

OFFICIAL GAZETTE

EXTRAORDINARY

OF SOUTH WEST AFRICA

BUITENGEWONE

OFFISIËLE KOERANT

VAN SUIDWES-AFRIKA



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Government Notice

Goewermentskennisgewing

The following Government Notice is published for general information.

H. S. P. W. VAN NIEUWENHUIZEN,
Secretary for South West Africa.

Administrator's Office,
Windhoek.

No. 300] [24 October 1975

ORDINANCE, 1975: PROMULGATION OF

The Administrator has been pleased to assent, in terms of section 27 of the South West Africa Constitution Act, 1968 (Act 39 of 1968) to the following Ordinance which is hereby published for general information in terms of section 29 of the said Act:

<i>No.</i>	<i>Title</i>	<i>Page</i>
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Die volgende Goewermentskennisgewing word vir algemene inligting gepubliseer.

H. S. P. W. VAN NIEUWENHUIZEN,
Sekretaris van Suidwes-Afrika.

Kantoor van die Administrateur,
Windhoek.

No. 300] [24 Oktober 1975

ORDONNANSIE, 1975: UITVAARDIGING VAN

Dit behaag die Administrateur om sy goedkeuring te heg, ooreenkomstig artikel 27 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968) aan die volgende Ordonnansie wat hierby vir algemene inligting gepubliseer word, ooreenkomstig artikel 29 van gemelde Wet:

<i>No.</i>	<i>Titel</i>	<i>Bladsy</i>
21	Onderwysordonnansie, 1975	1734

EDUCATION ORDINANCE, 1975.

(Assented to 8 October 1975.)

(Afrikaans text signed by the Administrator.)

(Date of commencement to be proclaimed.)

ORDINANCE

To consolidate and amend the laws relating to education for whites in South West Africa; and to provide for incidental matters.

BE IT ORDAINED by the Legislative Assembly for the Territory of South West Africa, as follows:-

ARRANGEMENT OF SECTIONS.

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3. Determination of education policy.
4. General powers of Executive Committee.
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10. Election, nomination and appointment of members of school committees.
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ONDERWYSORDONNANSIE, 1975.

*(Goedgekeur 8 Oktober 1975.)
(Afrikaanse teks deur die Administrateur geteken.)
(Datum van inwerkingtreding geproklameer te word.)*

ORDONNANSIE

Tot samevatting en wysiging van die wetsbepalings
betreffende onderwys vir blankes in Suidwes-Afrika;
en om voorsiening te maak vir bykomstige
aangeleenthede.

Die Wetgewende Vergadering van die Gebied
Suidwes-Afrika VERORDEN SOOS VOLG:

INDELING VAN ARTIKELS.

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(No. 21 of 1975.)

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LAWS REPEALED.

PRELIMINARY.

Definitions.

1. In this Ordinance, unless the context otherwise indicates -

(i) "Administration" means the Administration of the Territory; (ii)

(ii) "advisory board" means an advisory board referred to in section 16; (iii)

(iii) "age limit" -

(a) in relation to a person who was appointed to the education personnel with effect from a date prior to or on the eighteenth day of June, 1969, means the day on which that person -

(i) attains the age of sixty years in the case of a man; or

(ii) attains the age of fifty-five years in the case of a woman:

Provided that the age limit referred to may at the option of such person, whether man or woman, be deferred to at the utmost the day on which he or she attains the age of sixty-five years;

(b) in relation to a person who was appointed to the education personnel with effect from a date after the eighteenth day of June, 1969, means the day on which that person attains the age of sixty-five years; (xv)

(iv) "calendar term" means the period extending from the first day of the calendar month in which a school term commences up to and including the last day of the calendar month in which the same school term ends; (xiv)

(v) "complementary education" means such complementary education, determined by the Director in terms of section 43, as is provided in a school or class for complementary education established or instituted in terms of the said section 43; (i)

BYLAE.

WETTE HERROEP.

INLEIDEND.

1. In hierdie Ordonnansie, tensy uit die samehang anders blyk, beteken - Woordbepaling.

- (i) "aanvullingsonderwys" daardie aanvullingsonderwys deur die Direkteur bepaal ingevolge artikel 43 wat verskaf word in 'n skool of klas vir aanvullingsonderwys gestig of ingestel ingevolge genoemde artikel 43; (v)
- (ii) "Administrasie" die Administrasie van die Gebied; (i)
- (iii) "adviesraad" 'n adviesraad bedoel in artikel 16; (ii)
- (iv) "amptenaar" die Direkteur en elke beampte, werknemer en persoon in die onderwyspersoneel wat hom ingevolge artikel 5(3) bystaan in die vervulling van sy pligte en die uitoefening van sy bevoegdhede; (xxiii)
- (v) "Departement" die in artikel 5 bedoelde Onderwysdepartement; (viii)
- (vi) "Direkteur" die in artikel 5(2) bedoelde Direkteur van Onderwys; (ix)
- (vii) "dorpsbestuur" 'n dorpsbestuur ingestel ingevolge die Ordonnansie op Dorpsbesture 1963 (Ordonnansie 14 van 1963); (liii)
- (viii) "eienaar" met betrekking tot 'n private skool die persoon wat daardie private skool in stand hou of beheer of dit in stand hou en beheer; (xxv)
- (ix) "Gebied" die Gebied Suidwes-Afrika; (li)
- (x) "gestremde kind" 'n kind wat ingevolge hierdie Ordonnansie aan verpligte skoolbesoek onderworpe is en wat, na die oordeel van die Direkteur, in so 'n mate in liggaam, verstand of gedrag van die meerderheid van kinders afwyk dat hy -
 - (a) nie voldoende voordeel kan trek uit die gewone onderrig wat in die nor-

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(vi) "compulsory school attendance" means the compulsory school attendance referred to in section 85; (lii)

(vii) "compulsory subjects of study" means -

(a) the compulsory subjects of study referred to in section 96; and

(b) the subjects of study determined by the Director to be compulsory subjects of study in which all pupils or students -

(i) of a school designated by him; or

(ii) of a group designated by him

shall receive instruction; (li)

(viii) "Department" means the Department of Education referred to in section 5; (v)

(ix) "Director" means the Director of Education referred to in section 5; (vi)

(x) "education personnel" means the education personnel referred to in section 49; (xxiii)

(xi) "educational institution" includes a school and a hostel; (xxii)

(xii) "Executive Committee" means the Administrator-in-Executive-Committee referred to in section 6 of the South West Africa Constitution Act, 1968 (Act 39 of 1968); (l)

(xiii) "government educational institution" includes a government school and a government hostel; (xlvi)

(xiv) "government hostel" means a hostel maintained by the Executive Committee in terms of this Ordinance; (xlvii)

(xv) "government nursery school" means a nursery school maintained by the Executive Committee in terms of this Ordinance; (xlv)

(xvi) "government school" means a school maintained by the Executive Committee in terms of this Ordinance; (xlv)

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male loop van onderwys verskaf word nie; en

(b) spesiale onderrig nodig het; en

(c) nie 'n gewone klas in 'n gewone skool behoort by te woon nie omdat sodanige bywoning vir hom of vir ander leerlinge in daardie klas skadelik kan wees,

maar nogtans opvoedbaar is en voldoende baat sal vind by spesiale onderwys; (xvii)

(xi) "hierdie Ordonnansie" ook 'n regulasie; (lii)

(xii) "junior primêre onderwys" onderwys verskaf aan kinders in substanderds A en B en standerd een; en het "junior primêre kursus" 'n ooreenstemmende betekenis; (xix)

(xiii) "junior sekondêre onderwys" onderwys verskaf aan kinders in standerds vyf, ses en sewe; en het "junior sekondêre kursus" 'n ooreenstemmende betekenis; (xx)

(xiv) "kalendertermyn" die tydperk wat strek vanaf die eerste dag van die kalendermaand waarin 'n skooltermyn begin tot en met die laaste dag van die kalendermaand waarin dieselfde skooltermyn eindig; (iv)

(xv) "kleuterskool" 'n skool waarin onderrig verskaf word aan kinders wat nog nie aan verpligte skoolbesoek onderworpe is nie; (xxii)

(xvi) "koshuis" 'n inrigting vir die losies en inwoning van leerlinge of studente; (xviii)

(xvii) "leerling" kind wat 'n kleuterskool, primêre skool, sekondêre skool of spesiale skool besoek en daarin onderrig ontvang; (xxxv)

(xviii) "munisipaliteit" 'n munisipaliteit gestig of ingestel ingevolge die Munisipale Ordonnansie 1963 (Ordonnansie 13 van 1963); (xxi)

(xix) "Offisiële koerant" die Offisiële Koerant van die Gebied; (xxiv)

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- (xvii) "handicapped child" means a child who, in terms of this Ordinance, is subject to compulsory school attendance and who, in the opinion of the Director, deviates to such an extent from the majority of children in body, mind or behaviour that he -
- (a) cannot derive sufficient benefit from the instruction normally provided in the ordinary course of education; and
 - (b) requires special instruction; and
 - (c) should not attend an ordinary class in an ordinary school, because such attendance may be harmful to himself or to other pupils in that class,
- but is nevertheless educable and will derive sufficient benefit from special education; (x)
- (xviii) "hostel" means an institution for the board and lodging of pupils or students; (xvi)
- (xix) "junior primary education" means education provided to children in sub-standards A and B and standard one; and "junior primary course" shall have a corresponding meaning; (xii)
- (xx) "junior secondary education" means education provided to children in standards five, six and seven; and "junior secondary course" shall have a corresponding meaning; (xiii)
- (xxi) "municipality" means a municipality established or constituted in terms of the Municipal Ordinance, 1963 (Ordinance 13 of 1963); (xviii)
- (xxii) "nursery school" means a school in which education is provided to children who are not yet subject to compulsory school attendance; (xv)
- (xxiii) "official" means the Director and every officer, employee and person in the education personnel who, in terms of section 5(3), assists him in the performance of his duties and the exercise of his powers; (iv)

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- (xx) "onderwyser" 'n persoon wat 'n pos in die onderwyspersoneel bekleë; (xlix)
- (xxi) "onderwysersopleidingskollege" 'n onderwysersopleidingskollege gestig ingevolge artikel 34; (l)
- (xxii) omvat "onderwysinrigting" 'n skool en 'n koshuis; (xi)
- (xxiii) "onderwyspersoneel" die in artikel 49 bedoelde onderwyspersoneel; (x)
- (xxiv) "openbare vergadering" enige byeenkoms, toeloop of optog van enige getal persone, behalwe so 'n byeenkoms, toeloop of optog waartoe slegs lede van dieselfde groep, party of beweging toegang het; (xxxiv)
- (xxv) "ouderdomsgrens" -
- (a) met betrekking tot 'n persoon wat met ingang van 'n datum voor of op die agtiende dag van Junie 1969 in die onderwyspersoneel aangestel is, die dag waarop daardie persoon -
- (i) die leeftyd van sestig jaar bereik in die geval van 'n man; of
- (ii) die leeftyd van vyf-en-vyftig jaar bereik in die geval van 'n dame:
- Met dien verstande dat bedoelde ouderdomsgrens volgens die keuse van so 'n persoon, hetsy man of dame, verskuif kan word tot hoogstens die dag waarop hy of sy die leeftyd van vyf-en-sestig jaar bereik;
- (b) met betrekking tot 'n persoon wat met ingang van 'n datum na die agtiende dag van Junie 1969 in die onderwyspersoneel aangestel is, die dag waarop daardie persoon die leeftyd van vyf-en-sestig jaar bereik; (iii)
- (xxvi) "ouer" die vader van 'n kind en, as daar geen vader is nie of die vader nie kan optree of besluit in verband met die betrokke kind nie, die moeder van daardie kind, en, as daar geen vader of moeder is nie of nóg die vader nóg die moeder kan optree of besluit in verband met die betrokke kind, die persoon wat

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- (xxiv) "*Official Gazette*" means the Official Gazette of the Territory; (xix)
- (xxv) "owner" in relation to a private school means the person who maintains or controls or maintains and controls that private school; (viii)
- (xxvi) "parent" means the father of a child, and, should there be no father, or should the father be unable to act or make a decision regarding the child concerned, the mother of that child, and, should there be no father or mother, or should neither the father nor the mother be able to act or make a decision regarding the child concerned, the person who has the guardianship of that child or the person who is responsible for the care or custody of the child; (xxvi)
- (xxvii) "Peri-Urban Development Board" means the Peri-Urban Development Board established in terms of the Peri-Urban Development Board Ordinance, 1970 (Ordinance 19 of 1970); (xxxii)
- (xxviii) "pre-primary education" means education provided at a nursery school; (xxvii)
- (xxix) "prescribed" means prescribed by regulation; (liii)
- (xxx) "primary education" includes junior primary education and senior primary education; (xxviii)
- (xxxi) "primary school" means a school in which primary education is provided; (xix)
- (xxxii) "private hostel" means a hostel which is not a government hostel; (xxx)
- (xxxiii) "private school" means a school which is not a government school; (xxxi)
- (xxxiv) "public meeting" means any gathering, concourse or procession of any number of persons, except any such gathering, concourse or procession to which only members of the same group, party or movement have access; (xxiv)
- (xxxv) "pupil" means a child who attends, and receives instruction at a nursery school, primary school, secondary school, or special school; (xvii)

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- voogdy oor daardie kind het of die persoon wat vir die versorging of bewaring van die kind verantwoordelik is; (xxvi)
- (xxvii) “preprimêre onderwys” onderwys verskaf in ’n kleuterskool; (xxviii)
- (xxviii) omvat “primêre onderwys” junior primêre onderwys en senior primêre onderwys; (xxx)
- (xxix) “primêre skool” ’n skool waarin primêre onderwys verskaf word; (xxxi)
- (xxx) “private koshuis” ’n koshuis wat nie ’n staatskoshuis is nie; (xxxii)
- (xxxi) “private skool” ’n skool wat nie ’n staatskool is nie; (xxxiii)
- (xxxii) “Raad vir Buitestedelike Ontwikkeling” die Raad vir Buitestedelike Ontwikkeling ingestel ingevolge die Ordonnansie op die Raad vir Buitestedelike Ontwikkeling, 1970 (Ordonnansie 19 van 1970); (xxvii)
- (xxxiii) “regulasie” ’n regulasie kragtens hierdie Ordonnansie uitgevaardig en van krag; (xxxvi)
- (xxxiv) omvat “sekondêre onderwys” junior sekondêre onderwys en senior sekondêre onderwys; (xli)
- (xxxv) “sekondêre skool” ’n skool waarin sekondêre onderwys verskaf word; (xlii)
- (xxxvi) “senior primêre onderwys” onderwys verskaf aan kinders in standerds twee, drie en vier; en het “senior primêre kursus” ’n ooreenstemmende betekenis; (xliii)
- (xxxvii) “senior sekondêre onderwys” onderwys verskaf aan kinders in standerds agt, nege en tien; en het “senior sekondêre kursus” ’n ooreenstemmende betekenis; (xliv)
- (xxxviii) “skool” ’n inrigting of plek waar onderwys aan kinders of andere verskaf word; (xxxvii)
- (xxxix) “skooljaar” die skooljaar bepaal volgens die skoolkalender wat deur die Direkteur opgestel word; (xi)

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- (xxvi) "regulation" means a regulation made and in force under this Ordinance; (xxxiii)
- (xxxvii) "school" means an institution or place at which education is provided to children or other persons; (xxxviii)
- (xxxviii) "school committee" means a school committee referred to in section 7; (xl)
- (xxxix) "school term" means one of the terms into which a school year is divided; (xli)
- (xl) "school year" means the school year determined according to the school calendar drawn up by the Director; (x-xix)
- (xli) "secondary education" includes junior secondary education and senior secondary education; (xxxiv)
- (xlii) "secondary school" means a school in which secondary education is provided; (x-xv)
- (xliii) "senior primary education" means education provided to children in standards two, three and four; and "senior primary course" shall have a corresponding meaning; (xxxvi)
- (xliv) "senior secondary education" means education provided to children in standards eight, nine and ten; and "senior secondary course" shall have a corresponding meaning; (xxxvii)
- (xlv) "special class" means a class in which special education is provided; (xlii)
- (xlvi) "special education" means education of a specialised nature provided to meet the needs of handicapped children; (xliii)
- (xlvii) "special school" means a school in which special education is provided; (xliv)
- (xlviii) "standard" means a course, determined or approved by the Director, for the instruction of a group of pupils or persons for a period of one year, or the group of pupils or persons following such course; (xlix)
- (xlix) "teacher" means a person holding a post in the education personnel; (xx)

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- (xl) "skoolkomitee" 'n skoolkomitee bedoel in artikel 7; (xxxviii)
- (xli) "skooltermyn" een van die termyne waarin 'n skooljaar verdeel is; (xxxix)
- (xlii) "spesiale klas" 'n klas waarin spesiale onderwys verskaf word; (xlv)
- (xliii) "spesiale onderwys" onderwys van 'n gespesialiseerde aard wat verskaf word om te voorsien in die behoeftes van gestremde kinders; (xlvi)
- (xliv) "spesiale skool" 'n skool waarin spesiale onderwys verskaf word; (xlviii)
- (xlv) "staatskleuterskool" 'n kleuterskool wat ingevolge hierdie Ordonnansie deur die Uitvoerende Komitee in stand gehou word; (xv)
- (xlvi) "staatskool" 'n skool wat ingevolge hierdie Ordonnansie deur die Uitvoerende Komitee in stand gehou word; (xvi)
- (xlvii) "staatskoshuis" 'n koshuis wat ingevolge hierdie Ordonnansie deur die Uitvoerende Komitee in stand gehou word; (xiv)
- (xlviii) omvat "staatsonderwysinrigting" 'n staatskool en 'n staatskoshuis; (xiii)
- (xlix) "standerd" 'n kursus wat die Direkteur bepaal of goedgekeur het vir die onderrig van 'n groep leerlinge of persone oor 'n tydperk van een jaar, of die groep leerlinge of persone wat sodanige kursus volg; (xlviii)
- (l) "Uitvoerende Komitee" die Administrateur-in-uitvoerende-komitee bedoel in artikel 6 van die Wet op die Konstitusie van Suidwes-Afrika, 1968 (Wet 39 van 1968); (xii)
 - (li) "verpligte leervakke" -
 - (a) die in artikel 96 bedoelde verpligte leervakke; en
 - (b) die leervakke deur die Direkteur bepaal as verpligte leervakke waarin alle leerlinge of studente -
 - (i) van 'n skool deur hom aangewys; of

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- (i) "teachers' training college" means a teachers' training college established in terms of section 34; (xxi)
- (ii) "Territory" means the Territory of South West Africa; (ix)
- (iii) "this Ordinance" includes any regulation; (xi)
- (iv) "Village Management Board" means a Village Management Board constituted in terms of the Village Management Boards Ordinance, 1963 (Ordinance 14 of 1963). (vii)

CHAPTER I.

CENTRAL CONTROL OF EDUCATION.

Control of education.

2. Education for Whites in the Territory shall, subject to the provisions of this Ordinance, be controlled by the Executive Committee in terms of this Ordinance, and Whites only shall be admitted to any educational institution which is established or registered or maintained, or receives financial support, in terms of this Ordinance.

Determination of education policy.

3. The Executive Committee may, from time to time, determine the general policy which is to be pursued in respect of education, within the framework of the following principles, namely, that -

- (a) subject to the provisions of paragraph (c)(i), the Christian principle in education shall be recognised and revealed in order to develop and foster in pupils a Christian philosophy of life and of the world;
- (b) the national outlook shall be maintained in order to inculcate in pupils a healthy sentiment of undivided love for and loyalty to the common fatherland, and to cultivate appreciation for the traditions, language and culture of all sections of the people;
- (c) the principle of parental authority shall be accepted to the extent that -
 - (i) the individual parent may request that his child be exempted from attending the beginning of each school day with prayer and the reading of a portion from the Bible, and from instruction in Bible Study;

(ii) in 'n groep deur hom aangewys

onderrig moet ontvang; (vii)

(iii) "verpligte skoolbesoek" die verpligte skoolbesoek bedoel in artikel 85; (vi)

(liii) "voorgeskryf" of "voorskrewe" by regulasie voorgeskryf. (xxix)

HOOFSTUK I.

SENTRALE ONDERWYSBEHEER.

2. Onderwys vir blankes in die Gebied word, behoudens die bepalings van hierdie Ordonnansie, deur die Uitvoerende Komitee ingevolge hierdie Ordonnansie beheer en slegs blankes word tot enige onderwysinrigting wat ingevolge hierdie Ordonnansie gestig of geregistreer is of in stand gehou of geldelik ondersteun word, toegelaat.

Beheer oor onderwys.

3. Die Uitvoerende Komitee kan van tyd tot tyd die algemene beleid wat ten opsigte van die onderwys gevolg moet word, bepaal, en wel binne die raamwerk van die volgende beginsels, naamlik, dat -

Bepaling van onderwys beleid.

(a) die Christelike beginsel behoudens die bepalings van paragraaf (c)(i) in die onderwys erken en openbaar word ten einde by die leerlinge 'n Christelike lewens- en wêreldbeskouing te ontwikkel en te kweek;

(b) die nasionale beginsel gehandhaaf word ten einde by die leerlinge 'n gesonde gevoel van onverdeelde liefde vir en trou aan die gemeenskaplike vaderland in te boesem en waardering vir die tradisies, taal en kultuur van alle bevolkingsgroepe aan te kweek;

(c) die beginsel van ouerseggenskap aanvaar word in die mate dat -

(i) die individuele ouer kan versoek dat sy kind vrygestel moet word van bywoning van die begin van elke skooldag met gebed en die lees van 'n gedeelte van die Bybel en van die onderrig in Bybelstudie;

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- (ii) the individual parent may, subject to the provisions of Chapter VII, decide on the medium of instruction for his child;
- (iii) the individual parent be left an option in regard to admission of his child to a nursery school, and in regard to school admission of his child, who has already attained the earliest age for admission to a primary school referred to in section 84, but who is not yet subject to compulsory school attendance;
- (iv) the parent community may convey its wishes regarding the education of its children and the teaching system to the Department by means of the school committee.

General powers of Executive Committee.

4. (1) The Executive Committee may -

- (a) subject to the provisions of this Ordinance, establish, maintain and financially assist government schools;
- (b) establish, maintain and financially assist government hostels at or in conjunction with government schools and, at its discretion, bring to an end the existence thereof;
- (c) award study grants to pupils from the Territory who take courses for which the Department makes no provision in the Territory at approved educational institutions for primary, secondary, tertiary, special or vocational education in the Republic of South Africa;
- (d) award study bursaries, loans and grants to persons who take or wish to take instruction or training courses in order to enable them to obtain the necessary qualifications as teachers, or for any other profession, or to better such qualifications;
- (e) make provision, including the awarding of transport allowances, for the transport of pupils and other persons, to and from educational institutions and other approved institutions;
- (f) on conditions prescribed by regulation, award money on the rand for rand or any other basis deemed fit by it, to government educational institutions for the purchase of equipment, aids and library books;

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- (ii) die individuele ouer, behoudens die bepalings van Hoofstuk VII, oor die voertaal van sy kind kan besluit;
- (iii) die individuele ouer 'n keuse gelaat word met betrekking tot toelating van sy kind tot 'n kleuterskool en met betrekking tot skooltoelating tot 'n primêre skool van sy kind wat reeds die in artikel 84 bedoelde vroegste toelatingsouderdom tot die primêre skool bereik het maar nog nie aan verpligte skoolbesoek onderworpe is nie;
- (iv) die ouergemeenskap hulle wense met betrekking tot die opvoeding van hulle kinders en die onderwysstelsel deur middel van die skoolkomitee aan die Departement kan oordra.

4. (1) Die Uitvoerende Komitee kan -

Algemene bevoegdheid
van Uitvoerende Komitee.

- (a) behoudens die bepalings van hierdie ordonansie, staatskole stig, in stand hou en geldelik ondersteun;
- (b) staatskoshuise by of in verband met staatskole stig, in stand hou en geldelik ondersteun en, na goeë dunde, die voortbestaan daarvan beëindig;
- (c) studietoelaes toeken aan leerlinge van die Gebied wat kursusse waarvoor die Departement geen voorsiening in die Gebied maak nie, volg aan goedgekeurde onderwysinrigtings vir primêre, sekondêre, tersiêre, spesiale of beroepsonderwys in die Republiek van Suid-Afrika;
- (d) studiebeurse, -lenings en -toelaes toeken aan persone wat onderrig- of opleidingskursusse volg of wil volg ten einde hulle in staat te stel om die nodige kwalifikasies as onderwysers of vir enige ander beroep te bekom of sodanige kwalifikasies te verbeter;
- (e) voorsiening, met inbegrip van die toekenning van vervoertoelaes, maak vir die vervoer van leerlinge en ander persone na en van onderwysinrigtings en ander goedgekeurde inrigtings;
- (f) op die voorwaardes wat by regulasie voorgeskryf word, gelde op die rand-vir-rand of enige ander grondslag wat hy dienstig ag aan staatsonderwysinrigtings toeken vir die aankoop van uitrusting, hulpmiddels en biblioteekboeke;

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- (g) make provision for conducting examinations under the control of the Department or any other person with the prior approval of the Executive Committee;
- (h) on conditions prescribed by regulation award money to private hostels with regard to pupils of government schools who are resident at such private hostels;
- (i) recognise any teachers' association or committee thereof as representing the teachers of the Territory, or any group of such teachers, and at any time amend or withdraw such recognition;
- (j) take the other measures or action which it deems essential or expedient in the exercise of or in connection with any power granted to it by or in terms of this Ordinance.

