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*Beveegdheede opgedra aan Minister: Gk 153 van 1986*  
Kantoor van die Office of the

ADMINISTRATEUR-GENERAAL VIR DIE GEBIED SUIDWES-AFRIKA

ADMINISTRATOR-GENERAL FOR THE TERRITORY OF SOUTH WEST AFRICA

DEPARTEMENT VAN NASIONALE OPVOEDING

DEPARTMENT OF NATIONAL EDUCATION

No. AG. 73 1982

No. AG. 73 1982

REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP NASIONALE ONDERWYS, 1980. BETREFFENDE SKOOLKOMITEES BY STAATSKOLE

REGULATIONS MADE UNDER THE NATIONAL EDUCATION ACT, 1980, REGARDING SCHOOL COMMITTEES AT GOVERNMENT SCHOOLS

Die Ministersraad het kragtens artikel 34(1)(a) van die Wet op Nasionale Onderwys, 1980 (Wet 30 van 1980), die regulasies vervat in die Bylae uitgevaardig.

The Council of Ministers has under section 34(1)(a) of the National Education Act, 1980 (Act 30 of 1980), made the regulations set out in the Schedule.

## BYLAE

*Woordomskrywings*

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking wat in die Wet omskryf is, dieselfde betekenis en beteken —

- (i) "die Raad" die Ministersraad ingestel by artikel 2 van die Proklamasie op die Ministersraad, 1980 (Proklamasie AG. 19 van 1980); (vi)
- (ii) "die Wet" die Wet op Nasionale Onderwys, 1980 (Wet 30 van 1980); (v)
- (iii) "ouer" die ouer of die aannemende ouer soos omskryf in artikel 1 van die Kinderwet, 1960 (Wet 33 van 1960), van 'n kind wat 'n staatskool bywoon of die persoon wat voogdy het oor so 'n kind of die persoon wat verantwoordelik is vir die versorging of bewaring van so 'n kind; (i)
- (iv) "prinsipaal" iemand wat ingevolge die Wet as hoof of waarnemende hoof van 'n staatskool aangestel is; (ii)
- (v) "skoolkomitee" 'n skoolkomitee kragtens artikel 8 van die Wet ingestel; (iii)
- (vi) "skoolkwartaal" een van die kwartale waarin 'n skooljaar soos deur die Sekretaris kragtens artikel 27 van die Wet bepaal, verdeel is. (iv)

*Samestelling van skoolkomitees*

2. (1) 'n Skoolkomitee van 'n staatskool bestaan uit

- (a) nege lede wat deur die ouers by 'n vergadering ingevolge hierdie regulasies belê, verkies is: Met dien verstande dat, waar minder as nege lede verkies word, die Sekretaris die orige lede kan aanwys indien hy dit dienstig ag; en
- (b) een lid deur die Sekretaris aangewys, indien hy dit dienstig ag.

(2) Minstens sewe van die lede bedoel in paragraaf (a) van subregulasie (1) moet ouers wees.

*Kwalifikasies vir lidmaatskap van skoolkomitees en omstandighede waarin 'n lid sy amp ontruim*

## SCHEDULE

*Definitions*

1. In these regulations, unless the context otherwise indicates, an expression defined in the Act bears the same meaning and —

- (i) "parent" means the parent or the adoptive parent as defined in section 1 of the Children's Act, 1960 (Act 33 of 1960) of a child that attends a government school or the person who has the guardianship of such a child or the person who is responsible for the care or custody of such a child; (iii)
- (ii) "principal" means a person who has been appointed as head or acting head of a government school in terms of the Act; (iv)
- (iii) "school committee" means a school committee established under section 8 of the Act; (v)
- (iv) "school term" means one of the quarters into which a school year as determined by the Secretary in terms of section 27 of the Act, has been divided; (vi)
- (v) "the Act" means the National Education Act, 1980 (Act 30 of 1980); (ii)
- (vi) "the Council" means the Council of Ministers established by section 2 of the Council of Ministers Proclamation, 1980 (Proclamation AG. 19 of 1980). (i)

*Constitution of school committees*

2. (1) A school committee of a government school shall consist of —

- (a) nine members elected by the parents at a meeting convened in terms of these regulations: Provided that where fewer than nine members are elected, the Secretary may designate the remaining members if he deems fit; and
- (b) one person designated by the Secretary if he deems fit.

(2) At least seven of the members referred to in paragraph (a) of subregulation (1) shall be parents.

*Qualifications for membership of school committees and circumstances under which a member vacates his office*

3. (1) Niemand word ingevolge regulasie 2(1)(a) of (b) verkies of aangewys nie indien hy —

- (a) jonger as 25 jaar oud is;
- (b) te eniger tyd skuldig bevind is aan 'n misdryf waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnissen is, tensy hy algehele kwytskelding ontvang het, of tensy sodanige tydperk van gevangenisstraf minstens drie jaar voor die datum van sy verkiesing of aanwysing verstryk het;
- (c) kragtens die een of ander wet as 'n geestesongestelde persoon aangehou word;
- (d) 'n beampte in diens van die Departement of 'n dienende onderwyser by 'n staatskool of in enige ander hoedanigheid aan die Departement verbonde is;
- (e) die gade is van 'n diensdoende onderwyser wat verbonde is aan die staatskool ten opsigte waarvan die skoolkomitee verkies word.

(2) 'n Lid van 'n skoolkomitee ontruim sy amp indien hy —

- (a) skriftelik te kenne gee dat hy bedank;
- (b) aan 'n onbevoegdheid bedoel in subregulasie (1) onderworpe word;
- (c) van drie agtereenvolgende vergaderings van die skoolkomitee sonder verlof afwesig is;
- (d) toe hy as lid verkies is, 'n ouer was, maar nie meer is nie: Met dien verstande dat sodanige lid nie sy amp ontruim indien daar steeds aan die bepalings van regulasie 2(2) voldoen word nie.

#### *Ampstermyn van lede van skoolkomitees*

4. (1) 'n Lid van 'n skoolkomitee beklee sy amp vir 'n tydperk van drie jaar vanaf die datum waarop hy ingevolge regulasie 2(1)(a) of (b) aangewys is of waarop hy ingevolge regulasie 5(8)(a), (b) of 5(11) verkies is.

(2) 'n Lid van 'n skoolkomitee kan, indien sy ampstermyn verstryk het, weer as 'n lid verkies of, na gelang van die geval, aangewys word.

#### *Verkiesing van lede van skoolkomitees*

5. (1) Op 'n datum deur die Raad bepaal, en daarna binne 30 dae voordat die ampstermyne van die lede van 'n skoolkomitee verstryk, stel die Sekretaris, of iemand in sy Departement wat deur hom daartoe gemagtig is, 'n beampte van die

3. (1) No person shall be elected or designated in terms of regulations 2(1)(a) or (b) if he —

- (a) is under 25 years of age;
- (b) has at any time been found guilty of an offence for which he was sentenced to imprisonment without the option of a fine unless he has received a free pardon or unless such term of imprisonment has expired at last three years prior to the date of his election or designation;
- (c) is detained as a mentally ill person under the provisions of any law;
- (d) is an officer in the service of the Department or a serving teacher at a government school or attached to the Department in any other capacity;
- (e) is the spouse of a serving teacher who is attached to the government school in respect of which the school committee is elected.

(2) A member of a school committee vacates his office if he —

- (a) gives notice in writing that he resigns;
- (b) becomes subject to a disqualification referred to in subregulation (1);
- (c) is absent without leave from three consecutive meetings of the school committee;
- (d) when he was elected was, but no longer is, a parent: Provided that such member shall not vacate his office if there is still compliance with the provisions of regulation 2(2).

#### *Term of office of members of school committees*

4. (1) A member of a school committee shall hold office for a period of three years from the date on which he was designated in terms of regulation 2(1)(a) or (b) or on which he was elected in terms of regulation 5(8)(a), (b) or 5(11).

(2) A member of a school committee whose term of office has expired may be re-elected or re-designated as the case may be.

#### *Election of members of school committees*

5. (1) On a date determined by the Council and thereafter within 30 days prior to the expiry of the term of office of a school committee, the Secretary, or a person in his Department authorised thereto by him, shall appoint an officer of the

Departement aan om as voorsittende beampte op te tree by die verkiesing van 'n skoolkomitee vir elke staatskool van die kategorieë wat die Raad in-gevolge artikel 8(1) van die Wet van tyd tot tyd bepaal.

(2) Die voorsittende beampte moet so gou moontlik na sy aanstelling 'n ouervergadering belê deur middel van 'n skriftelike kennisgewing waarin die datum, tyd en plek daarvan aangedui word, aan die ouers van alle kinders wat die betrokke skool bywoon: Met dien verstande dat genoemde vergadering binne 30 dae na die datum van genoemde kennisgewing moet plaasvind.

