voorsitter is, behalwe wanneer hy 'n beampte van die Departement in sy plek as voorsitter aanwys;

(b) 'n inspekteur wat deur die betrokke streekdirekteur aangewys word; en

(c) vyf addisionele lede wat deur die streekdirekteur aangestel word.

(3) 'n Beheerraad vir 'n Staatsentrum vir die onderwys van volwassenes bestaan uit hoogstens ses lede en word soos volg saamgestel:

(a) die betrokke streekdirekteur, wat *ex officio* die voorsitter is, behalwe wanneer hy 'n beampte van die Departement in sy plek as voorsitter aanwys;

(b) 'n inspekteur wat deur die betrokke streekdirekteur aangewys word;

(c) 'n prinsipaal wat deur die betrokke streekdirekteur aangewys word (indien moontlik die prinsipaal van die dagskool);

(d) hoogstens drie addisionele lede wat deur die streekdirekteur aangestel word.

(4) 'n Beheerraad vir 'n onderwysersopleidingskool of -kollege bestaan uit sewe lede en word soos volg saamgestel:

(a) Die betrokke streekdirekteur, wat *ex officio* die voorsitter is, behalwe wanneer hy 'n beampte van die Departement in sy plek as voorsitter aanwys;

(b) 'n kringinspekteur wat deur die betrokke streekdirekteur aangewys word;

(c) 'n inspekteur wat deur die betrokke streekdirekteur aangewys word; en

(d) vier addisionele lede wat deur die Direkteur-generaal aangestel word.

Sekretaris van die beheerraad

3. (1) Die prinsipaal, of, wanneer die pos vakant is, die waarnemende prinsipaal, van 'n skool ten opsigte waarvan 'n beheerraad saamgestel is, is *ex officio* die sektretaris van die beheerraad.

(2) Indien die prinsipaal of the waarnemende prinsipaal, na gelang van die geval, nie op 'n vergadering van die beheerraad teenwoordig kan wees nie, wys hy 'n lid van sy onderwyspersoneel aan om vir die betrokke vergadering as sekretaris van die beheerraad op te tree.

(3) Die sekretaris van 'n beheerraad kan aan die besprekings op 'n vergadering van die beheerraad deelneem en aanbevelings aan die beheerraad doen, maar het nie die reg om op sodanige vergadering te stem nie.

PART I

GOVERNING COUNCILS ESTABLISHED BY THE MINISTER IN TERMS OF SECTION 7 (1) OF THE ACT

Constitution

2. (1) The governing council of a primary school shall consist of four members and shall be constituted as follows:

(a) An inspector, who shall be the chairman, designated by the regional director concerned; and

(b) three additional members who shall be appointed by the regional director concerned after consultation with such local interested persons as the Director-General may in general or in a particular case determine.

(2) A governing council for a post-primary school (excluding a teacher training school or college) and a centre for the education of adults shall consist of seven members and shall be constituted as follows:

(a) The regional director concerned, who shall *ex officio* be chairman, except when he designates an officer of the Department as chairman in his place;

(b) an inspector who shall be designated by the regional director concerned; and

(c) five attitional members who shall be appointed by the Director-General.

(3) A governing council for a State Centre for adult education shall consist of not more than six members and shall be constituted as follows:

(a) The regional director concerned, who shall *ex officio* be chairman, except when he designates an officer of the Department as chairman in his place;

(b) an inspector who shall be designated by the regional director concerned;

(c) a principal who shall be designated by the regional director concerned (if possible the principal of the day school);

(d) not more than three additional members who shall be designated by the regional director.

(4) A governing council for a teacher training school or college shall consist of seven members and shall be constituted as follows:

(a) The regional director concerned, who shall *ex officio* be chairman, except when he designates an officer of the Department as chairman in his place;

(b) a circuit inspector who shall be designated by the regional director concerned;

(c) an inspector who shall be designated by the regional director concerned; and

(d) four additional members who shall be appointed by the Director-General.

Secretary of the governing council

3. (1) The principal, or, when the post is vacant, the acting principal of a school in respect of which a governing council has been constituted shall *ex officio* be secretary of the governing council.

(2) If the principal or acting principal, as the case may be, cannot be present at a meeting of the governing council, he shall designate a member of his teaching staff to act as secretary of the governing council at the meeting concerned.

(3) The secretary of a governing council may take part in the discussions at a meeting of the governing council and may make recommendations to the governing council, but shall not have the right to vote at such meeting.

Ampstermyn van lede van 'n beheerraad en vakatures

4. (1) 'n Lid van die beheerraad beklee sy amp vir 'n termyn van drie jaar, tensy hy voor die verstryking van die termyn sy bedanking skriftelik by die sekretaris van die beheerraad indien of sy amp om 'n ander rede ontruim.

(2) Die persoon wat ingevolge 'n bepaling van regulasie 2 die addisionele lede ten opsigte van 'n beheerraad aanstel, bepaal die datum waarop die ampstermyn van die lede van sodanige raad 'n aanvang neem.

(3) Ondanks die bepalings van subregulasie (1), kan die persoon in subregulasie (2) bedoel, die ampstermyn van die lede van 'n beheerraad na goeddunke verleng.

(4) 'n Vakature in die ledetal van 'n beheerraad wat veroorsaak word deur die dood van of ontruiming van sy amp deur 'n lid, word ooreenkomstig die bepalings van regulasie 2 gevul vir die onverstreke gedeelte van die ampstermyn van die lid.

Dagbestuur van 'n beheerraad

5. (1) Die dagbestuur van 'n beheerraad word deur sodanige raad aangewys en bestaan uit die voorsitter en minstens twee en hoogstens drie ander lede, van wie minstens een lid 'n addisionele lid van die beheerraad moet wees.

(2) 'n Beheerraad kan aan sy dagbestuur enige van die beheerraad se bevoegdhede of werksaamhede opdra: Met dien verstande dat die beheerraad nie ontdoen is van 'n bevoegdheid of werksaamheid wat hy aan sy dagbestuur opgedra het nie, en dat 'n besluit van die dagbestuur deur die beheerraad by sy eerste vergadering na die neem van die betrokke besluit, gewysig of tersyde gestel kan word.

(3) Die kworum van 'n dagbestuur is drie lede.

(4) In die geval van 'n staking van stemme op 'n vergadering van 'n dagbestuur het die voorsitter, soos die ander lede, net 'n beraadslagende stem.

(5) Die sekretaris van die beheerraad is ook die sekretaris van die dagbestuur.

(6) Notule moet van elke vergadering van die dagbestuur gehou word en sodanige notule moet op die eersvolgende vergadering van die beheerraad vir bekragtiging voorgelê word.

Vergaderings van beheerraad

6. (1) Gewone vergaderings van 'n beheerraad moet minstens een keer per kwartaal gehou word.

(2) Ondanks die bepalings van subregulasie (1) vergader 'n beheerraad van 'n Staatsentrum minstens twee keer per jaar.

(3) Die kennisgewings van vergaderings moet die dag, datum, tyd en plek uitdruklik vermeld en vergesel gaan van 'n sakelys.

(4) Die kennisgewings van gewone vergaderings moet skriftelik op gesag van die voorsitter deur die sekretaris van die beheerraad aan die lede gepos of persoonlik aan hulle oorhandig word sodat dit minstens agt dae voor die bepaalde datum in hulle besit is.

(5) Behoudens die bepalings van regulasie 8 doen die nieontvangs van 'n kennisgewing bedoel in subregulasie (3) en die gevolglike afwesigheid van 'n lid nie afbreuk aan die geldigheid van die verrigtings op 'n vergadering van die beheerraad nie.

(6) Die voorsitter kan te eniger tyd 'n buitengewone vergadering belê indien omstandighede so 'n vergadering volgens sy oordeel noodsaaklik maak: Met dien verstande dat sodanige vergadering belê moet word op versoek van minstens twee lede in die geval van 'n beheerraad met vier lede, en vier lede in die geval van 'n beheerraad met sewe lede.

(7) Die voorsitter moet 'n vergadering van die beheerraad of die dagbestuur belê indien die Direkteur-generaal hom aldus versoek.

Period of office of members of a governing council and vacancies

4. (1) A member of the governing council shall hold office for a period of three years, unless he submits his resignation in writing to the secretary of the governing council or vacates his office for any other reason before the expiry of such period.

(2) The person who in terms of a provision of regulation 2 appoints the additional members in respect of a governing council shall determine the date of commencement of the period of office of the members of such council.

(3) Notwithstanding the provisions of subregulation (1), the person referred to in subregulation (2) may at his discretion extend the period of office of members of a governing council.

(4) Any vacancy in the number of members of a governing council caused by the death of, or the vacation of his office by, a member shall in accordance with the provisions of regulation 2 be filled for the unexpired portion of the period of office of such member.

Executive committee of a governing council

5. (1) The executive committee of a governing council shall be designated by such council and shall consist of the chairman and at least two and not more than three other members of whom at least one member shall be an additional member of the governing council.

(2) A governing council may assign to the executive committee any of the governing council's powers or functions: Provided that the governing council shall not be divested of any power or function which it has assigned to its executive committee and that any decision of the executive committee may be altered or set aside by the governing council at its first meeting after the decision in question was made.

(3) The quorum of an executive committee shall be three members.

(4) In the event of an equality of votes at a meeting of an executive committee the chairman shall, like the other members, have only a deliberative vote.

(5) The secretary of the governing council shall also be the secretary of the executive committee.

(6) Minutes shall be kept of every meeting of the executive committee and such minutes shall be submitted for confirmation at the next meeting of the governing council.

Meetings of governing council

6. (1) Ordinary meetings of a governing council shall be held at least once per quarter.

(2) Notwithstanding the provisions of subregulation (1), a governing council shall meet at least twice a year.

(3) The notices of meeting shall explicitly state the day, date, time and venue and shall be accompanied by an agenda.

(4) The notices of ordinary meetings shall be in writing and shall be posted to members or handed over to them personally by the secretary of the governing council on the authority of the chairman so that they will be in their possession at least eight days before the fixed date.

(5) Subject to the provisions of regulation 8, the non-receipt of a notice referred to in subregulation (3) and the consequent absence of a member shall not affect the validity of the proceedings at a meeting of the governing council.

(6) The chairman may at any time convene a special meeting if in his opinion circumstances necessitate such a meeting: Provided that such meeting shall be convened at the request of at least two members in the case of a governing council with four members and four members in the case of a governing council with seven members.

(7) The chairman shall convene a meeting of the governing council or the executive committee if the Director-General requests him to do so.

Notule

7. (1) 'n Notule van elke vergadering van 'n beheerraad moet deur die sekretaris van die beheerraad gehou word in 'n boek of 'n lêer wat spesifiek vir dié doel gebruik word en wat deur die sekretaris van die beheerraad in veilige bewaring in die skool gehou moet word.

(2) Die sekretaris van die beheerraad moet in die notule van elke vergadering die name van die lede wat teenwoordig of met of sonder verskoning afwesig is, notuleer.

(3) Die eerste handeling van 'n gewone vergadering, nadat dit saamgestel is, is die lees van die notule van die laaste voorafgaande gewone vergadering en van enige buitengewone vergadering en enige vergadering van die dagbestuur wat daarna gehou is, en die bekragtiging daarvan deur die handtekening van die voorsitter: Met dien verstande dat besware teen die notule voor die bekragtiging daarvan geopper en afgehandel moet word.

(4) Niemand behalwe 'n lid van die beheerraad, 'n inspekteur, 'n beampte of iemand wat skriftelik deur die Direkteur-generaal daartoe gemagtig is, het insae in die notule van enige vergadering nie.

(5) Die sekretaris van die beheerraad moet binne sewe dae na afloop van elke vergadering of buitengewone vergadering drie afskrifte van die notule aan die voorsitter van die beheerraad voorlê.

Kworum

8. (1) Die meerderheid van die lede van 'n beheerraad maak 'n kworum vir 'n vergadering uit.

(2) Indien daar by 'n gewone vergadering wat behoorlik belê is, nie 'n kworum teenwoordig is nie, word sodanige vergadering vir minstens agt maar hoogstens 12 dae (met inbegrip van die dag waarop die vergadering sou plaasvind) uitgestel, en op die aldus bepaalde datum handel die vergadering, wat ooreenkomstig regulasie 6 (2) en (3) belê moet word, die agenda af, hetsy daar dan 'n kworum teenwoordig is of nie.

Stemming

9. (1) Alle sake word beslis deur 'n meerderheid van die lede van die beheerraad wat teenwoordig is en stem.

(2) Die voorsitter en elke lid beskik oor een stem wanneer 'n saak tot stemming gebring word: Met dien verstande dat, in geval van 'n staking van stemme, die voorsitter of die persoon wat in sy afwesigheid as voorsitter optree, benewens sy beraadslagende stem ook 'n beslissende stem het.

(3) Indien die vergadering aldus besluit, word daar genotuleer hoeveel lede ten gunste van of teen 'n mosie gestem het, en op versoek van 'n lid gelas die voorsitter dat die stem van sodanige lid aangeteken word.

(4) Wanneer die voorsitter so reël, moet daar by wyse van stembriefies gestem word.

Beslissing van die voorsitter

10. Die beslissing van die voorsitter op 'n punt van orde of prosedure is bindend, tensy 'n lid onmiddellik daarteen beswaar maak, in welke geval sodanige beslissing sonder bespreking voorgelê word aan die vergadering, wie se beslissing finaal is.

Bywoning van vergaderings deur nie-lede en verlating van vergadering deur prinsipaal

11. (1) Behoudens die bepalings van artikel 7 (1) van die Wet en hierdie regulasies is elke vergadering van 'n beheerraad geslote en word niemand wat nie 'n lid is nie, toegelaat om dit by te woon nie.

(2) Die beheerraad kan besluit dat die prinsipaal die vergadering tydelik moet verlaat wanneer 'n aangeleentheid rakende sy persoon bespreek word en dat die notule vir dié tyd gehou word deur 'n lid wat die beheerraad aanwys.

Minutes

7. (1) Minutes of each meeting of a governing council shall be kept by the secretary of the governing council in a book or a file which is specifically used for this purpose and which shall be kept safely in the school by the secretary of the governing council.

(2) The secretary of the governing council shall record in the minutes of each meeting the names of the members who are present or absent with or without apology.

(3) The first act of each ordinary meeting, after it has been constituted, shall be to read and confirm by the signature of the chairman the minutes of the last preceding ordinary meeting and of each special meeting held subsequent thereto: Provided that any objection to the minutes shall be raised and dealt with before such confirmation.

(4) No person, other than a member of the governing council, an inspector, an officer or a person authorised thereto in writing by the Director-General, shall have access to the minutes of any meeting.

(5) The secretary of the governing council shall submit three copies of the minutes to the chairman of the governing council within seven days after each meeting or special meeting.

Quorum

8. (1) The majority of the members of the governing council shall form a quorum for a meeting.

(2) Should there not be a quorum present at any properly convened ordinary meeting, such meeting shall be postponed for at least eight days and for not more than 12 days (including the day on which the meeting should have taken place) and on the date so determined the meeting, which shall be convened in accordance with regulation 6 (2) and (3), shall deal with the agenda whether or not a quorum is present.

Voting

9. (1) All matters shall be decided by a majority of the members of the governing council who are present and vote.

(2) When any matter is put to the vote, the chairman and each member shall have one vote: Provided that in the event of an equality of votes, the chairman or the person who acts as chairman in his absence shall, in addition to his deliberative vote, also have a casting vote.

(3) If so decided by the meeting, the number of members voting for or against any motion shall be recorded in the minutes and at the request of any member the chairman shall direct that the vote of such member be recorded.

(4) If so ruled by the chairman, voting shall be by ballot.

Ruling by chairman

10. The ruling of the chairman on a point of order or procedure shall be binding unless immediately challenged by a member, in which event such ruling shall be submitted without discussion to the meeting, whose decision shall be final.

Attendance of meetings by non-members and leaving of meeting by principal

11. (1) Subject to the provisions of section 7 (1) of the Act and these regulations, each meeting of a governing council shall be closed and no persons who is not a member shall be permitted to attend it.

(2) The governing council may rule that the principal shall leave the meeting temporarily when any matter concerning his person is discussed and that the minutes be kept by a member to be designated by the governing council for such period.

(3) 'n Beheerraad kan die teenwoordigheid van 'n lid van die betrokke skoolpersoneel op enige vergadering van 'n beheerraad vereis in verband met enige saak wat binne die voorgeskrewe pligte van die beheerraad val en bedoelde personeellid moet, wanneer hy daartoe versoek word, sodanige vergadering bywoon vir sodanige tydperk as wat die beheerraad bepaal.

(4) Indien die beheerraad dit nodig ag, kan enige ander persoon wat na die mening van die beheerraad moontlik inligting kan verskaf oor 'n saak wat binne die bevoegdheid van die beheerraad val, 'n vergadering van die beheerraad bywoon vir sodanige tydperk as wat die beheerraad bepaal.

(5) 'n Beampte van die Departement wat daartoe gemagtig is deur die Direkteur-generaal of die streekdirekteur, het die reg om enige vergadering van die beheerraad in 'n raadgewende hoedanigheid of as waarnemer by te woon.

Pligte en bevoegdhede van 'n beheerraad

12. Benewens die werksaamhede en bevoegdhede wat beheerrade in hierdie regulasies verleen of opgelê word, is die werksaamhede en bevoegdhede van 'n beheerraad—

(a) om 'n wakende oog oor die algemene welsyn van die skool te hou;

(b) om die belange van die skool te bevorder en te beskerm;

(c) om die Direkteur-generaal te adviseer oor die doeltreffende funksionering van die skool;

(d) om toe te sien dat die geboue, terrein, omheining en ander bybehore van die skool behoorlik versorg word en om enige skade of noodsaaklike herstelwerk onverwyld skriftelik aan die Departement te rapporteer;

(e) om aanbevelings by die Direkteur-generaal te doen oor aanstellings, bevorderings en ontslag van personeel van die skool;

(f) om ondersoek in te stel na 'n skriftelike klagte in verband met die skool en verslag te doen aan die Departement indien hy dit nodig ag, en in dié geval moet die beheerraad die skriftelike klagte tesame met sy bevinding en aanbeveling aan die Direkteur-generaal voorlê;

(g) om by die Direkteur-generaal aan te beveel dat 'n ondersoek deur die Direkteur-generaal ingestel word indien, na die oordeel van die beheerraad, 'n lid van die onderwyspersoneel van die skool—

(i) ingevolge artikel 24 van die Wet onbekwaam is om sy pligte behoorlik uit te voer;

(ii) weens voortdurende swak gesondheid of die een of ander liggaamlike of geestelike gebrek onbekwaam geword het om behoorlik onderwys te gee; of

(iii) hom aan wangedrag soos omskryf in artikel 22 van die Wet, skuldig gemaak het;

(h) om die vertoë van ouers te behandel en sodanige vertoë tesame met sy aanbeveling aan die Direkteur-generaal voor te lê;

(i) om 'n saak wat na die oordeel van die beheerraad op die welsyn en doeltreffendheid van die skool betrekking het, deur die amptelike kanale onder die aandag van die Direkteur-generaal te bring;

(j) om ooreenkomstig die regulasies betreffende die beheer oor geld wat vir of met betrekking tot 'n skool ingesamel word, 'n skoolfonds te beheer;

(k) om ooreenkomstig die regulasies betreffende die beheer oor en die behandeling van leerlinge by 'n skool, wanneer nodig, oorweging te skenk aan optrede teen leerlinge wat hulle aan wangedrag skuldig maak;

(l) om metodes in werking te stel om die aktiewe belangstelling, daadwerklike steun en samewerking van die ouers en gemeenskap in belang van die skool te verkry;

(3) A governing council may require the presence of any member of the teaching staff concerned at any meeting of a governing council in connection with any matter falling within the prescribed duties of the governing council and the staff member referred to shall, when required to do so, attend such meeting for such period as the governing body may determine.

(4) If the governing council deems it necessary, any other person who in the opinion of the governing council may be able to provide information on any matter falling within the powers of the governing council may attend any meeting of the governing council for such period as the governing council may determine.

(5) Any officer of the Department authorised thereto by the Director-General or the regional director shall have the right to attend any meeting of the governing council in an advisory capacity or as an observer.

Duties and powers of a governing council

12. In addition to the functions and powers vested in or imposed upon governing bodies in these regulations, the functions and powers of a governing body shall be to—

(a) keep a watchfull eye on the general welfare of the school;

(b) promote and protect the interests of the school;

(c) advise the Director-General in regard to the effective functioning of the school;

(d) see to it that the buildings, grounds, fences and other accessories of the school are properly cared for and that any damage or necessary repair work be reported to the Department in writing without delay;

(e) make recommendations to the Director-General regarding the appointment, promotion and discharge of staff of the school;

(f) inquire into any written complaint in connection with the school and to report to the Department if the governing council deems it necessary, in which case the governing council shall submit the written complaint together with its finding and recommendation to the Director-General;

(g) recommend to the Director-General that an inquiry be held by the Director-General if, in the opinion of the governing council, any member of the teaching staff of the school—

(i) in terms of section 24 of the Act, is incapable of performing his duties efficiently;

(ii) owing to continued ill-health or some physical or mental defect has become incapable of teaching properly; or

(iii) has rendered himself guilty of misconduct as defined in section 22 of the Act;

(h) deal with the representations of parents and to submit such representations together with its recommendation to the Director-General;

(i) bring to the notice of the Director-General, through the official channels, any matter which in the opinion of the governing council relates to the welfare and efficiency of the school;

(j) control any school fund in accordance with the regulations regarding the control of money which is raised for or with regard to the school;

(k) consider, when necessary, action against pupils who render themselves guilty of misconduct, in accordance with the regulations regarding the control and treatment of pupils at a school;

(l) put methods into action to obtain the active interest, actual support and co-operation of the parents and the community in the interests of the school;

(m) om die Direkteur-generaal van advies te dien aangaande enige aangeleentheid in verband met die skool;

(n) om sodanige inligting, verslae en advies as wat die Direkteur-generaal van tyd tot tyd verlang, te verstrek;

(o) om die ander pligte uit te voer wat deur die Direkteur-generaal of die streekdirekteur aan die beheerraad opgedra word; en

(p) om algemene toesig oor die skool uit te oefen.

