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*(*Ushicilelo oLutsha lufumaneka kwigumbi M21, kwiSakhiwo sePhondo seNdlu yoWiso Mthetho, 7 Wale Street, eKapa 8001.)*

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PROVINCIAL NOTICE

The following Provincial Notice is published for general information.

DR H.C. MALILA,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewing word vir algemene inligting gepubliseer.

DR H.C. MALILA,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

ISAZISO SEPHONDO

Esi saziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

GQIR H.C. MALILA,
MLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 23/2021 12 March 2021

WESTERN CAPE EDUCATION DEPARTMENT

PROCEDURES FOR THE ESTABLISHMENT AND ELECTION OF GOVERNING BODIES AT PUBLIC SCHOOLS REGULATIONS, 2021

The Provincial Minister of Education in the Western Cape, under section 24, read with section 63, of the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997), has made the regulations set out in the Schedule.

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Definitions

1. In these regulations, unless stated otherwise, any word or expression to which a meaning has been assigned in the Act bears the meaning assigned to it and, unless the context indicates otherwise—

"day" means any day, excluding Sunday, a public holiday and a day falling in a school holiday;

"disciplinary committee for learners" means a disciplinary committee contemplated in the Regulations Relating to Disciplining, Suspension and Expulsion of Learners at Public Schools in the Western Cape, made under Provincial Notice 365/2011 in *Provincial Gazette* 6939 dated 15 December 2011;

"district electoral officer" means a senior district official at an education district office who is responsible for overseeing and managing the governing body election process in the district;

"e-election" means a governing body election in which electronic means are used in one or more stages;

"enfranchised member" means a member who has a right to vote;

"e-voting" means casting a vote in an e-election;

"e-voting station" means a voting station for e-voting;

"major disruptive event" means an event that disturbs normal school functions, operations or processes, whether anticipated or unanticipated, and that results in displacement or discontinuity of the normal business of a school;

"member" means a member of a governing body;

"**nomination validation meeting"** means a meeting contemplated in regulation 16(1)*(a)*(i);

"non-educator" means a person, other than an educator, appointed at a school in a contract or permanent capacity in accordance with the Public Service Act, 1994 (Proclamation 103 of 1994), or by the governing body;

"non-enfranchised co-opted member" means—

(a) the owner of the property or his or her nominee if the school is located on private property; or

(b) a person co-opted to assist in fulfilling specified responsibilities;

"ordinary school" means a school other than a school for learners with special education needs;

"parent" means—

(a) the parent or guardian of a learner;

(b) the person legally entitled to custody of a learner; or

(c) the person who undertakes to fulfil the obligations of a person referred to in paragraphs *(a)* and *(b)* towards the learner's education at school;

"provincial election co-ordinator" means the senior official of the Western Cape Education Department who is responsible for the management of the election of governing bodies in the province and who has been appointed as provincial election co-ordinator by the Head of Department;

"quorum of the meeting", in relation to a meeting of a governing body, means a quorum as contemplated in regulation 33(7);

"school" means an ordinary public school or a public school for learners with special education needs;

"school electoral officer" means an electoral officer appointed in terms of regulation 10(1);

"school electoral team" means the school electoral officer together with the persons appointed to assist the school electoral officer in terms of regulation 10(3);

"school holiday" means a school holiday contemplated in the National Policy for Determining School Calendars for Public Schools in South Africa, made under Government Notice 57 in *Government Gazette* 38330 dated 30 January 2015;

"second in charge" means a deputy principal or the second most senior educator at a school;

"sponsoring body" means a body that provides financial support to a school for learners with special education needs;

"system", in relation to an e-election, means the electronic system used for that election;

"the Act" means the Western Cape Provincial School Education Act, 1997 (Act 12 of 1997).

Composition of governing body

2. (1) Subject to subregulation (23) and regulation 7(4), the governing body of an ordinary secondary school, intermediate school or combined school must consist of—

(a) seven parents who are not employed at the school by the Western Cape Education Department or the governing body;

(b) two educators at the school;

(c) one non-educator at the school;

(d) two learners in the eighth grade or higher elected by the representative council of learners from its own ranks; and

(e) the principal.

(2) Subject to subregulation (23) and regulation 7(4), the governing body of an ordinary primary school with a staff establishment of three or more educators and one or more non-educators must consist of—

(a) five parents who are not employed at the school by the Western Cape Education Department or the governing body;

(b) two educators at the school;

(c) one non-educator at the school; and

(d) the principal.

(3) Subject to subregulation (23) and regulation 7(4), the governing body of an ordinary primary school with a staff establishment of one educator must consist of—

(a) two parents who are not employed at the school by the Western Cape Education Department or the governing body; and

(b) the principal.

(4) Subject to subregulation (23) and regulation 7(4), the governing body of an ordinary primary school with a staff establishment of one educator and one non-educator must consist of—

(a) three parents who are not employed at the school by the Western Cape Education Department or the governing body;

(b) the principal; and

(c) the non-educator at the school.

(5) Subject to subregulation (23) and regulation 7(4), the governing body of an ordinary primary school with a staff establishment of two educators and one non-educator must consist of—

(a) four parents who are not employed at the school by the Western Cape Education Department or the governing body;

(b) the principal;

(c) the educator at the school who is not the principal; and

(d) the non-educator at the school.

(6) Subject to subregulation (23) and regulation 7(4), the governing body of a school for learners with special education needs must consist of—

(a) seven parents who are not employed at the school by the Western Cape Education Department or the governing body, if reasonably practicable;

(b) two educators at the school;

(c) one non-educator at the school;

(d) two learners in the eighth grade or higher, elected by the representative council of learners from its own ranks, if reasonably practicable;

(e) the principal;

(f) one representative of sponsoring bodies, if applicable;

(g) one representative of organisations of parents of learners with special education needs, if applicable;

(h) one representative of organisations of disabled persons, if applicable;

(i) one disabled person, if applicable; and

(j) one expert in appropriate fields of special education needs.

(7) No decision taken by a governing body or action taken on the authority of a governing body is invalid merely because a vacancy existed on that governing body or because a person who was not entitled to sit as a member of that governing body sat on that governing body as such a member at the time when the decision was taken or the action authorised, if the decision was taken or the action was authorised by a quorum of the meeting of the governing body.

(8) A governing body may co-opt non-enfranchised co-opted members.

(9) Subject to subregulation (10) and regulations 6(11) and 31(4), co-opted members do not have voting rights on the governing body.

(10) If there is a vacancy in the number of parent members in a governing body, the governing body must temporarily co-opt a parent with voting rights.

(11) If a parent is co-opted with voting rights as contemplated in subregulation (10), the co-option ceases when the vacancy has been filled through a by-election, which must be held within 90 days after the vacancy has occurred, in accordance with the same procedures as those for the election of parent members as detailed in these regulations.

(12) If the by-election contemplated in subregulation (11) is not held within 90 days after the vacancy has occurred, the governing body may co-opt a parent with voting rights for a further 30 days from the date of the expiration of the 90-day period, during which time the by-election must be held.

(13) If the by-election contemplated in subregulation (11) is not held within 90 days after the vacancy has occurred as a result of a major disruptive event, the governing body may co-opt a parent with voting rights for a further 90 days from the date of the expiration of the 90-day period.

(14) If after the further 90-day period contemplated in subregulation (13)—

(a) the major disruptive event has ceased, the co-option is extended for a further 30 days, during which time the by-election must be held; or

(b) the major disruptive event continues, the co-option is extended for a further 90 days or until such time as by-elections can be held, whichever is the earlier.

(15) The nomination validation meeting and the by-election contemplated in subregulations (11) and (14) must be held in terms of these regulations.

(16) Subject to subregulation (26), parents of learners at the school must nominate and elect the parent members contemplated in subregulations (1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* and (6)*(a)*.

(17) Educators employed at the school must nominate and elect the educator members contemplated in subregulations (1)*(b)*, (2)*(b)* and (6)*(b)*.

(18) If an educator member contemplated in subregulation (1)*(b)*, (2)*(b)* or (6)*(b)* is appointed to act as principal at the school, the governing body must co-opt another educator from the same school from nominations submitted by educators onto the governing body for the duration of the period that the elected educator member acts as principal.

(19) Non-educator staff employed at the school must nominate and elect the non-educator members contemplated in subregulations (1)*(c)*, (2)*(c)* and (6)*(c)*: Provided that if the school has only one non-educator, that member is automatically elected.

(20) The representative council of learners at the school must nominate and elect the learner members contemplated in subregulations (1)*(d)* and (6)*(d)*.

(21) The governing body of a school for learners with special education needs must establish a committee on special education needs as contemplated in section 30(2) of the South African Schools Act.

(22) The committee contemplated in subregulation (21) must—

(a) convene at least once a school term; and

(b) consist of—

(i) the principal;

(ii) one educator at the school;

(iii) two parent members of the governing body; and

(iv) if reasonably practicable, at least one and not more than five of the following persons:

(aa) a representative of sponsoring bodies;

(bb) a representative of organisations of parents of learners with special education needs;

(cc) a representative of organisations of disabled persons;

(dd) a disabled person; and

(ee) an expert in appropriate fields of special education needs.

(23) The Head of Department may approve the composition and term of office of a governing body at a school that differs from the composition contemplated in subregulations (1), (2), (3), (4), (5) and (6) if—

(a) the governing body of the school has applied in writing for such different composition and provided reasons therefor; or

(b) a governing body needs to be established to perform the functions of a governing body in the interim, to facilitate the establishment of a new school,

and the Head of Department is satisfied that such composition is in the interest of education at the school.

(24) Except for a school referred to in section 12(1)*(g)* of the Act, in the circumstances contemplated in subregulation (23)*(a)* the number of parent members serving on a governing body of a school contemplated in subregulations (1), (2), (3), (4) and (5) must comprise one more than the combined total of other members who have voting rights.

(25) The Head of Department may at any time in his or her discretion, withdraw the approval contemplated in subregulation (23)*(b)* and dissolve the interim governing body concerned, whereupon a new governing body must be composed in accordance with subregulation (1), (2), (3), (4), (5) or (6), as the case may be.

(26) For the purpose of the establishment of an interim governing body as contemplated in subregulation (23)*(b)*, the district director, in consultation with the principal, if applicable, must submit to the Head of Department the names and particulars of sufficient persons to perform all the functions of the governing body.

Ineligibility to serve as members on governing body and disqualification of members of governing body

3. A person may not be nominated for or appointed as a member of a governing body or continue to be a member of a governing body if he or she—

(a) has at any time been convicted by a court of law of an offence for which he or she received a suspended prison sentence without the option of a fine, or was sentenced to imprisonment without the option of a fine, unless he or she has received a free pardon, or the period of suspension or imprisonment has expired at least three years before the date of his or her nomination or appointment as a member of the governing body;

(b) has been declared unsuitable to work with children in terms of the Children's Act, 2005 (Act 38 of 2005), or the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007);

(c) is mentally ill and has been declared as such by a court of law;

(d) is an unrehabilitated insolvent;

(e) with the exception of the principal, in the case of an educator appointed in terms of the Employment of Educators Act, 1998 (Act 76 of 1998), has been found guilty of misconduct and has—

(i) received a fine;

(ii) been suspended without pay;

(iii) been demoted; or

(iv) received a combination of the sanctions contemplated in subparagraphs (i) to (iii),

unless the period of his or her sanction has expired at least three years before the date of his or her nomination or appointment as a member of the governing body;

(f) in the case of a non-educator appointed in terms of the Public Service Act, 1994, or by the governing body, has been found guilty of misconduct and has—

(i) been suspended without pay;

(ii) been demoted; or

(iii) received a combination of the sanctions contemplated in subparagraphs (i) and (ii),

unless the period of his or her sanction has expired at least three years before the date of his or her nomination or appointment as a member of the governing body;

(g) in the case of a parent candidate, does not have a child enrolled as a learner at the school concerned;

(h) in the case of a learner, has at any time been expelled from a school by the Head of Department or suspended by a governing body; or

(i) has been removed from a governing body by the Head of Department in terms of regulation 5(3) during the previous three years.

Vetting

4. (1) A person nominated to serve on the governing body as contemplated in regulations 18, 21, 24 and 26 must consent in writing to being vetted by an accredited vetting agency to determine compliance with regulation 3, where necessary.

(2) If the vetting process determines that a person elected to serve on the governing body may not serve on the governing body, the membership of the governing body must be determined in terms of these regulations.

(3) If an allegation is made by any person to a governing body against a member of the governing body that he or she does not comply with regulation 3, the chairperson of the governing body, or if the allegation has been made against the chairperson, the district director, must notify the member concerned in writing of the allegation and afford him or her an opportunity to make a written representation to the governing body within 14 days of receipt of the notification.

(4) The member against whom an allegation has been made as contemplated in subregulation (3) must recuse himself or herself from the meeting of the governing body when the matter is deliberated, and a decision is taken.

(5) If the governing body decides to vet the member contemplated in subregulation (3) to determine compliance with regulation 3, the chairperson or the district director, as the case may be, must inform the member in writing of the decision within five days of the decision being taken.

(6) In the circumstances contemplated in subregulation (5), the governing body must without delay approach an accredited vetting agency to vet the member within 14 days of the decision being taken to determine compliance with regulation 3.

(7) If the vetting agency finds that the member does not comply with regulation 3, it must report in writing to the chairperson or district director, as the case may be, who must then, within 30 days of receiving the report—

(a) provide a copy of the report to the Head of Department and recommend the termination of membership of the member as contemplated in regulation 5(3); and

(b) notify the member concerned of the report and the recommendation contemplated in paragraph *(a)*.

(8) The Head of Department must consider the report and respond to the recommendation within 20 days of receipt of the report.

(9) The school is responsible for any costs incurred by any vetting undertaken in terms of this regulation.

Term of office of members of governing body

5. (1) Subject to subregulations (3) and (4) and regulations 6, 7, 30(2) and 31(15), the term of office of a member of a governing body who is not a learner must be three years and is effective from the date when the school electoral officer declares the governing body freely and fairly elected.

(2) The term of office of a learner member must be one year.

(3) The Head of Department may—

(a) at any time suspend or terminate the membership of a governing body member for a breach of the code of conduct as contemplated in section 26A of the Act; or

(b) terminate the membership of a governing body member—

(i) for not complying with regulation 3; or

(ii) in terms of regulation 6(3).

(4) Subject to subregulation (5), if a person elected as a member of a governing body as contemplated in regulation 2(1), (2), (3), (4), (5) or (6) ceases to fall within the category contemplated in that regulation in respect of which he or she was elected as a member, he or she ceases to be a member of the governing body.

(5) If the term of office of a parent member is due to cease because the only child he or she has at the school is leaving the school and the parent member has already received written confirmation of acceptance from the school in respect of the enrolment of a second child at the same school in the next school year, the parent may remain a member of the governing body on condition that the first child leaves the school on the last day of the preceding term and the second child starts at that school on the first day of the new term.

(6) If a combined school or intermediate school is restructured as a—

(a) primary school, the composition of the governing body contemplated in regulation 2(1) remains unchanged, subject to subregulations (7) and (9), until the term of office of the members of the governing body expires; or

(b) secondary school, the composition of the governing body contemplated in regulation 2(1) remains unchanged, subject to subregulation (8) and (9), until the term of office of the members of the governing body expires.

(7) In the circumstances contemplated in subregulation (6)*(a)*, if there are more parents on the governing body than provided for in regulation 2(2), (3), (4) or (5), as the case may be, an election of parent members as contemplated in regulation 19 must be held within 90 days of the restructuring.

(8) In the circumstances contemplated in subregulation (6)*(b)*, if the number of the parents on the governing body is less than the number of parents provided for in regulation 2(1), an election of parent members as contemplated in regulation 19 must be held within 90 days of the restructuring.

(9) In the circumstances contemplated in subregulation (6), in order to continue as a member of the governing body, the member must remain eligible in terms of these regulations to serve on the governing body of the primary school or the secondary school.

(10) A member of a governing body may be re-elected or co-opted, as the case may be, after the expiry of his or her term of office if he or she is eligible to be a member in terms of these regulations.

Vacancies in governing body

6. (1) A vacancy occurs in a governing body if a member—

(a) tenders his or her written resignation and does not withdraw the resignation before it is formally noted by the governing body in a meeting;

(b) dies;

(c) is absent from three consecutive meetings of the governing body without valid reason, after having been duly notified of the meetings;

(d) becomes ineligible as contemplated in regulation 3 or 5(4); or

(e) has been removed from office in terms of regulation 5(3).

