

**NORTH-WEST SCHOOLS EDUCATION ACT
NO. 3 OF 1998**

[ASSENTED TO 25 FEBRUARY, 1998]
[DATE OF COMMENCEMENT: 15 MARCH, 2003]

(English text signed by the Premier)

ACT

To provide for a uniform system for the organisation and funding of schools; to amend and repeal certain laws relating to schools; to cater mainly for the best educational interests of the child by providing an education of progressively high quality and upholding the rights of all learners, parents and educators, and to promote their acceptance of responsibility for the organisation, governance and funding of schools in partnership with the State; and to provide for matters connected therewith.

DIVISION OF ACT

CHAPTER I

INTRODUCTORY PROVISIONS

1. Definitions

CHAPTER II

LEARNERS

2. Admission to schools
3. Appointment of school attendance officers
4. Functions of school attendance officers
5. Duties of principals relating to compulsory school attendance
6. Offences relating to compulsory school attendance
7. Code of conduct
8. Language policy of schools
9. Religious policy of schools
10. Freedom of conscience

CHAPTER III

PuBLIC SCHOOLS

11. Functions of governing bodies
12. Membership of governing body of ordinary public schools
13. Election of members of a governing body
14. School fees at public schools

CHAPTER IV

INDEPENDENT SCHOOLS

15. Application for the establishment of independent schools
16. Consequence of declaration of independent school as public school under section 49 of the South African Schools Act, 1996

CHAPTER V

Learners with SPECIAL EDUCATION needs

17. Provision of education for learners with special education needs
18. The accommodation of learners with special education needs in ordinary school
19. Admission of learners to schools for special education
20. Assessments to identify learners with special education needs
21. Action in case of learners with special education needs
22. Placement of learners with special education needs
23. Transfer of learner with special education needs
24. Exemption from attendance of school for special education

CHAPTER VI

GENERAL

- [25.](#) Indemnities
- [26.](#) Limitation of proceedings
- [27.](#) Regulations
- [28.](#) Educational district and circuits
- [29.](#) Accreditation of curriculum
- [30.](#) Submission of information
- [31.](#) Inquiry at the instance of the responsible member
- [32.](#) Repeal and amendments of laws
- [33.](#) Short title and date of commencement

[Schedule 1](#)

CHAPTER I

INTRODUCTORY PROVISIONS

1. Definitions.—In this Act, unless the context otherwise indicates, a word or expression shall have the meaning ascribed thereto in the South African Schools Act, 1996 (Act 84 of 1996), and—

“basic education” means the general education of a learner, as contemplated by this Act, and to which every learner has a right;

“centres of learning” means those institutions established for the education of learners in accordance with the national education policy and includes—

- (a) schools and training centres;
- (b) centres for the development and promotion of particular aptitudes of learners;
- (c) centres for the ongoing training of teachers; and
- (d) centres at which part-time classes are provided for education;

“Constitution” means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

“curriculum” includes—

- (a) the syllabi of, and conditions for admission to courses;
- (b) the content of, and conditions for admission to educational and training programmes, areas of learning and fields of study;
- (c) the establishment and control of evaluation and assessment systems;
- (d) school times and timetable;
- (e) extra mural activities;

“Department” means the provincial Department of Education within the Provincial Administration of the North-West, as contemplated by section 7 (2) of the Public Service Act, 1994;

“general education” means the basic education of a learner commencing with one year of pre-primary education and which continues up to grade 9 inclusive;

“language policy” of a school includes matters related to—

- (a) the language or languages in which learning and teaching take place;
- (b) the language or languages which may be studied at the school or institution of learning;
- (c) the language or languages in which the school or institution communicates with teachers, learners and parents of learners and the broader community;
- (d) the support the school offers to learners whose language of choice is not one in which learning and teaching take place at the school;
- (e) the policy as contemplated by the South African Schools Act, 1996.