DEEL II

SKOOLKOMITEES DEUR DIE MINISTER KRAGTENS ARTIKEL 7 (1) VAN DIE WET INGESTEL

Samestelling

13. (1) 'n Skoolkomitee bestaan uit sewe ouers wat behoudens die bepalings van regulasie 48 (6) op 'n oueryergadering verkies moet word.

(2) Die komitee kies een van sy lede tot voorsitter en 'n ander lid tot vise-voorsitter.

Sekretaris van skoolkomitee

14. (1) Die prinsipaal, of, wanneer die pos vakant is, die waarnemende prinsipaal, van 'n skool ten opsigte waarvan 'n skoolkomitee ingevolge regulasie 13 saamgestel is, is *ex officio* die sekretaris van die skoolkomitee.

(2) Indien die prinsipaal, of die waarnemende prinsipaal, na gelang van die geval, nie op 'n vergadering van die skoolkomitee teenwoordig kan wees nie, wys hy een van die lede van sy onderwyspersoneel aan om vir dié vergadering as sekretaris van die skoolkomitee op te tree.

(3) Die sekretaris van 'n skoolkomitee kan aan die besprekings op 'n vergadering van die skoolkomitee deelneem en aanbevelings aan die skoolkomitee doen, maar het nie die reg om op sodanige vergadering te stem nie.

'n Skoolkomitee saamgestel ingevolge Goewermentskennisgewing R. 429 van 18 Maart 1966

15. (1) 'n Skoolkomitee saamgestel ingevolge Goewermentskennisgewing R. 429 van 18 Maart 1966, soos gewysig, gaan voort om te funksioneer totdat die ampstermyn van sy lede verstryk, waarna 'n skoolkomitee ingevolge regulasie 13 saamgestel moet word: Met dien verstande dat sodanige skoolkomitee geag word ingevolge hierdie regulasies saamgestel te wees en hierdie regulasies is origens op sodanige skoolkomitee van toepassing.

(2) Ondanks die bepalings van subregulasie (1), kan die betrokke streekdirekteur 'n skoolkomitee bedoel in subregulasie (1), met minstens een maand skriftelike kennisgewing aan die lede ontbind en gelas dat 'n skoolkomitee ingevolge regulasie 13 saamgestel word, en in dié geval word die ampstermyn van die ou lede geag verstreke te wees op die datum waarop die ampstermyn van die nuwe lede 'n aanvang neem.

(3) Indien omstandighede dit noodsaak, kan die streekdirekteur die ampstermyn van lede van 'n skoolkomitee bedoel in subregulasie (1) verleng, maar die ampstermyn mag altesaam nie vier jaar oorskry nie.

Omstandighede waaronder daar nie 'n skoolkomitee bestaan nie

16. (1) Die betrokke streekdirekteur of 'n ander beampte deur hom aangewys, vervul die funksies van 'n skoolkomitee tot tyd en wyl 'n skoolkomitee vir 'n nuwe skool ingevolge regulasie 13 saamgestel word of vir die tydperk waartydens daar ingevolge regulasie 52 (2) nie 'n komitee bestaan nie.

(m) advise the Director-General in regard to any matter in connection with the school;

(n) furnish such information, reports and advice as the Director-General may from time to time require;

(o) perform such other duties as the Director-General or the regional director may assign to the governing council; and

(p) be responsible for the supervision of the school in general.

PART II

SCHOOL COMMITTEES ESTABLISHED BY THE MINISTER IN TERMS OF SECTION 7 (1) OF THE ACT

Constitution

13. (1) A school committee shall consist of seven parents who shall, subject to the provisions of regulation 48 (6), be elected at a meeting of parents.

(2) The committee shall elect one of its members chairman and another member vice-chairman.

Secretary of school committee

14. (1) The principal, or, when the post is vacant, the acting principal, of a school in respect of which a school committee has been constituted in terms of regulation 13 shall *ex officio* be the secretary of the school committee.

(2) If the principal or the acting principal, as the case may be, cannot be present at a meeting of the governing council, he shall designate a member of his teaching staff to act as secretary of the school committee at such meeting.

(3) The secretary of a school committee may take part in the discussions at a meeting of the school committee and may make recommendations to the school committee, but shall not have the right to vote at such meeting.

A school committee constituted in terms of Government Notice R. 429 of 18 March 1966

15. (1) Any school committee constituted in terms of Government Notice R. 429 of 18 March 1966, as amended, shall continue to function until the period of office of its members expires, after which a school committee shall be constituted in terms of regulation 13: Provided that such school committee shall be deemed to be constituted in terms of these regulations and that these regulations shall otherwise apply to such school committee.

(2) Notwithstanding the provisions of subregulation (1), the regional director concerned may, with at least one month's written notice to members, disestablish any school committee referred to in regulation (1) and instruct that a school committee be established in terms of regulation 13, in which case the period of office of the old members shall be deemed to be expired on the date on which the term of office of the new members commences.

(3) Should circumstances so require, the regional director may extend the period of office of members of a school committee referred to in subregulation (1), provided that the period of office does not exceed four years altogether.

Circumstances under which a school committee does not exists

16. (1) The regional director concerned, or any other officer designated by him, shall fulfil the functions of a school committee until such time as a school committee for a new school is constituted in terms of regulation 13, or for the period when a school committee does not exist in terms of regulation 52 (2).

(2) Indien ouers van leerlinge van 'n skool versuim of in gebreke bly om gebruik te maak van die geleentheid wat hulle gebied word om skoolkomiteelede te verkies, word 'n skoolkomitee deur die Minister aangestel wat uit lede van die betrokke gemeenskap of ander persone bestaan, soos die Minister gelas.

(3) Solank 'n skoolkomitee wat ingevolge subregulasie (2) aangestel is bestaan, is hy beklee met al die bevoegdhede en werksaamhede wat ingevolge regulasie 49 by 'n skoolkomitee berus.

Ampstermyn van lede van 'n skoolkomitee

17. (1) Behoudens die bepalings van hierdie regulasies beklee 'n lid van 'n skoolkomitee sy amp vir 'n termyn van drie jaar vanaf die datum waarop hy tot lid verkies is, tensy hy voor die verstryking van dié termyn sy bedanking skriftelik by die sekretaris van die skoolkomitee indien of sy amp om 'n ander rede ontruim.

(2) 'n Toevallige vakature in die skoolkomitee wat veroorsaak word deur die dood van, of ontruiming van sy amp deur, 'n lid, word met inagneming van die bepalings van regulasie 48 (2) en (6) gevul vir die onverstreke gedeelte van die ampstermyn van die lid.

(3) Indien 'n skoolkomitee hersaamgestel word as gevolg van die verstryking van die ampstermyn van die lede, moet die ouervergadering waarop die lede ingevolge regulasie 13 gekies word, plaasvind voordat die ampstermyn of verlengde ampstermyn verstryk, en in dié geval neem die ampstermyn van die nuwe skoolkomiteelede 'n aanvang op die dag wat volg op die dag waarop die ampstermyn van die lede van die vorige skoolkomitee verstryk.

(4) Ondanks die bepalings van subregulasie (1), kan die betrokke streekdirekteur die ampstermyn van die lede van 'n skoolkomitee na goeddunke verleng: Met dien verstande dat 'n verlenging vir 'n tydperk van langer as 12 maande nie sonder die voorafgaande goedkeuring van die Direkteur-generaal mag geskied nie.

Kiesers by die verkiesing van 'n skoolkomitee

18. Elke persoon wie se naam in die toelatingsregister van 'n skool verskyn as die ouer van 'n leerling van die betrokke skool, is 'n kieser by die verkiesing van lede van 'n skoolkomitee vir sodanige skool.

Vereistes vir lidmaatskap van 'n skoolkomitee

19. Niemand wat—

(a) nie 'n kieser bedoel in regulasie 18, is nie;

(b) onder die ouderdom van 25 jaar is;

(c) 'n diensdoende onderwyser of 'n beampte van die Departement is;

(d) die eggenote van 'n diensdoende onderwyser van die betrokke skool is;

(e) die gade van 'n diensdoende beampte van die Departement is;

(f) te eniger tyd skuldig bevind is aan 'n misdryf ten gevolge waarvan hy tot gevangenisstraf vir 'n tydperk van ses maande of langer met of sonder die keuse van 'n boete gevonnis is, tensy hy algehele kwytskelding ontvang het, of tensy sodanige boete betaal is minstens vyf jaar voor die datum van die verkiesing;

(g) lid is van 'n verbode organisasie of 'n ingeperkte persoon is;

(h) nie in die woonbuurt wat die betrokke skool bedien, woon nie; of

(i) 'n pasiënt of 'n Presidentspasiënt is soos omskryf in artikel 1 van die Wet op Geestesgesondheid, 1973 (Wet 18 van 1973);

mag deur die ouers verkies word of deur die skoolkomitee ingevolge regulasie 48 (6) verkies word of aanbly as lid van 'n skoolkomitee nie.

(2) If parents of pupils of any school fail or neglect to avail themselves of the opportunity granted to them to elect school committee members, a school committee consisting of members of the community concerned or such other persons as the Minister may instruct shall be appointed by the Minister.

(3) As long as a school committee appointed in terms of subregulation (2) exists, it shall have all the powers and functions vested in a school committee in terms of regulation 49.

Period of office of members of a school committee

17. (1) Subject to the provisions of these regulations a member of a school committee shall hold office for a period of three years from the date on which he is elected a member, unless he submits his resignation in writing to the secretary of the school committee or vacates his office for any other reason before the expiry of such period.

(2) Any casual vacancy in a school committee caused by the death of or the vacation of his office by a member shall be filled in compliance with the provisions of regulation 48 (2) and (6) for the unexpired period of office of such member.

(3) If a school committee is reconstituted as a result of the expiry of the period of office of the members, the meeting of parents at which the members are elected in terms of regulation 13, shall take place before the period of office or extended period of office expires and in such case the period of office of the new school committee members shall commence on the day following the day on which the period of office of the members of the previous school committee expires.

(4) Notwithstanding the provisions of subregulation (1), the regional director concerned may at his discretion extend the period of office of members of any school committee: Provided that an extension of a period for longer than 12 months shall not occur without the prior approval of the Director-General.

Voters at the election of a school committee

18. Each person whose name appears in the admission register of any school as a parent of a pupil at the school concerned shall be a voter at the election of members of a school committee for such school.

Requirements for membership of a school committee

19. No person who—

(a) is not a voter referred to in regulation 18;

(b) is under the age of 25 years;

(c) is a serving teacher or an officer of the Department;

(d) is the wife of any serving teacher of the school concerned;

(e) is the spouse of any serving officer of the Department;

(f) has at any time been found guilty of an offence for which he was sentenced to imprisonment for a term of six months or more with or without the option of a fine, unless he has received a free pardon, or unless such fine has been payed at least five years prior to the date of the election;

(g) is a member of any prohibited organisation or is a restricted person;

(h) does not live in the residential area served by the school concerned; or

(i) is a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act 18 of 1973);

shall be elected by the parents or elected by the school committee in terms of regulation 48 (6) or continue to be a member of any school committee.

Lidmaatskap van meer as twee skoolkomitees

20. Niemand mag sonder die goedkeuring van die betrokke streekdirekteur lid van meer as twee skoolkomitees wees nie.

'n Lid kan aanbly as lid nadat sy kind die skool verlaat het

21. Iemand wat ingevolge regulasie 13 of 48 (6) tot 'n lid van 'n skoolkomitee verkies is, kan aanbly as lid tot die datum waarop sy ampstermyn verstryk, afgesien daarvan of sy kind te eniger tyd voor genoemde datum die skool verlaat het, of afgesien daarvan of hy die betrokke woonbuurt bedoel in regulasie 19 (h), verlaat het.

Beëindiging van lidmaatskap

22. Die lidmaatskap van 'n lid van 'n bepaalde skoolkomitee kan te eniger tyd deur die Minister beëindig word indien die Minister van oordeel is dat die optrede of gedrag van die lid nie bevorderlik vir die skool of die onderwys is nie.

Prosedure by verkiesing van skoolkomiteelede

Aanstelling van kiesbeampte

23. (1) Wanneer ouers in die geval van 'n bepaalde skool 'n skoolkomitee moet verkies, moet die betrokke kringinspekteur as kiesbeampte, of 'n ander inspekteur skriftelik deur hom as kiesbeampte aangestel, 'n vergadering van kiesers belê: Met dien verstande—

(a) dat die kiesbeampte nie 'n kandidaat of 'n voorsteller of sekondant van 'n kandidaat mag wees nie; en

(b) dat die kiesbeampte 'n eksemplaar van hierdie regulasies byderhand moet hê tydens die verkiesing.

Kennisgewing aan kiesers

24. (1) Die kiesbeampte en die prinsipaal van die betrokke skool moet skriftelike kennisgewings onder al die ouers laat versprei waarby 'n ouervergadering byeengeroep word.

(2) Die kennisgewings bedoel in subregulasie (1) moet die dag, datum, tyd, plek en doel van die vergadering meld en moet uitgereik word sodat dit minstens 14 dae voor die bepaalde dag in besit van die betrokke ouers is.

Minimum getal kiesers nodig vir verkiesing

25. Die minimum getal kiesers vir die hou van 'n verkiesingsvergadering is 10 persent van die totale getal kiesers, tensy 10 persent van die totaal minder as 10 is, in welke geval die minimum getal kiesers 10 is.

Sluiting van verkiesingsvergadering

26. As daar by verstryking van minstens 30 minute na die vasgestelde aanvangstyd in regulasie 24 (2) bedoel van 'n verkiesingsvergadering minder kiesers as die vereiste minimum teenwoordig is, sluit die kiesbeampte die vergadering en word daar beskou dat die betrokke ouers nie gebruik gemaak het van die geleentheid om skoolkomiteelede te verkies nie, en in so 'n geval is die bepalings van regulasie 16 van toepassing: Met dien verstande dat 'n kiesbeampte die aanvangstyd van die verkiesingsvergadering na goeddunke kan uitstel indien omstandighede buite beheer van die kiesers sodanige uitstel noodsaak.

Prosedure op verkiesingsvergadering

Kiesbeampte as voorsitter

27. Die kiesbeampte moet op die ouervergadering voorsit en niemand anders as hy mag die vergadering toespreek nie.

Membership of more than two school committees

20. No person shall, without the approval of the regional director concerned, be a member of more than two school committees.

Any member may continue to be a member after his child has left school

21. Any person elected a member of a school committee in terms of regulation 13 or 48 (6) may continue to be a member until the date on which his term of office expires, irrespective of whether his child has left school at any time prior to the said date, or irrespective of whether he has left the residential area concerned referred to in regulation 19 (h).

Termination of membership

22. The membership of any member of a particular school committee may be terminated at any time by the Minister if the Minister is of the opinion that the conduct or behaviour of the member is not beneficial to the school or education.

Procedure for the election of school committee members

Appointment of electoral officer

23. (1) When the parents have to elect a school committee in the case of a particular school, the circuit inspector concerned, as electoral officer, or any other inspector appointed as electoral officer by him in writing, shall convene a meeting of voters: Provided that—

(a) the electoral officer shall not be a candidate or a mover or seconder of a candidate; and

(b) the electoral officer shall have a copy of these regulations at hand during the election.

Notice to voters

24. (1) The electoral officer and the principal of the school concerned shall cause to be distributed among all the parents notices in writing whereby a meeting of parents is convened.

(2) The notices referred to in subregulation (1) shall state the day, date, time, venue and purpose of the meeting and shall be issued so as to be in the possession of the parents concerned at least 14 days before the specified day.

Minimum number of voters necessary for an election

25. The minimum number of votes for the holding of an election meeting shall be 10 per cent of the total number of votes, unless 10 per cent of the total is less than 10, in which case the minimum number of voters shall be 10.

Closing of election meeting

26. If, at the expiry of at least 30 minutes after the time fixed for the commencement of the meeting referred to in regulation 24 (2), fewer voters are present than the minimum number of voters required, the electoral officer shall close the meeting and it shall be deemed that the parents concerned did not take advantage of the opportunity of electing school committee members and in such case the provisions of regulation 16 shall apply: Provided that any electoral officer may, if he thinks fit, postpone the time of commencement of the election meeting if circumstances beyond the control of the voters necessitate such postponement.

Procedure at election meeting

Electoral officer as chairman

27. The electoral officer shall preside at the meeting and no other person shall address the meeting.

Lys van ouers of voogde wat kiesers is

28. Die prinsipaal, of, indien hy nie teenwoordig kan wees nie, 'n lid deur die prinsipaal uit sy onderwyspersoneel aangewys, moet die vergadering bywoon en 'n lys van al die ouers, die toelatingsregister en sodanige ander registers as wat nodig is, aan die kiesbeampte beskikbaar stel.

Beslissing oor stemgeregtigdes en genomineerdes

29. 'n Vraag—

(a) of 'n persoon as kieser kwalifiseer;

(b) of 'n genomineerde kandidaat 'n ouer van 'n leerlinge is;

word deur die kiesbeampte na oorlegpleging met die prinsipaal of die personeellid bedoel in regulasie 28, beslis.

Bekendmaking van voorskrifte

30. Voordat die verkiesing van lede van 'n skoolkomitee 'n aanvang neem, moet die kiesbeampte, aan die hand van hierdie regulasies, die aandag van die teenwoordige kiesers op die volgende vestig:

(a) Dat dit 'n geslote vergadering van ouers is en persone wat nie ouers is nie, nie teenwoordig mag wees nie;

(b) dat slegs ouers van leerlinge van die betrokke skool stemgeregtigde kiesers is;

(c) dat slegs ouers van leerlinge van die betrokke skool tot lede van die skoolkomitee verkies mag word;

(d) wat die vereistes vir lidmaatskap soos vermeld in regulasie 19 behels;

(e) die getal lede wat gekies moet word;

(f) dat elke stemgeregtigde soveel kandidate kan nomineer as wat daar vakatures is wat gevul moet word;

(g) dat elke nominasie deur 'n stemgeregtigde gesekondeer moet word;

(h) dat geen kieser meer stemme mag uitbring as die getal vakatures wat gevul moet word nie;

(i) dat niemand, behoudens die bepalings van regulasie 20 in meer as twee skoolkomitees gelyktydig mag dien nie; en

(j) dat daar by wyse van geslote stembriefies gestem word en dat analfabete hulle keuses mondeling en privaat aan die kiesbeampte kan meedeel.

Nominasie en verkiesing

31. (1) Onmiddellik na die aankondiging in regulasie 30 bedoel vra 'n kiesbeampte om nominasies van kandidate.

(2) (a) Nominasies geskied mondeling op 'n vergadering en elke voorstel tot nominering van 'n kandidaat moet behoorlik deur 'n stemgeregtigde kieser gesekondeer word.

(b) Die prinsipaal of die personeellid bedoel in regulasie 28 moet deur middel van die registers bevestig dat die voorgestelde kandidaat, die voorsteller en die sekondant kiesers is soos bedoel in regulasie 18.

(3) 'n Aldus genomineerde kandidaat moet sy toestemming vir sy nominasie persoonlik gee voordat hy as kandidaat aanvaar word, of as hy nie op die vergadering teenwoordig is nie, moet sy skriftelike verklaring aan die kiesbeampte oorhandig word voordat die nominasies sluit.

(4) Die kiesbeampte mag nie 'n nominasie aanvaar nie—

(i) indien sodanige nominasie nie ooreenkomstig subregulasies (1), (2) en (3) geskied nie; of

(ii) indien hy daarvan bewus is, of daar tot sy tevredenheid bewys word, dat die genomineerde persoon ingevolge regulasie 19 van hierdie regulasies nie kwalifiseer om 'n lid van 'n skoolkomitee te wees nie.

List of parents or guardians who are voters

28. The principal, or, if he cannot be present, a member designated by the principal from among his teaching staff, shall attend the meeting and make available to the electoral officer a list of all the parents, the admission register and such other registers as may be required.

Decision concerning voters and nominees

29. A decision regarding the question of—

(a) whether a person qualifies as a voter;

(b) whether a nominated candidate is a parent of a pupil;

shall be made by the electoral officer after consultation with the principal or staff member referred to in regulation 28.

Announcement of instructions

30. Before proceeding with the election of members of a school committee, the electoral officer shall, in terms of these regulations, direct the attention of the voters present to the following:

(a) that it is a closed meeting of parents and that persons who are not parents may not be present;

(b) that only parents of pupils of the school concerned are entitled to vote;

(c) that only parents of pupils of the school concerned may be elected members of the school committee;

(d) what the requirements for membership as mentioned in regulation 19 imply;

(e) the number of members to be elected;

(f) that any person entitled to vote may nominate as many candidates as there are vacancies to be filled;

(g) that any nomination must be seconded by a person entitled to vote;

(h) that no voter shall record more votes than the number of vacancies to be filled;

(i) that, subject to the provisions of regulation 20, no person shall serve on more than two school committees simultaneously; and

(j) that voting shall be by secret ballot and that illiterate persons may convey their choices orally and in private to the electoral officer.