(3) Die kworum van 'n ouervergadering bestaan uit 20 ouers.

(4) By die aanvang van die vergadering moet die voorsittende beampte die aandag van die ouers vestig op die bepalings van —

- (a) regulasies 2(1)(a) en (2);
- (b) regulasies 3(1) en (2); en
- (c) Subregulasie (9)

(5) Die voorsittende beampte vra nominasies van die ouers teenwoordig vir kandidate om lidmaatskap van die skoolkomitee.

(6) Die voorsittende beampte moet homself tevrede stel dat elke genomineerde kandidaat —

- (a) bevoeg is om as lid van die skoolkomitee verkies te word; en
- (b) bereid sal wees om as lid van die skoolkomitee te dien.

(7) Nadat die voorsittende beampte homself daarvan vergewis het dat hy alle nominasies ontvang het, moet hy verklaar dat nominasies gesluit is, en die name van die behoorlik genomineerde kandidate bekendmaak.

(8) Indien, na sluiting van nominasies, —

- (a) die aantal behoorlik genomineerde kandidate minder is as die aantal lede wat verkies moet word, verklaar die voorsittende beampte sodanige kandidate tot verkose lede van die skoolkomitee en maak so gou moontlik die uitslag van die verkiesing aan die Sekretaris bekend, sodat die Sekretaris in-gevolge regulasie 2(1)(a) 'n voldoende aantal lede kan aanwys om die vakatures op die skoolkomitee te vul;

Department to act as presiding officer at the election of a school committee for every government school of such categories as the Council may from time to time determine in terms of section 8(1) of the Act.

(2) The presiding officer shall, as soon as possible after his appointment, convene a meeting of parents by means of a written notice, in which the date, time and place thereof are indicated, to the parents of all children who attend the school concerned: Provided that the said meeting shall take place within 30 days after the date of the said notice.

(3) The quorum of a meeting of parents shall consist of 20 parents.

(4) At the commencement of the meeting the presiding officer shall draw the attention of the parents to the provisions of —

- (a) regulations 2(1)(a) and (2);
- (b) regulations 3(1) and (2); and
- (c) subregulation (9).

(5) The presiding officer shall call for nominations for membership of the school committee from the parents present.

(6) The presiding officer shall satisfy himself that every nominated candidate —

- (a) is qualified to be elected as a member of the school committee; and
- (b) would be willing to serve as a member of the school committee.

(7) When the presiding officer has ascertained that he has received all nominations, he shall declare that nominations are closed and announce the names of the duly nominated candidates.

(8) If after the closing of nominations —

- (a) the number of duly nominated candidates is less than the number of members to be elected, the presiding officer shall declare such candidates to be elected members of the school committee and shall notify the Secretary as soon as possible of the outcome of the election so that the Secretary may in terms of regulation 2(1)(a) designate a sufficient number of members to fill the vacancies on the school committee;

(b) die aantal behoorlik genomineerde kandidate gelyk is aan die aantal lede wat verkies moet word, verklaar die voorsittende beampte sodanige kandidate tot verkose lede van die skoolkomitee:

(c) meer kandidate behoorlik genomineer is as die aantal lede wat verkies moet word, moet 'n stemming plaasvind ingevolge die bepalings van subregulasies (9), (10) en (11).

(9) Elke ouer

(a) is geregtig om deel te neem aan 'n verkiesing van lede van 'n skoolkomitee:

(b) het soveel stemme as die aantal skoolkomiteelede wat verkies moet word, maar hy mag nie meer as een stem op 'n bepaalde kandidaat uitbring nie.

(10) Die voorsittende beampte —

(a) wys na goeddunke 'n voldoende aantal persone as stemtellers aan:

(b) bepaal of stemming deur die opsteek van hande of deur stembrieffies sal plaasvind; en

(c) bepaal na goeddunke die prosedure wat ten opsigte van die stemming gevolg moet word.

(11) Nadat die uitslag van die stemming bepaal is, moet die voorsittende beampte daardie nege kandidate wat die grootste aantal stemme ontvang het tot verkose skoolkomiteelede verklaar: Met dien verstande dat in die geval van 'n gelykop stemming, die voorsittende beampte deur loting moet beslis watter kandidaat verkose verklaar moet word.

(12) So gou doenlik na afloop van die oewervergadering vergader die gekose lede van die skoolkomitee onder voorsitterskap van die prinsipaal van die betrokke staatskool om 'n voorsitter en vise-voorsitter te kies.

(13) Binne 14 dae na die eerste vergadering van 'n skoolkomitee moet die sekretaris daarvan 'n lys van die name en adresse van die voorsitter, vise-voorsitter en ander komiteelede aan die Sekretaris verskaf.

(14) Na die verstryking van die aanvanklike skoolkomitee se ampstermyn moet die verkiesing van lede van daaropvolgende skoolkomitees ingevolge die bepalings van hierdie regulasie geskied.

(b) the number of duly nominated candidates is equal to the number of members to be elected, the presiding officer shall declare such candidates to be elected members of the school committee:

(c) more candidates than the number of members to be elected have been duly nominated, a poll shall take place in terms of the provisions of subregulations (9), (10) and (11).

(9) Every parent —

(a) shall be entitled to vote at an election of members of a school committee:

(b) shall have as many votes as the number of school committee members to be elected, but he may not cast more than one vote in respect of any particular candidate.

(10) The presiding officer shall —

(a) in his discretion assign a sufficient number of persons to count the votes:

(b) determine whether the poll shall be conducted by the showing of hands or by means of ballot papers; and

(c) determine in his discretion the procedure to be followed with reference to the poll.

(11) After ascertaining the results of the poll the presiding officer shall declare to be elected as members of the school committee those nine candidates who received the highest number of votes: Provided that in the event of an equality of votes, the presiding officer shall determine by the drawing of lots which candidate is to be declared elected.

(12) As soon as practicable after the parents' meeting, the elected members of the school committee shall meet under the chairmanship of the principal of the government school concerned to elect a chairman and vice-chairman.

(13) Within 14 days after the first meeting of a school committee the secretary thereof shall submit to the Secretary the names and addresses of the chairman, vice-chairman and other committee members.

(14) After the expiry of the term of office of the initial school committee the election of members of subsequent school committees shall take place in terms of the provisions of this regulation.

5A

5A. Ingevoeg GK 162/86/5

*Vakatures tydens 'n ampstermyn van lede van skoolkomitees*

6. (1) (a) Die voorsitter of vise-voorsitter van 'n skoolkomitee ontruim sy amp as voorsitter of vise-voorsitter indien hy skriftelik kennis gee dat hy bedank of indien hy sy amp as lid van die skoolkomitee ontruim in-gevolge die bepalings van regulasie 3(2).  
 (b) Indien die amp van voorsitter of vise-voorsitter vakant raak, kies die lede van 'n skoolkomitee 'n persoon uit eie geledere om die vakature te vul.  
 (c) Indien beide ampte van voorsitter en vise-voorsitter gelyktydig vakant raak, kies die lede van die skoolkomitee uit eie geledere 'n voorsitter en vise-voorsitter en by sodanige verkiesing tree die prinsipaal van die betrokke staatskool as voorsitter op maar hy het nie die reg om te stem nie.

*vervang*  
 (2) Ten einde 'n tussentydse vakature wat in die bedetal van 'n skoolkomitee ontstaan, te vul, moet die oorblywende lede behoudens die bepalings van regulasie 2(2) 'n persoon benoem wat aan die vereistes voldoen soos in subregulasies 3(1) en (2) voorgeskryf word: Met dien verstande dat die aantal benoemde en aangewysde lede wat op 'n skoolkomitee dien nie die aantal verkose lede mag oorskry nie, in welke geval 'n skoolkomitee van nuuts af in-gevolge hierdie regulasies saamgestel moet word.

(3) 'n Persoon wat in-gevolge subregulasies (1) of (2) verkies of benoem word, beklee sy amp vir die onverstreke ampstermyn van sy voorganger.

(4) Die sekretaris van 'n skoolkomitee moet die Sekretaris binne 14 dae van die name en adresse van die nuwe lede voorsien wat in-gevolge subregulasies (1) of (2) verkies of benoem is.

*Vergaderings van skoolkomitees*

7. (1) 'n Skoolkomitee moet minstens een vergadering gedurende elke skoolkwartaal hou.

(2) Die eerste vergadering van 'n skoolkomitee word gehou op 'n datum, tyd en plek deur die Sekretaris bepaal en elke daaropvolgende vergadering van sodanige skoolkomitee word gehou op 'n datum, tyd en plek deur genoemde komitee tydens sy vorige vergadering bepaal.