(2) In the circumstances contemplated in subregulation (1)*(c)*—

(a) the governing body must minute the absences;

(b) after the second absence, the secretary of the governing body must notify the absent member that the governing body will request the Head of Department to terminate his or her membership if he or she is absent a third time;

(c) after the third absence, the governing body must request the Head of Department to terminate the membership of the absent member; and

(d) the secretary must notify the absent member in writing that the governing body has requested the Head of Department to terminate his or her membership.

(3) If the Head of Department is satisfied that the member was absent from three consecutive meetings of the governing body without valid reason, the Head of Department must terminate the membership of the member and notify the member of the termination within 21 days of receiving the request contemplated in subregulation (2)*(c)*.

(4) A person whose membership is terminated as contemplated in subregulations (2) and (3) may appeal to the Provincial Minister within 14 days of receiving the notification contemplated in subregulation (3).

(5) The Provincial Minister must consider the appeal and decide the matter in writing within 21 days of receipt of the appeal.

(6) When a vacancy occurs—

(a) in a governing body composed in terms of regulation 2(23)*(b)*, the Head of Department must appoint a member in the vacancy;

(b) in a governing body composed in terms of regulation 2(1), (2), (3), (4), (5), (6) or (23)*(a)*, the vacancy must be filled through a by-election in accordance with the election procedures set out in these regulations—

(i) in the case of a parent member, within 90 days after the occurrence of the vacancy; and

(ii) in the case of an educator vacancy, non-educator vacancy or learner vacancy, within 14 days after the occurrence of the vacancy.

(7) A member appointed in accordance with subregulation (6)*(a)* or elected to fill a vacancy by means of a by-election in accordance with subregulation (6)*(b)* obtains membership for the unexpired period of the term of office of his or her predecessor, with voting rights, subject to regulation 5.

(8) If a vacancy has been filled—

(a) in accordance with subregulation (6)*(a)*, the Head of Department must; or

(b) in accordance with subregulation (6)*(b)*, the secretary of the governing body must,

notify the principal in writing of the name of the person who is no longer a member of the governing body and of the name and address of the person's successor.

(9) A temporary vacancy occurs in a governing body if a member is absent from three consecutive meetings of the governing body with a valid reason.

(10) In the circumstances contemplated in subregulation (9) the member must notify the governing body that he or she will not be able to perform his or her functions on the governing body for three consecutive meetings and provide a reason for the absence.

(11) If the governing body accepts the reason contemplated in subregulation (10) and consents to the absence, it must co-opt a person from the same category of members as the absent member to perform the functions of the absent member, including exercising voting rights, until such time as the absent member is able to resume his or her functions on the governing body.

(12) If the governing body rejects the reason contemplated in subregulation (10) and does not consent to the absence, the member must tender his or her written resignation and the vacancy must be dealt with as contemplated in subregulation (6).

(13) In the circumstances contemplated in subregulation (11) the secretary of the governing body must notify the principal in writing of the name of the member who is temporarily absent and the name and address of the person who is temporarily performing the functions of the absent member.

Dissolution and recomposition of governing body

7. (1) The Head of Department may dissolve a governing body if—

(a) he or she is of the opinion that, owing to the merger of schools or the division of a school or other re-organisation of school facilities, it is necessary to afford parents of the schools or school concerned an opportunity to elect members of a new governing body that will be properly representative of the parents of learners attending the schools or school after such merger, division or re-organisation;

(b) the governing body has failed to perform its functions satisfactorily or has acted in a manner that is not in the best interest of the school;

(c) at least 60 per cent of all parents entitled to vote under regulation 8(1) vote, at a parents' meeting convened for this purpose, in favour of a motion of no confidence in the governing body.

(2)*(a)* The chairperson of a governing body must, within 14 days after he or she has been requested to do so in writing by not less than 30 per cent of the parents entitled to vote in terms of regulation 8(1), convene a parents' meeting referred to in subregulation (1)*(c)*.

(b) If the chairperson does not respond to the request contemplated in paragraph *(a)*, the parents may approach the district director, who must convene a mediation meeting between the governing body and a delegation of the parents within five days of being approached by the parents.

(c) If the governing body and parents do not reach agreement at the mediation meeting contemplated in paragraph *(b)*, the district director must within five days of the mediation meeting appoint from the relevant education district office—

(i) the circuit manager; or

(ii) the head of management and governance,

as chairperson for the parents' meeting contemplated in subregulation (1)*(c)* and request that chairperson to convene that meeting.

(d) The chairperson contemplated in paragraph *(c)* must—

(i) without delay convene a parents' meeting contemplated in subregulation (1)*(c)*, which meeting must be held within 14 days of the chairperson being appointed in terms of paragraph *(c)*; and

(ii) within five days of being requested to do so by the district director, ensure that written notice of the meeting is given, either by sending the notice by post to all parents or by handing the notice to each learner with the oral instruction to hand it to his or her parents.

(3) Where a governing body has been dissolved under subregulation (1), it becomes inoperative on a date fixed by the Head of Department.

(4) As soon as possible after the date on which a governing body becomes inoperative—

(a) the district director must furnish the Head of Department with a list of names of persons, in order of preference, who are eligible to be appointed as members of the governing body; and

(b) the Head of Department must appoint sufficient persons from that list to perform the functions of a governing body at the school for a period not exceeding three months.

(5) The Head of Department must notify the principal forthwith in writing of the names and addresses of the members of the governing body appointed in terms of subregulation (4).

(6) The Head of Department may extend the period referred to in subregulation (4) by further periods not exceeding three months each, but the total period may not exceed one year.

(7) A governing body must be elected under these regulations within a year after the appointment of the persons referred to in subregulation (4).

(8) When the Provincial Minister closes a school in terms of section 18 of the Act, the governing body of that school dissolves on the last day of the school term preceding the date of the closure of the school.

Franchise

8. (1) Every parent who has one or more children enrolled as learners at a school is entitled to vote for parent members of the governing body at that school, and may vote only once for a particular nominee, with a maximum number of votes equal to the number of parent members to be elected.

(2) In the circumstances contemplated in subregulation (1) no more than two parents per learner are permitted to vote.

(3) Every educator employed at a school, including the principal, is entitled to vote for educator members of the governing body at that school, and may vote only once for a particular nominee, with a maximum number of votes equal to the number of educator members to be elected.

(4) Every member of a representative council of learners at a school is entitled to vote for learner members of the governing body at that school and may vote only once for a particular nominee, with a maximum number of votes equal to the number of learner members from the representative council to be elected.

(5) Every member of the non-educator staff at a school is entitled to vote for the non-educator member of the governing body and has one vote: Provided that if the school has only one non-educator, that member is automatically elected.

Modes of election

9. (1) The election of a governing body must take place by means of—

(a) a manual election; or

(b) an e-election.

(2) A voting station for the election of a governing body must—

(a) open at 7:00 and close at 20:00; and

(b) during the time contemplated in paragraph *(a)* be open for at least 10 hours in total.

(3) The principal may not less than 30 days before the date of the election of the governing body—

(a) notify the district director that a manual election will be used; or

(b) apply to the district director for approval to use an e-election.

(4) The district director must, within five days of receipt of the application contemplated in subregulation (3)*(b)*—

(a) consider the application and decide the matter; and

(b) inform the principal in writing of the decision.

(5) The district director must grant the application contemplated in subregulation (3)*(b)* if he or she is satisfied that—

(a) an e-election will promote the best interests of the school community and the school concerned;

(b) an e-election will allow for maximum participation of voters;

(c) an e-election will not compromise the voters' ability to vote for candidates;

(d) an e-election will not discriminate unfairly against any potential voters;

(e) effective provision is made for a fair nomination process in the run-up to the e-election; and

(f) sufficient resources are available for an e-election.

(6) The principal must communicate the mode of election to the school electoral officer—

(a) upon notifying the district director that a manual election will be used as contemplated in subregulation (3)*(a)*; or

(b) within two days of receiving the written decision from the district director as contemplated in subregulation (4)*(b)*.

(7) The school electoral officer must—

(a) inform the district electoral officer of the mode of the election within two days of being informed of the mode of election by the principal as contemplated in subregulation (6); and

(b) submit a management plan for the election to the district electoral officer at least 14 days before the date of the election.

(8) The management plan contemplated in subregulation (7)*(b)* must contain at least the following:

(a) the proposed date, time and venue for the election;

(b) the time slot when the votes will be counted; and

(c) a schedule for the processes of the school electoral team members monitoring the nomination validation meeting and the polling and counting of votes.

School electoral officer

10. (1) The district director must, subject to subregulation (2), appoint a principal, or second in charge if needed, of another school or, failing both, the circuit manager of the relevant education district office, in writing as the school electoral officer to conduct the nomination and election, as the case may be, of parent, educator and non-educator members contemplated in regulation 2(1), (2), (3), (4), (5) and (6) to a governing body.

(2) The principal, second in charge or circuit manager contemplated in subregulation (1) may not be appointed as school electoral officer at a school if he or she has children enrolled at that school or has not been trained and certified as a school electoral officer.

(3) The school electoral officer may appoint one or more educators or non-educators to assist at a nomination validation meeting and election.

(4) The school electoral officer must ensure that the school electoral team understands the electoral process to be followed and complies with these regulations.

(5) The school electoral officer must preside over the election of members of a governing body, excluding the election of learner members and office-bearers.

(6) The school electoral officer must ensure that the school where the elections take place establishes an electoral office by providing a room with a telephone, cell phone with data as well as a computer and printer for the use of the school electoral officer and the school electoral team for the duration of the nomination validation meeting and for the polling and counting-of-votes processes.

(7) The school electoral team must use the school stamp from the school where the school electoral officer is employed when stamping the nomination forms and ballot papers.

Duties of school electoral officer

11. A school electoral officer must—

(a) ensure that there is a suitable venue for the nomination validation meeting, the poll and the counting of votes;

(b) in the case of e-voting, ensure that one or more e-voting stations have been established;

(c) intervene in and resolve any disputes on the day of the nomination validation meeting, the poll and the counting of the votes; and

(d) submit the results of the election to the district electoral officer.

Duties of district electoral officer

12. A district electoral officer must—

(a) co-ordinate the governing body election processes in the district;

(b) advise the education district office on the proposed strategy and implementation of the governing body elections in the district and ensure that the process is conducted as agreed with the provincial election co-ordinator;

(c) compile a management plan to implement the governing body elections;

(d) ensure that each school has an electoral officer and that the school electoral team is established;

(e) ensure that the school electoral officers have the forms contemplated in the annexures and all necessary documents for the election process;

(f) ensure that all school electoral teams are adequately trained and are aware of what their role entails;

(g) ensure that school electoral team members receive these regulations and other documents relevant to the elections timeously;

(h) ensure that election advocacy is conducted as planned;

(i) ensure that the education district officials monitor the election process;

(j) ensure that the names and contact details of the persons elected to the governing bodies are submitted to the provincial election co-ordinator within seven days of the elections taking place;

(k) ensure that the names of the office-bearers are submitted to the provincial election co-ordinator within seven days of the receipt thereof from the principal;

(l) ensure that the names of members who have been—

(i) co-opted to the governing body as contemplated in regulation 2(8) and (10); or

(ii) appointed or elected to the governing body to fill a vacancy as contemplated in regulation 6(6),

are submitted to the provincial election co-ordinator within 14 days of the receipt of these names from the principal;

(m) develop and maintain a database of newly elected members of governing bodies in the education district and submit it to the provincial election co-ordinator; and

(n) compile a written report on the governing body elections and submit it to the provincial election co-ordinator.

Duties of provincial election co-ordinator

13. The provincial election co-ordinator must—

(a) compile a provincial implementation management plan for the governing body elections;

(b) ensure that there is adequate advocacy regarding the election dates;

(c) co-ordinate all resources to conduct efficient and fair governing body elections;

(d) monitor and evaluate the election process in the province; and

(e) consolidate a database of elected governing body members in the province.

Code of conduct

14. A school electoral officer, district electoral officer, provincial election co-ordinator and school electoral team member must—

(a) act honestly and courteously;

(b) act in a fair and unbiased manner;

(c) be familiar with the election process and applicable legislation pertaining to governing body elections;

(d) conduct the election according to these regulations;

(e) co-operate with the principal;

(f) manage the election process in a fair and just manner; and

(g) not exceed his or her powers.

Voters' rolls

15. (1) The principal must make a voters' roll for each of the following categories of voters, containing the names of all parents, educators and non-educators at the school who are entitled to vote as contemplated in regulation 8, as follows:

(a) the voters' roll for parents must be based on the school admission register and must consist of those persons whose names are recorded in the admissions register as parents, or who can show proof that they are parents of learners enrolled in the school;

(b) the voters' roll for educators must consist of all educators employed at the school; and

(c) the voters' roll for non-educators must consist of all non-educators employed at the school.

(2) The principal must ensure that there are no duplicate names on the voters' rolls and ensure that there is a maximum number of two parents per learner reflected on the voters' roll for parents contemplated in subregulation (1)*(a)*.

(3) The voters' roll for parents must be made available to parents for scrutiny at least 14 days before the election.

(4) The parents may check the voters' roll for parents to determine whether their names appear on it and raise a dispute within five days of the voters' roll being made available as contemplated in subregulation (3).

(5) The principal must consider a dispute contemplated in subregulation (4) and, where necessary, amend the voters' roll within five days of receiving notice of the dispute.

(6) The principal must finalise the voters' roll for parents, educators and non-educators four days before the election, and no names may be added subsequent to finalisation.

(7) The school electoral officer must verify the voters' rolls after the principal has finalised them in terms of subregulation (6).

Date, time and venue of nomination validation meeting and election of parent members

16. (1) The school electoral officer after consultation with the principal must—

(a) determine a date, time slots and venue for—

(i) a meeting to validate the nominations from parents, which meeting must be held at least 10 days before the election;

(ii) an election of parent members; and

(iii) the counting of votes; and

(b) inform the principal in writing thereof.

(2) The nomination and election of parent members must be preceded by the election of the other categories of members of the governing body as contemplated in regulations 24, 25, 26 and 27.

(3) In the case of a new school, the meeting to validate the nominations from parents and the election of parent members must be held not later than 90 days after the opening of the school to learners.

(4) The Head of Department may, if it is reasonably required in the circumstances, allow an extension in writing of the period contemplated in subregulation (3), but such extension may not exceed six months after the establishment of the school.

Notice of nomination validation meeting and election of parent members

17. (1) The school electoral officer must prepare a notice, in the form of Annexure A, of the nomination validation meeting and election contemplated in regulation 16 and a nomination form, in the form of Annexure B, and must, at least 21 days before the election, provide the principal with a copy of the notice and nomination form in order that the provisions of subregulation (4) may be implemented.

(2) The notice to the parents must—

(a) state the date, time and venue of the nomination validation meeting;

(b) state that parent candidates may attend the nomination validation meeting;

(c) state the date, time slots and venue of the poll;

(d) include a reminder that parents must bring a form of identification to be allowed to vote;

(e) indicate the date, time slots and venue of a follow-up poll, to be held not less than seven days and not more than 11 days after the first poll, should a quorum not be achieved at the first poll as contemplated in regulation 19(2);

(f) inform parents that they may lodge with the school electoral officer an objection in writing to any nomination until 16:00 on the day before the election; and

(g) encourage parents to take the following factors into account when nominating and voting for parent candidates:
(i) the principle of equity;
(ii) the need to redress past injustices; and
(iii) the need for representivity.

(3) The identification contemplated in subregulation (2)*(d)* must be a South African identity card, a green barcoded identity document, a temporary identity document issued by the Department of Home Affairs or, in the case of a foreigner, a permit issued in terms of the Immigration Act, 2002 (Act 13 of 2002): Provided that in the event of such identification not being available an alternative form of identification may be accepted by a member of the school electoral team.

(4) The principal must at least 21 days before the date of the election for parent members—

(a) ensure that the educators hand copies of the notice and nomination form to every learner of the school concerned with the oral instruction to hand it to his or her parents;
(b) ensure that copies of the notice and nomination form are sent to the parents of every learner at the school by post, if he or she deems it expedient;
(c) use a combination of the two notification methods contemplated in paragraphs *(a)* and *(b)*; or
(d) use any other method to notify the parents of every learner at the school of the nomination validation meeting and election of parent members, as long as the method of notification does not place any parents at a disadvantage or impede their participation in the election process.