(2) The Executive Committee may at any time cancel or withhold any financial assistance, provision, award or allowance (including any study bursary, study loan or study allowance) bestowed, granted, made or awarded in terms of this Ordinance, if -

- (a) the educational institution to which it is bestowed, granted, made or awarded, is not managed satisfactorily or efficiently or in accordance with the provisions of this Ordinance; or
- (b) the educational institution or person to which or to whom it is bestowed, granted, made or awarded, no longer performs the function for which such assistance, provision, award or allowance is bestowed, granted, made or awarded, or no longer complies with or fails to satisfy the conditions to which such assistance, provision, award or allowance is subject; or
- (c) the continuation of such assistance, provision, award or allowance no longer serves the interests of education or the Territory.

(3) Whenever any government school no longer satisfies the requirements laid down in this Ordinance for the establishment of a government school of the category to which it belongs, such government school shall not continue to exist without the approval of the Executive Committee: Provided that the Executive Committee may act in accordance with the provisions of section 33 where the government school concerned is a government school for secondary education.

- (g) voorsiening maak vir die afneem van eksamens onder die beheer van die Departement of deur iemand anders met die voorafverkreë goedkeuring van die Uitvoerende Komitee;
- (h) op die voorwaardes wat by regulasie voorgeskryf word gelde aan private koshuise toeken ten opsigte van leerlinge van staatskole wat by sodanige private koshuise inwoon;
- (i) enige onderwysersvereniging of komitee daarvan erken as verteenwoordigend van die onderwysers van die Gebied of enige groep sodanige onderwysers en sodanige erkenning te enige tyd wysig of intrek;
- (j) die ander maatreëls tref of dinge doen wat hy noodsaaklik of dienstig ag by die uitoefening van of in verband met enige bevoegdheid wat by of ingevolge hierdie Ordonnansie aan hom verleen word.

(2) Die Uitvoerende Komitee kan te eniger tyd enige geldelike ondersteuning, voorsiening, toekenning of toelae (insluitende enige studiebeurs, -lening of -toelae) ingevolge hierdie Ordonnansie verleen, maak, gedoen of toegeken, intrek of staak indien -

- (a) die onderwysinrigting waaraan dit verleen, maak, gedoen of toegeken is, nie bevredigend of doeltreffend of ooreenkomstig die bepalings van hierdie Ordonnansie bestuur word nie; of
- (b) die onderwysinrigting of persoon aan wie dit verleen, maak, gedoen of toegeken is, nie meer die funksie verrig waarvoor sodanige ondersteuning, voorsiening, toekenning of toelae verleen, maak, gedoen of toegeken is nie of nie meer aan die voorwaardes waaraan sodanige ondersteuning, voorsiening, toekenning of toelae onderworpe is, voldoen nie of dit nie nakom nie; of
- (c) die voortsetting van sodanige ondersteuning, voorsiening, toekenning of toelae nie meer in die belang van die onderwys of die Gebied is nie.

(3) Wanneer enige staatskool nie meer aan die in hierdie Ordonnansie bepaalde vereistes vir die stigting van 'n staatskool van die kategorie waartoe daardie staatskool behoort, voldoen nie, mag daardie staatskool nie sonder die goedkeuring van die Uitvoerende Komitee bly voortbestaan nie: Met dien verstande dat die Uitvoerende Komitee ooreenkomstig die bepalings van artikel 33 kan handel indien die betrokke staatskool 'n staatskool vir sekondêre onderwys is.

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Department of Education.

5. (1) There shall be a division of the Administration to be known as the Department of Education, which is responsible for the performance of all activities which are necessary for or incidental to education and the promotion thereof and for the execution of all the functions coupled with the exercise of the powers and the performance of the duties in relation to education mentioned in this Ordinance.

(2) At the head of the Department there shall be an officer to be styled the Director of Education, who shall be appointed by the Executive Committee subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957), and who shall, subject to the direction and control of the Executive Committee, exercise the powers and perform the duties conferred and imposed upon him by or in terms of this Ordinance or any other law.

(3) The Director shall be assisted in the performance of his duties and the exercise of his powers by the officers and employees who are appointed by the Executive Committee, subject to the provisions of the Public Service Act, 1957 (Act 54 of 1957), and the Administration Employees Ordinance, 1957 (Ordinance 17 of 1957), and by the education personnel appointed by him in terms of this Ordinance.

Syllabuses determined by Director.

6. In all schools in the Territory the syllabuses for all compulsory and non-compulsory subjects of study shall be as determined by the Director from time to time.

CHAPTER II.

LOCAL CONTROL OF GOVERNMENT SCHOOLS.

Establishment of school committees.

7. (1) Subject to the provisions of subsection (2) there shall be a school committee for each government school for primary education and each government school for secondary education and for each new government school for primary education and each new government school for secondary education which is established, a school committee shall be instituted within twelve months after the opening of such school: Provided that the Executive Committee may determine at any time that no school committee shall be instituted for any government school for primary education or government school for secondary education designated by it.

(2) The Executive Committee may, at any time, abolish or dissolve a school committee of a government school for primary education or a government school for secondary education -

5. (1) Daar is 'n afdeling van die Administrasie wat die Onderwysdepartement heet en wat verantwoordelik is vir die verrigting van al die werksaamhede wat vir die onderwys en die bevordering daarvan nodig is of daarmee in verband staan en vir die verrigting van al die werksaamhede wat gepaard gaan met die uitoefening van die bevoegdhede en die vervulling van die pligte met betrekking tot die onderwys waarvan daar in hierdie Ordonnansie melding gemaak word.

Onderwysdepartement.

(2) Aan die hoof van die Departement staan 'n beampete met die ampstitel Direkteur van Onderwys wat deur die Uitvoerende Komitee aangestel word onderworpe aan die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957), en wat onderworpe aan die voorskrifte en beheer van die Uitvoerende Komitee die bevoegdhede uitoefen en die pligte vervul wat by of ingevolge hierdie Ordonnansie of enige ander wet aan hom verleen en opgedra word.

(3) Die Direkteur word in die vervulling van sy pligte en die uitoefening van sy bevoegdhede bygestaan deur die beampetes en werknemers wat onderworpe aan die bepalings van die Staatsdienswet, 1957 (Wet 54 van 1957), en die Administrasiewerknemersordonnansie 1957 (Ordonnansie 17 van 1957), deur die Uitvoerende Komitee aangestel word en deur die onderwyspersoneel wat ingevolge hierdie Ordonnansie deur hom aangestel word.

6. In alle skole in die Gebied is die sillabusse vir alle verpligte en nie-verpligte leervakke soos van tyd tot tyd deur die Direkteur bepaal.

Sillabusse deur Direkteur bepaal.

HOOFSTUK II.

PLAASLIKE BEHEER OOR STAATSKOLE.

7. (1) Behoudens die bepalings van subartikel (2) is daar 'n skoolkomitee vir elke staatskool vir primêre onderwys en elke staatskool vir sekondêre onderwys en word daar vir elke nuwe staatskool vir primêre onderwys en elke nuwe staatskool vir sekondêre onderwys wat gestig word, binne twaalf maande na die opening van sodanige skool, 'n skoolkomitee ingestel: Met dien verstande dat die Uitvoerende Komitee te eniger tyd kan bepaal dat geen skoolkomitee vir enige staatskool vir primêre onderwys of staatskool vir sekondêre onderwys deur hom aangewys ingestel sal word nie.

Instelling van skoolkomitees.

(2) Die Uitvoerende Komitee kan te eniger tyd 'n skoolkomitee van 'n staatskool vir primêre onderwys of 'n staatskool vir sekondêre onderwys afskaf en ontbind-

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- (a) if, in the opinion of the Executive Committee, such school committee does not carry out its duties properly; or
- (b) if such school committee, in the opinion of the Executive Committee, does not serve the interests of the government school for which it was instituted efficiently; or
- (c) if the government school for primary education or government school for secondary education for which it was instituted amalgamates with any other school, or if it is divided into separate schools; or
- (d) if the Executive Committee, on account of any reorganisation of education amenities, considers it necessary or expedient that a new school committee be elected; or
- (e) for any other reasons which it may consider adequate.

Constitution of school committees.

8. Subject to the provisions of section 10(5), a school committee shall consist of three, five or seven members, as the Director may determine: Provided that the Director may, at any time when a new school committee is due for election, change the number of members for such school committee to any other of the aforementioned numbers.

Qualifications and disqualifications of members of school committees.

9. A person shall be disqualified from being elected, nominated or appointed as a member of a school committee, or if elected, nominated or appointed, to hold office as such, if -

- (a) he has at any time been convicted of an offence for which he has been sentenced to imprisonment without the option of a fine, unless he has received a free pardon, or unless the period of imprisonment expired at least three years before the date of his election, nomination or appointment; or
- (b) he is of unsound mind and has been so declared by a competent court; or
- (c) he is an unrehabilitated insolvent; or
- (d) he is not a South African citizen, unless he is the parent of a pupil of the school for which the school committee concerned was instituted; or
- (e) he is in the service of the Department or any educational institution under the control of the Department, or is attached to the Department or any such educational institution; or

- (a) indien sodanige skoolkomitee na die mening van die Uitvoerende Komitee nie sy pligte behoorlik uitvoer nie; of
- (b) indien sodanige skoolkomitee na die mening van die Uitvoerende Komitee nie die belange van die staatskool waarvoor dit ingestel is, doeltreffend behartig nie; of
- (c) indien die staatskool vir primêre onderwys of staatskool vir sekondêre onderwys waarvoor dit ingestel is, met enige ander skool verenig of indien dit in afsonderlike skole verdeel word; of
- (d) indien die Uitvoerende Komitee dit vanweë enige reorganisasie van onderwysgeriewe nodig of dienstig ag dat 'n nuwe skoolkomitee verkies moet word; of
- (e) om enige ander redes wat hy genoegsaam ag.

8. Behoudens die bepalings van artikel 10(5) bestaan elke skoolkomitee uit drie, vyf of sewe lede, na gelang die Direkteur bepaal: Met dien verstande dat die Direkteur te eniger tyd wanneer 'n nuwe skoolkomitee verkies moet word die getal lede van sodanige skoolkomitee tot enige ander van genoemde getalle kan verander.

Samstelling van skoolkomitees.

9. Iemand is onbevoeg om as lid van 'n skoolkomitee verkies of benoem of aangestel te word of indien verkies of benoem of aangestel, om as sodanig te dien, indien -

Kwalifikasies en diskwalifikasies van lede van skoolkomitees.

- (a) hy te eniger tyd skuldig bevind is aan 'n misdryf waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnissen is, tensy algehele grasia aan hom verleen is, of tensy die tydperk van gevangenisstraf minstens drie jaar voor die datum van sy verkiesing, benoeming of aanstelling verstryk het; of
- (b) hy in sy geestesvermoë gekrenk is en deur 'n bevoegde hof aldus verklaar is; of
- (c) hy 'n ongerehabiliteerde insolvent is; of
- (d) hy nie 'n Suid-Afrikaanse burger is nie, tensy hy die ouer is van 'n leerling van die skool waarvoor die betrokke skoolkomitee ingestel is; of
- (e) hy by die Departement of enige onderwysinrigting onder die beheer van die Departement in diens is of verbonde is aan die Departement of enige sodanige onderwysinrigting; of

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(f) he is in the service of or has financial interests in any private educational institution in the Territory; or

(g) he is under the age of 21 years.

Election, nomination and appointment of members of school committees.

10. (1) The members of a school committee shall, subject to the provisions of this section, be elected in the manner prescribed, and such election shall be conducted under the control of the Department.

(2) (a) General elections of members of school committees shall be held triennially on a date determined by the Director.

(b) For the purposes of paragraph (a) the first general election of members of school committees shall be deemed to have been held on the first day of July, 1963.

(3) The first election of members of a school committee instituted after the commencement of this Ordinance shall be held on a day not more than sixty days after the institution thereof, which is determined by the Director, and each election of members of such school committee thereafter shall be held simultaneously with the general elections of members of school committees referred in subsection (2).

(4) Each parent of a child who, at the time of an election of members of a school committee, is a pupil of the school for which that school committee was instituted, is entitled to vote at such election: Provided that where any person other than the father or the mother has the guardianship of such pupil, only such person shall be entitled to vote at such election.

(5) (a) If more than one medium of instruction is used at a school for which a school committee was instituted and at least one person from each such language group is not elected as member of the school committee concerned, the Executive Committee may, at the request of the majority of persons from that language group who are entitled to vote, nominate a person from that language group whom it may designate according to its own choice as additional member of that school committee.

(b) For the purposes of paragraph (a), every person who regards the medium of instruction concerned as his home language shall be deemed to be a member of that language group.

(f) hy in diens is of geldelike belang het by enige private onderwysinrigting in die Gebied; of

(g) hy jonger as 21 jaar is.

10. (1) Die lede van 'n skoolkomitee word, behoudens die bepalings van hierdie artikel, op die voorgeskrewe wyse verkies en sodanige verkiesing geskied onder die beheer van die Departement.

Verkiesing, benoeming en aanstelling van lede van skoolkomitees.

(2) (a) Algemene verkiesings van lede van skoolkomitees word driejaarliks gehou op 'n datum deur die Direkteur bepaal.

(b) By die toepassing van paragraaf (a) word die eerste algemene verkiesing van lede van skoolkomitees geag op die eerste dag van Julie 1963 gehou te gewees het.

(3) Die eerste verkiesing van lede van 'n skoolkomitee ingestel na die inwerkingtreding van hierdie Ordonnansie word gehou op 'n dag, binne sestig dae na die instelling daarvan, wat die Direkteur bepaal en alle daaropvolgende verkiesings van lede van sodanige skoolkomitee word gehou gelyktydig met die algemene verkiesings van lede van skoolkomitees bedoel in subartikel (2)

(4) Elke ouer van 'n kind wat, ten tyde van 'n verkiesing van lede van 'n skoolkomitee, 'n leerling is van die skool waarvoor daardie skoolkomitee ingestel is, is geregtig om te stem by sodanige verkiesing: Met dien verstande dat waar enigiemand anders as die vader of moeder voogdy oor sodanige leerling het, slegs so iemand geregtig is om te stem by sodanige verkiesing.

(5) (a) Indien meer as een voertaal gebruik word aan 'n skool waarvoor 'n skoolkomitee ingestel is en minstens een persoon uit elke sodanige taalgroep nie tot lid van die betrokke skoolkomitee verkies word nie, kan die Uitvoerende Komitee, op versoek van die meerderheid van die stemgeregtigdes uit daardie taalgroep, 'n persoon uit daardie taalgroep wat hy volgens sy eie keuse mag aanwys, tot addisionele lid van daardie skoolkomitee benoem.

(b) By die toepassing van paragraaf (a) word elkeen wat die betrokke voertaal as sy huistaal beskou, geag uit daardie taalgroep te wees.

(6) If at any time at any election of members of a school committee fewer than the number of members comprising such school committee are elected or the persons entitled to vote do not avail themselves of the opportunity afforded them to elect a school committee, the Executive Committee may, with due observance of the provisions of this Ordinance, appoint the persons whom it may deem suitable as members of that school committee, or to fill the vacancies, as the case may be.

Term of office of school committees.

11. A member of a school committee, shall hold office from the day of his election, nomination or appointment, as the case may be, up to and including the day immediately preceding the day of election at the following general election of members of school committees held in terms of section 10(2).

Remuneration of members of school committees.

12. A member of a school committee shall receive no remuneration, but expenses incurred by him, with the approval of the Director in the exercise of his powers or the performance of his duties as a member of a school committee may be reimbursed to him.

Meetings of school committees.

13. (1) A school committee shall meet at least once in every school term.

(2) The first meeting of a school committee after an election thereof shall be held at a time and a place determined by the Director and each subsequent meeting of such school committee shall be held at a time and a place determined by the chairman thereof.

Powers and duties of school committees.

14. The powers and duties of school committees shall be -

- (a) to exercise general supervision, as defined from time to time by the Executive Committee, over the school for which such school committee was instituted;
- (b) to advise the Executive Committee on matters pertaining the welfare of the school for which such school committee was instituted;
- (c) to advise the Executive Committee in connection with any representations received from the parents of children who are pupils of the school for which such school committee was instituted;
- (d) to perform the other tasks lawfully imposed upon school committees in general or such school committee in particular by the Executive Committee or the Director;

(6) Indien daar te eniger tyd by enige verkiesing van lede van 'n skoolkomitee minder lede verkies word as die getal lede waaruit sodanige skoolkomitee bestaan, of die stemgeregtigdes nie gebruik maak van die geleentheid wat hulle gebied word om 'n skoolkomitee te verkies nie, kan die Uitvoerende Komitee, met inagneming van die bepalings van hierdie Ordonnansie die persone wat hy geskik ag aanstel as lede van daardie skoolkomitee, of in die vakatures, na gelang van die geval.

11. 'n Lid van 'n skoolkomitee beklee sy amp vanaf die dag van sy verkiesing, benoeming of aanstelling, na gelang van die geval, tot en met die dag onmiddellik voor die stembag van die daaropvolgende algemene verkiesing van lede van skoolkomitees gehou ingevolge artikel 10(2).

Ampstermyn van skoolkomitees.

12. 'n Lid van 'n skoolkomitee ontvang geen besoldiging nie, maar uitgawes wat hy met die goedkeuring van die Direkteur aangegaan het by die uitoefening van sy bevoegdheede of die vervulling van sy pligte as lid van 'n skoolkomitee mag aan hom vergoed word.

Vergoeding van lede van skoolkomitees.

13. (1) 'n Skoolkomitee moet minstens een vergadering elke skooltermyn hou.

Vergaderings van skoolkomitees.

(2) Die eerste vergadering van 'n skoolkomitee na 'n verkiesing daarvan word gehou op 'n tyd en plek deur die Direkteur bepaal en elke daaropvolgende vergadering van sodanige skoolkomitee word gehou op die tyd en plek deur die voorsitter daarvan bepaal.

14. Die bevoegdheede en pligte van 'n skoolkomitee is -

Bevoegdheede en pligte van skoolkomitees.

(a) om algemene toesig soos van tyd tot tyd deur die Uitvoerende Komitee omskryf, uit te oefen oor die skool waarvoor sodanige skoolkomitee ingestel is;

(b) om die Uitvoerende Komitee te adviseer oor aangeleenthede rakende die welsyn van die skool waarvoor sodanige skoolkomitee ingestel is;

(c) om die Uitvoerende Komitee te adviseer in verband met enige verstoë wat ontvang word van die ouers van kinders wat leerlinge is van die skool waarvoor sodanige skoolkomitee ingestel is;

(d) om die ander take te verrig wat wettiglik deur die Uitvoerende Komitee of die Direkteur aan skoolkomitees in die algemeen of aan sodanige skoolkomitee in die besonder opgedra word;

- (e) to exercise and perform the other powers and duties conferred or imposed upon school committees by or in terms of this Ordinance:

Provided that a school committee shall never interfere with the performance of the professional duties of the teachers at any school.

Access to documents of school committees.

15. The Director and any official under his control who has been duly authorised thereto by him, shall at any time have access to the books and documents of a school committee.

Establishment of advisory boards.

16. The Executive Committee may at any time and at its discretion -

- (a) institute an advisory board for -
- (i) a teachers' training college;
 - (ii) a government school for special education;
 - (iii) a government school for complementary education;
 - (iv) a government nursery school;
 - (v) a government school for primary education or a government school for secondary education which does not have a school committee;
- (b) prescribe the constitution, powers, duties, privileges, functions and term of office of such advisory board, and the allowances, if any, payable to members of such advisory board; and
- (c) appoint the members of such advisory board.

Government school without school committee or advisory board.

17. (1) During the period that a government school does not have a school committee or advisory board, the duties and powers of a school committee or advisory board for that school shall be performed and exercised by the Director: Provided that the Executive Committee may at any time, if it is considered advisable -

- (a) direct that a school committee referred to in section 7 shall be instituted or reinstated for any such government school, being a government school for primary education or a government school for secondary education; or
- (b) institute or reinstate an advisory board referred to in section 16 for such government school.

- (e) om die ander bevoegdhede en pligte uit te oefen en te vervul wat by of ingevolge hierdie Ordonnansie aan skoolkomitees verleen of opgedra word:

Met dien verstande dat 'n skoolkomitee nooit mag inmeng met die verrigting van die professionele pligte van die onderwysers aan enige skool nie.

15. Die Direkteur en enige amptenaar onder sy beheer wat behoorlik deur hom daartoe gemagtig is, het te eniger tyd insae in die boeke en dokumente van 'n skoolkomitee.

Insae in dokumente van skoolkomitees.

16. Die Uitvoerende Komitee kan te eniger tyd, na goeddunke -

Instelling van adviesrade.

- (a) 'n adviesraad instel vir -

(i) 'n onderwysersopleidingskollege;

(ii) 'n staatskool vir spesiale onderwys;

(iii) 'n staatskool vir aanvullingsonderwys;

(iv) 'n staatskleuterskool;

(v) 'n staatskool vir primêre onderwys of 'n staatskool vir sekondêre onderwys wat nie 'n skoolkomitee het nie;

(b) die samestelling, bevoegdhede, pligte, voorregte, werksaamhede en ampstermyn van sodanige adviesraad en die toelaes, indien enige, betaalbaar aan lede van sodanige adviesraad voorskryf; en

(c) die lede van sodanige adviesraad aanstel.

17. (1) Terwyl 'n staatskool geen skoolkomitee of adviesraad het nie word die pligte en bevoegdhede van 'n skoolkomitee of adviesraad vir daardie staatskool deur die Direkteur vervul en uitgeoefen: Met dien verstande dat die Uitvoerende Komitee te eniger tyd, indien dit raadsaam geag word -

Staatskool sonder skoolkomitee of adviesraad.

(a) kan gelas dat 'n skoolkomitee bedoel in artikel 7 vir enige sodanige staatskool wat 'n staatskool vir primêre onderwys of 'n staatskool vir sekondêre onderwys is, ingestel of heringestel moet word; of

(b) 'n adviesraad bedoel in artikel 16 vir sodanige staatskool kan instel of herinstel.

(2) The provisions of section 16 shall *mutatis mutandis* apply to the institution in terms of subsection (1) of an advisory board for such a government school.

CHAPTER III.

PUBLIC EDUCATION.

Introductory and General Provisions in relation to Government Educational Institutions.

Classification and grading of government schools.

18. (1) Government schools shall be divided into the following categories:

- (a) government nursery schools;
- (b) government schools for primary education;
- (c) government schools for secondary education;
- (d) teachers' training colleges;
- (e) government schools for special education;
- (f) government schools for complementary education:

Provided that any two or more such categories may be combined into one school.

(2) The grading of schools within each of the said categories shall be as determined by the Executive Committee from time to time.

Standards and subjects of study at government schools.

19. (1) The Executive Committee shall determine, in respect of each government school, the highest and the lowest standards or classes in which instruction is provided at such government school.

(2) Subject to the provisions of section 96 the Director shall determine the compulsory and non-compulsory subjects of study in which instruction is provided at a government school.

Sex of pupils of government schools.

20. Both boys and girls shall be admitted to every government school: Provided that the Executive Committee may at any time determine, in respect of any government school, that only boys or only girls shall be admitted to such government school.

Demarcation of school areas.

21. (1) The Executive Committee may from time to time determine for any government school the area to be served by such government school.

(2) A definition of any area determined for a government school in terms of subsection (1) shall be made known by notice in the *Official Gazette*.

(2) Die bepalings van artikel 16 is *mutatis mutandis* van toepassing by die instelling ingevolge subartikel (1) van 'n adviesraad vir so 'n staatskool.

HOOFSTUK III.

OPENBARE ONDERWYS.

Inleidende en Algemene Bepalings Betreffende Staats- onderwysinrigtings.

18. (1) Staatskole word in die volgende kategorieë verdeel:

Indeling en gradering van staatskole.

- (a) staatskleuterskole;
- (b) staatskole vir primêre onderwys;
- (c) staatskole vir sekondêre onderwys;
- (d) onderwysersopleidingskolleges;
- (e) staatskole vir spesiale onderwys;
- (f) staatskole vir aanvullingsonderwys;

Met dien verstande dat enige twee of meer sodanige kategorieë in een skool gekombineer kan word.