Nomination and election

31. (1) Immediately after the announcement referred to in regulation 30, an electoral officer shall call for nominations of candidates.

(2) (a) Nominations shall take place orally at any meeting and every nomination proposal shall be duly seconded by a person entitled to vote.

(b) the principal or the staff member referred to in regulation 28 shall by means of the registers confirm that the proposed candidate, the mover and the seconder are voters as referred to in regulation 18.

(3) A candidate so nominated shall consent to his nomination in person before he is accepted as a candidate or, if he is not present at the meeting, his written statement shall be handed to the electoral officer before nominations close.

(4) The electoral officer shall not accept any nomination—

(i) if such nomination has not been made in accordance with subregulations (1), (2) and (3); or

(ii) if he is aware or if it has been proved to his satisfaction that the person nominated does not qualify for election as a member of a school committee in terms of regulation 19 of these regulations.

(5) Sodra 'n kiesbeampte oortuig is dat alle nominasies van kandidate ontvang is en aan die vereistes voldoen, moet hy op die vergadering verklaar dat die nominasies gesluit het en die name van die kandidate bekend maak.

(6) Nadat nominasies gesluit het, aanvaar die kiesbeampte nie die terugtrekking van enige kandidaat wat behoorlik genomineer is nie.

(7) Indien die getal genomineerde persone gelyk is aan die getal wat verkies moet word, of minstens vier is en dus sal meebring dat daar ooreenkomstig regulasie 44 (1) 'n kworum gevorm sal kan word, word die aldus genomineerde kandidate as behoorlik verkose lede verklaar: Met dien verstande dat vakatures wat nie aldus gevul kan word nie, deur 'n skoolkomitee ingevolge regulasie 48 (6), waarvan die bepalings *mutatis mutandis* in hierdie geval geld, aangevul moet word.

(8) Indien die getal genomineerde persone meer is as die getal lede wat verkies moet word, moet die kiesbeampte onmiddellik na sluiting van die nominasies die name van die kandidate op 'n skryfbord skryf sodat dit vir die vergadering duidelik is wie genomineer is, en moet 'n stemming plaasvind ooreenkomstig die bepalings van regulasie 32.

Stemming

32. (1) 'n Kiesbeampte versoek die aanwesige kiesers om op die informele stembriefies wat hy beskikbaar stel, die name van sewe genomineerde persone wat hulle verkies, neer te skryf: Met dien verstande dat die kiesbeampte enige stembriefie verwerp wat—

(a) meer as sewe name van kandidate bevat; of

(b) 'n persoon se naam bevat wat nie genomineer is nie.

(2) Analfabete kan hulle keuses mondeling en privaat aan 'n kiesbeampte bekend maak, waarna die kiesbeampte dit op 'n stembriefie neerskryf.

(3) Ondanks die voorbehoudsbepaling van subregulasie (1), kan sodanige stembriefie op versoek van die betrokke kieser deur die kiesbeampte gekanselleer word en 'n verdere stembriefie aan die betrokke persoon uitgereik word indien die kiesbeampte oortuig is dat die stembriefie onopsetlik bederf is, en so 'n gekanselleerde bedorwe stembriefie moet in sy teenwoordigheid vernietig word: Met dien verstande dat die bepalings van hierdie regulasie nie geld nie ten opsigte van 'n stembriefie wat reeds aan die kiesbeampte oorhandig is of nadat daar met die tel van die stemme 'n aanvang gemaak is.

Uitslag van stemming

33. (1) Die sewe kandidate op wie die meeste stemme uitgebring is, is die lede van die skoolkomitee.

(2) In geval van staking van stemme op twee of meer kandidate vir die laaste plek of plekke op die lys van suksesvolle kandidate, word daar ooreenkomstig regulasie 32 'n stemming gehou om te bepaal wie van die betrokke kandidate verkies is.

Bekendmaking van verkiesingsuitslag

34. Sodra 'n kiesbeampte die uitslag van die stemming bepaal het, maak hy dit aan die vergadering bekend en verklaar hy die by meerderheid van stemme verkose kandidate behoorlik verkies.

Stembriefies word bewaar

35. Alle stembriefies, ook dié wat verwerp is, moet onverwyld deur die betrokke kiesbeampte in 'n verseëlde koevert aan die betrokke kringinspekteur oorhandig word of per gesertifiseerde pos aan hom gestuur word, en die kringinspekteur moet dié briefies vir minstens ses maande in veilige bewaring hou.

(5) As soon as an electoral officer is convinced that all nominations of candidates have been received and comply with the requirements, he shall declare at the meeting that the nominations have closed and make known the names of the candidates.

(6) After nominations have closed, the electoral officer shall not accept the withdrawal of any candidate who has been duly nominated.

(7) If the number of persons nominated is equal to the number of members who have to be elected, or is at least four, and thus will mean that a quorum can be formed in terms of regulation 44 (1), the persons so nominated shall be declared duly elected members: Provided that vacancies which cannot be filled in this manner shall be filled by a school committee in terms of regulation 48 (6), the provisions of which shall apply *mutatis mutandis* in this case.

(8) If the number of persons nominated exceeds the number of persons to be elected, the electoral officer shall immediately after the closing of the nominations write down on a blackboard the names of the candidates so that it may be clear to the meeting who has been nominated and voting shall take place in accordance with the provisions of regulation 32.

Voting

32. (1) An electoral officer shall request the voters present to write down the names of seven nominated persons elected by them on the informal ballot papers to be made available by him: Provided that the electoral officer shall reject any ballot paper which—

(a) contains more than seven names of candidates; or

(b) contains the name of a person not nominated.

(2) Illiterate persons may orally and in private make their choice known to the electoral officer, who shall then write it down on a ballot paper.

(3) Notwithstanding the proviso to subregulation (1), such ballot paper may, at the request of the voter concerned, be cancelled by the electoral officer and a further ballot paper may be issued to the person concerned if the electoral officer is convinced that the ballot paper has been spoilt unintentionally and such spoilt ballot paper which has been cancelled shall be destroyed in his presence: Provided that the provisions of this regulation shall not apply in regard to a ballot paper that has already been handed over to the electoral officer or after the counting of votes has commenced.

Result of voting

33. (1) The seven candidates for whom the most votes were cast shall be the members of the school committee.

(2) In the case of an equality of votes for two or more candidates for the last place or places on the list of successful candidates, voting shall take place in accordance with the provisions of regulation 32 to determine who has been elected.

Announcement of election results

34. As soon as the chairman has ascertained the result of the voting, he shall announce such result to the meeting and shall declare the candidates elected by the majority of votes duly elected.

Ballot papers to be retained

35. All ballot papers, including those rejected, shall forthwith be handed over to the circuit inspector concerned by the relevant electoral officer in a sealed envelope or forwarded to him by certified post and the circuit inspector shall retain such ballot papers in safekeeping for at least six months.

Verkiesing van voorsitter en vise-voorsitter

36. (1) Indien al sewe verkose lede op die verkiesingsvergadering teenwoordig is, moet die pas gekose skoolkomitee onmiddellik na afloop van die vergadering, onder voorsitterskap van die kiesbeampte, vergader om 'n voorsitter en 'n vise-voorsitter ingevolge regulasie 13 (2) te kies: Met dien verstande dat indien nie al die lede teenwoordig is nie, die verkiesing van voorsitter en 'n vise-voorsitter op die eerste vergadering van die skoolkomitee wat na die verkiesingsvergadering gehou word, moet geskied.

(2) Indien 'n voorsitter en 'n vise-voorsitter op die eerste vergadering van 'n nuutverkose skoolkomitee wat na die verkiesingsvergadering gehou word, gekies moet word, tree die kiesbeampte as voorsitter op net vir sodanige verkiesing, waarna die nuutverkose voorsitter of, in sy afwesigheid, die vise-voorsitter die vergadering moet lei.

Prosedure na die samestelling van komitee

37. (1) 'n Kiesbeampte moet onverwyld na afloop van 'n verkiesingsvergadering van ouers 'n lys van die name en adresse van die verkose lede van die betrokke skoolkomitee asook 'n lys met die name van die kandidate en die getal stemme wat op elkeen uitgebring is, aan die betrokke kringinspekteur en prinsipaal verstrek.

(2) Die kringinspekteur moet onverwyld—

(a) aan die lede hul lidmaatskap skriftelik bevestig en hulle van hul ampstermyn in kennis stel;

(b) 'n lys van die lede aan die betrokke streekdirekteur verskaf; en

(c) 'n lys met die name en adresse van die verkose skoolkomiteelede op 'n opsigtelike plek by die betrokke skool laat opplak.

Onreëlmatigheid en tersydestelling van verkiesing

38. (1) 'n Beswaar geopper deur 'n kieser teen 'n onreëlmatigheid, fout of nie-nakoming van voorskrifte in verband met 'n verkiesing van skoolkomiteelede moet binne 14 dae na die verkiesing skriftelik by die betrokke kringinspekteur ingedien word en laasgenoemde beampte moet dié beswaar na die betrokke streekdirekteur verwys, wat—

(a) indien hy van oordeel is dat sodanige onreëlmatigheid, fout of nie-nakoming die uitslag van die verkiesing moontlik kon beïnvloed het—

(i) alle verrigtinge wat ten tyde van en na sodanige onreëlmatigheid plaasgevind het, tersyde kan stel en gelas dat hulle opnuut uitgevoer word op die tye en plekke deur hom bepaal en behoorlik aan die betrokke ouers meegedeel; of

(ii) alle verrigtinge tersyde kan stel en kan gelas dat met die verkiesing opnuut begin word en dat 'n ouervergadering om skoolkomiteelede te verkies, gehou word nie later nie as op 'n datum deur hom bepaal en behoorlik aan die betrokke ouers meegedeel; of

(b) indien hy van oordeel is dat sodanige onreëlmatigheid, fout of nie-nakoming nie die uitslag van die verkiesing moontlik kon beïnvloed het nie, sodanige onreëlmatigheid, fout of nie-nakoming kan kondoneer, hetsy voorwaardelik of behoudens die nakoming van enige voorwaardes wat hy bepaal in verband met die verrigting van enige handeling wat nie verrig is nie of wat in verband staan met die onreëlmatigheid wat geskied het, en daarna word daar beskou dat sodanige verrigtinge wettig ooreenkomstig die bepalings van hierdie regulasies uitgevoer is.

(2) (a) 'n Streekdirekteur kan te eniger tyd binne 'n tydperk van ses maande na die datum van 'n verkiesing ingevolge regulasie 13 dié verkiesing tersyde stel indien hy daarvan oortuig is dat daar onreëlmatigheid by die hou van sodanige verkiesing plaasgevind het.

Election of chairman and vice-chairman

36. (1) If all seven of the elected members are present at the election meeting, the newly-elected school committee shall, immediately after the meeting, under the chairmanship of the electoral officer, meet to elect a chairman and vice-chairman in terms of regulation 13 (2): Provided that if not all the members are present, the election of a chairman and vice-chairman shall take place at the first meeting of the school committee held after the election meeting.

(2) If a chairman and vice-chairman are to be elected at the first meeting of the newly-elected school committee after the election meeting, the electoral officer shall act as chairman only for such election, after which the newly-elected chairman or, in his absence, the vice-chairman shall preside at the meeting.

Procedure after the constitution of committee

37. (1) After an election meeting of parents, an electoral officer shall, without delay, provide the circuit inspector and principal concerned with a list of the names and addresses of the elected members of the school committee concerned and with a list of the names of the candidates and the number of votes cast for each candidate.

(2) The circuit inspector shall without delay—

(a) confirm their membership to the members and inform them of their period of office in writing;

(b) submit a list of the members tot the regional director concerned; and

(c) have a list of the names and addresses of the elected school committee members displayed in a conspicuous place at the school concerned.

Irregularity and setting aside of election

38. (1) An objection by a voter to any irregularity, error or non-compliance with the instructions in connection with the election of committee members shall, within 14 days of such election, be lodged, in writing, with the circuit inspector concerned and the latter officer shall refer this objection to the regional director concerned, who may—

(a) if he is of the opinion that such irregularity, error or non-compliance is likely to have affected the result of the election—

(i) set aside all proceedings arising from and following such irregularity and direct that they be carried out *de novo* at times and places which he may determine and of which the parents concerned are duly informed; or

(ii) set aside all proceedings and direct that the election be conducted *de novo* and that a meeting of parents for the purpose of electing members of a committee be held not later than a date determined by him and of which the parents concerned are duly informed; or

(b) if he is of the opinion that such irregularity or error or non-compliance is not likely to have affected the result of the election, condone such irregularity or error or non-compliance, either unconditionally or subject to compliance with any conditions he may stipulate in regard to the performance of any act omitted or which relates to the irregularity which occurred and such proceedings shall thereupon be deemed to have been carried out lawfully in accordance with the provisions of these regulations.

(2) (a) A regional director may at any time within a period of six months of the date of any election in terms of regulation 13 set aside such election if he is convinced that there was any irregularity in conducting such election.

(b) Indien 'n verkiesing ingevolge paragraaf (a) tersyde gestel is, moet die verkiesing opnuut plaasvind op 'n datum deur die streekdirekteur bepaal.

(c) Ondanks die tersydestelling van 'n verkiesing ingevolge paragraaf (a) word enige handelinge deur die betrokke skoolkomitee vóór sodanige tersydestelling verrig, geag wettiglik verrig te gewees het en nie deur sodanige tersydestelling geraak te wees nie, met uitsluiting van handelinge wat, afgesien van bedoelde onreëlmatigheid, strydig is met die bepalings van hierdie regulasies.

Dagbestuur van 'n skoolkomitee

39. (1) Die dagbestuur van 'n skoolkomitee bestaan uit die voorsitter, die vise-voorsitter en twee ander lede wat die skoolkomitee vir dié doel aanwys.

(2) 'n Skoolkomitee kan aan sy dagbestuur enige van die skoolkomitee se bevoegdhede of werksaamhede opdra: Met dien verstande dat die skoolkomitee nie ontdoen is van 'n bevoegdheid of werksaamheid wat hy aan sy dagbestuur opgedra het nie, en dat 'n besluit van die dagbestuur deur die skoolkomitee by sy eerste vergadering na die neem van die betrokke besluit gewysig of tersyde gestel kan word.

(3) Die kworum van 'n dagbestuur is drie.

(4) Die voorsitter het in die geval van 'n stemming op 'n vergadering van 'n dagbestuur, soos die ander lede, net 'n beraadslagende stem.

(5) Die sekretaris van die skoolkomitee is ook die sekretaris van die dagbestuur.

(6) Notule moet van elke vergadering van die dagbestuur gehou word en sodanige notule moet op die eersvolgende vergadering van die skoolkomitee vir bekragtiging voorgelê word.

Belê van vergaderings van skoolkomitees

40. (1) Die eerste vergadering van 'n skoolkomitee word deur die betrokke kiesbeampte belê en op hierdie vergadering word die skoolkomitee behoorlik gekonstitueer: Met dien verstande dat die datum van die vergadering nie later nie as drie weke na die datum van die begin van die ampstermyn van die lede moet wees: Met dien verstande voorts dat die hou van die eerste vergadering op 'n later datum na goeddunke deur die kringinspekteur goedgekeur kan word.

(2) Ondanks die bepalings van subregulasie (1) mag 'n skoolkomitee wat hersaamgestel is met die oog op die verstryking van die ampstermyn van die vorige lede, nie vergader voordat bedoelde ampstermyn verstryk het nie.

Eerste vergadering van 'n skoolkomitee

41. (1) 'n Skoolkomitee moet op sy eerste vergadering—

(a) 'n voorsitter en 'n vise-voorsitter ooreenkomstig regulasie 36 verkies indien dit nie onmiddellik na afloop van die vergadering soos beoog in regulasie 36 (1), geskied het nie;

(b) 'n dagbestuur ooreenkomstig regulasie 39 (1) saamstel;

(c) besluit hoe lank vooraf kennis van 'n buitengewone vergadering gegee moet word;

(d) die prosedure bepaal wat gevolg moet word in verband met kennisgewings betreffende 'n buitengewone vergadering;

(e) sodanige ander sake behandel as wat omstandighede vereis.

Daaropvolgende vergadering van 'n skoolkomitee

42. (1) Gewone vergaderings van 'n skoolkomitee moet minstens een keer per kwartaal gehou word.

(2) Die kennisgewings van vergaderings moet die dag, datum, tyd en plek van vergadering uitdruklik vermeld en vergesel gaan van 'n sakelys.

(b) If an election has been set aside in terms of paragraph (a), an election shall take place again on a date fixed by the regional director.

(c) Notwithstanding the setting aside of any election in terms of paragraph (a), any acts performed by the school committee concerned prior to such setting aside shall be deemed to be lawfully performed and not affected by such setting aside, except for acts which, notwithstanding the irregularity referred to, are inconsistent with the provisions of these regulations.

Executive committee of a school committee

39. (1) The executive committee of a school committee shall consist of the chairman, the vice-chairman and two other members designated by the school committee for this purpose.

(2) A school committee may assign any of its powers or functions to its executive committee: Provided that the school committee shall not be divested of any power or function which it has assigned to its executive committee and that any decision of the executive committee may be altered or set aside at its first meeting after the decision in question was made.

(3) The quorum for an executive committee shall be three.

(4) The chairman shall, like the other members, have only a deliberative vote in the case of voting at a meeting of the executive committee.

(5) The secretary of the school committee shall also be the secretary of the executive committee.

(6) Minutes shall be kept of every meeting of the executive committee and such minutes shall be submitted for confirmation at the first ensuing meeting of the school committee.

Convening of meetings of school committees

40. (1) The first meeting of any school committee shall be convened by the electoral officer concerned and at this meeting the school committee shall be duly constituted: Provided that the date of the meeting shall not be later than three weeks after the date of the commencement of the period of office of members: Provided further that the holding of the first meeting on a later date may be approved by the circuit inspector if he sees fit to do so.

(2) Notwithstanding the provisions of subregulation (1), a school committee which has been reconstituted in view of the termination of the period of office of the former members shall not meet before the period of office referred to has terminated.

First meeting of a school committee

41. (1) At its first meeting a school committee shall—

(a) elect a chairman and vice-chairman in accordance with regulation 36, if a chairman and vice-chairman were not elected immediately after the meeting as contemplated in regulation 36 (1);

(b) constitute an executive committee in accordance with regulation 39 (1);

(c) decide on the length of the period of notice that shall be given for a special meeting;

(d) determine the procedure to be followed in connection with notices concerning any special meeting;

(e) deal with such other matters as circumstances may required.

Subsequent meetings of a school committee

42. (1) Ordinary meetings of a school committee shall be held at least once per quarter.

(2) The notices of meetings shall explicitly state the day, date, time and venue of the meeting and shall be accompanied by an agenda.

(3) Kennisgewings van gewone vergaderings moet skriftelik op gesag van die voorsitter deur die sekretaris van die skoolkomitee aan die lede gepos of persoonlik aan hulle oorhandig word sodat dit minstens agt dae voor die bepaalde datum in hulle besit is.

(4) Behoudens regulasie 44 doen die nie-ontvangs van 'n kennisgewing bedoel in subregulasie (2) en die gevolglike afwesigheid van 'n lid nie afbreuk aan die geldigheid van die verrigtings op sodanige vergaderings nie.

(5) Indien die voorsitter, om watter rede ook al, versuim of in gebreke bly om minstens een gewone vergadering per kwartaal te belê, kan die vise-voorsitter of minstens vier lede na afloop van 'n kwartaal waarin daar nie 'n vergadering gehou is nie, die sekretaris van die skoolkomitee magtig om 'n vergadering te belê en kennisgewing aan al die lede uit te reik wat die dag, datum, tyd en plek van die vergadering bepaal.

(6) Die voorsitter kan te eniger tyd 'n buitengewone vergadering belê indien omstandighede so 'n vergadering volgens sy oordeel noodsaaklik maak: Met dien verstande dat sodanige vergadering belê moet word op versoek van minstens vier lede.

(7) Die voorsitter moet 'n vergadering van die skoolkomitee of die dagbestuur belê indien die betrokke streekdirekteur of kringinspekteur hom aldus versoek.

Notule

43. (1) Notule van elke vergadering van 'n skoolkomitee word deur die sekretaris van die skoolkomitee gehou in 'n boek of 'n lêer wat spesifiek vir dié doel gebruik word en wat deur die sekretaris van die skoolkomitee in veilige bewaring in die skool gehou moet word.

(2) Die sekretaris van 'n skoolkomitee moet in die notule van elke vergadering die name van die lede wat teenwoordig of met of sonder verskoning afwesig is, notuleer.

(3) Die eerste handeling van 'n gewone vergadering, nadat dit saamgestel is, is die lees van die notule van die laaste voorafgaande gewone vergadering en van enige buitengewone vergadering of vergadering van die dagbestuur wat daarna gehou is, en die bekragtiging daarvan deur die handtekening van die voorsitter: Met dien verstande dat besware teen die notule voor die bekragtiging daarvan geopper en afgehandel moet word.

(4) Die notule van 'n skoolkomitee lê op alle redelike tye in die skool ter insae van 'n lid van sodanige komitee en die betrokke kringinspekteur of 'n deur hom gemagtigde beampte van die Departement: Met dien verstande dat die kringinspekteur kan versoek dat 'n afskrif van die notule van enige vergadering aan hom beskikbaar gestel moet word.

Kworum

44. (1) Die kworum vir 'n skoolkomitee is vier.