“learner” means any person receiving education or obliged to receive education in terms of this Act;

“official language” means a language as contemplated by the Constitution;

“parent” includes—

- (a) the parent or guardian of a learner;
- (b) the person legally entitled to custody of a learner; or
- (c) the person who usually has the care and control of a learner;
- (d) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a), (b) and (c) towards the learner’s education at school;

“post-compulsory education” means education which is of a level higher than grade 9;

“Premier” means the Premier of the Province of the North-West and duly elected in terms of section 128 (1) of the Constitution;

“principal” means an educator appointed or acting as head of the school;

“Public School” means an ordinary public school or a public school for learners with special education needs;

“prescribed” means prescribed by regulation;

“professional body” means an association or union deriving its membership from educators employed by the department and constituted in terms of the Labour Relations Act, 1996 (Act No. 66 of 1995);

“Province” means the Province of the North-West;

“religious policy” of a school includes matters relating to—

- (a) the amount, form and content of religious instruction classes offered at the school;
- (b) the religious practices which are conducted at the school; and
- (c) the policy as defined by the South African Schools Act, 1996;

“school age” means the age of a learner on 30 June of the calendar year in question;

“school attendance officer” means a school attendance officer appointed under section 19 (1);

“school calendar” refers to the academic year, including school holidays as determined by the responsible member;

“school for special education” means a school catering primarily for learners with special education needs;

“Treasury” means the Treasury of the Province of the North-West as defined in section 1 of the North-West Provincial Exchequer Act, 1994.

CHAPTER II

LEARNERS

2. Admission to schools.—In addition to the provisions of the South African Schools Act, 1996 on admission to schools—

- (a) the admission policy of a public school shall be determined by the governing body of the school, with the concurrence of the Member of the Executive Council responsible for education matters; and
- (b) such admission policy shall not unfairly discriminate in any way, particularly on grounds of race, sex, language, colour, sexual orientation, conscience, belief, ethnic or social origin, culture or religion.

3. Appointment of school attendance officers.—(1) The Head of Department may, subject to the provisions of subsection (3), appoint a school attendance officer in respect of an educational district or circuit as he or she may deem fit.

(2) A school attendance officer shall be issued with a certificate of appointment, signed by the Head of Department.

(3) The appointment of a school attendance officer in terms of subsection (1), shall be subject to such procedures, terms and conditions as may be prescribed.

4. Functions of school attendance officers.—(1) In order to ensure that compulsory school attendance is being complied with, a school attendance officer may—

- (a) at any reasonable time enter upon any premises if he or she has reasonable grounds to believe that a learner who is subject to compulsory school attendance is on those premises; and
- (b) question any person who in his or her opinion may be able to give information regarding such a learner; and
- (c) if he or she has reasonable grounds to believe that such a learner has not attended school or is absent without adequate reasons from the school he or she should be attending, hand such a learner over to the principal and make such arrangements as may be necessary to ensure attendance by the learner.

(2) A school attendance officer shall not perform a function under this section, unless he or she is, whilst he or she is performing that function, in possession of his or her certificate referred to in section 3 (2) which shall be produced by him or her to any person affected by the performance of that function.

(3) Any person who obstructs or hinders the school attendance officer in any way in the exercise of his or her duties, shall be guilty of committing an offence and shall upon conviction be liable to a fine not exceeding of R2 000 or imprisonment of up to a year or to both such fine and imprisonment.

5. Duties of principals relating to compulsory school attendance.—(1) Where a learner is repeatedly absent from school without leave or a valid cause, the principal or the teacher designated by him or her shall consult jointly with the learner, his or her parents and an appropriate officer of the Department of Social Welfare, in order to reach an agreement on appropriate measures to ensure that learner's regular attendance at school.

(2) Where it is impossible to reach an agreement contemplated in subsection (1) or where, after reaching such an agreement, there is no material improvement in the school attendance of the learner, the principal shall report the matter to the Head of Department who may take such steps as he or she deems necessary or may be prescribed under this Act, in order to ensure attendance by the learner.

6. Offences relating to compulsory school attendance.—(1) Any person who, during normal school hours, employs a learner who is subject to compulsory school attendance in terms of this Act, shall be guilty of an offence and liable on conviction to a fine not exceeding R2 000 or to imprisonment for a period not exceeding 12 months, or to both such fine and imprisonment.

[Editorial Note: no additional subsections appear in original *Gazette*.]

7. Code of conduct.—(1) A governing body of a public school shall, after consultation with the learners, parents and educators of the school, adopt a code of conduct for the learners.

(2) A code of conduct referred to in subsection (1) shall be directed at enabling a disciplined and purposeful school environment to be established, dedicated to the improvement and maintenance of the quality of the learning process.