(2) Die gradering van skole binne elkeen van genoemde kategorieë is soos van tyd tot tyd deur die Uitvoerende Komitee bepaal.

19. (1) Die Uitvoerende Komitee bepaal ten opsigte van elke staatskool die hoogste en laagste standerds of klasse waarin onderrig in sodanige staatskool gegee word.

Standerds en leervakke aan staatskole.

(2) Behoudens die bepalings van artikel 96 bepaal die Direkteur die verpligte en nie-verpligte leervakke waarin onderrig in 'n staatskool verskaf word.

20. Sowel seuns as meisies word tot elke staatskool toegelaat: Met dien verstande dat die Uitvoerende Komitee te eniger tyd ten opsigte van enige staatskool kan bepaal dat slegs seuns of slegs meisies tot sodanige staatskool toegelaat word.

Geslag van leerlinge van staatskole.

21. (1) Die Uitvoerende Komitee kan van tyd tot tyd vir enige staatskool die gebied bepaal wat deur sodanige staatskool bedien moet word.

Afbakening van skoolgebied.

(2) 'n Omskrywing van enige gebied ingevolge subartikel (1) vir 'n staatskool bepaal, word by kennisgewing in die *Offisiële Koerant* bekend gemaak.

(3) When an area is determined for a government school in terms of subsection (1), only pupils residing in that area will be admitted to that government school: Provided that pupils residing outside that area may be admitted to that government school on conditions determined by the Director.

Rules and instructions.

22. (1) The Executive Committee may, from time to time, issue rules and instructions concerning education in, and the management of, government educational institutions, which shall be complied with in all government educational institutions and the management thereof.

(2) Different rules and instructions may, in terms of subsection (1), be issued in respect of different government educational institutions or different categories or grades of government schools.

Inspection of government educational institutions.

23. The Director may at any time make such inspection as he deems necessary or expedient at a government educational institution, or cause such inspection to be made.

Refusal of admission to and expulsion from government educational institutions.

24. The Executive Committee may -

- (a) refuse to admit any pupil or other person to a government educational institution;
- (b) order the expulsion of any pupil or other person admitted to a government educational institution from such government educational institution,

if the continued attendance of or residence at that government educational institution by such pupil or person will, in his opinion, be detrimental or harmful to other pupils or persons of such government educational institution or in the effective administration of such government educational institution or if the pupil or person has got married.

Pre-primary Education.

Establishment of government nursery schools.

25. The Executive Committee may, at any time, establish a government nursery school, should it anticipate that the enrolment at such school will in terms of this Ordinance, justify a personnel of at least one teacher.

Pupils admitted to government nursery schools.

26. A child who is three years old or older, but not yet subject to compulsory school attendance, may be admitted to a government nursery school and attend such school until the end of the year immediately preceding the year in which he becomes subject to compulsory school attendance.

Informal instruction at government nursery schools.

27. Instruction at government nursery schools shall consist of informal instruction.

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(3) Wanneer 'n gebied ingevolge subartikel (1) vir 'n staatskool bepaal is, word slegs leerlinge wat binne daardie gebied woon tot daardie staatskool toegelaat: Met dien verstande dat leerlinge wat buite daardie gebied woon op die voorwaardes wat die Direkteur bepaal tot daardie staatskool toegelaat mag word.

22. (1) Die Uitvoerende Komitee kan van tyd tot tyd reëls en voorskrifte rakende die onderwys in en die bestuur van staatsonderwysinrigtings uitreik wat in alle staatsonderwysinrigtings en by die bestuur daarvan nagekom moet word.

Reëls en voorskrifte.

(2) Verskillende reëls en voorskrifte kan ingevolge subartikel (1) ten opsigte van verskillende staatsonderwysinrigtings of verskillende kategorieë of grade staatskole uitgereik word.

23. Die Direkteur kan te eniger tyd die inspeksie wat hy nodig of dienstig ag by 'n staatsonderwysinrigting uitvoer of laat uitvoer.

Inspeksie van staatsonderwysinrigtings.

24. Die Uitvoerende Komitee kan -

Weiering van toelating tot 'n uitsetting uit staatsonderwysinrigtings.

- (a) weier om enige leerling of ander persoon tot 'n staatsonderwysinrigting toe te laat;
- (b) die uitsetting van enige leerling of ander persoon wat tot 'n staatsonderwysinrigting toegelaat is uit daardie staatsonderwysinrigting gelas

indien daardie leerling of persoon se voortgesette besoek van of inwoning in daardie staatsonderwysinrigting na sy mening nadelig of skadelik kan wees vir die ander leerlinge of persone van daardie staatsonderwysinrigting of vir die doeltreffende bestuur van daardie staatsonderwysinrigting; of indien die leerling of persoon in die huwelik getree het.

Preprimêre Onderwys.

25. Die Uitvoerende Komitee kan te eniger tyd 'n staatskleuterskool stig indien hy verwag dat die aantal ingeskrewe leerlinge van sodanige skool ingevolge hierdie Ordonnansie 'n personeel van minstens een onderwyser sal regverdig.

Stigting van staatskleuterskole.

26. 'n Kind wat drie jaar oud of ouer is maar nog nie aan verpligte skoolbesoek onderworpe is nie kan tot 'n staatskleuterskool toegelaat word en sodanige skool besoek tot aan die einde van die jaar wat die jaar waarin hy aan verpligte skoolbesoek onderworpe raak onmiddellik voorafgaan.

Leerlinge tot staatskleuterskole toegelaat.

27. Onderrig in staatskleuterskole bestaan uit informele onderrig.

Informele onderrig in staatskleuterskole.

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Primary Education.

Establishment of government schools for primary education.

28. The Executive Committee may, at any time -

- (a) establish a government school for primary education to which a government hostel is attached, should it anticipate that the enrolment at such school will, in terms of this Ordinance, justify a personnel of at least four teachers.
- (b) establish a government school for primary education to which no government hostel is attached, should it anticipate that the enrolment at such school will, in terms of this Ordinance, justify a personnel of at least two teachers.

Instruction at government schools for primary education.

29. Unless the Executive Committee, in terms of section 19, determines otherwise, instruction at government schools for primary education will be provided in all standards from the initial stage of formal education, namely substandard A, up to and including standard four.

Secondary Education.

Establishment of government schools for secondary education.

30. The Executive Committee may at any time establish a government school for secondary education, should -

- (a) it anticipate that at such school there will be at least fifty pupils in standard five: Provided that the Executive Committee may only establish a government school for secondary education in which more than one medium of instruction is used, if it anticipates that at such school fifty or more pupils in standard five will receive instruction in at least one such medium of instruction; and
- (b) in its opinion, it be justified by the educational needs and the educational growth potential within the area normally served by such school.

Extension of government school for primary education to government school for secondary education.

31. The Executive Committee may at any time extend a government school for primary education to a government school for secondary education, should -

- (a) there be at least fifty pupils in standard five at such school or should it anticipate that at such school there will be at least fifty pupils in standard five: Provided that the Executive Committee may only extend a government school for primary education to a government school for secondary education in

Primêre Onderwys.

28. Die Uitvoerende Komitee kan te eniger tyd -

Stigting van staatskole vir primêre onderwys.

(a) 'n staatskool vir primêre onderwys waaraan 'n staatskoshuis verbonde is, stig indien hy verwag dat die aantal ingeskrewe leerlinge van sodanige skool ingevolge hierdie Ordonnansie 'n personeel van minstens vier onderwysers sal regverdig,

(b) 'n staatskool vir primêre onderwys waaraan nie 'n staatskoshuis verbonde is nie, stig indien hy verwag dat die aantal ingeskrewe leerlinge van sodanige skool ingevolge hierdie Ordonnansie 'n personeel van minstens twee onderwysers sal regverdig.

29. Tensy die Uitvoerende Komitee ingevolge artikel 19 anders bepaal, word onderrig in staatskole vir primêre onderwys verskaf in alle standerds vanaf die beginstadium van formele onderrig, naamlik substanderd A, tot en met standerd vier.

Onderrig in staatskole vir primêre onderwys.

Sekondêre Onderwys.

30. Die Uitvoerende Komitee kan te eniger tyd 'n staatskool vir sekondêre onderwys stig indien -

Stigting van staatskole vir sekondêre onderwys.

(a) hy verwag dat daar in daardie skool minstens vyftig leerlinge in standerd vyf sal wees: Met dien verstande dat die Uitvoerende Komitee 'n staatskool vir sekondêre onderwys waarin meer as een voertaal gebruik sal word slegs kan stig indien hy verwag dat in daardie skool in minstens een so 'n voertaal vyftig of meer leerlinge in standerd vyf onderrig sal ontvang; en

(b) dit na sy mening deur die onderwysbehoefte en onderwysgroeiemoontlikhede binne die gebied wat normaalweg deur sodanige skool bedien sal word geregverdig word.

31. Die Uitvoerende Komitee kan te eniger tyd 'n staatskool vir primêre onderwys tot 'n staatskool vir sekondêre onderwys uitbrei indien -

Uitbreiding van staatskool vir primêre onderwys tot staatskool vir sekondêre onderwys.

(a) daar in daardie skool minstens vyftig leerlinge in standerd vyf is of hy verwag dat daar in daardie skool minstens vyftig leerlinge in standerd vyf sal wees: Met dien verstande dat die Uitvoerende Komitee 'n staatskool vir primêre onderwys slegs kan uitbrei tot 'n staatskool vir sekondêre

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which more than one medium of instruction will be used if it anticipates that at such school fifty or more pupils in standard five will receive instruction in at least one such medium of instruction; and

- (b) in its opinion, it be justified by the educational needs and the educational growth potential within the area normally served by such school.

Instruction at government schools for secondary education.

32. Unless the Executive Committee, in terms of section 19, determines otherwise, instruction at government schools for secondary education shall be provided in all standards from standard five up to and including standard ten.

Change of government school for secondary education to government school for primary education.

33. The Executive Committee may at any time change a government school for secondary education to a government school for primary education, if it is convinced that the educational needs of the area normally served by such school no longer justify the continuation of such school as a secondary school.

Tertiary Education.

Establishment of teachers' training colleges.

34. The Executive Committee may at any time establish teachers' training colleges should, in its opinion, it be justified by the educational needs and the educational growth potential in the Territory.

Training at teachers' training colleges.

35. Teachers' training colleges shall provide for the training of students as well as serving teachers in order to enable them to obtain the necessary qualifications as teachers or to better such qualifications.

Special Education.

Establishment of special schools and special classes by Executive Committee.

36. The Executive Committee may at any time -

- (a) establish special schools; and
(b) institute special classes at government schools for primary education and government schools for secondary education

if, in its opinion, it is necessary or desirable for the proper care, education and training of handicapped children.

Powers of Director in relation to handicapped children.

37. (1) The Director may cause a child who is, in terms of this Ordinance, subject to compulsory school attendance and whom he suspects of being a handicapped child, to be examined medically, mentally and otherwise by a person whom he regards as competent, in order to determine whether he is a handicapped child.

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onderwys waarin meer as een voertaal gebruik sal word indien hy verwag dat in daardie skool in minstens een so 'n voertaal vyftig of meer leerlinge in standerd vyf onderrig sal ontvang; en

- (b) dit na sy mening deur die onderwysbehoefte en onderwysgroei-oontlikhede binne die gebied wat normaalweg deur daardie skool bedien word, geregverdig word.

32. Tensy die Uitvoerende Komitee ingevolge artikel 19 anders bepaal, word onderrig in staatskole vir sekondêre onderwys verskaf in alle standerds vanaf standerd vyf tot en met standerd tien.

Onderrig in staatskole vir sekondêre onderwys.

33. Die Uitvoerende Komitee kan te eniger tyd 'n staatskool vir sekondêre onderwys in 'n staatskool vir primêre onderwys omskep indien hy daarvan oortuig is dat die onderwysbehoefte van die gebied wat normaalweg deur sodanige skool bedien word nie meer die voortbestaan van sodanige skool as 'n sekondêre skool regverdig nie.

Omskepping van staatskool vir sekondêre onderwys in staatskool vir primêre onderwys.

Tersiêre Onderwys.

34. Die Uitvoerende Komitee kan te eniger tyd onderwysersopleidingskolleges stig indien dit na sy mening deur die onderwysbehoefte en die onderwysgroei-oontlikhede in die Gebied geregverdig word.

Stigting van onderwysersopleidingskolleges.

35. Onderwysersopleidingskolleges maak voorsiening vir die opleiding van studente sowel as diensdoende onderwysers ten einde hulle in staat te stel om die nodige kwalifikasies as onderwysers te bekom of sodanige kwalifikasies te verbeter.

Opleiding aan onderwysersopleidingskolleges.

Spesiale Onderwys.

36. Die Uitvoerende Komitee kan te eniger tyd -

Stigting van spesiale skole en 'n spesiale klasse deur Uitvoerende Komitee.

- (a) spesiale skole stig; en
(b) spesiale klasse aan staatskole vir primêre onderwys en staatskole vir sekondêre onderwys instel

indien dit na sy mening nodig of wenslik is vir die behoorlike versorging, onderwys en opleiding van gestremde kinders.

37. (1) Die Direkteur kan 'n kind wat ingevolge hierdie Ordonnansie aan verpligte skoolbesoek onderworpe is en wat, na hy vermoed, 'n gestremde kind is deur 'n persoon wat hy bevoeg ag medies, verstandelik en andersins laat ondersoek om te bepaal of hy 'n gestremde kind is.

Bevoegdheid van Direkteur met betrekking tot gestremde kinders.

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(2) The Director may instruct a parent of a child referred to in subsection (1) to bring such child to a specified place for the purposes of such examination, and if the parent fails to comply with such instruction, the Director may cause such child to be brought to the specified place.

(3) If the Director after such examination finds that the child is a handicapped child he shall notify the parent of the child in writing -

(a) that he has found that the child is a handicapped child and that he shall begin to receive special education within a period mentioned in the notification;

(b) that the parent may within thirty days of the date of the notification appeal to the Executive Committee against such finding and that the decision of the Executive Committee on such appeal shall be final.

(4) If the parent of the child fails to take steps to cause the child to receive special education within the period mentioned in the notification referred to in subsection (3)(a), the Director may determine to which school the child shall be sent to receive special education and if the parent fails to send the child to the school concerned within the period determined by the Director, the Director may cause the child to be taken to such school.

Admission to special schools of voluntary pupils.

38. The Director may at the request of a parent approve that a child who is a handicapped child may, subject to the provisions of this Ordinance, be admitted voluntarily to a special school or a special class established or instituted in terms of section 36.

Exemption from further attendance at, or discharge from special school.

39. (1) The Director may at any time, if he is of the opinion that it is no longer necessary or desirable for a child referred to in section 37 or 38 who attends a special school or a special class further to attend a special school or a special class, exempt that child from attending a special school or a special class or discharge that child from such school or class if it is a government school or a class at a government school.

(2) No person shall attend a special school or a special class after the end of the calendar year in which he attains the age of twenty-one years.

No special education without approval.

40. No person shall without the approval of the Executive Committee provide special education to a handicapped child at a special school or special class which was not established or instituted in terms of section 36.

Establishment of clinics by Executive Committee.

41. (1) Subject to anything to the contrary contained in any law, the Executive Committee may establish and

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(2) Die Direkteur kan 'n ouer van 'n kind bedoel in subartikel (1) opdrag gee om die kind vir die doeleindes van so 'n ondersoek na 'n bepaalde plek te bring en indien die ouer nie aan so 'n opdrag voldoen nie kan die Direkteur die kind na die bepaalde plek laat bring.

(3) As die Direkteur na so 'n ondersoek bevind dat die kind 'n gestremde kind is, stel hy die ouer van die kind skriftelik in kennis -

(a) dat hy bevind dat die kind 'n gestremde kind is en dat hy binne 'n tydperk in die kennisgewing vermeld spesiale onderwys moet begin ontvang;

(b) dat die ouer binne dertig dae na die datum van die kennisgewing teen dié bevinding kan appelleer na die Uitvoerende Komitee en dat die Uitvoerende Komitee se beslissing by dié appèl afdoende is.

(4) Indien die ouer van die kind versuim om binne die tydperk vermeld in die kennisgewing bedoel in subartikel (3)(a) stappe te doen om die kind spesiale onderwys te laat ontvang, kan die Direkteur bepaal na watter skool die kind gestuur moet word om spesiale onderwys te ontvang en indien die ouer versuim om die kind na die betrokke skool te stuur binne die tydperk deur die Direkteur bepaal, kan die Direkteur die kind na sodanige skool laat neem.

38. Die Direkteur kan op versoek van 'n ouer goedkeur dat 'n kind wat 'n gestremde kind is, vrywilliglik tot 'n spesiale skool of 'n spesiale klas gestig of ingestel ingevolge artikel 36 toegelaat kan word onderworpe aan die bepalings van hierdie Ordonnansie.

Toelating tot spesiale skole van vrywillige leerlinge.

39. (1) Die Direkteur kan te eniger tyd indien hy van oordeel is dat dit nie meer noodsaaklik of wenslik is dat 'n kind bedoel in artikel 37 of 38 wat 'n spesiale skool of 'n spesiale klas besoek, langer 'n spesiale skool of spesiale klas besoek nie, daardie kind van besoek van 'n spesiale skool of spesiale klas vrystel, of uit dié skool of klas ontslaan indien dit 'n staatskool of klas by 'n staatskool is.

Vrystelling van verdere besoek van of ontslag uit spesiale skool.

(2) Iemand besoek nie 'n spesiale skool of 'n spesiale klas na die einde van die kalenderjaar waarin hy die leeftyd van een-en-twintig jaar bereik nie.

40. Niemand mag sonder die goedkeuring van die Uitvoerende Komitee spesiale onderwys aan 'n gestremde kind verskaf in 'n spesiale skool of spesiale klas wat nie ingevolge artikel 36 gestig of ingestel is nie.

Geen spesiale onderwys sonder goedkeuring.

41. (1) Behoudens enige andersluidende wetsbepalings kan die Uitvoerende Komitee klinieke stig

Stigting van klinieke deur Uitvoerende Komitee.

maintain clinics and institute clinical services for the examination and treatment of handicapped children and the Director may at any time instruct a handicapped child to be sent to a clinic determined by him for examination and treatment or that a handicapped child be subjected to the clinical examination and treatment determined by him.

(2) For the purposes of subsection (1) "examination and treatment" shall mean examination and treatment intended to identify particular problems experienced in the instruction of the handicapped child and to minimise and eliminate such problems and to facilitate the education of the handicapped child in general as far as possible.

No clinics without approval.

42. (1) Subject to anything to the contrary contained in any law no person shall, without the written approval of the Executive Committee, establish and maintain any clinic for the examination and treatment of handicapped children.

(2) For the purposes of subsection (1) "examination and treatment" shall mean examination and treatment intended to identify particular problems experienced in the instruction of the handicapped child and to minimise and eliminate such problems and to facilitate the education of the handicapped child in general as far as possible.

Complementary Education.

Schools and classes for complementary education.

43. (1) The Executive Committee may at any time establish a school or institute a class for such complementary education as it may determine and as is not inconsistent with the provisions of this Ordinance, if in its opinion it is justified by the educational needs of the Territory or within the area which will normally be served by such school or class.

(2) Persons who are subject to compulsory school attendance as well as persons who are not subject to compulsory school attendance may be admitted to the schools and classes referred to in subsection (1).

Out of School courses, educational competitions and lectures.

44. The Executive Committee may at any time make provision for such out of school courses, educational competitions and lectures as it may determine for persons who are subject to compulsory school attendance as well as persons who are not subject to compulsory school attendance.

Tuition Fees.

Fees payable for nursery school tuition.

45. The fees payable for instruction at government nursery schools and the requirements provided in connection with such instruction, shall be as prescribed by regulation.

en in stand hou en kliniese dienste instel vir die ondersoek en behandeling van gestremde kinders en kan die Direkteur te eniger tyd gelas dat 'n gestremde kind na 'n deur hom bepaalde kliniek gestuur word vir ondersoek en behandeling of dat 'n gestremde kind die kliniese ondersoek en behandeling wat hy bepaal, ondergaan.

(2) By die toepassing van subartikel (1) beteken "ondersoek en behandeling" ondersoek en behandeling wat daarop gerig is om besondere probleme wat met die onderrig van die gestremde kind ondervind word te identifiseer en sodanige probleme te verminder en uit te skakel en om die opvoeding van die gestremde kind in die algemeen sover moontlik te vergemaklik.

42. (1) Behoudens enige andersluidende wetsbepalings mag niemand sonder die skriftelike goedkeuring van die Uitvoerende Komitee enige kliniek stig en in stand hou vir die ondersoek en behandeling van gestremde kinders nie.

Geen klinieke sonder goedkeuring.

(2) By die toepassing van subartikel (1) beteken "ondersoek en behandeling" ondersoek en behandeling wat daarop gerig is om besondere probleme wat met die onderrig van die gestremde kind ondervind word te identifiseer en sodanige probleme te verminder en uit te skakel en om die opvoeding van die gestremde kind in die algemeen sover moontlik te vergemaklik.

Aanvullingsonderwys.

43. (1) Die Uitvoerende Komitee kan te eniger tyd 'n skool stig of 'n klas instel vir die aanvullingsonderwys wat hy bepaal en wat nie strydig met die bepalinge van hierdie Ordonnansie is nie, indien dit na sy mening deur die onderwysbehoefte van die Gebied of binne die gebied wat normaalweg deur sodanige skool of klas bedien sal word geregverdig word.

Skole en klasse vir aanvullingsonderwys.

(2) Persone wat aan verpligte skoolbesoek onderworpe is sowel as persone wat nie aan verpligte skoolbesoek onderworpe is nie kan tot die skole en klasse bedoel in subartikel (1) toegelaat word.

44. Die Uitvoerende Komitee kan te eniger tyd voorsiening maak vir die buiteskoolse kursusse, opvoedkundige wedstryde en voorlesings wat hy bepaal vir persone wat aan verpligte skoolbesoek onderworpe is sowel as persone wat nie aan verpligte skoolbesoek onderworpe is nie.

Buiteskoolse kursusse, opvoedkundige wedstryde en voorlesings.

Onderriggelde.

45. Die gelde betaalbaar vir die onderrig wat in staatskleuterskole gegee word en die benodigdhede wat in verband met sodanige onderrig voorsien word, is soos by regulasie voorgeskryf.

Gelde betaalbaar vir kleuterskoolonderrig.

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Free tuition at primary schools, secondary schools and special schools.

46. (1) Instruction given at government schools for primary education, government schools for secondary education, and government schools for special education, including the school books and other school requisites provided in connection with such instruction shall be free of charge.

(2) The free tuition referred to in subsection (1) shall in no case include instruction in -

- (a) any special subject which does not form part of the normal school curriculum at such school;
- (b) any ordinary subject which is not taken by a pupil as part of his ordinary school curriculum.

(3) The fees payable for the instruction referred to in paragraphs (a) and (b) of subsection (2) and the books and other requisites supplied in connection with such instruction shall be as prescribed by regulation.

Fees payable for training at teachers' training colleges.

47. The fees payable for the training given at teachers' training colleges and the requisites and the amenities provided in connection with such training shall be as prescribed by regulation: Provided that the Executive Committee may so prescribe different fees according to any basis of differentiation which it may deem suitable or desirable.

Fees payable for complementary education.

48. The fees payable for instruction given at government schools for complementary education and the books and other requirements provided in connection with such instruction shall be as prescribed by regulation: Provided that the Executive Committee may so prescribe different fees according to any basis of differentiation which it may deem suitable or desirable.

CHAPTER IV.

EDUCATION PERSONNEL.

The Education Personnel.

Posts in the education personnel.

49. (1) The number, kind, grading and classification of posts in the education personnel attached to the head office of the Department and to government schools shall be such as may be determined from time to time by the Director with due observance of the provisions of this Ordinance and the regulations which the Executive Committee may from time to time make in relation thereto.

46. (1) Onderrig wat in staatskole vir primêre onderwys, staatskole vir sekondêre onderwys en staatskole vir spesiale onderwys gegee word, insluitende die skoolboeke en ander skoolbenodigdhede wat in verband met sodanige onderrig voorsien word, is kōsteloos.

Kostelose onderrig in primêre skole, sekondêre skole en spesiale skole.

(2) Die kostelose onderrig bedoel in subartikel (1) omvat in geen geval onderrig in -

(a) enige spesiale vak wat nie deel vorm van die normale skoolkursus aan sodanige skool nie;

(b) enige gewone vak wat nie deur 'n leerling as deel van sy gewone skoolkursus geneem word nie.

(3) Die gelde betaalbaar vir die onderrig bedoel in paragrawe (a) en (b) van subartikel (2) en die boeke en ander benodigdhede wat in verband met sodanige onderrig voorsien word, is soos by regulasie voorgeskryf.

47. Die gelde betaalbaar vir die opleiding wat aan onderwysersopleidingskolleges gegee word en die benodigdhede en die geriewe wat in verband met sodanige opleiding voorsien word, is soos by regulasie voorgeskryf.