(2) Indien daar by 'n gewone vergadering wat behoorlik belê is, nie 'n kworum teenwoordig is nie, word sodanige vergadering vir minstens agt maar hoogstens 12 dae (met inbegrip van die dag waarop die vergadering sou plaasvind) uitgestel, en op die aldus bepaalde datum handel die vergadering, wat belê moet word ooreenkomstig regulasie 42 (2) en (3), die agenda af, afgesien daarvan of daar by sodanige vergadering 'n kworum teenwoordig is of nie.

Stemming

45. (1) Alle sake op vergaderings van 'n skoolkomitee word beslis deur 'n meerderheid van die lede van die skoolkomitee wat teenwoordig is en stem.

(3) Notices of ordinary meetings shall be in writing and posted to or personally handed to members by the secretary of the school committee on the authority of the chairman, so as to be in their possession at least eight days before the fixed date.

(4) Subject to regulation 44, the non-receipt of a notice referred to in subregulation (2) and the consequent absence of a member shall not be detrimental to the validity of proceedings at such meetings.

(5) Should the chairman, for whatever reason, fail to convene at least one ordinary meeting per quarter, the vice-chairman or at least four members may, after the expiry of a quarter during which no meeting was held, authorise the secretary of the school committee to convene a meeting and to issue notices to members which state the day, date, time and venue of the meeting.

(6) The chairman may at any time convene a special meeting if in his opinion circumstances necessitate such a meeting: Provided that such meeting shall be convened at the request of at least four members.

(7) The chairman shall convene a meeting of the school committee or the executive committee if the regional director or circuit inspector concerned requests him to do so.

Minutes

43. (1) Minutes of every meeting of any school committee shall be kept by the secretary of the school committee in a book or file which shall be used for this purpose exclusively and which shall be retained in safe keeping at the school by the secretary of the school committee.

(2) The secretary of a school committee shall record the names of the members present and absent with or without leave in the minutes of every meeting.

(3) The first act at an ordinary meeting, after it has been constituted, shall be to read and confirm by the signature of the chairman the minutes of the last preceding ordinary meeting and of any special meeting held subsequent thereto: Provided that objections to the minutes shall be raised and dealt with before confirmation of the minutes.

(4) The minutes of a school committee shall be open to inspection at the school at all reasonable times to a member of such committee or the circuit inspector concerned or any officer of the Department authorised thereto by the circuit inspector: Provided that the circuit inspector may request that a copy of the minutes of any meeting be made available to him.

Quorum

44. (1) The quorum for any school committee shall be four.

(2) Should there not be a quorum present at any properly convened meeting, such meeting shall be postponed for at least eight days, but for not more than 12 days (including the day on which the meeting should have taken place) and on the day so determined the meeting, which shall be convened in accordance with regulation 42 (2) and (3), shall deal with the agenda irrespective of whether a quorum is present at such a meeting or not.

Voting

45. (1) All matters arising from a meeting of a school committee shall be decided by a majority of the members of the school committee who are present and vote.

(2) Die voorsitter en elke lid beskik oor een stem wanneer 'n saak tot stemming gebring word: Met dien verstande dat by 'n staking van stemme die voorsitter, of die persoon wat in sy afwesigheid as voorsitter optree, benewens sy beraadslagende stem, ook 'n beslissende stem het.

(3) Ten opsigte van elke besluit word daar genotuleer hoeveel lede ten gunste van of teen 'n mosie gestem het, en op versoek van 'n lid gelas die voorsitter dat die stem van sodanige lid aangeteken word.

(4) Wanneer die voorsitter so reël, moet daar by wyse van stembriefies gestem word.

Beslissing van die voorsitter

46. Die beslissing van die voorsitter op 'n punt van orde of prosedure is bindend, tensy 'n lid onmiddellik daarteen beswaar maak, in welke geval sodanige beslissing sonder bespreking voorgelê word aan die vergadering, wie se beslissing finaal is.

Bywoning van vergaderings deur nie-lede en verlating van vergadering deur prinsipaal

47. (1) Behoudens artikel 7 (1) van die Wet, is elke vergadering van 'n skoolkomitee geslote behalwe waar dit in hierdie regulasies anders bepaal word en word niemand wat nie 'n lid is nie, toegelaat om dit by te woon nie.

(2) Die skoolkomitee kan besluit dat die betrokke prinsipaal die vergadering tydelik moet verlaat wanneer 'n aangeleentheid rakende sy persoon bespreek word en dat die notule vir dié tyd gehou word deur 'n lid wat die skoolkomitee aanwys.

(3) 'n Skoolkomitee kan die teenwoordigheid van 'n lid van die betrokke skoolpersoneel op enige vergadering van sodanige skoolkomitee vereis in verband met enige saak wat binne die voorgeskrewe pligte van 'n skoolkomitee val en bedoelde personeellid moet, wanneer hy daartoe versoek word, sodanige vergadering bywoon vir sodanige tydperk as wat die skoolkomitee bepaal.

(4) Indien die skoolkomitee dit nodig ag, kan enige ander persoon wat na die mening van die skoolkomitee moontlik inligting kan verskaf oor 'n saak wat binne die bevoegdheid van die skoolkomitee val, 'n vergadering van die skoolkomitee bywoon vir sodanige tydperk as wat die skoolkomitee bepaal.

(5) 'n Beampte van die Departement wat daartoe gemagtig is deur die Direkteur-generaal, die betrokke streekdirekteur of kringinspekteur, het die reg om enige vergadering van 'n skoolkomitee in 'n raadgewende hoedanigheid of as waarnemer by te woon.

Prosedure ten opsigte van vakatures en afwesigheid van lede van skoolkomitees

48. (1) Indien 'n komiteelid—

(a) bedank;

(b) te sterwe kom;

(c) nie meer ingevolge regulasie 19 as lid kwalifiseer nie;

(d) deur 'n skoolkomitee ingevolge subregulasie (6) in 'n vakature verkies is maar nie die lidmaatskap aanvaar het nie;

(e) van drie agtereenvolgende gewone vergaderings sonder kennisgewing, of vir die skoolkomitee aanvaarbare rede, afwesig was;

hou hy op om lid van die betrokke skoolkomitee te wees.

(2) Indien die amp van voorsitter of vise-voorsitter vakant raak, kies die lede van die skoolkomitee 'n persoon uit eie geledere om die amp te vul vir die onverstreke gedeelte van die ampstermyn van die voorsitter of vise-voorsitter, na gelang van die geval, wat sy amp ontruim het.

(2) The chairman and every member shall have one vote when a matter is put to the vote: Provided that in the event of an equality of votes, the chairman shall, in addition to his casting vote, also have a deliberative vote.

(3) In respect of every decision, the number of members voting for or against any motion shall be recorded in the minutes and at the request of any member the chairman shall direct that the vote of such member be recorded.

(4) When so ruled by the chairman, voting shall be by ballot.

Ruling by the chairman

46. The ruling of the chairman on a point of order or procedure shall be binding unless immediately challenged by a member, in which event such ruling shall be submitted without discussion to the meeting, whose decision shall be final.

Attendance of meetings by non-members and leaving of meeting by principal

47. (1) Subject to section 7 (1) of the Act, every meeting of a school committee shall be a closed meeting, except where otherwise provided in these regulations, and no person who is not a member shall be permitted to attend it.

(2) The school committee may decide that the principal concerned absent himself temporarily from the meeting when any matter concerning his person is discussed and that the minutes during such period be kept by a person designated by the school committee.

(3) A school committee may require the presence of any staff member of the school concerned at any such meeting of the school committee regarding any matter falling within the prescribed duties of a school committee and the staff member referred to shall, when requested to do so, attend such a meeting for such period as the school committee may determine.

(4) Should the school committee deem it necessary, any other person who in the opinion of the school committee may be able to provide information on any matter falling within the powers of the school committee may attend any meeting of the school committee for such period as the school committee may determine.

(5) Any officer of the Department authorised thereto by the Director-General, the regional director or the circuit inspector concerned shall have the right to attend any meeting of any school committee in an advisory capacity or as an observer.

Procedure in respect of vacancies and absence of members of school committees

48. (1) If any committee member—

(a) resigns;

(b) dies;

(c) no longer qualifies in terms of regulation 19 to be a member;

(d) was elected by a school committee in terms of subregulation (6) to fill a vacancy, but did not accept the membership;

(e) has been absent without notice or reason acceptable to the school committee from three consecutive ordinary meetings;

he shall cease to be a member of the school committee concerned.

(2) If the office of chairman or vice-chairman becomes vacant, the members of the school committee shall elect a person from among their own number to the office for the unexpired portion of the period of office of the chairman or vice-chairman, as the case may be, who vacated his office.

(3) Indien die voorsitter van 'n vergadering afwesig is, neem die vise-voorsitter as voorsitter waar en indien die voorsitter en die vise-voorsitter tegelykertyd van 'n vergadering afwesig is, kies die skoolkomitee iemand uit eie geledere om op die vergadering voor te sit.

(4) Indien 'n lid van 'n gewone vergadering afwesig is sonder dat hy 'n rede vir sy afwesigheid verstrek, moet die sekretaris van die skoolkomitee hom skriftelik versoek om die rede vir sy afwesigheid aan die skoolkomitee te verstrek.

(5) Indien 'n pos van 'n lid van 'n skoolkomitee ingevolge subregulasie (1) vakant geraak het, moet die voorsitter op die eersvolgende vergadering verklaar dat sodanige vakature ontstaan het en die rede daarvoor verstrek.

(6) Indien die getal oorblywende lede voldoende is om 'n kworum te vorm, moet die voorsitter die skoolkomitee versoek om op sodanige vergadering van die skoolkomitee of op die volgende vergadering 'n ouer deur die meerderheidstem van die lede wat aanwesig is, te verkies om sodanige vakature vir die oorblywende gedeelte van die ampstermyn van die lid wie se amp vakant geraak het, aan te vul: Met dien verstande dat 'n skoolkomitee hoogstens drie vakatures aldus kan aanvul, en indien 'n vierde vakature ontstaan of indien daar nie meer genoeg lede is om 'n kworum te vorm nie, word die skoolkomitee deur die streekdirekteur ontbind en moet die skoolkomitee hersaamgestel word ingevolge regulasie 13.

(7) Die sekretaris van 'n skoolkomitee moet onmiddellik nadat 'n vakature ingevolge subregulasie (2) of (6) aangevul is, die betrokke kringinspekteur in kennis stel van die naam van die lid wie se amp vakant geraak het, die redes daarvoor en die naam en adres van die lid wat aldus verkies is om sodanige vakature aan te vul, verstrek.

(8) Die kringinspekteur moet onverwyld—

(a) die lid wat ingevolge subregulasie (2) of (6) verkies is, van sy verkiesing en ampstermyn in kennis stel;

(b) 'n lid wie se lidmaatskap ingevolge subregulasie (1) (c) of (e) beëindig is, van die beëindiging van sy lidmaatskap in kennis stel;

(c) die inligting bedoel in subregulasie (7) skriftelik aan die betrokke streekdirekteur meedeel.

49. (1) Benewens die bevoegdhede en werksaamhede wat skoolkomitees in hierdie regulasies verleen of opgelê word, is die bevoegdhede en werksaamhede van 'n skoolkomitee—

(a) om 'n wakende oog oor die algemene welsyn van die skool te hou;

(b) om die belange van die skool te bevorder en te beskerm;

(c) om die Direkteur-generaal te adviseer oor die doeltreffende funksionering van die skool;

(d) om toe te sien dat die geboue, terrein, omheining en ander bybehore van die betrokke skool behoorlik versorg word en om enige skade of noodsaaklike herstelwerk onverwyld skriftelik aan die betrokke kringinspekteur te rapporteer;

(e) om aanbevelings by die Direkteur-generaal te doen oor aanstellings, bevorderings en ontslag van personeel van die skool;

(f) om ondersoek in te stel na 'n skriftelike klagte in verband met die skool en verslag te doen aan die kringinspekteur indien hy dit nodig ag, en in dié geval moet hy die skriftelike klagte tesame met sy bevinding en aanbeveling aan die kringinspekteur voorlê;

(3) If the chairman is absent from a meeting, the vice-chairman shall act as chairman and if the chairman and the vice-chairman are absent from a meeting at the same time, the school committee shall elect a person from among their own number to preside at the meeting.

(4) If any member is absent from any ordinary meeting without giving a reason for his absence, the secretary of the school committee shall request him, in writing, to give the school committee the reason for his absence.

(5) If a post of a member of any school committee becomes vacant in terms of subregulation (1), the chairman shall declare at the next meeting that such vacancy has occurred and shall give the reasons.

(6) If the number of remaining members is enough to form a quorum, the chairman shall request the school committee to elect any parent by the majority of votes of the members present at such meeting or at the next meeting in order to fill such vacancy for the remaining portion of the term of office of the member whose office became vacant: Provided that any school committee may fill at the most three vacancies in this manner and if a fourth vacancy occurs or if there are no longer enough members to form a quorum, the school committee shall be dissolved by the regional director and it shall be reconstituted in terms of regulation 13.

(7) The secretary of any school committee shall, immediately after any vacancy has been filled in terms of subregulation (2) or (6), inform the circuit inspector of the name of the member whose office became vacant, the reasons and the name and address of the member so elected to fill such vacancy.

(8) The circuit inspector shall without delay—

(a) inform the member elected in terms of subregulation (2) or (6) of his election and period of office;

(b) inform a member whose membership was terminated in terms of subregulation (1) (c) or (e) of the termination of his membership;

(c) provide the regional director concerned, in writing, with the information referred to in subregulation (7).

49. (1) In addition to the powers and functions vested in or assigned to school committees in these regulations, the powers and functions of any school committee shall be to—

(a) keep a watchful eye on the general welfare of the school;

(b) promote and protect the interests of the school;

(c) advise the Director-General in regard to the efficient functioning of the school;

(d) see to it that the buildings, grounds, fences and other accessories of the school concerned are properly cared for and to report any damage or necessary repairs, in writing, to the circuit inspector concerned without delay;

(e) make recommendations to the Director-General regarding the appointment, promotion and discharge of staff at the school;

(f) inquire into any written complaint concerning the school and to report thereon to the circuit inspector if it considers it necessary, in which case it shall submit the written complaint, together with its finding and recommendation to the circuit inspector;

(g) om by die kringinspekteur aan te beveel dat 'n ondersoek deur die Direkteur-generaal ingestel word indien, na die oordeel van die skoolkomitee, 'n lid van die personeel van die skool—

(i) ingevolge artikel 24 van die Wet onbekwaam is om sy pligte behoorlik uit te voer;

(ii) weens voortdurende swak gesondheid of die een of ander liggaamlike of geestelike gebrek onbekwaam geword het om behoorlik onderwys te gee; of

(iii) hom aan wangedrag soos omskryf in artikel 22 van die Wet, skuldig gemaak het;

(h) om die vertoë van ouers te behandel en sodanige vertoë en sy aanbeveling aan die kringinspekteur voor te lê;

(i) om 'n saak wat na die oordeel van die skoolkomitee op die welsyn en doeltreffendheid van sy skool betrekking het, onder die aandag van die kringinspekteur te bring;

(j) om ooreenkomstig die regulasies betreffende die beheer oor geld wat vir of met betrekking tot 'n skool ingesamel word, 'n skoolfonds te beheer;

(k) om ooreenkomstig die regulasies betreffende die beheer oor en die behandeling van leerlinge by 'n skool, wanneer nodig, oorweging te skenk aan optrede teen leerlinge wat hulle aan wangedrag skuldig maak;

(l) om metodes in werking te stel om die aktiewe belangstelling, daadwerklike steun en samewerking van die ouers en gemeenskap in belang van die skool te verkry;

(m) om 'n algemene ouervergadering nie later nie as Februarie van elke jaar te belê, waar—

(i) inligting ten opsigte van die inkomste en uitgawe en die balansstaat van die skoolfonds vir die voorafgaande boekjaar en die begroting van inkomste en uitgawe vir die nuwe boekjaar bekendgemaak word;

(ii) die prinsipaal 'n algemene verslag oor die skool soos deur hom opgestel en deur die skoolkomitee goedgekeur, voorlê; en

(iii) enige ander skoolsake wat van belang beskou word, bespreek kan word;

(n) om die Direkteur-generaal van advies te dien aangaande enige aangeleentheid in verband met die skool;

(o) om sodanige inligting, verslae en advies as wat die Direkteur-generaal van tyd tot tyd verlang, aan die kringinspekteur te verstrek;

(p) om sodanige ander pligte uit te voer as wat deur die Direkteur-generaal aan die skoolkomitee opgedra word;

(q) om algemene toesig oor die skool uit te oefen: Met dien verstande dat die bestek en wyse van sodanige toesig van tyd tot tyd deur die Direkteur-generaal bepaal kan word.

(2) Indien 'n skoolkomitee volgens die oordeel van die Direkteur-generaal versuim of in gebreke bly om enigeen van die bevoegdhede of werksaamhede bedoel in subregulasie (1) of enige bevoegdheid of plig wat ingevolge hierdie regulasies by 'n skoolkomitee berus of aldus aan hom opgedra word, uit te oefen of te verrig of versuim of in gebreke bly om dit behoorlik uit te oefen of te verrig binne 'n vasgestelde tydperk (wat redelik moet wees), kan die Direkteur-generaal of iemand deur hom aangewys, daardie bevoegdheid uitoefen of plig verrig, en sodanige bevoegdheid of plig word vir die doeleindes van hierdie regulasies geag deur die skoolkomitee uitgeoefen of verrig te wees: Met dien verstande dat hierdie subregulasie nie op uitgawes of ander verpligtinge uit skoolfondse van toepassing is nie.

(g) recommend to the circuit inspector that an inquiry be instituted by the Director-General if, in the opinion of the school committee, any member of the staff of the school—

(i) is, in terms of section 24 of the Act, incompetent to carry out his duties efficiently;

(ii) has, on account of continued ill-health or some physical or mental defect, become incapable of teaching satisfactorily; or

(iii) is guilty of misconduct as defined in section 22 of the Act;

(h) deal with the representations of parents and to submit such representations together with its recommendation to the circuit inspector;

(i) bring to the attention of the circuit inspector any matter which in the opinion of the school committee affects the welfare and efficiency of its school;

(j) control any school fund in accordance with the regulations regarding the control of money for or raised in respect of any school;

(k) whenever necessary, consider steps against pupils who render themselves guilty of misconduct, in accordance with the regulations regarding the control and the treatment of pupils at a school;

(l) put methods into action to enlist the active interest and actual support and co-operation of the parents and the community in the interests of the school;

(m) convence a general meeting of parents not later than February of each year at which—

(i) information regarding the revenue and expenditure and the balance sheet of the school funds for the preceding financial year and the estimates of revenue and expenditure for the new financial year shall be made known;

(ii) the principal shall submit a general report on the school as drawn up by him and as approved by the school committee; and

(iii) any other school matters deemed important may be discussed.

(n) advise the Director-General on any matter regarding the school;

(o) provide the circuit inspector with such information, reports and advice as the Director-General may require from time to time;

(p) fulfil such other duties as may be entrusted to the school committee by the Director-General;

(q) exercise general supervision over the school: Provided that the extent and manner of such supervision may be determined by the Director-General from time to time.

(2) If in the opinion of the Director-General any school committee neglects or fails to exercise of fulfil any one of the powers or duties referred to in subregulation (1), or any power or duty vested in a school committee in terms of these regulations, or which are so assigned to it, or neglects or fails to exercise or fulfil it properly, within a fixed period (which shall be reasonable), the Director-General or a person designated by him may exercise such power or fulfil such duty and such power or duty shall be deemed for the purposes of these regulations to have been exercised or fulfilled by the school committee: Provided that this regulation shall not apply to expenditure or other obligations out of school funds.

Komiteelede ontvang geen betaling nie

50. (1) Behoudens die bepalings van artikel 7 (2) (b) van die Wet, mag geen lid van 'n skoolkomitee enige betaling, regstreeks of onregstreeks, geldelik of andersins vir of in verband met sy dienste as sodanige lid van enigiemand ontvang nie.

(2) 'n Lid van 'n skoolkomitee wat 'n bepaling van subregulasie (1) oortree, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens R50 of gevangenisstraf vir 'n tydperk van hoogstens drie maande.

Toegang tot boeke en dokumente

51. Die Direkteur-generaal, of enige beampte behoorlik daartoe gemagtig, het te eniger tyd toegang tot die boeke, notule en dokumente van 'n skoolkomitee.

Ontbinding van 'n skoolkomitee

52. (1) Die Minister kan 'n skoolkomitee ontbind indien hy van oordeel is—

(a) dat, weens die samestelling van skole of die verdeling van 'n skool of ander reorganisasie van skoolgeriewe, dit nodig is om aan ouers 'n geleentheid te bied vir die verkiesing van lede van 'n nuwe skoolkomitee of -komitees wat behoorlik verteenwoordigend sal wees van die ouers van kinders wat na sodanige reorganisasie die betrokke skool of skole bywoon; of

(b) dat sodanige skoolkomitee na die oordeel van die Minister in gebreke gebly het om sy pligte bevredigend uit te voer, of op 'n wyse opgetree het wat nie in die beste belange van die betrokke skool of die onderwys is nie: Met dien verstande dat voordat die Minister sy diskresie kragtens hierdie paragraaf uitoefen, hy die skoolkomitee die geleentheid moet bied om vertoë oor die voorgenome ontbinding tot hom te rig op 'n wyse wat hy bepaal.

