PROVINCE OF WESTERN CAPE

WESTERN CAPE PROVINCIAL

SCHOOL EDUCATION ACT, 1997

(As amended)

(Minister of Education)

[For purposes of interpretation, the Gazette versions of the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997), the Western Cape Provincial School Education Amendment Act, 2010 (Act 7 of 2010) and the Western Cape Provincial School Education Amendment Act, 2018 (Act 4 of 2018) must be consulted at all times.]

[No. 12—1997]

PROVINSIE WES-KAAP

WES-KAAPSE PROVINSIALE

WET OP SKOOLONDERWYS, 1997

(Soos gewysig)

(Minister van Onderwys)

[Ter wille van die doeleindes van interpretasie, moet die Koerant-weergawes van die Wes-Kaapse Provinsiale Wet op Skoolonderwys, 1997 (Wet 12 van 1997), die Wes-Kaapse Provinsiale Wysingingwet op Skoolonderwys, 2010 (Wet 7 van 2010) en die Wes-Kaapse Provinsiale Wysigningswet op Skoolonderwys, 2018 (Wet 4 van 2018) te alle tye geraadpleeg word.]

[Nr. 12—1997]

IPHONDO LENTSHONA KOLONI

UMTHETHO WEMFUNDO WEZIKOLO

ZEPHONDO LENTSHONA KOLONI

KA-1997

(Ofakelwe izilungiso)

(UMphathiswa weMfundo)

[Ukulungiselela iinjongo zokucaciswa kwentsingiselo, iinguqulelo zeGazethi yoMthetho weMfundo weZikolo zePhondo leNtshona Koloni, 1997 (uMthetho 12 ka-1997), uMthetho oFakela izilungiso kuMthetho weMfundo weZikolo zePhondo leNtshona Koloni, 2010 (uMthetho 7 ka-2010) kunye noMthetho oFakela izilungiso kuMthetho weMfundo weZikolo zePhondo leNtshona Koloni, 2018 (uMthetho 4 ka-2018), mayifundwe ngawo onke amaxesha.]

[No. 12—1997]

UMTHETHO

[Inkqubo edityanisiweyo yoguqulelo lwesiNgesi ebandakanya izilungiso kuMthetho wesi-7 wama-2010 noMthetho wesi-4 wama-2018]

Ukubonelela ngenkqubo yemfundo efanayo yombutho, ulawulo kunye nenkxaso mali yazo zonke *izikolo*; ngenxa yoku kurhoxisa kwemithetho ethile ephathelene *nezikolo*; nokulungiselela izidingo ezithile zemfundo zeli *phondo*.

IMBULA MBETHE

NJENGOKUBA iPhondo leNtshona Koloni likuqonda ukubaluleka kwayo yonke *imfundo* ekwenzeni abahlali bahlukane nokungalingani kwexesha elidlulileyo ukuze bafezekise amandla abo kwiphondo elikhula ngokukhuphisana, kuqoqosho lwesizwe nolwehlabathi; kwaye

NJENGOKU, ukuza kuthi ga ngoku, kubalulekile ukuba bonke *abafundi* bafikelele kumgangatho ophakamileyo *wemfundo esisiseko* enokuthi ibonelelwe *liphondo* neliza kugcina imigaqo kunye neenqobo ezisemgangathweni zo*Mgaqo-siseko* weRiphabhlikhi yoMzantsi Afrika, we-1996, ngakumbi amalungelo abantwana, lo gama befumana imigangatho ephezulu yokuphendula kubo *abafundi*, *abazali babo, amabhunga olawulo ezikolo, abefundisi ntsapho namagosa*,

NNGOKO KE UKUZE KUWISWE UMTHETHO yiPalamente yePhondo leNtshona Kapa, ngale ndlela ilandelayo:

[Imbula mbethe kunye negatya lowiso mthetho elisetyenziswe endaweni ka s. woku-1 loMthetho wesi-7 wama-2010.]

ISAHLUKO SOKU-1

UMILISELO LOMTHETHO

Iinkcazelo

1. *Kulo Mthetho*, ngaphandle kokuba umxholo uchaza ngolunye uhlobo—

[Inkcazelo ye "mfundo yabadala" icinywe ngo s. woku-1*(a)* ngoMthetho wesi- 4 wama-2018.]

''umntu ogunyazisiweyo'' uthetha umntu ogunyaziswe yi*Ntloko yeSebe* ukuqhuba uhlolo ngokumalunga necandelo lama-20 la*loMthetho*; (vi)

''imfundo esisiseko'' ithetha *imfundo* ukusuka kwi *banga* likaR (Ulwamkelo) ukuya kwi *banga* le-12;

[Inkcazelo ye "mfundo esisiseko" ifakelwe ngo s. weso-2*(a)* yoMthetho wesi-7 wama-2010.]

''uMhlalutyi oyiNtloko'' uthetha umhlalutyi oyintloko we *sikolo* oqeshwe ngokumalunga necandelo 11A(2);

''umlawuli wesekethe'' uthetha intloko ye-ofisi yekethe kwisithili se*mfundo*, ophumeza imisebenzi eyabiwe ngu*mlawuli wesithili* okanye yi*Ntloko yeSebe*;

''intsebenziswano yesikolo'' ithetha *isikolo sikarhulumente* esichazwe kwicandelo 12C;

[Iinkcazelo zo "Mhlalutyi oyiNtloko", "umlawuli wesekethe" kunye "nesikolo sentsebenziswano" ifakwe ngo s.woku-1*(b)* woMthetho wesi-4 wama-2018.]

''indibaniso yesikolo'' ithetha *isikolo* esibonelela nge*mfundo* yamabanga aphantsi kunye neyamabanga aphezulu ukuya kwi*banga* elingaphezulu kwi*banga* lethoba kodwa lingagqithi kwi*banga* leshumi elinesibini; (v)

''uhambo lwesikolo olusisinyanzelo'' luthetha ukuhamba isikolo ngokunyanzelekileyo okufakwe phantsi kwecandelo lama-42 la *lo Mthetho*; (xxxix)

''uMgaqo siseko'' uthetha uMgaqo siseko weRiphabliki yaseMzantsi Afrika, 1996; (x)

[Inkcazelo yo "Mgaqo siseko" olungiswe ngo s. wesi-2*(b)* woMthetho wesi-7 wama-2010.]

''isixhobo esinobungozi'' sithetha—

(a) nasiphi na isixhobo sesiqhushumbisi okanye isixhobo;

(b) nawuphi na umpu okanye isixhobo serhasi;

(c) naliphi na inqaku, into okanye isixhobo okanye igajethi enokusetyenziswe ukwenzakalisa umzimba womntu ukuya kumntu okanye ukonakalisa ipropati, okanye ukwenza umntu akhubazeke okwexeshana okanye amkelwe ziingqondo; okanye

(d) nayiphi na into apho—

(i) u*Mphathiswa kaZwelonke* ubhengeza into enobungozi phantsi ko*Mthetho weSikolo soMzantsi Afrika* ngenjongo yalo Mthetho; okanye

(ii) u*Mphathiswa wePhondo* ubhengeze ngesaziso kwi*Phepha ndaba lombuso wePhondo* njengento enobungozi ngeenjongo za*loMthetho*;

[Inkcazelo ye "nto enobungozi" ifakwe ngecandelo lesi-2*(c)* loMthetho wesi-7 wama-2010.]

''umlawuli wesithili'' uthetha intloko ye-ofisi yesithili ophumeza imisebenzi phantsi komyalelo womthetho we*Ntloko yeSebe*;

''umnikeli'' uthetha umtu ochazwe kwicandelo 12C(2)*(a)* okanye 12D(1) onikela ngenkxaso mali okanye ipropathi ye*ntsebenziswano yesikolo* okanye u*mnikeli oxhasa isikolo sikarhulumente* ngenjongo yokuphucula uniko lwemfundo kwiphondo;

''umnikeli oxhasa sisikolo sikarhulumente'' uthetha *isikolo sikarhulumente* esichazwe kwicandelo 12D;

[Iinkcazelo zo "mlawuli wesithili", "umnikeli" kunye "nomnikeli oxhasa isikolo sikarhulumente" ifakwe ngecandelo loku-1*(c)* loMthetho wesi-4 wama-2018.]

''imfundo'' ithetha ukufundisa, ukwazisa okanye ukuqeqesha okunikezelwa kuba *bafundi* ngokumalunga na*loMthetho*; (xx)

''imfundo ekhaya'' ithetha imfundo eqhutyelwa ekhaya yalatha kwicandelo lama-36 la*loMthetho*; (xxii)

''Bhunga leMfundo'' ithetha iBhunga leMfundo leNtshona Kapa elashungulwa licandelo le-11;

[Inkcazelo ye "Bhunga leMfundo" elisetyenziswe endaweni yecandelo lesi-2*(d)* loMthetho wesi-7 wama-2010.]

''umfundisi ntsapho'' uthetha nawuphi na umntu, ingenguye umntu oqeshwe ukuba enze umsebenzi ongaphaya komsebenzi wakhe wesigxina, ofundisa, owazisa okanye oqeqesha abanye abantu okanye onikezela ngeenkonzo zemfundo enobuchule, kuquka ubuchule bokunyanga neenkonzo zobunzululwazi ngengqondo, *esikolweni*; (xxiv)

[Inkcazelo yo "mfundisi ntsapho" isetyenziswe endaweni yecandelo loku-1*(d)* loMthetho wesi-4 wama-2018.]

''uMthetho wokuQeshwa kwabefundisi ntsapho'' uthetha uMthetho wokuQeshwa kwabefundisi ntsapho, we-1998 (uMthetho wama-76 we-1998);

[Inkcazo yoMthetho woku"Qeshwa kwabefundisi ntsapho" ifakwe kwecandelo lesi-2*(e)* loMthetho wesi-7 wama-2010.]

''Umhlalutyi'' uthetha umhlalutyi wezikolo oqeshwe ngokumalunga necandelo 11A(4)*(b)*;

[Inkcazelo yo "Mhlalutyi" ifakwe kwecandelo loku-1*(e)* loMthetho wesi-4 wama-2018.]

''intloko yezemali'' ithetha u*Mphathiswa wePhondo* onoxanduva lwemicimbi yezemali ze*phondo*;

[Inkcazelo ye "ntloko yezemali" isetyenziswe endaweni yecandelo lesi-2*(f)* loMthetho wesi-7 wama-2010.]

''umhla omisiweyo'' uthetha umhla wokuqalwa kwa*loMthetho*; (xxxviii)

''ibhunga lolawulo lwesikolo'' uthetha ibhunga lolawulo lwesikolweni owalathe kwicandelo lama-21 la*loMthetho*; (ii)

''ibanga'' lithetha ukuba inxalenye yenkqubo efundisayo ekufuneka *umfundi* aligqibe ngonyaka omnye *wesikolo*, okanye nayiphi na enye inkqubo yemfundo anokuthi *uMphathiswa wePhondo* acinge ukuyilinganisa ngoko; (ix)

[Inkcazelo ye "banga" ilungiswe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

''iNtloko yeSebe'' ithetha intloko ye*Sebe leMfundo yaseNtshona Kapa*; (iii)

''ihostele'' ithetha ihostele esungulwe phantsi kwecandelo lesi-4(1)*(a)* la*loMthetho*; (xii)

''isiyobisi esingekho semthethweni'' sithetha nasiphi na isiyobisi njengoko sichazwe kuMthetho weziYobisi nowokuHambisa iziYobisi, we-1992 (uMthetho we-140 we-1992), osetyenziswa okanye obangwayo ochasene necandelo lesi-4 walo Mthetho;

[Inkcazelo ye "siyobisi esingekho semthethweni" ifakwe kwicandelo lesi-2*(g)* loMthetho wesi-7 wama-2010.]

''isikolo esizimeleyo'' sithetha *isikolo* esibhalisiweyo okanye ekucingelwa ukuba sibhalisiwe ngokumalunga necandelo lama-30 la*loMthetho*; (xviii)

''isikolo esizimeleyo sabafundi abanezidingo zemfundo eyodwa sithetha *isikolo* esibhaliswe ngokumalunga necandelo lama-30 la*loMthetho* nje ngesikolo esizimeleyo sabafundi abanezidingo zemfundo eyodwa, okanye ekucingelwa ukuba sibhalisiwe; (xix)

''isikolo samabanga aphakathi'' sithetha *isikolo* esibonelela *ngemfundo* yamabanga aphantsi naphezulu efika kodwa ingadluleli kwi*banga* lethoba; (xvi)

''iziko longenelelo'' lithetha iziko elichazwe kwicandelo 12E;

''Umhlalutyi oKhokelayo'' uthetha umhlalutyi okhokelayo wezikolo ezikhethwe ngokumalunga necandelo 11A(4)*(a)*;

[Inkcazelo ye "ziko longenelelo" kunye "noMhlalutyi oKhokelayo" ifakwe kwicandelo loku-1*(f)* loMthetho wesi-4 wama-2018.]

''umfundi" uthetha nawuphi na umntu ofumana *imfundo* okanye obophelelekileyo ukuba afumane *imfundo* ngokumalunga na*loMthetho*; (xiii)

''umfundi onezidingo zemfundo eyodwa" uthetha *umfundi onezidingo ezongezelelekileyo zemfundo* ekufuneka elungiselelwe kwi*zikolo zikarhulumente* kangangoko kunokwenzeka kufanelekile, okanye *izikolo zabafundi abanezidingo zemfundo eyodwa*; (xiv)

[Inkcazelo ye"qumrhu lowiso mthetho" kunye neLungu le "Bhunga loLawulo" icinywe ngecandelo lesi-2*(h)* loMthetho wesi-7 wama-2010.]

''ilungu labasebenzi'' lithetha umntu oqeshwe *esikolweni*; (xxvi)

''uMphathiswa kaZwelonke'' uthetha uMphathiswa kuRhulumente kaZwelonke onoxanduva lwe*mfundo esisiseko*;

[Inkcazelo yo "Mphathiswa kaZwelonke" isetyenziswe endaweni yecandelo lesi-2*(i)* loMthetho wesi-7 wama-2010.]

''igosa'' lithetha umsebenzi we*Sebe leMfundo yaseNtshona Kapa* oqeshwe ngokumalunga no*Mthetho wokuQeshwa kwabefundisi ntsapho*, okanye uMthetho weNkonzo yoLuntu, we-1994 (Isibhengezo se-103 se-1994); (i)

[Inkcazelo ye "gosa" ilungiswe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

[Inkcazelo yo "msebenzi owenzelwe ukufundisa" icinywe ngecandelo lesi-2*(j)* loMthetho wesi-7 wama-2010.]

''ihlakani elisebenzayo'' lithetha umbutho ongenzi nzuzo ogunyaziswe ukuba wenze umsebenzi wawo, izakhono okanye izixhobo onazo ze*sikolo esisebenzisanayo* ukuxhobisa *iqumrhu likarhulumente*, ihlakani lolawulo *lwesikolo*, *nabefundisi ntsapho esikolweni* ukuphuhlisa iinkqubo, izakhelo, inkcubeko kunye nomthamo ofunekayo ekuhambiseni *imfundo* esemgangathweni;

[Inkcazelo ye "hlakani elisebenzayo" ifakwe kwicandelo loku-1*(g)* loMthetho wesi-4 wama-2018.]

''umzali'' uthetha—

(a) umzali okanye umgcini *womfundi*;

(b) umntu onelungelo elisemthethweni wokugcina *umfundi*; okanye

(c) umntu owamkela ukuzalisekisa izibophelelo zomntu owalathwe kumhlathi *(a)* kunye *(b)* kujoliswe kwi*mfundo yomfundi esikolweni*; (xxv)

''iNkulumbuso'' ithetha iNkulumbuso yePhondo leNtshona Kapa eyonyulwe ngokumalunga necandelo le-128 lo*Mgaqo siseko*; (xxvii)

''isikolo sabasaqalayo'' sithetha *isikolo sabafundi* abangekho bancinci ngaphantsi kuneminyaka emithathu kwaye bengekho badala ngaphezu kweminyaka emithandathu; (xxviii)

''omiselweyo'' uthetha ukumiselwa *ngokomthetho* ngokumalunga na*loMthetho*, okanye nawuphi na omnye umthetho; (xLii)

''isikolo samabanga aphantsi'' sithetha *isikolo* esinikeza ngemfundo ukuya kutsho kodwa kungagqithanga *kwibanga* lesixhenxe; (xxix)

''inqununu'' ithetha *umfundisi ntsapho* oqeshwe okanye obambele intloko *yesikolo*; (xxx)

''iphondo'' lithetha iPhondo leNtshona Kapa; (xxxii)

''iPhepha ndaba lombuso'' lithetha iphepha ndaba lombuso elisemthethweni apho urhulumente nezaziso ezisemthethweni zorhulumente wephondo zipapasha khona; (xxxi)

''uMphathiswa wePhondo'' uthetha uMphathiswa wePhondo onoxanduva *lwemfundo ephondweni*;

[Inkcazelo yo"Mphathiswa wePhondo" ifakwe ngecandelo lesi-2*(k)* loMthetho wesi-7 wama-2010.]

''isikolo sikarhulumente'' ithetha *isikolo* esisungulwe okanye esicingelwa ukuba sisungulwe phantsi kwecandelo le-12 la*loMthetho*; (xxiii)

''imimselo'' ithetha imimiselo eyenziwe phantsi kwa*loMthetho*; (xxxiii)

''ibhunga elimele abafundi'' lithetha ibhunga elimele abafundi elisungulwe phantsi kwecandelo lama-48 la*loMthetho*; (xL)

''isikolo'' sithetha *isikolo sikarhulumente* okanye *isikolo esizimeleyo* esibonelela ngemfundo *esisiseko*;

[Inkcazelo ye "sikolo" isetyenziswe endaweni yecandelo lesi-2*(l)* loMthetho wesi-7 wama-2010.]

''umsebenzi wesikolo'' uthetha nayiphi na imfundo, inkcubeko, imidlalo, unyuso lwengxowa mali okanye umsebenzi wasekuhlaleni *wesikolo* phakathi okanye ngaphandle kwamasango *esikolo*;

[Inkcazelo yo "msebenzi wesikolo" ifakwe kwicandelo lesi-2*(m)* loMthetho wesi-7 wama-2010.]

''igosa lokusimasa isikolo'' ithetha igosa lokuzimasa isikolo eliqeshwe phantsi kwecandelo le-10 la*loMthetho*; (xxxvi)

''iifizi zesikolo'' uthetha iifizi zesikolo ochazwe kwicanelo lama-49, kwaye uquka naluphina uhlobo lwegalelo oluyimali eyenziwe okanye ehlawulwe ngumntu ngokunxulumene nokuzimasa okanye uthatho nxaxheba ngumfundi kuyo nayiphi inkqubo *yesikolo sikarhulumente*;

[Inkcazelo yo "iifizi zesikolo" ifakwe kwicandelo lesi-2*(n)* loMthetho wesi-7 wama-2010.]

''isikolo sabafundi abanezidingo zemfundo eyodwa" sithetha isikolo sabafundi abanezidingo zemfundo eyodwa eyasungulwa phantsi kwecandelo le-12 la*loMthetho* okanye *isikolo esizimeleyo sabafundi abanezidingo zemfundo eyodwa* ebhaliswe phantsi kwecandelo lama-30 la*loMthetho*; (xxxvii)

''isicwangciso sokuphucula isikolo'' sithetha isicwangciso esichaza okuphambili okujoliswe kuko *sisikolo sikarhulumente* ukuphucula iziphumo zemfundo kunye nokubumba isikhokelo nokuphuhliswa *kwesikolo*;

''iGunya loVavanyo lweZikolo'' lithetha iGunya loVavanyo lweZikolo zaseNtshona Kapa elichazwe kwecandelo 11A(1);

[Inkcazelo ye "sicwangciso sokuphucula isikolo" kunye "neGunya loVavanyo lweZikolo" ifakwe kwicandelo loku-1*(h) laloMthetho wesi*-4 wama-2018.]

''isikolo samabanga aphakamileyo'' sithetha *isikolo* esibonelela *ngemfundo* esuka kodwa ingekho ngaphantsi kwesibhozo ukuya kodwa ingaligqithi *ibanga* leshumi elinesibini; (xxxiv)

''uMthetho weZikolo woMzantsi Afrika'' uthetha uMthetho weZikolo zaseMzantsi Afrika, we-1996 (uMthetho wama-84 we-1996);

[Inkcazelo yo "Mthetho weZikolo woMzantsi Afrika" ifakwe kwicandelo lesi-2*(o)* loMthetho wesi-7 wama-2010.]

''imfundo enezidingo ezizodwa'' ithetha *imfundo* nenkxaso yohlobo lwemfundo enezidingo ezizodwa ebonelela *ngezidingo zabafuni abanezidingo zemfundo eyodwa*; (viii)

''umcebisi wezifundo'' uthetha inkcutshe yomfundisi ntsapho ohleli e-ofisini kwi-ofisi yesithili okanye i-ofisi yesekethe omsebenzi wakhe ikukuququzelela ukuphunyezwa kwekharikyulam nokuphucula ubume nenkqubo yokufunda nokufundisa *zizikolo* ezityeleleyo, kunye nokucebisana *nenqununu* kunye *nabefundisi ntsapho* kwimicimbi yekharikyulam;

[Inkcazelo yo "mcebisi wesifundo" ifakwe kwicandelo loku-1*(i)* loMthetho wesi-4 wama-2018.]

''lo Mthetho'' uquka imimiselo;

[Inkcazelo ya "lo Mthetho" isetyenziswe endaweni yecandelo lesi-2*(p)* loMthetho wesi-7 wama-2010.]

''iSebe leMfundo yaseNtshona Kapa'' lithetha isebe lephondo elinoxanduva lemfundo.

[Inkcazelo ye "Sebe leMfundo yaseNtshona Kapa" isetyenziswe endaweni yecandelo lesi-2*(q)* loMthetho wesi-7 wama-2010.]

ISAHLUKO SESI-2

UKUQINISEKISWA KOMTHETHO

Ulawulo lwemfundo

2. Ngokuxhomekeke kwimigqaliselo ya*lo mthetho, imfundo ezikolweni kwiphondo* iyakuba kwigunya lo*Mphathiswa wePhondo* kwaye iya kulawulwa li*Sebe leMfundo yeNtshona Koloni.*

[Icandelo lesi-2 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukumiselwa komgaqo-nkqubo wemfundo wephondo

3. (1) Ngokuxhomekeke kwimigqaliselo yoMgaqo-siseko, uMphathiswa wePhondo unokuthi, apho kufanelekileyo, amaxesha ngamaxesha amisele umgaqo-nkqubo oya kwenziwa ngokubhekisele kwimfundo ezikolweni kwiphondo, ethathela ingqalelo le migaqo ilandelayo,—

[Amagama aphambi komhlathi. *(a)* alungiswe ngo s. wama-27 woMthetho wesi-7 wama-2010 waza wasetyenziswa endaweni ka s. wesi-2 woMthetho wesi-4 wama-2018.]

(a) *umfundi ngamnye* uya kubanelungelo *kwimfundo esisiseko kwisikolo sikarhulumente* esikufutshane naye, ngaphandle kokuba kunokwenzeka;

(b) *umfundi ngamnye* uya kubanelungelo kufikelelo olulinganayo *kwizikolo zikarhulumente*;

(c) *umfundi ngamnye* uya kubanelungelo lokufumana imfundo ngolwimi olusemthethweni okanye ulwimi lokuzikhethela, kuquka ilungelo lokwenza naluphi na ulwimi olusemthethweni njengesifundo, ngaphandle kokuba kunokwenzeka;

(d) *imfundo* iya—

(i) kubonelela ngokungqinelana nezidingo, ubuchule, amandla nomdla wabafundi kunye nezidingo zesizwe;

(ii) mayibhekiswe ekufezekiseni amathuba alinganayo *emfundo* kunye nokulungiswa kokungalingani *kwemfundo* yangaphambili

(iii) khuthaza inkcubeko yentlonipho yokufundisa nokufunda kumaziko *emfundo*;

(iv) phucula umgangatho *wemfundo* ngokulandelela nokwenza uvavanyo kunye nokusebenza kwaye ngokuqeqesho *lwabefundisi ntsapho nabalawuli bemfundo*;

(v) qinisekisa ngokuthathwa kwenxaxheba *koluntu* ngokubanzi kuphuhliso lomgaqo *wemfundo* kunye nokumelwa ngabadlali ndima kurhulumento lwazo zonke iinkalo zenkqubo *yemfundo*.

[Icandelo (loku-1) lisetyenziswe kwicandelo lesi-3 loMthetho wesi-7 wama-2010.]

(2) I*Ntloko yeSebe* iya kuthatha amanyathelo xa kuyimfuneko ukwenza umgaqo nkqubo usebenze ukuze umiselwe ngu*Mphathiswa wePhondo.*

[Icandelwana (lesi-2) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Imisebenzi ngokubanzi yoMphathiswa wePhondo

4. (1) Ukongeze kweminye imisebenzi eyabelwe kuye phantsi ku*lo Mthetho, uMphathiswa wePhondo* anga, ngaphandle kwemali eyabelwe le njongo yi*Palamente yePhondo*—

(a) misela kwaye agcine *iihostele zesikolo sikarhulumente* and maintain *hostels* for *public schools*;

[Umhlathi *(b)* ucinywe ngecandelo lesi-3 loMthetho wesi-4 wama-2018.]

(c) bonelela ngezixhobo nokwakha izakhiwo ezinjalo njengoko ecinga ukuba kufanelekile okanye acebise ngolawulo lwamalungiselelo lwa*lo Mthetho*.