Gelde betaalbaar vir opleiding aan onderwysersopleidingskolleges.

48. Die gelde betaalbaar vir die onderrig wat aan staatskole vir aanvullingsonderwys gegee word en die boeke en ander benodigdhede wat in verband met sodanige onderrig voorsien word, is soos by regulasie voorgeskryf: Met dien verstande dat die Uitvoerende Komitee verskillende gelde aldus kan voorskryf volgens enige basis van differensiasie wat hy geskik of wenslik ag.

Gelde betaalbaar vir aanvullingsonderwys.

HOOFSTUK IV.

ONDERWYSPERSONEEL.

Die Onderwyspersoneel.

49. (1) Die getal, aard, gradering en indeling van poste in die onderwyspersoneel verbonde aan die hoofkantoor van die Departement en aan staatskole is soos van tyd tot tyd deur die Direkteur bepaal met inagneming van die bepalings van hierdie Ordonnansie en die regulasies wat die Uitvoerende Komitee van tyd tot tyd met betrekking daartoe uitvaardig.

Poste in die onderwyspersoneel.

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(2) The Director shall not, in terms of subsection (1), establish any new post in the education personnel attached to the head office of the Department, unless he has obtained the approval of the Executive Committee for that purpose.

In-service training of teachers.

50. The Director may present such courses, or cause them to be presented, and take such other measures as he may consider necessary or expedient for the training of teachers in the service of the Department.

Appointment and Transfer of Teachers.

Appointments in education personnel to be made by Director.

51. All appointments to the education personnel shall be made by the Director with due observance of the provisions of this Ordinance: Provided that appointments to any post of Inspector of Education, or an equal or a higher post shall be so made by the Director in consultation with the Executive Committee.

Appointment in permanent capacity.

52. No person shall be appointed to the education personnel in a permanent capacity unless he -

- (a) is in possession of the minimum educational qualifications as determined by the Director: Provided that a person who is not in possession of such minimum educational qualifications may be appointed to the education personnel in a permanent capacity if he is in possession of educational qualifications which, in the opinion of the Director, enable him to render satisfactory service;
- (b) is of good character; and
- (c) is free from any disease or infirmity or physical or mental defect which would be likely to interfere with the proper carrying out of his duties or to render necessary his retirement from the service of the Department before he reaches the age - limit.

Appointment on probation.

53. (1) The Director may at any time, at his discretion, appoint on probation to a post in the education personnel any person who qualifies for appointment to the education personnel in a permanent capacity.

(2) The period of probation for which a person is so appointed, shall not exceed twenty-four months.

(3) If the conduct of the person concerned and the performance of his duties by him has during the period of probation been uniformly satisfactory, his appointment in a permanent capacity to the post concerned shall be confirmed.

(2) Die Direkteur mag nie ingevolge subartikel (1) enige nuwe pos in die onderwyspersoneel verbonde aan die hoofkantoor van die Departement skep nie, tensy hy die goedkeuring van die Uitvoerende Komitee daartoe verkry het.

50. Die Direkteur kan die kursusse aanbied of laat aanbied en die ander stappe doen wat hy nodig of wenslik ag vir die opleiding van onderwysers in diens van die Departement.

Indiensopleiding van onderwysers.

Aanstellings en Verplasings.

51. Alle aanstellings in die onderwyspersoneel word deur die Direkteur gedoen met behoorlike inagneming van die bepalings van hierdie Ordonnansie: Met dien verstande dat aanstellings in die pos van Inspekteur van Onderwys, of 'n gelyke of hoër pos, aldus deur die Direkteur gedoen word in oorleg met die Uitvoerende Komitee.

Aanstellings in onderwyspersoneel word deur Direkteur gedoen.

52. Niemand word in permanente hoedanigheid in die onderwyspersoneel aangestel nie, tensy hy -

Aanstelling in permanente hoedanigheid.

(a) in besit is van die minimum opvoedkundige kwalifikasies deur die Direkteur bepaal: Met dien verstande dat iemand wat nie in besit van sodanige minimum opvoedkundige kwalifikasies is nie, in permanente hoedanigheid in die onderwyspersoneel aangestel kan word indien hy in besit is van opvoedkundige kwalifikasies wat hom, volgens die oordeel van die Direkteur, in staat stel om bevredigende diens te lewer;

(b) van goeie karakter is; en

(c) vry van enige siekte of ongesteldheid of liggaams- of geestesgebrek is, wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftreding uit die diens van die departement voordat hy die ouderdomsgrens bereik, nodig sal maak.

53. (1) Die Direkteur kan iemand wat kwalifiseer om in permanente hoedanigheid in die onderwyspersoneel aangestel te word, te eniger tyd na goeddunke op proef in 'n pos in die onderwyspersoneel aanstel.

Aanstelling op proef

(2) Die proeftyd waarvoor 'n persoon aldus aangestel word, is hoogstens vier-en-twintig maande.

(3) As die betrokke persoon se gedrag en diensverrigting gedurende die proeftyd deurgaans bevredigend was, word sy aanstelling in permanente hoedanigheid in die betrokke pos bekragtig.

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(4) Subject to the provisions of subsection (5) the Director may at any time during or at the expiry of the period of probation, terminate the services of a person appointed on probation to a post in the education personnel, either forthwith or by giving one calendar term's notice.

(5) A person who, immediately before he was, in terms of this section, appointed on probation to a post in the education personnel, had already been in the service of the Department, shall revert to the post formerly held by him or to a post of equivalent grading and to the salary he would have attained in his former post, if his appointment in a permanent capacity in the new post is not confirmed in terms of subsection (3): Provided that the Director may in such a case allow the person concerned to retire from the service of the Department without the notice required by or in terms of this Ordinance.

Appointment in temporary capacity.

54. (1) The Director may for such period as he may consider necessary or expedient appoint any person whether he qualifies for appointment to the education personnel in a permanent capacity or not, to a post in the education personnel in a temporary capacity, if -

- (a) the holder of that post is absent from his post for any reason whatsoever; or
- (b) that post is for any reason whatsoever not filled permanently.

(2) Any appointment in terms of this section may be made on a full-time or a part-time basis.

Appointment of married women.

55. Notwithstanding anything to the contrary contained in this Ordinance, a married woman shall be appointed to the education personnel in a temporary capacity only: Provided that the Director may, subject to the provisions of section 52, at his discretion, so appoint a married woman in a permanent capacity.

Appointment of persons previously dismissed or declared incompetent.

56. (1) No person who was discharged from the service of the Department in terms of this Ordinance or any prior law, or is deemed to have been so discharged, shall be appointed to the education personnel again unless -

- (a) the Executive Committee has approved his re-appointment;
- (b) he was discharged in terms of section 68(6) because the Executive Committee declared him incompetent to be employed in the

(4) Behoudens die bepalings van subartikel (5) kan die Direkteur 'n persoon wat op proef in 'n pos in die onderwyspersoneel aangestel is, se diens te eniger tyd gedurende of by verstryking van die proeftydperk beëindig, hetsy onverwyld of deur een kalendertermyn kennis te gee.

(5) 'n Persoon wat onmiddellik voordat hy ingevolge hierdie artikel op proef in 'n pos in die onderwyspersoneel aangestel is, reeds in die diens van die Departement was, keer terug na die pos wat hy tevore beklee het of na 'n pos van gelyke gradering en na die salaris wat hy in sy vorige pos sou bereik het, indien sy aanstelling in permanente hoedanigheid in die nuwe pos nie ingevolge subartikel (3) bekragtig word nie: Met dien verstande dat die Direkteur die betrokke persoon in so 'n geval kan toelaat om sonder die kennisgewing by of ingevolge hierdie Ordonnansie vereis uit die diens van die Departement te tree.

54. (1) Die Direkteur kan enigiemand, ongeag of hy kwalifiseer om in permanente hoedanigheid in die onderwyspersoneel aangestel te word al dan nie, vir die tydperk wat hy nodig of dienstig ag in tydelike hoedanigheid in 'n pos in die onderwyspersoneel aanstel, indien -

Aanstelling in tydelike hoedanigheid.

- (a) die bekleër van daardie pos om watter rede ook al van sy pos afwesig is; of
- (b) daardie pos om watter rede ook al nie permanent gevul is nie.

(2) Enige aanstelling ingevolge hierdie artikel kan gedoen word op 'n voltydse of op 'n deeltydse grondslag.

55. Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat, word 'n getroude dame slegs in tydelike hoedanigheid in die onderwyspersoneel aangestel: Met dien verstande dat die Direkteur 'n getroude dame, behoudens die bepalings van artikel 52, na goeddunke in permanente hoedanigheid aldus kan aanstel.

Aanstelling van getroude dames.

56. (1) Niemand wat ingevolge hierdie Ordonnansie of enige vroeëre wet uit die diens van die Departement ontslaan is of geag word aldus ontslaan te gewees het, mag weer in die onderwyspersoneel aangestel word nie, tensy -

Aanstelling van persone wat voorheen ontslaan of onbevoeg verklaar is.

- (a) die Uitvoerende Komitee sy heraanstelling goedgekeur het;
- (b) hy ingevolge artikel 68(6) ontslaan is omdat die Uitvoerende Komitee hom onbevoeg verklaar het om in die onderwyspersoneel in

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education personnel and the Executive Committee has withdrawn or suspended that declaration.

(2) (a) No person who, in terms of this Ordinance or any prior law -

(i) has been excluded entirely or partly from appointment to the education personnel; or

(ii) has been declared incompetent of being appointed to the education personnel

shall be appointed to the education personnel contrary to such exclusion or declaration.

(b) If a person who, in terms of this Ordinance or any prior law -

(i) has been excluded entirely or partly from appointment to the education personnel; or

(ii) has been declared incompetent of being appointed to the education personnel,

executes or performs any duties or functions of a teacher, whether such duties or functions are executed or performed on the strength of an appointment contrary to the provisions of paragraph (a) or not, he shall not be entitled to any emoluments for the performance or execution of such functions or duties.

(3) For the purposes of such subsections (1) and (2) "prior law" means any law or any provision of a law which was in force in the Territory before the commencement of this Ordinance and which provided for the discharge of persons from the service of the Department or for the exclusion of persons from appointment as teacher, as the case may be.

Transfer of teachers.

57. The Director may at any time transfer a teacher holding a post in the education personnel attached to a government school, from the post which he holds to any other post in the education personnel attached to the same or any other government school: Provided that, subject to the provisions of section 67(9), a teacher shall not be so transferred to a post with a lower grading than the post he is holding unless he is so transferred at his own request.

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diens te wees en die Uitvoerende Komitee daardie verklaring ingetrek of opgeskort het.

(2) (a) Niemand wat ingevolge hierdie Ordonnansie of enige vroeëre wet -

(i) geheel of gedeeltelik van aanstelling in die onderwyspersoneel uitgesluit is; of

(ii) onbevoeg verklaar is om in die onderwyspersoneel aangestel te word,

mag in stryd met sodanige uitsluiting of verklaring in die onderwyspersoneel aangestel word nie.

(b) Indien iemand wat ingevolge hierdie Ordonnansie of enige vroeëre wet -

(i) geheel of gedeeltelik van aanstelling in die onderwyspersoneel uitgesluit is; of

(ii) onbevoeg verklaar is om in die onderwyspersoneel aangestel te word,

enige pligte of werk van 'n onderwyser vervul of verrig, hetsy sodanige pligte vervul of werk verrig word uit hoofde van 'n aanstelling in stryd met die bepalings van paragraaf (a) al dan nie, is hy nie op enige besoldiging vir die vervulling van sodanige pligte of die verrigting van sodanige werk geregtig nie.

(3) By die toepassing van subartikels (1) en (2) beteken "vroeëre wet" enige wet of enige bepaling van 'n wet wat voor die inwerkingtreding van hierdie Ordonnansie in die Gebied van krag was en voorsiening gemaak het vir die ontslag van persone uit die diens van die Departement of vir die uitsluiting van persone van aanstelling as onderwyser, na gelang van die geval.

57. Die Direkteur kan 'n onderwyser wat 'n pos in die onderwyspersoneel verbonde aan 'n staatskool beklee, te eniger tyd verplaas uit die pos wat hy beklee na enige ander pos in die onderwyspersoneel verbonde aan dieselfde of enige ander staatskool: Met dien verstande dat 'n onderwyser, behoudens die bepalings van artikel 67(9), nie aldus na 'n pos van 'n laer gradeering as die pos wat hy beklee verplaas word nie, tensy hy op sy eie versoek aldus verplaas word.

Verplasing van onderwysers.

Duties and Conditions of Service.

Duties of headmaster at government school.

58. The headmaster of a government school shall teach at the government school concerned, and shall in addition thereto supervise and manage the government school concerned.

Duties of teacher at government school.

59. (1) A teacher holding a post at a government school shall give instruction in the subjects and in the standards or classes which may, from time to time, be assigned to him by the headmaster of the school concerned, and in addition thereto he shall perform such special duties as the said headmaster may impose upon him with the approval of the Director.

(2) A teacher holding a post at a government school shall, whether during or after school hours and whether on or off the premises of the government school concerned, perform such general duties relating to sports and cultural matters, administrative functions, and the common good and general activities of the government school concerned as may be imposed upon him by the headmaster of the government school concerned.

(3) A teacher holding a post at a government school shall, during the hours when according to the assignments and instructions given in terms of this section, he is expected to perform the duties assigned to and imposed upon him in terms of this section, devote himself to the performance of those duties.

Teacher's services entirely at disposal of Department.

60. (1) No teacher may, as of right, claim additional remuneration in respect of the performance of any additional duties or the execution of any additional work assigned to or imposed upon him by any person authorised thereto by or in terms of this Ordinance.

(2) No teacher shall, without the permission of the Director, perform or engage himself to perform any work outside his occupation as a teacher for wages, gain or otherwise.

(3) No permission shall be granted to a teacher in terms of subsection (2) for the execution of any work which, in the opinion of the Director, is or could be detrimental to the efficient performance of his duties as a teacher or to his status as a teacher.

Comments on educational matters.

61. A teacher may, subject to the provisions of this Ordinance, publicly comment upon educational matters.

Political and civil rights of teachers.

62. (1) Subject to the provisions of this section and of section 59, a teacher may -

Pligte en Diensvoorwaardes.

58. Die hoofonderwyser van 'n staatskool moet onderrig gee in die betrokke staatskool en moet daarbenewens toesig hou oor die betrokke staatskool en dit bestuur.

Pligte van hoofonderwyser van staatskool.

59. (1) 'n Onderwyser wat 'n pos aan 'n staatskool beklee moet onderrig gee in die vakke en standers of klasse wat die hoofonderwyser van die betrokke staatskool van tyd tot tyd aan hom toewys en moet daarbenewens die spesiale pligte vervul wat bedoelde hoofonderwyser met die goedkeuring van die Direkteur aan hom opdra.

Pligte van onderwyser aan staatskool.

(2) 'n Onderwyser wat 'n pos aan 'n staatskool beklee moet, hetsy gedurende of buite skoolure en hetsy op of buite die terrein van die betrokke staatskool, die algemene pligte met betrekking tot sport- en kulturele aangeleenthede, administratiewe werk en die algemene welsyn en bedrywighede van die betrokke staatskool vervul wat die hoofonderwyser van die betrokke staatskool aan hom opdra.

(3) 'n Onderwyser wat 'n pos aan 'n staatskool beklee moet hom, gedurende die ure wanneer daar ooreenkomstig die toewysings en opdragte ingevolge hierdie artikel gedoen, van hom verwag word om die pligte te vervul wat ingevolge hierdie artikel aan hom toegewys en opgedra is, aan die vervulling van daardie pligte wy.

60. (1) Geen onderwyser mag addisionele besoldiging as 'n reg eis ten opsigte van die vervulling van enige addisionele pligte of die verrigting van enige addisionele werk wat deur iemand wat by of ingevolge hierdie Ordonnansie daartoe gemagtig is, aan hom opgedra of toegewys word nie.

Onderwyser se dienste ten volle tot beskikking van Departement.

(2) Geen onderwyser mag sonder die toestemming van die Direkteur vir loon, wins, of andersins enige werk buite sy werk as onderwyser verrig of hom verbind om dit te verrig nie.

(3) Geen toestemming word ingevolge subartikel (2) aan 'n onderwyser verleen vir die verrigting van enige werk wat, volgens die oordeel van die Direkteur, nadelig is of kan wees vir die doeltreffende verrigting van sy pligte as onderwyser of vir sy status as onderwyser nie.

61. 'n Onderwyser mag hom, behoudens die bepalings van hierdie Ordonnansie, in die openbaar oor onderwys sake uitlaat.

Uitlatings oor onderwys sake.

62. (1) Behoudens die bepalings van hierdie artikel en van artikel 59, mag 'n onderwyser -

Politieke en burgerlike regte van onderwysers.

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- (a) be a member and serve on the management of a lawful political party;
- (b) stand for election as a member of the Parliament of the Republic of South Africa or the Legislative Assembly of the Territory: Provided that -
 - (i) if such teacher stands for election as member of the Parliament or Legislative Assembly referred to, he shall be deemed to have retired from the service of the Department voluntarily with effect from the day he is nominated as a candidate for such election;
 - (ii) if such teacher is not elected to be a member of the Parliament or Legislative Assembly referred to, the Director may reappoint him in the education personnel on a salary scale and at a salary notch not lower than the one that was applicable to him when he was deemed to have retired from the service of the Department;
- (c) become a member of the Peri-Urban Development Board or of a Village Management Board or of the council of a municipality: Provided that -
 - (i) his membership of the Peri-Urban Development Board or of a Village Management Board or of the council of a municipality shall in no way interfere with the performance of his duties or the execution of his functions as a teacher;
 - (ii) leave of absence required by a teacher in connection with his membership of the Peri-Urban Development Board or of a Village Management Board or of the council of a municipality shall be subject to the regulations;
 - (iii) a teacher who is a member of the Peri-Urban Development Board or of a Village Management Board or of the council of a municipality shall not take part in the discussion of, or vote in connection with any matter in respect of which there is a dispute between the said Peri-Urban Development Board, Village Management Board or municipality, as the case may be, and the Administration or the Department.

- (a) lid wees en in die bestuur dien van 'n wettige politieke party;
- (b) hom verkiesbaar stel as lid van die Parlement van die Republiek van Suid-Afrika of die Wetgewende Vergadering van die Gebied: Met dien verstande dat -
 - (i) as so 'n onderwyser hom as lid van bedoelde Parlement of Wetgewende Vergadering verkiesbaar stel, hy geag word vrywillig uit die diens van die Departement te getree het met ingang van die datum waarop hy as kandidaat vir sodanige verkiesing benoem word;
 - (ii) as so 'n onderwyser nie tot lid van bedoelde Parlement of Wetgewende Vergadering verkies word nie, die Direkteur hom weer in die onderwyspersoneel kan aanstel in 'n salarisskaal en op 'n salariskerf wat nie laer is nie as die een wat op hom van toepassing was toe hy geag is uit die diens van die Departement te getree het;
- (c) lid word van die Raad vir Buitestedelike Ontwikkeling of van 'n dorpsbestuur of van die raad van 'n munisipaliteit: Met dien verstande dat -
 - (i) sy lidmaatskap van die Raad vir Buitestedelike Ontwikkeling of van 'n dorpsbestuur of van die raad van 'n munisipaliteit op generlei wyse inbreuk mag maak op die vervulling van sy pligte of die verrigting van sy werk as onderwyser nie;
 - (ii) verlof tot afwesigheid wat 'n onderwyser benodig in verband met sy lidmaatskap van die Raad vir Buitestedelike Ontwikkeling of van 'n dorpsbestuur of van die raad van 'n munisipaliteit, onderworpe is aan die regulasies;
 - (iii) 'n onderwyser wat lid is van die Raad vir Buitestedelike Ontwikkeling of van 'n dorpsbestuur of van die raad van 'n munisipaliteit nie aan die bespreking van of stemming in verband met enige aangeleentheid waaroor daar 'n geskil tussen genoemde Raad vir Buitestedelike Ontwikkeling, dorpsbestuur of munisipaliteit, na gelang van die geval, en die Administrasie of die Departement bestaan, mag deelneem nie.

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(2) A teacher shall not make use of his position as a teacher to promote or to prejudice the interests of any political party.

(3) A teacher shall not comment on party-political matters in the public press or at any public meeting.

Emoluments.

Emoluments determined by the Executive Committee.

63. The Executive Committee shall from time to time determine -

- (a) the different classes of teachers according to their qualifications;
- (b) the scales of salaries and allowances, including travelling and subsistence allowances, of teachers or different classes of teachers; and
- (c) the salaries, allowances, including travelling and subsistence allowances, and salary increments payable to teachers in accordance with the scales referred to.

Emoluments of teacher holding post in acting capacity.

64. A teacher who, for a period of not less than one month, with the approval of the Director, acts in a post to which higher emoluments are attached than the emoluments attached to the post to which he was appointed, shall, for the period he so acts receive the emoluments attached to the first-mentioned post, and in any other case where a teacher acts in a post other than the post to which he was appointed, he shall receive emoluments not lower than the emoluments he would have received if he had held the post to which he was appointed.

Protection of salary.

65. (1) The emoluments of a headmaster of a government school shall not be reduced as a result of the change of the category or grading of the government school concerned, and in such event he shall retain his salary scale as a personal salary scale: Provided that the Director may transfer him as headmaster to another government school of a category and grading to which his salary scale is fitting.

(2) The emoluments of a teacher who holds a post in the education personnel attached to a government school shall not be reduced as a result of the abolition or the change of the grading of the post concerned and in such event he shall retain his salary scale as a personal salary scale: Provided that -

- (a) the provisions of this subsection shall in no way derogate from the provisions of section 72(2);

(2) 'n Onderwyser mag nie van sy posisie as onderwyser gebruik maak om die belange van 'n politieke party te bevorder of te benadeel nie.

(3) 'n Onderwyser mag hom nie in die openbare pers of op 'n openbare vergadering oor partypolitieke aangeleenthede uitlaat nie.

Besoldiging.

63. Die Uitvoerende Komitee bepaal van tyd tot tyd -

Besoldiging deur Uitvoerende Komitee bepaal.

- (a) die verskillende klasse van onderwysers volgens hulle kwalifikasies;
- (b) die skale van salarisse en toelaes, met inbegrip van reis- en verblyftoelaes, van onderwysers of verskillende klasse van onderwysers; en
- (c) die salarisse, toelaes, met begrip van reis- en verblyftoelaes, en salarisverhogings wat ooreenkomstig bedoelde skale aan onderwysers betaalbaar is.

64. 'n Onderwyser wat vir 'n tydperk van minstens een maand met die goedkeuring van die Direkteur waarneem in 'n pos waaraan 'n hoër besoldiging verbonde is as die besoldiging wat verbonde is aan die pos waarin hy aangestel is, ontvang vir die tydperk wat hy aldus waarneem die besoldiging verbonde aan eersgenoemde pos en in enige ander geval waar 'n onderwyser waarneem in 'n ander pos as die pos waarin hy aangestel is, ontvang hy 'n besoldiging wat nie laer is nie as die besoldiging wat hy sou ontvang het as hy die pos beklee het waarin hy aangestel is.

Besoldiging van onderwyser wat pos in waarnemende hoedanigheid beklee.

65. (1) 'n Hoofonderwyser van 'n staatskool se besoldiging word nie ten gevolge van die verandering van die kategorie of gradering van die betrokke staatskool verminder nie en in so 'n geval behou hy sy salarisskaal as 'n persoonlike salarisskaal: Met dien verstande dat die Direkteur hom as hoofonderwyser kan verplaas na 'n ander staatskool van 'n kategorie en gradering waarby sy salarisskaal pas.

Beskerming van salaris.

(2) 'n Onderwyser wat 'n pos in die onderwyspersoneel verbonde aan 'n staatskool beklee se besoldiging word nie ten gevolge van die afskaffing of die verandering van die gradering van die betrokke pos verminder nie en in so 'n geval behou hy sy salarisskaal as 'n persoonlike salarisskaal: Met dien verstande dat -

- (a) die bepalings van hierdie subartikel in geen opsig afbreuk doen nie aan die bepalings van artikel 72(2);

- (b) the Director may allow continuation of the post concerned in the place of any other post of the same or of an equal or of a lower grading in the education personnel attached to the same government school;
- (c) the Director may transfer the teacher concerned to any other post of the same or of an equal grading in the education personnel attached to any other government school.

(3) The emoluments of a teacher who, in terms of this Ordinance, is transferred from one post in the education personnel to another shall not be reduced unless -

- (a) he is so transferred to a post of a lower grading as a result of a conviction of misconduct;
- (b) he is, at his own request, transferred to a post of a lower grading.

Misconduct of Teachers and Undesirable Persons in the Education Personnel.

Definition of misconduct.