*Vacancies during a term of office of members of school committees*

6. (1) (a) The chairman or vice-chairman of a school committee shall vacate his office as chairman or vice chairman if he gives notice in writing that he resigns or if he vacates his office as member of the school committee in terms of the provisions of regulation 3(2).  
 (b) If the office of chairman or vice chairman becomes vacant the members shall elect a person from amongst themselves to fill the vacancy.  
 (c) If both the offices of chairman and vice chairman become vacant simultaneously the members of the school committee shall from amongst themselves elect a chairman and vice chairman and at such election the principal of the government school concerned shall preside as chairman but shall not have the right to vote.

(2) In order to fill an interim vacancy which occurs in the membership of a school committee the remaining members shall subject to the provisions of regulation 2(2) nominate a person who complies with the requirements as prescribed in subregulation 3(1) and (2): Provided that the number of nominated and designated members who serve on a school committee shall not exceed the number of elected members, in which event a school committee shall be re-constituted in terms of these regulations.

(3) A person who is elected or nominated in terms of subregulations (1) or (2) shall occupy his office for the unexpired term of office of his predecessor.

(4) The secretary of a school committee shall furnish the Secretary within 14 days the names and addresses of the new members elected or nominated in terms of subregulations (1) or (2).

*Meetings of school committees*

7. (1) A school committee shall hold at least one meeting during each school term.

(2) The first meeting of a school committee shall be held on a date and at a time and place determined by the Secretary and each subsequent meeting of such school committee shall be held on a date and at a time and place determined by it at its previous meeting.

*Veruag GK 162/86/7(a)*  
 (3) 'n Skoolkomitee moet op sy eerste vergadering iemand, uitgesonderd 'n ~~onderwyser of 'n beampte van die Departement~~, maar nie noodwendig 'n lid van die skoolkomitee nie, tot sekretaris benoem: Met dien verstande dat indien die sekretaris nie 'n lid van die skoolkomitee is nie, hy nie die reg het om op vergaderings van die skoolkomitee te stem nie.

*GK 162/86/7(b)*  
 (4) Die sekretaris van 'n skoolkomitee moet minstens ~~ag~~ <sup>ag</sup> dae voor 'n gewone vergadering die lede van sodanige komitee skriftelik in kennis stel van die datum, tyd en plek van die betrokke vergadering.

(5) Indien die voorsitter by 'n vergadering afwesig is, moet die vise-voorsitter waarneem en in geval beide afwesig is, kies die aanwesige lede 'n persoon uit eie geledere om op so 'n vergadering as waarnemende voorsitter op te tree.

(6) 'n Meerderheid van die lede van 'n skoolkomitee is 'n kworum.

*Veruag GK 162/86/7(c)*  
 (7) Indien daar by 'n vergadering wat behoorlik belê is, nie 'n kworum teenwoordig is nie, word sodanige vergadering vir minstens ~~ag~~ <sup>ag</sup> en hoogstens twaalf dae, met inbegrip van die dag waarop die vergadering sou plaasvind, uitgestel en op die aldus bepaalde datum handel die vergadering, wat belê moet word ooreenkomstig die procedure in subregulasie (4) voorgeskryf, die agenda af of daar 'n kworum is of nie.

*Veruag GK 162/86/7(d)*  
 (8) Die prinsipaal van die betrokke staatskool moet alle vergaderings van 'n skoolkomitee bywoon, maar het nie die reg om daarop te stem nie en hy moet sodanige vergadering verlaat as die skoolkomitee aldus besluit.

(9) Indien 'n skoolkomitee dit nodig ag, mag 'n lid van die betrokke staatskool se personeel of enige ander persoon wat moontlik inligting kan verskaf oor 'n saak wat binne die bevoegdheid van die skoolkomitee val, 'n vergadering van sodanige skoolkomitee bywoon, maar hy het nie die reg om te stem nie.

(10) Wanneer daartoe versoek deur 'n skoolkomitee, moet 'n lid van die betrokke staatskool se personeel 'n vergadering van sodanige komitee bywoon, maar mag nie verplig word om inligting te verskaf of om op 'n aanklag teen hom te antwoord nie.

(11) 'n Beampte van die Departement het die reg om enige skoolkomiteevergadering in 'n raadgevende hoedanigheid by te woon.

(3) A school committee shall at its first meeting nominate a person, excluding a teacher or an officer of the Department, but not necessarily a member of such school committee, as secretary: Provided that if the secretary is not a member of the school committee he shall not have the right to vote at meetings of the school committee.

(4) The secretary of a school committee shall at least ~~eight~~ <sup>seven</sup> days before an ordinary meeting notify the members of such committee in writing of the date, time and place of the meeting concerned.

(5) If the chairman is absent from a meeting the vice-chairman shall act as chairman and in the event of both being absent, the members present shall elect a person from amongst themselves to preside as acting chairman at such a meeting.

(6) A majority of the members of a school committee shall be a quorum.

(7) If a quorum is not present at a meeting which has been properly convened, such meeting shall be postponed for at least eight but not exceeding twelve days including the date on which the meeting would have taken place and on the date so determined the meeting convened in accordance with the provisions of subregulation (4) shall deal with the agenda whether a quorum is present or not.

~~(8) The principal of the government school concerned shall attend all meetings of a school committee but shall not have the right to vote thereat and he shall leave such meeting if the school committee so decides.~~

(9) If a school committee considers it necessary a member of the staff of the government school concerned or any other person, who could possibly furnish information on a matter which falls within the powers of a school committee, may attend a meeting of such committee but shall not have the right to vote.

(10) When requested thereto by a school committee a member of the staff of the government school concerned shall attend a meeting of such committee but shall not be compelled to furnish information or reply to a charge against him.

(11) An officer of the Department shall have the right to attend any school committee meeting in an advisory capacity.

(12) (a) Die voorsitter, of indien hy nie beskikbaar is nie, die vise-voorsitter van 'n skoolkomitee kan uit eie beweging te eniger tyd 'n buitengewone vergadering van sodanige komitee belê.

(b) Die voorsitter, of indien hy nie beskikbaar is nie, die vise-voorsitter van 'n skoolkomitee moet 'n buitengewone vergadering van sodanige komitee belê indien hy deur die Sekretaris of die meerderheid van die lede daarvan daartoe versoek word.

(c) Die sekretaris van 'n skoolkomitee moet minstens sewe dae voor 'n buitengewone vergadering die lede van sodanige komitee skriftelik in kennis stel van die datum, tyd en plek van die betrokke vergadering.

(13) Die lid van 'n skoolkomitee wat as voorsitter op 'n vergadering van sodanige komitee optree, het 'n gewone sowel as 'n beslissende stem.

#### *Notule van vergaderings*

8. (1) Notule van elke vergadering van 'n skoolkomitee word deur die sekretaris van sodanige komitee gehou in 'n boek wat spesifiek vir die doel gebruik moet word.

(2) Die sekretaris van 'n skoolkomitee moet in die notule van alle vergaderings die name van die lede wat onderskeidelik teenwoordig en afwesig is, notuleer.

(3) Die notule van elke vergadering word aan 'n skoolkomitee op sy volgende vergadering vir bekragtiging voorgelê.

(4) Indien daarom versoek deur die Sekretaris, voorsien die sekretaris van 'n skoolkomitee 'n afskrif van die notule van enige vergadering aan die Departement.

(5) 'n Lid van 'n skoolkomitee, die prinsipaal van die betrokke staatskool of enige beambte van die Departement het te alle redelike tye insae in die notule van enige vergadering van sodanige komitee.

#### *Bevoegdhede, pligte en funksies van skoolkomitees*

9. (1) Die bevoegdhede, pligte en funksies van 'n skoolkomitee is om ten opsigte van die staatskool waarvoor hy ingestel is

(12) (a) The chairman, or if he is not available, the vice-chairman of a school committee may on his own initiative at any time convene an extraordinary meeting of such committee.

(b) The chairman, or if he is not available, the vice-chairman of a school committee shall convene an extraordinary meeting of such committee if he is requested thereto by the Secretary or the majority of the members thereof.

(c) The secretary of a school committee shall at least seven days before an extraordinary meeting notify the members of such committee in writing of the date, time and place of the meeting concerned.

(13) The member of a school committee who presides as chairman at a meeting of such committee shall have a deliberative as well as a casting vote.

#### *Minutes of meetings*

8. (1) Minutes of each meeting of a school committee shall be kept by the secretary of such committee in a book which shall be used specifically for this purpose.

(2) The secretary of a school committee shall record in the minutes of all meetings the names of the members who are respectively present and absent.

(3) The minutes of each meeting shall be laid before a school committee at its next meeting for confirmation.

(4) If requested thereto by the Secretary a copy of the minutes of any meeting shall be forwarded to the Department by the secretary of a school committee.

(5) A member of a school committee, the principal of the government school concerned or an officer of the Department shall at all reasonable times have access to the minutes of any meeting of such committee.