8. Language policy of schools.—(1) Subject to the Constitution, the South African Schools Act, 1996 and this Act, the Member of the Executive Council may, after consultation with the National Minister of Education, by notice in the *Provincial Gazette*, determine norms and standards for language policy in public schools.

(2) The governing body of a public school may determine the language policy of the school subject to—

- (a) the Constitution;
- (b) the national policy as determined by the Minister under the National Education Policy Act, 1996;
- (c) the provincial policy as determined by the Member of the Executive Council; and
- (d) any applicable provincial law:

Provided that no form of racial or any other form of unfair discrimination may be practised and/or promoted in exercising this policy.

(3) Language competence testing shall not be used as an admission requirement to a public school.

(4) No learner shall be prejudiced or discriminated against for expressing himself or herself at a state-funded school in a language which is not a language of learning of the school concerned.

(5) The right in subsection (4) may be limited in circumstances where such limitation is reasonable and justifiable in an open and democratic society based on freedom and equality and commitment to multi-lingualism.

9. Religious policy of schools.—(1) The religious policy of a public school shall be determined by the

governing body of the school concerned in consultation with the department, subject to the approval of the Member of the Executive Council.

(2) The religious policy of a public school shall be determined within the framework of the following principles:

- (a) the education process should encourage respect for the diverse cultural and religious traditions of the Republic of South Africa;
- (b) freedom of conscience, religion, thought, belief and opinion shall be respected at all schools;
- (c) religious observances may be conducted at schools on an equitable basis: Provided that attendance at same is free and voluntary.

(3) If, at any time, the Member of the Executive Council has reason to believe that the religious policy of a public school does not meet the requirements of subsection (2), he or she may direct that the religious policy of the school concerned shall be reformulated in accordance with the provisions of subsection (2).

(4) Every learner and member of staff at a public school shall have the right to freedom of conscience, religion, thought, belief and opinion.

10. Freedom of conscience.—(1) No person employed at any public school shall attempt to indoctrinate learners into any particular belief or religion.

(2) A learner attending any school shall have the right to learn, practice and attend to the religion of his or her own choice without any undue influence from the educators or authorities of such school.

(3) A learner attending any school shall not be unduly influenced to participate in any of the religious education classes or religious practices of the school.

CHAPTER III

PUBLIC SCHOOLS

11. Functions of governing bodies.—In addition to the functions of governing bodies as provided for by the South African Schools Act, 1996, a governing body of a school must—

- (a) establish and administer a school fund into which fee payments and voluntary cash contributions shall be paid; and
- (b) pay the accounts for services rendered to the school following contracts entered into on behalf of the school by the governing body.

12. Membership of governing body of ordinary public school.—In addition to the members of a governing body as provided for in section 23 (2) of the South African Schools Act, 1996, if the school in respect of which a governing body is to be elected, has a hostel, a learner who is a resident at such hostel shall be elected as a member to the governing body.

13. Election of members of a governing body.—(1) The election of parent and educator members of a governing body shall be conducted by an official designated by the Head of Department.

(2) Elections conducted in terms of subsection (1) shall be by secret ballot.

(3) A governing body shall, from amongst its members, elect a chairperson, a treasurer and a secretary as office bearers of the governing body.

(4) A principal of a public school shall not serve as the chairperson of the governing body of that school.

(5) The term of office of a member of a governing body other than a learner shall not exceed three years

(6) The term of office of a member of governing body who is a learner shall not exceed one year.

(7) The term of office of an office bearer of a governing body shall not exceed one year.

(8) A member or office bearer of a governing body shall be eligible for re-election after the expiry of his or her term of office.

14. School fees at public schools.—(1) In addition to the provisions of the South African Schools Act, 1996, a resolution contemplated by section 39 (1) of that Act, shall be adopted after a vote by secret ballot by the parents

attending the meeting referred to in section 38 (2) of that Act, has taken place;

(2) Subject to this Act, school fees may be determined and charged at a public school only if a resolution to do so has been adopted after a vote by secret ballot by a majority of parents attending the meeting referred to in section 13 (2).

(3) A resolution contemplated in subsection (2) must provide for—

- (a) the amount of fees to be charged; and
- (b) equitable procedures for the total, partial or conditional exemption by the governing body of parents who are unable to pay school fees.