(2) *UMphathiswa wePhondo* angathi, emva kothethwano ne*bhunga lolawulo* les*ikol*o sikarhulumente esichaphazelekayo, ukuvala *ihostele* eyalathiswe kwicandelwana (1).

(3) Iziko lophuhliso nokuxhasa abathile okanye abafundi abanesiphiwo esimiselweyo okanye esibonelelwayo saphantsi kwawo nawuphi na umthetho orhoxiswe nguloMthetho, okanye ocingelwa ukuba umiselwe okanye ubonelelwe phantsi komthetho onjalo, kwaye uza ngaphambili *komhla omiselweyo* wawulawulwa kwaye uphethwe, uya ukususela kwalo mhla ucingelwe ukuba *sisikolo sikarhulumente* omiselwe okanye obonelelwe phantsi kweli candelo.

[Icandelo lesi-4 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Igunya loMphathiswa wePhondo malunga namabhunga olawulo

5. U*Mphathiswa wePhondo* ngokwesaziso kwi*Phepha lombuso lePhondo*, angamisela ukuba amanye *amabhunga olawulo* angasebenzisa umsebenzi omnye okanye emininzi eyalathwe kwicandelo lama-21 lo*Mthetho weZikolo zaseMzantsi Afrika*, ngaphandle kokwenza isicelo ukuba—

(a) wonelisekile ukuba *amabhunga olawulo* achaphazelekayo anawo amandla okusebenza lo msebenzi ngokufanelekileyo; kwaye

(b) sikhona isiseko esinengqiqo nesifanelekileyo sokwenza oko.

[Icandelo lesi-5 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukonyusa umgangatho wamabhunga olawulo

6. I*Ntloko yeSebe* uya, ngaphandle kwemali eyabelwe le njongo yi*Palamente yePhondo*, isungule inkqubo ukukhuthaza ukufaneleka *kwamabhunga olawulo* ngokungqinelana necandelo le-19 lo*Mthetho weZikolo zaseMzantsi Afrika*.

[Icandelo lesi-6 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Imisebenzi yeNtloko yeSebe ngokubanzi

7. (1) Ukongeza kweminye imisebenzi eyabelwe i*Ntloko yeSebe* ngokumalunga na*lo Mthetho* kunye nomnye umthetho ofanele oko, anga—

(a) zivuma iinkqubo zokufundiswa kunye nezokuqeqeshwa kwa*bafundi*;

(b) zivuma iinkqubo zokufundiswa kunye nokuqeqeshwa kwa*bafundi abanezidingo zemfundo eyodwa*;

(c) misela iimeko zolwamkelo kwiinkqubo ezinjalo zokufundisa nokuqeqesha, kunye novavanyo, ngokuhlola okanye kungenjalo, ngokusebenza kwemfundiso noqeqesho olunikezelwa ngokungqinelana nayo;

(d) zivuma izifundo zolwamkelo lolungiselelo *lwemfundo*, kuquka *imfundo* ya*bafundi abanezidingo zemfundo eyodwa*;

(e) misela iimeko zokuvuma ukwamkelwa, kunye nesilabhasi yolo ludwe lwezifundo;

(f) ngokuphathelele kuludwe lwezifundo ezinjalo—

(i) yenza iimviwo ziqhubeke kwaye iziqinisekiso zikhutshelwe abafundi apaphumelele ezo mviwo; kwaye

(ii) yenza ezinye iindlela ezivunyiweyo zovavanyo ziqhubeke;

(g) yenza imithetho yoku—

(i) qhubeka kweemviwo ngokwakwicandelwana (loku-1)*(f)*(i), ukuphathwa kwe, nemibuzo kwi, nemiphumela yo, yako nakuphi na ekunxa nomthetho ekuziphatheni kwezo mviwo, ukungeniswa kwbaviwa kwezo mviwo, ukuziphatha nokohlwaywa kwabaviwa phambi koko, ngexesha kunye nasemva kwezo mviwo, kunye nokukhutshwa kweziqinisekiso kwalathwe kuko kwelacandelwana; kuze

(ii) kuqeshwe, kuqhutywe, kohlwaywe, amandla, imisebenzi neemfanelo zabavavanyi, abongameli beemviwo, abalindi (*invigilators*), abafaki manqaku kunye nabanye abantu abaneenkonzo zabo ziyimfunwko ngokunxulumene nokuqhutywa kwezo mviwo; kuze

[Umhlathana. (ii) usetyenziswe endaweni ka s.wesi-4*(a)* woMthetho wesi-7 wama-2010.]

(iii) ulawulo nokuqhuba kovavanyo olusekwe *esikolweni*; kunye

(iv) nomgangatho oqinisekisayo kazwelonke, wephondo okanye lweemvavanyo ezenziwa *esikolweni*.

[Umhlathana (iii) kunye (iv) udityaniswe ngecandelo lesi-4*(b)* loMthetho wesi-7 wama-2010.]

(h) kwenziwe amalungiselelo eemviwo *zabafundi* nabasebenzi ngokwezonyango, zokwasengqondweni okanye zamazinyo kwi*zikolo zikarhulumente* kunye nakwii*hostele*.

(2) Iinkqubo ezahlukileyo kunye noludwe lwezifundo zingaphuculwa okanye zimiselwe, njengoko kunokuba njalo, phantsi kwecandelwana (loku-1) ngokuphathelele kwi*zikolo* zika*rhulumente* ezahlukileyo.

[Icandelo 7A lifakwe kwicandelo lesi-5 loMthetho wesi-7 wama-2010 laza larhoxiswa ngecandelo lesi- 4 loMthetho wesi- 4 wama-2018.]

Igunya leNtloko yeSebe malunga namabhunga olawulo

8. (1) Ngokuxhomekeka ku*lo Mthetho*, i*bhunga lolawulo* lingafaka isicelo kwi*Ntloko yeSebe* ngembalelwano ukuze yabelwe nayiphi na imisebenzi elandelayo:

(a) ukugcina nokuphucula ipropati *yesikolo*, kunye nezakhiwo kunye nemihlaba eme *isikolo*, kuquka *iihostele zesikolo*, ukuba kufanelekile;

(b) ukumisela ikharikyulam yemisebenzi ngaphandle kwes*ikolo* kunye nasekuzikhetheleni isifundo osifunayo ngokomgaqo nkqubo wekharikyulam yephondo;

(c) ukuthenga iincwadi ezisetyenziswa esikolweni, izixhobo zokufunda okanye izixhobo *zesikolo*;

(d) ukuhlawula iinkonzo *esikolweni*; okanye

(e) eminye imisebenzi ivumelana na*lo Mthetho* kunye nawo nawuphi na umthetho ofanelekileyo ephondweni.

(2) I*Ntloko yeSebe* ingangasivumi isicelo ngokuchazwe kwicandelwanale (loku-1), kuphela xa i*bhunga lolawulo* elichaphazelekayo lingenawo amandla okuwenza lo msebenzi ngokufanelekileyo.

(3) I*Ntloko yeSebe* ingasivuma isicelo esinjalo ngaphandle kwemiqathango okanye ngokuxhomekeka kwiimeko ezithile.

(4) I*sigqibo seNtloko yeSebe* kwisicelo esinjalo kufuneka sihanjiswe ngembalelwano kwi*bhunga lolawulo* ochaphazelekayo, sinika izizathu.

(5) I*Ntloko yeSebe* ingathi, ngezizathu ezifanelekileyo, irhoxise umsebenzi we*bhunga lolawulo.*

(6) I*Ntloko yeSebe* ingangathathi manyathelo phantsi kwecandelwana (lesi-5), ngaphandle kokuba—

(a) ilazisile i*bhunga lolawulo* ngenjongo zakhe ukuze kuthathwe amanyathelo nezizathu ngapha koko;

(b) ilinike i*bhunga lolawulo* ithuba elifanelekileyo lokwenza izimvo kuye esinxulumene neenjongo ezinjalo; kwaye

(c) iyinike ingqwalasela efunekayo kuwo naziphi na izimvo ezifunyenweyo

(7) Kwiimeko zongxamiseko, *iNtloko yeSebe* ingathatha amanyathelo ngokwecandelwana (lesi-5), ngaphandle kokuqala inxibelelane kwelo*bhunga lolawulo*, ukuba iNtloko yeSebe emva koko—

(a) inika izizathu zezenzo zakhe kwi*bhunga lolawulo*;

(b) inika i*bhunga lolawulo* ithuba elifanelekileyo lokwenza uluvo olumalunga nezenzo ezinjalo; kunye

(c) nokuthathela ingqalelo nayiphi na imizekelo efunyenweyo.

(8) I*Ntloko yeSebe* ingathi, ngezizathu ezaneleyo, isijike okanye isixhome isenzo sakhe ngokwecandelwana (lesi-7).

(9) Nawuphi na umntu ohlungiswe sisigqibo se*Ntloko yeSebe* ngokumalunga necandelo, angabhena ku*Mphathiswa wePhondo* asiphikise isigqibo.

[Icandelwana (le-9) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(10) I*Ntloko yeSebe* kufuneka iqinisekise ukuba *iinqununu* kunye namanye *amagosa* e*Sebe leMfundo yeNtshona Kapa* abonelele ngoncedo ku*mabhunga olawulo* ekwenzeni imisebenzi yabo ngokwa*loMthetho*."

Ukuthengwa kwempahla neenkonzo

8A. Nangona icandelo lesi-8(1)*(a), (c)* kunye *(d)* kunye necandelo lesi-8(2) okanye nawuphi na umthetho onxaxhayo, i*Ntloko yeSebe* ingathi, emva kothethathethwano ne*bhunga lolawulo* ochazwe kwicandelo lesi-8(1)*(a), (c)* kunye *(d)*, ithenge impahla neenkonzo malunga nemfundo kwiphondo ukuba ubona kungumdla *wemfundo kwiphondo*, kuquka ubuhle, ukufaneleka kunye nokusebenzisa uqoqosho lwemali.

[Icandelo 8A lifakwe kwicandelo lesi-5 loMthetho wesi-4 wama-2018.]

Utyelelo novavanyo lwezikolo kunye neehostele

9. I*Ntloko yeSebe* ingathi, nokokuba yimeko eqhelekileyo okanye ethile, agunyazise, ngembalelwano, umntu omakatyelele kwaye avavanye *isikolo* okanye *ihostele*, emva kothethwathethwano *nenqununu yesikolo*, ngenjongo yo—

(a) kuvavanya indlela yokusebenza ngokungqinelana nezithethe nemigangatho kazwelonke kunye neyephondo;

(b) kubeka iliso kuthotyelo nezithethe nemigangatho kazwelonke neyephondo.

[Icandelo le-9 lisetyenziswe kwicandelo lesi-6 loMthetho wesi-7 wama-2010.]

Ukubeka iliso nokunika inkxaso kuhanjiso lwekharityhulam

9A. (1) I*Ntloko yeSebe, umlawuli wesithili*, i*nqununu* ye*sikolo* si*karhulumente* okanye ummeli ogunyazisiweyo *weqabane elisebenzayo obusebenzayo* ngokumalunga ne*sikolo sikarhulumente* apho imisebenzi yabo inxulumene nokuqhutywa kobeko liso kunye nenkxaso yokuhanjiswa kwekharikyulam nga*befundisi ntsapho* egumbini lokufunda lesikolo sikarhulumente, okanye angathi agunyazise ubeko liso nenkxaso enjalo ngokuthi,—

(a) *umcebisi wesifundo*;

(b) *usekela nqununu*;

(c) *intloko yesebe*; okanye

(d) intloko yesifundo.

(2) *INtloko yeSebe*, u*mlawuli wesithili*, u*mlawuli wesekethe* ukuba ugunyaziswe ukwenza oko ngu*mlawuli wesithili*, okanye ummeli ogunyazisiweyo we*hlakani elisebenzayo*, angathi aqhube ubeko liso nenkxaso yokuhanjiswa kwekharikyulam yi*nqununu yesikolo sikarhulumente*.

(3) *INtloko yeSebe* ingathi ibeke imithetho yokubeka iliso kunye nenkxaso ngokumalunga neli candelo.

[Icandelo 9A lifakwe kwicandelo lesi- 6 loMthetho wesi-4 wama-2018.]

Ukuqeshwa kwamagosa okuzimasa isikolo

10. (1) *INtloko yeSebe* ingaqesha i*gosa lokuzimasa isikolo* ukwenza amalungiselelo ngempumelelo yecandelo lesi-3 (5) ne (lesi-6) lo*Mthetho weZikolo zaseMzantsi Afrika*.

[Icandelwana (loku-1) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(2) I*gosa lokuzimasa isikolo* liya kubonelela ngesiqinisekiso, esityikitywe yi*Ntloko yeSebe*, libhengeza ukuba uqeshwe njenge*gosa lokuzimasa isikolo* phantsi kweli candelo.

Ukusekwa nokusebenza kweBhunga leMfundo

11. (1) Kusekwe i*Bhunga leMfundo* elaziwa ngokuba li*Bhunga leMfundo laseNtshona Kapa*.

(2) I*Bhunga leMfundo* liya—

(a) kucebisa u*Mphathiswa wePhondo* kunye ne*Sebe leMfundo yeNtshona Kapa* malunga nemicimbi ephathelele kwi*mfundo*, kuquka imithetho kunye ne*mimiselo*, emakubhekiswe kuyo ngu*Mphathiswa wePhondo* okanye ukuba iSebe okanye apho i*Bhunga leMfundo* linqwenela ukuba kunikwe ingqwalasela ngu*Mphathiswa wePhondo* okanye ukuba *iSebe*; lize

(b) lenze eminye imisebenzi njengokuba yabelwe kulo phantsi okanye ngu*loMthetho* okanye nawuphina umthetho.

(3) U*Mphathiswa wePhondo* angamisela imimiselo ngokunxulumene ne—

(a) neendidi, icategories, iincwadi zeziqinisekiso kunye nexesha le-ofisi kwamalungu e*Bhunga leMfundo*;

(b) nokuvala izikhewu zomsebenzi kunye nokususa amalungu;

(c) ukuqesha kunye nemisebenzi yekomiti ephumezayo ye*Bhunga leMfundo*;

(d) nowuphi na umba odinga ulawulo olululo kunye nokusebenza kwe*Bhunga leMfundo*.

(4) I*Bhunga leMfundo* liya kuba—

(a) nosihlalo nesekele likasihlalo elonyulwe ngu*Mphathiswa wePhondo*;

(b) *inani elimiselweyo lamagosa elityunjelwe yiNtloko yeSebe kubasebenzi bakhe;*

[Umhlathi *(b)* usetyenziswe kwicandelo le-7*(a)* loMthetho wesi-4 wama-2018.]

(c) inani *elimisiweyo* labantu abalathwe ngu*Mphathiswa wePhondo* kwabatyunjwa *abamiselwe* ngendlela kwindidi ezininzi ezibhekisele kwicandelwana (lesi-3)*(a)*.

(5) Isenzo se*Bhunga leMfundo* alinakungasebenzi kuphela ngesizathu sesithuba kwiBhunga.

(6) Ilungu le*Bhunga leMfundo* elingaqeshwanga isigxina nguRhulumente lingahlawulwa, kwimali eyabelwe le njongo yi*Palamente yePhondo*, enje ngemali yesibonelelo njengoko u*Mphathiswa wePhondo* enokwenza, ngokwesivumelwano se*ntloko yezemali*, emiselweyo.

[Icandelwana (lesi-6) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(7) Imisebenzi yolawulo lwe*Bhunga leMfundo* iya kwenziwa ngamagosa e*Sebe leMfundo yeNtshona Kapa*.

(8) I*Bhunga leMfundo* liya kumisela imithetho yalo yokulawula iintlanganiso neenkqubo kwezo ntlanganiso, kuxhomekeka *kwimimiselo*.

(9)*(a)* I*Bhunga leMfundo* kufuneka libonelele u*Mphathiswa wePhondo* ngengxelo yezindululo.

(b) U*Mphathiswa wePhondo* kufuneka ayinike ingqwalasela ingxelo yezindululo kwaye amazise usihlalo we*Bhunga leMfundo*.

[Icandelo le-11 lisetyenziswe kwicandelo lesi-7 loMthetho wesi-7 wama-2010.]
[Icandelwana (le-9) longezwe ngecandelo lesi-7*(b)* loMthetho wesi-4 wama-2018.]

Ukumiselwa kweGunya loVavanyo lweZikolo

11A. (1) U*Mphathiswa wePhondo* angamisela igunya lovavanyo, eliya kwaziwa ngokuba liGunya loVavanyo lweZikolo zeNtshona Kapa, ukuqhuba iimvavanyo ezizimeleyo ze*sikolo*.

(2) U*Mphathiswa wePhondo* angaqesha kwi*Gunya loVavanyo lweZikolo* u*Mvavanyi oyiNtloko* we*zikolo*.

(3) U*Mvavanyi oyiNtloko* uyakuqeshwa isithuba seminyaka eminye esingahlaziywayo.

(4) U*Mvavanyi oyiNtloko* angonyula i*Gunya loVavanyo lweZikolo*—

(a) *UMvavanyi oKhokelayo wezikolo;* kunye

(b) *Abavavanyi bezikolo*.

[Icandelo le-11A lifakwe kwicandelo lesi- 8 loMthetho wesi-4 wama-2018.]

Ilungelo lokuqeshwa njengoMvavanyi oyiNtloko, uMvavanyi oKhokelayo okanye uMvavanyi

11B. Ukuze ubenelungelo lokuqeshwa njengo*Mvavanyi oyiNtloko*, u*Mvavanyi oKhokelayo* okanye umntu o*Vavanyayo* uya—

(a) kuba ngummi weRiphablikhi;

(b) kuba ngongemntu ongenako ukuhlawula amatyala akhe;

(c) ngongazange nangaliphi na ixesha agwetyelwe—

(i) ukophula umthetho apho waye wagwetyelwa ijele ngaphandle kokunikwa intlawulo;

(ii) ukophula umthetho ngokwezesondo ngokuhlukumeza umntwana; okanye

(iii) ubusela, ubuqhetseba, inkohliso, ukusebenzisa imali yobuxoki ngenkohliso yexwebhu, isifungo sobuxoki, naluphi na ulwaphulo mthetho ngokumalunga noThintelo kunye Nomlo woMthetho weMisebenzi yoRhwaphilizo, wama-2004 (uMthetho we-12 wama-2004), okanye naluphi na ulwaphulo mthetho apho ukungathembeki iyinxalenye yoko; and

(d) ukuba nolwazi olufanelekileyo okanye amava *kwimfundo* nakulawulo *lwesikolo*.

[Icandelo 11B lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Ukususwa e-ofisini

11C. (1) U*Mphathiswa wePhondo* angamsusa e-ofisini u*Mvavanyi oyiNtloko*, emva kokulandela iinkqubo ezithile—

(a) ukuba akasahlangabezani nemigomo afanele ukuyilandela njengoko kuchaziwe kwicandelo 11B; okanye

(b) kuzo nazo naziphi na izizathu ezivakalayo, kuquka ukungaziphathi kakuhle, ukungabinakho okanye ukungafaneleki.

(2) U*Mvavanyi oyiNtloko* angamsusa e-ofisini u*Mvavanyi oKhokelayo* okanye u*Mvavanyi*, emva kokulandela iinkqubo ezithile—

(a) ukuba akasahlangabezani nemigomo afanele ukuyilandela njengoko kuchaziwe kwicandelo 11B; okanye

(b) kuzo nazo naziphi na izizathu ezivakalayo, kuquka ukungaziphathi kakuhle, ukungabinakho okanye ukungafaneleki.

[Icandelo 11C lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Imisebenzi yeGunya loVavanyo lweZikolo

11D. (1) U*Mvavanyi oyiNtloko* uyakuhlala emazisa uMphathiswa wePhondo ngendlela emiselweyo yoku kulandelayo *kwezikolo*:

(a) umgangatho *wemfundo* obonelelwa *ezikolweni*;

(b) ubungakanani apho *imfundo esikolweni* ihlangabezana nezidingo ezahlukeneyo *zabafundi* ngosondelelwano;

(c) umgangatho wemfundo ufezekiswe *esikolweni*;

(d) umgangatho wobunkokheli nolawulo *esikolweni*;

(e) izixhobo zemali zenziwe zifumaneke esikolweni kwaye zilawulwe ngoqoqosho, olusebenzayo nolufanelekileyo;

(f) ubungakanani apho *isikolo* siphuhlisa iinkqubo zangaphakathi zokuzivavanya ngokwezicwangciso zophuhliso lwesikolo;

(g) ukhuseleko, ukuziphatha nokuhamba isikolo kwa*bafundi* nabasebenzi *esikolweni*;

(h) uphuhliso lwentlalo nenkcubeko *yabafund*i esikolweni;

(i) ulawulo lokwenziwa komsebenzi kunye nophuhliso lwabefundisi *ntsapho*; kunye

(j) nobudlelwane phakathi kwa*bazali*, uluntu kunye nes*ikolo*.

(2) Ekubhalweni kwesicelo ngu*Mphathiswa wePhondo*, u*Mvavanyi oyiNtloko* uya—

(a) kucebisa u*Mphathiswa wePhondo* nakuyiphi na imicimbi echaziweyo kwisicelo; aze

(b) avavanye anike ingxelo ngesikolo, okanye igumbi lokufundela esikolweni, ngokuchaziweyo kwisicelo.

(3) U*Mvavanyi oyiNtloko* uya kuhlanganisa aze apapashe ingxelo njengoko kumiselwe, eyakuthi iquke amava ngokuphandiweyo aze, apho kufanelekileyo, anike izindululo zophuhliso.

(4) U*Mvavanyi oyiNtloko*, u*Mvavanyi oKhokelayo* okanye u*Mvavanyi* bangathi—

(a) kwiintsuku ezimbini *zesikolo* babhalele ku*mlawuli wesithili*, *inqununu* na*kwibhunga lolawulo*, isaziso sokufumana ufikelelo ukuze bavavanye isikolo kunye naliphi na igumbi lokufundela *esikolweni*, balolonge *izifundo* baze baqokelele ubungqina bokwenza izindululo;

(b) kwiintsuku ezimbini *zesikolo* babhale isaziso, sokuqhuba udliwano ndlebe ne*bhunga lolawulo* lalo naliphi na ilungu ngapha koko, *igosa* leSebe, i*lungu labasebenzi lesikolo*, u*mfundi* okanye u*mzali*;

(c) ngenise isicelo esibhaliweyo soxwebhu kwi*nqununu* yes*ikolo*;

(d) ngaphandle kwesaziso, ngena esikolweni uze uthathe iirekhodi zemali, iingxelo kunye namaxwebhu, nokokuba kungoluphi na uhlobo okanye indlela, ukuba uno/une—

(i) *luvo lokuqala (prima facie)* lobungqina bokungalawuli kakuhle imali *esikolweni*; kwaye

(ii) azizathu zesikrokro sokuba iirekhodi kunye namaxwebhu azakuba efihliwe, etshatyalalisiwe okanye ubungqina bubhucabhuciwe ngesaziso ukuba sinikiwe; uze

(e) nangaliphi na ixesha kwenziwe izindululo ku*Mphathiswa wePhondo* kuwo nakuwuphi na umba ochaphazela *isikolo*.

(5) Amandla achazwe kwicandelwana (lesi-4)*(a)* kunye *(b)* angasetyenzisa ngaphandle kwesaziso ukuba u*Mvavanyi oyiNtloko* unezizathu ezibambekayo zokukholelwa ukuba oku kuyimfuneko ekwenzeni imisebenzi ye*Gunya loVavanyo lweZikolo*.

(6)*(a)* U*Mphathiswa wePhondo* angathi, emva kothethathethwano no*Mvavanyi oyiNtloko*, amgunyazise ukuze enze imisebenzi eyongezelelekileyo okanye amandla awongezelelekileyo ukuba uMphathiswa wePhondo unesizathu sokukukholelwa ukuba—

(i) *UMvavanyi oyiNtloko* unamandla okuyenza loo misebenzi yongezelelekileyo okanye ukusebenzisa loo magunya ongezelelekileyo; kwaye

(ii) kuya kuba semdleni woluntu wokuba u*Mvavanyi oyiNtloko* wenza oko.

(b) U*Mphathiswa wePhondo* angathi, emva kothethathethwano no*Mvavanyi oyiNtloko*, alirhoxise igunya elinekwe uMvavanyi oyiNtloko ngokomhlathi *(a)* ukuba u*Mphathiswa wePhondo* unesizathu sokukholelwa ukuba—

(i) *UMvavanyi oyiNtloko* akasenawo amandla okwenza la msebenzi wongezelelekileyo okanye asebenzise lamandla ongezelelekileyo; okanye

(ii) Ikuyakuba semdleni woluntu ukuba u*Mphathiswa wePhondo* enze oko.

(c) U*Mphathiswa wePhondo* angathi, emva kothethwano no*Mvavanyi oyiNtloko*—

(i) akukhulule u*Mvavanyi oyiNtloko* ekwenzeni umsebenzi omiselwe licandelwana (loku-1); okanye

(ii) arhoxise amagunya anikwe u*Mvavanyi oyiNtloko,* u*Mvavanyi oKhokelayo* okanye u*Mvavanyi* ngokwecandelwana (lesi-4).

[Icandelo 11D lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Umvuzo kunye nezibonelelo

11E. U*Mvavanyi oyiNtloko,* a*Bavavanyi abaKhokelayo* kunye na*Bavavanyi* uya kuhlawulwa umvuzo kunye nezibonelelo ezimiselwe ngu*Mphathiswa wePhondo* emva kothetha thethwano nentloko yezemali.