(2) Wanneer 'n skoolkomitee kragtens subregulasie (1) ontbind is, hou dit op om te funksioneer op 'n datum wat deur die Minister vasgestel word, en die streekdirekteur moet so gou doenlik nadat hy van die ontbinding in kennis gestel is, die ouers in die geleentheid stel om 'n nuwe skoolkomitee of -komitees, na gelang van die geval, te verkies: Met dien verstande dat die Minister, in die geval van 'n skoolkomitee wat kragtens subregulasie (1) (b) ontbind is, kan gelas dat die betrokke skool vir 'n tydperk wat deur hom vasgestel word, of vir 'n onbepaalde tydperk wat hy na goeddunke kan beëindig, geen skoolkomitee moet hê nie.

Members of committee do not receive payment

50. (1) Subject to the provisions of section 7 (2) (b) of the Act, no member of a school committee may receive any payment, direct or indirect, pecuniary or otherwise from any person for or in connection with his services as a member.

(2) Any member of a school committee who contravenes any provision of subregulation (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R50 or to imprisonment not exceeding three months.

Access to books and documents

51. The Director-General, or any officer duly authorised thereto, shall have access at any time to the books, minutes and documents of any school committee.

Dissolution of a school committee

52. (1) The Minister may dissolve any school committee if he is of the opinion that—

(a) owing to the amalgamation of schools or the division of a school or other reorganisation of school facilities, it is necessary to afford parents an opportunity for the election of members of a new school committee or school committees which will be properly representative of the parents of children attending the school or schools concerned after such reorganisation; or

(b) such committee has failed to carry out its duties satisfactorily or has acted in a manner which is not in the best interests of the school concerned or of education: Provided that the Minister shall prior to exercising his discretion in terms of this regulation, afford the school committee the opportunity to make representations to him concerning the intended dissolution in a manner determined by him.

(2) When a school committee has been dissolved under subregulation (1), it shall cease to function on a date fixed by the Minister and the regional director shall, as soon as he has been informed of the dissolution, afford the parents the opportunity to elect a new school committee or school committees, as the case may be: Provided that the Minister may, in the case of a school committee which has been dissolved in terms of subregulation (1) (b), instruct that the school concerned shall have no school committee for a period determined by him, or for an indefinite period which he may terminated at his discretion.

No. R. 829 30 April 1982

WET OP ONDERWYS EN OPLEIDING, 1979
(WET 90 VAN 1979)

REGULASIES BETREFFENDE DIE BEHEER OOR KOSHUISE BY STAATSKOLE EN GEMEENSKAPSKOLE, DIE BEHEER OOR EN BEHANDELING VAN LEERLINGE IN SODANIGE KOSHUISE EN DIE SKORSING VAN LEERLINGE UIT, EN DIE OPLEGGING OF TOEDIENING VAN ANDER STRAWWE AAN LEERLINGE BY SODANIGE KOSHUISE

Die Minister van Onderwys en Opleiding het kragtens die bevoegdheid hom verleen by artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies wat in die Bylae hiervan vervat is, uitgevaardig.

No. R. 829 30 April 1982

EDUCATION AND TRAINING ACT, 1979
(ACT 90 OF 1979)

REGULATIONS REGARDING THE CONTROL OF HOSTELS AT STATE SCHOOLS AND COMMUNITY SCHOOLS, THE CONTROL AND TREATMENT OF PUPILS IN SUCH HOSTELS AND THE SUSPENSION OF PUPILS FROM, AND THE IMPOSITION OR INFLICTION OF OTHER PUNISHMENTS UPON PUPILS AT SUCH HOSTELS

The Minister of Education and Training has, by virtue of the powers vested in him by section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations contained in the Schedule hereto.

BYLAE

Woordomskrywing

1. In hierdie regulasies het enige uitdrukking waaraan daar in die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en tensy uit die samehang anders blyk, beteken—

"beheerraad" ten opsigte van 'n Staatskool of 'n gemeenskapskool, die beheerraad deur die Minister kragtens artikel 7 van die Wet vir sodanige skool ingestel;

"kosganger" 'n leerling wat toegelaat word om in 'n koshuis in te woon en etes daar te nuttig of om slegs etes daar te nuttig;

"koshuis" 'n koshuis wat ingevolge artikels 5 (1) (g) en 6 (1) (b) van die Wet in stand gehou word;

"leerling" ook 'n student wat by 'n skool ingeskryf is;

"losiestermyn" sodanige tydperk in enige kalenderjaar soos van tyd tot tyd deur die Direkteur-generaal bepaal waarin onderrig aan leerlinge in 'n skool gegee word;

"naasbestaandes" die eggenotes en afhanklike minderjarige kinders van die inwonende huishoudelike en toesighoudende personeel by 'n koshuis;

"prinsipaal" die hoof van 'n skool;

"superintendent" die prinsipaal of onderwyser wat deur die Direkteur-generaal ingevolge regulasie 2 as superintendent aangestel is en wat verantwoordelik is vir die administrasie van 'n koshuis;

"skorsing" die tydelike uitsetting van 'n kosganger uit 'n skool en uit 'n koshuis, of, indien deur die prinsipaal so gelas, die tydelike uitsetting van 'n kosganger uit 'n skool en die tydelike ontsegging van deelname aan algemene sosiale koshuisbedrywighede deur sodanige kosganger;

"vakansie" 'n tydperk tussen twee agtereenvolgende losiestermyne.

PERSONEEL

Superintendent en assistent-superintendent

2. (1) Die Direkteur-generaal stel 'n onderwyser as superintendent van een of meer koshuise aan, en die superintendent oefen die administratiewe, finansiële en dissiplinêre beheer oor sodanige koshuis of koshuise uit.

(2) Die Direkteur-generaal kan van tyd tot tyd 'n onderwyser aanstel om in 'n waarnemende hoedanigheid die pligte van die superintendent te vervul tydens laasgenoemde se afwesigheid, siekte of onvermoë, of terwyl die aanstelling van 'n superintendent hangende is.

(3) Die prinsipaal van 'n skool wat nie ook die superintendent is nie, moet toesien dat die superintendent van die koshuis verbonde aan sy skool sy verantwoordelikhede behoorlik nakom en hy het te alle tye die reg van toegang tot 'n koshuis verbonde aan sy skool en tot alle boeke, rekords en voorrade wat in verband met die betrokke koshuis gehou word.

(4) Die Direkteur-generaal kan een of meer persone as assistent-superintendente aanstel om die superintendent by te staan in die uitvoering van sy pligte: Met dien verstande dat persone wat nie lede van die onderwyspersoneel van 'n betrokke skool is nie, ook as sodanig aangestel kan word.

(5) Indien een of meer assistent-superintendente aangestel word, maak die prinsipaal 'n duidelike skriftelike verdeling van die pligte wat in regulasie 3 vervat is ten opsigte van die superintendent en die assistent-superintendent.

(6) Die assistent-superintendent voer die pligte wat aan hom toegewys word, onder beheer van die superintendent uit.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act 90 of 1979), shall have the meaning so assigned thereto, and—

"boarder" shall mean any pupil who is permitted to lodge in and to partake of meals or only to partake of meals in a hostel;

"boarding term" shall mean such period in any calendar year as the Director-General may from time to time determine during which tuition is given to pupils in a school;

"governing council" shall, in respect of a State school or a community school, mean the governing council established by the Minister for such a school in terms of section 7 of the Act;

"holiday" shall mean a period between two consecutive boarding periods;

"hostel" shall mean a hostel maintained in terms of sections 5 (1) (g) and 6 (1) (b) of the Act;

"next of kin" shall mean the wives and dependent minor children of the resident domestic and supervising staff in a hostel;

"principal" shall mean the head of a school;

"pupil" shall also mean a student enrolled at a school;

"superintendent" shall mean the principal or teacher appointed by the Director-General in terms of regulation 2 to be the superintendent and who is responsible for the administration of a hostel;

"suspension" shall mean the temporary expulsion of a boarder from a school and from a hostel or, if the principal so orders, the temporary expulsion of a boarder from a school and the temporary deprivation of such boarder of participation in general social hostel activities.

STAFF

Superintendent and assistant superintendent

2. (1) The Director-General shall appoint a teacher to be the superintendent of one or more hostels and the superintendent shall exercise administrative, financial and disciplinary control over such hostel(s).

(2) The Director-General may from time to time appoint a teacher to fulfil the duties of the superintendent in an acting capacity during the absence, illness or inability of the superintendent, or while the appointment of a superintendent is pending.

(3) The principal of any school who is not the superintendent shall ensure that the superintendent of the hostel attached to his school duly discharges his responsibilities, and he shall have access at all times to any hostel attached to his school and to all books, records and stores held in connection with the hostel concerned.

(4) The Director-General may appoint one or more persons as assistant superintendents to assist the superintendent in the execution of his duties: Provided that persons who are not members of the teaching staff may also be appointed as such.

(5) If one or more assistant superintendents are appointed, the principal shall make a distinct division in writing of the duties contained in regulation 3 in respect of the superintendent and the assistant superintendent.

(6) The assitant superintendent shall perform the duties allocated to him under the control of the superintendent.

Pligte en bevoegdhede van 'n superintendent

3. Die pligte en bevoegdhede van 'n superintendent van 'n koshuis is—

(a) om toe te sien dat alle Departementele regulasies, voorskrifte en opdragte in verband met koshuise streng nagekom word;

(b) om die pligte en bevoegdhede van die toesighoudende, huishoudelike en administratiewe personeel onder sy beheer skriftelik uiteen te sit en om toe te sien dat sodanige personeel ten volle vertroud is daarmee en dat die betrokke pligte en bevoegdhede behoorlik nagekom en uitgeoefen word;

(c) om huishoudelike reëls vir die doeltreffende bestuur van die koshuis op te stel en toe te sien dat dit nagekom word;

(d) om alle registers en rekords, deur die Direkteur-generaal aan hom opgedra, in verband met die koshuis te hou en na te sien en om alle opgawes wat deur die Direkteur-generaal vereis word, vroegtydig in te dien;

(e) om vir die behoorlike finansiële beheer oor en ekonomiese bestuur van die koshuis te sorg, insluitende—

(i) die stiptelike invordering van alle gelde;

(ii) die hantering, veilige bewaring, behoorlike verrekening en deponering van alle gelde;

(iii) die opstelling, in oorleg met die betrokke beheerraad, van 'n begroting vir inkomste en uitgawes ten einde te verseker dat verpligtings nie die inkomste oorskry nie;

(iv) die behoorlike voltooiing en indiening van rekwisisies vir uitrusting;

(v) die verkryging van die nodige magtiging van die Direkteur-generaal om per informele tender verbruikbare voorrade plaaslik aan te koop;

(vi) die nasiening van en verlening van goedkeuring vir die aanvra van verbruikbare voorrade, met inbegrip van noodaankope;

(vii) die nasiening van alle huishoudelike opgawes en rekeninge; en

(viii) die stiptelike nakoming van die finansiële prosedures in verband met die hou van permanente en ander rekords, en die bestuur, instandhouding en voorsiening van voorrade en uitrusting aan koshuise;

(f) om te sorg vir die behoorlike gebruik en instandhouding van amptelike uitrusting;

(g) om, in oorleg met die prinsipaal, indien die superintendent nie ook die prinsipaal is nie, beheer oor die toelating van kosgangers uit te oefen;

(h) om beheer oor verlof van kosgangers uit te oefen;

(i) om gereelde inspeksies uit te voer ten einde te verseker dat die rantsoen en dieetskaal wat deur die Direkteur-generaal goedgekeur is, toegepas word, dat voedselvoorrade nie verkwis word nie en dat sindelikheid, vir sover dit die berging, voorbereiding en bediening van voedsel betref, gehandhaaf word;

(j) om in die geval van beserings of ernstige siekte van kosgangers op te tree ooreenkomstig opdragte wat van tyd tot tyd deur die Direkteur-generaal uitgereik word, of in die geval van 'n epidemie die vereistes van die Departement van Gesondheid en Welsyn in verband daarmee na te kom;

(k) om by die Direkteur-generaal aanbevelings te doen in verband met die aanstelling van 'n waarnemende superintendent kragtens regulasie 2 (2) om as superintendent waar te neem terwyl hy met verlof, siekte of andersins afwesig is;

(l) om wanneer hy gedurende vakansies in die koshuis inwoon, die pligte uit te voer wat die Direkteur-generaal aan hom mag opdra;

Duties and powers of a superintendent

3. The duties and powers of a superintendent of any hostel shall be—

(a) to ensure that all Departmental regulations, instructions and directions in connection with hostels are strictly complied with;

(b) to detail in writing the duties and powers of the supervising, domestic and administrative staff under his control and to see to it that such staff are fully conversant with and duly discharge such duties and exercise such powers;

(c) to draw up domestic rules for the proper management of the hostel and to ensure that such rules are observed;

(d) to keep and check all registers and records in connection with the hostel which the Director-General assigns to him and to submit returns as required by the Director-General in good time;

(e) to provide for the proper financial control and economic management of the hostel, including—

(i) the prompt collection of fees;

(ii) the handling, safe custody, proper accounting and depositing of all moneys;

(iii) the drawing up, in consultation with the governing council concerned, of an estimate of revenue and expenditure to ensure that commitments do not exceed revenue;

(iv) the proper completion and submission of requisitions for equipment;

(v) the obtaining of the necessary authority from the Director-General to purchase consumable stores locally by informal tender;

(vi) the checking of and granting of approval for requests for consumable stores including emergency purchases;

(vii) the checking of all domestic returns and accounts; and

(viii) strict compliance with financial procedures in connection with the keeping of permanent and other records and the management, maintenance and the supply of stores and equipment to hostels;

(f) to ensure that official equipment is properly used and maintained;

(g) to control, in consultation with the principal, if the superintendent is not also the principal, the admission of boarders;

(h) to control leave of boarders;

(i) to undertake regular inspections in order to ensure that the ration and diet scale approved by the Director-General are applied, that no wastage of food supplies takes place and that the necessary cleanliness, as far as the storage, preparation and serving of food are concerned, is maintained;

(j) to take steps, in the event of injuries to or serious illness of boarders, in accordance with directions issued by the Director-General from time to time or, in the case of an epidemic, to comply with the relevant requirements of the Department of Health and Welfare;

(k) to make recommendations to the Director-General in connection with the appointment of an acting superintendent in terms of regulation 2 (2) to act as superintendent while he is absent on leave, with illness or otherwise;

(l) to perform, when he resides in the hostel during holidays, such duties as the Director-General may assign to him;

(m) om geskille wat deur die inwonende onderwysers of huishoudelike personeel na hom verwys word, te besleg;

(n) om alle amptelike briefwisseling te voer;

(o) om in die algemeen na die welsyn van kosgangers om te sien;

(p) om gepaste voorsorgmaatreëls teen inbrake, diefstal en brand te tref; en

(q) om sodanige ander pligte te verrig as wat die Direkteur-generaal van tyd tot tyd aan hom opdra.

Besoldiging van 'n superintendent en assistent-superintendent

4. Die Minister bepaal, met die instemming van die Minister van Finansies en op aanbeveling van die Kommissie vir Administrasie, die grondslag van vergoeding vir dienste gelewer deur 'n superintendent en 'n assistent-superintendent in 'n koshuis.

Toesighoudende personeel

5. (1) Die Direkteur-generaal kan op aanbeveling van die beheerliggaam 'n onderwyser of 'n ander geskikte persoon aanstel om toesighoudende pligte in 'n koshuis uit te voer.

(2) Die Direkteur-generaal bepaal van tyd tot tyd die getal toesighoudende poste wat by 'n koshuis benodig word.

(3) Die Minister bepaal, met die instemming van die Minister van Finansies en op aanbeveling van die Kommissie vir Administrasie, die besoldiging wat betaalbaar is aan toesighoudende personeel in subregulasie (1) bedoel.

Huishoudelike en administratiewe personeel

6. Die Minister bepaal, met die instemming van die Minister van Finansies en op aanbeveling van die Kommissie vir Administrasie, die diensstaat ten opsigte van huishoudelike en administratiewe poste by 'n koshuis.

Toelating van kosgangers

7. (1) Die Direkteur-generaal bepaal die maksimum getal kosgangers wat in 'n koshuis gehuisves mag word, en sodanige getal word nie sonder die Direkteur-generaal se skriftelike toestemming oorskry nie.

(2) Geen leerling word toegelaat om in 'n koshuis te loseer of in te woon nie, tensy—

(a) sy ouer of voog die vereiste aansoekvorm om toelating en die ander dokumente wat die Direkteur-generaal van tyd tot tyd vereis, behoorlik ingevul en ingedien het;

(b) hy die ander dokumente wat die Direkteur-generaal van tyd tot tyd vereis, ingedien het; en

(c) hy behoorlik deur die betrokke superintendent gemagtig is om in die koshuis te loseer of in te woon.

(3) Die superintendent kan, wanneer hy dit nodig ag, 'n mediese sertifikaat van 'n kosganger vereis, en die koste hiervan, asook van noodsaaklike mediese behandeling en hospitalisasie gedurende sy verblyf in die koshuis, moet deur die leerling of sy ouer of voog vereffen word.

(4) Die Direkteur-generaal kan sonder opgawe van redes toelating van 'n leerling tot 'n koshuis weier.

Toelating van ander persone

8. (1) Behalwe kosgangers kan die volgende persone toegelaat word om in 'n koshuis in te woon en te eet teen tariewe wat van tyd tot tyd deur die Minister met die instemming van die Minister van Finansies bepaal word:

(a) Besoekende leerlinge en onderwysers;

(b) die toesighoudende personeel van die koshuis;

(c) die huishoudelike personeel van die koshuis;

(d) naasbestaandes van sodanige toesighoudende en huishoudelike personeel; en

(m) to settle disputes referred to him by the resident teachers or domestic staff;

(n) to conduct all official correspondence;

(o) to see to the welfare of boarders in general;

(p) to take suitable precautions against burglary and fire; and

(q) to perform such other duties as the Director-General may from time to time assign to him.

Remuneration of a superintendent and assistant superintendent

4. The Minister shall, with the concurrence of the Minister of Finance and on the recommendation of the Commission for Administration, determine the basis of remuneration for services rendered by a superintendent and an assistant superintendent in a hostel.

Supervising staff

5. (1) The Director-General may on the recommendation of the governing council appoint a teacher or any other suitable person to perform supervising duties in a hostel.

(2) The Director-General shall from time to time determine the number of supervising posts needed at any hostel.

(3) The Minister shall, with the concurrence of the Minister of Finance and on the recommendation of the Commission for Administration, determine the remuneration which is payable to the supervising staff referred to in subregulation (1).

Domestic and administrative staff

6. The Minister shall, with the concurrence of the Minister of Finance and on the recommendation of the Commission for Administration, determine the establishment in respect of domestic and administrative posts at any hostel.

Admission of boarders

7. (1) The Director-General shall determine the maximum number of boarders who may be accommodated in any hostel and such number shall not be exceeded without the written permission of the Director-General.

(2) No pupil shall be allowed to board or lodge in any hostel unless—

(a) his parent or guardian has duly completed and submitted the necessary application form for admission and such other documents as the Director-General may require from time to time;

(b) he has submitted such other documents as the Director-General may require from time to time; and

(c) he has been duly authorised by the superintendent concerned to board or lodge in the hostel.

(3) The superintendent may, when he considers it necessary, demand a medical certificate from a boarder and the cost involved as well as that of essential medical treatment and hospitalisation during his stay in the hostel shall be paid by the pupil or his parent or guardian.

(4) The Director-General may refuse admission of any pupil to any hostel without furnishing any reasons.

Admission of other persons

8. (1) Apart from boarders, the following persons may be allowed to lodge and have meals in a hostel at rates determined by the Minister from time to time with the concurrence of the Minister of Finance:

(a) Visiting pupils and teachers;

(b) the supervising staff of the hostel;

(c) the domestic staff of the hostel;

(d) the next of kin of such supervising and domestic staff; and

(e) enige ander persone, indien omstandighede dit vereis, onderworpe in elke geval aan die voorafverkreë goedkeuring van die Direkteur-generaal.

(2) Die superintendent moet in 'n register deur die Direkteur-generaal goedgekeur aantekeninge hou van alle toevallige besoekers wat in 'n koshuis inwoon en van etes deur hulle genuttig asook van die gelde wat sodanige besoekers vir sodanige inwoning of etes betaal het.

Koshuisgelde

9. (1) Die koshuisgelde betaalbaar deur 'n kosganger, sy ouer of voog, word deur die Minister met die instemming van die Minister van Finansies bepaal.

(2) Koshuisgelde is betaalbaar voor of op die datums wat die Direkteur-generaal van tyd tot tyd bepaal.

(3) Indien 'n leerling gedurende 'n losiestermyn tot 'n koshuis toegelaat word om 'n rede wat vir die Direkteur-generaal aanneemlik is, betaal sodanige leerling koshuisgelde op 'n *pro rata*-basis vanaf die datum van toelating.

(4) Indien 'n kosganger gedurende 'n losiestermyn die koshuis verlaat en aansoek doen om die proporsionele terugbetaling van koshuisgelde, moet die superintendent sodanige aansoek met volle besonderhede aan die Direkteur-generaal voorlê.

(5) Indien 'n kosganger gedurende 'n losiestermyn ingevolge regulasie 12 uit 'n koshuis gesit word, word geen terugbetaling van gelde vir daardie termyn gedoen nie.

(6) Indien 'n kosganger se gelde nie betaal is teen die vervaldatum wat deur die Direkteur-generaal bepaal is nie, kan hy deur die superintendent uit die koshuis gesit word.

Dissipline

10. (1) Die superintendent is behoudens die bepalings van regulasies 11 (2) en 12 (1) tot (5) verantwoordelik vir alle dissiplinêre stappe teen kosgangers.