66. A teacher shall be guilty of misconduct and may be dealt with in accordance with the provisions of section 67, if he -

- (a) contravenes any provision of this Ordinance or fails to comply with any provision thereof with which it is his duty to comply;
- (b) does or causes or permits to be done, or connives at, any act which is prejudicial to the administration, discipline or efficiency of the Department or of any government educational institution or any division, office or institution of the Administration;
- (c) takes part in or associates himself with propaganda or activities which will engender or promote a feeling of hostility between any group of the inhabitants of the Territory and any other group of the inhabitants of the Territory, or by which the Administration or the Department or any educational body will be undermined or its activities thwarted;
- (d) disobeys, disregards or makes wilful default in carrying out a lawful order given to him by a person or body having authority to give it;

- (b) die Direkteur die betrokke pos in die plek van enige ander pos van dieselfde of 'n gelyke of laer gradering in die onderwyspersoneel verbonde aan dieselfde staatskool kan laat voortbestaan;
 - (c) die Direkteur die betrokke onderwyser na enige ander pos van dieselfde of 'n gelyke gradering in die onderwyspersoneel verbonde aan enige ander staatskool kan verplaas.
- (3) 'n Onderwyser wat ingevolge hierdie Ordonnansie van een pos in die onderwyspersoneel na 'n ander verplaas word se besoldiging word nie verminder nie, tensy -
- (a) hy ten gevolge van 'n skuldigbevinding aan wangedrag aldus oorgeplaas word na 'n pos van 'n laer gradering;
 - (b) hy op sy eie versoek verplaas word na 'n pos van 'n laer gradering.

Wangedrag van Onderwysers en Ongewenste Persone in die Onderwyspersoneel.

66. 'n Onderwyser is skuldig aan wangedrag en daar kan ooreenkomstig die bepalings van artikel 67 met hom gehandel word, as hy -

Omskrywing van wangedrag.

- (a) 'n bepaling van hierdie Ordonnansie oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen;
- (b) 'n daad wat nadelig vir die administrasie, dissipline of doeltreffendheid van die Departement of van enige staatsonderwysinrigting of van enige afdeling, kantoor of inrigting van die Administrasie is, doen, laat doen of toelaat of oogluikend toelaat dat dit gedoen word;
- (c) deelneem aan of hom vereenselwig met propaganda of bedrywighede waardeur 'n gevoel van vyandigheid tussen enige groep van die inwoners van die Gebied en enige ander groep van die inwoners van die Gebied veroorsaak of bevorder word of waardeur die Administrasie of die Departement of enige onderwysliggaam ondermyn of in sy werksaamhede gedwarsboom word;
- (d) 'n wettige opdrag wat aan hom gegee is deur 'n persoon of liggaam wat die bevoegdheid het om dit te gee, nie gehoorsaam nie, dit verontagsaam of opsetlik versuim om dit uit te voer;

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- (e) by word or conduct manifests disobedience to authority or demonstrates resistance;
- (f) is negligent or indolent in the performance of his duties;
- (g) absents himself from duty without leave or valid cause;
- (h) without first having obtained the permission of the Director, discloses, otherwise than in the performance of his official duties, information gained by or conveyed to him through his employment in the service of the Department, or uses such information for any purpose other than for the performance of his official duties, whether or not he discloses such information;
- (i) unlawfully appropriates property of the Administration or improperly uses it under such circumstances that his act does not constitute a criminal offence;
- (j) without the permission of the Director, accepts or demands in respect of the performance of or the failure to perform his official duties any commission, fee or other reward, whether pecuniary or otherwise, other than the emoluments payable to him in respect of the performance of his official duties or fails to report to the Director the offer of any such commission, fee or reward;
- (k) with a view to obtaining a privilege or advantage in relation to his official position or his duties or to prejudicing or impairing the Department or any person in the service of the Department or the Administration or any person in the service of the Administration, makes a false or incorrect statement, knowing it to be false or incorrect;
- (l) secures or attempts to secure intervention from any source to the advantage of his own or to the prejudice of another teacher's promotion, transfer or emoluments;
- (m) makes use of his position as a teacher to encourage disobedience of or resistance to the laws of the country;
- (n) conducts himself in a disgraceful, improper or unbecoming manner or in a manner that prejudices his position as a teacher, or whilst on duty, is grossly discourteous to any person;

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- (e) deur woord of gedrag ongehoorsaamheid aan gesag aan die dag lê of verset toon;
- (f) nalatig of traag is in die vervulling van sy pligte;
- (g) sonder verlof of geldige rede van sy diens wegbly;
- (h) sonder dat hy eers die toestemming van die Direkteur verkry het, inligting wat hy ingewin het of waaraan hy gekom het as gevolg van sy werk in diens van die Departement, openbaar maak anders as in die vervulling van sy ampspligte of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie;
- (i) hom eiendom van die Administrasie wederregtelik toeëien of onbehoorlike gebruik daarvan maak onder sodanige omstandighede dat sy daad nie 'n kriminele misdryf uitmaak nie;
- (j) sonder die toestemming van die Direkteur enige kommissie, geld of ander geldelike of ander beloning as die besoldiging wat ten opsigte van die vervulling van sy ampspligte aan hom betaalbaar is, aanneem of eis ten opsigte van die vervulling van sy ampspligte of ten opsigte van die versuim om sy pligte uit te voer, of versuim om die aanbieding van enige sodanige kommissie, geld of beloning aan die Direkteur te rapporteer;
- (k) ten einde 'n voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte te verkry, of die Departement of iemand in diens van die Departement of die Administrasie of iemand in diens van die Administrasie nadeel of skade te berokken, 'n valse of onjuiste verklaring doen wetende dat dit vals of onjuis is;
- (l) uit enige bron ingryping verkry of probeer verkry ten voordele van sy eie of ten nadele van 'n ander onderwyser se bevordering, verplasing of besoldiging;
- (m) van sy posisie as onderwyser gebruik maak om ongehoorsaamheid aan of verset teen die landswette aan te moedig;
- (n) hom op skandelige, onbehoorlike of onbetaamlike wyse of op 'n wyse wat vir sy posisie as onderwyser skadelik is, gedra, of terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor enigiemand skuldig maak;

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- (o) uses intoxicating liquor or stupefying drugs excessively;
- (p) commits an act *contra bonos mores*;
- (q) commits a criminal offence;
- (r) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible conduct and is not prejudicial to the faithful performance of his official duties;
- (s) becomes insolvent or assigns his estate to his creditors or compromises with his creditors, or has a decree of civil imprisonment made against him by any court of law, unless it is shown that his insolvency, assignment or composition or the making of the decree of civil imprisonment against him has been occasioned by unavoidable misfortune;
- (t) through causes within his control, is or becomes unable or unfit to perform his duties.

Procedure in cases of misconduct.

67. (1) (a) When a teacher is accused of misconduct, the Director or an official authorised thereto in writing by the Director, may charge such teacher in writing under his hand with that misconduct.

(b) When an accusation of misconduct against a teacher is made by any person other than the school committee or advisory board for the government school concerned or the headmaster of the government school concerned or the superintendent of the government hostel concerned or an official of the Department, affidavits or solemn declaration in confirmation thereof shall be submitted to the Director together with such accusation.

(c) (i) When an accusation of misconduct against a teacher is made by the school committee or advisory board of the government school concerned it shall be made in writing, the misconduct alleged shall be defined in the papers in which it is so made, and the grounds on which it is based shall be set out therein and confirmatory documents in support or affirmation thereof or the minutes of the

- (o) oormatig gebruik maak van sterk drank of bedwelmende middels;
- (p) 'n vergryp teen die goeie sedes begaan;
- (q) 'n kriminele misdryf begaan;
- (r) in geldelike nood beland, tensy daar bewys word dat sy geldelike nood nie die gevolg is van onversigtigheid of ander afkeurenswaardige optrede nie en nie nadelig is vir die getroue vervulling van sy ampspligte nie;
- (s) insolvent word of sy boedel aan sy skuldeisers afstaan of 'n akkoord met sy skuldeisers aangaan, of as 'n bevel tot siviele gyseling deur 'n geregshof teen hom gegee is, tensy daar bewys word dat sy insolvensie, boedelafstand, of akkoord of die gee van die bevel tot siviele gyseling teen hom deur onvermydelike teenspoed veroorsaak is;
- (t) weens oorsake binne sy beheer onbekwaam of ongeskik is of word vir die vervulling van sy pligte.

67. (1) (a) Wanneer 'n onderwyser van wangedrag beskuldig word, kan die Direkteur of 'n amptenaar skriftelik deur die Direkteur daartoe gemagtig daardie onderwyser skriftelik onder sy handtekening van daardie wangedrag aankla.

Prosedure in gevalle van wangedrag.

(b) Wanneer 'n beskuldiging van wangedrag deur iemand anders as die skoolkomitee of adviesraad vir die betrokke staatskool of die hoofonderwyser van die betrokke staatskool of die superintendent van die betrokke staatskoshuis of 'n amptenaar van die Departement teen 'n onderwyser ingebring word, moet beëdigde of plegtige verklarings ter staving daarvan tesame daarmee by die Direkteur ingedien word.

(c) (i) Wanneer 'n beskuldiging van wangedrag deur die skoolkomitee of adviesraad vir die betrokke staatskool teen 'n onderwyser ingebring word, moet dit skriftelik gedoen word, moet die beweerde wangedrag in die skriftelike stukke waarin dit aldus ingebring word omskryf word en die gronde waarop dit berus daarin uiteengesit word en moet stawende dokumente ter ondersteuning of bevestiging daarvan of die

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(i) proceedings of any enquiry referred to in subparagraph (ii) shall accompany it.

(ii) A school committee or advisory board of a government school may, before lodging an accusation of misconduct against a teacher of the government school concerned with the Director, enquire into the misconduct alleged by gathering evidence about the misconduct alleged through interrogation of witnesses: Provided that the teacher concerned shall not be compelled to be present at such enquiry or to answer any questions put to him at such enquiry.

(2) The official who signed the charge shall cause it to be served upon the teacher charged.

(3) In the charge the teacher charged shall be directed to transmit or deliver, within a period specified therein, to the Director a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) (a) (i) A teacher may at any time, before or after he has been charged in terms of this section, be suspended from duty by the Director or, if authorised thereto by the Director, either specially in a particular case or generally, by an official in the Department or by the headmaster of the government school to which he is attached.

(ii) A teacher may at any time after an accusation of misconduct has, in terms of subsection (1)(c)(i), been lodged with the Director against him or after the school committee or advisory board of the government school to which he is attached has, in terms of subsection (1)(c)(ii), started an enquiry into any alleged misconduct on his part, be suspended from duty by such school committee or advisory board.

(b) The Director or the official or school committee or advisory board that

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notule van die verrigtings van enige ondersoek bedoel in subparagraaf (ii) dit vergesel.

(ii) 'n Skoolkomitee of adviesraad vir 'n staatskool kan, alvorens hy 'n beskuldiging van wangedrag teen 'n onderwyser van die betrokke staatskool by die Direkteur inbring, die beweerde wangedrag ondersoek deur getuies oor die beweerde wangedrag in te win by wyse van die ondervraging van getuies: Met dien verstande dat die betrokke onderwyser nie verplig is om by sodanige ondersoek teenwoordig te wees of om op enige vrae wat by sodanige ondersoek aan hom gestel word, te antwoord nie.

(2) Die amptenaar wat die aanklag onderteken het, moet dit aan die aangeklaagde onderwyser laat bestel.

(3) In die aanklag moet die aangeklaagde onderwyser aangesê word om binne die tydperk wat daarin vermeld word 'n skriftelike erkenning of ontkenning van die aanklag en, as hy so verkies, 'n skriftelike verduideliking van die wangedrag waarvan hy aangekla word, aan die Direkteur te stuur of by hom af te lewer.

(4) (a) (i) 'n Onderwyser kan te eniger tyd voor of nadat hy ingevolge hierdie artikel aangekla is, in sy diens geskors word deur die Direkteur of, indien daartoe gemagtig deur die Direkteur, hetsy spesiaal in 'n besondere geval of in die algemeen, deur 'n amptenaar in die Departement of deur die hoofonderwyser van die staatskool waaraan hy verbonde is.

(ii) 'n Onderwyser kan te eniger tyd nadat 'n beskuldiging van wangedrag ingevolge subartikel (1)(c)(i) deur die skoolkomitee of adviesraad van die staatskool waaraan hy verbonde is, by die Direkteur teen hom ingebring is of nadat die skoolkomitee of adviesraad van die staatskool waaraan hy verbonde is ingevolge subartikel (1)(c)(ii) begin het om enige beweerde wangedrag aan sy kant te ondersoek, deur sodanige skoolkomitee of adviesraad in sy diens geskors word.

(b) Die Direkteur of die amptenaar of skoolkomitee of adviesraad wat die

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suspended the teacher in terms of paragraph (a) may, at any time, cancel the suspension, but notwithstanding the cancellation of the suspension any steps which were initiated in terms of this section in connection with a charge of misconduct against the teacher concerned, may be continued.

(c) The Director may order that the emoluments of a teacher who has been suspended from duty in terms of paragraph (a) be withheld entirely or partly for the period of his suspension and he may, at any time, at his discretion, amend or withdraw such direction should it be decided not to proceed with the charge of misconduct served upon the teacher concerned or after the Executive Committee has, in terms of subsection (9), decided on the case.

(d) When it is decided not to prefer any charge of misconduct in terms of this section against a teacher who has been suspended from duty in terms of paragraph (a), the teacher concerned shall be allowed to resume duty in his post immediately and he shall be paid his full emoluments for the period of his suspension.

(5) (a) The Director may at any time, after a reply to the direction referred to in subsection (3) has been received, or after the period referred to in that subsection has expired, if the teacher charged has at that time still not complied with the direction, appoint a commission of enquiry into the charge if he deems it necessary or desirable: Provided that the Director shall appoint such commission of enquiry if the teacher charged denies the charge and requests the appointment of such commission of enquiry.

(b) The commission of enquiry shall consist of three members, of whom -

(i) one, who will also be the chairman, shall be a magistrate;

(ii) one shall be a person whom the Director may, at his discretion, designate;

(iii) one shall be a teacher who is nominated by a teachers' association

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onderwyser ingevolge paragraaf (a) geskors het; kan die skorsing te eniger tyd intrek, maar ondanks die intrekking van die skorsing kan enige stappe waarmee ingevolge hierdie artikel in verband met 'n aanklag van wangedrag teen die betrokke onderwyser begin is, voortgesit word.

(c) Die Direkteur kan gelas dat die besoldiging van 'n onderwyser wat ingevolge paragraaf (a) in sy diens geskors is vir die tydperk van sy skorsing geheel of gedeeltelik teruggehou moet word en kan so 'n lasgewing te eniger tyd na goeddunke wysig of intrek indien daar besluit word om nie met die aanklag van wangedrag wat op die betrokke onderwyser bestel is voort te gaan nie of nadat die Uitvoerende Komitee ingevolge subartikel (9) oor die saak beslis het.

(d) Wanneer daar besluit word om geen aanklag van wangedrag ingevolge hierdie artikel teen 'n onderwyser wat ingevolge paragraaf (a) in sy diens geskors is in te bring nie, moet die betrokke onderwyser toegelaat word om dadelik weer diens in sy pos te aanvaar en moet aan hom sy volle besoldiging vir die tydperk van sy skorsing betaal word.

(5) (a) Die Direkteur kan te eniger tyd nadat 'n antwoord op die aansegging bedoel in subartikel (3) ontvang is, of nadat die tydperk bedoel in daardie subartikel verstryk het indien die aangeklaagde onderwyser dan nog nie die aansegging nagekom het nie, 'n kommissie van ondersoek na die aanklag aanstel indien hy dit nodig of wenslik ag: Met dien verstande dat die Direkteur so 'n kommissie van ondersoek moet aanstel indien die aangeklaagde onderwyser die aanklag ontken en versoek dat so 'n kommissie van ondersoek aangestel moet word.

(b) Die kommissie van ondersoek bestaan uit drie lede waarvan -

(i) een, wat ook die voorsitter sal wees, 'n landdros moet wees;

(ii) een 'n persoon is wat die Direkteur na goeddunke kan aanwys;

(iii) een 'n onderwyser moet wees wat deur 'n ingevolge hierdie Ordonnan-

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which is recognised in terms of this Ordinance.

(c) The Director shall provide the commission of enquiry with the necessary clerical and other assistance.

(d) The commission of enquiry shall, for the purposes of its enquiry, have the powers, jurisdiction and privileges referred to in sections 3 up to and including 7 of the Commissions' Powers Ordinance, 1927 (Ordinance 6 of 1927), and the provisions of the said sections shall *mutatis mutandis* apply to all the proceedings of the commission of enquiry.

(e) The chairman of the commission of enquiry shall determine the date, time and place of the enquiry in consultation with the Director and the Director shall give the teacher charged, or cause him to be given, reasonable notice in writing of the date, time and place so determined.

(f) The Director may authorise any person to attend the enquiry and to adduce evidence and arguments in support of the charge and to cross-examine any person called as a witness for the defence.

(g) (i) The teacher charged may attend the enquiry and at the enquiry he may be heard either personally or through a representative, cross-examine any person called as a witness in support of the charge, inspect all documents produced in evidence, give evidence himself and call any other person as witness.

(ii) The failure of the teacher charged to attend the enquiry or to be represented at the enquiry shall not invalidate the proceedings.

(h) The chairman of the commission of enquiry shall keep, or cause to be kept, a record of the proceedings at the enquiry and of all the evidence given and all the arguments advanced.

(i) All questions serving before the commission of enquiry shall be decided by majority vote and in all other respects the commission of enquiry shall regulate its own procedure.

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sie erkende onderwysersvereniging benoem word.

- (c) Die Direkteur voorsien die kommissie van ondersoek van die nodige klerklike en ander hulp.
- (d) Die kommissie van ondersoek het, vir die doel van sy ondersoek, die magte, regsbevoegdheid en voorregte vermeld in artikels 3 tot en met 7 van die Magte van Kommissies Ordonnansie 1927 (Ordonnansie 6 van 1927), en die bepalinge van daardie artikels is *mutatis mutandis* op al die verrigtings van die kommissie van ondersoek van toepassing.
- (e) Die voorsitter van die kommissie van ondersoek moet die datum, tyd en plek van die ondersoek in oorleg met die Direkteur bepaal en die Direkteur moet die aangeklaagde onderwyser redelike skriftelike kennis gee of laat gee van die datum, tyd en plek aldus bepaal.
- (f) Die Direkteur kan enige persoon magtig om die ondersoek by te woon om getuienis en argumente ter staving van die aanklag aan te voer en enige persoon wat as getuie vir die verweer opgeroep is, onder kruisverhoor te neem.
- (g) (i) Die aangeklaagde onderwyser kan die ondersoek bywoon en kan by die ondersoek, hetsy persoonlik of deur 'n verteenwoordiger, aangehoor word, enige persoon wat as getuie ter staving van die aanklag opgeroep is, onder kruisverhoor neem, alle dokumente wat as getuienis voorgelê word, ter insae neem, self getuienis aflê en enige ander persoon as getuie oproep.
(ii) Die versuim van die aangeklaagde onderwyser om die ondersoek by te woon of by die ondersoek verteenwoordig te wees maak die verrigtings nie ongeldig nie.
- (h) Die voorsitter van die kommissie van ondersoek moet notule hou of laat hou van die verrigtings by die ondersoek en van al die getuienis wat afgelê word en al die argumente wat aangevoer word.
- (i) Alle vrae voor die kommissie van ondersoek word by meerderheidstem beslis en verder reël die kommissie van ondersoek sy eie prosedure.

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- (j) At the conclusion of the enquiry the commission of enquiry shall make a recommendation in regard to the conviction or otherwise of the teacher charged.
 - (k) After the recommendation referred to in paragraph (j) has been made, that recommendation, the minutes of the proceedings at the enquiry, and any documentary evidence admitted thereat and any remarks on the case which the commission of enquiry may desire to make shall be transmitted to the Director.
 - (l) For the purposes of this subsection "commission of enquiry" shall mean a commission of enquiry appointed in terms of paragraph (a).
- (6) If the misconduct with which the teacher concerned is charged amounts to an offence of which he has already been convicted by a court of law, a certified copy of the record of his conviction by that court shall be sufficient proof of the commission by him of such offence, unless the conviction has been set aside by a superior court.
- (7) The Director shall submit to the Executive Committee a copy of the charge of misconduct served on the teacher charged, the reply of the teacher charged, if any, and all other statements, minutes, records and other documents in his possession relating to the charge, together with his recommendation in relation to the conviction or otherwise of the teacher charged and any remarks on the case which he may desire to make.
- (8) If the Director recommends the conviction of the teacher charged to the Executive Committee, he may further recommend to the Executive Committee -
- (a) that the teacher concerned be cautioned or reprimanded; or
 - (b) that one or more increments in the salary of the teacher concerned be withheld; or
 - (c) that the salary of the teacher concerned be reduced, as well as the extent of such reduction; or
 - (d) that the teacher concerned be transferred to a post of a lower grading; or
 - (e) that the teacher concerned -

- (j) Na die afhandeling van die ondersoek moet die kommissie van ondersoek 'n aanbeveling doen met betrekking tot die skuldigbevinding al dan nie van die aangeklaagde onderwyser.
- (k) Nadat die aanbeveling bedoel in paragraaf (j) gedoen is, word daardie aanbeveling, die notule van die verrigtings by die ondersoek en enige dokumentêre getuienis wat aldaar toegelaat is en enige opmerkings oor die saak wat die kommissie van ondersoek wens te maak, aan die Direkteur gestuur.
- (l) By die toepassing van hierdie subartikel beteken "kommissie van ondersoek" 'n kommissie van ondersoek aangestel in-gevolge paragraaf (a).

(6) As die wangedrag waarvan die betrokke onderwyser aangekla word, neerkom op 'n misdryf waaraan hy reeds deur 'n geregshof skuldig bevind is, is 'n gewaarmerkte afskrif van die oorkonde van die skuldigbevinding deur daardie hof voldoende bewys dat hy bedoelde misdryf gepleeg het, tensy die skuldigbevinding deur 'n hoër hof ter syde gestel is.

(7) Die Direkteur lê 'n afskrif van die aanklag van wangedrag wat op die aangeklaagde onderwyser bestel is die aangeklaagde onderwyser se antwoord daarop, indien enige, en alle ander verklarings, notules, oorkondes en ander dokumente in sy besit wat op die aanklag betrekking het met sy aanbeveling met betrekking tot die skuldigbevinding, al dan nie, van die aangeklaagde onderwyser en enige opmerkings oor die saak wat hy wens te maak aan die Uitvoerende Komitee voor.

(8) Indien die Direkteur die skuldigbevinding van die aangeklaagde onderwyser by die Uitvoerende Komitee aanbeveel, kan hy verder by die Uitvoerende Komitee aanbeveel -

- (a) dat die betrokke onderwyser gewaarsku of berispe word; of
- (b) dat een of meer verhogings in die betrokke onderwyser se salaris teruggehou word; of
- (c) dat die betrokke onderwyser se salaris verminder word, sowel as die mate van sodanige vermindering; of
- (d) dat die betrokke onderwyser oorgeplaas word na 'n pos van 'n laer gradering; of
- (e) dat die betrokke onderwyser

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(i) be discharged, with or without notice, from the service of the Department as from a date determined by the Executive Committee; or

(ii) be called upon to resign from the service of the Department as from a date determined by the Executive Committee:

Provided that -

(i) except where a recommendation is made in terms of paragraph (e), the Director may make a recommendation in terms of more than one of the foregoing paragraphs; and

(ii) if a teacher who has been called upon to resign from the service of the Department fails so to resign, he shall be deemed to have been discharged therefrom as from the date referred to in paragraph (e)(ii).

(9) The Executive Committee may adopt the course recommended by the Director or any other course which the Director could have recommended in terms of subsection (7) or (8).

(10) When the Executive Committee -

(a) in terms of subsection 9, imposes a penalty on a teacher who has been suspended from duty in terms of subsection (4) it may determine that such penalty shall be deemed to have come into operation on the date of suspension of the teacher concerned;

(b) finds that a teacher who has been suspended from duty in terms of subsection (4) is not guilty of the misconduct with which he has been charged, the teacher concerned shall be allowed forthwith to resume duty in his post and his full emoluments for the period of suspension shall be paid to him.

(11) Whenever by this section it is provided that any notice, statement or other document is to be given or furnished to or served upon any person, or that any matter is to be or may be conveyed to any person in writing, the notice, statement, document or writing may be sent to him by post in a registered letter to his last known postal address or delivered to him or left at his last known place of residence.

(i) met of sonder kennisgewing uit die diens van die Departement ontslaan word met ingang van 'n datum wat deur die Uitvoerende Komitee bepaal word; of

(ii) aangesê word om uit die diens van die Departement te bedank met ingang van 'n datum wat deur die Uitvoerende Komitee bepaal word:

Met dien verstande dat -

(i) behalwe waar 'n aanbeveling ingevolge paragraaf (e) gedoen word, die Direkteur 'n aanbeveling ingevolge meer as een van die voorafgaande paragrawe kan doen; en

(ii) as 'n onderwyser wat aangesê is om uit die diens van die Departement te bedank, versuim om aldus te bedank, hy geag word daaruit ontslaan te gewees het met ingang van die datum bedoel in paragraaf (e)(ii).