[Icandelo le-11E lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Imisebenzi yeNtloko yeSebe leMfundo malunga neGunya loVavanyo lweZikolo

11F. (1) I*Ntloko yeSebe* iyakubonelela nge*Gunya loVavanyo lweZikolo* ngenkxaso nangezixhobo ezifanelekileyo ukwenza imisebenzi yazo, kuquka inkxaso yolawulo nangenkxaso yezibonelelo ezisisiseko.

(2) I*Ntloko yeSebe* iyakwanyula amagosa e*Sebe leMfundo yeNtshona Kapa* ukubonelela ngenkxaso yolawulo lwe*Gunya loVavanyo lweZikolo* njengoko kuchaziwe kwicandelwana (loku-1).

(3) I*Ntloko yeSebe* liyakuthathela ingqalelo iziphumo zophando kunye nezindululo ezibhekise kwicandelo le-11D(lesi-3) kunye nokuphumeza amanyathelo afanelekileyo ukuququzelela impucuko.

[Icandelo 11F lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Ukupheliswa

11G. (1) U*Mphathiswa wePhondo* angaliphelisa i*Gunya yoVavanyo lweZikolo* ukususela kumhla wokumiselwa ngu*Mphathiswa wePhondo* ukuba i*Gunya loVavanyo lwePhondo* liyasilela ukwenza imisebenzi yalo ngendlala ekholisayo, ayisasebenzi, okanye yenza ngendlela engengomdla *wemfundo*.

(2) U*Mphathiswa wePhondo* akanakusebenza phantsi kwecandelwana (loku-1) ngaphandle kokuba u—

(a) nikwe isaziso esivakalayo kwi*Gunya loVavanyo lweZikolo* lenjongo zakhe zokwenza oko kunye nezizathu ngako oko;

(b) nikwe i*Gunya loVavanyo lweZikolo* ithuba elifanelekileyo ukwenza izimvo kuye malunga nezenzo ezinjalo; kwaye

(c) kunikwe nengqwalasela efanelekileyo kuzo naziphi na izimvo ezifunyenweyo.

[Icandelo 11G lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

Imigaqo emalunga neGunya loVavanyo lweZikolo

11H. U*Mphathiswa wePhondo* angenza *imigaqo* kwi(i)/ku—

(a) nkqubo zokuqesha u*Mvavanyi oyiNtloko, aBavavanyi abaKhokelayo naBavavanyi* kunye nokugcwalisa izithuba zemisebenzi;

(b) mimiselo nemiqathango yokuqeshwa ko*Mvavanyi oyiNtloko, aBavavanyi abaKhokelayo* kunye na*Bavavanyi*;

(c) nkqubo zokususa u*Mvavanyi oyiNtloko, aBavavanyi abaKhokelayo* kunye na*Bavavanyi*;

(d) nkqubo zokusebenzisa amandla abhekisele kwicandelo 11D(lesi-4);

(e) ndlela apho u*Mvavanyi oyiNtloko* uya kukwazisa u*Mphathiswa wePhondo* ngemiba ebekwe kwicandelo11D(loku-1);

(f) lungiselelo nakupapasho lweengxelo li*Gunya loVavanyo lweZikolo*; kunye

(g) anawuphi na umba ongathi ufuneke okanye uncede ekumiseleni ukuze kufezekiswe iinjongo ze*Gunya loVavanyo lweZikolo*.

[Icandelo 11H lifakwe kwicandelo lesi-8 loMthetho wesi-4 wama-2018.]

ISAHLUKO SESI-3

IZIKOLO ZIKARHULUMENTE

Ukusekwa nokulondolozwa kwezikolo zikarhulumente

12. (1) U*Mphathiswa wePhondo* angathi, ngaphandle kwemali eyabelwe le njongo yi*Palamente yePhondo*, aseke kwaye alondoloze ezi *zikolo zikarhulumente* zilandelayo—

(a) *izikolo zabasaqalayo*;
(b) *izikolo zamabanga aphantsi*;
(c) *izikolo zamabanga aphakamileyo*;
(d) *izikolo zamabanga aphakathi*;
(e) *izikolo ezidibeneyo*;
*(e*A*)* *izikolo zokusebenzisana*;
*(e*B*)* *izikolo zikarhulumente ezixhaswa ngemali*;

[Umhlathi *(e*A*)* kunye *(e*B*)* ufakwe kwicandelo le-9 loMthetho wesi-4 wama-2018.]

(f) *izikolo zabafundi abanezidingo zemfundo eyodwa;* kunye
(g) nalo naliphi na uhlobo *lwesikolo* apho acinga ukuba lufanele *imfundo*.

[Icandelo (loku-1) ulungiswe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(2) Iintlobo *zezikolo* ezilandelayo—

(a) *isikolo sabaqalayo*;
(b) *isikolo samabanga aphantsi*;
(c) *isikolo samabanga aphakamileyo*, *isikolo* esiphakamileyo, *isikolo* sokufundela, *isikolo* sezolimo kunye *nesikolo* apho imfundo ibonelelwa naluphi na urhwebo, ubuchwephetsha kwezorhwebo, ezolimo, inzululwazi ngezekhaya, umsebenzi wasekhaya okanye nasiphi na isikhokelo somsebenzi;
(d) *isikolo* samabanga aphakathi;
(e) *isikolo* esidibeneyo;
(f) *isikolo* semfundo eyodwa, *isikolo* esisodwa, ekhaya, amaziko abafundi abakhubazeke ngengqondo *nezikolo* zezakhono;
(g) *isikolo* semizi-mveliso; okanye
(h) *isikolo* sokubumba,

Ezisekwe okanye zakhiwa ngokumalunga nomthetho orhoxiswe ngu*loMthetho*, okanye ekucingelwa ukuba wakhiwe ngokumalunga nomthetho onjalo, nothe waphathwa waza walawulwa lisebe ekubhekiswa kulo kumthetho kwangoko ku*mhla omiselweyo*, uya kuqala ukusuka ngalo mhla kucingelwa ukuba—

(i) i*sikolo sabasaqalayo*;
(ii) i*sikolo samabanga aphants*i;
(iii) i*sikolo samabanga aphakamileyo*;
(iv) i*sikolo samabanga aphakathi*;
(v) *isikolo esidibeneyo*; okanye
(vi) *isikolo sabafundi abanezidingo zemfundo eyodwa*,

zisekwe phantsi kweli candelo.

(3) Amalungiselelo otshintsho

(a) Nasiphi na *isikolo* esasekwa okanye kwacingelwa ukuba sisekwe phantsi kwawo nawuphi na umthetho olawula imfundo yeskolo kwi*phondo* othe wakhona kwamsinyane nje phambi kokuqala kwa*loMthetho* ngaphandle kwesikolo sabucala ekubhekiswa kuso kwicandelo lama-38, ecingelwa ukuba sis*ikolo sikarhulumente*;
(b) Ii-asethi neemfanelo ezigunyasiswe *esikolweni* okuchazwe kwicandelwana (lesi-2) kwamsinyane nje phambi kokuba uqale loMthetho, egunyaziswa *sisikolo sikarhulumente* esichaphazelekayo;
(c) Imali nezinye ii-asethi ezishenxiswayo ezinokusetyenziswa, ezigcinelwe okanye egameni *lesikolo* esichazwe kwicandelwana (lesi-3) *(a)* ongokwasemthethweni yipropati kaRhulumente, kuhlale kukokwase*sikolweni*, kwaye kugqithiselwa esikolweni kusuka kumhla omiswe ngesaziso kwi*Phepha ndaba loMbuso;* kunye
(d) Nepropati engashenxiswayo *yesikolo* esichazwe kwicandelwana (lesi-3) *(a)* kugqithiselwe kuRhulumente ngomhla omiselwe ngu*Mphathiswa kaZwelonke* ngesaziso kwiPhepha loMbuso ngokumalunga necandelo lama-55 lo*Mthetho weZikolo zaseMzantsi Afrika*.

(4) U*Mphathiswa wePhondo* angathi, nangona kunokwenzeka, apho kunokwenzeka khona, abonelele nge*mfundo* ya*bafundi abanezidingo zemfundo eyodwa* kwi*zikolo zikarhulumente* eziqhelekileyo aze abonelele ngeenkonzo zenkxaso yemfundo efanelekileyo *yabafundi* abanjalo.

[Icandelo le-12 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukudityaniswa kwezikolo zikarhulumente

12A. (1) Ngokuxhomekeka kwelicandelwana (lesi-2), u*Mphathiswa wePhondo* angathi, ngokukhupha isaziso kwi*Phepha ndaba loMbus*o, lidibanisa *izikolo zikarhulumente* ezibini nangaphezulu zibe *sisikolo* esinye.

(2) Phambi kokuba kudityaniswe *izikolo* zikarhulumente ezibini nangaphezulu u*Mphathiswa wePhondo* uya—

(a) kunika isaziso esibhaliweyo *kwizikolo* esichaphazelekayo ngenjongo zokuzidibanisa;

(b) kupapasha isaziso esinika izizathu sokudibana okucecwayo kwiphepha ndaba elinye okanye amaninzi ahanjiswa endaweni apho *izikolo* ezichaphazelekayo zikhoyo;

(c) kunika *amabhunga olawulo ezikolo* ezichaphazelekayo kunye nabanye abantu abanomdla ithuba lokuveza izimvo kwisithuba esingekho ngaphantsi kweentsuku ezingama-90 ukusuka kumhla wesaziso ekubhekiswa kuso emhlathi *(b)*;

(d) kunika ingqwalasela ezo zimvo; aze

(e) aneliseke ukuba abaqeshi babasebenzi kwi*zikolo zikarhulumente* baluthobele uxanduva lwabo ngokomthetho wabasebenzi osebenzayo.

(3) Ukuba sinye okanye zininzi *izikolo* ezizakudityaniswa ngokwecandelwana (loku-1) *zizikolo zikarhulumente* kumhlaba wabucala, u*Mphathiswa wePhondo* kananjalo uya—

(a) kumazisa umnikazi womhlaba wabucala ngenjongo yakhe yokudibanisa *izikolo* ezichaphazelekayo;

(b) kunika ingqwalasela naziphi iimbophelelo zekhontrakthi ngokwesivumelwano esichazwe kwicandelo le-14 lo*Mthetho waZikolo zaseMzantsi Afrika*;

(c) kuguqula kunye naziphi na izibophelelo ngokwesivumelwano esikhoyo ukuba kuyimfuneko; kwaye

(d) nokuthetha ngesivumelwano esitsha ngokwecandelo le-14 lo*Mthetho weZikolo zaseMzantsi Afrika*, ukuba *isikolo* esinye esichazwe kwicandelwano (loku-1) sime kumhlaba wabucala.

(4) *Isikolo* esinye esichazwe kwicandelwana (loku-1) siya kuthathwa nje*ngesikolo* sika*rhulumente*.

(5) Zonke ii-asethi, iimfanelo, amalungelo kunye nezibophelelo zezikolo ezidityanisiweyo, ziya, ngokuxhomekela kwiimeko zawo nawuphi na umnikelo, umyolelo okanye ilungelo lokugcina into yomnye umntu ngokuchazwe kwicandelo lama-37 (4) lo*Mthetho weZikolo zaseMzantsi Afrika*, kugqithiselwa kwisikolo esinye.

(6)*(a) Amabhunga olawulo lwezikolo* ezihlanganisiweyo aya kuba nentlanganiso phambi kokudibana ukuze kwakheke elinye i*bhunga lolawulo* lethutyana elinawo onke amalungu *amabhunga olawulo* achaphazelekayo.

(b) I*bhunga lolawulo* lexeshana liya kugqiba kuhlahlo lwabiwo mali kunye nakwimigaqo yokuziphatha kunye nee*fizi zesikolo*, kwanayo nayiphi na imiba efanelekileyo kudityaniso okanye emiselweyo, kude kubekho i*bhunga lolawulo* elitsha ngendlela *emiselwe* ngalo phantsi kwecandelo lama-24.

[Umhlathi *(b)* ofakwe kwicandelo le-10 loMthetho wesi-4 wama-2018.]

(7) I*bhunga lolawulo* lwes*ikolo sikarhulumente* esiza kudityaniswa, singabhena ku*Mphathiswa kaZwelonke* siphikisane nesigqibo njengoko kuchaziwe kwicandelwana (loku-1).

[Icandelo 12A lifakwe kwicandelo lesi-8 loMthetho wesi-7 wama-2010.]

Ukuchongwa kwezikolo zikarhulumente eziqhuba kakubi

12B. (1) I*Ntloko yeSebe* iyakuthi, ngonyaka, kwingxelo echazwe kwicangelo 13A (loku-1) *(b)* nakwiingxelo ezifanelekileyo, lichonge naziphi na i*sikolo sikarhuluemente* esingaqhubi kakuhle ngokunxulumene nawo nawuphi na umba okubhekisele kwicandelwana (lesi-2) *(a)*, *(b)* okanye *(c)*.

(2) I*Ntloko yeSebe* iyakukhuphela isaziso esibhaliweyo i*sikolo* esichaziweyo kwicandelwana (loku-1) ukuba lanelisekile ukuba—

(a) umgangatho wokusebenza wabafundi ungaphantsi komgangatho omiselwe yiNgxelo yeKharikyulam kaZwelonke kwaye kubonakala ukuba izakuhlala injalo ngaphandle kokuba i*Ntloko yeSebe* lingasebenzisa amandla alo ngokumalunga na*loMthetho*;

(b) kubekho uqhawukano olumandla kwindlela *isikolo* esilawulwa nesiphethwe ngayo enomkhethe, okanye ukukhetha, umgangatho wokusebenza; okanye

(c) ukhuseleko lwa*bafundi* okanye abasebenzi boyikiswe.

(3) Isaziso esibhaliweyo esichazwe kwicandelwana (lesi-2) siya kwazisa *isikolo* ukuba siya—

(a) kwintsuku ezili-14 emva kokuhanjiswa kwesaziso, phendula kwisaziso; size

(b) ngokukhawuleza emva kwalo mpendulo, bonelela i*Ntloko yeSebe* ngesicwangciso ukulungisa imeko.

(4) I*Ntloko yeSebe* iya kuthatha onke amanyathelo afanelekileyo ukuncedisa i*sikolo* esichongiweyo ngokwakwicandelwana (loku-1) ukuqubisana nokungaqhubi kakuhle.

(5) Ngaphandle kokunciphisa uhlobo nobungakanani bamanyathelo achazwe kwicandelwana (lesi-4), iNtloko yeSebe iyakunika ingqwalasela—

(a) ukuphumeza ikhowudi yokungasebenzi kunye neenkqubo zokwenza umsebenzi kakubi ekubhekiswe kuko kwicandelo le-16 lo*Mthetho weNgqesho yabefundisi Ntsapho;*

(b) ukurhoxisa imisebenzi y*ebhunga lolawulo* ngokwakwicandelo lesi-8 (lesi-5) la*loMthetho*; okanye

(c) ukuqesha umntu ngokwakwicandelo lama-25 lo*Mthetho weZikolo zaseMzantsi Afrika*, ukwenza imisebenzi ye*bhunga lolawulo*.

(6) Ukucebisa *inqununu* njengoko kuchaziwe kwinqaku lesi-2(5) *(b)* (ii) leShedyuli yoku-1 ku*Mthetho weNgqesho yabefundisi ntsapho* ungaquka ukuqeshwa komcebisi onemfundo ephakamileyo okanye kufakwe *inqununu* ukuze yenze imisebenzi ithathe noxanduva lwenqununu ngokwexesha elimiselweyo yi*Ntloko yeSebe*.

(7) Ukuze incedise u*Mphathiswa kaZwelonke* ekwenzeni imisebenzi yakhe ekubhekiswe kuyo kwicandelo lesi-8 loMthetho woMgaqo nkqubo wezeMfundo kaZwelonke, we-1996 (uMthetho wama-27 we-1996), uMphathiswa wePhondo uya kunika ingxelo ku*Mphathiswa kaZwelonke* kwisithuba seenyanga ezintathu emva kokuvalwa *kwezikolo* ukuphela konyaka kumanyatheo athathwe yi*Ntloko yeSebe* malunga nokungaqhubi kakuhle kwes*ikolo sikarhulumente*.

[Icandelo 12B lifakwe kwicandelo lesi-8 loMthetho wesi-7 wama-2010.]

Izikolo ezisebenzisanayo

12C. (1) U*Mphathiswa wePhondo* angachonga *isikolo sikarhulumente* esichaziweyo kwicandelo le- 12(1)*(a)* ukuya ku *(f)* ukubhengeza nje*ngesikolo esisebenzisanayo* ukuba wanelisekile ukuba eso sibhengezo siyakunika umdla kwimfundo esikolweni, ngokubhekisele kwingxelo efanelekileyo kwisikolo, kuquka iingxelo kwindlela yokusebenza kwesikolo.

(2) Ngokuxhomekeka kwicandelwana (loku-1), u*Mphathiswa wePhondo* angathi, kwizindululo ze*Ntloko yeSebe*, angene kwisivumelwano no/ne—

(a) *mnikeli*;

(b) *hlakani elisebenzayo*; kunye

(c) *nebhunga lolawulo lwesikolo sikarhulumente*,

malunga nokuba *isikolo sikarhulumente* esikhoyo esichazwe kwicandelo lesi-12(1)*(a)* ukuya ku *(f)* sisaza kubhengezwa njenge*sikolo esisebenzisanayo*.

(3) U*Mphathiswa wePhondo* angathi, kwizindululo ze*Ntloko yeSebe*, angene kwisivumelwano no*mnikeli* kunye ne*hlakani elisebenzayo* ngokusekwa kwes*ikolo esisebenzisanayo* ukuze kusekwe i*sikolo*.

(4) Izivumelwano ezichazwe kumacandelwana (lesi-2) kunye ne (lesi-3) iyakuquka ubuncinci beemfuneko ezi*miselwe* ngu*Mphathiswa wePhondo*.

(5) Ekuqunjelweni kwesivumelwano esichazwe kwicandelwana (lesi-2), u*Mphathiswa wePhondo* angathi, ngesaziso kwi*Phepha ndaba loMbuso*, abhengeze i*sikolo sikarhulumente* esichaphazelekayo esizakuba *sisikolo esisebenzisanayo*.

(6) U*Mphathiswa wePhondo* angangasenzi isibhengezo esichazwe kwicandelwana (lesi-5) ngaphandle kokuba ubiziwe ukuba enze izimvo zoluntu ngokuphathelele kwisibhengezo ekujongwe kuso aze anike ingqwalasela efanelekileyo kuzo nakweziphi na izimvo ezifunyenweyo.

(7) Ukuba isivumelwano ne*hlakani elisebenzayo* okanye u*mnikeli* ochazwe kwicandelwana (lesi-2)*(a)* okanye *(b)* okanye icandelwana (lesi-3) siphelisiwe, u*Mphathiswa wePhondo* angathi, kwisindululo se*Ntloko yeSebe*, angene kwisivumelwano ne*hlakani elisebenzayo* okanye no*mnikeli* omtsha, njengoko kunokuba njalo, kwaye *isikolo* singayigcina imeko yaso njenge*sikolo esisebenzisanayo*.

(8) Ukuba isivumelwano esitsha akungenwanga kuso njengokuba kuchaziwe kwicandelwana (lesi-7)—

(a) *isikolo* esichaphazelekayo siyakupheliswa ukuba sibesi*sikolo esisebenzisanayo*;

(b) U*Mphathi wePhondo* uyakuthi, ngesaziso kwi*Phepha ndaba loMbuso*, abhengeze *isikolo* esiluhlobo olufanelekileyo lwes*ikolo sikarhulumente* esichazwe kwicandelo le-12(lesi-1)*(a)* ukuya ku *(f)*; kwaye

(c) i*bhunga lolawulo* elitsha liyakwenziwa ngendlela *emiselweyo*.

(9) Ubulungu bebhunga lolawulo lwes*ikolo esisebenzisanayo* siyakuquka ama-50 eepesenti abameli be*hlakani elisebenzayo*, namalungelo okuvota, kunye nama-50 eepesenti amanye amalungu e*bhunga lolawulo*, namalungelo okuvota: Kuxhomekeka ukuba u*Mphathiswa wePhondo* angathi, ngesenzo esihle esibonisiweyo, abhengeze ukuba i*bhunga lolawulo* lwes*ikolo esisebenzisanayo* esithile siyakuquka ngaphezulu kwama-50 eepesenti zamanye amalungu e*bhunga lolawulo* namalungelo okuvota.

(10) Kwimeko apho ukulingana kweevoti kwintlanganiso ye*bhunga lolawulo lwesikolo esisebenzisanayo* apho i*hlakani elisebenzayo* namalungelo okuvota liquka ama-50 eepesenti zelo bhunga lolawulo, umba kufuneka limiselwe sisininzi sevoti kwintlanganiso eqhelekileyo ya*bazali* abakhoyo nabavotayo.

(11) ISebe leMfundo yeNtshona Kapa kufuneka likhusele ingqesho yabefundisi *ntsapho* kunye nabo bangengobafundisi ntsapho abathi, ngexesha lesibhengezo ses*ikolo esisebenzisanayo* ngokumalunga necandelwana (lesi-5), baqeshwe *esikolweni* kwizithuba zemisebenzi esekwe ngokumalunga no*Mthetho weNgqesho yabefundisi Ntsapho*, okanye uMthetho weNkonzo yoLuntu, we-1994 (iSaziso se-103 se-1994), ngokungqinelana neemeko zengqesho ezisentyenziswa kwezo zithuba zemisebenzi ukuba nje abo *bafundisi ntsapho* kunye nabo bangengobafundisi ntsapho bangahlala kwezo zithuba.

(12) Ngokuxhomekeka kuMthetho woLawulo lwezeMali yoLuntu, we-1999 (uMthetho woku-1 we-1999), i*Sebe leMfundo yaseNtshona Kapa* lingathi lenze udluliselo lweentlawulo kwisikolo esisebenzisanayo okulingana nemali efunekayo kwinkxaso yemali—

(a) isithuba somsebenzi ochazwe kwicandelwana (le-11) esithe savuleka;

(b) izithuba zomsebenzi ezitsha zimiselwe yi*Ntloko yeSebe* zeza—

(i) *bafundisi ntsapho* ngokumalunga necandelo lesi-5(lesi-2) lo*Mthetho weNgqesho yabefundisi Ntsapho*;

(ii) bangengobafundisi ntsapho ngokumalunga Nezithethe Nemigangatho *yeSebe leMfundo yaseNtshona Kapa* ngoLungiselelo lweNkxaso yaBasebenzi kwiZikolo zikaRhulumente eziQhelekileyo, kuxhomekeka kwizixhobo ezifumanekayo ze*Sebe leMfundo yaseNtshona Koloni*.

(13) Ngokuxhomekeka kwimimiselo echazwe kwicandelwana (le-17)(b), ibhunga lolawulo lwesikolo esisebenzisanayo lingathi, kwimali echazwe kwicandelwana (le-12), liqashe abefundisi *ntsapho* kunye nabo bangengabefundisi ntsapho ngokungqinelana nokusekwa kwabasebenzi, kunye nemimiselo nemigqaliselo yengqesho, emiselwe li*bhunga lolawulo*.

(14) i*sikolo esisebenzisanayo* siya kuba ngumqeshi wabefundisi *ntsapho* kunye nabangengobafundisi ntsapho okuchazwe kwicandelwana (le-13).

(15) Ingqesho yabefundisi *ntsapho* kunye nabangengobafundisi ntsapho li*bhunga lolawulo* okuchazwe kwicandelwana (le-13) ixhomekeke kuMthetho woBudlelwane bezaBasebenzi, we-1995, kunye neMigaqo esisiseko yoMthetho weNgqesho, we-1997 (uMthetho wama-75 we-1997);

(16) Nangona icandelo lama-60 lo*Mthetho weZikolo zaseMzantsi Afrika*, uRhulumente akanaxanduva lwawo nawuphi na umthetho okanye ukushiywa si*sikolo esisebenzisanayo* ngokunxulumene noxanduva lwesivumelwano njengomqeshi ngokuphathelele kubasebenzi abaqeshwe ngokumalunga necandelwana (le-13).

(17) UMphathiswa wePhondo kufuneka enze *imimiselo* malunga—

(a) nodluliselo lwentlawulo echazwe kwicandelwana (le-12); kunye

(b) nokusetyenziswa kwemali libhunga lolawulo ngeenjongo ezichazwe kwicandelwana (le-13),

kodwa imimiselo enjalo ingangatolikelwa ukwenza uRhulumente abengumqeshi wendibano wabasebenzi abanjalo.

(18) Londoloza njengoko kubonelelwe ngako kweli candelo, amalungiselelo alo*Mthetho* kunye nawo nawuphi umthetho osebenzayo omisela i*zikolo zikarhulumente* usetyenziswe kwi*zikolo ezisebenzisanayo*.

[Icandelo 12C lifakwe kwicandelo le-11 loMthetho wesi-4 wama-2018.]

Izikolo zikarhulumente ezifumana inkxaso mali

12D. (1) UMphathiswa wePhondo angathi angene kwisivumelwano no/ne—

(a) *mnikeli*; kunye

(b) ne*bhunga lolawulo lesikolo sikarhulumente*,

Ngokumalunga apho i*sikolo sikarhulumente* esikhoyo sichazwe kwicandelo le-12(loku-1)*(a)* ukuya *(f)* isizakubhengeza i*sikolo sikarhulumente esifumana inkxaso mali*, kuxhomekeka ukuba u*Mphathiswa wePhondo* wanelisekile ukuba isibhengezo esinjalo siya kubangumdla *wemfundo* esi*kolweni*.