Nomination process in manual election

18. (1) To nominate a parent candidate in a manual election, the parent of a learner at the school must lodge with the school electoral officer, not later than 11 days before the election, a nomination form in the form of Annexure B, duly completed by the proposer, seconder and parent candidate.

(2) A nomination contemplated in subregulation (1) must be seconded by another parent.

(3) A parent may not nominate himself or herself.

(4) At the nomination validation meeting the school electoral team must consider the nominations and reject the nomination of any parent who—

(a) has not been nominated in accordance with subregulation (1);
(b) is ineligible as contemplated in regulation 3; or
(c) nominated himself or herself,

and thereafter the school electoral officer must compile a nomination list and notify the principal and the parents of the names of the parents whose nomination have been accepted.

(5) The principal, at least two days before the date of the election for parent members—

(a) must ensure that the educators hand copies of the nomination list contemplated in subregulation (4) to every learner of the school concerned with the oral instruction to hand it to his or her parents; or
(b) may use any other method to notify the parents of every learner at the school of that nomination list, as long as the method of notification does not place any parents at a disadvantage or impede their participation in the election process.

(6) If the total number of parent candidates whose nominations have been accepted as contemplated in subregulation (4) is less than the number of members required in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the school electoral officer must within two days of the nomination validation meeting—

(a) inform the principal in writing thereof;

(b) inform the parents and request additional parent candidates be nominated not more than four days after the nomination validation meeting; and

(c) convene a second nomination validation meeting to be held not more than five days after the date of the first nomination validation meeting.

(7) In the circumstances contemplated in subregulation (6)*(c)*—

(a) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulation (4), is more than the number of members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned—

(i) the school electoral officer must inform the principal and the parents at least five days before the election of the names of the parents whose nominations have been accepted; and

(ii) a poll must be held in accordance with regulation 19;

(b) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulation (4), is equal to the number of the members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the process contemplated in subregulation (9) must be followed; or

(c) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulation (4), is less than the number of members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the school electoral officer must within two days of the second nomination validation meeting—

(i) inform the principal in writing thereof;

(ii) inform the parents and request additional parent candidates be nominated not more than six days after the date of the second nomination validation meeting contemplated in subregulation (6)*(c)*; and

(iii) convene a third nomination validation meeting to be held not more than seven days after the date of the second nomination validation meeting contemplated in subregulation (6)*(c)*.

(8) In the circumstances contemplated in subregulation (7)*(c)*(iii)—

(a) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulations (4) and (7), is more than the number of members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the process contemplated in subregulation (7)*(a)* must be followed;

(b) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulations (4) and (7), is equal to the number of the members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the process contemplated in subregulation (9) must be followed; or

(c) if the total number of parent candidates whose nominations have been accepted, including the nominations accepted in terms of subregulations (4) and (7), is less than the number of members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the process contemplated in regulation 16(1) must be followed.

(9) If the total number of parent candidates whose nominations have been accepted as contemplated in subregulation (4) is equal to the number of the members determined in terms of regulation 2(1)*(a)*, (2)*(a)*,

(3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, the school electoral officer must declare every accepted parent candidate to be a duly elected member of the governing body.

(10) If the total number of parent candidates whose nominations have been accepted as contemplated in subregulation (4) is more than the number of members determined in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned, a poll must be held in accordance with regulation 19.

Poll at election of parent members in manual election

19. (1) The poll contemplated in regulation 18(7)*(a)*(ii), (8)*(a)* or (10) must be held on the date and at the time and venue determined in accordance with the nomination and election process.

(2) A quorum of parents—

(a) consists of 10 per cent of the total number of parents on the voters' roll having voted; and

(b) must be determined by the school electoral officer at the end of the poll.

(3) The school electoral officer must issue every parent who is entitled to and wishes to vote with an approved ballot paper on which the school stamp contemplated in regulation 10(7) appears.

(4) A parent must record his or her vote on the ballot paper contemplated in subregulation (3): Provided that if a parent is on account of illiteracy, blindness or any other physical defect unable to record his or her vote, the school electoral officer may, at the request of that parent and in the presence of a witness chosen by the parent, record the vote for the parent candidate or parent candidates indicated by that parent.

(5) The school electoral officer must reject a ballot paper—

(a) on which the school stamp contemplated in subregulation (3) does not appear;

(b) on which more votes are recorded than the number of members to be elected in accordance with regulation 2; or

(c) which is completed in such a way that it is in the opinion of the school electoral officer unclear for which parent candidate or parent candidates a vote was recorded.

(6) After the school electoral officer has rejected any spoilt ballot papers as contemplated in subregulation (5), he or she must—

(a) in the presence of every parent candidate who wishes to be present, ensure that the votes recorded for every parent candidate are counted by the school electoral team; and

(b) declare the determined number of parents in terms of regulation 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* or (6)*(a)* in respect of the governing body concerned for whom the greatest number of votes were recorded to be duly elected members of the governing body and state the number of votes recorded for every parent candidate.

(7) If the number of votes recorded for two or more parent candidates is equal and it affects the result of the poll, the school electoral officer must, in the presence of every parent candidate who wishes to be present, draw lots to determine which of the parents is successfully elected.

(8) If a quorum contemplated in subregulation (2)*(a)* was not achieved at the poll, the school electoral officer must—

(a) inform the principal and the parents; and

(b) inform the parents of the date of the follow-up poll as contemplated in regulation 17(2)*(e)*.

(9) At the follow-up poll no quorum of parents is required.

(10) No proxy votes are accepted for governing body elections.

Role of school in selecting e-election

20. In selecting the e-election mode of election, the principal must—
(a) apply to the district director for approval to use this mode of election as contemplated in regulation 9(2)*(b)*;
(b) inform parents about the application;
(c) before the election provide guidance to the parents by means of a manual on how to use the e-election mode;
(d) ensure that a person who has thorough knowledge of the operation of an e-election is available to provide technical support before and on the day of the election;
(e) set up at least one e-voting station at the school for the duration of the election to make provision for those who wish to vote at the school;
(f) ensure that there is a generator available in the case of no electricity supply;
(g) allocate and provide staff members who will be available to assist the school electoral team for the duration of the nomination, polling and counting process; and
(h) ensure that parents register to vote with a selection of security questions at least five days before the election.

Nomination process for e-election

21. (1) The nomination process contemplated in regulation 18 applies, unless the system provides for the nomination process for an e-election to be undertaken online electronically, in which case the nomination process contemplated in regulation 18 applies with the necessary changes.

(2) Where the nomination process is to be undertaken online electronically, the system must be programmed to—
(a) provide a parent with log-on details with a unique one-time personal identification number to enable him or her to nominate parent candidates;
(b) verify the identification of the parent when he or she logs on through the personal identification number contemplated in paragraph *(a)*, based on the voters' roll for parents; and
(c) provide an online nomination form to the parent to enable him or her to nominate parent candidates.

(3) A parent must log off after making nominations.

(4) The staff members contemplated in regulation 20*(g)* must assist parents to upload documents when required to do so.

Polling during e-election

22. (1) The system must be programmed to—
(a) provide a parent with log-on details with a unique one-time personal identification number to enable him or her to vote in the poll;
(b) verify the identification of the parent when he or she logs on through the personal identification number contemplated in paragraph *(a)*, based on the voters' roll for parents; and
(c) provide an online ballot paper to the parent to enable him or her to vote for the required number of parent candidates.

(2) A parent must log off after voting.

Counting of votes during e-election

23. (1) The system must be programmed to be able to calculate and provide results as soon as the election time has lapsed.

(2) The school electoral officer must verify the results of the poll contemplated in regulation 22.

(3) If the number of votes recorded for two or more parent candidates is equal and it affects the result of the poll, the school electoral officer must, in the presence of every parent candidate who wishes to be present, draw lots to determine which of the parents are successfully elected.

Nomination and election meeting of educator members

24. (1) The school electoral officer must, in a notice in the form of Annexure C, indicate a date, time and venue for a meeting for the nomination and election of educator members of the governing body, which must be held at least 11 days before the election of parent members.

(2) To nominate an educator, an educator on the establishment of the same school must—

(a) lodge with the school electoral officer, not more than seven days before the date of the nomination and election meeting, a nomination form in the form of Annexure D, duly completed by the proposer, seconder and educator candidate; or

(b) propose an educator as a member of the governing body during the nomination and election meeting.

(3) A nomination contemplated in subregulation (2)*(b)* must be seconded by another educator, and a nomination form in the form of Annexure D must be duly completed by the proposer, the seconder and, if present, the educator nominee and must be lodged with the school electoral officer within the time contemplated in subregulation (4).

(4) If a quorum as contemplated in regulation 25(2) is reached, the school electoral officer must determine the time to be allowed for the nomination of educator candidates during the nomination and election meeting and must inform the meeting thereof.

(5) An educator may not nominate himself or herself.

(6) After expiry of the time contemplated in subregulation (4) the school electoral officer must consider the nominations and reject the nomination of any educator who—

(a) has not been nominated in accordance with subregulation (2)*(a)* or (3);

(b) is ineligible as contemplated in regulation 3;

(c) in the case of a nomination contemplated in subregulation (2)*(b)*, has not completed the nomination form, unless written proof to the satisfaction of the school electoral officer is submitted before the expiry of the time contemplated in subregulation (4) that the educator candidate is willing to serve as a member of the governing body; or

(d) has nominated himself or herself,

and thereafter the school electoral officer must announce the names of the educator candidates whose nominations have been accepted.

(7) If the total number of educator candidates whose nominations have been accepted as contemplated in subregulation (6)—

(a) is less than the number of members determined in terms of regulation 2(1)*(b)*, (2)*(b)* or (6)*(b)* in respect of the governing body concerned, a new meeting at which new educator candidates must

be nominated must be convened, which meeting is to be held within seven days of the first meeting in accordance with the procedures as set out in these regulations;

(b) is equal to the number of members determined in terms of regulation 2(1)*(b)*, (2)*(b)* or (6)*(b)* in respect of the governing body concerned, the school electoral officer must declare every accepted educator candidate to be a duly elected member of the governing body; or

(c) is more than the number of members determined in terms of regulation 2(1)*(b)*, (2)*(b)* or (6)*(b)* in respect of the governing body concerned, a poll must be held in accordance with regulation 25.

(8) If there are ten or fewer educators on the establishment of a school, the procedure for the nomination of educator members is not followed, but the procedure for the poll contemplated in regulation 25 must be followed.

Poll at election of educator members

25. (1) The school electoral officer must prepare a notice of the nomination and election meeting and must distribute a copy of the notice to every educator on the establishment of the school at least seven days before the poll.

(2) A quorum at the poll consists of the presence of one more than half of the total number of educators on the establishment of the school.

(3) The school electoral officer must issue each educator who wishes to cast his or her vote with an approved ballot paper on which the school stamp contemplated in regulation 10(7) appears.

(4) An educator contemplated in subregulation (1) who wishes to vote must cast his or her vote by writing the names of not more than two educator candidates on the ballot paper.

(5) The school electoral officer must reject a ballot paper—

(a) on which the school stamp contemplated in subregulation (3) does not appear;

(b) on which the names of more than two educator candidates appear; or

(c) that is completed in such a way that it is, in the opinion of the school electoral officer, unclear for which educator candidate or educator candidates a vote was recorded.

(6) The two educator candidates for whom the greatest number of votes have been recorded must be declared by the school electoral officer as duly elected.

(7) If no educator candidate receives a majority of the votes, the candidate who receives the lowest number of votes must be eliminated and a further vote taken on the remaining candidates in accordance with these regulations.

(8) The procedure contemplated in subregulation (7) must be repeated until there are two educator candidates, who must be declared by the school electoral officer as duly elected.

(9) When applying subregulation (7), if two or more educator candidates each have the lowest number of votes, a separate vote must be taken on those candidates and repeated as often as may be necessary to determine which candidate is to be eliminated.

Nomination and election of non-educator member

26. The procedure for the nomination and election of educator members applies, with the necessary changes, to the nomination and election of a non-educator member.

Nomination and election of learner members

27. The two learner members contemplated in regulation 2(1)*(d)* and (6)*(d)* must be elected by the representative council of learners from its own ranks as contemplated in the Determination of the Functions and Procedures for the Establishment and Election of Representative Councils of Learners at Public Schools made by the Provincial Minister under Provincial Notice 272/2014 in *Provincial Gazette* 7317, dated 13 October 2014.

Decisions of school electoral officer

28. (1) The school electoral officer must decide and settle all matters connected with the nomination of candidates and election of members.

(2) Subject to regulation 29(1), all disputes about the nomination and election process must be reported to the school electoral officer.

(3) The school electoral officer must endeavour to resolve all disputes in order to declare the elections undisputed.

(4) A decision of the school electoral officer during the nomination and election process is final.

(5) The school electoral officer must decide and settle an objection to a nomination contemplated in regulation 17(2)*(f)* after the election.

(6) Should there be a dispute that the school electoral officer is unable to resolve, the nominations and elections must go ahead.

Decisions of district electoral officer

29. (1) Any person who wishes to lodge an objection against a decision of a school electoral officer must, within seven days after the election of members in the category concerned, lodge the objection in writing with the district electoral officer concerned.

(2) Any person may, within seven days after the election of members in the category concerned, refer an unresolved dispute contemplated in regulation 28(6) to the district electoral officer.

(3) The district electoral officer must consider the objection contemplated in subregulation (1) or the referral contemplated in subregulation (2) and respond in writing within seven days of receipt of the objection or referral.

(4) Any person who becomes aware of an alleged irregularity in the election process after the election may refer the alleged irregularity to the district electoral officer within seven days after the announcement of the governing body members.

(5) Any person who is not satisfied with a decision of the district electoral officer may lodge an appeal with the Provincial Minister within 21 days after receiving the decision of the district electoral officer.

(6) The Provincial Minister must consider the appeal and decide the matter in writing within 21 days of receipt of the appeal.

Procedure after election of governing body

30. (1) After the election of a governing body the school electoral officer must—

(a) make a scanned copy of all documents used in the nomination and election of the members, including all completed ballot papers used in the election and all nomination forms received and—

(i) forward a scanned copy to the school principal; and

(ii) retain a scanned copy;

(b) place the original documents contemplated in paragraph *(a)* in envelopes, seal the envelopes and give them to the district electoral officer, who must keep them in safe custody for a period of at least three years from the date of the election of the governing body;

(c) if so satisfied, declare the election to be free and fair;

(d) notify each elected member in writing of his or her election; and

(e) notify the principal and the district electoral officer within three days of the date of the election of the governing body in writing of the names and addresses of the persons elected as members.

(2) The outgoing governing body ceases to exist when the school electoral officer announces the newly elected parent members and declares the election to be free and fair.

First meeting of governing body

31. (1) The first meeting of a newly elected governing body must—

(a) be convened by the principal within five days after he or she received the notice contemplated in regulation 30(1)*(e)*;

(b) be held within 10 days after the election;

(c) be chaired by the principal;

(d) elect the office-bearers of the governing body; and

(e) determine the signatories for financial matters.

(2) The signatories contemplated in subregulation (1)*(e)* must be given signing powers within seven days of the meeting contemplated in subregulation (1).

(3) The principal must convene and chair a meeting between the office-bearers of the outgoing governing body and the office-bearers of the newly elected governing body to be held within seven days of the meeting contemplated in subregulation (1) for the handover process to take place.

(4) At the first meeting of a governing body of a school for learners with special education needs, the members contemplated in regulation 2(6)*(a)*, *(b)*, *(c)*, *(d)* and *(e)* must co-opt the members contemplated in regulation 2(6)*(f)*, *(g)*, *(h)*, *(i)* and *(j)* with voting rights.

(5) At the first meeting of the governing body contemplated in subregulation (1), the body must from among its enfranchised members elect officer-bearers, who must comprise at least a chairperson, a deputy chairperson, a treasurer and a secretary.

(6) No member may hold more than one office of the governing body simultaneously unless the governing body consists of less than five members.

(7) In the circumstances contemplated in regulation 2(1), (2), (3), (4) and (5), only a parent member of a governing body with voting rights may serve as chairperson or deputy chairperson of the governing body.

(8) In the circumstances contemplated in regulation 2(6), any member of the governing body may serve as chairperson or deputy chairperson, except the principal of the school, an educator at the school, a non-educator at the school or a learner.

(9) Subject to subregulations (7) and (8), any enfranchised member of the governing body, excluding the principal, may serve as an office-bearer.