(9) Die Uitvoerende Komitee kan volgens die aanbeveling van die Direkteur handel of enige ander weg inslaan wat die Direkteur ingevolge subartikel (7) of (8) kon aanbeveel het.

(10) Wanneer die Uitvoerende Komitee 'n onderwyser wat ingevolge subartikel (4) in sy diens geskors is -

(a) ingevolge subartikel (9) 'n straf ople, kan hy bepaal dat daardie straf geag word op die datum van die skorsing van die betrokke onderwyser in werking te getree het;

(b) onskuldig bevind aan die wangedrag waarvan hy aangekla is, moet die betrokke onderwyser toegelaat word om dadelik weer diens in sy pos te aanvaar en moet aan hom sy volle besoldiging vir die tydperk van sy skorsing betaal word.

(11) Waar daar by hierdie artikel bepaal word dat 'n kennisgewing, verklaring of ander dokument aan 'n persoon gegee of verstrekk of bestel moet word of dat enige aangeleentheid skriftelik aan 'n persoon meegedeel moet of kan word, kan die kennisgewing, verklaring, dokument of geskrif per pos in 'n geregistreerde brief aan hom gestuur word na sy laaste bekende posadres of aan hom afgelewer word of by sy laaste bekende woonplek gelaat word.

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Undesirable persons in the
education personnel.

68. (1) Any person -

- (a) who is a communist as defined in section 1 of the Suppression of Communism Act, 1950 (Act 44 of 1950); or
- (b) whose name appears on a list in the custody of the officer referred to in section 8 of the said Act,

shall be regarded as an undesirable person for employment in the education personnel.

(2) Should the Director suspect that a person appointed to the education personnel is possibly an undesirable person as referred to in subsection (1), he shall notify such person in writing of such suspicion and his reasons therefor, and he shall inform him that he may, within the period mentioned in the notice, submit written representations advancing reasons why he should not be regarded as an undesirable person, or a written request for a hearing in this connection, to the Director.

(3) (a) Any person who requests a hearing shall be heard either by the Director or by any other person authorised thereto by the Director.

(b) If the person concerned is heard by any person other than the Director, such person shall, as soon as possible thereafter, transmit or deliver to the Director a report thereon and any recommendation which he may desire to make.

(c) If the person concerned is heard by the Director, the Director shall as soon as possible thereafter himself draw up a report thereon.

(d) As soon as possible after the report and recommendation referred to in paragraph (b) has been transmitted or delivered to him, or the report referred to in paragraph (c) has been drawn up by him, the Director shall submit that report and recommendation (if any) and a copy of the notice referred to in subsection (2), with his own recommendation and any remarks on the matter which he may desire to make, to the Executive Committee for its consideration and decision.

(4) If the person concerned does not request a hearing, the Director shall as soon as possible after the

68. (1) Iemand -

Ongewenste persone in die
onderwyspersoneel.

- (a) wat 'n kommunist is soos omskrywe in artikel 1 van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet 44 van 1950); of
- (b) wie se naam voorkom op 'n lys in die bewaring van die beampte bedoel in artikel 8 van genoemde Wet,

word beskou as 'n ongewenste persoon om in die onderwyspersoneel in diens te wees.

(2) Indien die Direkteur vermoed dat iemand wat in die onderwyspersoneel aangestel is of aansoek doen om in die onderwyspersoneel aangestel te word, moontlik 'n ongewenste persoon soos bedoel in subartikel (1) is, stel hy so iemand skriftelik in kennis van daardie vermoede en sy redes daarvoor en verwittig hy hom dat hy binne die tydperk wat in die kennisgewing vermeld word skriftelike verhoë waarin redes aangevoer word waarom hy nie as so 'n ongewenste persoon beskou moet word nie of 'n skriftelike versoek om in die verband aangehoor te word, by die Direkteur kan indien.

(3) (a) Iemand wat versoek om aangehoor te word, word deur die Direkteur of iemand anders deur die Direkteur daartoe gemagtig, aangehoor.

(b) Indien die betrokke persoon deur iemand anders as die Direkteur aangehoor word, moet so iemand so spoedig moontlik daarna 'n verslag daaroor en enige aanbeveling wat hy wens te doen aan die Direkteur stuur of lewer.

(c) Indien die betrokke persoon deur die Direkteur aangehoor is, stel die Direkteur so spoedig moontlik daarna self 'n verslag daaroor op.

(d) So spoedig moontlik nadat die verslag en aanbeveling bedoel in paragraaf (b) aan hom gestuur of gelewer is of die verslag bedoel in paragraaf (c) deur hom opgestel is, lê die Direkteur daardie verslag en aanbeveling (indien enige) en 'n afskrif van die kennisgewing bedoel in subartikel (2), met sy eie aanbeveling en enige opmerkings oor die aangeleentheid wat hy wens te maak aan die Uitvoerende Komitee vir sy oorweging en beslissing voor.

(4) Indien die betrokke persoon nie versoek om aangehoor te word nie, lê die Direkteur so spoedig

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expiry of the period referred to in subsection (2), submit a copy of the notice referred to in the said subsection and the representations (if any) received from the person concerned, with his recommendation and any remarks on the matter which he may desire to make, to the Executive Committee for its consideration and decision.

(5) Should the Executive Committee decide that the person concerned is an undesirable person as referred to in subsection (1), such person may be declared unfit for employment in or appointment to the education personnel: Provided that the Executive Committee may at any time withdraw or suspend its decision that the person concerned is an undesirable person as referred to in subsection (1) and its declaration that such person is unfit for appointment to or employment in the education personnel, if the person concerned proves that he should not be regarded as an undesirable person as referred to in subsection (1)

(6) Should the Executive Committee in terms of subsection (5) declare any person appointed to the education personnel unfit for employment in the education personnel, the Director shall, forthwith, discharge such person from the service of the Department.

Termination of Services.

Retirement on attaining age-limit.

69. Any person appointed to the education personnel in a permanent capacity shall retire from the service of the Department and shall be retired from the service of the Department on attaining the age-limit: Provided that

- (a) such person may be retained in the service of the Department until the end of the calendar year in which he attains the age-limit;
- (b) The Director may, after such retirement, appoint such person to the education personnel in a temporary capacity for periods not exceeding one year at a time.

Retirement before attaining age-limit.

70. (1) Any person appointed to the education personnel in a permanent capacity may, not more than five years before attaining the age-limit, retire from the service of the Department voluntarily by notifying the Director thereof in writing at least one calendar term in advance.

(2) The Director may, with the approval of the Executive Committee and by giving notice in writing thereof at least one calendar term in advance, require any person appointed to the education personnel in a permanent capacity in relation to whom the age-limit is

moontlik na die verstryking van die tydperk bedoel in subartikel (2) 'n afskrif van die kennisgewing bedoel in genoemde subartikel en die vertoë (indien enige) wat van die betrokke persoon ontvang is met sy aanbeveling en enige opmerkings oor die aangeleentheid wat hy wens te maak aan die Uitvoerende Komitee vir oorweging en beslissing voor.

(5) Indien die Uitvoerende Komitee beslis dat die betrokke persoon 'n ongewenste persoon soos bedoel in subartikel (1) is, kan daardie persoon onbevoeg verklaar word om in die onderwyspersoneel in diens te wees of aangestel te word: Met dien verstande dat die Uitvoerende Komitee sy beslissing dat die betrokke persoon 'n ongewenste persoon soos bedoel in subartikel (1) is en sy verklaring dat hy onbevoeg is om in die onderwyspersoneel aangestel te word of in diens te wees te eniger tyd kan intrek of opskort indien die betrokke persoon bewys dat hy nie as 'n ongewenste persoon soos bedoel in subartikel (1) beskou behoort te word nie.

(6) Indien die Uitvoerende Komitee iemand wat in die onderwyspersoneel aangestel is ingevolge subartikel (5) onbevoeg verklaar om in die onderwyspersoneel in diens te wees, moet die Direkteur hom onverwyld uit die diens van die Departement ontslaan.

Beëindiging van Diens.

69. Iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, moet uit die diens van die Departement tree en word uit die diens van die Departement afgedank wanneer hy die ouderdomsgrens bereik: Met dien verstande dat -

Uitdienstreding by bereiking van ouderdomsgrens.

- (a) so iemand in die diens van die Departement mag aanbly tot die einde van die kalenderjaar waarin hy die ouderdomsgrens bereik;
- (b) die Direkteur so iemand na sodanige uitdienstreding en afdanking in tydelike hoedanigheid in die onderwyspersoneel kan aanstel vir tydperke van hoogstens een jaar op 'n keer.

70. (1) Iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, kan hoogstens vyf jaar voordat hy die ouderdomsgrens bereik, vrywillig uit die diens van die Departement tree deur die Direkteur minstens een kalendertermyn vooraf skriftelik daarvan kennis te gee.

Uitdienstreding voor bereiking van ouderdomsgrens.

(2) Die Direkteur kan, met die goedkeuring van die Uitvoerende Komitee en deur minstens een kalendertermyn vooraf skriftelik daarvan kennis te gee, van iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is en met betrekking tot

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the day on which he attains the age of sixty-five years, to retire from the service of the Department on a date at or after reaching the age of sixty years, if it is deemed necessary or expedient in the public interest.

Retirement of woman on account of her marriage.

71. A woman appointed to the education personnel in a permanent capacity shall, in the event of her marriage, be deemed to have retired voluntarily from the service of the Department with effect from the date of her marriage or, if she has performed her duties on that day, with effect from the date following her marriage, unless the Director approves that she be retained in the service of the Department in a temporary capacity: Provided that the Director may, at his discretion, approve that such a woman be retained in the service of the Department in a permanent capacity.

Termination of services by and of teachers appointed in permanent capacity.

72. (1) Any person appointed to the education personnel in a permanent capacity may terminate his services with the Department at the end of a calendar term by notifying the Director thereof in writing at least one calendar term in advance: Provided that the Director may allow such person to terminate his services with the Department on shorter notice, with effect from a date determined by the Director.

(2) The services with the Department of any person appointed to the education personnel in a permanent capacity may be terminated by the Director by giving such person notice in writing of at least one calendar term in advance, if the post to which he has been so appointed is abolished -

- (a) on account of reorganisation; or
- (b) because it is redundant; or
- (c) because the existence of the government school to which he is attached is brought to an end.

Termination of services on account of ill-health.

73. (1) Should the Director have reason to suspect that any person appointed to the education personnel in a permanent capacity has become unfit for the proper performance of his duties on account of ill-health, including any physical or mental defect, and that such ill-health will probably be permanent -

- (a) he may order the person concerned to submit medical evidence in regard to the said person's state of health and the said person's fitness to perform his duties properly to him in writing within a period determined by him;

wie die ouderdomsgrens die dag is waarop hy die leeftyd van vyf-en-sestig jaar bereik, vereis dat hy op 'n datum by of na bereiking van die leeftyd van sestig jaar uit die diens van die Departement tree indien dit in die openbare belang nodig of dienstig geag word.

71. 'n Dame wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, word, wanneer sy in die huwelik tree, geag vrywillig uit die diens van die Departement te getree het met ingang van die datum van haar huwelik of, as sy haar pligte op daardie dag vervul het, met ingang van die datum wat op die datum van haar huwelik volg, tensy die Direkteur goedkeur dat sy in tydelike hoedanigheid in die diens van die Departement aanbly: Met dien verstande dat die Direkteur na goeddunke kan goedkeur dat so 'n dame in permanente hoedanigheid in die diens van die Departement aanbly.

Uitdienstreding van dame
weens haar huwelik.

72. (1) Iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, kan sy diens by die Departement aan die einde van 'n kalendertermyn beëindig deur die Direkteur minstens een kalendertermyn vooraf skriftelik daarvan kennis te gee: Met dien verstande dat die Direkteur so 'n persoon kan toelaat om sy diens by die Departement op korter kennisgewing te beëindig met ingang van 'n datum deur die Direkteur bepaal.

Beëindiging van diens deur
en van onderwysers in per-
manente hoedanigheid aan-
gestel.

(2) Iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is se diens by die Departement kan deur aan sodanige persoon minstens een kalendertermyn vooraf skriftelik kennis te gee, deur die Direkteur beëindig word indien die pos waarin hy aldus aangestel is, afgeskaf word -

- (a) weens reorganisasie; of
- (b) omdat dit oortollig is; of
- (c) omdat die voortbestaan van die staatskool waaraan hy verbonde is, beëindig word.

73. (1) Indien die Direkteur rede het om te vermoed dat iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, weens swak gesondheid, insluitende liggaams- of geestesgebrek, ongeschik geword het vir die behoorlike vervulling van sy pligte, en dat sodanige swak gesondheid waarskynlik blywend sal wees -

Diensbeëindiging weens
swak gesondheid.

- (a) kan hy die betrokke persoon gelas om binne 'n deur hom bepaalde tyd mediese getuienis aangaande bedoelde persoon se gesondheidstoestand en bedoelde persoon se geskiktheid om sy pligte behoorlik te vervul, skriftelik aan hom voor te lê;

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(b) he may, whether the medical evidence referred to in paragraph (a) has been submitted to him or not, demand from the person concerned to subject himself to an examination by a medical board at a time and place determined by the Director.

(2) (a) The medical board referred to in subsection (1)(b) shall consist of three registered medical practitioners appointed by the Director in consultation with the Director of Health Services of the Administration and it shall, after having examined a person, submit to the Director a comprehensive report in regard to such person's state of health and his fitness to perform his duties properly.

(b) The Executive Committee may prescribe the form in which a report of a medical board shall be submitted.

(c) The expenses in connection with an examination by a medical board shall be paid from Administration funds: Provided that the person who has to be examined may, should he so desire, at his own cost arrange for the presence of his private medical practitioner at the proceedings of the medical board, if he is not appointed to the board referred to.

(3) If, after consideration of the medical evidence referred to in subsection (1) or the report referred to in subsection (2), the Director is satisfied that the person referred to is unfit for the proper performance of his duties on account of ill-health, he shall discharge the said person from the service of the Department by giving him written notice of at least one calendar term in advance: Provided that the person concerned may, within thirty days after receipt of the said notice appeal against discharge to the Executive Committee, the decision of which shall be final.

Termination of services in public interest.

74. Any person appointed to the education personnel in a permanent capacity may, if it is deemed necessary or expedient in the public interest, be discharged from the service of the Department by the Executive Committee on the recommendation of the Director by giving him written notice of at least one calendar term in advance.

Termination of services by and of teachers appointed in temporary capacity.

75. (1) Any person appointed to the educational personnel in a temporary capacity may terminate his services with the Department before the end of the period

(b) kan hy, hetsy die mediese getuienis bedoel in paragraaf (a) aan hom voorgelê is al dan nie, van die betrokke persoon vereis om hom op 'n deur die Direkteur bepaalde tyd en plek aan 'n ondersoek deur 'n geneeskundige raad te onderwerp.

(2) (a) Die geneeskundige raad bedoel in subartikel (1)(b) bestaan uit drie geregistreerde geneeshere deur die Direkteur in oorleg met die Direkteur van Gesondheidsdienste van die Administrasie aangestel en moet nadat hy 'n persoon ondersoek het 'n volledige verslag aangaande daardie persoon se gesondheidstoestand en sy geskiktheid om sy pligte behoorlik te vervul, by die Direkteur indien.

(b) Die Uitvoerende Komitee kan die vorm voorskryf waarin 'n verslag van 'n geneeskundige raad ingedien moet word.

(c) Die koste verbonde aan 'n ondersoek deur 'n geneeskundige raad word uit Administrasiefondse betaal: Met dien verstande dat die persoon wat ondersoek moet word, indien hy dit verlang, op eie koste kan reël dat sy private geneesheer by die verrigtings van die geneeskundige raad teenwoordig kan wees, indien hy nie in bedoelde raad aangestel is nie.

(3) Indien die Direkteur na oorweging van die mediese getuienis bedoel in subartikel (1) of die verslag bedoel in subartikel (2) oortuig is dat die betrokke persoon weens swak gesondheid ongeskik is vir die behoorlike vervulling van sy pligte, moet hy bedoelde persoon, deur aan hom skriftelike kennisgewing van minstens een kalendertermyn vooraf te gee, uit die diens van Departement ontslaan: Met dien verstande dat die betrokke persoon binne dertig dae na die ontvangs van bedoelde kennisgewing teen sodanige ontslag kan appelleer na die Uitvoerende Komitee wie se beslissing afdoende is.

74. Iemand wat in permanente hoedanigheid in die onderwyspersoneel aangestel is, kan deur die Uitvoerende Komitee op aanbeveling van die Direkteur, deur aan hom skriftelike kennisgewing van minstens een kalendertermyn vooraf te gee, uit die diens van die Departement ontslaan word indien dit in die openbare belang nodig of dienstig geag word.

Diensbeëindiging in openbare belang.

75. (1) Iemand wat in tydelike hoedanigheid in die onderwyspersoneel aangestel is, kan sy diens by die Departement voor die einde van die tydperk waarvoor

Beëindiging van diens deur en van onderwysers in tydelike hoedanigheid aangestel.

for which he was so appointed by notifying the Director thereof in writing at least twenty-four hours in advance: Provided that if any transport or other costs were incurred by the Department in connection with that person's appointment and assumption of duty, such costs may be recovered from him.

(2) The Director may discharge any person appointed to the education personnel in a temporary capacity from the service of the Department before the end of the period for which he was so appointed by giving him notice thereof in writing at least twenty-four hours in advance.

Termination of services on account of absence from duty.

76. A teacher who absents himself from his official duties without permission of the Director for a period exceeding one calendar month, shall be deemed to be discharged from the service of the Department on account of misconduct with effect from the date immediately succeeding the last day on which he performed his official duties: Provided that if such teacher assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not expired.

CHAPTER V.

PRIVATE SCHOOLS.

Registration of private schools.

77. (1) No person shall establish, maintain or manage a private school unless such private school has been registered by the Executive Committee under this Ordinance: Provided that a private school which, at the commencement of this Ordinance, is registered under the Education Ordinance, 1962 (Ordinance 27 of 1962), shall be deemed to be registered under this Ordinance.

(2) A private school shall only be registered if it is attended by five or more pupils.

Teacher at private school.

78. (1) The Executive Committee may at any time instruct the owner of a private school to discharge a teacher of such private school from the service of such private school, if such teacher -

- (a) makes use of his position as a teacher to promote or to prejudice the interests of any political party;
- (b) comments on party-political matters in the public press or at any public meeting;

hy aldus aangestel is, beëindig deur die Direkteur minstens vier-en-twintig uur vooraf skriftelik daarvan kennis te gee: Met dien verstande dat as die Departement enige vervoer- of ander koste in verband met daardie persoon se aanstelling en diensaanvaarding aangegaan het, daardie koste op hom verhaal kan word.

(2) Die Direkteur kan iemand wat in tydelike hoedanigheid in die onderwyspersoneel aangestel is, voor die einde van die tydperk waarvoor hy aldus aangestel is, uit die diens van die Departement ontslaan deur hom minstens vier-en-twintig uur vooraf skriftelik daarvan kennis te gee.

76. 'n Onderwyser wat sonder die verlof van die Direkteur vir 'n tydperk van langer as een kalendermaand van sy ampspligte wegbly, word geag weens wangedrag uit die diens van die Departement ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy sy ampspligte vervul het: Met dien verstande dat as so 'n onderwyser ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieteenstaande dat bedoelde tydperk nog nie verstryk het nie.

Diensbeëindiging weens afwesigheid van diens.

HOOFSTUK V.

PRIVATE SKOLE.

77. (1) Niemand mag 'n private skool stig, in stand hou of bestuur nie tensy sodanige private skool kragtens hierdie Ordonnansie deur die Uitvoerende Komitee geregistreer is: Met dien verstande dat 'n private skool wat by die inwerkingtreding van hierdie Ordonnansie geregistreer is kragtens die Onderwysordonnansie 1962 (Ordonnansie 27 van 1962), geag word kragtens hierdie Ordonnansie geregistreer te wees.

Registrasie van private skole.

(2) 'n Private skool mag slegs geregistreer word indien dit deur vyf of meer leerlinge besoek word.

78. (1) Die Uitvoerende Komitee kan die eienaar van 'n private skool te eniger tyd opdrag gee om 'n onderwyser aan sodanige private skool uit die diens van sodanige private skool te ontslaan, indien sodanige onderwyser -

Onderwyser aan private skool.

- (a) van sy posisie as onderwyser gebruik maak om die belange van 'n politieke party te bevorder of te benadeel;
- (b) hom in die openbare pers of op 'n openbare vergadering oor partypolitieke aangeleenthede uitlaat;

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- (c) contravenes any provision of this Ordinance or fails to comply with any provision thereof with which it is his duty to comply;
- (d) takes part in or associates himself with propaganda or activities which will engender or promote a feeling of hostility between any group of the inhabitants of the Territory and any other group of the inhabitants of the Territory, or by which the Administration or the Department or any educational body will be undermined or its activities thwarted;
- (e) makes use of his position as a teacher to encourage disobedience of or resistance to the laws of the country;
- (f) conducts himself in a disgraceful, improper or unbecoming manner or in a manner that prejudices his position as a teacher, or while on duty, is grossly discourteous to any person;
- (g) uses intoxicating liquor or stupefying drugs excessively;
- (h) commits an act *contra bonos mores*;
- (i) commits a criminal offence.

(2) Should the Director suspect that a teacher of a private school is possibly an undesirable person as referred to in section 68(1), he shall notify such teacher in writing of such suspicion and his reasons therefore, and he shall inform him that he may, within the period mentioned in the notice, submit written representations advancing reasons why he should not be regarded as an undesirable person, or a written request for a hearing in this connection, to the Director.

- (3) (a) Any teacher who requests a hearing shall be heard either by the Director or by any other person authorised thereto by the Director.
- (b) If the teacher concerned is heard by any person other than the Director, such person shall, as soon as possible thereafter, transmit or deliver to the Director a report thereon and any recommendation which he may desire to make.
- (c) If the person concerned is heard by the Director, the Director shall as soon as

- (c) 'n bepaling van hierdie Ordonnansie oortree of versuim om te voldoen aan 'n bepaling daarvan waaraan dit sy plig is om te voldoen;
- (d) deelneem aan of hom vereenselwig met propaganda of bedrywighede waardeur 'n gevoel van vyandigheid tussen enige groep van die inwoners van die Gebied en enige ander groep van die inwoners van die Gebied veroorsaak of bevorder word of waardeur die Administrasie of die Departement of enige onderwysliggaam ondermyn of in sy werksaamhede gedwarsboom word;
- (e) van sy posisie as onderwyser gebruik maak om ongehoorsaamheid aan of verset teen die landswette aan te moedig;
- (f) hom op skandelige, onbehoorlike of onbetaamlike wyse of op 'n wyse wat vir sy posisie as onderwyser skadelik is, gedra, of terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor enigiemand skuldig maak;
- (g) oormatig gebruik maak van sterk drank of bedwelmende middels;
- (h) 'n vergryp teen die goeie sedes begaan;
- (i) 'n kriminele misdryf begaan.

(2) Indien die Direkteur vermoed dat 'n onderwyser aan 'n private skool moontlik 'n ongewenste persoon soos bedoel in artikel 68(1) is, stel hy sodanige onderwyser skriftelik in kennis van daardie vermoede en sy redes daarvoor en verwittig hy hom dat hy binne die tydperk wat in die kennisgewing vermeld word, skriftelike vertoë, waarin redes aangevoer word waarom hy nie as so 'n ongewenste persoon beskou moet word nie of 'n skriftelike versoek om in die verband aangehoor te word, by die Direkteur kan indien.

- (3) (a) 'n Onderwyser wat versoek om aangehoor te word, word deur die Direkteur of iemand anders deur die Direkteur daartoe gemagtig aangehoor.
- (b) Indien die betrokke onderwyser deur iemand anders as die Direkteur aangehoor word, moet so iemand so spoedig moontlik daarna 'n verslag daarvoor en enige aanbeveling wat hy wens te doen aan die Direkteur stuur of lewer.
- (c) Indien die betrokke onderwyser deur die Direkteur aangehoor is, stel die Direkteur

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possible thereafter himself draw up a report thereon.

- (d) As soon as possible after the report and recommendation referred to in paragraph (b) has been transmitted or delivered to him, or the report referred to in paragraph (c) has been drawn up by him, the Director shall submit that report and recommendation (if any) and a copy of the notice referred to in subsection (2), with his own recommendation and any remarks on the matter which he may desire to make, to the Executive Committee for its consideration and decision.