(2) U*Mphathiswa wePhondo* angangena kwisivumelwano no*mnikeli* sokuqala *isikolo* esitsha *sikarhulumente ofumana inkxaso mali* nokumisela i*sikolo*.

(3) Izivumelwano ezichazwe kwicandelwana (loku-1) kunye (nelesi-2) ziyakuqulatha ubuncinane beemfuneko ezi*miselwe* ngu*Mphathi wePhondo*.

(4) Ekuqukunjelweni kwesivumelwano esichazwe kwicandelwana (loku-1), u*Mphathiswa wePhondo* angathi, ngesaziso kwi*Phepha ndaba loMbuso*, ubhengeza isikolo sikarhulumente esichaphazelekayo ukuba *sibengumnikeli wesikolo sikarhulumente esifumana inkxaso*.

(5) U*Mphathiswa wePhondo* angangasenzi isibhengezo esichazwe kwicandelwana (lesi-4) ngaphandle kokuba ucele izimvo zoluntu ngokuphathelele kwinjongo yesibhengezo kwaye kunikwe ingqwalasela enkulu kuzo naziphi na izimvo ezifunyenweyo.

(6) Kwimeko yokupheliswa kwesivumelwano esichazwe kwicandelwana (loku-1) okanye (lesi-2)—

(a) *isikolo* cesichaphazelekayo siyakuyeka ukuba si*sikolo sikarhulumente esifumana inkxaso mali*;

(b) U*Mphathi wePhondo* uyakuthi, ngesaziso kwi*Phepha ndaba loMbuso*, abhengeze isikolo ukuba sibe luhlobo lwes*ikolo sikarhulumente* esichazwe kwicandelo le-12(loku-1)*(a)* ukuya ku *(f)*; kwaye

(c) i*bhunga lolawulo* elitsha liyakwenziwa ngendlela *emiselweyo*.

(7) Ubulungu be*bhunga lolawulo* lwes*ikolo sikarhulumente esifumana inkxaso* singaquka abameli bo*mnikeli*, ngamalungelo okuvota, ubukhulu esingama-50;

(8) Kwimeko yokulingana kweevoti kwintlanganiso ye*bhunga lolawulo* lwes*ikolo sikarhulumente esifumana inkxaso* namalungelo okuvota senza ama-50 eepesenti elo *bhunga lolawulo*, umba kufuneka umiselwe luninzi lwevoti kwintlanganiso eqhelekileyo ya*bazali* abakhoyo nabavotayo.

(9) U*Mphathi wePhondo* angathi, ngesizathu esithile esibonisiweyo, abhengeze ukuba i*bhunga lolawulo lwesikolo* esithile *sikarhulumente esifumana inkxaso* esithile siyakuquka ngaphezulu kwama-50 eepesenti zamameli bomnikeli ngamalungelo okuvota.

(10) Ngaphande kokuba kubonelelwe kweli candelo, amalungiselelo aloMthetho nawuphi na omnye umthetho ofanelekileyo olawula i*zikolo zikarhulumente usebenza kwizikolo zikarhulumente* ezifumana inkxaso mali.

[Icandelo 12D lifakwe kwicandelo le-11 loMthetho wesi-4 wama-2018.]

Iziko longenelelo

12E. (1) Ngoxhomekeko kwizixhobo ezifumanekayo ze*Sebe leMfundo yaseNtshona Kapa*, u*Mphathiswa wePhondo* angaseka *iziko longenelelo* la*bafundi* abathe bafunyanwa benobutyala bokungaziphathi kakuhle.

(2) I*ziko longenelelo* liya kubonelela ngee/ngo—

(a) ngeenkqubo zonyango kunye neendlela zongenelelo ukuze kuqutyiswane nokungaziphathi kakuhle; and

(b) hanjiso lwekharikyulam olulinganayo nomgangatho obonelelwa ngokwasemthethweni kunye nemigaqo nkqubo efanelekileyo kwizikolo zikarhulumente.

(3) I*ziko longenelelo* lingaquka indawo yokukhathalela.

[Icandelo 12E lifakwe kwicandelo le-11 loMthetho wesi-4 wama-2018.]

Ukulawulwa nokuphathwa ngobuchule kwezikolo zikarhulumente

13. (1) Ngokuxhomekeka ku*loMthetho* kunye no*Mthetho weZikolo zaseMzantsi Afrika*, ukulawulwa kwes*ikolo sikarhulumente* ngasinye kugunyazisiwe kwi*bhunga* lalo *lolawulo* kwaye inokwenza kuphela imisebenzi nezibophelelo kunye nokusebenzisa kuphela amalungelo *amiselwe* yilo Mithetho.

(2) I*bhunga lolawulo* likwimeko yokuthenjwa kwes*ikolo*.

(3) Ngokuxhomekeka ku*loMthetho* kunye no*Mthetho weZikolo zaseMzantsi Afrika*, ukulawulwa ngobuchule kwes*ikolo sikarhulumente* kuyakwenziwa *yinqununu* phantsi kwegunya le*Ntloko yeSebe*.

(4) I*Ntloko yeSebe* isingavala isikolo sikarhulumente okwethutyana kwimeko apho kukho ungxamiseko ukuba i*Ntloko yeSebe* inezizathu ezibambekayo zokuba ubomi ba*bafundi* kunye nabasebenzi busemngciphekweni okanye kukho ubungozi bowenzakala emzimbeni okanye ukunakala kwepropati.

(5) Ukuba i*Ntloko yeSebe* igqiba ukuba *isikolo* esichazwe kwicandelwana (lesi-4) sivulwe kwakhona, i*Ntloko yeSebe* iyakulazisa i*bhunga lolawulo* kunye ne*nqununu* ngomhla apho isikolo siza kuvulwa.

(6) I*nqununu* okanye umntu obekwe njenge*Ntloko yeSebe* uyakubazisa abefundisi *ntsapho* kunye na*bazali* ngomhla ochazwe kwicandelwana (lesi-5).

(7) Ukuba *isikolo sikarhulumene* esitsha sisekiwe, ulawulo lweso *sikolo* siya kugunyaziswa kwi*Ntloko yeSebe* lide i*bhunga lolawulo* libe limiselwe ngokwaloMthetho.

[Icandelo le-13 lisetyenziswe endaweni yecandelo le-9 loMthetho wesi-7 wama-2010.]

[Icandelwana (lesi-7) lisetyenziswe endaweni yecandelo le-12 loMthetho wesi-4 wama-2018.]

Imisebenzi noxanduva lwenqununu yesikolo sikarhulumente

13A. (1)*(a)* I*nqununu yesikolo sikarhulumente* imele i*Ntloko yeSebe* kwi*bhunga lolawulo* xa usebenza ngokusesikweni njengoko kuchaziwe kwicandelwana lama- 23 (loku-1) *(b)* kunye nelama-24 (loku-1) *(j)* olo*Mthetho weZikolo zaseMzantsi Afrika*.

(b) I*nqununu* iya kulungisa ize ingenise kwi*Ntloko yeSebe* ingxelo yonyaka ngokuphathelele e—

(i) kuqhutyweni kwezifundo zeso *sikolo* ngokunxulumene nobuncinci beziphumo nemigangatho kunye neenkqubo zohlolo olumiselwe ngu*Mphathiswa kaZwelonke* ngokumalunga necandelo 6A soMthetho weZikolo waseMzantsi Afrika; kunye

(ii) nokusetyenziswa okufanelekileyo kwezixhobo ezifumanekayo.

(c) (i) I*nqununu* ye*sikolo sikarhulumente* ichongwe yi*Ntloko yeSebe* ngokumalunga necandelo 12B izakuthi ngonyaka, ngaphambi kwekota yokuqala *yesikolo*, ilungiselele isicwangciso esichaza ukuba izakuphuculwa njani na indlela yokufunda *esikolweni*.

(ii) Isicwangciso sokuphucula indlela yokufunda siyaku—

(aa) boniswa i*Ntloko yeSebe* ngomhla omiselwe yi*Ntloko yeSebe*; size

(bb) sithiwe thaca kwintlanganiso ye*bhunga lolawulo*.

(iii) I*Ntloko yeSebe* ingasivuma isicwangciso sokuphucula indlela yokufunda okanye isibuyisele kwinqununu nezindululo njengoko kunoba yimfuneko.

(iv) Ukuba iNtloko yeSebe liyasivuma isicwangciso sokuphucula indlela yokufunda, *inqununu* iyakuba, ngomhla wama-30 kweyeSilimela, ingxelo kwi*Ntloko yeSebe* kunye ne*bhunga lolawulo* kwinkqubela eyenziwayo ukuphumeza eso sicwangciso.

(v) I*Ntloko yeSebe* ingawandisa umhla ochazwe kumhlathana (iv) ngesizathu esithile esibonisiweyo.

(2) I*nqununu* iya—

(a) kwamkela ulawulo lobuchule bes*ikolo sikarhulumente* njengoko kuchaziwe kwicandelo le-13 (lesi-3), ukuqhuba imisebenzi equka, kodwa ingaphelelanga ku—

(i) phumezo lwazo zonke iinkqubo zezifundo kunye nemsebenzi yekharikyulam;

(ii) lawulo lwabo bonke abefundisi *ntsapho* kunye nenkxaso yabasebenzi;

(iii) lawulo lokusetyenziswa kwenkxaso yezixhobo zokufunda kunye nezixhobo zokusebenza;

(iv) kwenziwa kwemisebenzi eyabelwe i*nqununu* yi*Ntloko yeSebe* ngokumalunga nalo*Mthetho*;

(v) gcino lwazo zonke iirekhodi *zesikolo*; kunye

(vi) nokuphunyezwa komgaqo nkqubo nemithetho;

(b) kuzimasa kwaye ithathe inxaxheba kuzo zonke iintlanganiso ze*bhunga lolawulo*;

(c) bonelela i*bhunga lolawulo* ngengxelo malunga nolawulo lobuchule olunxulumene nes*ikolo sikarhulumente*;

(d) ncedisa i*bhunga lolawulo* ekuphatheni imicimbi yoluleko echaphazela *abafundi*;

(e) ncedia i*Ntloko yeSebe* ekuphatheni imicimbi yoluleko echaphazela abefundisi *ntsapho* nabasebenzi benkxaso abaqeshwe yi*Ntloko yeSebe*;

(f) azise i*bhunga lolawulo* malunga nomgaqo nkqubo kunye nomthetho; and

(g) bonelela ngedatha echanekileyo kwi*Ntloko yeSebe* xa oko kufuneka.

(3) I*nqununu* iya kuncedisa i*bhunga lolawulo* kukwenziwa kwemisebenzi noxanduva lalo, kodwa uncedo olunjalo okanye ukuthatha inxaxheba kunganganggqubani ne/no/na—

(a) miyalelo ye*Ntloko yeSebe*;

(b) mthetho okanye umgaqo nkqubo;

(c) siphi na isibophelelo kwi*Ntloko yeSebe*, u*Mphathiswa wePhondo* okanye u*Mphathiswa kaZwelonke*; okanye

(d) lungiselelo lo*Mthetho weNgqesho yabefundisi ntsapho*, aManyathelo oLawulo lwaBasebenzi yenkqubo yolawulo olumiselweyo.

[Icandelo 13A lifakwe kwicandelo le-10 loMthetho wesi-7 wama-2010.]

Isikolo sikaRhulumente kumhlaba wabucala

14. (1) Ngokuxhomekeka ku*Mgaqo siseko* na*loMthetho*, i*sikolo sikarhulumente* singabonelelwa ngomhlaba wabucala kuphela ngokwemigaqo yesivumelwano phakathi ko*Mphathiswa wePhondo* nomnikazi womhlaba wabucala.

[Icandelwana (loku-1) elisetyenziswe endaweni yecandelo le-13 loMthetho wesi-4 wama-2018.]

(2) Isivumelwano esichazwe kwicandelwana (loku-1), uhambelane naloMthetho kwaye kufuneka ulungiselele ikakhulu—

(a) amalungiselelo *emfundo* kunye nokwenziwa kwemisebenzi eqhelekileyo ye*sikolo sikarhulumente*;

(b) ulawulo lwes*ikolo sikarhulumente*, kuquka ubudlelwane phakathi kwe*bhunga lolawulo lwesikolo sikarhulumente* kunye nomnini mhlaba;

(c) ufikelelo lwabo bonke *abafundi*, a*bazali babafundi*, abefundisi *ntsapho*, a*malungu abasebenzi* abaqeshwe kweso *sikolo sikarhulumente* kunye na*magosa* e*Sebe leMfundo yaseNtshona Kapa* kumhlaba apho i*sikolo sikarhulumente* sime khona;

(d) ukhuseleko lomsebenzi kunye nokusetyenziswa kwepropati si*sikolo sikarhulumente*;

(e) ukugcinwa nokuphuculwa kwazakhiwo zesikolo kunye nepropati nezibonelelo lweenkonzo ezidinekayo; kunye

(f) nokukhuselwa kwamalungelo omnini mhlaba ngokuphathelele kwipropati esetyenziswayo, echaphazelekayo okanye esetyenziswa si*sikolo sikarhulumente*.

(3) Amalungiselelo oMthetho woBhaliso lweNcwadi yesiGqibo, we-1937 (uMthetho wama-47 we-1937), awusebenzi kwilungelo lokwenyani, ngaphandle kobumnini, obufunyenwe nguRhulumente, i*sikolo sikarhulumente* okanye elinye ihlakani ngokumalunga nesivumelwano esichazwe kwelicandelwana.

(4) Ukuba isivumelwano esichazwe licandelwana (loku-1), alifumaneki ngo*mhla omiselweyo* ngokuphathelele kwisikolo esime kumhlaba wabucala kwaye nalapho kucingelwa ukuba si*sikolo sikarhulumente* ngokumalunga necandelo lama-52(loku-1) lo*Mthetho weZikolo zaseMzantsi Afrika*, u*Mphathiswa wePhondo* kufuneka athathe amanyathelo afanelekileyo ukugqibezela isivumelwano esinjalo kwiinyanga ezintandathu *zomhla omiselweyo*.

(5) Ukuba umhlaba wabucala osetyenziswa si*sikolo sikarhulumente* esichazwe kwicandelwana (loku-1) yeyombutho wezenkolo, umnikazi onjalo angadinga eso sivumelwano ngokumalunga necandelwana (loku-1) kufuneka iqatshelwe ngendlela eyiyo na*loMthetho*, umnxibelelanisi wokholo olwahlukileyo lwesikolo.

(6) Ilungelo elichazwe kwicandelwana (lesi-3) linyanzelelwa kuye nawuphi na olandelayo kwitayitile kumnini wepropati engashenxiswayo echaphazelekayo.

(7) Nangona icandelwana (lesi-3), umgcini werejista kufuneka ayiqinisekise itayitile yepropati echaphazelekayo exhomekeke kwisivumelwano esichazwe kweli candelo, xa umgcini rejista eyifumana—

(a) isicelo salo ngqinisekiso ngumnini wepropati, okanye u*Mphathiswa wePhondo* okanye nawuphi na umnini welungelo elichazwe kwicandelwana (lesi-3), ekunye netayitile yepropati; kunye

(b) ubungqina obufungelweyo ngumnini wepropati kunye no*Mphathiswa wePhondo*, obuchaza ukuba isivumelwano esichazwe kwelicandelo sele sigqityiwe.

(8) Nawuphi na umsebenzi otshintshelwayo, umsebenzi wesitampu, iifizi okanye iindleko ezihlawulelwa ukubhaliswa kwelungelo ngokwecandelwana (3), ziya kuhlawulwa ngokupheleleyo okanye ngenxalenye yenkxaso-mali eyabelwe yi*Palamente yePhondo* ukulungiselela loo njongo, kodwa i*sikolo sikarhulumente* njengoko kuchaziwe kwicandelwana (1), ayiloxanduva lwalo msebenzi, iifizi zesikolo okanye iindleko.

[Icandelo le-14 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Imeko yezikolo zikarhulumente

15. Isikolo sikarhulumente ngasinye singumntu osemthethweni onamandla omthetho wokwenza imisebenzi ngokwa*loMthetho*.

Isikolo sikarhulumente kumhlaba kaRhulumente

16. (1) Ipropati engashenxiswayo kaRhulumente iquka ipropati engashenxiswayo egcinwe egameni lohlanga oluthile yitrasti emiselwe ngokomthetho.

(2) Ngokuxhomekeka kwicandelo lama-20(loku-1)*(k)* lo*Mthetho weZikolo zaseMzantsi Afrika*, isikolo sikarhulumente esikwipropati engashenxiswayo kaRhulumente sinelungelo, ixesha lobukho baso isikolo, ukuhlala nokusebenzisa ipropati engashenxiswayo ukuze ibe yinzuzo kwi*sikolo* ngokwezemfundo.

(3) Ilungelo elibhekisele kwicandelwana (lesi-2), lingathintelwa kuphela—

(a) *nguMphathiswa wePhondo*; kwaye

(b) ukuba ipropati engashenxiswayo ayisetyenziswa *sisikolo* ngokusemdleni we*mfundo*.

(4) U*Mphathiswa wePhondo* angangathathi manyathelo phantsi kwecandelwana (lesi-3), ngaphandle kokuba —

(a) axelele ibhunga lolawulo lwesikolo ngenjongo ukuze athathe amanyathelo okanye izizathu zakhe ngoko ke;

(b) anike i*bhunga lolawulo lwesikolo* isizathu esibambekayo ngokunika inkcazo kuye ngokunxulumene namanyathelo lawo; kwaye

(c) baqwalasele nayiphi na inkcazo efunyenweyo.

(5) Ilungelo elichazwe kwicandelwana (lesi-2), linyanzelwa kuye nawuphi na olandelayo kwitayitile ukuya kumnini wepropati engashenxiswayo echaphazelekayo.

(6) Akukho propati ishenxisiweyo kaRhulumente ibe isetyenziswa s*isikolo sikarhulumente* enokuthi kohluthwe ubumnini ngaphandle kokuba isivumelwano sigqityiwe phakathi ko*Mphathiswa wePhondo*, ngokuvunyelwa nguMphathiswa wePhondo onoxanduva wemisebenzi yoluntu, kunye nomnini olindelekileyo wepropati engashenxiswayo.

[Icandelwana (lesi-6) lisetyenziswe endaweni yecandelo le-14 loMthetho wesi-4 wama-2018.]

(7) Umgcini werejista wayo nayiphi na indawo ekugcinwa kuyo iirejista zencwadi yesigqibo angangasenzi, afunge okanye umgcini adlulisele incwadi yesigqibo ngokuphathelele kwipropati engashenxiswayo echaphazelekayo ngaphandle kokuba umniniyo ubonelele umgcini werejista ngobungqina besivumelwano esichazwe kwicandelwana (lesi-6).

(8) Amalungiselelo oMthetho weeRejista zeNcwadi yezigqibo, we-1937 (uMthetho wama-47 we-1937), awusebenzi kumalungelo achazwe kwicandelwana (lesi-2).

[Icandelo le-16 lihlonyelwe ngecandelo lama-27 loMthetho we-7 wama-2010.]

Ukuhluthwa

17. Umhlaba kunye namalungelo okwenyani okanye ngaphezulu komhlaba nangayiphi na injongo enxulumene nemfundo yesikolo kwiphondo unokuchithwa ngu*Mphathiswa wePhondo* ngokwecandelo lama-58 loMthetho weZikolo zaseMzantsi Afrika.

[Icandelo le-17 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukuvalwa kwesikolo sikarhulumente

18. *UMphathiswa wePhondo* angathi nangaliphi na ixesha asivale isikolo sikarhulumente ngokwecandelo lama-33 lo*Mthetho weZikolo zaseMzantsi Afrika*.

[Icandelo. le-18 lisetyenziswe endaweni yecandelo le-15 loMthetho wesi-4 wama-2018.]

Uxanduva lukaRhulumente

19. (1) URhulumente unoxanduva lwawo nawuphi na umonakalo okanye inkcitho ebangelwa sisiphumo saso nasiphi na isenzo okanye ukucinywa okunxulumene naso nasiphi na isenzo semfundo eqhutywa kwi*zikolo zikarhulumente* nalapho i*zikolo zikarhulumente* bezizakuba noxanduva kodwa ngamalungiselelo eli candelo.

(2) Amalungiselelo oMthetho woXanduva likaRhulumente, we-1957 (uMthetho wama-20 we-1957), usebenza nakwiliphi na ibango kwelicandelwana (loku-1).

Umsebenzi wesikolo ukubonelela ngeenkcukacha

20. (1) Isikolo kufuneka senze iinkcukacha zifumaneke ukuze zihlolwe nguye nawuphi na *umntu onegunya*, ngako oko iinkcukacha ezinjalo zifuneka ukusebenzisa nokukhusela amalungelo omntu onjalo.

(2) I*sikolo* ngasinye kufuneka sibonelele ngeenkcukacha ezinjalo malunga nesikolo njengoko zifunwa yi*Ntloko yeSebe*.

Isikolo sabafundi abanezidingo zemfundo ekhethekileyo

20A. (1) I*sikolo sikarhulumente sabafundi abanezidingo zemfundo ekhethekileyo* njengoko kuchaziwe kwicandelo le-12(lesi-3) lo*Mthetho weZikolo zaseMzantsi Afrika* ungaquka—

(a) isikolo esikhethekileyo ukubonelela ngemfundo kubafundi nemiqobo kwimfundo; okanye

(b) *isikolo* esikhethekileyo esibonelela nge*mfundo* encamp yayo ikokukhethekileyo.

(2) UMphathiswa wePhondo angathi, kuxhomekeka ekufanelekeni kwemigangatho nezithethe zikazwelonke, emiswe ngemimiselo yolwamkelo lwemithetho, inkxaso kunye nemizekelo yolawulo lwezikolo oluchazwe kwicandelwana (loku-1).

[Icandelo 20A lifakwe kwicandeo le-11 loMthetho wesi-7 wama-2010.]

Izithethe nemigangatho yeziseko zezakhiwo zophuhliso kunye namandla kwizikolo zikarhulumente

20B. (1) Ngokuxhomekeka kuzo naziphi na izithethe nemigangatho efanelekileyo kazwelonke echazwe kwelicandelo le-146(lesi-2) lo*Mgaqo siseko*, u*Mphathiswa wePhondo* angamisela ngokomthetho ubuncinane bezithethe nemigangatho efana—

[Amazwi andulela umhlathi *(a)* osetyenziswe endaweni yecandelo le-16 loMthetho wesi-4 wama-2018.]

(a) *izakhiwo zohuhliso zesikolo*;

(b) amandla *esikolo* ngokuphathelele kwinani la*bafundi* i*sikolo* singavuma; kunye

(c) ulungiselelo lwezixhobo zenkxaso yokufunda nokufundisa.

(2) Xa kumiselwa umgaqo nkqubo ngokumalunga namacandelo lesi-5 (lesi-5) kunye nelesi-6 (lesi-2) wo*Mthetho weZikolo zaseMzantsi Afrika*, ibhunga lolawulo kufuneka luhambelani nezithethe nemigangatho echazwe kwicandelwana (loku-1) kunye nazo naziphi na izithethe nemigangatho *emiselwe* ngu*Mphathiswa kaZwelonke* phantsi kwecandelo 5A zo*Mthetho weZikolo zaseMzantsi Afrika*.

(3) I*bhunga lolawulo* kufuneka, kwisithuba seenyanga ezili-12 emva kokuba u*Mphathiswa wePhondo* emisele izithethe nemigangatho echazwe kwicandelwana (lesi-1) okanye u*Mphathiswa kaZwelonke amisele* izithethe nemigangatho echazwe kwicandelo 5A lo*Mthetho weZikolo zaseMzantsi Afrika*, ahlole nawuphi na umgaqo nkqubo ukuba umiselwe ngokwamacandelo lesi-5 (lesi-5) kunye nelesi-6 (lesi-2) laloMthetho ukuqinisekisa ukuba umgaqo nkqubo onjalo uyahambelana nezithethe kunye nemigangatho.

[Icandelwana 20B lifakwe kwicandelo le-11 loMthetho wesi-7 wama-2010.]

ISAHLUKO SESI-4

AMABHUNGA OLAWULO

Ukusekwa kwamabhunga olawulo lwezikolo zikarhulumente

21. UMphathiswa wePhondo uyakuseka i*bhunga lolawulo* lwe*sikolo sikarhulumente* ngendlela *emiselweyo*: Kuxhomekeka ukuba, endaweni yokuseka i*bhunga lolawulo* lwe*zikolo zikarhulumente* ezibini, i*bhunga lolawulo* elinye le esinjalo lingasekwa okanye ngaphezulu nguye, apho i*bhunga lolawulo* liya kulawula iihostele ze*zikolo zikarhulumente* ezichaphazelekayo, njengoko kunokuba njalo.