(10) Subject to subregulation (11), the office-bearers must remain in office for a term of 12 months from their election.

(11) An office-bearer of a governing body may be re-elected as an office-bearer after the expiry of his or her term of office, provided that he or she still qualifies to be a member of the governing body.

(12) If for any reason the office of an office-bearer becomes vacant, the governing body must at the first meeting after the vacancy has occurred, elect one of its members to fill the vacancy for the unexpired term of office of his or her predecessor.

(13) The principal must preside at an election contemplated in subregulations (5) and (12).

(14) The principal must, after a meeting at which any office-bearer has been elected in accordance with this regulation, notify the Head of Department by means of the Western Cape Education Department's online management information system of the date of the meeting, the name and address of the person elected and the office into which he or she has been elected.

(15) Subject to regulations 7 and 30(2), at the expiry of his or her term of office, an outgoing office–bearer must perform his or her functions until the election of the new office-bearer who is to replace him or her has taken place, provided that the new office-bearer qualifies to be a member of the governing body.

Committees

32. (1) The governing body—

(a) must establish—

(i) a finance committee;

(ii) a disposal committee;

(iii) a safety, security and business continuity committee;

(iv) a maintenance committee; and

(v) a disciplinary committee for learners; and

(b) may establish as many other committees as it deems necessary.

(2) Subject to subregulation (3), any enfranchised member may serve as chairperson of a committee of the governing body.

(3) The treasurer or, failing him or her, the deputy chairperson must serve as the chairperson of the finance committee and any delegation of the governing body dealing with finance matters.

Meetings of governing body

33. (1) The governing body must meet at least once every school term.

(2) The chairperson of a governing body must after consultation with the principal and the secretary of the governing body determine the date, time and venue of a meeting contemplated in subregulation (1), and the secretary must notify each member in writing thereof at least 14 days before such meeting and provide an agenda for the meeting.

(3) If the chairperson of the governing body is of the opinion that a matter requires urgent attention at a special meeting of the governing body, the secretary of the governing body must give each member at least 24 hours' notice of the special meeting.

(4) No more than three matters may be discussed at a special meeting contemplated in subregulation (3).

(5) Any person may on the invitation of a governing body be present at a meeting of the body and take part in the discussion but may not vote and must leave the meeting when the governing body makes a decision.

(6) A governing body may require any educator or non-educator of the school concerned to attend a meeting of the body in connection with any matter relating to the functions of the governing body.

(7) A quorum for any meeting of a governing body consists of one more than half of the number of all the enfranchised members of the governing body.

(8) Subject to section 22 of the Act and these regulations, a governing body must determine its own rules relating to meetings and the procedures at such meetings.

(9) A member of a governing body who is a learner may not vote on resolutions that impose liabilities on the school or third parties.

(10) Learner members of a governing body must remain present throughout governing body meetings.

(11) The governing body must meet with parents, educators, non-educators and learners at the school, respectively, at least once a year.

(12) No proxy votes are accepted at governing body meetings.

(13) A quorum of the meeting is a prerequisite for a valid governing body meeting to start or to continue, as the case may be.

Minutes of proceedings of meetings

34. (1) The secretary of a governing body must ensure that—

(a) minutes are taken of the proceedings of every meeting of the governing body; and

(b) each member of the governing body is provided with a copy of the minutes at least 14 days before the next meeting.

(2) The secretary of a governing body must provide the principal with a copy of the minutes, and the principal must retain the minutes and other documents of the governing body in a file.

(3) The secretary of a governing body must provide, on reasonable request and for a specific purpose, the Head of Department, or any person duly designated by the Head of Department, with a copy of the minutes.

(4) The secretary of a governing body must provide, on request, a parent of a learner at the school or an educator or a non-educator at the school with a copy of those parts of the minutes relevant to the protection of the rights or interests of the parent or his or her child or the educator or non-educator, as the case may be.

(5) In the circumstances contemplated in subregulations (3) and (4) there must be no violation of the rights of any other persons, or breach of confidentiality where such breach is not in the best interests of the school or member of the governing body, member of staff, parent or learner at the school.

(6) The minutes of a meeting of a governing body or a committee thereof must at the next meeting of the governing body or committee thereof, as the case may be, be submitted for approval and signing.

(7) Upon the dissolution of a governing body or the expiry of its term of office, all minutes and other documents of the governing body and any committee thereof must be handed to the principal of the school.

(8) At the closure of a school, the principal must hand in all minutes and other documents of the governing body or any committee thereof to the relevant district director for safekeeping.

(9) The governing body must render a report on its activities to parents, educators, non-educators and learners at the school at least once a year.

Transitional provisions

35. A governing body at a public school which, at the commencement of these regulations, was validly constituted in terms of the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2017, published under Provincial Notice 156/2017 in *Provincial Gazette* 7810 of 17 August 2017, is regarded as being constituted in terms of these regulations.

Repeal

36. The Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2017, published under Provincial Notice 156/2017 in *Provincial Gazette* 7810 of 17 August 2017, are repealed.

Short title

37. These regulations are called the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2021.

ANNEXURE A

Notice of Nomination Validation Meeting and Election

Election of Parents of Learners to Governing Body

(Regulations 18, 19, 21 and 22 of the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2021)

NAME OF SCHOOL: ______________________________ EMIS NUMBER: ______________

Notice is hereby given that:

1. a parent of a learner who attends the above-mentioned school whose name is on the voters' roll of the school may nominate any other parent of a learner who attends the school whose name is on the voters' roll of the school, or second the nomination of such a parent, by delivering a completed nomination form to the school by latest on ________________________ (date).

2. various nomination validation meetings, which may be attended by parent candidates, will be held on:
   (a) Date: ___________ Venue: _____________________________ Time: _________
   (b) Date: ___________ Venue: _____________________________ Time: _________
   (c) Date: ___________ Venue: _____________________________ Time: _________
   to transact the following business:
   (i) consider all nominations;
   (ii) to reject all nominations that are ineligible or not completed properly; and
   (iii) to compile a list of parent candidates who are eligible to be nominees.

3. The voters' roll of parents, which is based on the school admission register, will be available for scrutiny at the school as from ______________________ (date) at ___________ (time), and a parent has the right to lodge a dispute until ______________________ (date) at ______________ (time) with the school principal. The principal will consider all disputes before publishing the voters' roll for parents by __________________________ (date). No names will be added after _____________________ (date).

4. Any person may lodge an objection to any nomination with the school electoral officer _______________________ (name and surname) in writing by 16:00 on ___________________________ (date).

5. An election will be held on ______________________________________ (date), at ___________________________ (venue), and the voting station will open at ______________ (time) and close at _______________ (time) and will be open for the following slots (if a manual election):

   ____

____
____
____
____
____

This election will only be held if more parent candidates are nominated than the number of members to be elected.

6. A follow-up election may be held on ________________________ (date), at ________________________ (venue), and the voting station will open at ____________ (time) and close at ____________ (time) and will be open for the following slots (if a manual election):

____
____
____
____
____
____

This follow-up election will only be held if more parent candidates are nominated than the number of members to be elected and a quorum was not reached at the previous election. At the follow-up election no quorum is required.

7. Counting of ballots, after a quorum was established, will be held on ______________ (date), at ________________________ (venue), after polling at the election has closed and nominees may attend the session.

8. Counting of ballots will be held on ________________ (date), at ________________________ (venue), after polling at the follow-up election has closed, and nominees may attend the session.

9. You are hereby reminded to—
   (a) bring a form of identification to be allowed to vote. The form of identification must be a South African identity card or green barcoded identity document, a temporary identity document issued by the Department of Home Affairs or, in the case of a foreigner, a permit issued in terms of the Immigration Act, 2002 (Act 13 of 2002); and
   (b) take the following factors into account when nominating and voting for parent candidates:
      (i) the principle of equity;
      (ii) the need to redress past injustices; and
      (iii) the need for representivity.

10. If the number of parent candidates nominated equals the number of members to be elected, the parent candidates will be deemed to be elected governing body members.

11. If the number of parent candidates nominated is less than the number of members to be elected, the school electoral officer will call for more nominations of parent candidates.

DATE

SIGNATURE OF SCHOOL ELECTORAL OFFICER

ADDRESS:

ANNEXURE B

NOMINATION FORM

Election of Parents of Learners as Members of Governing Body

(Regulations 18, 19, 21 and 22 of the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2021)

NAME OF SCHOOL: ____

PROPOSER:

I, ____,
(Full name)

of ____ (residential address)

being a parent of a learner of the above-mentioned school, hereby nominate

____
(Full name of candidate)

as a member of the governing body of the above-mentioned school.

____
SIGNATURE OF PROPOSER

SECONDER:

I, ____,
(Full name)

of ____ (residential address)

being a parent of the above-mentioned school, hereby second the nomination of

____
(Full name of candidate)

as a member of the governing body of the above-mentioned school.

____

SIGNATURE OF SECONDER

CANDIDATE:

I, ____

(Full name)

with PERSAL/EMPLOYMENT/IDENTITY number __________________________________,

of ____

(Residential address)

hereby declare that I am fully aware that—

1. I may not be nominated for or appointed as a member of a governing body or I cease to be a member of a governing body if I—
   (a) have at any time been convicted by a court of law of an offence for which I received a suspended prison sentence without the option of a fine, or was sentenced to imprisonment without the option of a fine, unless I have received a free pardon, or the period of suspension or imprisonment has expired at least three years before the date of my nomination or appointment as a member of the governing body;
   (b) have been declared unsuitable to work with children in terms of the Children's Act, 2005 (Act 38 of 2005), or the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007);
   (c) am mentally ill and have been declared as such by a court of law;
   (d) am an unrehabilitated insolvent;
   (e) do not have a child enrolled as a learner at the school concerned;
   (f) *(in the case of an educator, in the employ of the Western Cape Education Department, appointed in terms of the Employment of Educators Act, 1998 (Act 76 of 1998))*, have been found guilty of misconduct and have—
      (i) received a fine;
      (ii) been suspended without pay;
      (iii) been demoted; or
      (iv) received a combination of the sanctions contemplated in subparagraphs (i) to (iii),

      unless the period of my sanction has expired at least three years before the date of my nomination or appointment as a member of the governing body;
   (g) *(in the case of a non-educator, in the employ of the Western Cape Education Department, appointed in terms of the Public Service Act, 1994 (Proclamation 103 of 1994), or by the governing body)* have been found guilty of misconduct and have—
      (i) been suspended without pay;

(ii) been demoted; or

(iii) received a combination of the sanctions contemplated in subparagraphs (i) and (ii),

unless the period of my sanction has expired at least three years before the date of my nomination or appointment as a member of the governing body.

2. I further declare, based on the points listed in (1) above, that I am not ineligible to be nominated or to serve on the governing body of a school under the auspices of the Western Cape Education Department.

3. I further declare that I consent to being vetted by an accredited vetting agency to determine compliance with point (1) above, if I am elected to the governing body and an allegation based on point (1) is made against me.

4. I further declare that, after having considered points (1), (2) and (3) above, I duly accept the above-mentioned nomination.

____

SIGNATURE OF CANDIDATE

I, ____,

(Full name)

the school electoral officer, hereby declare that this nomination is accepted / rejected.

(Delete which is not applicable)

_____________ ____

DATE SIGNATURE OF SCHOOL ELECTORAL OFFICER

Please affix the stamp of office of the school electoral officer:

STAMP

ANNEXURE C

Notice of Nomination and Election Meeting

Election of Educators / Non-Educators to Governing Body

(Regulations 24, 25 and 26 of the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2021)

NAME OF SCHOOL: ___________________________________ EMIS NUMBER: ________________

Notice is hereby given that a meeting for the nomination and election of candidates for the election of _____________________________________ (educators / non-educators) as members of the governing body for the above-mentioned school will be held on _____________________ (date) at ___________(time) in ____(venue). Should a quorum not be reached, a follow-up meeting will be held on _____________________________________ (date) at ________________ (time).

It will be determined at __________________ (time) on the day of the nomination and election meeting whether enough educators / non-educators entitled to vote are present for the meeting to go ahead. Educators / non-educators are therefore encouraged to attend the meeting.

Please arrive at the meeting before __________________ (time).

A candidate may be nominated at the meeting or by lodging with the school electoral officer not more than seven days before the above meeting, a nomination form duly completed by a proposer, a seconder and the nominated candidate. For this purpose, nominations will be accepted at the school from ________________________(date) until___________ (time) on ____________________(date).

If the number of candidates nominated equals the number of members to be elected, the candidates will be deemed to be elected governing body members.
If more candidates are nominated than the number of members to be elected, a poll will be conducted after the nominations have been submitted.

_________________________ ____

DATE SIGNATURE OF SCHOOL ELECTORAL OFFICER

ADDRESS:

____

____

____

ANNEXURE D

NOMINATION FORM

Election of Educators / Non-Educator as Members of Governing Body

(Regulations 24, 25 and 26 of the Procedures for the Establishment and Election of Governing Bodies at Public Schools Regulations, 2021)

NAME OF SCHOOL: ____

PROPOSER:
I, ____,
(Full name)

of ____ (residential address)

being an educator / non-educator of the above-mentioned school, hereby nominate

____
(Full name of candidate)

as a member of the governing body of the above-mentioned school.

____
SIGNATURE OF PROPOSER

SECONDER:
I, ____,
(Full name)

of ____ (residential address)

being an educator / non-educator of the above-mentioned school, hereby second the nomination of

____
(Full name of candidate)

as a member of the governing body of the above-mentioned school.

____
SIGNATURE OF SECONDER

CANDIDATE:

I, ____
(Full name)

with PERSAL/EMPLOYMENT number ____,

of ____
(Residential address)

hereby declare that I am fully aware that—

1. I may not be nominated for or appointed as a member of a governing body or I cease to be a member of a governing body if I—
   (a) have at any time been convicted by a court of law of an offence for which I received a suspended prison sentence without the option of a fine, or was sentenced to imprisonment without the option of a fine, unless I have received a free pardon, or the period of suspension or imprisonment has expired at least three years before the date of my nomination or appointment as a member of the governing body;
   (b) have been declared unsuitable to work with children in terms of the Children's Act, 2005 (Act 38 of 2005), or the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act 32 of 2007);
   (c) am mentally ill and have been declared as such by a court of law;
   (d) am an unrehabilitated insolvent;
   (e) *(in the case of an educator, excluding the principal, appointed in terms of the Employment of Educators Act, 1998 (Act 76 of 1998))*, have been found guilty of misconduct and have—
      (i) received a fine;
      (ii) been suspended without pay;
      (iii) been demoted; or
      (iv) received a combination of the sanctions contemplated in subparagraphs (i) to (iii),
   unless the period of my sanction has expired at least three years before the date of my nomination or appointment as a member of the governing body;
   (f) *(in the case of a non-educator appointed in terms of the Public Service Act, 1994 (Proclamation 103 of 1994), or by the governing body)* have been found guilty of misconduct and have—
      (i) been suspended without pay;
      (ii) been demoted; or
      (iii) received a combination of the sanctions contemplated in subparagraphs (i) and (ii),
   unless the period of my sanction has expired at least three years before the date of my nomination or appointment as a member of the governing body.

2. I further declare, based on the points listed in (1) above, that I am not ineligible to be nominated or to serve on the governing body of a school under the auspices of the Western Cape Education Department.

3. I further declare that, after having considered points (1) and (2) above, I duly accept the above-mentioned nomination.

____

SIGNATURE OF CANDIDATE

OR

(IF PROPOSED AT NOMINATION AND ELECTION MEETING AND NOT PRESENT TO COMPLETE THE NOMINATION FORM)

I, ____ ,

(Full name)

declare that written proof to my satisfaction has been submitted that the above-mentioned candidate, who is not present at the nomination and election meeting to complete the nomination form, will, if elected, be willing to serve as a member of the governing body.

____

SIGNATURE OF SCHOOL ELECTORAL OFFICER

This nomination is accepted / rejected.
(Delete which is not applicable)

____________ ____

DATE SIGNATURE OF SCHOOL ELECTORAL OFFICER

Please affix the stamp of office of the school electoral officer:

STAMP

PROVINSIALE KENNISGEWING

P.K. 23/2021 12 Maart 2021

WES-KAAPSE ONDERWYSDEPARTEMENT

REGULASIES OP PROSEDURES VIR DIE INSTELLING EN VERKIESING VAN BEHEERLIGGAME BY OPENBARE SKOLE, 2021

Die Provinsiale Minister van Onderwys in die Wes-Kaap het, kragtens artikel 24, saamgelees met artikel 63, van die Wes-Kaapse Provinsiale Wet op Skoolonderwys, 1997 (Wet 12 van 1997), die regulasies uiteengesit in die Bylae gemaak.

