



Verwysing: 2/3/B
GBS No. 20151204-5936
Navrae: DJ Moonsamy

Omsendbrief: 0003/2016
Vervaldatum: Geen

Aan: Adjunk-direkteurs-generaal, Hoofdirekteure, Direkteure (Hoofkantoor en distrikskantore), IBB-hoofde, IBB-bestuurders, Kringspanbestuurders, Kurrikulumadviseurs en Hoofde van alle onderwysinrigtings

Kort opsomming: Delegasie van bevoegdhede van die Lid van die Uitvoerende Raad (LUR) van die Wes-Kaap Onderwysdepartement.

Onderwerp: Delegasie van bevoegdhede ten opsigte van die Suid Afrikaanse Skolewet, 1996 (Wet 84 van 1996)

1. Aangeheg is die delegasie van bevoegdhede wat berus by die Lid van die Uitvoerende Raad (LUR) verantwoordelik vir onderwys ingevolge die bogenoemde wetgewing.
2. Aangesien omsendbriewe, minute en die bylaes daarvan in e-posformaat uitgestuur word, word amptenare versoek om hulle eie afskrifte van hierdie delegasies vanaf hul e-pos te druk, indien hulle 'n drukstuk verlang.
3. Bring asseblief die inhoud van hierdie omsendbrief onder die aandag van alle betrokkenes.

GETEKEN: P A VINJEVOLD
HOOF: ONDERWYS
DATUM: 2015-12-17

	Statutory provision	Subject/Nature of Power	MEC	Head of Department	Deputy Director-General	Chief Director	Director	Dep. Director	Circuit Team Manager	IMG Head	Ass. Director	Admin Officer	Chief Admin Clerk	Snr Admin Clerk
35.	28	<u>Election of members of governing body</u> Promulgate regulations (determinations) relating to governing bodies of ordinary public schools, by notice in the Provincial Gazette.	x											
36.	33(1)	<u>Closure of public schools</u> Close a public school, by notice in the Provincial Gazette.	x											
37.	33(2)(a)	Notice to the governing body of a public school of the MEC's intention to close such school and the reasons therefor.	x											
38.	33(2)(b)	Grant reasonable opportunity to the governing body of such school to make representations in relation to such action contemplated in section 33(1).	x											
39.	33(2)(c)	Conduct a public hearing on reasonable notice, to enable the community to make representations to the MEC relating to actions contemplated in terms of section 33(1).	x	x	x	x	x							
40.	33(2)(d)	Due consideration of any such representation received.	x											
41.	33(3)	Conclude an agreement between the MEC and the governing body relating to assets and liabilities of a public school which has been closed.	x	x	x	x								
42.	36(2)	<u>Responsibility of governing body</u> Written approval to a governing body of a public school for the entering into any loan or overdraft agreement so as to supplement the school fund.	x	x	x	x	x DMA							
43.	37(3)	<u>School funds and assets of public schools</u> Grant approval to a governing body of a public school to invest surplus money in another account.	x	x	x	x	x DMA							

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71.	58C(2)	Ensure that policy determined by a governing body complies with Norms and Standards i.to. Section 5(5) and 6(2) of SASA	x	x										
72.	58C(3)	Report to Minister of Education on compliance with Norms and Standards i.t.o. SASA	x											
73	58C(4)	Handling of disputes in respect of non-compliance with Norms and Standards between Minister of Education and MEC for Education	x											

APPROVED: SIGNED: D. SCHÄFER
MEMBER OF THE EXECUTIVE COUNCIL RESPONSIBLE FOR EDUCATION: WESTERN CAPE
DATE: 2015-11-27