[Icandelwana lama-21 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Imisebenzi yawo onke amabhunga alawulayo

21A. (1) Ngokuxhomekeka kulo*Mthetho nakuMthetho weZikolo zaseMzantsi Afrika*, i*bhunga lolawulo* lwes*ikolo sikarhulumente* liya—

(a) ukukhuthaza ezona mfuno zibalaseleyo *zesikolo* kunye nokuzabalazela ukuqinisekisa ukuba uyakhula ngokubonelela *ngemfundo* esemgangathweni kubo bonke *abafundi esikolweni*

(b) kwamkela umgaqo siseko;

(c) kuphuhlisa ingxelo yomnqophiso *wesikolo*;

(d) kwamkela indlela yokuziphatha *yabafundi esikolweni*;

(e) kuxhasa *inqununu*, *abefundisi ntsapho* kunye nabanye abasebenzi *besikolo* ekwenzeni imisebenzi yabo yobuchule;

(f) kubambelela kuwo nawaphi na amanyathelo athathwe yi*Ntloko yeSebe* ngokwakwicandelo le-16 lo*Mthetho weNgqesho yaBefundisi Ntsapho* ukuqubisana nokuswela amandla kwe*nqununu* okanye u*mfundisi ntsapho* ukuqhuba imisebenzi yabo ngokufanelekileyo;

(g) misela usuku lwesikolo oluhambelana nayo nayiphi na imeko efanelekileyo yokuqeshwa *kwabasebenzi esikolweni;*

(h) kulawula lize liphathe ipropati *yesikolo*, kunye nezakhiwo nemihlaba ezakhiwe kuwo izikolo, kuquka ii*hostele zezikolo*, kodwa ukusetyenziswa kwamandla akuyi kungenelela nangayiphi na indlela yokuthintela ukuphunyezwa kwesigqibo esenziwe ngu*Mphathiswa wePhondo* okanye i*Ntloko yeSebe* ngokumalunga nawo nawuphi na umthetho okanye umgaqo nkqubo;

(i) kukhuthaza *abazali*, *abafundi*, *abefundisi ntsapho* kunye nabanye abasebenzi *besikolo* ukuhambisa iinkonzo ngokuvolontiya *kwisikolo*;

(j) kufaka isindululo kwi*Ntloko yeSebe* ukuqeshwa kwa*befundisi ntsapho esikolweni*, ngokuxhomekeka ku*Mthetho weNgqesho yaBefundisi Ntsapho* kunye no*Mthetho woBudlelwane bezaBasebenzi*, we-1995 (uMthetho wama-66 we-1995);

(k) kufaka isindululo kwi*Ntloko yeSebe* ukuqeshwa kwabo bangengabo abefundisi ntsapho esikolweni, ngokuxhomekeka ku*Mthetho weNkonzo yoLuntu*, we-1994 (Isibhengezo se-103 we-1994), kunye no*Mthetho woBudlelwane bezaBasebenzi*, we-1995;

(l) kwenza izindululo ezichazwe kumhlathi *(k)* kwixesha elibekiweyo elichazwe kwicandelo lesi-6 (lesi-3) *(l)* lo*Mthetho weNgqesho yaBefundisi*;

(m) kwenza isicelo se*Ntloko yeSebe*, livumele ukusetyenziswa kwezizathu ezivakalayo phantsi kweemeko ezingenamkhethe ezimiselwe yi*Ntloko yeSebe* lamaziko *esikolo* seenkqubo zemfundo aziqhutywanga *sisikolo*;

(n) kukhuphela yonke eminye imisebenzi kwi*bhunga lolawulo* phantsi kwa*loMthetho* okanye u*Mthetho weZikolo zaseMzantsi Afrika*; kwa

(o) nokukhuphela eminye imisebenzi ehambelana no*Mthetho weZikolo zaseMzantsi Afrika*, njengoko kumiselwe ngu*Mphathiswa kaZwelonke* ngesaziso kwi*Phepha Ndaba loMbuso*, okanye ngu*Mphathiswa wePhondo* ngesaziso kwiPhepha Ndaba loMbuso lePhondo.

(2) Ibhunga lolawulo linokuvumela ukusetyenziswa ngokukuko ngoncedo olufumanekayo lwesikolo ukulungiselela iinjongo zokunyusa ingxowa mali yasesikolweni, ezokuxhomekeka phantsi kweemeko ezifanelekileyo nezinokulingana njengoko ibhunga lolawulo linokumisela, elinokubandakanya ukubizwa kweefizi okanye uluhlu lwamaxabiso esikolweni.

(3) I*bhunga lolawulo* lingajoyina umbutho wamavolontiya olumele amabhunga olawulo lwezikolo zikarhulumente.

(4) Ngokuxhomekeka ku*loMthetho*, uMthetho woBudlelwane bezaBasebenzi, we-1995, kunye nawuphi na umthetho osebenzayo, i*sikolo sikarhulumente* singadala izithuba za*befundisi ntsapho* size siqeshe a*befundisi ntsapho* abongezelelekileyo kusungulo olumiselwe ngu*Mphathiswa wePhondo* ngokwecandelo lesi--5 (lesi-1) lo*Mthetho weNgqesho yaBefundisi Ntsopho*.

(5) Ngokuxhomekeka ku*loMthetho*, uMthetho woBudlelwane wezaBasebenzi, we1995, kunye nawo nawuphi na umthetho osebenzayo, i*sikolo sikarhulumente* angadala izithuba zengqesho zabangengobefundisi ntsapho ize iqeshe abasebenzi abangengobefundisi ntsapho abongezelelekileyo kusungulo olumiselwe ngokoMthetho weNkonzo yoLuntu, we-1994.

(6) U*mfundisi ntsapho* kunye nongengomfundisi ntsapho baqeshwe kwisithuba sengqesho esisungulwe ngokwakwicandelwana (lesi-4) okanye (lesi-5) liya kuhambelana neemfuno ezisekelwe ingqesho kwi*zikolo zikarhulumente* ngokumalunga na*loMthetho*, uMthetho woBudlelwane bezaBasebenzi, we-1995, kunye nawo nawuphi na omnye umthetho osebenzayo.

[Icandelwana (lesi-7) elicinywe ngecandelo le-17*(a)* loMthetho wesi-4 wama-2018.]

(8) Abasebenzi abachazwe kumacandelwana (lesi-4) kunye (nelesi-5) bayakuqeshwa ngokuhambelana neempawu zentsulungeko kunye nemigaqo ebhekisele kwicandelo le-195 lo*Mgaqosiseko*, kunye nemiba emayithathelwe ingqalelo xa kuqeshwa equka, kodwa kungaphelelanga apho—

(a) ubuchule bomgqatswa;
(b) umgaqo wokulingana;
(c) isidingo sokulungisa ukungabikho sesikweni kokwadlulayo; kunye
(d) isidingo sokumelwa.

(9) Xa unika ingxelo ngohlahlo lwabiwo mali lonyaka oluchazwe kwicandelo lama-38 lo*Mthetho weZikolo zaseMzantsi Afrika*, i*bhunga lolawulo* lwes*ikolo sikarhulumente* liya kubonelela ngeenkcukacha ezaneleyo zaso nasiphi na isithuba sengqesho esiyilwayo ngokumalunga namacandelwana (lesi-4) ne (lesi-5), kuquka uqikelelo lwendleko ngokunxulumene nokuqeshwa kwabasebenzi kwizithuba ezinjalo nangendlela apho lucetywe ukuba iindleko ezinjalo kuyakuhlangatyezwana nazo.

(10) Nangona icandelo lama-60 lo*Mthetho weZikolo zasMzantsi Afrika*, uRhulumente akanaxanduva lwalo naliphi na inyathelo okanye ukususwa si*ikolo sikarhulumente* ngokunxulumene namacandelwana (lesi-4) ne (lesi-5).

(11) U*Mphathiswa wePhondo* angamisela izithethe nemigangatho ngesaziso kwi*Phepha ndaba loMbuso lePhondo* ngokunxulumene nemali esetyenziswe ekuqesheni abasebenzi ekubhekiswa kumacandelwana (lesi-4) ne (lesi-5), kodwa izithethe nemigangatho enjalo ayinakutolikelwa ukwenza uRhulumente abe yindibaniselwano yokuba ngumqeshi kubasebenzi abanjalo.

[Icandelo 21A lifakwe ngecandelo le-12 loMthetho wesi-7 wama-2010.]
[Icandelwana (le-11) lisetyenziswe endaweni yecandelo lesi-17*(b)* loMthetho wesi-4 wama-2018.]

Iintlanganiso zamabhunga olawulo

22. (1) Ibhunga lolawulo lingonyula kwinani lalo ngendlela *emisiweyo*, ubuncinane, usihlalo, unongxowa kunye nonobhala ozakuthi umntu ngamnye abese-ofisini okwexesha *elimiselweyo*.

(2) Ukungabikho kukasihlalo kwintlanganiso ye*bhunga lolawulo* amalungu angabameli baya konyula nawuphi na umntu kwinani labo achophe kulo ntlanganiso.

(3) Isigqibo somntu omnye ngaphezu kwesiqingatha senani lamalungu e*bhunga lolawulo* akhoyo kwintlanganiso yelo*bhunga lolawulo*, lenza isigqibo selo*bhunga lolawulo*, kwaye kwimeko yokulingana kweevoti, umntu ochophele intlanganiso uyakuthi, ukongeza kwivoti yakhe yangabom, abenevoti yokuphosa.

(4) Akukho sigqibo esithathiweyo li*bhunga lolawulo* okanye inyathelo elithathwe ngokwegunya le*bhunga lolawulo* eliya kulambatha ngenxa yesizathu sokuba isithuba somsebenzi besikhona kwela *bhunga lolawulo* okanye kungokuba umntu obengenalungelo lokuhlala njengelungu kwela bhunga lolawulo uye wahlala kwi*bhunga lolawulo* njengelungu elinjalo, ngexesha apho isigqibo sathathwayo okanye inyathelo lagunyaziswa, ukuba isigqibo sathathwa okanye inyathelo lagunyaziswa ngomnye okanye ngaphezulu kwesiqingatha kwamalungu e*bhunga lolawulo* abathe bakhona baze banelungelo lokuhlala njengamalungu.

Iikomiti

23. (1) I*bhunga lolawulo* lingamisela ikomiti enye okanye ngaphezulu nalapho, kuxhomekeka kwimiyalelo yelo *bhunga lolawulo* liya kwenza imisebenzi enjalo njengoko i*bhunga lolawulo* limisela.

(2) Ikomiti ye*bhunga lolawulo* liya kuquka ilungu elinye okanye ngaphezulu lelo *bhunga lolawulo* elinye okanye abanye abantu abangaphezulu abangengawo amalungu le*bhunga lolawulo*.

(3) Elinye lamalungu e*bhunga lolawulo* liyakwabelwa li*bhunga lolawulo* njengosihlalo wekomiti.

(4) I*bhunga lolawulo* aliyikohluthwa umsebenzi othe ngokumalunga neli candelo labelwe kwikomiti yelo *bhunga lolawulo*.

(5) I*bhunga lolawulo* lingathi nangaliphi na ixesha liliphelise okanye icingwe kwakhona ikomiti njengoko kuchaziwe kwicandelwana (loku-1).

Imimiselo enxulumene namabhunga olawulo

24. (1) U*Mphathiswa wePhondo* angenza imimiselo ukuze—

(a) ukwakhiwa nemisebenzi yama*bhunga olawulo*;
(b) ukulungela ingqesho, ukwabelwa okanye ukonyulelwa, ixesha lokubase-ofisini, kunye nokushiya e-ofisini, kwamalungu ama*bhunga olawulo* kunye nokugcwalisa izithuba zexeshana kuma*bhunga olawulo*;
(c) indlela yolwanyulo, imisebenzi yoosihlalo, oonongxowa kunye noonobhala be*bhunga lolawulo*;
(d) ukuhlanganiswa, kwenkqubo nemithetho, kunye nekhoram, iintlanganiso zamabhunga olawulo kunye neekomiti zamabhunga olawulo kunye nokugcina imizuzu yezo ntlanganiso; kunye
(e) ukupheliswa nokwakhiwa kwakhona kwa*mabunga olawulo*.

(2) U*Mphathiswa wePhondo* akanakho ukwenza imithetho enxulumene nemali nezibonelelo zemali ezihlawulwa kumntu okanye ngumntu, okanye enxulumene nokulawulwa kwemali nempahla kaRhulumente, ngaphandle kwemvumelano ye*ntloko yezemali*.

[Icandelo lama-24 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukuqhubeka kwamabhunga athile

25. Ngoxhomekeke kumalungiselelo ecandelo lama-54 lo*Mthetho weZikolo zaseMzantsi Afrika*, ulawulo lwamabhunga, ibhunga lasekhaya, ikomiti, ibhodi okanye elinye ibhunga lolawulo nokuphathwa kwes*ikolo sikarhulumente*, siyaqhubeka ukubakho.

[Icandelo lama-25 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukuhlawulwa kwamalungu amabhunga olawulo kunye neekomiti zamabhunga olawulo

26. (1) Akukho lungu la*bhunga lolawulo* okanye ikomiti ye*bhunga lolawulo* eliya kuhlawulwa nangayiphi na indlela yokwenziwa kwemisebenzi yalo.

(2) Iindleko ezifanelekileyo ezenziwe lilungu le*bhodi lolawulo,* okanye ikomiti ye*bhodi lolawulo* ekwenziweni kwemisebenzi yakhe njengoko kwalathwe li*bhunga lolawulo*, lingabuyiselwa imali li*bhunga lolawulo*.

Umgaqo wokuziphatha kwebhunga lolawulo

26A. (1) U*Mphathiswa wePhondo* uyakuthi, ngesaziso kwi*Phepha ndaba loMbuso lePhondo*, umgaqo wokuziphatha wamalungu e*bhunga lolawulo* les*ikolo sikarhulumente* emva kothethwathethwano neemanyano ze*bhunga lolawulo* kwi*phondo*, ukuba kufanelekile.

(2) Umgaqo wokuziphatha ekubhekiselwe kuwo kwicandelwana (loku-1) ejolise ekusekeni imeko ye*zikolo* ezinoluleko nenenjongo ezinikezelwe ekuphuculeni nasekugcinweni komgangatho wolawulo olululo kwi*sikolo sikarhulumente*.

(3) Onke amalungu e*bhunga lolawulo* ayakuthobela umgaqo wokuziphatha.

(4) Umgaqo wokuziphatha uyakuquka inkqubo efanelekileyo, kunye nokukhusela umdla wamalungu e*bhunga lolawulo* kwiinkqubo zoluleko.

(5) I*Ntloko yeSebe* ingabuyekisa okanye ibuphelise ubulungu belungu le*bhunga lolawulo* ngokophula umgaqo wokuziphatha emva kwenkqubo efanelekileyo.

(6) Ilungu le*bhunga lolawulo* lingabhena ku*Mphathiswa wePhondo* ngokuphikisana nesigqibo seNtloko yeSebe ukurhoxisa nokuyekisa ubulungu belungu le*bhunga lolawulo*.

[Icandelo 26A lifakwe kwicandelo le-13 loMthetho wesi-7 wama-2010.]

ISAHLUKO SESI-5

IZIKOLO EZIZIMELEYO

Ukusekwa kwezikolo ezizimeleyo

27. (1) Akukho mntu uya kumisela, aqhube okanye agcine i*sikolo esizimeleyo* ngaphandle kokuba sibhalisiwe yi*Ntloko yeSebe*.

(2) Ngokuxhomekeka ku*loMthetho*, nakuwuphi na umthetho osebenzayo, nawuphi na umntu, ngendleko zakhe, unokuseka kwaye alondoloze i*sikolo esizimeleyo*.

Ubudala bokwamkelwa kwisikolo esizimeleyo

27A. (1) Ubudala kulwamkelo lomfundi kwi*sikolo esizimeleyo* kwi—

(a) *ibanga* labasaqalayo (uR) bubudala obungange sine ukuya kowesihlanu ngomhla wama-30 kweyeSilimela kunyaka wolwamkelo;

(b) *ibanga* loku-1 bubudala beminyaka emihlanu ukuya kowesithandathu ngomhla wama-30 kweyeSilimela kunyaka wolwamkelo.

(2) *Isikolo esizimelelyo* singamamkela *umfundi* ongaphantsi ngokweminyaka echazwe kwicandelwana (loku-1) ukuba—

(a) izizathu ezilungileyo zibonisiwe kwi*Ntloko yeSebe*; kwaye

(b) *umfundi* uthobelana nemiqathango echazwe kwicandelo 45A *(c)* lo*Mthetho weZikolo zaseMzantsi Afrika*.

(3) Ngokwenjongo yecandelwana (lesi-2) *(a)*, isizathu esilungileyo esibonisiweyo sithetha ukuba—

(a) inokuboniswa ukuba iimeko ezizodwa zikho ezenza ukuba kwamkelwe *umfundi* ongaphantsi kobudala bokwamkelwa ngenxa yokuba ukwamkelwa kuya kuba kokona kulungiselela *umfundi*; kwaye

(b) ukwalela lo *mfundi* kuya kubayingozi kakhulu kuphuhliso lwakhe njengo*mfundi*.

[Icandelo 27A lifakwe kwicandelo le-14 loMthetho wesi-7 wama-2010.]

Isicelo sobhaliso

28. (1) U*Mphathiswa wePhondo* kufuneka, ngesaziso kwi*Phepha ndaba loMbuso*, amisele izizathu apho ubhaliso lwes*ikolo esizimeleyo* luya kuvunywa okanye lurhoxiswe yi*Ntloko yeSebe*.

[Icandelwana (loku-1) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(2) Nawuphi na umntu ocinga ukumisela, ukuqhuba okanye ukugcina i*sikolo esizimeleyo* uyakufaka isicelo kwi*Ntloko yeSebe* ngembalelwano ngobhaliso lweso *sikolo sizimeleyo*.

(3) Isicelo sobhaliso lwes*ikolo esizimeleyo* siya kubonelelwa ngeenkcukacha ezongezelelweyo malunga nesicelo sakhe njengoko i*Ntloko yeSebe* ifuna.

Ingqwalasela yezicelo zobhaliso lwesikolo esizimeleyo

29. (1) Ngoxhomekeo kumalungiselelo ecandelo lama-46 lo*Mthetho weZikolo zaseMzantsi Africa*, i*Ntloko yeSeb*e inganika imvume kwisicelo esibhekisele kwicandelo lama-28, ukuba ucinga ukuba iimfuneko *ezimiselweyo* zithotyelwe.

[Icandelwana (loku-1) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(2) Ukuba I*Ntloko yeSebe* iyasala isicelo ekubhekiselwe kuso kwicandelo lama-28, uya kumazisa umfaki sicelo ngembelelwano yeso sicelo saliwayo kunye nezizathu zoko.

Ubhaliso lwesikolo esizimeleyo

30. (1) I*Ntloko yeSebe* ivumela isicelo esibhekisele kwicandelo lama-28, ingasibhalisa isikolo esizimeleyo esichaphazelekayo ize ikhuphele umfaki sicelo isiqinisekiso sobhaliso esinjalo njengoko enokumisela.

(2) Ubhaliso lwesikolo esizimeleyo luyakuxhomekeka kwiimeko ezimiselweyo.

(3) I*sikolo esizimeleyo* esibhaliswe malunga nomthetho orhosiweyo ngu*loMthetho* nothe wakhona kwamsinyane nje phambi *komhla omisiweyo*, uyakuthi ukusukela kulo mhla ucingelwe ukuba sisikolo esizimeleyo esibhaliswe ngokumalunga na*loMthetho*.

(4) Umnini wes*ikolo esizimeleyo* angasilawula i*sikolo esizimeleyo* esinjalo ngokwake okanye angaqesha okanye agunyazisa nawuphi na umntu ukuba alawule i*sikolo esizimeleyo* endaweni yakhe, ngokuxhomekeke kwimigaqo ya*loMthetho*.

Izibonelelo zemali kwizikolo ezizimeleyo ezibhalisiweyo

31. Ukunikezelwa kwenkxasomali kwi*zikolo ezizimeleyo* kuya kubhekiswa kuzo njengoko *kumiselwe* ngu*Mphathiswa wePhondo*, ngemvumelwano ye*ntloko yezemali*.

[Icandelo lama-31 lifakwe endaweni yecandelo le-18 loMthetho wesi-4 wama-2018.]

Ukurhoxiswa kobhaliso

32. Ukubhaliswa kwes*ikolo esizimeleyo* kuyakurhoxiswa phantsi kweemeko *ezimiselweyo*.

Isibheno ngokuchasene nokwaliwa okanye ukurhoxiswa kobhaliso

33. (1) Umntu oziva ekhathazekile kukwaliwa kwesicelo yi*Ntloko yeSebe* esichazwe kwicandelo lama-28, okanye ukurhoxiswa kobhaliso ngokwemigaqo yecandelo lama-32, unokuthi, kwiintsuku ezingama-30 emva kokufumana isaziso sokwaliwa okanye ukukurhoxiswa, abhene ku*Mphathiswa wePhondo* ngembelelwano, ecacisa izizathu zesibheno, ngokuchasene nokwala okanye ukurhoxiswa.

(2) U*Mphathiswa wePhondo* uyakuqwalasela isibheno ekubhekiselwe kuso kwicandelwana (loku-1), kwaye angaqinisekisa okanye abeke bucala isigqibo se*Ntloko yeSebe.*

[Icandelo lama-33 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukubhengezwa kwezikolo ezizimeleyo njengezikolo zikarhulumente

34. (1) *UMphathiswa wePhondo* angangena kwisivumelwano nomnikazi wesikolo esizimelelyo malunga nokuba i*sikolo eso esizimeleyo* sinokubhengezwa njengesikolo sikarhulumente.

(2) Akukho sivumelwano kunokungenwa kuso phantsi kwecandelwana (loku-1), ngaphandle kwemvume ye*ntloko yezemali*.

(3) Ukuba isivumelwano kungeniwe kuso phantsi kwecandelwana (loku-1), *uMphathiswa wePhondo* kufuneka ngesaziso kwi*Phephandaba loMbuso lePhondo* esibhengeza ukuba i*sikolo esizimeleyo* sizakuba si*sikolo sikarhulumente* ukususela ngomhla ochazwe kwisaziso.

[Icandelo lama-34 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Iziphumo zesibhengezo njengesikolo sikarhulumente

35. (1) Ukusukela kumhla okhankanywe kwisaziso esichazwe kwicandelo lama-34(3)—

(a) *isikolo esizimeleyo* esichaphazelekayo siyakuthathwa njengesikolo sikarhulumente esisekwe phantsi kwecandelo le-12;

(b) akusayi kubakho ntlawulo kumnini sikolo wangaphambili nawaphi na amalungelo okanye imisebenzi ngokumalunga ne*sikolo* esichaphazelekayo;

(c) amalungelo afunyenweyo kunye nokuzibophelela okwenziwe ngumnini ochaphazelekayo, nonxulumene ne*sikolo* esichaphazelekayo, anganikezele kuRhulumente; kwaye

(d) ubumnini nolawulo lwepropati eshenxiswayo nengashenxiswayo obunokuthi kwangoko nje phambi komhla wokunikezelwa kumnini ochaphazelekayo, nonxulumene nesikolo esichaphazelekayo, uyakunikezela kwisikolo sikarhulumente ekuthethwa ngaso, ngaphandle kokuba kuvunyelwene ngokumalunga necandelo lama-34(1).

(2) Ipropati engashenxiswayo inikezelwa kwisikolo sikarhulumente esichaphazelekayo ngokumalunga necandelwana (loku-1) *(d)*, iyakutshintshelwa kwi*sikolo sikarhulumente* esichaphazelekayo ngaphandle kwentlawulo yotshintshelo, irhafu okanye nayo nayiphi na imali okanye iindleko, kodwa kuxhomekeka nakweliphi na ilungelo elikhoyo, umthwalo, imfanelo okanye itrasti ku/okanye kwipropati.

(3) Umntu ogcina iincwadi zerejista zezivumelwano apho ipropati engashenxiswayo kubhekiselwa kuyo kwicandelwana (lesi-2) ibhalisiwe, iya, ngokungeniswa kwetayitile echaphazelekayo, enze iziqinisekiso ezinjalo kulo tayitile kwaye amangeniso anjalo kwirejista yakhe njengoko kunokufuneka ukubhalisa utshintshelo oluchaphazelekayo.

(4) Ukubhengezwa kwe*sikolo esizimeleyo* njenge*sikolo sikarhulumente* akuyi kuchaphazela nantoni na eyenziwe ngokusemthethweni ngumnini ochaphazelekayo ngaphambi kokubhengezwa

Ukubhaliswa kwabafundi kwimfundo esekhaya

36. Iimfuno kunye neemeko zobhaliso lomfundi kwimfundo yasekhaya ziya kumiselwa.

Imigaqo ephathelene nezikolo ezizimeleyo

37. (1) U*Mphathiswa wePhondo* angayibeka imigaqo malunga—

(a) nolwamkelo lwabafundi besikolo esizimeleyo kwiimviwo eziqhutywa okanye phantsi kweliso le*Sebe leMfundo laseNtshona Kapa*;

(b) nokugcinwa kweerejista namanye amaxwebhu si*sikolo esizimeleyo* esibhalisiweyo;

(c) imeko apho nasiphi na isibonelelo, xa isicelo sivunyiwe, sizakuhlawulwa kwi*sikolo esizimeleyo* esibhalisiweyo;

(d) ukuphelelwa okanye ukurhoxiswa kobhaliso lwe*sikolo esizimeleyo*; kunye

(e) nayo nayiphi na imeko enxulumene ne*zikolo ezizimeleyo* eziya okanye zibe *nokumiselwa* nguye.

(2) *Imigaqo* eyahlukileyo ingabekwa phantsi kwecandelwana (loku-1) ngokuphathelele kwi*zikolo ezizimeleyo* ezohlukileyo.

(3) U*Mphathiswa wePhondo* akasayi kubeka umgaqo onxulumene nemali kunye neezibonelelo ezihlawulwa kuye okanye nguye nawuphi na umntu, okanye okunxulumene nolawulo lwemali kunye nempahla kaRhulumente, ngaphandle kwemvume ye*ntloko yemali*.