BYLAE

INDELING VAN REGULASIES

Regulasies

1. Woordomskrywing
2. Samestelling van beheerliggaam
3. Onverkiesbaarheid om as lid in beheerliggaam te dien en diskwalifikasie van lede van beheerliggaam
4. Keuring
5. Ampstermyn van lede van beheerliggaam
6. Vakatures in beheerliggaam
7. Ontbinding en hersamestelling van beheerliggaam
8. Stemreg
9. Wyses van verkiesing
10. Skoolkiesbeampte
11. Pligte van skoolkiesbeampte
12. Pligte van distrikskiesbeampte
13. Pligte van provinsiale verkiesingskoördineerder
14. Gedragskode
15. Kieserslyste
16. Datum, tyd en plek van benoemingbevestigingsvergadering en verkiesing van ouerlede
17. Kennisgewing van benoemingbevestigingsvergadering en verkiesing van ouerlede
18. Benoemingsproses in verkiesing-per-hand
19. Stemming by verkiesing van ouerlede in verkiesing-per-hand
20. Rol van skool in besluit op e-verkiesing
21. Benoemingsproses vir e-verkiesing
22. Stemming tydens e-verkiesing
23. Tel van stemme tydens e-verkiesing
24. Benoemings- en verkiesingsvergadering van opvoederlede
25. Stemming by verkiesing van opvoederlede
26. Benoeming en verkiesing van nie-opvoederlid
27. Benoeming en verkiesing van leerderlede
28. Besluite van skoolkiesbeampte
29. Besluite van distrikskiesbeampte
30. Prosedure ná verkiesing van beheerliggaam
31. Eerste vergadering van beheerliggaam

32. Komitees
33. Vergaderings van beheerliggaam
34. Notules van verrigtinge van vergaderings
35. Oorgangsbepalings
36. Herroeping
37. Kort titel

Woordomskrywing

1. In hierdie regulasies, tensy anders vermeld, het enige woord of uitdrukking waaraan daar in die Wet ’n betekenis geheg is, die betekenis wat daaraan geheg is en, tensy dit uit die samehang anders blyk, beteken—

“benoemingbevestigingsvergadering” ’n vergadering beoog in regulasie 16(1)*(a)*(i);

“borgliggaam” ’n liggaam wat finansiële steun aan ’n skool vir leerders met spesiale onderwysbehoeftes verskaf;

“dag” enige dag, uitgesonderd Sondag, ’n openbare vakansiedag en ’n dag wat in ’n skoolvakansie val;

“die Wet” die Wes-Kaapse Provinsiale Wet op Skoolonderwys, 1997 (Wet 12 van 1997);

“dissiplinêre komitee vir leerders” ’n dissiplinêre komitee beoog in die Regulasies betreffende Dissiplinering, Skorsing en Uitsetting van Leerders in Openbare Skole in die Wes-Kaap, gemaak onder Provinsiale Kennisgewing 365/2011 in *Provinsiale Koerant* 6939 van 15 Desember 2011;

“distrikskiesbeampte” ’n senior distriksbeampte by ’n onderwysdistrikskantoor wat verantwoordelik is vir toesig oor en bestuur van die beheerliggaamverkiesingsproses in die distrik;

“e-stemstasie” ’n stemstasie vir e-stemming;

“e-stemming” om ’n stem in ’n e-verkiesing uit te bring;

“e-verkiesing” verkiesing van ’n beheerliggaam waar elektroniese middele in een of meer stadiums gebruik word;

“gewone skool” ’n skool wat nie ’n skool vir leerders met spesiale onderwysbehoeftes is nie;

“hoogs ontwrigtende gebeurtenis” ’n gebeurtenis, hetsy verwags of onverwags, wat die normale werksaamhede, bedrywighede of prosesse van ’n skool versteur en wat tot die ontworteling of onderbreking van die normale besigheid van ’n skool aanleiding gee;

“kworum op die vergadering”, met betrekking tot ’n vergadering van die beheerliggaam, ’n kworum soos beoog in regulasie 33(7);

“lid” ’n lid van ’n beheerliggaam;

“nie-opvoeder” ’n persoon, uitgesonderd ’n opvoeder, wat in ’n kontrak- of permanente hoedanigheid by ’n skool ooreenkomstig die Staatsdienswet, 1994 (Proklamasie 103 van 1994), of deur die beheerliggaam aangestel is;

“niestemgeregtigde gekoöpteerde lid”—

(a) die eienaar van die eiendom of sy of haar benoemde indien die skool op privaat eiendom geleë is; of

(b) ’n persoon wat gekoöpteer is om bepaalde verantwoordelikhede na te kom;

“ouer”—

(a) die ouer of voog van ’n leerder;

(b) die persoon wat wettiglik geregtig is tot toesig oor ’n kind; of

(c) die persoon wat onderneem om die verpligtinge van 'n persoon bedoel in paragrawe *(a)* en *(b)* na te kom ten opsigte van die kind se opvoeding by die skool;

"provinsiale verkiesingskoördineerder" die senior amptenaar van die Wes-Kaapse Onderwysdepartement wat verantwoordelik is vir die bestuur van die verkiesing van beheerliggame in die provinsie en wat deur die Departementshoof as provinsiale verkiesingskoördineerder aangestel is;

"skool" 'n gewone openbare skool of 'n openbare skool vir leerders met spesiale onderwysbehoeftes;

"skoolkiesbeampte" 'n kiesbeampte aangestel ingevolge regulasie 10(1);

"skoolkiesspan" die skoolkiesbeampte tesame met die persone wat ingevolge regulasie 10(3) aangestel is om die skoolkiesbeampte by te staan;

"skoolvakansie" 'n skoolvakansie beoog in die "National Policy for Determining School Calendars for Public Schools in South Africa", gemaak onder Goewermentskennisgewing 57 in *Staatskoerant* 38330 van 30 Januarie 2015;

"stelsel", met betrekking tot 'n e-verkiesing, die elektroniese stelsel wat vir daardie verkiesing gebruik word;

"stemgeregtigde lid" 'n lid wat stemreg het;

"tweede-in-bevel" 'n adjunkprinsipaal of die opvoeder by 'n skool met die tweede hoogste rang.

Samestelling van beheerliggaam

2. (1) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van 'n gewone sekondêre skool, middelbare skool of gekombineerde skool bestaan uit—

(a) sewe ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie;

(b) twee opvoeders by die skool;

(c) een nie-opvoeder by die skool;

(d) twee leerders in die agste graad of hoër, gekies deur die verteenwoordigende raad van leerders vanuit sy geledere; en

(e) die prinsipaal.

(2) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van 'n gewone primêre skool met 'n personeeldiensstaat van drie of meer opvoeders en een of meer nie-opvoeders bestaan uit—

(a) vyf ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie;

(b) twee opvoeders by die skool;

(c) een nie-opvoeder by die skool; en

(d) die prinsipaal.

(3) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van 'n gewone primêre skool met 'n diensstaat van een opvoeder bestaan uit—

(a) twee ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie; en

(b) die prinsipaal.

(4) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van 'n gewone primêre skool met 'n diensstaat van een opvoeder en een nie-opvoeder bestaan uit—

(a) drie ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie;

(b) die prinsipaal; en

(c) die nie-opvoeder by die skool.

(5) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van ’n gewone primêre skool met ’n diensstaat van twee opvoeders en een nie-opvoeder bestaan uit—

(a) vier ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie;

(b) die prinsipaal;

(c) die opvoeder by die skool wat nie die prinsipaal is nie; en

(d) die nie-opvoeder by die skool.

(6) Behoudens subregulasie (23) en regulasie 7(4) moet die beheerliggaam van ’n skool vir leerders met spesiale onderwysbehoeftes bestaan uit—

(a) sewe ouers wat nie by die skool in diens van die Wes-Kaapse Onderwysdepartement of die beheerliggaam is nie, indien redelikerwys doenlik;

(b) twee opvoeders by die skool;

(c) een nie-opvoeder by die skool;

(d) twee leerders in die agtste graad of hoër, gekies deur die verteenwoordigende raad van leerders vanuit sy geledere, indien redelikerwys doenlik;

(e) die prinsipaal;

(f) een verteenwoordiger van borgliggame, indien van toepassing;

(g) een verteenwoordiger van organisasies van ouers van leerders met spesiale onderwysbehoeftes, indien van toepassing;

(h) een verteenwoordiger van organisasies van ouers van gestremde persone, indien van toepassing;

(i) een persoon met ’n gestremdheid, indien van toepassing; en

(j) een deskundige op gepaste gebiede van spesiale onderwysbehoeftes.

(7) Geen besluit geneem deur ’n beheerliggaam of stap gedoen op gesag van ’n beheerliggaam is ongeldig bloot omdat ’n vakature in daardie beheerliggaam bestaan het of omdat iemand wat nie daarop geregtig was om as ’n lid van daardie beheerliggaam sitting te neem nie in daardie beheerliggaam as sodanige lid sitting geneem het toe die besluit geneem is of die handeling gemagtig is, indien die besluit geneem of die handeling gemagtig is deur ’n kworum op die vergadering van die beheerliggaam.

(8) ’n Beheerliggaam kan niestemgeregtigde gekoöpteerde lede koöpteer.

(9) Behoudens subregulasie (10) en regulasies 6(11) en 31(4) het gekoöpteerde lede nie stemreg in die beheerliggaam nie.

(10) Indien daar ’n vakature in die getal ouerlede in ’n beheerliggaam is, moet die beheerliggaam ’n ouer met stemreg tydelik koöpteer.

(11) Indien ’n ouer met stemreg gekoöpteer word soos beoog in subregulasie (10), staak die koöptering wanneer die vakature gevul is by wyse van ’n tussenverkiesing, wat binne 90 dae nadat die vakature ontstaan het gehou moet word, ooreenkomstig dieselfde prosedures as dié vir die verkiesing van ouerlede soos in detail in hierdie regulasies uiteengesit.

(12) Indien die tussenverkiesing beoog in subregulasie (11) nie binne 90 dae nadat die vakature ontstaan het gehou word nie, kan die beheerliggaam ’n ouer met stemreg vir ’n verdere 30 dae ná die datum van verstryking van die tydperk van 90 dae koöpteer, gedurende welke tydperk die tussenverkiesing gehou moet word.

(13) Indien die tussenverkiesing beoog in subregulasie (11) weens ’n hoogs ontwrigtende gebeurtenis nie binne 90 dae gehou word nadat die vakature ontstaan het nie, kan die beheerliggaam ’n ouer met stemreg koöpteer vir ’n verdere 90 dae vanaf die datum van verstryking van die tydperk van 90 dae.

(14) Indien ná die verdere tydperk van 90 dae soos beoog in subregulasie (13)—

(a) die hoogs ontwrigtende gebeurtenis ten einde geloop het, word die koöptering vir ’n verdere 30 dae verleng, gedurende waarvan die tussenverkiesing gehou moet word; of

(b) die hoogs ontwrigtende gebeurtenis voortduur, word die koöptering vir ’n verdere 90 dae verleng of tot tyd en wyl tussenverkiesings gehou kan word, wat ook al die vroegste is.

(15) Die benoemingbevestigingsvergadering en die tussenverkiesing beoog in subregulasies (11) en (14) moet ooreenkomstig hierdie regulasies gehou word.

(16) Behoudens subregulasie (26) moet ouers van leerders by die skool die ouerlede beoog in subregulasies (1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* en (6)*(a)* benoem en verkies.

(17) Opvoeders wat by die skool in diens is, moet die opvoederlede beoog in subregulasies (1)*(b)*, (2)*(b)* en (6)*(b)* benoem en verkies.

(18) Indien ’n opvoeder beoog in subregulasie (1)*(b)*, (2)*(b)* of (6)*(b)* aangestel is om as prinsipaal van die skool op te tree, moet die beheerliggaam ’n ander opvoeder van dieselfde skool vanuit die benoemings wat deur opvoeders ingedien is, koöpteer om op die beheerliggaam te dien vir die duur van die tydperk waartydens die verkose opvoederlid as prinsipaal optree.

(19) Nie-opvoederpersoneel wat by die skool in diens is, moet die nie-opvoederlede beoog in subregulasies (1)*(c)*, (2)*(c)* en (6)*(c)* benoem en verkies: Met dien verstande dat indien die skool slegs een nie-opvoeder het, daardie lid outomaties verkies word.

(20) Die verteenwoordigende raad van leerders by die skool moet die leerderlede bedoel in subregulasies (1)*(d)* en (6)*(d)* benoem en verkies.

(21) Die beheerliggaam van ’n gewone skool vir leerders met spesiale onderwysbehoeftes moet soos beoog in artikel 30(2) van die Suid-Afrikaanse Skolewet ’n komitee oor spesiale onderwysbehoeftes instel.

(22) Die komitee beoog in subregulasie (21) moet—

(a) minstens een maal per skoolkwartaal vergader; en

(b) bestaan uit—

(i) die prinsipaal;

(ii) een opvoeder by die skool;

(iii) twee ouerlede van die beheerliggaam; en

(iv) indien redelikerwys prakties moontlik, minstens een en nie meer as vyf nie van die volgende persone:

(aa) ’n verteenwoordiger van borgliggame;

(bb) ’n verteenwoordiger van organisasies van ouers van leerders met spesiale onderwysbehoeftes;

(cc) ’n verteenwoordiger van organisasies van gestremde persone;

(dd) ’n gestremde persoon; en

(ee) ’n kundige op gepaste terreine van spesiale onderwysbehoeftes.

(23) Die Departementshoof kan die samestelling en ampstermyn van ’n beheerliggaam by ’n skool wat verskil van die samestelling beoog in subregulasies (1), (2), (3), (4), (5) en (6) goedkeur indien—

(a) die beheerliggaam van die skool skriftelik vir sodanige verskillende samestelling aansoek gedoen het en redes daarvoor verstrek het; of

(b) ’n beheerliggaam ingestel moet word om die werksaamhede van ’n beheerliggaam in die tussentyd te verrig om die instelling van ’n nuwe skool te vergemaklik,

en die Departementshoof oortuig is dat sodanige samestelling in belang van onderwys by die skool is.

(24) Behalwe vir ’n skool bedoel in artikel 12(1)*(g)* van die Wet, in die omstandighede beoog in subregulasie (23)*(a)*, moet die getal ouerlede wat dien in die beheerliggaam van ’n skool beoog in subregulasies (1), (2), (3), (4) en (5) een meer wees as die gesamentlike totaal van ander lede van die beheerliggaam met stemreg.

(25) Die Departementshoof kan te eniger tyd na sy of haar goeddunke die goedkeuring beoog in subregulasie (23)*(b)* terugtrek en die betrokke tussentydse beheerliggaam ontbind, waarna ’n nuwe beheerliggaam saamgestel moet word ooreenkomstig subregulasie (1), (2), (3), (4), (5) of (6), na gelang van die geval.

(26) Vir die doel van die instelling van ’n tussentydse beheerliggaam soos beoog in subregulasie (23)*(b)* moet die distriksdirekteur, in oorleg met die prinsipaal, indien van toepassing, die name en besonderhede van genoeg persone om al die werksaamhede van die beheerliggaam te verrig aan die Departementshoof voorlê.