(2) Die superintendent moet in samewerking met die beheerrraad 'n gedragskode opstel vir die doeleindes van doeltreffende beheer oor en dissipline van kosgangers waarin ook voorsiening gemaak word vir die instelling van 'n prefektestelsel, en sodanige gedragskode moet skriftelik aan voornemende kosgangers bekend gemaak en aldus deur hulle aanvaar word.

Lyfstraf

11. (1) Lyfstraf kan slegs in gevalle van ernstige pligsversuim, stokkiesdraaiery, weerspannigheid, moedswillige beskadiging van eiendom, skreiende leuentaal, diefstal, oneerlikheid, aanranding en onwelvoeglike handelinge teenoor enige ander persoon aan 'n kosganger toegedien word.

(2) Geen persoon behalwe die superintendent of die prinsipaal van 'n skool, waar hy nie ook die superintendent is nie, mag lyfstraf aan 'n kosganger toedien nie: Met dien verstande dat 'n assistent-superintendent of 'n onderwyser of 'n ander persoon wat in 'n toesighoudende hoedigheid in 'n koshuis aangestel is, in die teenwoordigheid en met die goedkeuring van die superintendent of prinsipaal, na gelang van die geval, lyfstraf aan 'n kosganger mag toedien.

(3) Lyfstraf mag slegs aan manlike kosgangers en wel op die sitvlak toegedien word.

(4) Lyfstraf mag toegedien word slegs met 'n lat waarvan die lengte hoogstens 75 cm en die diameter hoogstens 1,2 cm mag wees, of met 'n lyfband met minstens 2,5 cm breed is, met behoorlike inagneming van die ouderdom en liggaamlike toestand van die kosganger, en onder geen omstandighede op sodanige wyse dat dit blywende liggaamlike letsels veroorsaak nie.

(e) any other persons, if circumstances so require, subject in each case to the prior approval of the Director-General.

(2) The superintendent shall keep a record in a register approved by the Director-General of all incidental visitors who lodge in any hostel and of meals of which they partake as well as of moneys paid for such lodging or meals by visitors.

Hostel fees

9. (1) The hostel fees payable by a boarder, his parent or guardian shall be determined by the Minister with the concurrence of the Minister of Finance.

(2) Hostel fees shall be payable before or on such dates as the Director-General may determine from time to time.

(3) If any pupil is admitted to any hostel during any boarding term for a reason acceptable to the Director-General, such pupil shall pay hostel fees on a *pro rata* basis from the date of his admission.

(4) If any boarder leaves a hostel during a boarding term and applies for a proportional refund of hostel fees, the superintendent shall submit such application with full particulars to the Director-General.

(5) If any boarder is expelled from a hostel in terms of regulation 12 during a boarding term no fees shall be refunded in respect of that term.

(6) If any boarder's fees have not been paid by the due date determined by the Director-General, he may be expelled from the hostel by the superintendent.

Discipline

10. (1) Subject to the provisions of regulations 11 (2) and 12 (1) to (5), the superintendent shall be responsible for all disciplinary steps against boarders.

(2) The superintendent shall for the purposes of effective control over and discipline of boarders draft a code of conduct in co-operation with the governing council in which provision shall be made for the establishment of a prefect system and such code of conduct shall be made known to prospective boarders and accepted by them in writing.

Corporal punishment

11. (1) Corporal punishment shall be administered to a boarder only in cases of gross neglect of duty, truancy, insubordination, wilful damage of property, flagrant lying, theft, dishonesty, assault and indecent action against any other person.

(2) No person other than the superintendent or the principal of a school, if he is not also the superintendent, shall administer corporal punishment to any boarder: Provided that an assistant superintendent or a teacher or any other person appointed in a supervisory capacity in a hostel may, in the presence of and with the approval of the superintendent or the principal, as the case may be, administer corporal punishment to any boarder.

(3) Corporal punishment may be administered only to male boarders and then only on the buttocks.

(4) Corporal punishment shall be administered only with a cane of which the length shall not exceed 75 cm and the diameter 1,2 cm or with a leather strap not less than 2,5 cm in width, with due regard to the age and physical condition of the boarder, and in no circumstances in such a manner as to cause permanent bodily injury.

(5) Die getal houe wat op een dag toegedien kan word, mag nie vier oorsky nie.

(6) Lyfstraf word onder geen omstandighede aan 'n kosganger met 'n ernstige liggaamlike gebrek toegedien nie, en 'n kosganger wat 'n sertifikaat toon wat behoorlik deur 'n geregistreerde mediese praktisyn onderteken is en waarin gesertifiseer word dat lyfstraf nadelig vir sy gesondheid sal wees, mag nie sodanige straf ontvang nie.

(7) Enige straf wat toegedien of opgelê word, moet in 'n strafregister aangeteken word met vermelding van—

(a) die naam van die kosganger;

(b) die aard van die betrokke oortreding;

(c) die straf opgelê;

(d) die getal houe toegedien en die instrument daarvoor gebruik, in die geval van lyfstraf;

(e) die datum waarop straf toegedien of opgelê is;

(f) die naam van die persoon wat die straf toegedien of opgelê het; en

(g) die naam van die persoon, indien van toepassing, onder wie se toesig die straf toegedien of opgelê is.

(8) Hierdie regulasie is nie van toepassing nie op studente wat toegelaat is om in koshuise by onderwysersopleidingskolleges in te woon.

Skorsing

12. (1) Indien 'n kosganger hom so gedra dat die voortgesette inwoning van sodanige kosganger na die mening van die superintendent nadelig sal wees vir die welsyn van die koshuis in sy geheel of vir dié van enige van sy medekosgangers, moet die superintendent sonder versuim die ouer van daardie kosganger skriftelik van die betrokke feite verwittig en hom meedeel dat, by herhaling van sodanige of soortgelyke gedrag, daardie kosganger hom aan uitsetting sal blootstel.

(2) Die superintendent, indien hy nie ook die prinsipaal is nie, moet die prinsipaal onverwyld oor die gedrag van die kosganger inlig en die prinsipaal moet ook die saak by die betrokke kringinspekteur en die beheerraad aanmeld.

(3) By herhaling, deur sodanige kosganger, van die gedrag in subregulasie (1) bedoel of soortgelyke gedrag, moet die superintendent die kosganger oor sy gedrag konfronteer en hom in die geleentheid stel om sy kant van die saak skriftelik, of mondeling in die teenwoordigheid van 'n lid van die koshuispersoneel as getuie, te stel, en na oorweging van die kosganger se kant van die saak kan die superintendent hom uit die koshuis skors: Met dien verstande dat waar die superintendent nie ook die prinsipaal is nie, die goedkeuring van die prinsipaal verkry moet word, voordat sodanige kosganger uit die koshuis geskors word.

(4) Ondanks die bepalings van subregulasies (1) en (3) kan 'n prinsipaal na oorlegpleging met die betrokke kringinspekteur 'n kosganger onverwyld uit die koshuis skors indien hy hom aan 'n misdryf skuldig maak wat na die oordeel van die prinsipaal die handhawing van die orde en dissipline van die koshuis ernstig benadeel of kan benadeel.

(5) Wanneer 'n kosganger kragtens subregulasie (3) of (4) geskors word—

(a) moet die kosganger—

(i) sonder versuim die perseel van die koshuis verlaat; en

(ii) uitgesonderd vir die doeleindes van 'n ondersoek soos hieronder bepaal, nie op die perseel van die koshuis of van die skool, met inbegrip van enige speelterrein, wees of bly nie;

(5) The number of strokes that may be adminstered during one day shall not exceed four.

(6) Corporal punishment shall under no circumstances be administered to any boarder with serious physical disability and a boarder producing a certificate duly signed by a registered medical practitioner to the effect that corporal punishment would be detrimental to his health shall not receive such punishment.

(7) Any punishment inflicted or imposed shall be entered in a punishment register recording—

(a) the name of the boarder;

(b) the nature of the offence concerned;

(c) the punishment imposed;

(d) the number of strokes inflicted and the instrument used for the purpose in the case of corporal punishment;

(e) the date on which punishment is inflicted or imposed;

(f) the name of the person who inflicted or imposed such punishment; and

(g) the name of the person, if applicable, under whose supervision the punishment was inflicted or imposed.

(8) This regulation shall not apply to students who are allowed to stay in hostels at teacher training colleges.

Suspension

12. (1) If a boarder conducts himself in such a way that in the opinion of the superintendent the continued attendance of such boarder will be detrimental to the welfare of the hostel as a whole or to that of any of his fellow boarders the superintendent shall without delay inform the parent of that boarder in writing of the facts concerned and shall state that on a recurrence of such or similar conduct the boarder will be liable to be expelled.

(2) The superintendent, if he is not also the principal, shall inform the principal without delay of the boarder's conduct and the principal shall report the case to the circuit inspector concerned and to the governing council.

(3) On recurrence of the conduct referred to in subregulation (1) or similar conduct by such boarder the superintendent shall confront the boarder about his conduct and afford him the opportunity to present his side of the case in writing or verbally in the presence of a member of the hostel staff as witness, and after considering the boarder's side of the case the superintendent may suspend him from the hostel: Provided that where the superintendent is not also the principal the principal's approval shall be obtained before such boarder is suspended from the hostel.

(4) Notwithstanding the provisions of subregulations (1) and (3) any principal may, after consultation with the circuit inspector concerned, immediately suspend a boarder from the hostel if he commits an offence which in the opinion of the principal seriously harms or may harm the maintenance of order and discipline in the hostel.

(5) When any boarder is suspended in terms of subregulation (3) or (4)—

(a) such boarder—

(i) shall without delay leave the premises of the hostel; and

(ii) shall not, save for the purposes of an enquiry as hereinafter provided, be or stay on the premises of the hostel or the school including any playground;

(b) moet die prinsipaal sonder versuim—

(i) die ouer of voog van die kosganger in kennis stel van die skorsing en die redes daarvoor; en

(ii) 'n volledige verslag by die betrokke kringinspekteur en die beheerraad indien.

(6) Die kringinspekteur kan by nadere ondersoek, indien dit dienstig geag word, sonder versuim die permanente uitsetting van sodanige kosganger gelas, of die ander stappe doen wat nodig geag word.

(7) 'n Ouer of voog van 'n kosganger kan teen die uitsetting van 'n kosganger uit 'n koshuis appèl aanteken by die Direkteur-generaal, en die beslissing van die Direkteur-generaal is afdoende.

Vervoer van kosgangers

13. 'n Kosganger word nie in 'n Staatsvoertuig vervoer nie tensy hy, as hy 'n meerderjarige is, of sy ouer of voog, as hy minderjarig is, die Staat gevrywaar het teen enige eis om skadevergoeding as gevolg van lewensverlies of persoonlike besering of teen enige verlies van of skade aan sy persoonlike eiendom.

No. R. 830 30 April 1982

WET OP ONDERWYS EN OPLEIDING, 1979
(WET 90 VAN 1979)

REGULASIES BETREFFENDE DIE BEHEER OOR GELD WAT VIR OF MET BETREKKING TOT 'N STAATSKOOL, 'N GEMEENSKAPSKOOL OF 'N STAATSONDERSTEUNDE SKOOL INGESAMEL WORD

Die Minister van Onderwys en Opleiding het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies het enige uitdrukking waaraan daar in die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979) (hieronder "die Wet" genoem), 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en tensy uit die samehang anders blyk, beteken—

"kringinspekteur" 'n beampte in die Departement wat in beheer is van die onderwys in 'n inspeksiekring wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;

"skool" 'n skool soos omskryf in artikel 1 van die Wet, uitgesonderd inrigtings vir die opleiding van onderwysers, aandskole en sentrums vir die onderwys van volwassenes;

"skoolfonds" 'n skoolfonds wat ingevolge regulasie 2 gestig is of wat geag word aldus gestig te wees;

"skoolkomitee" ten opsigte van 'n Staatskool of 'n gemeenskapskool, 'n skoolkomitee of 'n beheerraad deur die Minister kragtens artikel 7 van die Wet ingestel vir sodanige skool, en in die geval van 'n Staatsondersteunde skool, die bestuursliggaam.

Stigting van skoolfonds

2. (1) 'n Skoolfonds word gestig vir elke skool, uitgesonderd private skole, wat kragtens artikels 5, 6 of 8 van die Wet, na gelang van die geval, ingestel of geregistreer is, of vir elke sodanige skool waar geen skoolfonds bestaan nie.

(2) Enige fonds wat deur 'n skoolkomitee voor die datum van inwerkingtreding van hierdie regulasies by 'n skool gestig of in stand gehou is, word by die toepassing van hierdie regulasies en onderworpe aan die bepalings hiervan as 'n skoolfonds beskou.

(3) Die skoolfonds word deur die skoolkomitee beheer.

(b) the principal shall without delay—

(i) notify the parent or guardian of the boarder of the suspension and of the reasons therefor; and

(ii) submit a full report to the circuit inspector and the governing council concerned.

(6) The circuit inspector may, after further inquiry, if he deems it expedient, without delay order the permanent expulsion of such boarder or take such other steps as are deemed necessary.

(7) Any parent or guardian of any boarder may appeal against the expulsion of any boarder from a hostel to the Director-General and the decision of the Director-General shall be final.

Transport of boarders

13. A boarder shall not be conveyed in a government vehicle unless he, should he be a major, or his parent or guardian, should he be a minor, has indemnified the State against any claim for compensation as a result of loss of life or personal injury or any loss of or damage to this personal property.

No. R. 830 30 April 1982

EDUCATION AND TRAINING ACT, 1979
(ACT 90 OF 1979)

REGULATIONS REGARDING THE CONTROL OF MONEYS WHICH ARE COLLECTED FOR OR IN RESPECT OF A STATE SCHOOL, A COMMUNITY SCHOOL OR A STATE-AIDED SCHOOL

The Minister of Education and Training has in terms of section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act 90 of 1979) (hereinafter referred to as "the Act"), shall have the meaning so assigned thereto and, and unless the context otherwise indicates—

"circuit inspector" shall mean an officer in the Department who is in control of the education in an inspection circuit determined by the Minister in terms of section 2 (2) of the Act;

"school" shall mean a school as defined in section 1 of the Act, excluding institutions for the training of teachers, night schools and centres for the education of adults;

"school comittee" shall, in respect of a State school or a community school, mean a school committee or a governing council instituted by the Minister in terms of section 7 of the Act for such school and, in the case of a State-aided school, the governing body;

"school fund" shall mean a school fund established in terms of regulation 2 or which is deemed to have been thus established.

Establishment of school funds

2. (1) A school fund shall be established for every school, excluding private schools, instituted or registered in terms of section 5, 6 or 8 of the Act, as the case may be, or for each such school where no school fund exists.

(2) Any fund which has been established and maintained by a school committee before the date of the coming into operation of these regulations shall, for the purposes of these regulations and subject to the provisions thereof, be deemed to be a school fund.

(3) The school fund shall be controlled by the school committee.

(4) Die prinsipaal of, wanneer dié pos vakant is, die waarnemende prinsipaal van 'n skool is *ex officio* die tesourier van die skoolfonds: Met dien verstande dat die prinsipaal met die goedkeuring van die skoolkomitee aan 'n personeellid van die betrokke skool die plig kan opdra om die skoolfondsboeke by te hou: Met dien verstande voorts dat, ongeag wie verantwoordelik is vir die byhou van die skoolfondsboeke, die prinsipaal die tesourier van die skoolfonds bly en verantwoordelik is vir die byhou van juiste en volledige rekenings van alle gelde wat deur 'n skoolkomitee as skoolfondse bestee of ontvang is en, met inagneming van die bepalings van regulasie 4, self aan die skoolkomitee oor alle aangeleenthede ten opsigte van die skoolfonds verslag moet doen.

Bydraes tot die skoolfonds

3. (1) 'n Skoolfonds bestaan uit gelde wat deur 'n skoolkomitee ingesamel word deur middel van—

(a) basaars, verkopings, konserte, ander funksies en reëlings ter insameling van fondse;

(b) skenkings en bemakings aan die skoolfonds;

(c) bydraes deur of namens elke leerling;

(d) die verkoop van tuinbou-, handwerk en naaldwerkprodukte wat op skool deur leerlinge vervaardig is as deel van hul onderrig, en waarvoor die benodighede uit die skoolfonds aangekoop is; en

(e) bydraes deur leerlinge vir spesiale doeleindes: Met dien verstande dat die skoolkomitee geen sodanige bydraes van leerlinge mag insamel nie tensy die skoolkomitee die ouers van die betrokke leerlinge behoorlik vooraf geraadpleeg het oor die wenslikheid van die insameling van sodanige bydraes en daarvan oortuig is dat die meerderheid van die ouers die insameling van die bydraes steun.

(2) Die bedrag van die bydraes deur leerlinge bedoel in subregulasie 1 (c) en (e) word deur die skoolkomitee met die instemming van die Direkteur-generaal bepaal.

(3) Geen leerling of ouer mag aan enige vorm van diskriminasie of viktimisasie onderwerp word weens onvermoë of versuim om 'n bydrae tot 'n skoolfonds te lewer nie.

(4) Gelde wat ingesamel is as skenkings, bemakings of trustfondse, kan deur 'n skoolkomitee beheer en administreer word: Met dien verstande dat sodanige skenkings, bemakings of trustfondse met die doel en oogmerke van die betrokke skool bestaanbaar is: Met dien verstande voorts dat waar daar enige voorwaardes aan sodanige skenking, bemaking of trust gekoppel is, die ontvangs, beheer en administrasie daarvan onderworpe is aan die goedkeuring van die Direkteur-generaal en dat afsonderlike rekenings vir elke sodanige trustfonds bygehou moet word.

Finansiële administrasie en boekhouding

4. (1) Die boekjaar van 'n skoolfondsrekening strek vanaf 1 Januarie tot 31 Desember.

(2) 'n Skoolkomitee moet 'n lopende rekening in sy eie naam by die naaste geregistreerde handelsbank vir alle gelde onder sy beheer open.

(3) Indien die bedrag van gelde ontvang en bestee ten opsigte van 'n skoolfonds na die oordeel van die betrokke skoolkomitee nie 'n lopende rekening regverdig nie, moet 'n spaarrekening by 'n poskantoor, bougenootskap of handelsbank geopen word.

(4) Die tesourier moet daagliks alle gelde ten behoewe van die skoolfonds ontvang, in rekening bring en sover moontlik op die dag van ontvangs of by die vroegs moontlike geleentheid, maar nie langer nie as 10 dae na ontvangs daarvan, in die skoolkomitee se rekening by die betrokke bank, bougenootskap of poskantoor deponeer.

(4) The principal or, when the post is vacant, the acting principal of a school shall be *ex officio* the treasurer of the school fund: Provided that the principal may, with the approval of the school committee, instruct a member of the staff of the school concerned to keep the school fund books: Provided further that, irrespective of who is responsible for the keeping of the school fund books, the principal shall remain the treasurer of the school fund and shall be responsible for the keeping of correct and full accounts of all moneys which the school committee expend or receive as school funds and shall, with due regard to the provisions of regulation 4, report in person to the school committee on all matters regarding the school fund.

Contributions to the school fund

3. (1) A school fund shall consist of moneys collected by any school committee by means of—

(a) bazaars, sales, concerts, other functions and arrangements for the raising of funds;

(b) donations and bequests to the school fund;

(c) contributions by or on behalf of each pupil;

(d) the sale of garden, handicraft and needlework products which the pupils produce as part of their instruction and for which the requirements are purchased out of the school fund; and

(e) contributions by pupils for special purposes: Provided that the school committee shall not collect such contributions from the pupils unless the school committee has beforehand properly consulted the parents of the pupils concerned regarding the desirability of the collection of such contributions and is convinced that the majority of the parents support the collection of the contributions.

(2) The contributions by pupils referred to in subregulation 1 (c) and (e) shall be determined by the school committee with the concurrence of the Director-General.

(3) No pupil or parent shall be subjected to any form of discrimination or victimisation due to inability or failure to make a contribution to a school fund.

(4) Moneys collected as donations, bequests or trust funds may be controlled and administered by a school committee: Provided that such donations, bequests or trust funds shall be consistent with the aims and goals of the school concerned: Provided further that where any conditions are attached to such donation, bequest or trust the receipt, control and administration thereof shall be subject to the approval of the Director-General and separate accounts shall be kept for each such trust fund.

Financial administration and bookkeeping

4. (1) The financial year of the school fund account shall be from 1 January to 31 December.

(2) A school committee shall open a current account in its own name at the nearest registered commercial bank for all moneys under its control.

(3) If in the opinion of the school committee concerned the amount of moneys received and expended in respect of a school fund does not justify a current account, a savings account shall be opened at a post office, building society or commercial bank.

(4) The treasurer shall daily bring into account all moneys received on behalf of the school fund and as far as possible deposit the moneys on the day of receipt or at the earliest opportunity, but not later than 10 days after receipt thereof, in the account of the school committee with the bank, building society or post office concerned.

(5) 'n Skoolkomitee mag onder geen omstandighede sy bankrekening oortrek nie.

(6) Onttrekkings uit 'n lopende of spaarrekening geskied slegs per tjek of opvragingstrokie(s) met die goedkeuring van die skoolkomitee, en vir dié doel magtig die skoolkomitee op 'n behoorlike gekonstitueerde vergadering sy voorsitter en die tesourier om tjeks en ander dokumente wat betrekking het op die skoolfonds, gesamentlik namens die skoolkomitee te teken: Met dien verstande dat die skoolkomitee in die afwesigheid van die voorsitter of die tesourier of albei een of twee van sy ander lede kan magtig om te teken.

(7) Kontanttjeks mag uitgereik word slegs vir die doeleindes van aanvulling van 'n kleinkasrekening.