#### *Powers, duties and functions of school committees*

9. (1) The powers, duties and functions of a school committee shall, in respect of the government school for which it has been established, be to —



- (a) die Raad te adviseer en aanbevelings te doen aangaande aangeleenthede wat die welsyn en belange van die betrokke skool raak;
- (b) die Raad te adviseer en aanbevelings te doen in verband met vertoë van ouers van kinders wat leerlinge is van die betrokke skool;
- (c) behoudens die bepalings van artikel 14 van die Wet aanbevelings aan die Raad te doen betreffende die aanstelling, bevordering en ontslag van onderwysers ingevolge die bepalings van artikel 24(1)(a) en (e) van die Wet;
- (d) behoudens die bepalings van artikel 19 van die Wet aanbevelings aan die Sekretaris te doen betreffende die verplasing van onderwysers;
- (e) ondersoek in te stel na en verslag aan die Raad te doen aangaande enige klag rakende die betrokke skool en indien nodig sodanige klag na die Sekretaris te verwys;
- (f) die Sekretaris te adviseer oor die uitsetting van 'n leerling uit die betrokke skool of 'n koshuis van die betrokke skool op grond van wangedrag;
- (g) oorweging te skenk aan inspeksieverslae en, wanneer nodig, by die Sekretaris aanbevelings te doen oor enige saak vermeld in of voortspruitend uit sodanige verslae: Met dien verstande dat 'n skoolkomitee nie oorweging kan skenk aan inspeksieverslae wat betrekking het op die professionele pligte van 'n onderwyser nie;
- (h) verantwoordelik te wees vir toesighouding oor geboue, terreine, omheining en bybehore van die betrokke skool;
- (i) die Sekretaris te adviseer oor enige tekortkominge betreffende die geboue, terreine, omheining en bybehore bedoel in paragraaf (h);
- (j) beheer uit te oefen oor die skoolfonds soos voorgeskryf by die regulasies uitgevaardig met betrekking tot die beheer oor geld wat vir of met betrekking tot 'n staatskool ingesamel of andersins deur so 'n skool ontvang word of daaraan toeval;
- (k) jaarliks gedurende Maart 'n algemene ouervergadering te belê waar enige saak van belang vir die skool bespreek kan word;
- (a) advise the Council and make recommendations regarding matters which concern the welfare and interests of the school concerned;
- (b) advise the Council and make recommendations with reference to representations by parents of children who are pupils of the school concerned;
- (c) subject to the provisions of section 14 of the Act, make recommendations to the Council regarding the appointment, promotion and discharge of teachers in terms of the provisions of section 24(1)(a) and (e) of the Act;
- (d) subject to the provisions of section 19 of the Act, make recommendations to the Secretary regarding the transfer of teachers;
- (e) investigate and report to the Council with regard to any complaint affecting the school concerned and if necessary to refer such complaint to the Secretary;
- (f) advise the Secretary on the expulsion of a pupil from the school concerned or a hostel of the school concerned on the grounds of misconduct;
- (g) give consideration to inspection reports and when necessary to make recommendations to the Secretary on any matter mentioned in or resulting from such reports: Provided that a school committee shall not give consideration to inspection reports relating to the professional duties of a teacher;
- (h) be responsible for the supervision of buildings, sites, fencing and accessories of the school concerned;
- (i) to advise the Secretary on any shortcomings regarding the buildings, sites, fencing and accessories referred to in paragraph (i);
- (j) exercise control over the school fund as prescribed by the regulations made in relation to the control of moneys collected for or in relation to any government school or otherwise received by or accrued to any such school;
- (k) to convene annually during March a general meeting of parents where any matter of importance for the school may be discussed;

- (1) enige taak uit te voer wat deur die Raad of die Sekretaris aan skoolkomitees die algemeen of aan sodanige komitee in die besonder opgedra word.
- (2) Alle advies, aanbevelings, verslae en vertoë van 'n skoolkomitee aan die Raad moet deur bemiddeling van die Sekretaris geskied.
- (3) 'n Skoolkomitee mag hom nooit inmeng met die verrigtinge van die professionele pligte van die onderwysers van enige skool nie.

#### Algemeen

10. (1) Geen departementele voorraad met inbegrip van skryfbehoeftes, mag ten behoeve van 'n skoolkomitee aangewend word nie.

(2) In geen omstandighede mag van amptelike frankeerfasiliteite gebruik gemaak word ten opsigte van korrespondensie wat deur of ten behoeve van 'n skoolkomitee per pos aan die publiek, ouers of lede van 'n skoolkomitee versend word nie.

<sup>vervang CK 162/86/9</sup>  
 (3) Onkoste ~~aange~~aan deur 'n skoolkomitee in die uitvoering van sy pligte of in die uitoefening van sy bevoegdhede mag met die goedkeuring van die Sekretaris betaal word uit gelde beskikbaar in die skoolfonds van die betrokke staatskool.

### DEPARTEMENT VAN NASIONALE ONDERWYS

No. AG. 74 1982

#### REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP NASIONALE ONDERWYS, 1980, BETREFFENDE BEHEER OOR SKOOLFONDSE BY STAATSKOLE

Die Ministersraad het kragtens artikel 34 van die Wet op Nasionale Onderwys, 1980 (Wet 30 van 1980), die regulasies vervat in die Bylae uitgevaardig.

#### BYLAE

##### Woordomskrywings

1. In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking wat in die Wet omskryf is, dieselfde betekenis en beteken —

- (i) "die Wet" die Wet op Nasionale Onderwys, 1980 (Wet 30 van 1980); (iv)

- (1) to perform any task which the Council or the Secretary may direct school committees in general or such school committee in particular to perform.

(2) All advice, recommendations, reports and representations by a school committee to the Council shall be submitted through the Secretary.

(3) A school committee shall never interfere in the performance of the professional duties of the teachers in any school.

#### General

10. (1) No departmental stores including stationery shall be utilised on behalf of a school committee.

(2) Under no circumstances shall official franking facilities be utilised in respect of correspondence which is forwarded by or on behalf of a school committee by post to the public, parents or members of a school committee.

(3) Expenses incurred by a school committee in the performance of its duties or in the exercise of its powers may with the approval of the Secretary be paid from moneys available in the school fund of the government school concerned.

### DEPARTMENT OF NATIONAL EDUCATION

No. AG. 74 1982

#### REGULATIONS MADE UNDER THE NATIONAL EDUCATION ACT, 1980, REGARDING CONTROL OF SCHOOL FUNDS AT GOVERNMENT SCHOOLS

The Council of Ministers has under section 34 of the National Education Act, 1980 (Act 30 of 1980), made the regulations set out in the Schedule.

#### SCHEDULE

##### Definitions

1. In these regulations, unless the context otherwise indicates, an expression defined in the Act bears the same meaning and —

- (i) "auditor" means the person appointed in terms of these regulations to examine the bookkeeping with regard to a school fund;  
 (ii)

- (ii) "ouditeur" die persoon wat ingevolge hierdie regulasies aangestel is om die boekhouding met betrekking tot 'n skoolfonds te ondersoek; (i)
- (iii) "prinsipaal" iemand wat ingevolge die Wet as hoof of waarnemende hoof van 'n staatskool aangestel is; (ii)
- (iv) "skoolkomitee" 'n skoolkomitee kragtens artikel 8 van die Wet ingestel. (iii)

#### *Stigting van skoolfondse*

2. (1) Die skoolkomitee van 'n staatskool kan 'n skoolfonds stig met die doel om fasiliteite en geriewe by die betrokke skool te verskaf en om die belange van sodanige skool en sy leerlinge te bevorder: Met dien verstande dat waar geen sodanige fonds bestaan nie en die Sekretaris dit van die skoolkomitee vereis, sodanige fonds gestig moet word.

(2) Enige skoolfonds wat voor die datum van inwerkingtreding van hierdie regulasies by 'n staatskool gestig en in stand gehou is, word geag kragtens subregulasie (1) gestig te wees en sodanige fonds is vanaf genoemde datum onderworpe aan die bepalings van hierdie regulasies.

#### *Bydraes tot skoolfondse*

- 3. (1) 'n Skoolfonds bestaan uit —
  - (a) geld wat daarvoor ingesamel word deur middel van —
    - (i) bazaar, verkopings, konserte en ander funksies wat op aanbeveling van die skoolkomitee deur die Sekretaris goedgekeur is;
    - (ii) vrywillige bydraes deur of namens leerlinge van die betrokke staatskool;
  - (b) skenkings wat onderhewig is aan voorwaardes wat op aanbeveling van die skoolkomitee deur die Sekretaris aanvaar is;
  - (c) skenkings wat nie aan enige voorwaardes onderhewig is nie;
  - (d) geld wat andersins deur die betrokke staatskool ontvang word of daaraan toeval.