Onverkiesbaarheid om as lede in beheerliggaan te dien en diskwalifikasie van lede van beheerliggaam

3. ’n Persoon mag nie as ’n lid van ’n beheerliggaam benoem of aangestel word nie of voortgaan om ’n lid van ’n beheerliggaam te wees nie indien hy of sy—

(a) te eniger tyd deur ’n geregshof skuldig bevind is aan ’n misdryf waarvoor hy of sy opgeskorte gevangenisstraf sonder die keuse van ’n boete gekry het of tot gevangenisstraf sonder die keuse van ’n boete gevonnis is, tensy hy of sy kwytskelding gekry het of die tydperk van opskorting of gevangenisstraf minstens drie jaar voor die datum van sy of haar benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het;

(b) verklaar is as ongeskik om met kinders te werk ingevolge die “Children’s Act, 2005” (Wet 38 van 2005), of die Wysigingswet op die Strafreg (Seksuele Misdrywe en Verwante Aangeleenthede), 2007 (Wet 32 van 2007);

(c) geestesongesteld is en as sodanig verklaar is deur ’n geregshof;

(d) ’n ongerehabiliteerde insolvent is;

(e) met die uitsondering van die prinsipaal, in die geval van ’n opvoeder wat aangestel is ingevolge die Wet op die Indiensneming van Opvoeders, 1998 (Wet 76 van 1998), skuldig bevind is aan wangedrag en—

(i) beboet is;

(ii) sonder betaling geskors is;

(iii) gedemoveer is; of

(iv) ’n kombinasie van die strawwe beoog in subparagrawe (i) tot (iii) gekry het,

tensy die tydperk van sy of haar straf minstens drie jaar voor die datum van sy of haar benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het;

(f) in die geval van ’n nie-opvoeder wat ingevolge die Staatsdienswet, 1994, of deur die beheerliggaam aangestel is, skuldig bevind is aan wangedrag en—

(i) sonder betaling geskors is;

(ii) gedemoveer is; of

(iii) ’n kombinasie van die strawwe beoog in subparagrawe (i) en (ii) gekry het,

tensy die tydperk van sy of haar straf minstens drie jaar voor die datum van sy of haar benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het;

(g) in die geval van 'n ouerkandidaat, nie 'n kind het wat as 'n leerder by die betrokke skool ingeskryf is nie;

(h) in die geval van 'n leerder, op enige tydstip deur die Departementshoof uit 'n skool gesit is of deur 'n beheerliggaam geskors is; of

(i) gedurende die voorafgaande drie jaar deur die Departementshoof ingevolge regulasie 5(3) uit 'n beheerliggaam verwyder is.

Keuring

4. (1) 'n Persoon wat soos beoog in regulasies 18, 21, 24 en 26 benoem is om in die beheerliggaam te dien, moet skriftelik instem tot keuring deur 'n geakkrediteerde keuringsagentskap om, waar nodig, voldoening aan regulasie 3 te bepaal.

(2) Indien die keuringsproses bepaal dat 'n persoon wat verkies is om in die beheerliggaam te dien, nie in die beheerliggaam mag dien nie, moet die lidmaatskap van die beheerliggaam ooreenkomstig hierdie regulasies bepaal word.

(3) Indien 'n aantyging deur enige persoon by die beheerliggaam gemaak word teen 'n lid van die beheerliggaam dat daardie lid nie aan regulasie 3 voldoen nie, moet die voorsitter van die beheerliggaam of, indien die aantyging teen die voorsitter gemaak is, die distriksdirekteur die betrokke lid skriftelik van die aantyging in kennis stel en aan hom of haar die geleentheid bied om binne 14 dae ná ontvangs van die kennisgewing skriftelike vertoë tot die beheerliggaam te rig.

(4) Die lid teen wie 'n aantyging gemaak is soos beoog in subregulasie (3) moet hom- of haarself van die vergadering van die beheerliggaam waartydens die aangeleentheid oorweeg en 'n besluit geneem word, onttrek.

(5) Indien die beheerliggaam besluit om die lid beoog in subregulasie (3) te keur om voldoening aan regulasie 3 te bepaal, moet die voorsitter of die distriksdirekteur, na gelang van die geval, die lid binne vyf dae nadat die besluit geneem is skriftelik van die besluit in kennis stel.

(6) In die omstandighede beoog in subregulasie (5) moet die beheerliggaam sonder versuim 'n geakkrediteerde keuringsagentskap nader om die lid binne 14 dae nadat die besluit geneem is, te keur om voldoening aan regulasie 3 te bepaal.

(7) Indien die keuringsagentskap bevind dat die lid nie aan regulasie 3 voldoen nie, moet hy skriftelik aan die voorsitter of distriksdirekteur, na gelang van die geval, verslag doen, wat dan binne 30 dae van ontvangs van die verslag—

(a) 'n afskrif van die verslag aan die Departementshoof moet verskaf en die beëindiging van lidmaatskap van die lid soos beoog in regulasie 5(3) aanbeveel; en

(b) die betrokke lid oor die verslag en aanbeveling beoog in paragraaf *(a)* in kennis moet stel.

(8) Die Departementshoof moet die verslag oorweeg en binne 20 dae vanaf ontvangs van die verslag op die aanbeveling reageer.

(9) Die skool is verantwoordelik vir enige koste wat aangegaan is vir enige keuring wat ingevolge hierdie regulasie onderneem is.

Ampstermyn van lede van beheerliggaam

5. (1) Behoudens subregulasies (3) en (4) en regulasies 6, 7, 30(2) en 31(15) strek die ampstermyn van 'n lid van 'n beheerliggaam wat nie 'n leerder is nie oor drie jaar en is dit van krag vanaf die datum waarop die skoolkiesbeampte verklaar dat die beheerliggaam vry en regverdig verkies is.

(2) Die ampstermyn van ’n leerderlid is een jaar.

(3) Die Departementshoof kan—

(a) te eniger tyd die lidmaatskap van ’n lid van ’n beheerliggaam opskort of beëindig as gevolg van ’n skending van die gedragskode soos beoog in artikel 26A van die Wet; of

(b) die lidmaatskap van ’n beheerliggaam beëindig—

(i) vir nievoldoening aan regulasie 3; of

(ii) ingevolge regulasie 6(3).

(4) Behoudens subregulasie (5), indien ’n persoon wat as ’n lid van ’n beheerliggaam verkies is soos beoog in regulasie 2(1), (2), (3), (4), (5) of (6) ophou om in die kategorie beoog in daardie regulasie te val ten opsigte waarvan hy of sy as ’n lid verkies is, hou hy of sy op om ’n lid van die beheerliggaam te wees.

(5) Indien die ampstermyn van ’n ouerlid op die punt staan om te verstryk omdat die enigste kind wat hy of sy by die skool het, die skool gaan verlaat en die ouerlid reeds skriftelike bevestiging van aanvaarding vanaf die skool ontvang het ten opsigte van die inskrywing van ’n tweede kind by dieselfde skool in die volgende skooljaar, kan die ouer ’n lid van die beheerliggaam bly op voorwaarde dat die eerste kind die skool op die laaste dag van die voorafgaande termyn verlaat en die tweede kind by daardie skool begin op die eerste dag van die nuwe kwartaal.

(6) Indien ’n gekombineerde skool of intermediêre skool geherstruktureer word as ’n—

(a) primêre skool, bly die samestelling van die beheerliggaam beoog in regulasie 2(1) onveranderd, behoudens subregulasies (7) en (9), totdat die ampstermyn van die lede van die beheerliggaam verstryk; of

(b) sekondêre skool, bly die samestelling van die beheerliggaam beoog in regulasie 2(1) onveranderd, behoudens subregulasies (8) en (9), totdat die ampstermyn van die lede van die beheerliggaam verstryk.

(7) In die omstandighede beoog in subregulasie (6)*(a)*, indien daar meer ouers op die beheerliggaam is as waarvoor daar in regulasie 2(2), (3), (4) of (5), na gelang van die geval, voorsiening gemaak is, moet ’n verkiesing van ouerlede soos beoog in regulasie 19, binne 90 dae ná die herstrukturering gehou word.

(8) In die omstandighede beoog in subregulasie (6)*(b)*, indien die getal ouers op die beheerliggaam minder is as die getal ouers waarvoor daar in regulasie 2(1) voorsiening gemaak is, moet ’n verkiesing van ouerlede soos beoog in regulasie 19, binne 90 dae ná die herstrukturering gehou word.

(9) In die omstandighede beoog in subregulasie (6), om aan te bly as ’n lid van die beheerliggaam, moet die lid steeds ingevolge hierdie regulasies kwalifiseer om in die beheerliggaam van die primêre of sekondêre skool te dien.

(10) ’n Lid van ’n beheerliggaam kan ná verstryking van sy of haar ampstermyn weer verkies of gekoöpteer word, na gelang van die geval, indien hy of sy ingevolge hierdie regulasies kwalifiseer om ’n lid te wees.

Vakatures in beheerliggaam

6. (1) ’n Vakature ontstaan in ’n beheerliggaam indien ’n lid—

(a) sy of haar skriftelike bedanking indien en nie die bedanking terugtrek voordat dit formeel in ’n vergadering deur die beheerliggaam genotuleer word nie;

(b) sterf;

(c) sonder ’n geldige rede van drie opeenvolgende vergaderings van die beheerliggaam afwesig is nadat hy of sy behoorlik van die vergaderings in kennis gestel is;

(d) nie meer soos beoog in regulasie 3 of 5(4) verkiesbaar is nie; of

(e) ingevolge regulasie 5(3) uit die amp verwyder is.

(2) In die omstandighede beoog in subregulasie (1)*(c)*—

(a) moet die beheerliggaam die afwesighede notuleer;

(b) ná die tweede afwesigheid, moet die sekretaris van die beheerliggaam die afwesige lid kennis gee dat die beheerliggaam die Departementshoof sal versoek om sy of haar lidmaatskap te beëindig indien hy of sy 'n derde maal afwesig is;

(c) ná die derde afwesigheid, moet die beheerliggaam die Departementshoof versoek om die lidmaatskap van die afwesige lid te beëindig; en

(d) moet die sekretaris die afwesige lid skriftelik in kennis stel dat die beheerliggaam die Departementshoof versoek het om sy of haar lidmaatskap te beëindig.

(3) Indien die Departementshoof tevrede is dat die lid sonder 'n geldige rede van drie opeenvolgende vergaderings van die beheerliggaam afwesig was, moet die Departementshoof binne 21 dae nadat die versoek beoog in subregulasie (2)*(c)* ontvang is die lidmaatskap van die lid beëindig en die lid skriftelik van die beëindiging in kennis stel.

(4) 'n Persoon wie se lidmaatskap beëindig is soos beoog in subregulasies (2) en (3) kan binne 14 dae nadat die kennisgewing beoog in subregulasie (3) ontvang is na die Provinsiale Minister appelleer.

(5) Die Provinsiale Minister moet die appèl oorweeg en binne 21 dae ná ontvangs van die appèl 'n skriftelike besluit oor die aangeleentheid neem.

(6) Wanneer 'n vakature ontstaan—

(a) in 'n beheerliggaam wat ingevolge regulasie 2(23)*(b)* saamgestel is, moet die Departementshoof 'n lid in die vakature aanstel;

(b) in 'n beheerliggaam wat ingevolge regulasie 2(1), (2), (3), (4), (5), (6) of (23)*(a)* saamgestel is, moet die vakature gevul word deur 'n tussenverkiesing ooreenkomstig die verkiesingsprosedures uiteengesit in hierdie regulasies—

(i) in die geval van 'n ouerlid, binne 90 dae nadat die vakature ontstaan het; en

(ii) in die geval van 'n opvoedervakature, nie-opvoedervakature of leerdervakature, binne 14 dae nadat die vakature ontstaan het.

(7) 'n Lid wat ooreenkomstig subregulasie (6)*(a)* aangestel is, of verkies is om 'n vakature te vul deur middel van 'n tussenverkiesing ooreenkomstig subregulasie (6)*(b)*, verkry lidmaatskap vir die onverstreke tydperk van die ampstermyn van sy of haar voorganger, met stemreg, behoudens regulasie 5.

(8) Indien 'n vakature gevul is—

(a) ooreenkomstig subregulasie (6)*(a)*, moet die Departementshoof; of

(b) ooreenkomstig subregulasie (6)*(b)*, moet die sekretaris van die beheerliggaam,

die prinsipaal skriftelik in kennis stel van die naam van die persoon wat nie meer 'n lid van die beheerliggaam is nie en van die naam en adres van die persoon se opvolger.

(9) 'n Tydelike vakature ontstaan in 'n beheerliggaam indien 'n lid met 'n geldige rede afwesig is van drie opeenvolgende vergaderings van die beheerliggaam.

(10) In die omstandighede beoog in subregulasie (9) moet die lid die beheerliggaam in kennis stel dat hy of sy nie in staat sal wees om sy of haar werksaamhede in die beheerliggaam vir drie opeenvolgende vergaderings te verrig nie en 'n rede vir die afwesigheid verstrek.

(11) Indien die beheerliggaam die rede beoog in subregulasie (10) aanvaar en instem tot die afwesigheid, moet dit 'n persoon koöpteer uit dieselfde kategorie lede as die afwesige lid om die werksaamhede van die afwesige lid te verrig, met inbegrip van die uitoefening van stemreg, totdat die afwesige lid sy of haar werksaamhede in die beheerliggaam kan hervat.

(12) Indien die beheerliggaam die rede beoog in subregulasie (10) verwerp en nie tot die afwesigheid instem nie, moet die lid sy of haar skriftelike bedanking indien en moet daar soos beoog in subregulasie (6) met die vakature gehandel word.

(13) In die omstandighede beoog in subregulasie (11) moet die sekretaris van die beheerliggaam die prinsipaal skriftelik in kennis stel van die naam van die lid wat tydelik afwesig is en die naam en adres van die persoon wat die werksaamhede van die afwesige lid tydelik verrig.

Ontbinding en hersamestelling van beheerliggaam

7. (1) Die Departementshoof kan ’n beheerliggaam ontbind indien—

(a) hy of sy van mening is dat, as gevolg van die samesmelting van skole of die verdeling van ’n skool of ’n ander herorganisering van skoolfasiliteite, dit nodig is om vir ouers van die betrokke skole of skool ’n geleentheid te bied om lede van ’n nuwe beheerliggaam te verkies wat behoorlik verteenwoordigend sal wees van die ouers van leerders wat die skole of skool ná sodanige samesmelting, verdeling of herorganisering bywoon;

(b) die beheerliggaam versuim het om sy werksaamhede bevredigend te verrig of op ’n wyse opgetree het wat nie in die beste belang van die skool is nie;

(c) minstens 60 persent van alle ouers wat ingevolge regulasie 8(1) stemgeregtig is, op ’n ouervergadering wat vir hierdie doel belê is, ten gunste van ’n mosie van wantroue in die beheerliggaam stem.

(2)*(a)* Die voorsitter van ’n beheerliggaam moet, binne 14 dae nadat hy of sy skriftelik deur minstens 30 persent van die ouers wat ingevolge regulasie 8(1) stemgeregtig is, versoek is om dit te doen, ’n ouervergadering bedoel in subregulasie (1)*(c)* belê.

(b) Indien die voorsitter nie op die versoek beoog in paragraaf *(a)* reageer nie, kan die ouers die distriksdirekteur nader, wat binne vyf dae nadat hy of sy deur die ouers genader is ’n bemiddelingsvergadering tussen die beheerliggaam en ’n afvaardiging van die ouers moet belê.

(c) Indien die beheerliggaam en ouers nie by die bemiddelingsvergadering beoog in paragraaf *(b)* ’n ooreenkoms bereik nie, moet die distriksdirekteur binne vyf dae ná die bemiddelingsvergadering vanuit die betrokke onderwysdistrikskantoor—

(i) die kringbestuurder; of

(ii) die hoof van bestuur en bestuurstoesig,

aanstel as voorsitter vir die ouervergadering beoog in subregulasie (1)*(c)* en daardie voorsitter versoek om daardie vergadering te belê.

(d) Die voorsitter beoog in paragraaf *(c)* moet—

(i) sonder versuim ’n ouervergadering beoog in subregulasie (1)*(c)* belê, welke vergadering moet plaasvind binne 14 dae nadat die voorsitter ingevolge paragraaf *(c)* aangestel is; en

(ii) binne vyf dae nadat sodanige versoek deur die distriksdirekteur ontvang is, toesien dat skriftelike kennis van die vergadering gegee word, hetsy deur die kennisgewing per pos aan alle ouers te stuur of deur die kennisgewing aan elke leerder te oorhandig met die mondelinge opdrag om dit aan sy of haar ouers te gee.

(3) Waar ’n beheerliggaam ingevolge subregulasie (1) ontbind is, word dit buite werking op ’n datum bepaal deur die Departementshoof.

(4) So gou moontlik ná die datum waarop ’n beheerliggaam buite werking gestel word—

(a) moet die distriksdirekteur aan die Departementshoof ’n lys verskaf van die name van persone, in voorkeurvolgorde, wat verkiesbaar is vir aanstelling as lede van die beheerliggaam; en

(b) moet die Departementshoof vanaf daardie lys genoeg persone aanstel om vir ’n tydperk van hoogstens drie maande die werksaamhede van ’n beheerliggaam by die skool te verrig.