(8) Die tesourier moet 'n behoorlike kasboek byhou (sover moontlik 'n driekolom-enkelbladkasboek) waarin besonderhede oor alle gelde ontvang, kwitansienommers, deposito's, betalings en tjeknommers aangeteken word, en aan die einde van elke maand moet die kasboek afgesluit, gebalanseer en met die betrokke rekening gerekonsilieer word.

(9) Waar kwartaallikse bydraes van leerlinge ingevorder word, moet elke klasonderwyser 'n aparte skoolfondsregister vir dié doel as deel van die klasregister byhou, en die tesourier moet aan elke klasonderywser vir die invordering van gelde 'n kwitansieboek uitreik.

(10) Die klasonderwyser moet kwitansies uitreik vir alle gelde wat hy ontvang en wanneer hy sodanige ontvangste aan die tesourier oorbetaal, moet die tesourier 'n kwitansie vir die bedrag oorbetaal aan die klasonderwyser uitreik.

(11) Kwitansies moet onmiddellik vir alle gelde wat ontvang is, uit watter bron ook al, uitgereik word en kwitansies moet verkry word vir alle gelde wat bestee word.

(12) Die tesourier moet slegs een kwitansieboek op 'n keer gebruik.

(13) Kwitansies word in hulle volgnommerorde uitgeskryf en geen wysigings aan die naam en die bedrag in woorde of syfers op 'n kwitansie is toelaatbaar nie, en 'n kwitansie word deur middel van deurslagpapier afgedruk op 'n duplikaat wat in die kwitansieboek behou moet word.

(14) Deurslae van gebruikte kwitansievorms asook die oorspronklikes en duplikate van gekanselleerde vorms word in hul oorspronklike posisies in die kwitansieboek vir inspeksie en ouditering veilig bewaar.

(15) Indien 'n fout op 'n kwitansie begaan is, moet die oorspronklike kwitansie gekanselleer word, en in die kwitansieboek behou word en 'n nuwe kwitansie uitgereik word.

(16) Besonderhede van die tesourier se kwitansies wat uitgereik is, moet daagliks in die kasboek geskryf word.

(17) Die reeksnommers van alle kwitansieboeke aangekoop moet deur die tesourier in 'n uitreikingsregister aangeteken word, en wanneer 'n kwitansieboek aan 'n onderwyser uitgereik word, moet die onderwyser in die uitreikingsregister vir die ontvangs van die spesifieke kwitansieboek teken.

(18) Alle betalings geskied slegs na voorlegging van 'n behoorlike gespesifiseerde rekening wat die naam van die persoon of firma aan wie die betaling gedoen moet word, die aard en datum van die eis of gelewerde dienste en die verskuldige bedrag toon: Met dien verstande dat betaling mag geskied slegs nadat die skoolkomitee op 'n behoorlik gekonstitueerde vergadering die rekening nagegaan en aanvaar het en sy voorsitter gemagtig het om die betaling daarvan goed te keur deur sy handtekening en die datum van die vergadering waarop goedkeuring gemagtig is, daarop aan te bring.

(5) No school committee shall under any circumstances overdraw its banking account.

(6) Withdrawals from the current or savings account may be made only per cheque or withdrawal slip(s) with the approval of the school committee, and for this purpose the school committee shall authorise, at a duly constituted meeting, the chairman and the treasurer to sign cheques and other documents relating to the school fund jointly on behalf of the school committee: Provided that the school committee may in the absence of the chairman or treasurer or both authorise one or two of its other members to sign.

(7) Cash cheques may be issued only for the purpose of replenishment of the petty cash account.

(8) The treasurer shall keep a proper cash book (as far as possible a three column, single page cash book) in which are entered particulars of all moneys received, receipt numbers, deposits, payments and cheque numbers, and at the end of each month the cash book shall be ruled off, balanced and reconciled with the account concerned.

(9) Where quarterly contributions are collected from pupils, each class teacher shall for this purpose keep a separate school fund register as part of the class register and the treasurer shall issue each class teacher with a receipt book for the collection of moneys.

(10) The class teacher shall issue receipts for all moneys received and when such receipts are paid over to the treasurer the treasurer shall issue a receipt to the class teacher for the amount paid over.

(11) Receipts shall immediately be issued for all moneys received, from whatever source, and receipts shall be obtained for all moneys expended.

(12) The treasurer shall use only one receipt book at a time.

(13) Receipts shall be made out in their serial number order and no alterations to the name and amount in words and figures are permissible, and a receipt shall impressed by means of carbon paper on a duplicate, which shall be retained in the receipt book.

(14) Carbon copies of used receipt forms as well as of the originals and duplicates of cancelled forms shall be kept safely in their original places in the receipt book for inspection and audit purposes.

(15) If a mistake is made on a receipt, the original shall be cancelled and kept in the receipt book and a new receipt shall be issued.

(16) Particulars of receipts issued by the treasurer shall be entered daily in the cash book.

(17) The serial numbers of all receipt books purchased shall be recorded by the treasurer in a distribution register, and when a receipt book is issued to a teacher the teacher shall sign for that receipt book in the distribution register.

(18) All payments shall be made only on submission of a properly specified account which reflects the name of the person or firm to whom payment is to be made, the nature and date of the claim or services rendered and the amount due: Provided that payment shall be made only after the school committee has checked and accepted the account at a properly constituted meeting and has authorised its chairman to approve payment by appending on the account his signature and the date of the meeting at which approval was authorised.

(19) Alle besonderhede met betrekking tot die betaling van rekenings wat deur die skoolkomitee gemagtig is, moet in die notule van die vergadering opgeneem word.

(20) Alle betalingsbewysstukke van rekenings moet in veilige bewaring vir ouditering geplaas word.

(21) Geen huurkoopkontrak mag aangegaan word nie.

(22) Skuld wat teenstrydig met die bepalings van hierdie regulasies aangegaan is, mag nie teen die skoolfonds in berekening gebring word nie en skoolkomiteelede wat hulle goedkeuring daaraan geheg het, is gesamentlik of afsonderlik daarvoor aanspreeklik.

(23) Geen lenings uit die skoolfonds word toegestaan nie.

(24) Die skoolkomitee kan goedkeuring verleen dat die tesourier 'n kleinkasrekening van hoogstens twintig rand (R20) volgens die voorskotstelsel hou en aanvulling van en uitbetalings uit die kleinkas moet behoorlik in die kleinkasboek ingeskryf word.

(25) Saldo's van gelde wat vir 'n spesifieke doel uit 'n skoolfondsrekening onttrek is en nie bestee is nie, moet by die vroegs moontlike geleentheid deur die tesourier in die skoolfondsrekening teruggestort word.

(26) Ondanks die bepalings van regulasie 2 (4) moet 'n skoolkomitee, wanneer die tesourier hom skuldig maak aan oneerlikheid of wangedrag en nie sy pligte as tesourier na behore nakom nie, aan die voorsitter opdra om die skoolfondsrekening te bevries, en die voorsitter moet die aangeleentheid aan die kringinspekteur rapporteer.

(27) Wanneer die rekening van 'n skoolkomitee bevries is, gaan al die pligte en verantwoordelikhede van die tesourier oor op die voorsitter van die skoolkomitee tot tyd en wyl die aangeleentheid tot die tevredenheid van die skoolkomitee afgehandel is.

(28) 'n Begroting van verwagte inkomste en uitgawes vir die lopende boekjaar ten opsigte van 'n skoolfonds moet jaarliks in Januarie deur die tesourier aan die skoolkomitee vir oorweging en goedkeuring voorgelê word.

(29) Herhalende uitgawes soos telefoononkoste en water- en elektrisiteitsuitgawes moet in detail in die begroting aangedui word en vir die betaling van hierdie uitgawes is verdere goedkeuring nie nodig nie: Met dien verstande dat die skoolkomitee op sy gewone vergaderings vir die goedkeuring van ander uitgawes, hom moet vergewis dat die uitgawe geregverdig en korrek is en dat die lopende rekening binne die perke van die begroting bly: Met dien verstande voorts dat enige uitsonderings deur die skoolkomitee, indien hy daarmee akkoord gaan, goedgekeur en as sodanig genotuleer moet word.

(30) Die tesourier doen een maal per kwartaal, op 'n datum deur die skoolkomitee bepaal, verslag op 'n skoolkomiteevergadering oor die inkomste en uitgawe van die skoolfonds: Met dien verstande dat die skoolkomitee alle skoolfondsrekeningboeke en -stukke kan nagaan om die besonderhede van die verslag te kontroleer, en indien die vergadering nie tevrede is met die verslag nie, moet die vergadering die voorsitter opdrag gee om die verslag aan 'n ouditeur vir ouditering voor te lê soos in regulasie 7 voorgeskryf.

(31) 'n Verslag van die inkomste en uitgawes vir die voorafgaande boekjaar moet jaarliks gedurende Januarie deur die tesourier op 'n behoorlik gekonstitueerde vergadering van die skoolkomitee vir aanvaarding deur die komitee voorgelê word en die inligting kan daarna aan die ouers op 'n ouervergadering meegedeel word.

(19) All particulars in connection with the payment of accounts that have been approved by the school committee shall be recorded in the minutes of the meeting.

(20) All vouchers of accounts paid shall be kept in safe keeping for audit purposes.

(21) No hire purchase contract shall be concluded.

(22) Debts incurred contrary to the provisions of these regulations shall not be charged against the school fund and school committee members who approved such debts shall be jointly and severally liable therefor.

(23) No loan shall be made from the school fund.

(24) The school committee may grant approval for the treasurer to keep a petty cash account not exceeding twenty rand (R20,00) according to an imprest account system and replenishment of and payments out of petty cash shall be properly recorded in the petty cash book.

(25) Balances of moneys withdrawn for a specific purpose out of a school fund account and not expended shall, at the earliest opportunity, be redeposited by the treasurer in the school fund account.

(26) Notwithstanding the provisions of regulation 2 (4) a school committee shall, if the treasurer is guilty of dishonesty or misconduct and does not execute his duties properly as treasurer, instruct the chairman to freeze the school fund account and the chairman shall report the matter to the circuit inspector.

(27) When the account of the school committee has been frozen, all the duties and responsibilities of the treasurer shall vest in the chairman of the school committee until such time as the matter has been settled to the satisfaction of the school committee.

(28) Estimates of expected income and expenditure for the current financial year in respect of a school fund shall be submitted annually during January by the treasurer to the school committee for approval.

(29) Recurrent expenditure such as telephone accounts and expenditure on water and electricity shall be shown in detail in the estimates and no further approval for such expenditure shall be necessary: Provided that the school committee at its ordinary meetings for approval of other expenditure shall satisfy itself that the expenditure is justified and correct and that the current account remains within the limits of the estimates: Provided further that any exceptions shall be approved by the school committee, if they are in agreement, and recorded as such in the minutes of the meeting.

(30) The treasurer shall, on a date to be determined by the school committee, report quarterly on the income and expenditure of the school fund at a school committee meeting: Provided that the school committee may check all the school fund account books and documents to verify details of the report and that, if the meeting is not satisfied with the report, the meeting shall instruct the chairman to submit the report for audit to an auditor as prescribed in regulation 7.

(31) A report on the income and expenditure for the preceding financial year shall be submitted annually during January by the treasurer to a properly constituted meeting of the school committee for approval by the committee and the information may thereafter be disclosed to the parents at a meeting of parents.

Aanwending van skoolfondse

5. Skoolfondse kan, met inagneming van die voorwaardes van enige skenking, bemaking of trust, aangewend word—

(a) vir die aankoop van sportuitrusting, met inbegrip van sportdrag vir spanlede;

(b) vir die betaling van affiliasiegelde vir lidmaatskap van sportunies;

(c) vir die subsidiëring van vervoer van sportspanne, asook deelnemers aan konserte en ander goedgekeurde kultuurbedrywighede;

(d) vir pryse vir klas-, skool- en sportprestasies;

(e) vir die subsidiëring van opvoedkundige uitstappies of toere, met inbegrip van verblyfkoste, verversings (alkoholiese drank uitgesluit) en toegangsgelde van skoliere en begeleidende onderwysers;

(f) vir die subsidiëring van vakansiekampe vir leerlinge asook begeleidende onderwysers, met inbegrip van vervoer, huur van persele, lokale of tente en die aankoop van voedselware en ander noodsaaklikhede;

(g) vir die huur, aankoop of herstel van opvoedkundige hulpmiddels, met inbegrip van radio's, bandopnamemasjiene en toebehore, projektors en toebehore, afrol- en tikmasjiene, interkomunikasiestelsels, platespelers en speelplate van opvoedkundige waarde, naslaanwerke en goedgekeurde biblioteekboeke en tydskrifte;

(h) vir die huur van vermaaklikheidsfilms;

(i) vir die verbetering en verfraaiing van die betrokke skoolterrein en sportgronde;

(j) vir die uitgawes wat fondsinsamelingfunksies voorafgaan, met inbegrip van drukkerskoste en die aankoop van materiaal, vleis of bakbenodigdhede;

(k) vir algemene uitgawes, met inbegrip van versekeringspremies ten opsigte van skoolfondseiendom, huur van luidsprekers en prefekwapens;

(l) vir uitgawes met betrekking tot krag- en watervoorsiening en skoonmaak- en sanitêre benodigdhede;

(m) vir die uitgawes verbonde aan kleiner reparasies van skooleiendom, met inbegrip van uitgawes vir die herstel van ruite, krane en skoolmeubels;

(n) vir koste en uitgawes verbonde aan die administrasie van die betrokke skoolfondsrekening, met inbegrip van uitgawes verbonde aan kwitansieboeke, kasboeke, en bankkoste;

(o) vir die amptelike telefoonkoste van 'n skool;

(p) vir enige regskoste wat mag voortspruit uit 'n regsgeding deur of teen 'n skoolkomitee;

(q) vir enige ander doel deur die Direkteur-generaal goedgekeur en aan 'n skoolkomitee meegedeel.

Kontrolering van registers, bates en voorrade

6. (1) 'n Skoolkomitee kan die voorsitter of enige lid van sodanige skoolkomitee magtig om op alle redelike tye en sonder kennisgewing vooraf die betrokke tesourier aan te sê om sy rekeningboeke, registers, kwitansieboeke, bewysstukke, beskikbare kontant en enige ander benodigde state of stukke ten opsigte van die skoolfonds aan die skoolkomitee vir nasiening voor te lê.

(2) Die voorsitter van die skoolkomitee of die lid in subregulasie (1) daartoe gemagtig, moet, indien daar by nasiening enige foutiewe inskrywings of ander reken- of boekhoukundige foute gevind word, skriftelik in die kasboeke, registers of ander betrokke state of stukke vir die inligting van of nodige optrede deur die skoolkomitee aandui hoe regstellings of aansuiwerings gedoen moet word.

Appropriation of school funds

5. School funds may, subject to the conditions of any donation, bequest or trust, be utilised—

(a) for the purchase of sports equipment including sportswear for team members;

(b) for the payment of affiliation fees for membership of sports unions;

(c) for subsidising transport for sports teams and participants in concerts and other authorised cultural activities;

(d) for prizes for class, school and sporting achievements;

(e) for the subsidising of educational outings or tours including subsistence costs, refreshments (alcoholic drinks excluded) and entrance fees for pupils and accompanying teachers;

(f) for the subsidising of holiday camps for pupils and accompanying teachers including transport, hire of sites, rooms or tents and the purchase of food and other necessities;

(g) for the rental, purchase or repair of educational aids including radios, tape recorders and accessories, projectors and accessories, duplicating machines and typewriters, intercom systems, record players and educational records, books of reference and approved library books and magazines;

(h) for the hire of entertainment films;

(i) for the improvement and beautifying of the school and sports grounds;

(j) for expenditure which precedes fund-raising functions including printing costs, and the purchase of material, meat or baking accessories;

(k) for general expenditure, including insurance premiums in respect of school fund property, rental of loudspeakers and prefect badges;

(l) for expenditure in connection with electricity and water supply and cleaning and sanitary requirements;

(m) for expenditure towards minor repairs to school property, including expenditure for the repair of window panes, taps and school furniture;

(n) for costs and expenditure in connection with the administration of the school fund account including expenditure attached to receipt books, cash books and bank charges;

(o) for the official telephone expenditure of a school;

(p) for any legal costs which may result from a lawsuit by or against a school committee;

(q) for any other purpose approved by the Director-General and disclosed to the school committee.

Checking of registers, assets and stores

6. (1) The school committee may authorise the chairman or any member of such school committee to call upon the treasurer at all reasonably times and without prior notice to produce his books of account, registers, receipt books, vouchers, cash on hand and any other statements or documents in respect of the school fund to the school committee for examination.

(2) If on examination any incorrect entries or other arithmetical or accounting errors are found, the chairman of the school commitee or member authorised for that purpose in subregulation (1) shall, for the information of and necessary steps by the school committee, indicate in writing in the cash book and registers or other statements or documents concerned how corrections or adjustments are to be done.

(3) Indien die voorsitter van 'n skoolkomitee of die lid bedoel in subregulasie (1), die boeke, registers en ander state of stukke ten opsigte van die skoolfonds korrek bevind, moet hy sertifiseer dat hy die boeke, registers, state of ander stukke in orde bevind en die betrokke stukke onderteken en dateer.

(4) Die voorsitter van die skoolkomitee of die lid bedoel in subregulasie (1), het toegang tot alle boeke, registers, bewysstukke, dokumente, kontant, seëls, effekte of voorrade met betrekking tot 'n skoolfonds en die rekeninge daarvan en kan sodanige ondersoek as wat hy nodig ag, in verband daarmee instel.

(5) Wanneer ook al dit vir 'n skoolkomitee voorkom of 'n verlies van of tekort in bates of voorrade van 'n skoolkomitee of enige ongeoorloofde of ongemagtigde uitgawe uit die skoolfonds onder beheer van 'n skoolkomitee plaasgevind het in omstandighede wat aandui dat 'n strafbare misdryf begaan is, moet die voorsitter van die betrokke skoolkomitee die saak saam met die besonderhede wat beskikbaar is, onverwyld aan die Suid-Afrikaanse Polisie rapporteer.

Ouditering van boeke

7. 'n Skoolkomitee moet hoogstens twee van sy lede aanstel om die rekeningboeke en balansstaat na te gaan en goed te keur: Met dien verstande dat indien die skoolkomitee verlang dat die skoolfondsboeke geouditeer moet word, die skoolkomitee 'n onafhanklike gekwalifiseerde persoon wat nie lid van die personeel van die betrokke skool of die skoolkomitee is nie, vir dié doel kan aanstel en vergoed.

Voorrade aangekoop uit skoolfondse

8. Die tesourier moet alle materiaal en uitrusting wat uit skoolfondse aangekoop is of by wyse van 'n subsidie verkry is of deur middel van skenkings aan 'n skoolfonds toegeval het, in die voorraderegister van die skool opneem en besonderhede van alle uitreikings van materiaal en uitrusting in dié register opteken.

Beskikking oor bates waar 'n skool sluit

9. (1) Indien die Minister 'n skool ingevolge artikel 5 (4) of 6 (4) van die Wet sluit of die instelling daarvan intrek of die registrasie daarvan kragtens artikel 8 (4) van die Wet intrek, moet die tesourier van elke skool waar 'n skoolfonds ingevolge regulasie 2 ingestel is of bestaan het, 'n volledige staat van skoolfondsregisters, kwitansieboeke en ander stukke ten opsigte van die skoolfonds aan die Direkteur-generaal voorlê, en hy besluit behoudens enige toepaslike wetteregtelike of gemeneregtelike bepalings op watter wyse oor die skoolfonds beskik moet word.

(2) Enige koste wat in verband met die beskikking oor die skoolfonds aangegaan word, moet teen die saldo van die skoolfonds in rekening gebring word.

No. R. 831 30 April 1982

WET OP ONDERWYS EN OPLEIDING, 1979 (WET 90 VAN 1979)

REGULASIES BETREFFENDE DIE LEWERING VAN GESONDHEIDSDIENSTE IN SKOLE

Die Minister van Onderwys en Opleiding het in oorleg met die Minister van Gesondheid en Welsyn kragtens artikel 41 (3) van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies wat in die Bylae hiervan vervat is, uitgevaardig.

(3) If the chairman of the school committee or member referred to in subregulation (1) finds the books, registers and other statements or documents in respect of a school fund correct, he shall certify that the books, registers and vouchers and other documents are in order and append his signature and date on the documents concerned.

(4) The chairman of the school committee or member referred to in subregulation (1) shall have access to all books, registers, vouchers, documents, cash, stamps, shares or stores in connection with a school fund and the accounts thereof and may make such investigation in connection therewith as he may deem necessary.

(5) Whenever it appears to a school committee that a loss of or defficiency in assets or stores of a school committee or any impermissible or unauthorised expenditure from the school fund under the control of the school committee has occurred in circumstances indicating that a criminal offence has been committed, the chairman of the school committee shall immediately report the matter, together with such particulars as are available, to the South African Police.

Auditing of books

7. A school committee shall appoint not more than two of its members to check and approve the books of account and balancesheet: Provided that if the school committee desires that the school fund books be audited the school committee may appoint and remunerate an independent qualified person, who is not a member of the staff of the school or school committee concerned, for such purpose.

Stores purchased from school funds

8. The treasurer shall take on charge all material and equipment purchased out of school funds or acquired by way of a subsidy or by means of donations accrued to the school fund in the stores register of the school and enter particulars of all issues of material and equipment in the register.