(4) The Member of the Executive Council may, with the concurrence of the Head of Department and subject to the South African Schools' Act, 1996, exempt any learner or category of learners at a public school wholly or partly from the payment of fees determined under subsection (1) or (2).

CHAPTER IV INDEPENDENT SCHOOLS

15. (1) Any person desirous to establish or maintain an independent school, shall apply in writing, in the prescribed form, to the head of the Department for the registration of such an independent school.

(2) An applicant for the registration of an independent school shall furnish such additional particulars relating to his or her application as the Head of Department may require.

(3) The Head of Department may grant an application referred to in subsection (1) if he or she is of the opinion that the prescribed requirements as contemplated by section 46 (2) of the South African Schools Act, 1995 have been complied with: Provided that such application shall be granted if it is in compliance with section 46 (3) of the South African Schools Act.

(4) If the Head of Department grants an application referred to in subsection (1), he or she shall register the independent school in question and issue to the applicant a registration certificate in such form as he or she may determine.

(5) If the Head of Department refuses an application referred to in subsection (1), he or she shall notify the applicant in writing of the refusal, and state the reasons for such refusal.

(6) An applicant who is aggrieved by the refusal of the Head of Department to grant his or her application brought in terms of subsection (1) may, within 30 days after receiving notice of such refusal, appeal to the Member of the Executive Council, in writing, setting out the grounds of the appeal against the refusal.

(7) The Member of the Executive Council shall consider an appeal referred to in subsection (7) and may confirm, vary or set aside the decision of the Head of Department.

(8) The Member of the Executive Council shall notify the appellant of his or her decision and shall provide the appellant with written reasons therefore.

16. Consequence of declaration of independent school as public school under section 49 of the South African Schools Act, 1996.—(1) In the event of an independent school being declared a public school in terms of section 49 (1) of the South African Schools Act—

- (a) as from the date mentioned in the notice contemplated in section 37 (2) of that Act the school concerned shall be deemed to be a public school established under section 1;
- (b) there shall no longer vest in the previous owner any rights, power, duties or functions in respect of the school concerned;
- (c) the rights and obligations of the owner, relating to the school concerned, shall vest in the State; and
- (d) the ownership and control of movable and immovable property which immediately prior to that date vested in the owner concerned and which relates to the school concerned, shall vest in the Province, unless otherwise agreed upon in terms of section 37 (1) of that Act.

(2) The officer in charge of a deeds office or other office where the immovable property referred to in section (1) is registered, shall, on submission to him or her of the title deed concerned, make such endorsements on the title deed and such entries in the register of deeds as may be required to effect the transfer concerned.

(3) The declaration of an independent school as a public school shall not affect anything lawfully done by the owner concerned prior to the declaration.

CHAPTER V

17. Provision of education for learners with special education needs.—(1) The Member of the Executive Council shall establish and maintain schools for learners with special education needs.

[Editorial Note: no additional subsections appear in original *Gazette*.]

18. The accommodation of learners with special education needs in ordinary school.—Every public school shall, as far as is reasonably possible, attempt to accommodate the special education needs of any learner who attends such school.

19. Admission of learners to schools for special education.—(1) Subject to the provision of any other law, the Head of Department may, subject to the provisions of subsection (2), at the request of a parent approve that a learner be admitted to a school for special education.

(2) The Head of Department shall not grant his or her approval under subsection (1), unless:

- (a) he or she is of the opinion that the learner concerned has special education needs; and
- (b) those special needs cannot be accommodated in an ordinary public school which the learner concerned can attend.

(3) If the special education needs of a learner cannot be accommodated in the school which the learner currently attends, but can be accommodated at another ordinary public school which the learner can reasonably attend, the Head of Department may direct that the learner be admitted to such a school.

20. Assessments in the case of learners with special education needs.—The Head of Department may, after consultation with any interested person concerned, arrange that a learner who is subject to compulsory school attendance but is not attending a school for special education needs and such needs cannot be accommodated at the school which the learner attends, be assessed in order to determine whether he or she has such needs for placement into a public school for special education.

21. Action in case of learners with special education needs.—(1) If the Head of Department believes that a learner has special education needs which cannot be accommodated at the school which he or she attends, he or she shall notify the parent of the learner in writing—

- (a) that he or she has found that the special needs of the learner can only be accommodated in a public special school, and of the reasons for this finding; and
- (b) that the parent may within 30 days from the date of receipt of the notification, appeal to the Member of the Executive Council against the finding.