(5) Die Departementshoof moet die prinsipaal sonder versuim skriftelik in kennis stel van die name en adresse van die lede van die beheerliggaam wat ingevolge subregulasie (4) aangestel is.

(6) Die Departementshoof kan die tydperk bedoel in subregulasie (4) met verdere tydperke van hoogstens drie maande elk verleng, maar die totale tydperk mag nie een jaar oorskry nie.

(7) ’n Beheerliggaam moet binne ’n jaar ná die aanstelling van die persone bedoel in subregulasie (4) kragtens hierdie regulasies verkies word.

(8) Wanneer die Provinsiale Minister ’n skool ingevolge artikel 18 van die Wet sluit, ontbind die beheerliggaam van daardie skool op die laaste dag van die skoolkwartaal wat die datum van die sluiting van die skool voorafgaan.

Stemreg

8. (1) Elke ouer wat een of meer kinders het wat as leerders by ’n skool ingeskryf is, is daarop geregtig om vir ouerlede van die beheerliggaam by daardie skool te stem, en mag slegs een maal vir ’n bepaalde benoemde persoon stem, met ’n maksimum getal stemme gelyk aan die getal ouerlede wat verkies moet word.

(2) In die omstandighede beoog in subregulasie (1) word hoogstens twee ouers per leerder toegelaat om te stem.

(3) Elke opvoeder in diens by ’n skool, insluitende die prinsipaal, is daarop geregtig om vir opvoederlede van die beheerliggaam by daardie skool te stem, en mag slegs een maal vir ’n bepaalde benoemde persoon stem, met ’n maksimum getal stemme gelyk aan die getal opvoederlede wat verkies moet word.

(4) Elke lid van ’n verteenwoordigende raad van leerders by ’n skool is daarop geregtig om vir leerderlede van die beheerliggaam by daardie skool te stem, en mag slegs een maal vir ’n bepaalde benoemde persoon stem, met ’n maksimum getal stemme gelyk aan die getal leerderlede van die verteenwoordigende raad wat verkies moet word.

(5) Elke lid van die nie-opvoederpersoneel by ’n skool is daarop geregtig om vir die nie-opvoederlid van die beheerliggaam te stem en het een stem: Met dien verstande dat indien die skool net een nie-opvoeder het, daardie lid outomaties verkies word.

Wyses van verkiesing

9. (1) Die verkiesing van ’n beheerliggaam moet plaasvind by wyse van—

(a) ’n verkiesing-per-hand; of

(b) ’n e-verkiesing.

(2) ’n Stemstasie vir die verkiesing van ’n beheerliggaam moet—

(a) om 7:00 open en om 20:00 sluit; en

(b) gedurende die tyd beoog in paragraaf *(a)* vir minstens 10 uur in totaal oop wees.

(3) Die prinsipaal mag nie minder nie as 30 dae voor die datum van die verkiesing van die beheerliggaam—

(a) die distriksdirekteur in kennis stel dat ’n verkiesing-per-hand gebruik sal word; of

(b) by die distriksdirekteur aansoek doen om die goedkeuring van die gebruik van ’n e-verkiesing.

(4) Die distriksdirekteur moet, binne vyf dae ná ontvangs van die aansoek beoog in subregulasie (3)*(b)*—

(a) die aansoek oorweeg en ’n besluit oor die aangeleentheid neem; en

(b) die prinsipaal skriftelik oor die besluit in kennis stel.

(5) Die distriksdirekteur moet die aansoek beoog in subregulasie (3)*(b)* toestaan indien hy of sy tevrede is dat—

(a) ’n e-verkiesing die beste belange van die skoolgemeenskap en die betrokke skool sal bevorder;

(b) ’n e-verkiesing maksimum deelname deur stemgeregtigdes moontlik sal maak;

(c) ’n e-verkiesing nie die stemgeregtigdes se vermoë om vir kandidate te stem, sal belemmer nie;

(d) ’n e-verkiesing nie onbillik teen enige potensiële stemgeregtigdes sal diskrimineer nie;

(e) voldoende voorsiening gemaak is vir ’n regverdige benoemingsproses in aanloop tot die verkiesing; en

(f) voldoende hulpbronne vir ’n e-verkiesing beskikbaar is.

(6) Die prinsipaal moet die skoolkiesbeampte oor die wyse van verkiesing inlig—

(a) by kennisgewing aan die distriksdirekteur soos beoog in subregulasie (3)*(a)* dat ’n verkiesing-per-hand gebruik sal word; of

(b) binne twee dae nadat ’n skriftelike besluit van die distriksdirekteur soos beoog in subregulasie (4)*(b)* ontvang is.

(7) Die skoolkiesbeampte moet—

(a) die distrikskiesbeampte in kennis stel van die wyse van verkiesing wat gevolg gaan word binne twee dae nadat hy of sy deur die prinsipaal in kennis gestel is van die wyse van verkiesing wat soos beoog in subregulasie (6) gevolg gaan word; en

(b) minstens 14 dae voor die verkiesing ’n bestuursplan by die distrikskiesbeampte indien.

(8) Die bestuursplan beoog in subregulasie (7)*(b)* moet minstens die volgende bevat:

(a) die voorgestelde datum, tyd en plek vir die verkiesing;

(b) die tydgleuf waartydens stemme getel sal word; en

(c) ’n skedule vir die prosesse wat deur lede van die skoolkiesspan gevolg sal word by die monitering van die benoemingbevestigingsvergadering, die stemming en die tel van stemme.

Skoolkiesbeampte

10. (1) Die distriksdirekteur moet, behoudens subregulasie (2), ’n prinsipaal, of tweede-in-bevel indien nodig, van ’n ander skool, of indien nie een van die twee moontlik is nie, die kringbestuurder van die betrokke onderwysdistrikskantoor, skriftelik as die skoolkiesbeampte aanstel om die benoeming en verkiesing, na gelang van die geval, van die ouer-, opvoeder- en nie-opvoederlede beoog in regulasie 2(1), (2), (3), (4), (5) en (6) tot ’n beheerliggaam te behartig.

(2) Die prinsipaal, tweede-in-bevel of kringbestuurder beoog in subregulasie (1) mag nie as skoolkiesbeampte van ’n skool aangestel word nie indien hy of sy kinders het wat ingeskryf is by daardie skool of nie opgelei en gesertifiseer is as ’n skoolkiesbeampte nie.

(3) Die skoolkiesbeampte kan een of meer opvoeders of nie-opvoeders aanstel om by ’n benoemingsbevestigingsvergadering en verkiesing bystand te verleen.

(4) Die skoolkiesbeampte moet toesien dat die skoolkiesspan die verkiesingsproses wat gevolg moet word, verstaan en hierdie regulasies nakom.

(5) Die skoolkiesbeampte moet as voorsitter optree tydens die verkiesing van lede van ’n beheerliggaam, uitgesonderd die verkiesing van leerderlede en ampsdraers.

(6) Die skoolkiesbeampte moet toesien dat die skool waar die verkiesing plaasvind, ’n verkiesingskantoor inrig deur ’n kamer te verskaf met ’n telefoon, selfoon met data asook ’n rekenaar en drukker tot die beskikking van die skoolkiesbeampte en die skoolkiesspan vir die duur van die benoemingsbevestigingsvergadering en vir die stemmings- en stemtelprosesse.

(7) Die skoolkiesspan moet die skoolstempel van die skool waar die skoolkiesbeampte in diens is, gebruik wanneer hulle die benoemingsvorms en stembriewe stempel.

Pligte van skoolkiesbeampte

11. ’n Skoolkiesbeampte moet—

(a) toesien dat daar ’n geskikte plek vir die benoemingbevestigingsvergadering, die stemming en die tel van stemme is;

(b) in die geval van e-stemming, toesien dat een of meer e-stemstasies ingerig is;

(c) ingryp by enige dispute op die dag van die benoemingbevestigingsvergadering, die stemming of die tel van stemme, en daardie dispute oplos; en

(d) die resultate van die verkiesing by die distrikskiesbeampte indien.

Pligte van distrikskiesbeampte

12. ’n Distrikskiesbeampte moet—

(a) die beheerliggaamverkiesingsprosesse in die distrik koördineer;

(b) die onderwysdistrikskantoor adviseer oor die voorgestelde strategie vir en implementering van beheerliggaamverkiesings in die distrik en toesien dat die proses soos ooreengekom met die provinsiale verkiesingskoördineerder gevolg word;

(c) ’n bestuursplan opstel vir die implementering van die beheerliggaamverkiesings;

(d) toesien dat elke skool ’n kiesbeampte het en dat die skoolkiesspan ingestel word;

(e) toesien dat die skoolkiesbeamptes oor die vorms beoog in die aanhangsels asook alle nodige dokumentasie vir die verkiesingsproses beskik;

(f) toesien dat alle skole se skoolkiesspanne voldoende opgelei is en bewus is van wat hul rolle behels;

(g) toesien dat lede van die skoolkiesspan hierdie regulasies en ander dokumentasie tersaaklik tot die verkiesing tydig ontvang;

(h) toesien dat voorspraak vir die verkiesing soos beplan uitgevoer word;

(i) toesien dat die onderwysdistriksamptenare die verkiesingsproses moniteer;

(j) toesien dat die name en kontakbesonderhede van die persone wat tot die beheerliggame verkies is, binne sewe dae nadat die verkiesing plaasgevind het by die provinsiale verkiesingskoördineerder ingedien word;

(k) toesien dat die name van die ampsdraers binne sewe dae nadat dit van die prinsipaal ontvang is by die provinsiale verkiesingskoördineerder ingedien word;

(l) toesien dat die name van lede wat—

(i) tot die beheerliggaam gekoöpteer is soos beoog in regulasie 2(8) en (10); of

(ii) aangestel is in of verkies is tot die beheerliggaam om ’n vakature soos beoog in regulasie 6(6) te vul,

by die provinsiale verkiesingskoördineerder ingedien word binne 14 dae nadat hierdie name van die prinsipaal ontvang is;

(m) ’n databasis van nuutverkose lede van beheerliggame in die onderwysdistrik ontwikkel en byhou en dit by die provinsiale verkiesingskoördineerder indien; en
(n) ’n skriftelike verslag van die verkiesing van die beheerliggame opstel en dit by die provinsiale verkiesingskoördineerder indien.

Pligte van provinsiale verkiesingskoördineerder

13. Die provinsiale verkiesingskoördineerder moet—
(a) ’n provinsiale implementeringbestuursplan vir die verkiesing van die beheerliggame opstel;
(b) toesien dat daar voldoende voorspraak gemaak word rakende die verkiesingsdatums;
(c) alle hulpbronne koördineer om doeltreffende en regverdige beheerliggaamverkiesings te hou;
(d) die verkiesingsproses in die provinsie moniteer en evalueer; en
(e) ’n databasis van beheerliggaamlede wat in die provinsie verskies is, konsolideer.

Gedragskode

14. ’n Skoolkiesbeampte, distrikskiesbeampte, provinsiale verkiesingskoördineerder en ’n lid van die skoolkiesspan moet—
(a) eerlik en hoflik optree;
(b) op ’n regverdigde en onpartydige wyse optree;
(c) vertroud wees met die verkiesingsproses en toepaslike wetgewing wat op die verkiesing van beheerliggame betrekking het;
(d) die verkiesing volgens hierdie regulasies uitvoer;
(e) met die prinsipaal saamwerk;
(f) die verkiesingsproses op ’n regverdige en regmatige wyse behartig; en
(g) nie sy of haar magte oorskry nie.

Kieserslyste

15. (1) Die prinsipaal moet vir elk van die volgende kategorieë kiesers ’n kieserslys soos volg opstel wat die name bevat van alle ouers, opvoeders en nie-opvoeders by die skool wat soos beoog in regulasie 8 stemgeregtig is:
(a) die kieserslys vir ouers moet gegrond word op die skool se toelatingsregister en moet bestaan uit daardie persone wie se name as ouers in die toelatingsregister opgeteken is of wat kan bewys dat hulle ouers is van leerders wat by die skool ingeskryf is;
(b) die kieserslys vir opvoeders moet bestaan uit alle opvoeders wat by die skool in diens is; en
(c) die kieserslys vir nie-opvoeders moet bestaan uit alle nie-opvoeders wat by die skool in diens is.

(2) Die prinsipaal moet toesien dat daar geen gedupliseerde name op die kieserslyste is nie en moet toesien dat ’n maksimum van twee ouers per leerder op die kieserslys vir ouers beoog in subartikel (1)*(a)* weerspieël word.

(3) Die kieserslys vir ouers moet minstens 14 dae voor die verkiesing aan ouers vir insae beskikbaar gestel word.

(4) Die ouers kan die kieserslys vir ouers nagaan om te bepaal of hul name daarop verskyn en enige geskil aanhangig maak binne vyf dae nadat die kieserslys soos beoog in subregulasie (3) beskikbaar gestel is.

(5) Die prinsipaal moet ’n geskil beoog in subregulasie (4) oorweeg en, waar nodig, binne vyf dae nadat kennisgewing van ’n dispuut ontvang is, die kieserslys wysig.

(6) Die prinsipaal moet die kieserslys vir ouers, opvoeders en nie-opvoeders vier dae voor die verkiesing finaliseer, en geen name mag ná finalisering tot die lys gevoeg word nie.

(7) Die skoolkiesbeampte moet die kieserslyste verifieer nadat die prinsipaal dit ingevolge subregulasie (6) gefinaliseer het.

Datum, tyd en plek van benoemingbevestigingsvergadering en verkiesing van ouerlede

16. (1) Die skoolkiesbeampte moet ná oorlegpleging met die prinsipaal—

(a) ’n datum, tydgleuwe en ’n plek bepaal vir—

(i) ’n vergadering om die benoeming van ouers te bevestig, welke vergadering minstens tien dae voor die verkiesing gehou moet word;

(ii) ’n verkiesing van ouerlede; en

(iii) die tel van stemme; en

(b) die prinsipaal skriftelik daarvan in kennis stel.

(2) Die benoeming en verkiesing van ouerlede moet voorafgegaan word deur die verkiesing van die ander kategorieë lede van die beheerliggaam soos beoog in regulasies 24, 25, 26 en 27.

(3) In die geval van ’n nuwe skool moet die vergadering om die benoeming en verkiesing van ouerlede te bevestig nie later nie as 90 dae ná die opening van die skool vir leerders gehou word.

(4) Die Departementshoof kan, indien dit redelikerwys nodig is in die omstandighede, skriftelik ’n verlenging van die tydperk beoog in subregulasie (3) toelaat, maar sodanige verlenging mag nie langer as ses maande ná die instelling van die skool wees nie.

Kennisgewing van benoemingbevestigingsvergadering en verkiesing van ouerlede

17. Die skoolkiesbeampte moet ’n kennisgewing, in die vorm van Aanhangsel A, van die benoemingbevestigingsvergadering en verkiesing beoog in regulasie 16 en ’n benoemingsvorm, in die vorm van Aanhangsel B, opstel en moet minstens 21 dae voor die verkiesing ’n afskrif van die kennisgewing en benoemingsvorm aan die prinsipaal verskaf sodat die bepalings van subregulasie (4) uitgevoer kan word.

(2) Die kennisgewing aan die ouers moet—

(a) die datum, tyd en plek van die benoemingbevestigingsvergadering vermeld;

(b) vermeld dat ouerkandidate die benoemingbevestigingsvergadering kan bywoon;

(c) die datum, tydgleuwe en plek van die stemming vermeld;

(d) ouers daaraan herinner om ’n vorm van identifikasie saam te bring sodat hulle toegelaat kan word om te stem;

(e) die datum, tydgleuwe en plek van ’n opvolgstemming vermeld, wat minstens sewe dae en hoogstens 11 dae ná die eerste stemming gehou moet word sou ’n kworum soos beoog in regulasie 19(2) nie by die eerste stemming bereik word nie;

(f) ouers inlig dat hulle tot 16:00 op die dag voor die verkiesing skriftelik by die skoolkiesbeampte teen enige benoeming beswaar kan aanteken; en

(g) ouers aanmoedig om die volgende faktore in aanmerking te wanneer ouerkandidate benoem en verkies word:

(i) die beginsel van billikheid;

(ii) die noodsaaklikheid om onregte van die verlede reg te stel; en

(iii) die noodsaaklikheid van verteenwoordiging.