- (ii) "principal" means the person appointed in terms of the Act as head or acting head of a government school; (iii)
- (iii) "school committee" means a school committee established under section 8 of the Act; (iv)
- (iv) "the Act" means the National Education Act, 1980 (Act 30 of 1980). (i)

#### *Establishment of school funds*

2. (1) The school committee of a government school may establish a school fund for the purpose of providing facilities and amenities at the school concerned and promoting the interests of such school and its pupils: Provided that where no such fund exists and the Secretary requires it from a school committee, such fund shall be established.

(2) Any school fund established and maintained at a government school prior to the date of coming into operation of these regulations shall be deemed to have been established under subregulation (1) and such fund shall be subject to the provisions of these regulations from the said date.

#### *Contributions to school funds*

- 3. (1) A school fund consists of —
  - (a) moneys collected therefor by means of —
    - (i) bazaars, sales, concerts and other functions which have been approved by the Secretary on the recommendation of the school committee;
    - (ii) voluntary contributions by or on behalf of pupils of the government school concerned;
  - (b) donations which are subject to conditions which have been accepted by the Secretary on the recommendation of the school committee;
  - (c) donations which are not subject to any conditions;
  - (d) moneys otherwise received by or accrued to the government school concerned.

(2) Die prinsipaal en ander onderwysers van 'n staatskool moet sorg dra dat geen leerling van sodanige staatskool op enige wyse benadeel word en dat daar teen geen leerling op enige wyse gediskrimineer word omdat geen bydrae deur of namens sodanige leerling tot die skoolfonds van sodanige skool gemaak is nie.

(3) Die Sekretaris kan op aanbeveling van 'n skoolkomitee bepaal dat geen bydraes bedoel in subregulasie (1)(a)(ii) deur sodanige skoolkomitee versoek moet word nie.

#### *Aanwending van skoolfondse*

4. 'n Skoolfonds mag aangewend word vir —

- (a) die aankoop van opvoedkundige hulpmiddels en boeke wat deur die Sekretaris goedgekeur is;
- (b) die voorsiening van sportbenodigdhede;
- (c) die oprigting van geboue, pawiljoene en ander strukture, die bou van swembaddens, die aanlê van sportvelde en die instandhouding daarvan: Met dien verstande dat die goedkeuring van die Sekretaris en van die Sekretaris van Burgersake en Mannekrag vooraf verkry moet word vir sodanige oprigting, bou en aanlê;
- (d) die inrigting, met die goedkeuring van die Sekretaris, van biblioteke en die instandhouding daarvan;
- (e) die onderneem van opvoedkundige-, sport- en ander skooltoere;
- (f) die aankoop van voertuie;
- (g) die betaling van ouditeursgelde;
- (h) die betaling van kostes met die goedkeuring van die Sekretaris deur die betrokke skoolkomitee aangegaan in die uitoefening van sy bevoegdhede of die uitvoering van sy pligte;
- (i) doeleindes wat na die goeiddunke van die Sekretaris, handelende op aanbeveling van die skoolkomitee, die welsyn en belange van die betrokke staatskool of die leerlinge daarvan sal bevorder.

(2) The principal and other teachers of a government school shall take care that no pupil is prejudiced in any way and that no pupil is discriminated against because no contribution has been made by or on behalf of such pupil to the school fund of such government school.

(3) The Secretary may, on the recommendation of a school committee, determine that no contributions referred to in subregulation (1)(a)(ii) shall be requested by such school committee.

#### *Utilization of school funds*

4. A school fund may be utilized for —

- (a) the purchase of educational aids and books approved by the Secretary;
- (b) the provisions of sporting requisites;
- (c) the erection of buildings, stadiums and other structures, the building of swimming-pools, the laying out of sports fields and the maintenance thereof: Provided that the approval of the Secretary and of the Secretary for Civic Affairs and Manpower shall be previously obtained for such erection, building and laying out;
- (d) the establishment, with the approval of the Secretary, of libraries, and the maintenance thereof;
- (e) the undertaking of educational, sports and other school tours;
- (f) the purchase of vehicles;
- (g) the payment of auditor's fees;
- (h) the payment of expenses incurred with the approval of the Secretary by the school committee concerned in the exercise of its powers or the performance of its duties;
- (i) purposes which in the discretion of the Secretary, acting on the recommendation of the school committee concerned, promote the welfare and interests of the government school concerned or of the pupils thereof.

*Eiendomsreg berus by Departement*

5. Die eiendomsreg van geld waaruit 'n skoolfonds bestaan, asook enige onroerende goed wat met sodanige geld opgerig of aangekoop word en enige voorraad, uitrusting of ander roerende goed wat met sodanige geld aangekoop word, berus by die Departement: Met dien verstande dat die betrokke skoolkomitee onder toesig van die Sekretaris, en soos voorgeskryf by hierdie regulasies, beheer uitoefen oor sodanige geld, onroerende goed, voorraad, uitrusting en ander roerende goed: Met dien verstande voorts dat enige koste aangegaan in verband met die instandhouding, herstel of vervanging van sodanige onroerende goed, voorraad, uitrusting en ander roerende goed betaal word uit sodanige geld.

*Boekjaar*

6. Die boekjaar ten opsigte van 'n skoolfonds is die tydperk van 1 Januarie tot en met 31 Desember in enige jaar.

*Naam van skoolfondse*

7. Die naam van die skoolfonds van enige staatskool is "(die naam van sodanige staatskool)-fonds".

*Skoolfondsrekeninge en -beleggings*

8. (1) Indien die uitgawes van 'n skoolfonds dit na die mening van die betrokke skoolkomitee regverdig, kan die voorsitter van sodanige skoolkomitee, met die skriftelike goedkeuring van die Sekretaris, 'n tjekrekening in die naam van sodanige skoolfonds by 'n geregistreerde handelsbank open.

(2) Indien die uitgawes van 'n skoolfonds na die mening van die betrokke skoolkomitee nie die opening van 'n in subregulasie (1) bedoelde rekening regverdig nie, moet die voorsitter van sodanige skoolkomitee 'n spaarrekening in die naam van sodanige skoolfonds by 'n poskantoor of geregistreerde handelsbank of geregistreerde bouvereniging open.

(3) Alle inkomste van 'n skoolfonds moet op die dag van ontvangs daarvan of op die eersvolgende dag wanneer die in subregulasie (1) bedoelde bank of die in subregulasie (2) bedoelde poskantoor, bank of bouvereniging oop is vir besigheid in die subregulasie (1) of (2) bedoelde rekening gestort word: Met dien verstande dat waar geen poskantoor-, bank- of bouverenigingsfasiliteite by of naby die plek waar die betrokke staatskool geleë is bestaan nie, daar met sodanige inkomste gehandel word soos deur die Sekretaris bepaal.

*Ownership vests in Department*

5. The ownership of moneys of which a school fund consists, as well as any immovable property erected or purchased with such moneys and any stores, equipment or other movable property purchased with such moneys vests in the Department: Provided that the school committee concerned shall under the supervision of the Secretary and as prescribed by these regulations, exercise control over such moneys, immovable property, stores, equipment and other movable property: Provided further that any costs incurred in connection with the maintenance, repair or replacement of such immovable property, stores, equipment or other movable property shall be paid from such moneys.

*Financial year*

6. The financial year of any school fund shall be the period from 1 January up to and including 31 December in any year.

*Name of school funds*

7. The name of the school fund of any government school shall be "(the name of such government school) Fund".

*School fund accounts and investments*

8. (1) If the expenses of a school fund in the opinion of the school committee concerned so justify, the chairman of such school committee may, with the written approval of the Secretary, open a cheque account in the name of such school fund at a registered commercial bank.

(2) If the expenses of a school fund in the opinion of the school committee concerned do not justify the opening of an account referred to in subregulation (1), the chairman of such school committee shall open a savings account in the name of such school fund at any post office, registered commercial bank or registered building society.

(3) All revenue of a school fund shall be deposited in the account referred to in subregulation (1) or (2) on the day of receipt thereof or on the next day when the bank referred to in subregulation (1) or the post office, bank or building society referred to in subregulation (2) is open for business: Provided that where there are no post office, bank or building society facilities at or near the place where the government school concerned is situated, such revenue shall be dealt with as determined by the Secretary.

(4) Gelde waarmee 'n in subregulasie (1) of (2) bedoelde rekening gekrediteer is en wat nie vir onmiddellike gebruik of as 'n redelike bedryfsaldo benodig word nie, word belê op die wyse wat die betrokke skoolkomitee met die skriftelike goedkeuring van die Sekretaris bepaal.

(5) Alle betalings uit 'n in subregulasie (1) bedoelde rekening geskied behoudens die betalings van regulasie 11(1) per tjek.

(6) Die oortrekking van 'n in subregulasie (1) bedoelde rekening word nie toegelaat nie.