[Icandelo lama-37 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukuqhubeka kobukho besikolo sabucala

38. Isikolo sabucala esibhaliswe okanye esithathwa njengesibhaliswe phantsi kwamalungiselelo omthetho wemfundo olawula izikolo kwi*phondo*, nezithe zakho kwamsinyane nje phambi ko*mhla omisiweyo*, uya kuthathwa njengesikolo esizimeleyo esibhalisiweyo ngokumalunga necandelo lama-30 la*loMthetho*.

ISAHLUKO SESI-6

ABAFUNDI

Ukuchongwa, ukwamkelwa, ukufakwa endaweni, ukuthunyelwa, ukuhambisa, ukukhutshwa nokukhululwa kwabafundi abaneemfuno zemfundo ezizodwa

39. (1) I*Ntloko yeSebe leMfundo* iyakuthi, ngexesha lenkqubo yokuchongwa, yokwamkelwa, ukufakwa, ukuthunyelwa, ukutshintsha, ukukhutshwa komfundi kunye nokuxolelwa ko*mfundi oneemfuno zemfundo ezizodwa ekuhambeni isikolo okunyanzelekileyo*, kuthathelwe ingqalelo amalungelo kunye neminqweno yomzali womfundi onjalo.

(2) I*Ntloko yeSebe leMfundo* kufuneka yazise *umzali* wo*mfundi* ngokubhekiselwe kwicandelwana (loku-1) ngokubhala isenzo ngasinye esichazwe kwicandelwana (loku-1).

(3) Ukuba *umzali* ekubhekiselelwe kuye kwicandelwana (loku-1) ne (lesi-2), ukhathazwa sisenzo esichazwe kwicandelwana (loku-1) ne/okanye (lesi-2), *umzali* onjalo, zingaphelanga iintsuku ezingama-30 ukusukela kumhla wokufumana oko ingxelo ebhaliweyo, nakweziphi na iintshukumo, faka isibheno ku*Mphathiswa wePhondo* ngokuchaseneyo noko kufunyanisiweyo.

(4) U*Mphathiswa wePhondo* uya kuqwalasela isibheno esikhankanywe kwicandelwana (lesi-3), kwaye unokuqinisekisa okanye abekele bucala iziphumo ze*Ntloko yeSebe*.

[Icandelo lama-39 elihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

[Icandelo lama-40 lirhoxiswe ngecandelo le-19 loMthetho wesi-4 wama-2018.]

Ulwamkelo lwezikolo zikarhulumente

41. (1) I*sikolo sikarhulumente* siya kwamkela *abafundi* kwaye sizenze iimfuno zabo zemfundo ngaphandle kokucalula ngokungafanelekanga nangayiphi na indlela.

(2) I*bhunga lolawulo lesikolo sikarhulumente* alinakho ukwenza naluphi na uvavanyo olunxulumene nokwamkelwa ko*mfundi kwisikolo sikarhulumente* okanye kuyalele okanye kugunyazise inqununu ye*sikolo* okanye omnye umntu ukuba enze olovavanyo, ngaphandle kwakwimeko yokwamkelwa ko*mfundi* ofunda kwi*sikolo sikarhulumente* njengoko kuchaziwe kwicandelo 20A.

[iCandelwana (lesi-2) afakwe endaweni yecandelo lama-20 oMthetho wesi-4 wama-2018.]

(3) Akukho *mfundi* unokwamkelwa kwi*sikolo sikarhulumente* ngenxa yezizathu zokuba u*mzali womfundi*—

(a) akanako ukuhlawula okanye ukuhlawula *iifizi zesikolo* esimiselwe phantsi kwecandelo lama-39 lo*Mthetho weZikolo waseMzantsi Afrika*;

(b) engavumelani nengxelo yomqondiso wesikolo; okanye

(c) walile ukungena kwisivumelwano sokuba *umzali* ahlukanise naliphi na ibango lomonakalo ovela kwi*mfundo yomfundi*..

(4) *(a)* Ulwamkelo lobudala bo*mfundi* kwi*sikolo sikarhulumente*—

(i) *ibakala* R yiminyaka emine egqiba iminyaka emihlanu ngomhla wama-30 kweyeSilimela ngonyaka wolwamkelo;

(ii) *ibakala* loku-1 yiminyaka emihlanu egqiba emithandathu ngomhla wama-30 kweyeSilimela ngonyaka wolwamkelo.

(b) Kuxhomekeka ekufumaneni iindawo ezifanelekileyo e*sikolweni* kunye nezinye izixhobo zemfundo, i*Ntloko yeSebe* ingamvumela *umfundi* ongaphantsi kobudala obuchazwe kumhlathi *(a)* ukuba—

(i) izizathu ezivakalayo zibonisiwe kwi*Ntloko yeSebe*; kwaye

(ii) *umfundi* uthobela imigaqo ecaciswe kwicandelo lesi-5 (4) (c) lo*Mthetho weZikolo waseMzantsi Afrika*.

(c) Ngenjongo yomhlathi *(b)* (i), isizathu esihle esibonisiweyo sithetha ukuba —

(i) kungaboniswa ukuba kuneemeko ezahlukileyo ezikhoyo ezenza kubeyimfuneko ukwamkelwa komfundi ongaphantsi kweminyaka efunekayo kuba ukwamkelwa kuzakuba kungumdla wo*mfundi*; kwaye

(ii) ukuvuma ukuba ukwalela lo *mfundi* kuya kubayingozi kakhulu kuphuhliso lwakhe njengo*mfundi*.

(5) Ngokuxhomekeke ku*loMthetho* kunye no*Mthetho weZikolo waseMzantsi Afrika*, umgaqonkqubo wokwamkelwa kwe*sikolo sikarhulumente* umiselwa libhunga lolawulo le*sikolo*.

(6) Isicelo sokwamkelwa ko*mfundi* kwi*sikolo sikarhulumente* siya kwenziwa kwi*Sebe leMfundo leNtshona Kapa* ngendlela emiselweyo yi*Ntloko yeSebe leMfundo*.

(7) Ukuba isicelo ngokwecandelwana (lesi-6) saliwe, i*Ntloko yeSebe* iya kwazisa *umzali* ngencwadi yembalelwano ngesizathu sokwala ngoko.

(8) Nawuphi na *umfundi* okanye *umzali* wo*mfundi* owaliweyo ukwamkelwa kwi*sikolo sikarhulumente* unokufaka isibheno esiya ku*Mphathiswa wePhondo* malunga nesigqibo.

[Icandelo lama-41 lisetyenziswe endawei yecandelo le-15 loMthetho wesi-7 wama-2010.]

Unyanzeliso lokuhamba isikolo

42. (1) Ngokuxhomekeka ku*Mthetho weZikolo waseMzantsi Afrika*, wonke *umzali* uya kubangela ukuba *umfundi* ngamnye afumane uxanduva lokuya *esikolweni* ukusukela ngosuku *lwesikolo* lokuqala lonyaka *umfundi* afikelela kwiminyaka esixhenxe de kube lusuku lokugqibela lwe*sikolo* lonyaka apho umfundi efikelela kwiminyaka elishumi elinesihlanu okanye kwi*banga* lesithoba, nayiphi na eyenzeka kuqala.

(2) U*Mphathiswa wePhondo* uya kuqinisekisa ukuba kukho indawo eyaneleyo ye*sikolo* ukwenzela ukuba wonke umntwana ohlala kweli *phondo* akwazi ukuya e*sikolweni* njengoko kufuneka kwicandelwana (loku-1).

(3) Ukuba u*Mphathiswa wePhondo* akakwazi ukuthobela icandelwana (lesi-2) ngenxa yokunqongophala kwabasebenzi ngomhla wokuqalisa koMthetho woLungiso lweZikolo zePhondo leNtshona Kapa, wama-2010, uya kuthi athathe amanyathelo okulungisa nakuphi na ukusilela kwezixhobo ngokukhawuleza kwaye uya kwenza ingxelo yonyaka ku*Mphathiswa kaZwelonke* ngenkqubela phambili ezalisekisiweyo ngokwenza oko.

(4) Ukuba *umfundi* obengene ngokunyanzelekileyo ukuhamba isikolo ngokwemigaqo yecandelwana (loku-1) akabhaliswanga okanye usilele ukuya esikolweni, i*Ntloko yeSebe leMfundo* inga —

(a) phanda iimeko zokungabikho *esikolweni* ko*mfundi*;

(b) thatha amanyathelo afanelekileyo ukulungisa imeko; kwaye

(c) ukusilela kolo lungiso, khupha isaziso esibhaliweyo esiya kumzali womfundi esifuna ukuthobelana necandelwana (loku-1).

(5) Ngokuxhomekela kuMthetho weZikolo waseMzantsi Afrika, neminye imithetho esetyenziswayo—

(a) nawuphi na *umzali* othe, ngaphandle kwesizathu, emva kwesaziso esibhaliweyo esivela kwi*Ntloko yeSebe*, esicela ukuthobela icandelwana (loku-1), unetyala lokwaphula umthetho kwaye uya kugwetywa isohlwayo okanye ukuvalelwa entolongweni ixesha elingadlulanga kwiinyanga ezintandathu;

(b) Nawuphi na omnye umntu, ngaphandle kwesizathu, othintela u*mfundi* aphumelele ukuya e*sikolweni*, unetyala lokwaphula umthetho kwaye uya kugwetywa isohlwayo okanye ukugwetywa ixesha elingadlulanga kwiinyanga ezintandathu.

[Icandelo lama-42 lisetyenziswe endaweni yecandelo le-16 loMthetho wesi-7 wama-2010.]

Uxolelo ekuyeneni esikolweni ngokunyanzelekileyo

43. (1) I*Ntloko yeSebe leMfundo*, ekufikeni kwesicelo esibhaliweyo, nokuba iphelele okanye ixesha elinje kwaye phantsi kweemeko ezimiselweyo, ixolele u*mfundi* ngokupheleleyo ngembalelwano, ngokukhetha okanye okwethutyana *ekuhambeni isikolo ngokunyanzelekileyo* okwenziwe phantsi kwecandelo lama-42 ukuba oko kumlungele *umfundi*.

[Icandelwana (loku-1) lisetyenziswe endaweni yecandelo le-17 loMthetho wesi-7 wama-2010.]

(2) I*Ntloko yeSebe* kufuneka igcine irejista yabo bonke a*bafundi* abafumene uxolelo ekuhambeni i*sikolo ngokunyanzelekileyo*.

Umgaqonkqubo weelwimi nokubhiyozelwa kweenkolo kwizikolo zikarhulumente

44. Kuxhomekeka kwimigqaliselo yecandelo lesi-6 nelesi-7 lo*Mthetho weZikolo waseMzantsi Afrika*, umgaqonkqubo wolwimi kunye nokubhiyozelwa kwezenkolo kwi*sikolo sikarhulumente* kuya kugqitywa li*bhunga lolawulo* laso: Ngokuxhomekeka kwimeko ye*sikolo sikarhulumente* s*abafundi abaneemfuno zemfundo ezizodwa*, i*bhunga lolawulo* liya kumisela umgaqonkqubo wolwimi ngokubhungisana ne*Ntloko yeSebe*.

[Icandelo lama-44 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ikhowudi yokuziphatha, ukumiswa nokugxothwa kwizikolo zikarhulumente

45. (1) I*bhunga lolawulo* le*sikolo sikarhulumente* kufuneka limesele umgaqo wokuziphatha kwa*bafundi* ngokwecandelo lesi-8 lo*Mthetho weZikolo waseMzantsi Afrika*.

[Icandelwana (loku-1) lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama- 2010.]

(2) I*bhunga lolawulo* linokuthi, ngenxa yezizathu ezivakalayo nangokuthatha inyathelo elikhuselekileyo, linqumamise *umfundi* okrokrelwa ngokungaziphathi kakuhle ekuhambeni *isikolo*, kodwa linokunyanzelisa ukumiswa kwalo emva kokuba *umfundi* enikwe ithuba elifanelekileyo lokwenza izimvo ngokunxulumene nokunqunyanyiswa.

[Icandelwana (lesi-2) lisetyenziswe endaweni yecandelo le-18 loMthetho wesi-7 wama-2010.]

(3) I*bhunga lolawulo* liya kuqhuba iindlela zoluleko ngendlela echazwe kwicandelo lesi-8 so*Mthetho weZikolo waseMzantsi Afrika* ngokuchasene no*mfundi* kwiintsuku ezisixhenxe zesikolo emva kokunqunyaniswa ko*mfundi*.

(4) Ukuba iingxoxo zoluleko aziqhutywa zingaphelanga iintsuku ezisixhenxe ze*sikolo* emva kokumiswa ko*mfundi*, i*bhunga lolawulo* liya kufumana imvume ye*Ntloko yeSebe leMfundo* malunga nokuqhubeka kokunqunyaniswa ko*mfundi*.

[Amacandelwana (lesi-3) ne (lesi-4) ongezwe ngecandelo le-18 loMthetho wesi-7 wama-2010.]

(5) I*bhunga lolawulo* linokuthi, ukuba u*mfundi* ufunyaniswe enetyala lokungaziphathi kakuhle ngexesha lokuqhubeka kwetyala loluleko njengoko kuchaziwe kwicandelo 8 lo*Mthetho weZikolo waseMzantsi Afrika*—

(a) ukumisela ukunqunyanyiswa ko*mfundi* kangangesithuba seentsuku ze*sikolo* ezisixhenxe okanye nasiphi na esinye isohlwayo esikhankanywe kumgaqo wokuziphatha we*sikolo sikarhulumente*; okanye

(b) yenza izindululo kwi*Ntloko yeSebe* uku—

(i) gqithisela *umfundi* kwizi*ko lokungenela* ngokwexesha elichaziweyo elingadlulanga kwiinyanga ezili-12 ngalo naliphi na ixesha, ukuba a*bazali bayakuvuma ukugqithiselwa*; okanye

(ii) gxotha *umfundi* kwi*sikolo sikarhulumente*.

[Icandelwana (lesi-5) longezelelwe ngecandelo le-18 loMthetho wesi -7 wama-2010.]

[uMhlathi *(b)* usetyenziswe endaweni yecandelo lama-21*(a)* loMthetho wesi-4 wama-2018.]

(6) I*Ntloko yeSebe* ingathi, kwiintsuku ezili-14 emva kokufumana isindululo esichazwe kwicandelwana (lesi-5)*(b)*—

(a) kwimeko yesindululo esikhankanywe kwicandelwana (lesi-5) (b) (i), yenza isigqibo sokuba *umfundi* angamdlulisela kwelinye izi*ko longenelelo* kangangesithuba esingadlulanga kwiinyanga ezili-12 ngalo naliphi na ixesha, ukuba *abazali* bayaluvuma udluliselo; okanye

(b) kwimeko yesindululo esichazwe kwicandelwana (lesi-5)*(b)*(ii), gqiba ukuba ungamgxotha okanye ungamgxothi na *umfundi*.

[Icandelwana (lesi-6) longezelelwe ngecandelo le-18 loMthetho wesi-7 wama-2010 kwaye lisetyenziswe endaweni yecandelo lama-21*(b)* loMthetho wesi-4 wama-2018.]

(7) I*bhunga lolawulo* linokunqumamisa okanye landise ukunqunyanyiswa ko*mfundi* ithuba elingadlulanga kwiintsuku ezili-14 ze*sikolo* kusalindwe isigqibo se*Ntloko yeSebe leMfundo* sokuba ngaba uyagxothwa umfundi kwi*sikolo sikarhulumente* okanye simdlulisele umfundi kwizi*ko longenelelo* ngoncedo.

[Icandelwana (lesi-7) longezelelwe licandelo le-18 loMthetho wesi-7 wama-2010 kwaye lisetyenziswe endaweni yecandelo lama-21*(c)* loMthetho wesi-4 wama-2018.]

(8) U*mfundi* e*sikolweni* sika*rhulumente* angagxothwa kuphel*a*—

(a) i*Ntloko yeSebe*; kwaye;

(b) ukuba ufunyenwe enetyala lokungaziphathi kakuhle emva kweenkqubo zoluleko ezikhankanywe kwicandelo lesi-8 lo*Mthetho weZikolo waseMzantsi Afrika* ziqhutyiwe.

(9) U*Mphathiswa wePhondo* uya kumisela ngesaziso kwi*Phephandaba loMbuso lePhondo*—

(a) ukuziphatha ko*mfundi* kwi*sikolo sikarhulumente* enokuba sisiqalo sokungaziphathi kakuhle;

(b) iinkqubo zoluleko kufuneka zilandelwe kwiimeko ezinjalo;

(c) izibonelelo zenkqubo efanelekileyo ekhusela iimfuno zo*mfundi* kunye nalo naliphi na iqela elichaphazelekayo kwinkqubo yezoluleko.

(10) U*mfundi* okanye u*mzali* wo*mfundi* othe wagxothwa e*sikolweni sikarhulumente* angabhena ngokuchasene nesigqibo se*Ntloko yeSebe* ku*Mphathiswa wePhondo* kwiintsuku ze*sikolo* ezili-14 ekufumaneni isaziso sokugxothwa.

(11) Ukuba u*mfundi* ophantsi kokuhamba isikolo ngonyanzeliso ngokwecandelo lama-42(1) ugxothiwe kwi*sikolo sikarhulumente*, i*Ntloko yeSebe* iya kwenza amanye amalungiselelo okumfaka kwi*sikolo sikarhulumente*.

(12) U*mfundi* othe wabhena ngendlela ekhankanywe kwicandelwana (le-10) angathi, ngexesha kulindwe isiphumo sesibheno, afumane i*mfundo* ngendlela emiselwe yi*Ntloko yeSebe*.

(13) I*Ntloko yeSebe*, ekumiseleni indlela yokuhamba isikolo ekhankanywe kwicandelwana (lesi-12)—

(a) siyakuthatha amanyathelo afanelekileyo ukukhusela amalungelo abanye a*bafundi* kunye na*bafundisi ntsapho* kwi*sikolo sikarhulumente;* kwaye

(b) mingacinga nezinye nolunye uhlobo lokubonelela nge*mfundo* ku*mfundi* okhankanywe kwicandelwana (le-12).

(14) Ukuba i*Ntloko yeSebe* igqiba ukungamgxothi u*mfundi* njengoko kuchaziwe kwicandelwana (lesi-8), i*Ntloko yeSebe* ingathi, emva kothethathethwano ne*bhunga lolawulo*, amisele isohlwayo esifanelekileyo ku*mfundi*.

[Amacandelwana (lesi-8) ukuya (kwele-14) ongezwe ngecandelo le-18 loMthetho wesi-7 wama-2010.]

(14A) Isohlwayo ekubhekiselwe kuso kwicandelwana (le-14) singabandakanya, kwisindululo se*bhunga lolawul*o kunye nemvume ya*bazali* bo*mfundi*, kudluliselwe kwi*ziko longenelelo* kwisithuba esichaziweyo, esingenakudlula kwiinyanga ezili-12 nangaliphi na ixesha.

(14B) U*mfundi* othe wadluliselwa kwi*ziko longenelelo* ngokumalunga necandelwana (lesi-6)*(a)* okanye (14A) uyakuthi, emva kokuphelelwa kwexesha elichazwe kulo macandelo, amkelwe kwa kwesa*sikolo sikarhulumente* abe ehamba kuso phambi kodluliselo.

[Amacandelo (14A) kunye (14B) afakelwe ngecandelo lama-21*(d)* loMthetho wesi-4 wama-2018.]

(15) Ukuba i*Ntloko yeSebe* igqiba ukungamohlwayi u*mfundi*, i*Ntloko yeSebe* iya kudlulisela umcimbi umva kwi*bhunga lolawulo* ngenjongo zesinye isohlwayo, ngaphandle kokugxothwa, ngokumalunga nomgaqo wokuziphatha okhankanywe kwicandelwana (loku-1).

(16) Ibhunga lolawulo lingaphumeza isohlwayo esichazwe licandelwana (le-14).

[Amacandelwana (le-15) kunye (nele-16) ongezwe ngecandelo le-18 loMthetho wesi-7 wama-2010.]

[Icandelo lama-45 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama- 2010.]

Ukuthintelwa kwezinto eziyingozi, iziyobisi ezingekho mthethweni notywala obunxilisayo kumasango esikolo

45A. (1) Ngaphandle kokuba igunyaziswe yinqununu ngeenjongo ezisemthethweni zokufunda, akukho mntu unokuza nento *eyingozi*, notywala obunxilisayo okanye *iziyobisi ngokungekho mthethweni* kumasango *esikolo* okanye enento *eyingozi*, notywala obunxilisayo okanye *iziyobisi ngokungekho mthethweni* kumasango e*sikolo* okanye ngalo naliphi na *ixesha lesikolo*..

(1A) Icandelwana (loku-1) alisebenzi kusetyenziso lotywala olusemthethweni ngumntu ngaphandle komfundi kwi*micimbi yesikolo* ethi ibanjwe ngaphandle kwamasango *esikolo*.

[Icandelo (1A) lifakwe kwicandelo lama-22 loMthetho wesi-4 wama-2018.]

(2) I*nqununu* okanye umthunywa wakhe angathi—

(a) ukukhangela nawuphi na u*mfundi*, okanye ipropathi yakhe nawuphi na u*mfundi*, nayiphi na into e*nobungozi*, isiselo esinxilisayo okanye i*ziyobisi ezingekho mthethweni*, ukuba i*nqununu* iyakrokrela ukuba kukho *into eyingozi*, utywala obunxilisayo okanye *iziyobisi ezingekho mthethweni* kumasango e*sikolo* okanye *ngexesha lesikolo*; kwaye

(b) thimba nayiphi na *into eyingozi*, isiselo esinxilisayo okanye *iziyobisi ezingekho mthethweni*, ezifunyenwe ngexesha lokusetsha.

(3) Umntu oqhuba uphando okhankanywe kwicandelwana (lesi-2) uya kukwenza ngendlela efanelekileyo nehambelana neenjongo kunye nezinto zokuphanda.

(4) Apho uphando olukhankanywe kwicandelwana (lesi-3) lubandakanya ukukhangela umzimba wakhe nawuphi na u*mfundi*, umntu ophanda umfundi —

(a) angangafuni u*mfundi* ukukhulula nayiphi na impahla ngaphandle kempahla ingaphezulu;

(b) uza kuba sisini esinye njengo*mfundi*; kwaye

(c) angaqhuba usetsho kuphela phambi kwe*linye ilungu labasebenzi* elikwa sisini esinye njengo*mfundi*.

(5) Ukuba, ngenxa yokusetsha okanye ngenxa yolwazi oluthembekileyo olufunyenweyo, okanye ngenxa yaso nasiphi na esinye isizathu, inqununu inesizathu esivakalayo sokukholelwa ukuba nayiphi na into eyingozi, utywala obunxilisayo okanye *iziyobisi ezingekho mthethweni* ezifihlwe emzimbeni okanye emntwini wo*mfundi* othile, i*nqununu* inokuthi icele ilungu leNkonzo yamaPolisa oMzantsi Afrika ukuba yenze uphando oluninzi ngakumbi ngaloo mntu wo*mfundi* uphandwayo, olunokuthi lubandakanye ukususwa kwempahla.

(6) Nayiphi na *into enobungozi*, utywala obunxilisayo okanye *iziyobisi ezingekho semthethweni* ezithe zathinjwa ziza kuba—

(a) ngokucacileyo nangokuchanekileyo iphawulwe ngeenkcukacha eziphelelelyo, kuquka—

(i) apho kuthe kwafunyanwa kwaye, ukuba kufanelekile, igama lo*mfundi* ofunyenwe enazo;

(ii) ixesha nomhla wosetsho kunye nowokuthinjwa;

(iii) isehlo esinenombolo esisalathiso;

(iv) igama lomntu oqhube usetsho;

(v) igama lelungu labasebenzi ebelikhona xa bekuqhutywa usetsho, apho kufanelekileyo; kunye

(vi) anazo naziphi na iinkcukacha ezinokuba ziyimfuneko ekuchongeni into kunye nesehlo;

(b) irekhodwe kwinwadi yeerekhodi ze*sikolo*; kwaye

(c) kunikelwe kwilungu leNkonzo yamaPolisa aseMzantsi Afrika ngokukhawuleza ukulahlaanded over to a member of the South African Police Service kwangoko ukuyilahla ngokwecandelo lama-31 loMthetho weNkqubo yoLwaphulomthetho, we-1977 (uMthetho wama-51 we-1977).

(7) Ukuba amapolisa akakwazi ukuqokelela into *eyingozi*, notywala obunxilisayo okanye *iziyobisi ezingekho mthethweni* e*sikolweni* ngokukhawuleza, *inqununu* okanye lowo udlulisele kuye.

(a) thatha *into eyingozi*, notywala obunxilisayo okanye *iziyobisi ezingekho mthethweni* kwisikhululo samapolisa esikufutshane; kwaye

(b) nikezela *into eyingozi*, i*ziyobisi ezingekho mthethweni* okanye isiselo esinxilisayo emapoliseni ukuze ilahlwe ngokwecandelo lama-31 soMthetho weNkqubo yoLwaphulomthetho, we-1977.

(8) Ipolisa elifumana i*nto eyingozi*, isiselo esinxilisayo okanye *isiyobisi esingekho mthethweni* liya kukhupha irisithi egunyazisiweyo ye*nqununu* okanye umthunywa.