(2) The Member of the Executive Council shall consider an appeal as contemplated in subsection (1) (b) and may confirm, vary or set aside the findings of the Head of Department.

22. Placement of learners with special education needs.—(1) Unless—

- (a) the parent of a learner found to have special education needs in terms of section 20, within the period determined by the Head of Department, takes such steps as the Head of Department, after consultation with the parent, determines as adequate to ensure that the learner receives suitable education or treatment; or
- (b) the Head of Department at any time after that period is of the opinion that the learner is receiving suitable education or treatment;

The Head of Department may after consultation with the parent, designate a public school for special education or an ordinary public school capable of accommodating the learner's special education needs to which the learner shall be sent.

(2) If the Head of Department has designated a public school under subsection (1) and the parent concerned fails to send the learner to that public school within the period determined by the Head of Department, the Head of Department may cause the learner to be taken to the school concerned.

23. Transfer of learner with special education needs.—The Head of Department may, after consultation with

the parents or guardians of a learner attending a public school for special education, transfer that learner to another public school for special education.

24. Exemption from Compulsory Attendance.—(1) The Head of Department may exempt a learner entirely, partially or conditionally from compulsory school attendance if it is in the best interests of the learner.

(2) The Head of Department in exercising the right conferred on him/her in subsection (1) above, shall set up a panel comprising two members of the professional staff, a member of the governing body and any professional person competent to express an opinion on the matter, for consideration of the facts that they have before them and to listen to any arguments that may be advanced in negation of those facts.

(3) The parent of the learner or a person appointed by the parent, shall have the right to make representations to the panel as regards the matter under discussion.

(4) A learner or the parent of a learner who has been exempted from school may appeal against the decision of the Head of Department to the Member of the Executive Council.

CHAPTER VI

GENERAL

25. Indemnities.—(1) No contract shall exclude any liability of—

- (a) the department;
- (b) a public school;
- (c) the owner of an independent school;
- (d) the owner or occupier of land on which a public school is situated, or
- (e) any person employed at any school to any learner or to his or her parent: Provided that this subsection shall not apply to any liability which arises in circumstances wholly unrelated to the education of the learner concerned.

(2) Any contractual provision which contravenes subsection (1) shall be null and void.

26. Limitation of proceedings.—No legal proceedings shall be instituted against the State or a body or person in respect of an alleged act in terms of this Act or an alleged omission to do anything which in terms of this Act should have been done, unless the legal proceedings are instituted within a period of 12 months after the date on which the plaintiff or the applicant became aware of the alleged act or omission, or after the date on which it could reasonably have been expected that the plaintiff or applicant would have become aware of the alleged act or omission, whichever date is the earlier.

27. Regulations.—(1) The Member of the Executive Council in consultation with the Head of Department may make regulations which are not inconsistent with any law, as to—

- (a) any matter which shall or may be prescribed by regulation under this Act;
- (b) any matter which the Member of the Executive Council may deem necessary or expedient to prescribe in order to achieve the objectives of this Act; and
- (c) without restricting the generality of the aforementioned, in respect of—
 - (i) appointment of a Provincial Examination Board;
 - (ii) the conduct of examinations at centres of learning, the entering of candidates for those examinations, the conduct and discipline of candidates prior to, during and after those examinations and the issue of certificates;
 - (iii) the appointment, conduct, discipline, powers, duties and functions of examiners, moderators and any other person whose services are necessarily related to the conducting of those examinations:

Provided that such aspects of the curriculum may vary in accordance with the circumstances prevailing at individual centres of learning.

(2) The Member of the Executive Council shall, in order to ensure the democratic governance of education, make regulations with regard to the following:

- (a) the establishment of the provincial education and the training forum;

- (b) the general functions of such a forum;
- (c) the submission of annual reports by the forum; and
- (d) the establishment of district or circuit education and training forum.

28. Educational district and circuit.—(1) (a) For the administration of matters relating to education in the Province, the Member of the Executive Council may on the recommendation of the Head of Department divide the Province into educational districts and circuits.

(b) The districts referred to in subparagraph (a) may be further sub-divided if it is deemed necessary for the efficient provision of educational services in the Province.