### *Boekhouding*

9. (1) Die prinsipaal van 'n staatskool is verantwoordelik vir die uitreiking van alle kwitansies, die hou van rekeningboeke en registers, die veilige bewaring van sodanige rekeningboeke en registers en alle kwitansieboeke, bewysstukke, rekenings, sertifikate en ander dokumente en in die algemeen vir die boekhouding in verband met die skoolfonds.

(2) (a) Kwitansies moet vir alle geld wat in 'n skoolfonds gestort word by ontvangs daarvan of so gou as wat prakties moontlik is daarna uitgereik word en kwitansies of kontantstrookies moet verkry word vir alle geld wat uit 'n skoolfonds betaal word.

(b) Kwitansies word in duplikaat met deurslagpapier in volgnommerorde uitgeskryf en geen wysigings aan die naam of bedrag in woorde of syfers daarop is toelaatbaar nie.

(c) Indien 'n fout op 'n kwitansie begaan word, word daardie kwitansie en sy duplikaat gekanselleer en 'n ander kwitansie uitgereik.

(d) Duplikate van kwitansies wat uitgereik is en sowel die oorspronklike as die duplikaat van enige gekanselleerde kwitansie moet in hulle oorspronklike posisies in die kwitansieboek bewaar word vir inspeksie en ouditering.

(3) (a) Besonderhede van kwitansies wat uitgereik is moet daagliks in die kasboek geskryf word.

(b) Die kasboek moet aan die einde van elke maand afgesluit, gebalanseer en met die in regulasie 8(1) of (2) bedoelde rekening gerekonsileer word.

(4) Moneys standing to the credit of an account referred to in subregulation (1) or (2) and not required for immediate use or as a reasonable working balance, shall be invested in such manner as the school committee concerned may with the written approval of the Secretary determine.

(5) All payments from an account referred to in subregulation (1) shall, subject to the provisions of regulation 11(1), be made by cheque.

(6) The overdrawn of an account referred to in subregulation (1) shall not be permitted.

### *Bookkeeping*

9. (1) The principal of a government school shall be responsible for the issue of all receipts, the keeping of account-books and registers, the safe custody of such account-books and registers and all receipt books, vouchers, accounts, certificates and other documents and in general for the bookkeeping in connection with the school fund.

(2) (a) Receipts shall be issued for all moneys paid into a school fund on receipt thereof or as soon thereafter as is practically possible and receipts or cash slips shall be obtained for all moneys paid from a school fund.

(b) Receipts shall be made out in duplicate with carbon paper in serial number order and no alterations to the name or amount in words or figures thereon shall be permissible.

(c) If an error is made on a receipt, that receipt and its duplicate shall be cancelled and another receipt issued.

(d) Duplicates of receipts which have been issued and the original as well as the duplicate of any cancelled receipt shall be kept safely in their original positions in the receipt book for inspection and auditing.

(3) (a) Particulars of receipts issued shall be entered into the cash book daily.

(b) The cash book shall be ruled off, balanced and reconciled with the account referred to in regulation 8(1) or (2) at the end of every month.

*Funksies gereël ten bate van skoolfondse*

10. Wanneer 'n funksie ten bate van 'n skoolfonds deur die betrokke staatskool of die skoolkomitee daarvan gereël word, moet die prinsipaal en die voorsitter en sekretaris van die skoolkomitee onmiddellik of so gou as moontlik na afloop van sodanige funksie die inkomste daaruit en die uitgawes daaraan verbonde gesamentlik nagaan en 'n staat daaroor opstel en onderteken vir voorlegging aan die skoolkomitee.

*Betalings uit skoolfondse*

11. (1) Met die skriftelike goedkeuring van die Sekretaris kan die prinsipaal van 'n staatskool volgens 'n voorskotstelsel 'n kleinkasrekening van hoogstens tien rand hou vir uitgawes van die skoolfonds.

(2) *Betalings uit 'n skoolfonds —*

- (a) van bedrae nie groter as tien rand nie moet aan die skoolkomitee vir bekragtiging voorgelê word;
- (b) van bedrae groter as tien rand maar nie groter as eenhonderd rand nie mag gemaak word indien die genotuleerde magtiging van die skoolkomitee vooraf verkry is;
- (c) van bedrae groter as eenhonderd rand mag gemaak word indien die skriftelike magtiging van die Sekretaris op aanbeveling van die skoolkomitee vooraf verkry is.

(3) Behoudens die bepalings van hierdie regulasies geskied 'n betaling uit 'n skoolfonds by voorlegging van 'n volledig gespesifiseerde rekening.

(4) Geen afbetalingsverkooptransaksie soos omskryf in artikel 1 van die Wet op Kredietoor-eenkomste, 1980 (Wet 75 van 1980), mag namens 'n skoolfonds aangegaan word nie.

(5) Behoudens die bepalings van subregulasie (1) word geen geld uit 'n skoolfonds by wyse van 'n lening of voorskot aan enige persoon hoegenaamd betaal nie.

*Begroting van inkomste en uitgawes*

12. 'n Begroting van die verwagte inkomste en uitgawes van 'n skoolfonds moet jaarliks in Februarie deur die prinsipaal van die betrokke staatskool aan die skoolkomitee voorgelê word.

*Functions arranged in aid of school funds*

10. Whenever a function is arranged in aid of a school fund by the government school concerned or the school committee thereof, the principal and the chairman and secretary of the school committee shall immediately or as soon as possible after the conclusion of such function jointly check the expenditure and revenue in regard thereto and shall draw up and sign a statement in connection therewith for submission to the school committee.

*Payments from school funds*

11. (1) With the written approval of the Secretary the principal of a government school may keep a petty cash account not exceeding ten rand obtained by way of an advance from the school fund.

(2) *Payments from a school fund —*

- (a) of amounts not exceeding ten rand shall be submitted to the school committee for confirmation;
- (b) of amounts exceeding ten rand, but not exceeding one hundred rand may be made if the minuted authorisation of the school committee is previously obtained;
- (c) of amounts exceeding one hundred rand may be made if the written authorisation of the Secretary on the recommendation of the school committee is previously obtained.

(3) Subject to the provisions of these regulations any payment from a school fund shall occur on presentation of a fully specified account.

(4) No instalment sale transaction as defined in section 1 of the Credit Agreements Act, 1980 (Act 75 of 1980), shall be entered into on behalf of a school fund.

(5) Subject to the provisions of subregulation (1) no moneys shall be paid from a school fund by way of a loan or an advance to any person whatsoever.

*Estimate of revenue and expenditure*

12. An estimate of the expected revenue and expenditure of a school fund shall be submitted by the principal of the government school concerned to the school committee annually during February.

*Rekening van inkomste en uitgawes*

13. (1) So spoedig moontlik na 31 Desember van enige jaar, maar nie later nie as die laaste skooldag in Februarie in die daaropvolgende jaar moet die prinsipaal van 'n staatskool 'n rekening van inkomste en uitgawes met betrekking tot die jaar wat op 31 Desember geëindig het aan die skoolkomitee voorlê.

(2) Nadat die skoolkomitee bedoelde inkomste- en uitgawerekening nagegaan en as korrek gesertifiseer het, word een afskrif daarvan aan die Departement verstrek en vier afskrifte daarvan word aan die ouditeur oorhandig wanneer die boeke vir ouditering voorgelê word.

*Vorraadregister, inventaris en voorraadopnames*

14. (1) Die prinsipaal van 'n staatskool moet 'n voorraadregister en inventaris hou waarin alle voorraad, uitrusting en ander roerende goed onder die beheer van die skoolkomitee opgeneem word.

(2) Die voorraadregister en inventaris bedoel in subregulasie (1) moet bygehou word op die wyse deur die Sekretaris bepaal.

(3) Wanneer voorraad, uitrusting of ander roerende goed soos bedoel in subregulasie (1) uitgereik en daarna terugontvang word, word onderskeidelik 'n uitreikingsbewys en 'n ontvangsbewys in duplikaat uitgemaak en sulke bewyse moet vir inspeksie en ouditering behou word.

(4) (a) Die prinsipaal, bygestaan deur ten minste een lid van die skoolkomitee moet jaarliks nie later nie as 30 November 'n opname maak van alle voorraad, uitrusting en ander roerende goed waarvoor die skoolkomitee beheer uitoefen.

(b) Die prinsipaal moet 'n sertifikaat opstel wat deur hom en die lid of lede van die skoolkomitee bedoel in paragraaf (a) onderteken word en waarin vermeld word dat voorraad opgeneem is, en sodanige sertifikaat moet enige tekorte of oortollige in voorraad, uitrusting en ander roerende goed sowel as enige verslete, onbruikbare, beskadigde of oortollige voorraad, uitrusting en ander roerende goed wat gedurende bedoelde voorraadopname gevind is, aantoon.

(c) Bedoelde sertifikaat moet vir inspeksie en ouditering behou word en 'n afskrif daarvan moet aan die Sekretaris gestuur word.