(9) *Inqununu* okanye umthunywa wakhe unokulawula umchamo okanye olunye uvavanyo olungahlaseliyo kuye nawuphi na *umfundi* ukuba *inqununu* inesizathu esivakalayo sokukrokrela lo *mfundi*—

(a) unesiselo esinxilisayo okanye i*ziyobisi ezingekho mthethwen*; okanye

(b) uphantsi kweempembelelo zotywala okanye *iziyobisi ezingekho mthethweni*, ngexesha leeyure *zesikolo* okaye kwi*micimbi yesikolo*.

(10) U*mfundi* okhankanywe kwicandelwana (le-9) unokufakwa kumchamo okanye kolunye uvavanyo olungahlaseliyo lotywala obunxilisayo okanye i*ziyobisi ezingekho mthethweni* kuphela ukuba —

(a) uvavanyo luqhutywa ngumngu onesini esifana neso*mfundi*;

(b) lwenziwa uvavanyo kwindawo efihlakeleyo;

(c) ingqina elinye elingumntu omdala, elisisini esifanayo neso*mfundi*, libekho;

(d) isampulu icacisiwe kwaye ifakwe uphawu ngokucacileyo nangokuchanekileyo neenkcukacha ngokupheleleyo njengoko kuchaziwe kwicandelwana (lesi-6), kunye notshintsho olufanelekileyo; kwaye

(e) isixhobo esichazwe kwicandelo 8A(le-11) lo*Mthetho weZikolo woMzantsi Afrika* usetyenzisiwe.

(11) I*nqununu* okanye umthunywa wakhe uyakuthi—

(a) kwiintsuku zomsebenzi, ukuba kuyenzeka, azise *umzali* wo*mfundi* ochaphazelekayo ukuba uvavanyo okanye usetsho kunye nothinjo lwenziwe ngokuphathelele ku*mfundi*; kwaye

(b) azise u*mfundi* no*mzali* ngeziphumo zovavanyo ngokukhawuleza nje zakuba zifumanekile.

(12) Umntu onamagunya phantsi kweli candelo angasebenzisa lo mandla njengoko kuyimfuneko kwiimeko zokusebenzisa loo magunya.

(13) U*mfundi* unokufakwa kwiinkqubo zoluleko ukuba—

(a) u*mfundi* ufunyanwe enento enobungozi, utywala okanye *iziyobisi ezingekho semthethweni* ngexesha leeyure ze*sikolo* okanye kwi*misebenzi yesikolo*; okanye

(b) u*mfundi* uvavanyo lumfumane enotywala okanye *isiyobisi esingekho semthethweni* kwiimeko ezichazwe kwicandelwana (le-10).

(14) Naziphi na iinkqubo zoluleko ngokuphathelele no*mfundi* zizakuqhutywa ngokumalunga nomgaqo wokuziphatha okhankanywe kwicandelo lama-45(1).

[Icandelo 45A lifakwe ngecandelo le-19 loMthetho wesi-7 wama-2010.]

Ngaphandle kokuthintelwa kotywala obunxilisayo kumasango esikolo okanye ngexesha lesikolo

45B. (1) Ngaphandle kokuthintela isiselo esinxilisayo kumasango esikolo okanye nangaliphi na ixesha lo*msebenzi wesikolo* ochazwe kwicandelo 45A (loku-1), i*Ntloko yeSebe leMfundo*, ngesicelo esibhaliweyo, ingagunyazisa i*bhunga lolawul*o okanye, kwimeko yokusebenza kwabasebenzi, i*nqununu* ye*sikolo sikarhulumente* ukuze kuvumeleke ukusetyenziswa okanye ukuthengiswa kotywala obunxilisayo kumasango esikolo okanye kuyo nawuphi na ums*ebenzi wesikolo* okanye i*misebenzi yesikolo* ebanjelwa kumasango e*sikolo*.

(2) Ekuqwalaselweni kwesicelo esikhankanywe kwicandelwana (loku-1), i*Ntloko yeSebe* kufuneka ibenokuthathela ingqalelo imigaqonkqubo yoRhulumente weNtshona Kapa ngokubhekisele ekunciphiseni umenzakalo obangelwa butywala.

(3) I*bhunga lolawulo* okanye i*nqununu* enikwe igunya elikhankanywe kwicandelwana (loku-1) angakuvumela ukusetyenziswa okanye ukuthengiswa kotywala kumasango e*sikolo* okanye kuwo nawuphi na u*msebenzi wesikolo* okanye i*misebenzi yesikolo* ebanjwe kumasango esikolo.

(4) Ukusetyenziswa okanye ukutyengiswa kotywala njengoko kuchaziwe kweli candelo kuxhomekeke ku—

(a) Mthetho woTywala waseNtshona Kapa, wama-2008, kwaye naziphi na iimeko ezifakwe ngokwalo Mthetho; kunye

(b) naziphi na iimeko ezibekwe—

(i) li*bhunga lolawulo*;

(ii) yinqununu kwimeko yokusebenza kwabasebenzi; kunye

(iii) neNtloko yeSebe.

(5) Ngaphandle kwamacandelwana (loku-1) ne- (lesi-3), ukusetyenziswa nokuthengiswa kotywala obunxilisayo kumasango *esikolo* okanye u*msebenzi wesikolo* obanjelwe kumasango *esikolo* akuvumelekile ngexesha *lesikolo*.

(6) I*Ntloko yeSebe* ingathi, phantsi kwezizathu ezivakalayo, irhoxise ukuvunywa okuchazwe kwicandelwana (loku-1).

(7) I*Ntloko yeSebe* ingakurhoxisa ukuvunywa okuchazwe kwicandelwana (loku-1) ngaphandle kokuba—

(a) yazise i*bhunga lolawulo* okanye i*nqununu* ngenjongo zakhe zokwenza oko kunye nezizathu zokwenza oko;

(b) inike imvume i*bhunga lolawulo* okanye i*nqununu* ithuba elifanelekileyo ukuvakalisa izimvo kuye ngokunxulumene noko; kwaye

(c) ziqwalaselwe ngokufanelekileyo naziphi na izimvo ezifunyenweyo.

(8) Kwiimeko ezingxamisekileyo, i*Ntloko yeSebe* ingasirhoxisa isicelo esichazwe kwicandelwana (loku-1) ngaphandle kokuthobela icandelwana (lesi-7), ngokuxhomekeka ekubeni i*Ntloko yeSebe*—

(a) inikeza i*bhunga lolawulo* okanye i*nqununu* ngezizathu zesigqibo sakhe;

(b) inika i*bhunga lolawulo* okanye i*nqununu* ithuba elifanelekileyo lokuveza izimvo ezinxulumene nesigqibo sakhe; kwaye

(c) iqwalasela ngokufanelekileyo naziphi na izimvo ezifunyenweyo.

(9) I*Ntloko yeSebe leMfundo*, ngesizathu esivakalayo esiboniswe si*sikolo*, iyasibuyisa okanye isirhoxise isigqibo sayo esikhankanywe kwicandelwana (lesi-6) okanye (lesi-8).

(10) Nawuphi na umntu okhathazwa sisigqibo se*Ntloko yeSebe* ngokweli candelo unokufaka isibheno ngokuchasene nesigqibo esiya ku*Mphathiswa wePhondo*.

(11) I*Ntloko yeSebe*—

(a) ingakhupha izikhokelo eziya e*zikolweni* ngokusetyenziswa nokuthengiswa kotywala kumasango *esikolo* okanye kumsebenzi wes*ikolo* ngokubhekisele kweli candelo; kwaye

(b) kufuneka akhuphe izikhokelo eziya *ezikolweni* malunga nobukho *babafundi* xa kusetyenziswa utywala okanye buthengiswa kumasango *esikolo* okanye kumsebenzi *wesikolo* ngokubhekisele kweli candelo.

[Icandelo 45B lifakwe ngecandelo lama-23 loMthetho wesi-4 wama-2018.]

Imvume yokuphuma kwesikolo

45C. I*sikolo* sika*rhulumente* kufuneka sifumane imvume ngembalelwano yo*mzali* ogunyazisa u*mfundi* ukuba azimase imicimbi yesikolo ngaphandle kwamasango *esikolo*, ngaphandle kwemisebenzi eqhelekileyo yezemidlalo.

[Icandelo 45C lifakwe ngecandelo lama-23 loMthetho wesi-4 wama-2018.]

Isohlwayo esiqatha ngokudibeneyo

46. Akukho mntu uyakusebenzisa isohlwayo esiqatha ngokudibeneyo ku*mfundi* e*sikolweni*.

Ukuthintelwa kwezenzo zoqheliso

46A. (1) Umntu akanakho ukuqhuba okanye athathe inxaxheba kwizenzo zokuqheliswa komfundi esikolweni.

(2) *(a)* Nawuphi na umntu owaphula icandelwana (loku-1) unetyala lokungaziphathi ngendlela efanelekileyo kwaye noluleko luya kumiselwa ngokuchasene naloo mntu ngokwemigaqo yokuziphatha efanelekileyo, echazwe kwicandelo 26A okanye lama-45 (1) a*loMthetho* okanye eliqulathwe kwiShedyuli yesi-2 yo*Mthetho wezeNgqesho yaBafundisi Ntshapho*.

(b) Ukongeza kumhlathi (a), u*mfundi* unokuthatha inyathelo eluntwini nxamnye nomntu okanye neqela elikhohlisileyo lanyanzela u*mfundi* ukuba aqhube okanye athathe inxaxheba kuzo naziphi na izenzo zoqheliselo.

(3) Ngeenjongo za*loMthetho*, 'izenzo zokuqhelisa' zithetha nasiphi na isenzo esiphakathi kwinkqubo yoqheliso, ukwamkelwa, okanye ukumanyana kunye, okanye njengemeko yokuqhubeka kobulungu be*sikolo*, iqela, imisebenzi yangaphakathi okanye yangaphandle, iqela lezemidlalo lase interschools, okanye umbutho—

(a) wonakalisa ingqondo okanye impilo yomzimba okanye ukhuselo lomntu;

(b) ujongela phantsi ixabiso lemveli yabantu ngokuphatha abanye njengabaphantsi kunabanye;;

(c) u*f*ake abantu kwizenzo ezihlazisayo okanye zobundlobongela ezijongela phantsi isiqinisekiso somgaqosiseko sokuba nesidima kuMthetho wamaLungelo;

(d) ujongela phantsi amalungelo asisiseko kunye neentsulungeko ezisekela u*Mgaqosiseko*;

(e) uthintela ukuphuhla kwenkcubeko yedemokhrasi yokwenyani enika umntu lowo ukuba aphathwe njengokufanelekileyo kwentlonipho nenkxalabo; okanye

(f) wonakalisa ipropati karhulumente neyabucala.

[Icandelo 46A ifakwe ngecandelo lama-20 loMthetho wesi-7 wama-2010.]

Ukuthintelwa kwemisebenzi yezopolitiko ngexesha lesikolo

46B. (1) *Ixesha lesikolo* lizakusetyenziselwa imisebenzi yesikolo kuphela.

(2) Akukho mntu ozakuqhuba imisebenzi yeqela lepolitiki kumasango e*sikolo* ngexesha le*sikolo*, kuquka—

(a) amaphulo;

(b) ukuqhuba iintlanganiso;

(c) ukuhambisa uluncwadi lweqela lepolitik; kunye

(d) ukuxhoma amaphekepheke ezaziso.

(3) I*bhunga lolawulo* okanye i*nqununu* ayinakuvumela iqela lepolitiki okanye ilungu leloqela ukuba liqhube imisebenzi yeqela lepolitiki e*sikolweni* okanye ngexesha le*sikolo*.

(4) I*sikolo* asinakuvumela ukuboniswa kwezixhobo zeqela lohlobo lwepolitiki kumasango e*sikolo*, ngaphandle kwenxenye yekharikyulam emiselweyo.

(5) Ukulungiselela eli candelo, 'ixesha le*sikolo*' lithetha amaxesha omhla we*sikolo* omiselwe li*bhunga lolawulo* phantsi kwecandelo 21A (1) (g), nangalo naliphi na elinye ixesha apho ikharityhulamu okanye ikharityhulamu yemisebenzi eyongezelelweyo isenzeka kumasango *esikolo*.

(6) Ukuba ibhunga lolawulo livumela amasango esikolo ukuba asetyenziswe liqela lepolitiki, kufuneka likwenze oko ngokuhambelana no*Mgaqosiseko* kunye na*loMthetho*.

[Icandelo 46B lifakwe ngecandelo lama-20 loMthetho wesi-7 wama-2010.]

Ukukhutshwa kwamalungiselelo oMthetho weMbuyekezo yoKonzakala neZifo eMsebenzini, we-1993

47. Akukho *mfundi* kwi*sikolo sikarhulumente* oya kuthi ngenxa yamalungiselelo oMthetho weMbuyekezo yoKonzakala neZifo eMsebenzini, we-1993, athathwe njengomsebenzi okanye omnye umntu onelungelo lokuhlawula imbuyekezo okanye nayiphi na enye inzuzo phantsi kwaloMthetho.

Ibhunga elimele abafundi

48. (1) I*bhunga elimele abafundi* esikolweni liya kusekwa kwi*sikolo* ngasinye si*karhulumente* ababhalisela *abafundi* abakwi*banga* lesibhozo okanye ngaphezulu, kwaye ibhunga lilo kuphela elamkelweyo kunye nommeli we*bhunga lomfundi* e*sikolweni*.

(2) U*Mphathiswa wePhondo* uya kuthi, ngesaziso kwiPhephandaba loMbuso lePhondo, amisele imisebenzi kunye neenkqubo zokusekwa nokunyulwa kwama*bhunga abameli babafundi*.

[Icandelo (lesi-2) lisetyenziswe endaweni yecandelo lama-24 loMthetho wesi-4 wama-2018.]

(3) U*Mphathiswa wePhondo* unokuthi, ngesaziso kwi*Phephandaba loMbuso wePhondo*, asikhulule i*sikolo sikarhulumente* sabafundi abaneemfuno zemfundo ezizodwa ekuthobeleni icandelwana (loku-1) ukuba akunakwenzeka ukuba kumiselwe i*bhunga elimele abafundi esikolweni*.

[Icandelo lama-48 lisetyenziswe endaweni yecandelo lama-21 loMthetho wesi-7 wama-2010.]

ISAHLUKO SESI-7

EENTLOBO NGEENTLOBO

Iifizi zesikolo kwizikolo zikarhulumente

49. (1) Ngokuxhomekeka ku*Mthetho weZikolo waseMzantsi Afrika*, ii*fizi zesikolo* zinokumiselwa kwaye zihlawulwe kwi*sikolo sikarhulumente* kuphela ukuba isigqibo sokwenza oko samkelwe nga*bazali* abaninzi abaya kwintlanganiso ekubhekiswe kuyo kwicandelo lama-38 (2) lwaloMthetho.

(2) A Izisombululo ezichazwe kwicandelwana (loku-1) ziyakubonelela nge—

(a) ngesixa see*fizi zesikolo* emazihlawulwe;

(b) indlela yobulungisa kunye neenkqubo zonke, inxalenye okanye uxolelo lwemeko ya*bazali* abangenako ukuhlawula ii*fizi zesikolo*; kunye

(c) nohlahlo lwabiwo mali lwe*sikolo* olubonisa iziphumo ezongezelelekayo—

(i) iindlela esimiselweyo sokungahlawuli ii*fizi zesikolo*; kunye

(ii) nazo zonke, inxenye okanye imvume yoxolelo lwemeko yabazali malunga nemithetho echazwe kwicandelo lama-39 (4) lo*Mthetho weZikolo zaseMzantsi Afrika*.

(3) I*bhunga lolawulo* liya kuphumeza isindululo esamkelwe kwintlanganiso echazwe kwicandelwana (loku-1).

(4) I*sikolo sikarhulumente* singangaluhlawulisi naluphi na ubhaliso, ulawulo okanye nezinye ii*fizi*, ngaphandle kwee*fizi zesikolo* ezichazwe kwicandelo loku-1.

(5) I*sikolo sikarhulumenet* singangamhlawulisi u*mzali* wo*mfundi* ii*fizi* ezahlukileyo ngokusekelwe kwikharikyulam okanye ikharikyulam eyongezelelweyo kwi*banga* elifanayo.

(6) U*Mphathiswa wePhondo* angachonga aze aqulunqe uluhlu lwazo zonke i*zikolo* ezichazwe kwicandelo lama-39(7) lo*Mthetho weZikolo zaseMzantsi Afrika*, kwi*phondo*.

(7) I*zikolo* ezichazwe kwicandelo lama-39 (7) lo*Mthetho weZikolo zaseMzantsi Afrika* zingathi, ngaphandle kwelo candelo, zihlawulise ii*fizi* ze*sikolo* ukuba zifumana imali engaphantsi kweefizi ekubhekiswa kuwo kwicandelo lama-39 (8) lo*Mthetho weZikolo waseMzantsi Afrika* ovela kwiSebe leMfundo yaseNtshona Kapa.

(8) Ilungelo le*sikolo* lokuhlawulisa ii*fizi zesikolo* ngokwecandelwana (lesi-7) lilinganiselwe kwinani elilingana nesixamali esifunyenweyo ukubaeyona mali ifunyenweyo kuRhulumente ithatyathwe kumqobo we-no fizi.

[Icandelo lama-49 lisetyenziswe endaweni yecandelo lama-22 loMthetho wesi-7 wama-2010.]

Inkxasomali kunye nee-asethi zezikolo zikarhulumente

50. Ngokuxhomekeka kumalungiselelo ecandelo lama-37 lo*Mthetho weZikolo zaseMzantsi Afrika*, i*bhunga lolawulo* le*sikolo sikarhulumente* lingaqubisana nenkxasomali yesikolo kunye nee-asethi ze*sikolo* sikarhulumente ngokuphathelele nezikhokhelo ezikhutshwe yi*Ntloko yeSebe*, ngemvume ye*ntloko yezemali*.

[Icandelo lama-50 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Uhlahlo lwabiwo mali loNyaka lwesikolo sikarhulumente

51. Ngokuxhomekeka kumalungiselelo ecandelo lama-38 lo*Mthetho weZikolo zaseMzantsi Afrika*, i*bhunga lolawulo* le*sikolo sikarhulumente* lizakuqubisana nohlahlo lwabiwo mali lonyaka lwe*sikolo sikarhulumente* ngokuphathelele nezikhokhelo ezimiselwe yi*Ntloko yeSebe*, ngemvume ye*ntloko yezemali*.

[Icandelo lama-51 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukuthintelwa kokuhlawulwa kwemivuzo engagunyaziswanga, okanye ukunikwa kwezibonelelo zemali okanye izibonelelo ngohlobo oluthile kubasebenzi

51A. (1) Ngokwesiqendwana (lesi-2), i*bhunga lolawulo* alinakuhlawula okanye linike umqeshwa wombuso oqeshwe ngoko*Mthetho weNgqesho yaBafundisi ntsapho* okanye uMthetho weNkonzo kaRhulumente we-1994, nayiphi na into engagunyaziswanga—

(a) umvuzo;

(b) enye inzuzo yemali; okanye

(c) ukuxhamla ngesisa.

(2) I*bhunga lolawulo* lingafaka isicelo kwi*Ntloko yeSebe* lemvume yokuhlawula umsebenzi karhulumente nayiphi na intlawulo ekhankanywe kwicandelwana (loku-1).

(3) Isicelo esilolohlobo siza kufakwa ngembalelwano kwi-ofisi ye*Ntloko yeSebe* kwaye umbuso uza kuthi—

(a) iinkcukacha ngokupheleleyo ngendlela okanye ubungakanani bentlawulo;

(b) inkqubo nezixhobo eziya kusetyenziswa ukubuyisela okanye ukuvuza umqeshwa wombuso; kunye

(c) nobungakanani bothotyelo necandelo 21A (lesi-5) ukuya (kwele-9).

(4) I*bhunga lolawulo* lizakwenza isicelo esikhankanywe kwicandelwana (lesi-2) ubuncinane iinyanga ezine phambi kokugqitywa kohlahlo lwabiwo mali lwe*sikolo*.

(5) Ngaphandle kwecandelwana (loku-1), i*bhunga lolawulo* linokuhlawula iindleko zohambo nezokutya ezinxulumene ne*misebenzi yesikolo* esemthethweni, kodwa ezo ndleko azinakuba ngaphezulu kwezo ziya kuhlawulwa ngumsebenzi kawonke wonke kwiimeko ezifanayo.

(6) I*Ntloko yeSebe* ayinakusala isicelo ngaphandle kwesizathu esivakalayo esikhankanywe kwicandelwana (lesi-2).

(7) Ekunikeni ingqwalasela isicelo, i*Ntloko yeSebe* iyakuthathela ingqalelo—

(a) iziphumo zomqeshi ngokubhekisele kwisivumelwano sengqesho kunye nomthetho wezabasebenzi;

(b) ukuba inkonzo echaphazelekayo kwisicelo iyakuphazamisana nokuhanjiswa kwenkonzo okuqhelekileyo komqeshwa;

(c) ukuba inkonzo echaphazelekayo kwisicelo sele ihlawulwe ngumqeshi; kwaye

(d) ukuba umvuzo owongezelelekileyo, enye inzuzo okanye inzuzo ngenkxaso yesisa yeyona micimbi nemisebenzi ye*sikolo*.

(8) Intlawulo echazwe kwicandelwana (loku-1) liyakubonakala kuhlahlo lwabiwo mali lwe*sikolo*, njengoko kuchaziwe kwintlanganiso ya*bazali* ngokwecanelo lama-38 (2) lo*Mthetho weZikolo zaseMzantsi Afrika*.

(9) Ukuba i*bhunga lolawulo* lihlawula imbuyekezo okanye linika nayiphi na imali okanye izibonelelo ezixeliwe kwicandelwana (loku-1) kumqeshwa ngaphandle kwemvume yangaphambili ye*Ntloko yeSebe*, isixa semali esihlawulweyo okanye isibonelelo esinikezelweyo siya kubuyiselwa yi*Ntloko yeSebe* egameni le*sikolo*

ukusuka kumalungu e*bhunga lolawulo* lwesikolo esixhase eso sigqibo, ngaphandle kwelungu le*bhunga lolawulo* eliselincinane.

(10) I*bhunga lolawulo* lingabhena ku*Mphathiswa wePhondo* ngokuchasene—

(a) ukwaliwa kwesicelo yi*Ntloko yeSebe* esikhankanywe kwicandelwana (lesi-2); okanye

(b) ukusilela kwe*Ntloko yeSebe* ukubonelela ngesigqibo kwisicelo esichazwe kwicandelwana (lesi-2) kwiinyanga ezintathu emva kokufakwa kwesicelo kwi-ofisi ye*Ntloko yeSebe*.

[Icandelo 51A lifakelwe ngecandelo lama-23 loMthetho wesi-7 wama-2010.]

Iirekhodi zezemali kunye neengxeo zezikolo zikarhulumente

52. Ngokwecandelo lama-42 lo*Mthetho weZikolo waseMzantsi Afrika*, i*bhunga lolawulo* les*ikolo sikarhulumente* liya kuqubisana neerekhodi zezemali kunye neengxelo zes*ikolo sikarhulumente* ngokungqinelana nezikhokelo ezimiselwe ngu*Mphathiswa wePhondo*, ngemvume ye*ntloko yezemal*i.

[Icandelo lama-52 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Uphicotho okanye uviwo lweerekhodi neengxelo zemali

53. Uphicotho zincwadi okanye uviwo lweerekhodi neengxelo zemali ze*zikolo zikarhulumente* kuyakuqutyiswana nazo li*bhunga lolawulo* ngokungqinelana nolungiselelo lwecandelo lama-43 lo*Mthetho weZikolo waseMzantsi Afrika*.

[Icandelo lama-53 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Unyakamali wesikolo sikarhulumente

54. Unyakamali wes*ikolo sikarhulumente* uqala ngosuku lokuqala kweyoMqungu uphele ngosuku lokugqibela kweyomNga wonyaka ngamnye.

Ukusetyenziswa kwecandelo le-14 loMthetho weNgqesho yaBafundisi ntsapho ngokuphathelele kubafundisi ntsapho bexeshana kunye nabaqeshwe ngesivumelwano sekontraktha

54A. Icandelo le-14 lo*Mthetho weNgqesho yaBafundisi ntsapho* liyasebenza, kunye notshintsho olufunekayo ngokwemeko, ku*bafundisi ntsapho* bethutyana, abesivumelwano sekontraktha.

[Icandelo 54A lifakelwe ngecandelo lama-24 loMthetho wesi-7 wama-2010.]

Ukuthathwa njengokukhutshwa komfundisi ntsapho

54B. (1) Ukuba u*mfundisi ntsapho*, nokuba uqeshiwe ngokusisigxina, okanye ngokungesosigxina okanye okwexeshana, urhoxile emva kokuba enikwe izityholo zoluleko kodwa ngaphambi kokuba kugqitywe inkqubo yoluleko, u*mfundisi ntsapho* uya kuthathwa njengongeniswe ngenxa yezityholo zoluleko ezinjalo Iinjongo zokufuna ingqesho kwixesha elizayo nje*ngomfundisi ntsapho* okanye njengomqeshwa kwinkonzo yoluntu.

(2) Ukusilela ukubhengeza ubunyani belo tyala loluleko nelokuyeka emsebenzini phambi kokugqitywa kweenkqubo zoluleko kwisicelo sokuqeshwa nje*ngomfundisi ntsapho* okanye kwi*Sebe leMfundo eNtshona Kapa* sinyanzela ukuba ikhululwe.

(3) Ukuba i*Ntloko yeSebe* icinga ukungamqeshi u*mfundisi ntsapho* ngenxa yokuthathwa njengogxothiweyo phantsi kwecandelwana (loku-1), i*Ntloko yeSebe leMfundo* iya kucela ukungenisa okubhaliweyo kumfundisi ntsapho ngendlela *emiselweyo*, kwaye inokuqalisa nayiphi na inkqubo njengoko inokuba *imiselwe*, ngaphambi kokuthatha isigqibo malunga nokuqeshwa.