(4) If the teacher concerned does not request a hearing, the Director shall as soon as possible after the expiry of the period referred to in subsection (2), submit a copy of the notice referred to in the said subsection and the representations (if any) received from the teacher concerned, with his recommendation and any remarks on the matter which he may desire to make, to the Executive Committee for its consideration and decision.

(5) Should the Executive Committee decide that the teacher concerned is an undesirable person as referred to in section 68(1), it may direct the owner of the private school concerned to discharge such teacher from the service of such private school.

(6) Any person who has been discharged from the service of a private school under a direction given by the Executive Committee in terms of subsection (5) shall not be appointed as a teacher at such private school or any other private school again, unless the Executive Committee has, on production of proof by the person concerned that he should not be regarded as an undesirable person as referred to in section 68(1), withdrawn its decision that the person concerned is such an undesirable person.

Registers and returns to be kept and furnished.

79. The owner of a private school shall keep and furnish the registers and the returns which may be required by the Director in the form and manner which the Director may determine from time to time, or cause them to be kept and furnished by the headmaster of such private school.

Powers of the Executive Committee in relation to pupils of private schools.

80. The Executive Committee may at any time and on such conditions as he may impose allow a pupil of a private school -

so spoedig moontlik daarna self 'n verslag daaroor op.

- (d) So spoedig moontlik nadat die verslag en aanbeveling bedoel in paragraaf (b) aan hom gestuur of gelewer is of die verslag bedoel in paragraaf (c) deur hom opgestel is, lê die Direkteur daardie verslag en aanbeveling (indien enige) en 'n afskrif van die kennisgewing bedoel in subartikel (2), met sy eie aanbeveling en enige opmerkings oor die aangeleentheid wat hy wens te maak aan die Uitvoerende Komitee vir sy oorweging en beslissing voor.

(4) Indien die betrokke onderwyser nie versoek om aangehoor te word nie, lê die Direkteur so spoedig moontlik na die verstryking van die tydperk bedoel in subartikel (2) 'n afskrif van die kennisgewing bedoel in genoemde subartikel en die verhoë (indien enige) wat van die betrokke onderwyser ontvang is met sy aanbeveling en enige opmerkings oor die aangeleentheid wat hy wens te maak aan die Uitvoerende Komitee vir oorweging en beslissing voor.

(5) Indien die Uitvoerende Komitee beslis dat die betrokke onderwyser 'n ongewenste persoon soos bedoel in artikel 68(1) is, kan hy die eienaar van die betrokke private skool opdrag gee om sodanige onderwyser uit die diens van sodanige private skool te ontslaan.

(6) Iemand wat kragtens 'n opdrag wat die Uitvoerende Komitee ingevolge subartikel (5) gegee het, uit die diens van 'n private skool ontslaan is, mag nie weer as onderwyser aan sodanige of enige ander private skool aangestel word nie, tensy die Uitvoerende Komitee, by die voorlegging van bewys deur die betrokke persoon dat hy nie as 'n ongewenste persoon soos bedoel in artikel 68(1) beskou behoort te word nie, sy beslissing dat die betrokke persoon so 'n ongewenste persoon is, intrek.

79. Die eienaar van 'n private skool moet die registers en opgawes wat die Direkteur vereis in die vorm en op die wyse wat die Direkteur van tyd tot tyd bepaal byhou en verstrek of deur die hoofonderwyser van sodanige private skool laat byhou en verstrek.

Registers en opgawes moet bygehou en verstrek word.

80. Die Uitvoerende Komitee kan 'n leerling van 'n private skool te eniger tyd op die voorwaardes wat hy stel toelaat -

Bevoegdheids van die Uitvoerende Komitee met betrekking tot leerlinge van private skole.

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- (a) to sit for any examinations or tests conducted, in terms of this Ordinance, with the approval of the Executive Committee or under the control of the Department; and
- (b) to undergo any examination or treatment which may be conducted or supplied in terms of this Ordinance.

Financial assistance to private schools.

81. The Executive Committee may grant financial assistance to private nursery schools, private primary schools and private secondary schools which are registered or deemed to be registered under this Ordinance: Provided that -

- (a) financial assistance shall be so granted to such private nursery schools only in respect of pupils of such nursery schools who have already reached the age of three years but are not yet subject to compulsory school attendance;
- (b) no financial assistance shall be so granted to any such private nursery school, private primary school or private secondary school to which such financial assistance is not already being granted at the commencement of this Ordinance, unless no government school can or will provide for the educational needs of the pupils of such private school.

Inspection of private schools.

82. (1) The Director, the Chief Medical Inspector of Education, an Inspector of Education and any other official authorised thereto by the Director or the Chief Medical Inspector of Education may, at any reasonable time visit a private school and there conduct any inspection which he deems necessary or expedient.

(2) Whenever the owner or the headmaster of a private school requests him in writing to do so, the Director or the Chief Medical Inspector of Education may conduct the inspection thus requested, or any inspection which he deems necessary or expedient, at such school or cause it to be conducted by an Inspector of Education or any other official authorised thereto by the Director or the Chief Medical Inspector of Education, as the case may be, and transmit a report on such inspection to the owner or headmaster concerned free of charge.

(3) If the Director, on account of any inspection conducted at a private school in terms of subsection (1) or (2) is not satisfied with -

- (a) the management of that private school; or
- (b) the general welfare of that private school or the pupils thereof; or

- (a) tot enige eksamens of toetse wat ingevolge hierdie Ordonnansie met die goedkeuring van die Uitvoerende Komitee of onder die beheer van die Departement afgeneem word; en
- (b) om enige ondersoek of behandeling te ondergaan wat ingevolge hierdie Ordonnansie gedoen of gelewer kan word.

81. Die Uitvoerende Komitee kan geldelike bystand verleen aan private kleuterskole, private primêre skole en private sekondêre skole wat kragtens hierdie Ordonnansie geregistreer is of geag word aldus geregistreer te wees: Met dien verstande dat -

Geldelike bystand aan private skole.

- (a) geldelike bystand aldus aan sodanige private kleuterskole verleen word slegs ten opsigte van leerlinge van sodanige kleuterskole wat reeds die ouderdom van drie jaar bereik het maar nog nie aan verpligte skoolbesoek onderworpe is nie;
- (b) geen geldelike bystand aldus verleen word nie aan enige sodanige private kleuterskool, private primêre skool of private sekondêre skool waaraan nie reeds by die inwerkingtreding van hierdie Ordonnansie sodanige geldelike bystand verleen word nie, tensy geen staatskool in die onderwysbehoefte van die leerlinge van sodanige private skool voorsien of sal voorsien nie.

82. (1) Die Direkteur, die Mediese Hoofinspekteur van Onderwys, 'n Inspekteur van Onderwys en enige ander amptenaar deur die Direkteur of die Mediese Hoofinspekteur van Onderwys daartoe gemagtig kan 'n private skool te enige redelike tyd besoek en aldaar enige inspeksie uitvoer wat hy nodig of dienstig ag.

Inspeksie van private skole.

(2) Wanneer die eienaar of die hoofonderwyser van 'n private skool hom skriftelik daartoe versoek kan die Direkteur of die Mediese Hoofinspekteur van Onderwys die inspeksie wat aldus versoek word of enige inspeksie wat hy nodig of dienstig ag by die betrokke skool uitvoer of laat uitvoer deur 'n Inspekteur van Onderwys of enige ander amptenaar deur die Direkteur of die Mediese Hoofinspekteur van Onderwys, na gelang van die geval, daartoe gemagtig en 'n verslag oor sodanige inspeksie kosteloos aan die betrokke eienaar of hoofonderwyser stuur.

(3) Indien die Direkteur op grond van enige inspeksie wat ingevolge subartikel (1) of (2) by 'n private skool uitgevoer is, nie tevrede is nie met -

- (a) die bestuur van daardie private skool; of
- (b) die algemene welsyn van daardie private skool of die leerlinge daarvan; of

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(c) the school attendance of the pupils of that private school; or

(d) the kind or standard of the instruction given at that private school,

he may issue a written certificate in which he states that the instruction which is given at such private school is not regular and efficient tuition.

Cancellation of registration of private school.

83. The Executive Committee may at any time by means of a notice in writing to the owner thereof cancel the registration of a private school which is registered or deemed to be registered under this Ordinance -

(a) if a certificate referred to in section 82(3) is issued in respect of such private school; or

(b) if such private school is attended by fewer than five pupils.

CHAPTER VI.

SCHOOL ATTENDANCE.

Earliest age of admission to primary school.

84. A child may be admitted to a primary school during a calendar year -

(a) if he has already attained the age of six years during a previous calendar year; or

(b) if he has attained or will attain the age of six years before or on the thirtieth day of June of the calendar year concerned.

Compulsory school attendance.

85. (1) Every child shall be subject to compulsory school attendance and shall regularly attend a school where he shall receive regular and efficient tuition from

- (c) die skoolbesoek van die leerlinge van daardie private skool; of
- (d) die aard of standaard van die onderrig wat aan daardie private skool gegee word,

kan hy 'n skriftelike sertifikaat uitreik waarin hy verklaar dat die onderrig wat aan sodanige private skool gegee word nie gereelde en doeltreffende onderrig is nie.

83. Die Uitvoerende Komitee kan te eniger tyd die registrasie van 'n private skool wat kragtens hierdie Ordonnansie geregistreer is of geag word aldus geregistreer te wees by skriftelike kennisgewing aan die eienaar daarvan intrek -

Intrekking van registrasie van private skool.

- (a) indien 'n sertifikaat bedoel in artikel 82(3) ten opsigte van sodanige private skool uitgereik word; of
- (b) indien sodanige private skool deur minder as vyf leerlinge besoek word.

HOOFSTUK VI.

SKOOLBESOEK.

84. 'n Kind mag gedurende 'n kalenderjaar tot die primêre skool toegelaat word -

Vroegste toelatingsouderdom tot primêre skool.

- (a) indien hy reeds die ouderdom van ses jaar gedurende 'n vorige kalenderjaar bereik het; of
- (b) indien hy die ouderdom van ses jaar voor of op die dertigste dag van Junie van die betrokke kalenderjaar bereik het of sal bereik.

85. (1) Elke kind is onderworpe aan verpligte skoolbesoek en moet gereeld 'n skool besoek waar hy gereelde en doeltreffende onderrig ontvang vanaf die

Verpligte skoolbesoek.

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the first school day of the calendar year in which he attains the age of seven years up to and including the last school day of the calendar year in which he attains the age of sixteen years: Provided that -

- (a) the Director may extend the period during which any handicapped child shall thus be subject to compulsory school attendance up to and including any date which shall not be later than the last school day of the calendar year in which that child attains the age of nineteen years;
- (b) the Director may, on such conditions as may be determined by him, exempt any child thus subject to compulsory school attendance from compulsory school attendance either temporarily or permanently, if such child, in his opinion -
 - (i) receives or will receive regular and efficient tuition in any other manner; or
 - (ii) is unable to attend any school on account of ill-health or any other cause.

(2) The parent of a child who is subject to compulsory school attendance in terms of subsection (1) shall ensure that such child shall regularly attend a school where he shall receive regular and efficient tuition during the period that he is so subject to compulsory school attendance.

(3) For the purposes of the provisions of this section -

- (a) the instruction given at all government schools shall be deemed to be regular and efficient tuition;
- (b) the instruction given at a private school in respect of which the Director has issued a certificate referred to in section 82(3), shall, with effect from the date of issue of such certificate, be deemed not to be regular and efficient tuition.

- (4) (a) Should the parent of a pupil feel aggrieved by any decision given by the Director in terms of paragraph (b) of the proviso to subsection (1), such parent may appeal against such decision to the Executive Committee, the decision of which shall be final.

eerste skooldag van die kalenderjaar waarin hy die ouderdom van sewe jaar bereik tot en met die laaste skooldag van die kalenderjaar waarin hy die ouderdom van sestien jaar bereik: Met dien verstande dat -

- (a) die Direkteur die tydperk wat enige gestremde kind aldus aan verpligte skoolbesoek onderworpe is kan verleng tot en met enige datum wat nie later is nie as die laaste skooldag van die kalenderjaar waarin daardie kind die ouderdom van negentien jaar bereik;
 - (b) die Direkteur enige kind wat aldus aan verpligte skoolbesoek onderworpe is, op die voorwaardes wat hy bepaal, tydelike of permanent van verpligte skoolbesoek kan vrystel indien sodanige kind na sy mening -
 - (i) op 'n ander wyse gereelde en doeltreffende onderrig ontvang of sal ontvang; of
 - (ii) weens swak gesondheid of 'n ander oorsaak nie 'n skool kan besoek nie.
- (2) Die ouer van 'n kind wat ingevolge subartikel (1) aan verpligte skoolbesoek onderworpe is, moet toesien dat daardie kind gedurende die tydperk wat hy aldus aan verpligte skoolbesoek onderworpe is gereeld 'n skool besoek waar hy gereelde en doeltreffende onderrig ontvang.
- (3) By die toepassing van die bepalings van hierdie artikel -
- (a) word die onderrig wat aan alle staatskole gegee word, geag gereelde en doeltreffende onderrig te wees:
 - (b) word die onderrig wat gegee word aan 'n private skool ten opsigte waarvan die Direkteur 'n sertifikaat bedoel in artikel 82(3) uitgereik het, met ingang van die datum van uitreiking van sodanige sertifikaat, geag nie gereelde en doeltreffende onderrig te wees nie.
- (4) (a) Indien die ouer van 'n leerling hom verongelyk voel oor enige beslissing deur die Direkteur gegee ingevolge paragraaf (b) van die voorbehoudsbepaling by subartikel (1), kan sodanige ouer teen sodanige beslissing appelleer na die Uitvoerende Komitee, wie se beslissing afdoende is.

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- (b) Any appeal referred to in paragraph (a) shall be lodged with the Director within fifteen days after the date on which the decision against which such appeal is lodged, was conveyed to the parent concerned.

Director to ensure regular school attendance of child subject to compulsory school attendance.

86. The Director shall to the best of his ability take steps or cause steps to be taken to ensure that every child who is, in terms of this Ordinance, subject to compulsory school attendance, attends school regularly and he may conduct, or cause to be conducted, any investigation which he deems necessary for that purpose, and he may, for that purpose, require from any person such information as he may deem necessary in connection with the said investigation.

Prohibition of employment of child subject to compulsory school attendance.

87. No person shall -

- (a) whether for remuneration or otherwise, have any child who is subject to compulsory school attendance in his employment or provide employment to him; or
- (b) harbour any child who is subject to compulsory school attendance

during school hours.

Maximum age of pupil in primary school.

88. (1) No person above the age of fifteen years shall, without the approval of the Director, be admitted to or remain in a government school for primary education.

(2) The provisions of subsection (1) shall not apply to a handicapped child who attends a special class at a government school for primary education.

Proof of age.

89. (1) The Director, a headmaster of a school and a school committee may require the parent of any child to produce an identity document, birth certificate, certificate of baptism or other proof in connection with the age of such child, whether or not such child is, or is believed to be, subject to compulsory school attendance.

(2) For the purposes of subsection (1) "identity document" shall mean an identity document referred to in section 1 of the Population Registration Act, 1950 (Act 30 of 1950), or in section 1 of the Identity Documents in South West Africa Act, 1970 (Act 37 of 1970).

- (b) Enige appèl bedoel in paragraaf (a) moet by die Direkteur ingedien word binne vyftien dae na die datum waarop die beslissing waarteen geappelleer word aan die betrokke ouer oorgedra is.

86. Die Direkteur moet na sy beste vermoë stappe doen of laat doen om te verseker dat elke kind wat in-gevolge hierdie Ordonnansie aan verpligte skoolbesoek onderworpe is, gereeld die skool besoek en kan enige ondersoek instel of laat instel wat hy vir dié doel nodig ag en kan vir daardie doel van enigiemand die inligting vereis wat hy in verband met bedoelde ondersoek nodig ag.

Direkteur moet toesien dat skoolpligtige kind skool gereeld besoek.

87. Niemand mag 'n kind wat aan verpligte skoolbesoek onderworpe is gedurende skoolure -

Verbod op indiensneming van skoolpligtige kind.

- (a) hetsy teen vergoeding of andersins in sy diens hê of aan hom werk verskaf nie; of

- (b) herberg nie.

88. (1) Geen persoon bo die ouderdom van vyftien jaar mag sonder die goedkeuring van die Direkteur tot 'n staatskool vir primêre onderwys toegelaat word of daarin aanbly nie.

Hoogste ouderdom van leerling in primêre skool.

(2) Die bepalings van subartikel (1) is nie op 'n gestremde kind wat 'n spesiale klas aan 'n staatskool vir primêre onderwys besoek van toepassing nie.

89. (1) Die Direkteur, 'n hoofonderwyser van 'n skool en 'n skoolkomitee kan van die ouer van enige kind, vereis om 'n identiteitsdokument, geboortesertifikaat, doopseel of ander bewys voor te lê in verband met die ouderdom van sodanige kind, hetsy sodanige kind aan verpligte skoolbesoek onderworpe is of vermoedelik onderworpe is al dan nie.

Bewys van ouderdom.

(2) By die toepassing van subartikel (1) beteken "identiteitsdokument" 'n identiteitsdokument genoem in artikel 1 van die Bevolkingsregistrasiewet 1950 (Wet 30 van 1950), of in artikel 1 van die Wet op Identiteitsdokumente in Suidwes-Afrika, 1970 (Wet 37 van 1970).

CHAPTER VII.

MEDIUM OF INSTRUCTION AND LANGUAGE INSTRUCTION.

Medium of instruction of children in nursery schools.

90. Subject to the provisions of section 94, the medium of instruction through which a child is taught in a nursery school shall be either Afrikaans or English, whichever of the said languages such child in the opinion of the Director knows best and if, in the opinion of the Director, he knows the said languages equally well, it shall be either Afrikaans or English, as his parent may prefer.

Medium of instruction of children in primary schools.

91. Subject to the provisions of section 94, the medium of instruction through which a child receives his primary education shall be either Afrikaans or English, whichever of the said languages such child in the opinion of the Director knows best and if, in the opinion of the Director, he knows the said languages equally well, it shall be either Afrikaans or English, as his parent may prefer.

Medium of instruction of child in junior secondary course.

92. Subject to the provisions of section 94, the medium of instruction through which a child receives his junior secondary education shall be either Afrikaans or English, whichever of the said languages such child in the opinion of the Director knows best and if, in the opinion of the Director, he knows the said languages equally well, it shall be either Afrikaans or English, as his parent may prefer: Provided that, if the parent requests that the child should receive his junior secondary education through that one of the said languages which he, in the opinion of the Director, does not know as well as the other, the Director may approve of that language as the medium of instruction through which the child concerned shall receive his junior secondary education if, on production of proof to his satisfaction he is convinced that the child concerned knows that language well enough to receive such education through that medium.

Medium of instruction of child in senior secondary course.

93. The medium of instruction through which a child receives his senior secondary education shall be either Afrikaans or English, as his parent may prefer.

German as medium of instruction of child.

94. The Executive Committee may, in the case of a child who, in the opinion of the Director, knows German as well as or better than that one of the languages Afrikaans and English which, in the opinion of the Director, he knows best, approve of German as the medium of instruction through which such child shall be taught in a nursery school, or receive his primary or junior secondary education: Provided that the Director may determine that either Afrikaans or English shall be the medium of instruction through which such child shall receive instruction in those compulsory and non-compulsory subjects of study in which instruction through medium German will be difficult.

HOOFSTUK VII.

VOERTAAL EN TAALONDERRIG.

90. Behoudens die bepalings van artikel 94 is die voertaal waardeur 'n kind in 'n kleuterskool onderrig word, of Afrikaans of Engels na gelang van watter een van genoemde tale sodanige kind na die mening van die Direkteur die beste ken en indien hy na die mening van die Direkteur die genoemde tale ewe goed ken, is dit of Afrikaans of Engels na gelang sy ouer verkies.

Voertaal van kinders in kleuterskole.

91. Behoudens die bepalings van artikel 94 is die voertaal waardeur 'n kind sy primêre onderwys ontvang, of Afrikaans of Engels na gelang van watter een van genoemde tale sodanige kind na die mening van die Direkteur die beste ken en indien hy na die mening van die Direkteur die genoemde tale ewe goed ken, is dit of Afrikaans of Engels na gelang sy ouer verkies.

Voertaal van kinders in primêre skole.

92. Behoudens die bepalings van artikel 94 is die voertaal waardeur 'n kind sy junior sekondêre onderwys ontvang of Afrikaans of Engels na gelang van watter een van genoemde tale sodanige kind na die mening van die Direkteur die beste ken en indien hy na die mening van die Direkteur die genoemde tale ewe goed ken, is dit of Afrikaans of Engels na gelang sy ouer verkies: Met dien verstande dat indien die ouer versoek dat die kind sy junior sekondêre onderwys moet ontvang deur dié een van genoemde tale wat hy na die mening van die Direkteur nie so goed as die ander ken nie, die Direkteur daardie taal kan goedkeur as die voertaal waardeur die betrokke kind sy junior sekondêre onderwys moet ontvang indien hy by die voorlegging van bewys tot sy bevrediging oortuig is dat die betrokke kind daardie taal goed genoeg ken om sodanige onderwys daardeur te ontvang.

Voertaal van kind in junior sekondêre kursus.

93. Die voertaal waardeur 'n kind sy senior sekondêre onderwys ontvang, is of Afrikaans of Engels na gelang sy ouer verkies.

Voertaal van kind in senior sekondêre kursus.

94. Die Uitvoerende Komitee kan, in die geval van 'n kind wat Duits na die mening van die Direkteur netso goed of beter ken as dié een van die tale Afrikaans en Engels wat hy na die mening van die Direkteur die beste ken, Duits goedkeur as die voertaal waardeur so 'n kind in 'n kleuterskool, onderrig word of sy primêre of junior sekondêre onderwys ontvang: Met dien verstande dat die Direkteur Afrikaans of Engels kan bepaal as die voertaal waardeur sodanige kind onderrig ontvang in dié verpligte en nie-verpligte leervakke waarin onderrig deur medium Duits moeilik sal wees.

Duits as voertaal van leerling.

Medium of instruction of a school.

95. (1) The medium of instruction through which instruction is given at a teachers' training college shall be Afrikaans: Provided that the Executive Committee may, in its discretion, also introduce English or German, or both English and German as medium of instruction through which instruction is given at a teachers' training college.

(2) The Executive Committee shall designate either Afrikaans or English as the medium of instruction through which instruction is given in the senior secondary section of a school: Provided that the Executive Committee may for any government school designate Afrikaans and English jointly as mediums of instruction through which instruction is given in the senior secondary section of the same government school if, in its opinion, it is justified by the total number of pupils taught through medium of each of the said mediums of instruction in the senior secondary section of that government school.

(3) The Executive Committee shall designate either Afrikaans or English or German as the medium of instruction through which instruction is given in the junior secondary section of a school: Provided that the Executive Committee may designate two or more of the said languages jointly as mediums of instruction through which instruction is given in the junior secondary section of the same government school, should in that government school, fifty or more pupils in standard five receive instruction through at least one such medium of instruction and should, in its opinion it be justified by the total number of pupils taught through each of the said mediums of instruction in the junior secondary section of that government school.

(4) The Executive Committee shall designate either Afrikaans or English or German as the medium of instruction through which instruction is given at any school other than a teachers' training college or a secondary school: Provided that the Executive Committee may designate two or more of the said languages jointly as mediums of instruction in which -

(a) instruction is given at the same government nursery school, if the total number of pupils which, at such government nursery school, receive instruction through each such medium of instruction will, in terms of this Ordinance, justify at least one teacher;

(b) instruction is given in the junior primary section of the same government school, if the total number of pupils which, in the junior primary section of such government school, receive instruction through each such medium of instruction will, in terms of this Ordinance, justify at least one teacher;

95. (1) Die voertaal waarin onderrig aan 'n onderwysersopleidingskollege gegee word, is Afrikaans: Met dien verstande dat die Uitvoerende Komitee na goeddunke ook Engels of Duits of sowel Engels as Duits kan invoer as voertaal waarin onderrig aan 'n onderwysersopleidingskollege gegee word.

Voertaal van 'n skool.

(2) Die Uitvoerende Komitee wys òf Afrikaans òf Engels aan as die voertaal waarin onderrig in die senior sekondêre afdeling van 'n skool gegee word: Met dien verstande dat die Uitvoerende Komitee vir enige staatskool Afrikaans en Engels gesamentlik kan aanwys as voertale waarin onderrig in die senior sekondêre afdeling van dieselfde staatskool gegee word indien die totale aantal leerlinge wat in elkeen van genoemde voertale onderrig in die senior sekondêre afdeling van daardie staatskool ontvang dit na sy mening regverdig.