*Revenue and expenditure account*

13. (1) As soon as possible after 31 December of any year but not later than the last school-day in February in the following year the principal of a government school shall submit a revenue and expenditure account to the school committee with regard to the year which ended on 31 December.

(2) After the school committee has checked and certified as correct such revenue and expenditure account, one copy thereof shall be furnished to the Department and four copies thereof shall be handed to the auditor when the books are submitted for auditing.

*Stores register, inventory and stock-taking*

14. (1) The principal of a government school shall keep a stores register and inventory in which all stores, equipment and other movable property over which the school committee exercises control, shall be entered.

(2) The stores register and inventory referred to in subregulation (1) shall be kept in the manner determined by the Secretary.

(3) Whenever stores, equipment or other movable property as referred to in subregulation (1) are issued and subsequently returned, an issue voucher and a receipt voucher respectively shall be made out in duplicate and such vouchers shall be retained for inspection and auditing.

(4) (a) The principal, assisted by at least one member of the school committee shall annually not later than 30 November take stock of all stores, equipment and other movable property over which the school committee exercises control.

(b) The principal shall draw up a certificate, which shall be signed by him and the member or members of the school committee referred to in paragraph (a), and in which shall be stated that stock has been taken, and such certificate shall reflect any shortages or surpluses in stock, equipment or other movable property, as well as any worn, unservicable, damaged or redundant stores, equipment and other movable property found during such stock-taking.

(c) The said certificate shall be retained for inspection and auditing and a copy thereof shall be forwarded to the Secretary.



*Afskryf en vervreemding van bates*

15. (1) Geen bates waaroor 'n skoolkomitee beheer uitoefen word afgeskryf of vervreem nie tensy die skriftelike goedkeuring van die Sekretaris op aanbeveling van sodanige skoolkomitee vooraf verkry is.

(2) Wanneer enige in subregulasie (1) bedoelde bates verkoop word, word sodanige bates op 'n publieke veiling of per tender verkoop en die opbrengs val die betrokke skoolfonds toe.

*Oordrag aan nuwe prinsipaal*

16. (1) (a) So gou as wat prakties moontlik is na die aanstelling van 'n nuwe prinsipaal by 'n staatskool, word die kontant, voorraad, uitrusting en ander roerende goed waaroor die betrokke skoolkomitee beheer uitoefen, sowel as die rekeningboeke, sertifikate, tjekboeke, bankboekies en enige ander dokumente in verband met die skoolfonds aan sodanige nuwe prinsipaal oorgedra.

(b) Bedoelde nuwe prinsipaal en die vorige prinsipaal moet gesamentlik bedoelde kontant, voorraad, uitrusting, ander roerende goed, rekeningboeke, sertifikate, tjekboeke, bankboekies en ander dokumente nagaan en 'n sertifikaat opstel waarin vermeld word dat bedoelde kontant, voorraad, uitrusting, ander roerende goed, rekeningboeke, sertifikate, tjekboeke, bankboekies en ander dokumente aldus nagegaan is, of daar enige tekorte of surplusse gevind is en enige ander aangeleentheid wat na die mening van bedoelde prinsipale van belang mag wees.

(c) Die sertifikaat wat ingevolge paragraaf (b) opgestel is moet vir inspeksie en ouditering behouf word en 'n afskrif daarvan moet aan die Sekretaris gestuur word.

(2) Indien 'n prinsipaal sy pos ontruim voordat die nuwe prinsipaal bedoel in subregulasie (1)(a) beskikbaar is, moet die kontant, voorraad, uitrusting, ander roerende goed, rekeningboeke, sertifikate, tjekboeke, bankboekies en ander dokumente bedoel in subregulasie (1)(a) aan 'n ander lid van die personeel van die betrokke staatskool deur die Sekretaris aangewys oorgedra word soos voorgeskryf in subregulasie (1) en bedoelde lid moet so gou as wat prakties moontlik is bedoelde kontant, voorraad, uitrusting, ander roerende goed, rekeningboeke, sertifikate,

*Writing off and selling of certain assets*

15. (1) No assets over which a school committee exercises control shall be written off or alienated unless the written approval of the Secretary on the recommendation of such school committee is previously obtained.

(2) When any assets referred to in subregulation (1) are sold, such assets shall be sold at a public auction or by tender and the proceeds shall accrue to the school fund concerned.

*Transfer to new principal*

16. (1) (a) As soon as is practically possible after the appointment of a new principal at a government school the cash, stores, equipment and other movable property over which the school committee concerned exercises control, as well as the account-books, certificates, cheque-books, bank-books and any other documents in connection with a school fund shall be transferred to such new principal.

(b) Such new principal and the former principal shall jointly check such cash, stores, equipment, other movable property, account-books, certificates, cheque-books, bank-books and other documents and draw up a certificate in which is stated that such cash, stores, equipment, other movable property, account-books, certificates, cheque-books, bank-books and other documents have been thus checked, whether any shortages or surpluses were found and any other matter which in the opinion of such principals may be of importance.

(c) The certificate drawn up in terms of paragraph (b) shall be retained for inspection and auditing and a copy thereof shall be forwarded to the Secretary.

(2) If a principal vacates his post before the new principal referred to in subregulation (1)(a) is available, the cash, stores, equipment, other movable property, account-books, certificates, cheque-books, bank-books and other documents referred to in subregulation (1)(a) shall be transferred as prescribed in subregulation (1) to another member of the staff of the government school concerned designated by the Secretary and such member shall as soon as is practically possible transfer such cash, stores, equipment, other movable property, account-books, certificates,

tjekboeke, bankboekies en ander dokumente aan bedoelde nuwe prinsipaal oordra soos voorgeskryf in subregulasie (1).

#### *Aanstelling van ouditeur*

17. (1) 'n Skoolkomitee stel, behoudens die bepalings van subregulasie (2), aan die begin van elke boekjaar 'n ouditeur, geregistreer ingevolge die Wet op Openbare Rekenmeesters en Ouditeurs, 1951 (Wet 51 van 1951), aan om die skoolfonds se boeke en rekenings vir daardie jaar te ouditeer.

(2) Indien 'n skoolkomitee van mening is dat omstandighede sodanig is dat die aanstelling van 'n geregistreerde ouditeur nie prakties of wenslik is nie, kan 'n aanbeveling ten opsigte van die aanstelling van 'n ander geskikte persoon as ouditeur aan die Sekretaris vir goedkeuring voorgelê word.

(3) (a) Indien 'n skoolkomitee versuim of in gebreke bly om 'n ouditeur aan te stel, kan die Sekretaris met inagneming van enige koste daaraan verbonde, 'n geregistreerde ouditeur of ander geskikte persoon aanstel as ouditeur.

(b) Die vergoeding van 'n ouditeur aangestel ingevolge paragraaf (a) word deur die betrokke skoolfonds gedra.

#### *Pligte van ouditeur*

18. (1) 'n Ouditeur moet sodanige rekeningboeke, kwitansieboeke, registers, bewysstukke, rekenings, sertifikate en ander dokumente in verband met 'n skoolfonds wat hy nodig ag ondersoek of laat ondersoek.

(2) 'n Ouditeur moet aan die prinsipaal van die betrokke staatskool 'n ontvangserkenning gee vir alle rekeningboeke, kwitansieboeke, registers, bewysstukke, rekenings, sertifikate en ander dokumente bedoel in subregulasie (1) wat aan hom oorhandig is.

(3) 'n Ouditeur moet sy verslag heg aan die rekening bedoel in regulasie 13 en verklaar —

(a) of bedoelde rekening na sy mening behoorlik opgestel is en of dit 'n korrekte en ware weergawe is van die inkomste en uitgawes van die betrokke skoolfonds;

(b) of die rekeningboeke, kwitansieboeke, registers, bewysstukke en sertifikate bedoel in subregulasie (1) gehou of uitgereik word ooreenkomstig die bepalings van hierdie regulasies; en

cheque-books, bank-books and other documents as prescribed in subregulation (1) to such new principal.

#### *Appointment of auditor*

17. (1) A school committee shall, subject to the provisions of subregulation (2), at the beginning of every financial year appoint an auditor registered in terms of the Public Accountants' and Auditors' Act, 1951 (Act 51 of 1951), to audit the books and accounts of the school fund for that year.

(2) If a school committee is of the opinion that circumstances are such that the appointment of a registered auditor is not practicable or desirable, a recommendation in regard to the appointment of any other suitable person as auditor may be made to the Secretary for approval.

(3) (a) If a school committee neglects or fails to appoint an auditor, the Secretary may with due allowance for any costs in regard thereto, appoint a registered auditor or other suitable person as auditor.

(b) The remuneration of an auditor appointed in terms of paragraph (a) shall be borne by the school fund concerned.

#### *Duties of auditor*

18. (1) An auditor shall examine or cause to be examined such account-books, receipts books, registers, vouchers, accounts, certificates and other documents in connection with a school fund as he may deem necessary.