(2) The Member of the Executive Council may on the recommendation of the Head of Department change the boundaries of any educational district or circuit.

29. Accreditation of Curriculum.—The Member of the Executive Council may subject to national legislation and on the recommendation of the Head of the Department—

- (a) accredit components of the curriculum, or
- (b) withdraw any accreditation of components of the curriculum at any centre of learning.

30. Submission of information.—(1) The Head of Department may direct any person employed at any centre of learning in writing to submit to him or her, within the period specified in the direction, such information at the disposal of such person, as he or she may reasonably require, relating to the affairs of such centre of learning.

[Editorial Note: no additional subsections appear in original *Gazette*.]

31. Inquiry at the instance of the responsible Member of the Executive Council.—(1) If the Member of the Executive Council deems it in the interest of education in the Province, he or she may appoint any appropriate person to conduct an inquiry within written terms of reference.

(2) A person who conducts an inquiry in terms of subsection (1) may—

- (a) without prior notice enter the grounds of any centre of learning concerned at any reasonable time;
- (b) if he or she has reason to believe that any person is liable to give evidence on any matter relevant to the inquiry, direct that person to appear before him/her at a stated time and place to answer his/her questions;
- (c) explain before the enquiry commences, in clear terms the following to the person so called to answer questions:
 - (i) the reason and nature of the enquiry;
 - (ii) that no person shall be required to answer any question at such enquiry which he/she could not in a civil court be compelled to answer;
 - (iii) the right to consult with a legal representative of his/her choice; provided that a person will only be entitled to legal representation at such proceedings when his/her character or professional reputation is affected;
 - (iv) that where evidence affecting the persons' character or professional reputation is adduced or to be adduced, such a person will have the right to see those witnesses' statements and to be present at every meeting of such enquiry where evidence is called and also to cross examine any witnesses; to give evidence him/herself and to call witnesses.
- (d) After explanation of the above rights proceed to ask any questions to the above person;
- (e) If he or she has reason to believe that any person is able to produce any document, book or article relevant to the enquiry, order that person to deliver to him or her the documents, book or article concerned;
- (f) Examine and make copies of any documents or book referred to in paragraph (e) of this subsection;
- (g) Attach any document, book article, video or audio recording referred to in subparagraph (e) of this subsection if, in his or her opinion, it may provide evidence of any offence or irregularity:

Provided that a person who conducts an inquiry in terms of subsection (1), has to adequately identify himself or herself; and

Provided further that such enquiry conducted in terms of subsection 2 (b) shall comply with the principles of

administrative justice as contemplated by the Constitution.

(3) Provided further that after completion of the enquiry, and thorough assessment of the evidence gathered, the results thereof shall be made available for inspection by the affected individuals and any other affected party/parties.

(4) The responsible member shall make a public statement outlining the findings provided that the information supplied will not be detrimental to any actions that may follow from the enquiry.

(5) Any such person thus appointed may, if not in full-time employment of the State, be remunerated according to the prescribed tariffs of the department.

32. Offences Relating to Conduct of Enquiry.—Any person who:—

- (a) hinders or obstructs a person conducting an inquiry in terms of this section;
- (b) fails to appear in accordance with a direction issued in terms of section 31 (2) (b), at the time and place in question;
- (c) deliberately gives a false answer to a question put to him or her in terms of section 31 (2) (c);
- (d) fails to produce any document, book or other article as required in terms of section 31 (2) (d);
- (e) prevents delivery of any document, book or other article as required in terms of section 31 (2) (d), at the time and place in question, shall be guilty of an offence and liable on conviction to a sentence of not more than six months' imprisonment or a fine not exceeding R1 000.00 or to both such fine and imprisonment.

33. Repeal and amendment of laws.—The laws listed in column one of Schedule 1 are repealed to the extent set out in column three of that Schedule.

34. Short title and date of commencement.—(1) This Act shall be called North-West Schools Education Act, 1998 and shall come into operation on the date fixed by the responsible Member by proclamation in the *Gazette*.

(2) Different dates may be fixed in respect of different provisions of this Act.

Schedule 1

No. and year of Act	Short Title	Extent of repeal
Act No. 2 of 1979, as amended by the National Education Amendment Act, No. 11 of 1985 and the National Education Amendment Act, No. 34 of 1989	Bophuthatswana Education Act of 1979	In its entirety