(3) Die Uitvoerende Komitee wys òf Afrikaans òf Engels òf Duits aan as die voertaal waarin onderrig in die junior sekondêre afdeling van 'n skool gegee word: Met dien verstande dat die Uitvoerende Komitee twee of meer van genoemde tale gesamentlik kan aanwys as voertale waarin onderrig in die junior sekondêre afdeling van dieselfde staatskool gegee word indien daar in daardie staatskool in minstens een so 'n voertaal vyftig of meer leerlinge in standerd vyf onderrig ontvang en die totale aantal leerlinge wat in elkeen van genoemde voertale onderrig in die junior sekondêre afdeling van daardie staatskool ontvang, dit na sy mening regverdig.

(4) Die Uitvoerende Komitee wys òf Afrikaans òf Engels òf Duits aan as die voertaal waarin onderrig aan enige ander skool as 'n onderwysersopleidingskollege of 'n sekondêre skool gegee word: Met dien verstande dat die Uitvoerende Komitee twee of meer van genoemde tale gesamentlik kan aanwys as voertale waarin -

(a) onderrig in dieselfde staatskleuterskool gegee word indien die totale aantal leerlinge wat in elke sodanige voertaal onderrig in sodanige staatskleuterskool ontvang, ingevolge hierdie Ordonnansie minstens een onderwyser regverdig;

(b) onderrig in die junior primêre afdeling van dieselfde staatskool gegee word, indien die totale aantal leerlinge wat in elke sodanige voertaal onderrig in die junior primêre afdeling van sodanige staatskool ontvang, ingevolge hierdie Ordonnansie minstens een onderwyser regverdig;

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(c) instruction is given in the senior primary section of the same government school, if the total number of pupils which, in the primary section of such government school, receive instruction through each such medium of instruction will, in terms of this Ordinance, justify at least two teachers:

(d) instruction is given at the same government school for special education or at the same government school for complementary education, should, in its opinion, it be justified by the total number of pupils or persons who, at that government school for special or complementary education, receive instruction through each such medium of instruction.

(5) The Executive Committee may, whenever the provisions of this section are no longer being complied with, change the medium or mediums of instruction of a school to bring it into line with the provisions of this section.

Afrikaans and English as compulsory subjects of study.

96. Both Afrikaans and English shall be compulsory subjects of study -

(a) at a teachers' training college;

(b) in all the standards and classes of all other government schools excluding government nursery schools and government schools for complementary education: Provided that the Executive Committee shall determine in which standards of such schools, or classes at such schools, in which German is the medium of instruction, Afrikaans or English, or both Afrikaans and English, shall be compulsory or non-compulsory subjects of study;

(c) in all the standards and classes of all private schools, excluding private nursery schools: Provided that the Executive Committee shall determine in which standards and classes of such schools in which German is the medium of instruction, Afrikaans or English, or both Afrikaans and English, shall be compulsory or non-compulsory subjects of study.

Medium of instruction for Afrikaans and English.

97. Notwithstanding anything to the contrary in this Ordinance contained but subject to the provisions of section 98 -

(a) Afrikaans shall be the medium of instruction when Afrikaans as subject of study is taught to any pupil in any standard or any class at any school;

(c) onderrig in die senior primêre afdeling van dieselfde staatskool gegee word indien die totale aantal leerlinge wat in elke sodanige voertaal onderrig in die primêre afdeling van sodanige staatskool ontvang ingevolge hierdie Ordonnansie minstens twee onderwysers regverdig;

(d) onderrig in dieselfde staatskool vir spesiale onderwys of in dieselfde staatskool vir aanvullingsonderwys gegee word indien die totale aantal leerlinge of persone wat in elke sodanige voertaal onderrig in daardie staatskool vir spesiale of aanvullingsonderwys ontvang dit na sy mening regverdig.

(5) Die Uitvoerende Komitee kan, wanneer daar nie meer aan die bepalings van hierdie artikel voldoen word nie, die voertaal of voertale van 'n skool verander om dit in ooreenstemming met die bepalings van hierdie artikel te bring.

96. Sowel Afrikaans as Engels is verpligte leervakke -

Afrikaans en Engels as verpligte leervakke.

(a) aan 'n onderwysersopleidingskollege;

(b) in al die standerds en klasse van alle ander staatskole behalwe staatskleuterskole en staatskole vir aanvullingsonderwys: Met dien verstande dat die Uitvoerende Komitee bepaal in watter standerds van sodanige skole, of klasse in sodanige skole, waarin die voertaal Duits is, Afrikaans of Engels of beide Afrikaans en Engels, verpligte of nie-verpligte leervakke sal wees;

(c) in al die standerds en klasse van alle private skole, behalwe private kleuterskole: Met dien verstande dat die Uitvoerende Komitee bepaal in watter standerds en klasse van sodanige skole waarin Duits die voertaal is Afrikaans of Engels of beide Afrikaans en Engels verpligte of nie-verpligte leervakke sal wees.

97. Ondanks enige andersluidende bepalings in hierdie Ordonnansie vervat, maar behoudens die bepalings van artikel 98 -

Voertaal by onderrig van Afrikaans en Engels.

(a) is Afrikaans die voertaal wanneer enige leerling in enige standerd of enige klas aan enige skool in Afrikaans as leervak onderrig word;

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(b) English shall be the medium of instruction when English as subject of study is taught to any pupil in any standard or any class at any school.

Exemptions regarding medium of instruction and language instruction.

98. The Director may either temporarily or permanently exempt any pupil from the provisions of this Ordinance relating to medium of instruction and language instruction, should he deem it necessary or fit in the case of the pupil concerned, or should the said pupil reside in the Territory only temporarily.

Appeal against ruling regarding medium of instruction or language instruction.

99. (1) Should the parent of a pupil feel agrieved by any ruling of the Director in relation to the medium of instruction through which that child receives his instruction or the language instruction of that child, he may appeal against such ruling to the Executive Committee, the decision of which shall be final.

(2) Any appeal referred to in subsection (1) shall be lodged with the Director within fifteen days after the date on which the ruling, against which such appeal is lodged, was conveyed to the parent concerned.

CHAPTER VIII

MORNING PRAYERS AND BIBLE STUDY

Morning prayers.

100. Each school day shall, in every school, excluding a school for complementary education, be opened with prayers and a reading from a portion of the Bible.

Instruction in Bible Study.

101. Instruction in Bible Study shall be given at every school, excluding a teachers' training college and a school for complementary education

Exemptions regarding morning prayers and Bible Study.

102. (a) No child whose parent has requested the headmaster of the school concerned in writing that such child should not attend the prayers and reading from a portion of the Bible referred to in section 100, and should not receive the instruction in Bible Study referred to in section 101, shall be compelled to attend such prayers and reading and to receive such instruction, and no child thus exempted may be prejudiced in any way because of such exemption.

(2) No teacher who, on account of conscientious objection, has requested the Director in writing to be exempted from attending the prayers and reading from a portion of the Bible referred to in section 100, and from giving the instruction in Bible Study referred to in section 101, shall be compelled to attend such prayers and reading and to give such instruction and no teacher shall be prejudiced in any way because of such exemption.

- (b) is Engels die voertaal wanneer enige leerling in enige standerd of enige klas aan enige skool in Engels as leervak onderrig word.

98. Die Direkteur kan enige leerling tydelik of permanent vrystel van die bepalings van hierdie Ordonnansie betreffende voertaal en taalonderrig indien hy dit in die geval van die betrokke leerling nodig of dienstig ag of indien die betrokke leerling net tydelik in die Gebied woon.

Vrystellings met betrekking tot voertaal en taalonderrig.

99. (1) Indien die ouer van 'n leerling hom verongelyk voel oor 'n aanwysing van die Direkteur met betrekking tot die voertaal waarin daardie leerling onderrig ontvang of die taalonderrig van daardie leerling kan hy teen sodanige aanwysing appelleer na die Uitvoerende Komitee, wie se beslissing afdoende is.

Appel teen aanwysing betreffende voertaal of taalonderrig.

(2) Enige appél bedoel in subartikel (1) moet by die Direkteur ingedien word binne vyftien dae na die datum waarop die aanwysing waarteen geappelleer word aan die betrokke ouer oorgedra is.

HOOFSTUK VIII.

OGGENDGODSDIENS EN BYBELSTUDIE.

100. Elke skooldag word in elke skool, behalwe 'n skool vir aanvullingsonderwys, begin met gebed en die voorlees van 'n gedeelte van die Bybel.

Oggendgodsdien.

101. Onderrig in Bybelstudie moet in elke skool behalwe 'n onderwysersopleidingskollege en 'n skool vir aanvullingsonderwys gegee word.

Onderrig in Bybelstudie

102. (1) Geen kind wie se ouer die hoofonderwyser van die betrokke skool skriftelik versoek het dat sodanige kind nie die gebed en voorlesing van 'n gedeelte van die Bybel bedoel in artikel 100 moet bywoon nie en nie die onderrig in Bybelstudie bedoel in artikel 101 moet ontvang nie, is verplig om sodanige gebed en voorlesing by te woon en sodanige onderrig te ontvang nie en geen kind wat aldus vrygestel is mag op enige wyse omrede sodanige vrystelling benadeel word nie.

Vrystellings met betrekking tot oggendgodsdien en Bybelstudie.

(2) Geen onderwyser wat die Direkteur op grond van gewetensbeswaar skriftelik versoek het om van die bywoning van die gebed en voorlesing van 'n gedeelte van die Bybel bedoel in artikel 100 en die gee van die onderrig in Bybelstudie bedoel in artikel 101 vrygestel te word, is verplig om sodanige gebed en voorlesing by te woon en sodanige onderrig te gee nie en geen onderwyser mag op enige wyse omrede sodanige vrystelling benadeel word nie.

(3) The Executive Committee may at any time exempt any private school from the provisions of sections 100 and 101 should the owner of such private school apply for it in writing, and the decision of the Executive Committee on any such application shall be final.

CHAPTER IX

GENERAL AND SUPPLEMENTARY PROVISIONS

Appointment of commission to conduct investigation.

103. (1) The Executive Committee may at any time, when it is deemed necessary or fit by it, appoint a commission consisting of one or more persons to investigate and report to it on the affairs of any school, hostel, advisory board or school committee.

(2) A commission appointed in terms of subsection (1) shall, for the purposes of its investigation, have the powers, jurisdiction and privileges referred to in sections 3 up to and including 7 of the Commissions' Powers Ordinance, 1927 (Ordinance 6 of 1927), and the provisions of the said sections shall *mutatis mutandis* apply to all the proceedings of such commission.

(3) A commission appointed in terms of subsection (1) shall have the power to exclude the public and the press from any session of the commission, or a part thereof.

Political activities and elections at government educational institutions.

104. No person shall, without the approval of the Executive Committee:

- (a) exhibit, circulate or distribute any placard or notice or other document or paper -
 - (i) in furtherance or to the prejudice of any political party; or
 - (ii) in furtherance or to the prejudice of the election of any person as member of Parliament or the Legislative Assembly or the council of a municipality, or which has any bearing on such election,

at or on the premises of any government educational institution or anything on such premises or any fence of such premises or at or during any function of that government educational institution, either during or after school hours; or

(3) Die Uitvoerende Komitee kan te eniger tyd enige private skool van die bepalings van artikels 100 en 101 vrystel indien die eienaar van sodanige private skool skriftelik by hom daarom aansoek doen en die Uitvoerende Komitee se beslissing oor enige sodanige aansoek is afdoende.

HOOFSTUK IX.

ALGEMENE EN AANVULLENDE BEPALINGS.

103. (1) Die Uitvoerende Komitee kan te eniger tyd wanneer hy dit nodig of wenslik ag, 'n kommissie bestaande uit een of meer persone aanstel om ondersoek in te stel na en aan hom verslag te doen oor die sake van enige skool, koshuis, adviesraad of skoolkomitee.

Aanstelling van kommissie om ondersoek in te stel.

(2) 'n Kommissie aangestel ingevolge subartikel (1) het, vir die doel van sy ondersoek, die magte, regsbevoegdheid en voorregte vermeld in artikels 3 tot en met 7 van die Magte van Kommissies Ordonnansie, 1927 (Ordonnansie 6 van 1927) en die bepalings van daardie artikels is *mutatis mutandis* op al die verrigtings van so 'n kommissie van toepassing.

(3) 'n Kommissie aangestel ingevolge subartikel (1) het die bevoegdheid om die publiek en die pers van enige sitting van die kommissie of 'n gedeelte daarvan uit te sluit.

104. Niemand mag sonder die goedkeuring van die Uitvoerende Komitee -

Politieke bedrywighede en verkiesings by staatsonderwysinrigtings.

(a) enige plakkaat of kennisgewing of ander dokument of stuk -

(i) ter bevordering of benadeling van 'n politieke party; of

(ii) ter bevordering of benadeling van die verkiesing van iemand tot lid van die Parlement of die Wetgewende Vergadering of die raad van 'n munisipaliteit, of wat op sodanige verkiesing betrekking het,

by of op die terrein van enige staatsonderwysinrigting of enigiets op sodanige terrein of enige omheining van sodanige terrein of op of by enige verrigtings van daardie staatsonderwysinrigting, hetsy binne of buite skoolure, vertoon, versprei of uitdeel of laat vertoon, versprei of uitdeel nie; of

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- (b) perform any act, other than an act referred to in paragraph (a), in connection with the election of any person as member of Parliament or the Legislative Assembly or the council of a municipality at or on the premises of any government educational institution or anything on such premises or at or during any function of that government educational institution, either during or after school hours; or
- (c) conduct or cause to be conducted any poll in connection with the election of any person as member of Parliament or the Legislative Assembly or the Council of a municipality on the premises of any government educational institution or anything on such premises.

Regulations.

105. The Executive Committee may make regulations in relation to -

- (a) any matter which is required or permitted to be prescribed in terms of this Ordinance;
- (b) the functions of the Department;
- (c) the powers and duties of the Director and other officials of the Department;
- (d) the election of members of school committees, the powers and duties of school committees, the election of office bearers of school committees, procedure at meetings of school committees and filling of vacancies in the membership of school committees;
- (e) the establishment, management, control and maintenance of government educational institutions and the educational program followed at government educational institutions;
- (f) the establishment, management, control and maintenance of private educational institutions, the educational program followed at private educational institutions and the conditions on which money is awarded to private educational institutions;
- (g) matters relating to special education, including the provision and utilisation of artificial medical aids, the transport of handicapped children, escort fees and the appeal which a parent may lodge against a finding of the Director that a child is a handicapped child;

- (b) enige ander daad as 'n daad bedoel in paragraaf (a) in verband met die verkiesing van iemand tot lid van die Parlement of die Wetgewende Vergadering of die raad van 'n munisipaliteit by of op die terrein van enige staatsonderwysinrigting of enigiets op sodanige terrein of op of by enige verrigtings van daardie staatsonderwysinrigting, hetsy binne of buite skoolure, uitvoer nie; of
- (c) enige stemming in verband met die verkiesing van iemand tot lid van die Parlement of die Wetgewende Vergadering of die raad van 'n munisipaliteit op die terrein van enige staatsonderwysinrigting of enigiets op sodanige terrein hou of laat hou nie.

105. Die Uitvoerende Komitee kan regulasies uit- Regulasies.
vaardig met betrekking tot -

- (a) enigiets wat ingevolge hierdie Ordonnansie voorgeskryf moet of kan word;
- (b) die werksaamhede van die Departement;
- (c) die bevoegdhede en pligte van die Direkteur en ander amptenare van die Departement;
- (d) die verkiesing van lede van skoolkomitees, die bevoegdhede en pligte van skoolkomitees, die verkiesing van ampsdraers van skoolkomitees, die prosedure op vergaderings van skoolkomitees en die vulling van vakatures in die ledetal van skoolkomitees;
- (e) die stigting, bestuur, beheer en instandhouding van staatsonderwysinrigtings en die onderwysprogram wat aan staatsonderwysinrigtings gevolg word;
- (f) die stigting, bestuur, beheer en instandhouding van private onderwysinrigtings, die onderwysprogram wat aan private onderwysinrigtings gevolg word en die voorwaardes waarop gelde toegeken word aan private onderwysinrigtings;
- (g) aangeleenthede betreffende spesiale onderwys, met inbegrip van die verskaffing en gebruik van kunsmatige mediese hulpmiddels, die vervoer van gestremde kinders, begeleierskoste en die appèl wat 'n ouer kan aanteken teen 'n bevinding van die Direkteur dat die kind 'n gestremde kind is;

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- (h) matters relating to complementary education and out of school courses, educational competitions and lectures;
- (i) the appointment, hours of work, conduct powers and duties, promotion, transfer, discipline, leave, termination of service, resignation, retirement, and other conditions of service of teachers;
- (j) the admission, accommodation, school attendance, control, transfer, expulsion and discipline of pupils and students of government educational institutions;
- (k) examinations conducted with the approval of the Executive Committee or under the control of the Department, including conditions and fees in connection with such examinations;
- (l) the awarding, cancellation, suspension, demand and take-over of study bursaries, study loans and study allowances and transport allowances to pupils, students, teachers and other persons;
- (m) the compulsory medical inspection of educational institutions, the buildings thereof, the pupils or students attending them and the personnel attached to them;
- (n) the control of funds collected for a government educational institution or a private educational institution to which financial aid is provided in terms of section 4(1)(h) or section 81;
- (o) generally any matter which the Executive Committee may deem necessary or desirable to prescribe in order to achieve the aims and objects of this Ordinance and to ensure the effective execution of the provisions thereof.

(2) Any regulations made by the Executive Committee in terms of subsection (1) may be made with effect from such date, either before or after the date of publication thereof in the *Official Gazette*, as may be determined by the Executive Committee: Provided that such date shall not be earlier than the date of commencement of this ordinance.

Interference with officials.

106. No person shall resist or hinder or impede an official in the exercise of a power or the performance of a function or duty granted to or imposed upon such official by or in terms of this Ordinance or wilfully in-

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- (h) aangeleentehede betreffende aanvullings-
onderwys en buiteskoolse kursusse, op-
voedkundige wedstryde en voorlesings;
- (i) die aanstelling, werkure, gedrag,
bevoegdheide en pligte, bevordering, verplas-
ing, tug, verlof, diensbeëindiging, uittreding,
aftreding en ander diensvoorwaardes van
onderwysers;
- (j) die toelating, huisvesting, skoolbesoek,
beheer, oorplasing, uitsetting en tug van leer-
linge en studente van staat-
sonderwysinrigtings;
- (k) eksamens wat met die goedkeuring van die
Uitvoerende Komitee of onder die beheer
van die Departement afgeneem word met
inbegrip van voorwaardes en gelde in ver-
band met sodanige eksamens;
- (l) die toekenning, intrekking, staking,
terugvordering en oorname van
studiebeurse, -lenings en -toelaes en vervoer-
toelaes aan leerlinge, studente, onderwysers
en ander persone;
- (m) die verpligte mediese inspeksie van
onderwysinrigtings, die geboue daarvan,
die leerlinge of studente wat dit besoek en
die personeel daaraan verbonde;
- (n) die beheer oor fondse wat vir 'n staat-
sonderwysinrigting of 'n private
onderwysinrigting waaraan geldelike bys-
tand ingevolge artikel 4(1)(h) of artikel 81
verleen word, ingesamel word;
- (o) in die algemeen enige aangeleentheid wat die
Uitvoerende Komitee nodig of wenslik ag
om voor te skryf ten einde die oogmerke en
doelstellings van hierdie Ordonnansie te
bereik en die doeltreffende uitvoering van
die bepalinge daarvan te verseker.

(2) Enige regulasies wat deur die Uitvoerende
Komitee ingevolge subartikel (1) uitgevaardig word, kan
uitgevaardig word met ingang van 'n datum, hetsy voor
of na die datum van afkondiging daarvan in die *Offisiële
Koerant*, wat deur die Uitvoerende Komitee bepaal
word: Met dien verstande dat sodanige datum nie vroeër
mag wees nie as die datum van inwerkingtreding van
hierdie Ordonnansie.

106. Niemand mag 'n amptenaar by die uitoefening
van 'n bevoegdheid of die vervulling van 'n funksie of
plig wat by of ingevolge hierdie Ordonnansie aan
sodanige amptenaar verleen of opgedra is, weerstaan of

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terfere with such official in the exercise of such power or the performance of such function or duty by such official.

Offences and penalties.

107. Any person who -

- (a) contravenes or fails to comply with any provision of this Ordinance; or
- (b) contravenes or fails to comply with any direction, instruction or notification given under this Ordinance, or any demand made thereunder or any determination made thereunder
- (c) refuses or fails to furnish the information demanded from him in terms of this Ordinance, or furnishes false or incorrect information, knowing it to be false or incorrect, when such information is demanded from him,

shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred and fifty rand or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

Repeal of laws.

108. (1) Subject to the provisions of subsection (2), the laws mentioned in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Any regulation, determination, instruction, notice, direction, command or exemption made, done, promulgated, issued, given or granted and any other act performed in terms of the provisions of any law repealed by subsection (1) shall, if not inconsistent with the provisions of this Ordinance, be deemed to have been made, done, promulgated, issued, given, granted or performed in terms of the corresponding provisions of this Ordinance.

Short title and commencement.

109. This Ordinance shall be called the Education Ordinance, 1975, and shall come into operation on a date to be determined by the Executive Committee and made known by proclamation in the *Official Gazette*.

hinder of belemmer of hom by die uitoefening van so 'n bevoegdheid of die vervulling van so 'n funksie of plig deur sodanige amptenaar, opsetlik met sodanige amptenaar bemoei nie.

107. Iemand wat -

Misdrywe en strawwe.

- (a) 'n bepaling van hierdie Ordonnansie oortree of versuim om daaraan te voldoen; of
- (b) 'n opdrag, lasgewing of kennisgewing kragtens hierdie Ordonnansie gegee of 'n vereiste daarkragtens gestel of 'n bepaling daarkragtens gedoen oortree of versuim om daaraan te voldoen; of
- (c) weier of versuim om die inligting te verstrek wat ingevolge hierdie Ordonnansie van hom vereis word, of valse of onjuiste inligting verstrek, wetende dat dit vals of onjuis is, wanneer sodanige inligting van hom vereis word,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens tweehonderd-en-vyftig rand of met gevangenisstraf vir 'n tydperk van hoogstens drie maande of met sowel sodanige boete as sodanige gevangenisstraf.

108. (1) Behoudens die bepalings van subartikel (2) word die wette genoem in die Bylae hierby herroep in die mate uiteengesit in die derde kolom daarvan.

Herroeping van wette.

(2) Enige regulasie, bepaling, voorskrif, kennisgewing, opdrag, lasgewing of vrystelling gemaak, gedoen, uitgevaardig, uitgereik, gegee, of verleen en enige ander handeling verrig ingevolge die bepalings van 'n wet wat by subartikel (1) herroep word, word, indien dit nie in stryd met die bepalings van hierdie Ordonnansie is nie, geag gemaak, gedoen, uitgevaardig, uitgereik, gegee, verleen of verrig te wees ingevolge die ooreenstemmende bepalings van hierdie Ordonnansie.

109. Hierdie Ordonnansie heet die Onderwysordonnansie, 1975, en tree in werking op 'n datum wat deur die Uitvoerende Komitee bepaal en by proklamasie in die *Offisiële Koerant* bekend gemaak word.

Kort titel en inwerkingtre-
ding.

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SCHEDULE

LAWS REPEALED

Number and Year of Law.	Short title	Extent to which Repealed
Ordinance 27 of 1962	Education Ordinance, 1962	In so far as it relates to whites
Ordinance 30 of 1965	Education Amendment Ordinance, 1965	The whole
Ordinance 5 of 1967	Education Amendment Ordinance, 1967.	The whole
Ordinance 25 of 1967	Education Further Amendment, Ordinance, 1967	The whole
Ordinance 19 of 1969	Education Amendment Ordinance 1969	The whole
Ordinance 20 of 1969	Further Education Amendment Ordinance, 1969	The whole
Ordinance 14 of 1970	Education Amendment Ordinance 1970	The whole
Ordinance 13 of 1973	Education Amendment Ordinance, 1973	The whole
Government Notice 33 of 1928		The whole

BYLAE.

WETTE HERROEP.

Nommer en Jaar van Wet.	Kort Titel.	In hoeverre herroep.
Ordonnansie 27 van 1962.	Onderwysordonnansie 1962.	Vir sover dit op blankes betrekking het.
Ordonnansie 30 van 1965.	Wysigingsordonnansie op Onderwys 1965.	Die geheel.
Ordonnansie 5 van 1967.	Wysigingsordonnansie op Onderwys 1967.	Die geheel.
Ordonnansie 25 van 1967.	Verdere Wysigingsordonnansie op Onderwys 1967.	Die geheel.
Ordonnansie 19 van 1969.	Wysigingsordonnansie op Onderwys 1969.	Die geheel.
Ordonnansie 20 van 1969.	Verdere Onderwyswysigings- ordonnansie 1969.	Die geheel.
Ordonnansie 14 van 1970.	Wysigingsordonnansie op Onderwys 1970.	Die geheel.
Ordonnansie 13 van 1973.	Wysigingsordonnansie op Onderwys, 1973.	Die geheel.
Goewerments- kennisgewing 33 van 1928.		Die geheel.