(2) An auditor shall furnish the principal of the government school concerned with an acknowledgement of receipt for all account-books, receipt books, registers, vouchers, accounts, certificates and other documents referred to in subregulation (1) which have been handed over to him.

(3) An auditor shall attach his report to the account referred to in regulation 13 and shall declare —

(a) whether the said account in his opinion has been properly drawn up and whether it is a correct and true reflection of the revenue and expenditure of the school fund concerned;

(b) whether the account-books, receipt books, registers, vouchers and certificates referred to in subregulation (1) were kept or issued in accordance with the provisions of these regulations; and

(c) of die uitgawes van die betrokke skoolfonds aangegaan is in ooreenstemming met die bepalings van hierdie regulasies.

(4) Indien 'n ouditeur dit nodig vind om ongunstig te rapporteer oor enige saak wat uit 'n ouditering voortspruit, moet hy volle besonderhede daarvan in sy verslag gee.

(5) 'n Ouditeur moet afskrifte van die rekening bedoel in regulasie 13 en van sy verslag aan die Sekretaris en die skoolkomitee en die prinsipaal van die betrokke staatskool deurstuur.

#### *Inspeksie deur beampte van Departement*

19. (1) 'n Beampte van die Departement wat skriftelik deur die Sekretaris daartoe gemagtig is, kan te alle redelike tye en sonder vooraf kennisgewing die prinsipaal van 'n staatskool aansê om die rekeningboeke, kwitansieboeke, registers, bewysstukke, rekenings, sertifikate, ander dokumente, tjekboeke, bankboekies en kontant voorhande wat betrekking het op die skoolfonds aan hom vir inspeksie voor te lê.

(2) Bevindinge wat uit 'n inspeksie voortspruit, moet skriftelik aan die Sekretaris en die voorsitter van die betrokke skoolkomitee voorgelê word.

(3) Indien dit voorkom of 'n verlies van of tekort aan kontant, voorraad, uitrusting of ander roerende goed waaroor 'n skoolkomitee beheer uitoefen veroorsaak is, of dat enige onbehoorlike of ongemagtigde uitbetaling uit 'n skoolfonds plaasgevind het, in omstandighede wat daarop dui dat 'n misdryf begaan is, moet bedoelde beampte die Sekretaris onmiddellik daarvan in kennis stel.

#### *Persone wat namens skoolfondse moet teken*

20. Wanneer —

(a) 'n tjek of ander verhandelbare stuk namens 'n skoolfonds uitgerêik of gewissel moet word;

(b) 'n dokument namens 'n skoolfonds onderteken moet word vir die belegging van fondse of die tegeldemaking van enige belegging;

(c) enige ander stuk, dokument of vorm namens 'n skoolfonds onderteken moet word,

word sodanige tjek, ander verhandelbaarstuk, dokument stuk of vorm onderteken deur die voorsitter van die betrokke skoolkomitee en die prinsipaal van die betrokke staatskool: Met dien

(c) whether the expenditure of the school fund concerned was incurred in accordance with the provisions of these regulations.

(4) If an auditor finds it necessary to report unfavourably on any matter arising from an audit, he shall give full particulars thereof in his report.

(5) An auditor shall forward copies of the account referred to in regulation 13 and of his report to the Secretary and the school committee and the principal of the government school concerned.

#### *Inspection by officer of Department*

19. (1) An officer of the Department who has been authorised thereto in writing by the Secretary may at all reasonable times and without previous notice call upon the principal of a government school to submit the account-books, receipt books, registers, vouchers, accounts, certificates, other documents, cheque-books, bank-books, and cash on hand with regard to the school fund for inspection by him.

(2) Findings arising from an inspection shall be submitted in writing to the Secretary and the chairman of the school committee concerned.

(3) If it appears that any loss or shortfall of cash, stores, equipment or other movable property over which a school committee exercises control has been caused, or that any improper or unauthorised payment has occurred from a school fund, in circumstances which indicate the commission of an offence, the said officer shall immediately notify the Secretary thereof.

#### *Persons to sign on behalf of school funds*

20. When —

(a) a cheque or other negotiable instrument is to be issued or cashed on behalf of a school fund;

(b) a document is to be signed on behalf of a school fund for the investment of any funds or the realisation of any investment;

(c) any other paper, document or form is to be signed on behalf of a school fund,

such cheque, other negotiable instrument, document, paper or form shall be signed by the chairman of the school committee concerned and the principal of the government school concerned:

verstande dat sodanige skoolkomitee 'n ander lid van sodanige skoolkomitee kan magtig om te teken indien die voorsitter of prinsipaal nie beskikbaar is nie.

*Aanspreeklikheid vir uitgawes en uitbetalings*

21. Enige persoon wat in stryd met die bepalings van hierdie regulasies enige uitgawe uit 'n skoolfonds goedkeur, magtig of aangaan of enige uitbetaling uit 'n skoolfonds goedkeur, magtig of doen kan daarvoor aanspreeklik gehou word, en waar meer as een persoon enige sodanige uitgawe aldus goedkeur, magtig of aangaan of enige sodanige uitbetaling aldus goedkeur, magtig of doen, kan bedoelde persone gesamentlik en afsonderlik daarvoor aanspreeklik gehou word.

*Oorhandiging van bates wanneer staatskool gesluit word*

22. (1) Indien 'n staatskool gesluit word soos beoog in artikel 6 van die Wet, moet die prinsipaal op 'n datum en op die wyse deur die Sekretaris bepaal —

- (a) alle rekeningboeke, kwitansieboeke, registers, bewysstukke, rekenings, sertifikate, tjekboeke, bankboekies en ander dokumente in verband met die skoolfonds;
- (b) indien 'n in regulasie 8(1) bedoelde rekening geopen is —
  - (i) 'n bankstaat ten opsigte van bedoelde rekening wat korrek gesertifiseer is deur die rekenmeester van die betrokke bank;
  - (ii) 'n tjek ten gunste van die Sekretaris vir die kredietsaldo aangedui op bedoelde bankstaat;
- (c) indien 'n in regulasie 8(2) bedoelde rekening geopen is, die volle kontantbalans wat uit bedoelde rekening vir die doel van hierdie regulasie onttrek is; en
- (d) alle kontant (anders as die kontant in paragraaf (c) bedoel), voorraad, uitrusting en ander roerende goed waaroor die betrokke skoolkomitee beheer uitoefen soos beoog in regulasie 5,

aan die Sekretaris oorhandig, en die Sekretaris besluit op watter wyse daarvoor beskik moet word.

Provided that such school committee may authorise any other member of such school committee to sign if the chairman or principal is not available.

*Liability for expenditure and payments*

21. Any person who contrary to the provisions of these regulations approves, authorises or incurs any expenditure from a school fund or approves, authorises or makes any payment from a school fund may be held liable therefor, and where more than one person thus approves, authorises or incurs any such expenditure or thus approves, authorises or makes any such payment, such persons may be held jointly and severally liable therefor.

*Handing over of assets when government school is closed*

22. (1) If a government school is closed as contemplated in section 6 of the Act, the principal shall on a date and in the manner determined by the Secretary hand over —

- (a) all account-books, receipt books, registers, vouchers, accounts, certificates, cheque-books, registers, vouchers, accounts, certificates, cheque-books, bank-books and other documents in connection with the school fund;
- (b) if an account referred to in regulation 8(1) was opened —
  - (i) a bank statement with regard to such account certified as correct by the accountant of the bank concerned;
  - (ii) a cheque in favour of the Secretary for the credit balance indicated on such bank statement;
- (c) if an account referred to in regulation 8(2) was opened, the full cash balance withdrawn from such account for the purpose of this regulation; and
- (d) all cash (other than the cash referred to in paragraph (c)), stores, equipment and other movable property over which the school committee concerned exercises control as contemplated in regulation 5,

to the Secretary, and the Secretary shall decide in which manner to dispose thereof.

(2) Enige koste aangegaan in verband met 'n oorhandiging of besluit ingevolge subregulasie (1), word teen die saldo van die betrokke skoolfonds in rekening gebring.

*Algemeen*

23. (1) Geen departementele voorraad, met inbegrip van skryfbehoeftes mag ten voordeel van 'n skoolfonds aangewend word nie.

(2) In geen omstandighede mag van amptelike frankeerfasiliteite gebruik gemaak word ten opsigte van korrespondensie wat namens 'n skoolfonds per pos gestuur word nie.

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(2) Any costs incurred in connection with a handing over or decision in terms of sub-regulation (1) shall be charged against the balance of the school fund concerned.

*General*

23. (1) No departmental stores, including stationery, shall be utilised for the benefit of a school fund.

(2) Under no circumstances shall official franking facilities be utilised in respect of correspondence forwarded by post on behalf of a school fund.

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