Disposal of assests where a school is closed

9. (1) If the Minister closes a school in terms of section 5 (4) or 6 (4) of the Act or disestablishes it or withdraws the registration of a school in terms of section 8 (4) of the Act, the treasurer of every school where a school fund was established in terms of regulation 2 or existed shall submit a full record of school fund registers, receipt books and other documents in connection with the school fund to the Director-General and he shall decide, subject to any applicable statutory or common law provisions, in what manner the school fund shall be disposed of.

(2) Any costs incurred in connection with the disposal of the school fund shall be debited against the balance of the school fund.

No. R. 831 30 April 1982

EDUCATION AND TRAINING ACT, 1979 (ACT 90 OF 1979)

REGULATIONS REGARDING THE RENDERING OF HEALTH SERVICES IN SCHOOLS

The Minister of Education and Training has, in consultation with the Minister of Health and Welfare, in terms of section 41 (3) of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations contained in the Schedule hereto.

BYLAE

Woordomskrywing

1. In hierdie regulasies tensy uit die samehang anders blyk, het 'n uitdrukking waaraan daar in die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), 'n betekenis geheg is, uitgesonderd die uitdrukking "skool", die betekenis wat aldus daaraan geheg is, en beteken—

(i) "mediese ondersoek" ook tandheelkundige of sielkundige ondersoek;

(ii) "skool" die skool- en koshuisgeboue en die terreine verbonde aan 'n Staatskool, 'n gemeenskapskool of 'n Staatsondersteunde skool;

(iii) "skoolgesondheidsbeampte" 'n geneesheer, sielkundige, tandarts, tandterapeut, mondhigiënis, verpleegster of enige dergelike persoon wat deur die Direkteur-generaal: Gesondheid en Welsyn ingevolge die Staatsdienswet, 1957 (Wet 54 van 1957), aangestel is om 'n mediese ondersoek op leerlinge in skole uit te voer.

Mediese ondersoek op leerlinge

2. (1) Behoudens die bepalings van artikel 40 van die Wet, kan 'n skoolgesondheidsbeampte met die toestemming van die Direkteur-generaal te eniger redelike tyd 'n skool besoek en 'n mediese ondersoek op leerlinge van daardie skool uitvoer, en kan ook ondersoek instel na enige aangeleentheid wat die gesondheidstoestand van sodanige leerlinge nadelig kan beïnvloed.

(2) 'n Ondersoek ingevolge subregulasie (1) sluit in die ondersoek na—

(a) die liggaamlike en verstandelike toestand van enige leerling, indien daar rede bestaan om te vermoed dat dit vir ander leerlinge 'n bron van gevaar kan wees om sodanige leerling toe te laat om die skool verder by te woon of om langer in 'n koshuis in te woon;

(b) die verstandelike of liggaamlike toestand of gedrag van 'n leerling ten opsigte van wie daar rede bestaan om te vermoed dat hy 'n gestremde kind is.

(3) Indien 'n skoolgesondheidsbeampte by 'n ondersoek bevind dat die gesondheidstoestand van 'n leerling van 'n skool sodanig is dat dit nadelig is vir sy eie welstand of vir die gesondheid van ander leerlinge van daardie skool, of vir die onderrig van leerlinge by daardie skool, kan die Direkteur-generaal sodanige leerling van daardie skool uitsluit vir 'n tydperk wat hy na oorlegpleging met die Direkteur-generaal: Gesondheid en Welsyn bepaal, of totdat sodanige leerling se gesondheid volgens die oordeel van die Direkteur-generaal na oorlegpleging met die Direkteur-generaal: Gesondheid en Welsyn bevredigend herstel of verbeter het.

(4) (a) 'n Prinsipaal moet, indien 'n skoolgesondheidsbeampte dit versoek, 'n vertrek waar die mediese ondersoek uitgevoer kan word, asook die dienste van 'n onderwyser vir die administratiewe werk verbode aan sodanige ondersoek, beskikbaar stel.

(b) 'n Onderwyser mag slegs met die reëlings van 'n mediese ondersoek bedoel in subregulasie (4) (a) hulp verleen en mag slegs op versoek van die skoolgesondheidsbeampte tydens die uitvoering van 'n mediese ondersoek teenwoordig wees.

Verpligte mediese ondersoek van leerlinge en koshuispersoneel

3. (1) Die Direkteur-generaal kan, indien hy rede het om te vermoed dat die gesondheidstoestand van 'n leerling of lid van die koshuispersoneel by 'n skool sodanig is dat dit nadelig vir sy eie welstand kan wees of vir die gesondheid van leerlinge van daardie skool of vir die onderrig van leerlinge by daardie skool, of dat die gesondheidstoestand van

SCHEDULE

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Education and Training Act, 1979 (Act 90 of 1979), except the expression "school", shall have the meaning so assigned thereto, and—

(i) "medical examination" shall also mean dental or psychological examination;

(ii) "school" shall mean the school and hostel buildings and the grounds attached to a State school, a community school or a State-aided school;

(iii) "school health officer" shall mean any physician, psychologist, dentist, dental therapist, mouth hygienist, nurse or any such person appointed by the Director-General: Health and Welfare in terms of the Public Service Act, 1957 (Act 54 of 1957), to carry out a medical examination of pupils in schools.

Medical examination of pupils

2. (1) Subject to the provisions of section 40 of the Act, a school health offficer may, with the consent of the Director-General, at all reasonable times visit a school and carry out a medical examination of pupils of such school and may examine any other matter that may have a detrimental effect on the health of such pupils.

(2) An examination in terms of subregulation (1) shall include an investigation into—

(a) the physical and mental condition of any pupil if there is reason to believe that it may be a source of danger to other pupils to allow such pupil to continue attending school or residing in a hostel;

(b) the mental or physical condition or behaviour of a pupil in respect of whom there is reason to believe that he is a handicapped child.

(3) If it is found upon examination by a school health officer that the state of health of any pupil of a school is such as to be detrimental to his own welfare or to the health of other pupils of such school, or to the instruction of pupils at such school, the Director-General may exclude such pupil from the school for a period to be determined after consultation with the Director-General: Health and Welfare or until the health of such pupil has improved satisfactorily or is restored in the opinion of the Director-General after consultation with the Director-General: Health and Welfare.

(4) (a) A principal shall, if requested to do so by a school health officer, make available both a room where the medical examination can be conducted and the services of a teacher for the administrative work connected with such examinations.

(b) A teacher may only render assistance with the arrangements for a medical examination referred to in subregulation (4) (a) and may be present during a medical examination only at the request of the school health officer.

Compulsory medical examination of pupils and hostel staff

3. (1) The Director-General may, if he has reason to believe that the health of a pupil or a member of the hostel staff at a school is such as to be detrimental to his own welfare or to the health of pupils at such school or to the instruction of pupils at such school, or that the health of a teacher or a member of the hostel staff of a school is a

'n onderwyser of 'n lid van die koshuispersoneel van 'n skool 'n bron van gevaar vir die leerlinge is, sodanige leerling, onderwyser of lid van die koshuispersoneel gelas om hom medies te laat ondersoek en 'n sertifikaat oor sy gesondheidstoestand aan die betrokke prinsipaal voor te lê: Met dien verstande dat die koste van sodanige mediese ondersoek asook van enige noodsaaklike mediese behandeling of hospitalisasie wat daaruit mag voortvloei deur die betrokke leerling of sy ouer of voog, of in die geval van 'n onderwyser of 'n lid van die koshuispersoneel, deur so 'n lid of onderwyser self gedra word.

(2) Indien by 'n mediese ondersoek bedoel in subregulasie (1) bevind word dat die gesondheidstoestand van 'n leerling of van 'n onderwyser of 'n lid van die koshuispersoneel by 'n skool sodanig is dat dit nadelig vir sy eie welstand of vir die gesondheid van die leerlinge van daardie skool is, kan die Direkteur-generaal sodanige leerling, onderwyser of lid van die koshuispersoneel van daardie skool uitsluit vir 'n tydperk wat hy na oorlegpleging met die Direkteur-generaal: Gesondheid en Welsyn bepaal, of totdat sodanige leerling, onderwyser of lid van die koshuispersoneel se gesondheidstoestand volgens die oordeel van die Direkteur-generaal na oorlegpleging met die Direkteur-generaal: Gesondheid en Welsyn bevredigend herstel of verbeter het.

(3) Indien 'n leerling, onderwyser of lid van die koshuispersoneel van 'n skool wat ingevolge subregulasie (1) gelas is om 'n mediese ondersoek te ondergaan, versuim om sodanige ondersoek te ondergaan, kan die Direkteur-generaal sodanige persoon van daardie skool uitsluit vir 'n tydperk wat hy bepaal of totdat die betrokke persoon aan so 'n lasgewing gehoor gee en 'n mediese sertifikaat tot bevrediging van die Direkteur-generaal voorlê.

Herroeping van regulasies

4. Die regulasies uitgevaardig by Goewermentskennisgewing R. 2088 van 21 September 1979 word hierby herroep.

No. R. 832 30 April 1982

WYSIGING VAN DIE REGULASIES IN VERBAND MET DIE SAMESTELLING, PLIGTE, BEVOEGDHEDE EN WERKSAAMHEDE VAN DIE EKSAMENRAAD EN KOMITEES VAN DIE RAAD, DIE AFNEEM VAN EKSAMENS EN DIE UITREIKING VAN DIPLOMAS EN SERTIFIKATE

Die Minister van Onderwys en Opleiding het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 803 van 16 April 1981.

2. Regulasie 1 van die Regulasies word hierby gewysig deur na die omskrywing van "kandidaat" die volgende omskrywing in te voeg:

" 'kringinspekteur' 'n beampte in die Departement wat in beheer is van die onderwys in 'n inspeksiekring wat ingevolge artikel 2 (2) van die Wet deur die Minister bepaal is;".

3. Regulasie 17 van die Regulasies word hierby gewysig deur die uitdrukking "subregulasie (1)" in subregulasie (3) deur die uitdrukking "subregulasie (1) en (2)" te vervang.

4. Regulasie 18 van die Regulasies word hierby gewysig deur die opskrif en subregulasie (1) deur die volgende opskrif en subregulasie te vervang:

source of danger to the pupils, instruct such pupil, teacher or member of the hostel staff to have himself medically examined and to submit a certificate to the principle concerned in connection with his health: Provided that the cost of such medical examination as well as of any medical treatment or hospitalisation which may result therefrom shall be borne by the pupil concerned or his parent or guardian or, in the case of a teacher or a member of the hostel staff, by such member or teacher himself.

(2) If, at a medical examination referred to in subregulation (1), it is found that the health of a pupil or a teacher or a member of the hostel staff at a school is such as to be detrimental to his own welfare or to the health of the pupils of such school, the Director-General may exclude such pupil, teacher or a member of the hostel staff from the school for such period as he may, after consultation with the Director-General: Health and Welfare, determine or until the health of such pupil, teacher or member of the hostel staff has improved satisfactorily or is restored in the opinion of the Director-General after consultation with the Director-General: Health and Welfare.

(3) If a pupil or a teacher or a member of the hostel staff of a school who was instructed in terms of subregulation (1) to undergo a medical examination fails to undergo such examination, the Director-General may exclude such person from the school for such period as he may determine or until the person concerned responds to such an instruction and submits a medical certificate to the satisfaction of the Director-General.

Repealing of regulations

4. The regulations published under Government Notice R. 2088 of 21 September 1979 are hereby repealed.

No. R. 832 30 April 1982

AMENDMENT OF THE REGULATIONS IN CONNECTION WITH THE CONSTITUTION, DUTIES, POWERS AND FUNCTIONS OF THE EXAMINATION BOARD AND COMMITTEES OF THE BOARD, THE CONDUCT OF EXAMINATIONS AND THE ISSUE OF DIPLOMAS AND CERTIFICATES

The Minister of Education and Training has, in terms of section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the Regulations" shall mean the regulations published under Government Notice R. 803 of 16 April 1981.

2. Regulation 1 of the Regulations is hereby amended by the insertion of the following definition after the definition of "candidate":

" 'circuit inspector' shall mean an officer in the Department who is in control of the education in an inspection circuit determined by the Minister in terms of section 2 (2) of the Act;".

3. Regulation 17 of the Regulations is hereby amended by the substitution for the expression "subregulation (1)" in subregulation (3) of the expression "subregulation (1) and (2)".

4. Regulation 18 of the Regulations is hereby amended by the substitution for the heading and for subregulation (1) of the following heading and subregulation:

"Gevolge van skorsing of ontslag uit 'n skool

(1) Indien 'n leerling wat 'n kandidaat is, ingevolge die Wet weens wangedrag geskors of uit 'n skool ontslaan is voor die aanvang van die eksamen of nadat die eksamen 'n aanvang geneem het, kan die Direkteur-generaal, behoudens die bepalings van regulasie 13 (7), een of meer van die volgende stappe doen:

(a) Die kandidaat verbied om eksamen te skryf of verder eksamen te skryf; of

(b) weier om die punte deur die kandidaat in die eksamen behaal, te erken; of

(c) gelas dat enige sukses in 'n vak of 'n eksamen in sy geheel waarmee die kandidaat by sodanige eksamen gekrediteer is, ingetrek word.".

5. Regulasie 20 van die Regulasies word hierby gewysig deur die volgende subregulasie by te voeg:

"(3) Na afloop van 'n eksamen moet alle ongebruikte eksamenantwoordboeke onverwyld deur die hoofopsiener aan die betrokke kringinspekteur oorhandig word, wat daaroor moet beskik op 'n wyse deur die Direkteur-generaal bepaal.".

No. R. 833 30 April 1982

WYSIGING VAN DIE REGULASIES BETREFFENDE DIE TOELATING VAN LEERLINGE TOT, DIE BEHEER OOR EN BEHANDELING VAN LEERLINGE AAN EN DIE SKORSING EN UITSETTING VAN LEERLINGE UIT, OF DIE OPLEGGING OF TOEDIENING VAN ANDER STRAWWE AAN, LEERLINGE VAN STAATSKOLE, GEMEENSKAPSKOLE EN STAATSONDERSTEUNDE SKOLE

Die Minister van Onderwys en Opleiding het kragtens artikel 44 van die Wet op Onderwys en Opleiding, 1979 (Wet 90 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 1143 van 29 Mei 1981.

2. Regulasie 1 van die Regulasies word hierby gewysig deur—

(a) in die omskrywing van "beheerliggaam" die woorde ", en in die geval van 'n Staatsondersteunde skool of 'n private skool, die bestuursliggaam" te skrap;

(b) in die Afrikaanse teks in die omskrywing van "kringinspekteur" die woord "mat" deur die woord "wat" te vervang;

(c) in die omskrywing van "skool" die woorde "en private skole" na die woord "volwassenes" by te voeg;

(d) in die omskrywing van "skorsing" die woord "uitsetting" deur die woord "ontslag" te vervang; en

(e) in die omskrywing van "uitsetting" die woord "uitsetting" deur die woord "ontslag" te vervang.

3. Regulasie 2 van die Regulasies word hierby gewysig deur—

(a) in die Engelse teks in paragraaf (d) van subregulasie (1) die woord "principle" deur die woord "principal" te vervang;

(b) in paragraaf (b) van subregulasie (6) die woord "beheerliggaam" deur die woord "bestuursliggaam" te vervang; en

(c) in subregulasie (7) die uitdrukking "Direkteur-generaal, beheerligaam of prinsipaal" deur die uitdrukking "Direkteur-generaal, beheerliggaam, bestuursliggaam of prinsipaal" te vervang.

"Consequences of suspension or discharge from a school

(1) If a pupil who is a candidate is suspended or discharged from a school for misconduct in terms of the Act before the start of the examination or after the examination has begun, the Director-General may, subject to the provisions of regulation 13 (7), take one or more of the following steps:

(a) Prohibit the candidate from writing the examination or from further writing the examination; or

(b) refuse to recognise the results obtained by the candidate in the examination; or

(c) instruct that any success in any subject or examination with which the candidate was credited at such examination be cancelled.".

5. Regulation 20 of the Regulations is hereby amended by the addition of the following subregulation:

"(3) After the examination all unused examination scripts shall be handed over to the circuit inspector concerned by the chief invigilator without delay, and the circuit inspector shall dispose thereof in a manner determined by the Director-General.".

No. R. 833 30 April 1982

AMENDMENT OF THE REGULATIONS REGARDING THE ADMISSION OF PUPILS TO, THE CONTROL AND TREATMENT OF PUPILS AT, AND THE SUSPENSION AND EXPULSION OF PUPILS FROM, OR THE IMPOSITION OR INFLICTION OF OTHER PUNISHMENTS UPON PUPILS AT STATE SCHOOLS, COMMUNITY SCHOOLS AND STATE-AIDED SCHOOLS

The Minister of Education and Training has, by virtue of section 44 of the Education and Training Act, 1979 (Act 90 of 1979), made the regulations in the Schedule.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, "the Regulations" shall mean the regulations published under Government Notice R. 1143 of 29 May 1981.

2. Regulation 1 of the Regulations is hereby amended by—

(a) the substitution for the word "mat" in the Afrikaans text of the definition of "kringinspekteur" of the word "wat";

(b) the deletion of the words "and in the case of a State-aided school or a private school, the governing body" in the definition of "controlling body";

(c) the substitution for the word "expulsion" in the definition of "expulsion" of the word "discharge";

(d) the addition of the words "and private schools" after the word "adults" in the definition of "school"; and

(e) the substitution for the word "expulsion" in the definition of "suspension" of the word "discharge".

3. Regulation 2 of the Regulations is hereby amended by—

(a) the substitution for the word "principle" in paragraph (d) of subregulation (1) of the word "principal";

(b) the substitution for the words "controlling body" in paragraph (b) of subregulation (6) of the words "governing body"; and

(c) the substitution for the expression "Director-General, controlling body, or principal" in subregulation (7) of the expression "Director-General, controlling body, governing body, or principal".

4. Regulasie 4 van die Regulasies word hierby gewysig deur in die Engelse teks in subregulasie (2) die woorde ''week, if'' deur die woorde ''week and if'' te vervang.

5. Regulasie 7 van die Regulasies word hierby gewysig deur—

(a) in subregulasie (1) die woord ''beheerliggaam'' deur die woord ''bestuursliggaam'' te vervang;

(b) in subregulasie (3) die woord ''beheerliggaam'' deur die woord ''bestuursliggaam'' te vervang;

(c) in subparagraaf (ii) van subregulasie (4) (b) die woord ''beheerliggaam'' deur die woord ''bestuursliggaam'' te vervang;

(d) subregulasie (5) deur die volgende subregulasie te vervang:

''(5) Die kringinspekteur of die bestuursliggaam, na gelang van die geval, kan by nadere ondersoek, indien dit dienstig geag word, sonder versuim die uitsetting van sodanige leerling gelas of sodanige ander stappe doen as wat nodig geag word.'';

(e) in subregulasie (6) in die tweede reël die woord ''beheerliggaam'' deur die woord ''bestuursliggaam'' te vervang;

(f) paragraaf (b) van subregulasie (6) deur die volgende paragraaf te vervang:

''(b) hom binne of buite die geboue of binne die terrein van die skool gedra op 'n wyse wat na die oordeel van die prinsipaal of die kringinspekteur of die bestuursliggaam die handhawing van die orde of dissipline van die skool ernstig benadeel of kan benadeel;'';

(g) paragraaf (g) van subregulasie (6) deur die volgende paragraaf te vervang:

''(g) in 'n hof skuldig bevind word aan 'n misdryf wat volgens die prinsipaal of die kringinspekteur of bestuursliggaam se oordeel ernstig genoeg is om dissiplinêre optrede te regverdig;'';

(h) paragraaf (b) van subregulasie (7) die woord ''beheerliggaam'', waar dit ook al voorkom, deur die woord ''bestuursliggaam'' te vervang.

6. Regulasie 8 van die Regulasies word hierby gewysig deur in die Engelse teks van paragraaf (a) van subregulasie (3) die woord ''principle'' deur die woord ''principal'' te vervang.

4. Regulation 4 of the Regulations is hereby amended by the substitution for the words ''week, if'' in subregulation (2) of the words ''week, and if''.

5. Regulation 7 of the Regulations is hereby amended by—

(a) the substitution for the words ''controlling body'' in subregulation (1) of the words ''governing body'';

(b) the substitution for the words ''controlling body'' in subregulation (3) of the words ''governing body'';

(c) the substitution for the word ''controlling body'' in subparagraph (ii) of subregulation (4) (b) of the words ''governing body'';

(d) the substitution for subregulation (5) of the following subregulation:

''(5) The circuit inspector or governing body as the case may be may, after further inquiry, if he deems it expedient, without delay order the expulsion of such pupil or take such other steps as are deemed necessary.'';

(e) the substitution for the words ''controlling body'' in the second and third lines of subregulation (6) of the words ''governing body'';

(f) the substitution for paragraph (b) of subregulation (6) of the following paragraph:

''(b) in or outside the buildings or on or off the premises of the school, conducts himself in a manner which, in the opinion of the principal or the circuit inspector or the governing body, is or could be seriously detrimental to the maintenance of order or discipline at the school;'';

(g) the substitution for paragraph (g) of subregulation (6) of the following paragraph:

''(g) is convicted in a court of an offence which, in the opinion of the principal or the circuit inspector or the governing body, is sufficiently serious to warrant disciplinary action;'';

(h) the substitution for the words ''controlling body'' wherever they occur in paragraph (b) of subregulation (7) of the words ''governing body''.

6. Regulation 8 of the Regulations is hereby amended by the substitution for the word ''principle'' in paragraph (a) of subregulation (3) of the word ''principal''.

INHOUD

No.		Bladsy No.	Staatskoerant No.
Onderwys en Opleiding, Departement van			
Goewermentskennisgewings			
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