[Icandelo 54B lifakwe ngecandelo lama-24 loMthetho wesi-7 wama-2010.]

Ixesha lokufaka izikhalazo malunga nokuqeshwa okanye ukunyuselwa

54C. Ngaphandle kwenqaku 3.1 (b) (i) loMthetho wezokuLawulwa Kwabasebenzi, izikhalazo eziphathelene nokuqeshwa okanye ukunyuselwa ko*mfundisi ntsapho* okanye igosa le*Sebe leMfundo laseNtshona Kapa* okwenziwe yi*Ntloko yeSebe* zizakufakwa kwiintsuku ezingama-30 kufunyenwe isaziso sesigqibo esichaphazelekayo.

[Icandelo 54C lifakwe kwicandelo lama-24 loMthetho wesi-7 wama-2010.]

Iimbambano ezivela kwicandelo 54A okanye 54B

54D. Ngokuxhomekeke kuMthetho wezoBudlelwane bezaBasebenzi, we-1995 (uMthetho wama-66 we-1995), iBhunga leMfundo lezoBudlelwane bezaBasebenzi linomthetho wokumamela kunye nokumisela nayiphi na imbambano evela kwicandelo 54A okanye 54B. Imigaqo yeBhunga leMfundo lezoBudlelwane bezaBasebenzini malunga nokudluliselwa kunye nokuzimisela kweembambano zokugxothwa okungekho semthethweni, notshintsho olunokuthi lufunwe ngumxholo, lusebenza ngokufanayo ngokubhekisele kwiimbambano ezinjalo.

[Icandelo 54D lifakwe kwicandelo lama-24 loMtthetho wesi-7 wama-2010.]

Abantu abangagunyaziswanga abanakutyelela kwisikolo sikarhulumente okanye bangene kumasango esikolo

55. (1) Aba bantu balandelayo bazakuba nezizathu ezibambekayo zokufikelela kumasango e*sikolo sikarhulumente* okanye nakweyiphi na i*hostele* eyayamene neso *sikolo sikarhulumente*—

(a) u*mfundi* okanye il*ungu labasebenzi* bes*ikolo* esichaphazelekayo

(b) U*Mphathiswa wePhondo*, i*Ntloko yeSebe* okanye i*gosa* eligunyazisiweyo ngokwecandelo le-9;

[Umhlathi *(b)* ulungiswe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

(c) ilungu le*bhunga lolawulo* lwes*ikolo* esichaphazelekayo elisebenza ngemvume ebhaliweyo kasihlalo welo bhunga;

(d) u*mzali* othe ngokunxulumene ne*mfundo* yomntwana wakhe njengo*mfundi*, okanye ngenjongo yokuya kwintlanganiso yes*ikolo*, ikhonsathi okanye nawo nawuphi na umsitho wesikolo u*mfundi* wakhe anomdla kuwo;

(e) undwendwe oluvela kwesinye i*sikolo* ngeenjongo zokuthatha inxaxheba kwimidlalo yesikolo okanye kweminye imisebenzi yesikolo;

(f) amalungu oluntu ahamba isikolo esithile kwisimemo se*nqununu*, okanye inkqubo enjalo njengemvume ye*Ntloko yeSebe*.;

(g) um(aba)ntu okanye i(ii)meko ezivunyiweyo yi*nqununu* yes*ikolo* esichaphazelekayo, ukutyelela i*sikolo* okanye i*hostele* eyayamene nes*ikolo*;

(h) umnini wepropati ohlala esikolweni, okanye umtyunjwa wakhe; okanye

(i) Umntu okanye abantu abavela kwimanyano yabasebenzi olilungu leBhunga leMfundo lezoBudlelwane bezaMsebenzini, abathi, ngenjongo zokuhlangana na*bafundisi ntsapho*, banikwe imvume yi*nqununu*.

[Umhlathi *(i)* usetyenziswe endaweni yecandelo lama-25 loMthetho wesi-7 wama-2010.]

(2) Utyelelo kwiz*ikolo zikarhulumente* okanye utyelelo kwi*hostele* eyayamene nes*ikolo sikarhulumente*, ngabantu abasuka ngaphandle ngenjongo zokufaka a*bafundi* phantsi kweemvavanyo zomzimba, ngokwasengqondweni nangokwemfundo okanye ukufumana iinkcukacha eziyimfishlo ngabafundi okanye iintsapho zabo, bangakuqhuba oko kuphela ngemvume yembalelwano ye*Ntloko yeSebe*.

Ulwaphulo mthetho olunxulumene nezikolo ezizimeleyo

56. Nawuphi na umntu otyeshela isithintelo esiqulathwe kwicandelo lama-27 (1), unetyala lokwaphula umthetho

Amatyala anxulumene nokuhamba isikolo sikarhulument ngonyanzeliso

57. (1) Ukuba u*mzali* wo*mfundi* oqhubeka no*kuya esikolweni ngokunyanzelekileyo* ngaphandle kwesizathu kwaye emva kwesilumkiso esibhaliweyo esivela kwi*Ntloko yeSebe leMfundo* uyasilela ukuthumela u*mfundi* rhoqo es*ikolweni*, loo *mzali* uya kuba netyala lokwaphula umthetho.

(2) Nawuphi na umntu othe—

(a) ngexesha leeyure eziqhelekileyo zesikolo—

(i) asebenzise iinkonzo zo*mfundi* ophantsi koku*hamba isikolo ngonyanzeliso* sawo nawuphi na umsebenzi, nokuba kungenzuzo okanye ngolunye uhlobo;

(ii) ngaphandle kwesizathu esaneleyo, uthintela okanye atyhafise lo *mfundi* ekuhambeni i*sikolo*; okanye

(iii) afihle okanye agushe lo *mfundi*; okanye

(b) amsuse u*mfundi* oseklasini, kwiyunithi okanye kwi*sikolo sabafundi abanezidingo zemfundo eyodwa* kwaye bengafumananga uxolelo phantsi kwa*loMthetho* kuhambo lwes*ikolo* olunjalo, uyakubanetyala lokwaphula umthetho.

Ulwaphulo mthetho olunxulumene nemisebenzi yabantu abathile

58. Nawuphi na umntu othe—

(a) othintela okanye ophazamisa umntu ogunyazisiweyo ngokwemigaqo yecandelo le-9, okanye *igosa lohambo lwesikolo*, xa esenza imisebenzi yakhe ngokwa*loMthetho*;

(aA) onqanda okanye aphazamise u*Mvavanyi oyiNtloko*, u*Mvavanyi oKhokelayo* okanye u*Mvavanyi* ekwenzeni imisebenzi yakhe ngokwa*loMthetho*;

[Umhlathi *(a*A*)* ufakwe ngecandelo lama-25 loMthetho wesi-4 wama-2018.]

(b) uyala okanye usilele ukuthobela umyalelo awunikiweyo okanye isicelo esenziwe ngumntu ekubhekiswe kuye kumhlathi (a) ekusebenzeni imisebenzi yakhe ngokwa*loMthetho*;

(c) uyala okanye usilele ukuphendula ngokuxolisayo kumbuzo obuzwa kuye ngumntu ekubhekiswe kuye kumhlathana (a) ekwenzeni imisebenzi yakhe ngokwa*loMthetho*;

(d) anike ngabom ulwazi olungeyonyani okanye olulahlekisayo kumntu ekubhekiswe kuye kumhlathi (a); okanye

(e) anqande okanye aphazamise nawuphi na u*mfundisi ntsapho* ekwenzeni imisebenzi yakhe, uyakufunyanwa enetyala lokophula umthetho.

Ulwaphulo mthetho olunxulumene nabantu abangagunyaziswanga kumasango esikolo

59. Nawuphi na umntu otyeshela ubonelelo oluqulathwe kwicandelo lama-55(2), uyakufunyanwa enetyala lokophula umthetho.

Ulwaphulo mthetho olunxulumene nemisebenzi kumasango esikolo

59A. Nawuphi na umntu otyeshela icandelo lama-45A(1) okanye ecandelo 45B(4) uyakufunyanwa enetyala lokophula umthetho.

[Icandelo 59A lifakwe kwicandelo lama-26 loMthetho wesi-4 wama-2018.]

Izohlwayo

60. (1) Nawuphi na umntu ogwetyelwe ukwaphula umthetho ngokumalunga na*loMthetho*, unetyala lokugwetywa —

(a) kwimeko yolwaphulo mthetho ekubhekiswe kulo kwicandelo lama-56, ukuhlawuliswa okanye ukuvalelwa ejele iinyanga ezintathu;

(b) kwimeko yolwaphulo mthetho ekubhekiswe kulo kwicandelo lama-57 (1), lama-57 (2) (a), lama-57 (2) (b), lma-58 nelama-59, ukuhlawuliswa okanye ukuvalelwa entolongweni ixesha elingadlulanga kwiinyanga ezintandathu;

(c) kwimeko yolwaphulo mthetho ekubhekiswe kulo kwicandelo 59A, kwisohlwayo exingadlulanga kuma-R600 000.

[Umhlathi *(c)*wongezwe ngecandelo lama-27 lMthetho wesi-4 wama-2018.]

(2) Umgaqo owenziwe phantsi kwecandelo lesi-7 (1) (g) unokuthi, ngokutyeshela umthetho okanye ukusilela ukuthobela, umisele isohlwayo esingagqithiyo kuma- R4 000 kunye/okanye ukuvalelwa entolongweni ixesha elingadlulanga kwiminyaka emi-2.

(3) Nawuphi na umntu owaphula icandelo lama- 46 la*lomthetho*, unetyala lokwaphula umthetho kwaye uya kugwetywa isigwebo esinokugwetyelwa ukuhlasela.

Ukudluliselwa kwamagunya

61. (1) U*Mphathiswa wePhondo* unokuthi, ngokuxhomekeke kwiimeko ezinokumiselwa, anike naliphi na igunya elinikezwe yena okanye phantsi kwa*loMthetho* kwi*Ntloko yeSebe* okanye i*gosa*, ngaphandle kwamandla okupapasha isaziso kunye negunya lokuthatha nasiphi na isigqibo sesibheno esifakwe kuye ngokwa*loMthetho*.

(2) I*Ntloko yeSebe* ingathi, ngokuxhomekeka kwezo meko inokuzimisela, igunyazise *igosa* lawo nawaphi na amagunya akhe phantsi kwa*loMthetho* okanye anikezelwe kuye ngokwecandelwana (loku-1).

(3) Ukudluliselwa kwamandla phantsi kwecandelwana (loku-1) okanye (lesi-2) akumthinteli u*Mphathiswa wePhondo* okanye i*Ntloko yeSebe*, njengoko imeko inokuba njalo, ekusebenziseni igunya elinjalo.

[Icandelo lama-61 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Imbuyekezo malunga nelahleko okanye umonakalo

62. I*gosa lohambo lwesikolo* elichazwe kwicandelo le-10, akasayi kuba noxanduva lwayo nayiphi na ilahleko okanye umonakalo obangelwe zizo naziphi na izenzo zamanyathelo afanelekileyo athatyathwe phantsi kwa*lo Mthetho*: Kuxhomekeka ekubeni elo *gosa lohambo lwesikolo* lenze imisebenzi yalo enxulumene nesikolo.

Imigaqo

63. (1) U*Mphathiswa wePhondo* unokwenza *imigaqo* kwaye, apho kufanelekileyo, ngokuxhomekeke kuzo naziphi na izithethe nemigangatho echazwe kwicandelo le-146 (2) lo*Mgaqosiseko*, malunga —

[Amagama angaphambi komhlathi (a) osetyenziswe ngecandelo lama- 26 (a) loMthetho wesi-7 wama-2010 kunye necandelo lama-28 (a) loMthetho wesi-4 wama-2018.]

(a) ukulawulwa nokuphathwa kweehostele nezikolo zikarhulumente kunye nokulawulwa kwepropati engashenxiswayo kunye nezixhobo ze*Sebe leMfundo yaseNtshona Kapa*;

(b) (i) ukwamkelwa kunye nokusetyenziswa kwemali okanye ezinye iimpahla zi*zikolo zikarhulumente* kunye onee*hostele* ezinxulumene nezikolo zikarhulumente, kunye neencwadi, iirekhodi kunye neengxelo ekufuneka zigcinwe ngokunxulumene naloo mabhunga okanye nabantu abakhankanywe kwi*migaqo*; kwaye

(ii) indlela ekufuneka zigcinwe ngayo ezo ncwadi, iirekhodi kunye neengxelo, ukuphicothwa ngoko kunye neembuyekezo kunye neengxelo ekufuneka zingeniswe ngokunxulumene noko.;

(c) imisebenzi yama*gosa ohambo lwesikolo*;

(cA) uvavanyo lomsebenzi olusebenzayo lwe*zikolo*, a*bafundisi ntsapho* kunye na*bafundi*;

(cB) izivumelwano zokusebenza phakathi kwe*Ntloko yeSebe* nee*nqununu*, amasekela *nqununu* na*bafundisi ntsapho* abasebenza ezi-ofisini;

(cC) ubuncinci iiyure zokufundisa ngeveki yesikolo nangosuku lwesikolo;

(cD) ukubhengezwa komdla wabucala wamalungu *amabhunga olawulo* ekuthengweni kweempahla neenkonzo ze*zikolo*;

(cE) ukuqeqesha, ukunqumamisa kunye nokugxothwa kwa*bafundi*;

(cF) imigaqo nemigangatho yeziseko zophuhliso ezingundoqo kunye noxhotyiso kwi*zikolo zikarhulumente*;

(cG) utyelelo novavanyo lwezikolo;

(cH) Ukukhutshwa yi*Ntloko yeSebe* kwezalathiso zokusebenza ezizibophelelo kuzo zonke izikolo;

[Imihlathi *(cA)* ukuya ku-*(cH)* ifakwe ngecandelo lama-26*(b)* loMthetho wesi-7 wama-2010.]

(cI) iimodeli zolawulo lwenkxaso mali nolawulo lwezikolo *zokusebenzisana* ne*zikolo zikarhulumente* e*zifumana inkxaso mali*;

(cJ) imigaqo nemigangatho yokubonelelwa kwenkxaso mali kwizikolo ezizimeleyo;

(cK) ukukhuthaza nokuqhubela phambili kwa*bafundi* kwi*zikolo zikarhulumente*;

(cL) imigaqo nemigangatho ye*ndawo yongenelelo ngoncedo*;

(cM) ulwamkelo lwabafundi kwi*zikolo zikarhulumente*;

(cN) ukuthengwa kweempahla neenkonzo ezinxulumene nemfundo kwi*phondo*;

(cO) ukubeka esweni, kunye nokufikelela, kwi*sikolo esizimeleyo*;

(cP) inkqubo yobhaliso njenge*sikolo esizimeleyo*;

[Imihlathi *(cI)* ukuya ku-*(cP)* ifakwe ngecandelo lama-28*(b)* loMthetho wesi-4 wama-2018.]

(d) nawuphi na umcimbi oya kuthi okanye *umiselwe* lu*lawulo* phantsi kwa*loMthetho*; kwaye

(e) Ngokubanzi nawuphi na umcimbi u*Mphathiswa wePhondo* anokuthi awubone uyimfuneko okanye ufanelekile ukuwu*misela* ukuze afezekise iinjongo za*loMthetho*, kwaye ukuveliswa kwalo mhlathi akunakuphelela yimihlathi edlulileyo.

(2) U*Mphathiswa wePhondo* akasayi kwenza mgaqo unxulumene nemali okanye izibonelelo ezihlawulwa kuye okanye nawuphi na umntu, okanye ezinxulumene nolawulo lwemali kunye neempahla zikaRhulumente, ngaphandle kwemvume ye*ntloko yezemali*.

(3) U*mmiselo* owenziwe phantsi kwecandelwana (loku-1) unokuthi, ngokwaphula umthetho okanye ukusilela ukuthobela, uku*misela* isohlwayo okanye ukuvalelwa entolongweni ixesha elingadlulanga kunyaka omnye.

[Icandelo lama-63 lihlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Ukurhoxiswa kwemithetho nokuyigcina

64. (1) Ngokwemigqaliselo yecandelwana (lesi-2), imithetho ekhankanywe kwikholam yokuqala yoLudwe lwenkqubo iyatshitshiswa ukuya kuthi ga kwinqanaba eliboniswe kwikholamu yesithathu yolu Ludwe lwenkqubo.

(2) Nantoni na eyenziweyo okanye ethathwa njenge yenziwe ngokwemigqaliselo yomthetho obhangiswe licandelwana (loku-1), kwaye enokuthi yenziwe okanye yenziwe ngokwa*lo Mthetho*, iya kuthathwa njenge yenziwe ngokwemigqaliselo ebonelelwa lwa*loMthetho*.

(3) Yonke imithetho, *imigaqo*, izaziso kunye nemiyalelo eyenziwe okanye ekhutshwe phantsi kwawo nawuphi na umthetho orhoxiswe ngulo mthetho, kwaye ubusebenza ngokukhawuleza ngaphambi ko*mhla omiselweyo*, ngaphandle kokurhoxiswa, iya kuhlala isebenza ngaphandle kokuba ayivumelani okanye iyangqubana na*loMthetho*, okanye de ubhangiswe, urhoxisiwe okanye uhlonyelwe nguMphathiswa wePhondo ngokwemigaqo, ngesaziso okanye ngokwemiyalelo, ngokwa*loMthetho*..

[Icandelo (lesi-3) uhlonyelwe ngecandelo lama-27 loMthetho wesi-7 wama-2010.]

Isihloko esifutshane noqaliso

65. *Lo Mthetho* uya kubizwa ngokuba ngu*Mthetho weMfundo weZikolo zaseNtshona Koloni*, we-1997, kwaye uya kuqala ukusebenza ngomhla omiselwe yi*Nkulumbuso* ngesibhengezo kwi*Phephandaba loMbuso lePhondo*.

ULUDWE LWENKQUBO

IMITHETHO ERHOXISIWEYO

Inombolo nonyaka woMthetho	**Isihloko**	**Ubungakanani borhoxiso**
UMthetho wama-47 we-1963	uMthetho weMfundo yaBantu beBala, we-1963	Wonke, ngaphandle kwamacandelo 1A, lesi-8 ukuya kwelama-20, lama-26, lama-28 ukuya kwelama-31 nalapho uMthetho unxulumene neekholeji zemfundo
UMthetho wama-61 we-1965	uMthetho weMfundo yamaNdiya, we-1965	Wonke, ngaphandle kwamacandelo 1B, 3B, lesi-8 ukuya kwelama-20, lama-26, lama-28, lama-29, lama-31, lama-33(1) *(g)* nalapho uMthetho unxulumene neekholeji zemfundo kunye neekholeji zobugcisa
UMthetho wama-60 we-1967	uMthetho woLungiso lweMfundo yamaNdiya, we-1967	Wonke
UMthetho wama-76 we-1967	uMthetho woLungiso lweMfundo yaBantu beBala, we-1967	Wonke
UMthetho wama-92 we-1970	uMthetho woLungiso oloNgezelelweyo loMthetho ngokuBanzi, we1970	iCandelo le-13
UMthetho wama-53 we-1973	uMthetho woLungiso lweMfundo yaBantu beBala, we-1973	Wonke
UMthetho wama-62 we-1973	uMthetho woLungiso loMthetho ngokuBanzi, we-1973	iCandelo lama-31
UMthetho wama-94 we-1974	uMthetho woLungiso lwesiBini loMthetho ngokuBanzi, we-1974	iCandelo lama-39
UMthetho wama-29 we-1976	uMthetho woLungiso lweMfundo yaBantu beBala, we-1976	Wonke
UMthetho wama-95 we-1976	uMthetho woLungiso lwesiBini lweMfundo yaBantu beBala, we-1976	Wonke
UMthetho wama-39 we-1979	uMthetho woLungiso lweMfundo yamaNdiya, we-1979	Wonke
UMthetho wama-50 we-1979	uMthetho woLungiso lweMfundo yaBantu beBala, we-1979	Wonke
UMthetho wama-90 we-1979	uMthetho weMfundo noQeqesho, we-1979	Wonke, ngaphandle kwamacandelo 1A, elesi-3, elesi-4, 11 ukuya kwelama-29, elama-31, elama-32, elama-43, elama-44, elama-44 (1) (h) napho uMthetho unxulumene neekholeji zobugcisa kunye neekholeji zemfundo
UMthetho we-15 we-1980	uMthetho woLungiso lweMfundo yaBantu beBala, we-1980	Wonke
UMthetho wama-52 we-1980	uMthetho woLungiso lweMfundo noQeqesho, we-1980	Wonke
UMthetho we-9 we-1981	uMthetho woLungiso lweMfundo yamaNdiya, we-1981	Wonke
UMthetho we-10 we-1981	uMthetho weMfundo noQeqesho, we-1982	Wonke
UMthetho wama-85 we-1983	uMthetho woLungiso lweMfundo yaBantu beBala, we-1983	Wonke
UMthetho wama-74 we-1984	uMthetho woiLungiso lweMfundo noQeqesho, we-1984	Wonke
UMthetho wama-78 we-1984	uMthetho woLungiso lweMfundo yamaNdiya, we-1984	Wonke
UMthetho wama-64 we-1985	uMthetho woLungiso lweMfundo yamaNdiya, we-1985	Wonke
UMthetho wama-71 we-1985	IiYunivesithi zabaNtsundu, iTekhnikhoni (iMfundo noQeqesho) kunye noMthethosihlomelo woLungiso lwezeMfundo kunye noQeqesho, we-1985	iCandelo lama-36
UMthetho wama-76 we-1985	uMthetho osisiLungiso seMfundo yaBantu beBala, we-1985	Wonke
UMthetho wesi-3 we-1986	IiYunivesithi kunye neTekhnikhoni yabaMnyama, iMfundo ePhakamileyo (iMfundo noQeqesho) kunye noMthetho	amaCandelo le-19, lama-20, lama-21, lama-22, lama-23, lama-24 nelama-25

	woLungiso lweMfundo noQeqesho, we-1986	
UMthetho we-100 we-1986	uMthetho woLungiso lweMfundo (iNdlu yabaThunywa), we-1986	amaCandelo loku-1, lesi-2, lesi-3, lesi-4, lesi-5, lesi-6 nelesi-7
UMthetho we-104 we-1986	uMthetho weZikolo zaBucala, (iNdlu yoWisomthetho), we-1986	Wonke, ngaphandle kwecandelo 1A
UMthetho wama-95 we-1987	uMthetho woLungiso lweMfundo yezemiMthetho, (iMfundo noQeqesho), we-1987	amaCandelo lesi-5, lesi-6, lesi-7, lesi-8, le-9, le-10, le-11, le-12 nele-13
UMthetho wama-31 we-1988	uMthetho woLungiso lweMfundo yezeMithetho, (iMfundo noQeqesho) we-1988	amaCandelo le-9, le-10, le-11, le-12, le-13, le-14, le-15, le-16, le-17 nele-18
UMthetho wama-70 we-1988	uMthetho weMicimbi yeMfundo, we-1988 (iNdlu yoWisomthetho), we-1988	Wonke, ngaphandle kwecandelo lesi-3, elama-65 kunye nesaHluko sesi-7
UMthetho wama-35 we-1989	uMthetho woLungiso lweMfundo noQeqesho, we-1989	Wonke
UMthetho wama-42 we-1990	uMthetho woLungiso lweMfundo noQeqesho, we-1990	Wonke
UMthetho wama-60 we-1990	uMthetho woLungiso lweZikolo zaBucala (iNdlu yoWisomthetho), we-1990	Wonke
UMthetho wama-88 we-1991	uMthetho woLungiso lweMicimbi yeMfundo (iNdlu yoWisomthetho), we-1991	Wonke
UMthetho we-100 we-1991	uMthetho woLungiso lweMfundo noQeqesho, we-1991	Wonke
UMthetho wama-39 we-1992	uMthetho woLungiso lweMicimbi yeMfundo (iNdlu yoWisomthetho), we-1992	Wonke
UMthetho wama-55 we-1992	uMthetho woLungiso lweMfundo noQeqesho, we-1992	Wonke
UMthetho we-106 we-1992	uMthetho woLungiso lwesiBini lweMfundo noQeqesho, we-1992	Wonke
UMthetho we-112 we-1992	uMthetho woLungiso lweMfundo yaBantu beBala (iNdlu yabaMeli), 1992	Wonke
UMthetho wama-36 we-1993	uMthetho woLungiso lweMicimbi yeMfundo (iNdlu yoWisomthetho), we-1993	Wonke
UMthetho wama-50 we-1993	uMthetho woLungiso lweMfundo yamaNdiya (iNdlu yabaThunywa), we-1993	Wonke
UMthetho we-132 we-1993	uMthetho woLungiso lweSine loMthetho ngokuBanzi, we-1993	iCandelo le-15
UMthetho we-139 we-1993	uMthetho woLungiso lweMithetho yeMfundo (iNdlu yoWisomthetho), we-1993	iCandelo loku-1
UMthetho we-162 we-1993	uMthetho woLungiso lwesiBini weMicimbi yeMfundo (iNdlu yoWisomthetho), we-1993	Wonke
UMthetho we-10 we-1994	uMthetho weZikolo zeNtshona Kapa, we-1994	Wonke
UMthetho wesi-7 we-1996	uMthetho woLungiso lweZikolo zeNtshona Kapa, we-1996	Wonke