(3) Die identifikasie beoog in subregulasie (2)*(d)* moet ’n Suid-Afrikaanse identiteitskaart, ’n groen staafkode-identiteitsdokument, ’n tydelike identiteitsdokument uitgereik deur die Departement van Binnelandse Sake of, in die geval van ’n buitelander, ’n permit uitgereik ingevolge die “Immigration Act, 2002” (Wet 13 van 2002) wees: Met dien verstande dat indien sodanige identifikasie nie beskikbaar is nie, ’n alternatiewe vorm van identifikasie deur ’n lid van die skoolkiesspan aanvaar kan word.

(4) Die prinsipaal moet minstens 21 dae voor die datum van die verkiesing vir ouerlede—

(a) toesien dat die opvoeders afskrifte van die kennisgewing en benoemingsvorm aan elke leerder van die betrokke skool gee met die mondelinge opdrag om dit aan sy of haar ouers te oorhandig;

(b) toesien dat afskrifte van die kennisgewing en benoemingsvorm per pos aan die ouers van elke leerder by die skool gestuur word, indien hy of sy dit dienstig ag;

(c) ’n kombinasie van die twee kennisgewingsmetodes beoog in paragrawe *(a)* en *(b)* gebruik; of

(d) enige ander metode gebruik om die ouers van elke leerder by die skool in kennis te stel van die benoemingbevestigingsvergadering en verkiesing van ouerlede, solank die metode van kennisgewing geen ouers benadeel of hul deelname aan die verkiesingsproses belemmer nie.

Benoemingsproses in verkiesing-per-hand

18. (1) Om ’n ouerkandidaat in ’n verkiesing-per-hand te benoem, moet die ouer van ’n leerling by die skool, hoogstens 11 dae voor die verkiesing, ’n benoemingsvorm in die vorm van Aanhangsel B, wat behoorlik deur die voorsteller, sekondant en ouerkandidaat ingevul is, by die skoolkiesbeampte indien.

(2) ’n Benoeming beoog in subregulasie (1) moet deur ’n ander ouer gesekondeer word.

(3) ’n Ouerkandidaat mag nie homself of haarself benoem nie.

(4) By die benoemingbevestigingsvergadering moet die skoolkiesspan die benoemings oorweeg en die benoeming van enige ouer verwerp wat—

(a) nie ooreenkomstig subregulasie (1) benoem is nie;

(b) onverkiesbaar is soos in regulasie 3 beoog; of

(c) homself of haarself benoem het,

en daarna moet die skoolkiesbeampte ’n benoemingslys saamstel en die prinsipaal en die ouers in kennis stel van die name van die ouers wie se benoeming aanvaar is.

(5) Die prinsipaal, minstens twee dae voor die datum van die verkiesing van ouerlede—

(a) moet toesien dat die opvoeders afskrifte van die benoemingslys beoog in subregulasie (4) aan elke leerder van die betrokke skool oorhandig met ’n mondelinge instruksie om dit aan sy of haar ouers te oorhandig; of

(b) kan enige ander metode gebruik om die ouers van elke leerder by die skool in kennis te stel van daardie benoemingslys, mits die kennisgewingsmetode nie enige ouers benadeel en hul deelname aan die verkiesingsproses belemmer nie.

(6) Indien die totale getal ouerkandidate wie se benoemings aanvaar is soos beoog in subregulasie (4) minder is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* vereis word ten opsigte van die betrokke beheerliggaam, moet die skoolkiesbeampte binne twee dae ná die benoemingbevestigingsvergadering—

(a) die prinsipaal skriftelik daarvan in kennis stel;

(b) die ouers in kennis stel en versoek dat bykomende ouerkandidate benoem word binne hoogstens vier dae ná die datum van die benoemingbevestigingsvergadering; en

(c) ’n tweede benoemingbevestigingsvergadering belê wat hoogstens binne vyf dae ná die datum van die eerste benoemingbevestigingsvergadering gehou moet word.

(7) In omstandighede beoog in subregulasie (6)*(c)*—

(a) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasie (4) aanvaar is, meer is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is—

(i) moet die skoolkiesbeampte minstens vyf dae voor die verkiesing die prinsipaal en ouers in kennis stel van die name van die ouers wie se benoemings aanvaar is; en

(ii) moet ’n stemming ingevolge regulasie 19 gehou word;

(b) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasie (4) aanvaar is, gelyk is aan die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die proses beoog in subregulasie (9) gevolg word; of

(c) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasie (4) aanvaar is, minder is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die skoolkiesbeampte binne twee dae ná die tweede benoeming-bevestigingsvergadering—

(i) die prinsipaal skriftelik daarvan in kennis stel;

(ii) die ouers in kennis stel en versoek dat bykomende ouerkandidate hoogstens ses dae ná die datum van die tweede benoemingbevestigingsvergadering beoog in subregulasie (6)*(c)* benoem word; en

(iii) ’n derde benoemingbevestigingsvergadering belê wat binne hoogstens sewe dae ná die tweede benoemingbevestigingsvergadering beoog in subregulasie (6)*(c)* gehou moet word.

(8) In die omstandighede beoog in subregulasie (7)*(c)*(iii)—

(a) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasies (4) en (7) aanvaar is, meer is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die proses beoog in subregulasie (7)*(a)* gevolg word;

(b) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasies (4) en (7) aanvaar is, gelyk is aan die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die proses beoog in subregulasie (9) gevolg word; of;

(c) indien die totale getal ouerkandidate wie se benoemings aanvaar is, met inbegrip van die benoemings wat ingevolge subregulasies (4) en (7) aanvaar is, minder is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die proses beoog in regulasie 16(1) gevolg word.

(9) Indien die totale getal ouerkandidate wie se benoemings soos beoog in subregulasie (4) aanvaar is, gelyk is aan die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die skoolkiesbeampte elke aanvaarde ouerkandidaat tot ’n behoorlik verkose lid van die beheerliggaam verklaar.

(10) Indien die totale getal ouerkandidate wie se benoemings soos beoog in subregulasie (4) aanvaar is, meer is as die getal lede wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, moet ’n stemming ooreenkomstig regulasie 19 gehou word.

Stemming by verkiesing van ouerlede in verkiesing-per-hand

19. (1) Die stemming beoog in regulasie 18(7)*(a)*(ii), (8)*(a)* of (10) moet gehou word op die datum en die tyd en die plek wat ooreenkomstig die benoemings- en verkiesingsproses bepaal word.

(2) ’n Kworum van ouers—

(a) bestaan uit 10 persent van die totale getal ouers op die kieserslys wat gestem het; en

(b) moet deur die skoolkiesbeampte aan die einde van die stemming bepaal word.

(3) Die skoolkiesbeampte moet aan elke ouer wat stemgeregtig is en wil stem, ’n goedgekeurde stembrief uitreik waarop die skoolstempel beoog in regulasie 10(7) verskyn.

(4) ’n Ouer moet sy of haar stem op die stembrief beoog in subregulasie (3) uitbring: Met dien verstande dat indien ’n ouer weens ongeletterdheid, blindheid of ’n ander liggaamsgebrek nie in staat is om sy of haar stem uit te bring nie, die skoolkiesbeampte, op versoek van daardie ouer en in die teenwoordigheid van ’n getuie van die ouer se keuse, die stem van die ouer kan uitbring op die ouerkandidaat of ouerkandidate wat daardie ouer aandui.

(5) Die skoolkiesbeampte moet ’n stembrief verwerp—

(a) waarop die skoolstempel in subregulasie (3) beoog, nie verskyn nie;

(b) waarop meer stemme uitgebring is as die getal lede wat ooreenkomstig regulasie 2 verkies moet word; of

(c) wat so ingevul is dat dit na die mening van die skoolkiesbeampte onduidelik is op watter ouerkandidaat of ouerkandidate ’n stem uitgebring is.

(6) Nadat die skoolkiesbeampte enige bedorwe stembriewe soos beoog in subregulasie (5) verwerp het, moet hy of sy—

(a) in die teenwoordigheid van elke ouerkandidaat wat teenwoordig wil wees, verseker dat die stemme wat op elke ouerkandidaat uitgebring is, deur die skoolkiesspan getel word; en

(b) die getal ouers wat ingevolge regulasie 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* of (6)*(a)* ten opsigte van die betrokke beheerliggaam bepaal is, op wie die meeste stemme uitgebring is, tot behoorlik verkose lede van die beheerliggaam verklaar en die getal stemme wat op elke ouerkandidaat uitgebring is, vermeld.

(7) Indien die getal stemme wat op twee of meer ouerkandidate uitgebring is, gelyk is en dit die uitslag van die stemming beïnvloed, moet die skoolkiesbeampte, in die teenwoordigheid van elke ouerkandidaat wat teenwoordig wil wees, lootjies trek om te bepaal watter van die ouers suksesvol verkies is.

(8) Indien ’n kworum soos beoog in subregulasie (2)*(a)* nie by die stemming behaal is nie, moet die skoolkiesbeampte—

(a) die prinsipaal en die ouers daarvan in kennis stel; en

(b) die ouers in kennis stel van die datum van die opvolgstemming soos beoog in regulasie 17(2)*(e)*.

(9) By die opvolgstemming word ’n kworum van ouers nie vereis nie.

(10) Geen volmagstemme word by beheerliggaamverkiesings aanvaar nie.

Rol van skool in besluit op e-verkiesing

20. Wanneer e-verkiesing as die wyse van verkiesing gekies word, moet die prinsipaal—

(a) by die distriksdirekteur aansoek doen om goedkeuring om hierdie wyse van verkiesing te gebruik soos beoog in regulasie 9(2)*(b)*;

(b) ouers van die aansoek in kennis stel;

(c) voor die verkiesing leiding aan die ouers bied by wyse van 'n handleiding oor hoe om die e-verkiesingmetode te gebruik;
(d) toesien dat 'n persoon met deeglike kennis van die werking van 'n e-verkiesing beskikbaar is om tegniese ondersteuning voor en op die dag van die verkiesing te verskaf;
(e) minstens een e-stemstasie by die skool opstel vir die duur van die verkiesing om voorsiening te maak vir diegene wat by die skool wil stem;
(f) toesien dat daar 'n kragopwekker beskikbaar is in die geval van geen elektrisiteitstoevoer;
(g) personeellede toewys en verskaf wat beskikbaar sal wees om die skoolkiesspan by te staan vir die duur van die benoemings-, stemmings- en telproses; en
(h) toesien dat ouers minstens vyf dae voor die verkiesing registreer om te stem deur middel van 'n verskeidenheid sekuriteitsvrae.

Benoemingsproses vir e-verkiesing

21. (1) Die benoemingsproses beoog in regulasie 18 geld, tensy die stelsel voorsiening maak dat die benoemingsproses vir 'n e-verkiesing elektronies aanlyn onderneem word, in welke geval die benoemingsproses beoog in regulasie 18 geld met die nodige veranderinge.

(2) Waar die benoemingsproses elektronies onderneem gaan word, moet die stelsel geprogrammeer word om—
(a) aan 'n ouer aanmelddetail met 'n unieke eenmalige persoonlike identifikasienommer te verskaf sodat hy of sy 'n ouerkandidaat kan benoem;
(b) die identifikasie van die ouer te verifieer wanneer hy of sy aanmeld deur middel van die persoonlike identifikasienommer beoog in paragraaf *(a)*, gegrond op die kieserslys vir ouers; en
(c) 'n aanlyn benoemingsvorm tot die ouer se beskikking stel sodat hy of sy ouerkandidate kan benoem.

(3) 'n Ouer moet afmeld nadat hy of sy benoemings gemaak het.

(4) Die personeellede beoog in regulasie 20*(g)* moet ouers wanneer nodig help om dokumente op te laai.

Stemming tydens e-verkiesing

22. (1) Die stelsel moet geprogrammeer word om—
(a) aan 'n ouer aanmelddetail met 'n unieke eenmalige persoonlike identifikasienommer te verskaf sodat hy of sy in die stemming kan stem;
(b) die identifikasie van die ouer te verifieer wanneer hy of sy aanmeld deur middel van die persoonlike identifikasienommer beoog in paragraaf *(a)*, gegrond op die kieserslys vir ouers; en
(c) 'n aanlyn stembrief tot die ouer se beskikking stel sodat hy of sy vir die vereiste getal ouerkandidate kan stem.

(2) 'n Ouer moet afmeld nadat hy of sy gestem het.

Tel van stemme tydens e-verkiesing

23. (1) Die stelsel moet geprogrammeer word sodat dit die resultate kan bereken en beskikbaar stel sodra die verkiesingstyd verstryk het.

(2) Die skoolkiesbeampte moet die resultate van die stemming beoog in regulasie 22 verifieer.

(3) Indien die getal stemme wat vir twee of meer ouerkandidate aangeteken is gelyk is en dit die uitslag van die stemming raak, moet die skoolkiesbeampte, in die teenwoordigheid van elke ouerkandidaat wat teenwoordig wil wees, lootjies trek om te bepaal wie van die ouers suksesvol verkies is.

Benoemings- en verkiesingsvergadering van opvoederlede

24. (1) Die skoolkiesbeampte moet in ’n kennisgewing in die vorm van Aanhangsel C ’n datum, tyd en plek vir ’n vergadering vir die benoeming en verkiesing van opvoederlede van die beheerliggaam vermeld, wat minstens 11 dae voor die verkiesing van ouerlede gehou moet word.

(2) Om ’n opvoederkandidaat te benoem, moet ’n opvoeder op die diensstaat van dieselfde skool—

(a) hoogstens sewe dae voor die datum van die benoemings- en verkiesingsvergadering by die skoolkiesbeampte ’n benoemingsvorm, in die vorm van Aanhangsel D, behoorlik ingevul deur die voorsteller, sekondant en opvoederkandidaat, indien; of

(b) ’n opvoeder as ’n lid van die beheerliggaam voorstel tydens die benoemings- en verkiesingsvergadering.

(3) ’n Benoeming beoog in subregulasie (2)*(b)* moet deur ’n ander opvoeder gesekondeer word, en ’n benoemingsvorm, in die vorm van Aanhangsel D, moet behoorlik deur die voorsteller, die sekondant en, indien teenwoordig, die opvoederkandidaat ingevul word en moet binne die tyd beoog in subregulasie (4) by die skoolkiesbeampte ingedien word.

(4) Indien ’n kworum soos beoog in regulasie 25(2) bereik is, moet die skoolkiesbeampte die tyd bepaal wat tydens die benoemings- en verkiesingsvergadering vir die benoeming van opvoederkandidate toegelaat sal word, en hy of sy moet die vergadering daarvan in kennis stel.

(5) ’n Opvoederkandidaat mag nie homself of haarself benoem nie.

(6) Ná die verstryking van die tyd beoog in subregulasie (4) moet die skoolkiesbeampte die benoemings oorweeg en die benoeming van enige opvoeder verwerp wat—

(a) nie ooreenkomstig subregulasie (2)*(a)* of (3) benoem is nie;

(b) onverkiesbaar is soos beoog in regulasie 3;

(c) in die geval van ’n benoeming beoog in subregulasie (2)*(b)*, nie die benoemingsvorm ingevul het nie, tensy skriftelike bewys tot bevrediging van die skoolkiesbeampte voor die verstryking van die tyd beoog in subregulasie (4) ingedien word dat die opvoederkandidaat bereid sal wees om as lid van die beheerliggaam te dien; of

(d) homself of haarself benoem het,

en daarna moet die skoolkiesbeampte die name van die opvoederkandidate wie se benoemings aanvaar is, bekendmaak.

(7) Indien die totale getal opvoederkandidate wie se benoemings soos beoog in subregulasie (6) aanvaar is—

(a) minder is as die getal lede wat ingevolge regulasie 2(1)*(b)*, (2)*(b)* of (6)*(b)* ten opsigte van die betrokke beheerliggaam bepaal is, moet ’n nuwe vergadering waar bykomende opvoederkandidate benoem moet word, belê word, welke vergadering binne sewe dae vanaf die eerste vergadering ooreenkomstig die prosedures soos uiteengesit in hierdie regulasies gehou moet word;

(b) gelyk is aan die getal lede wat ingevolge regulasie 2(1)*(b)*, (2)*(b)* of (6)*(b)* ten opsigte van die betrokke beheerliggaam bepaal is, moet die skoolkiesbeampte elke aanvaarde opvoederkandidaat tot ’n behoorlik verkose lid van die beheerliggaam verklaar; of

(c) meer is as die getal lede wat ingevolge regulasie 2(1)*(b)*, (2)*(b)* of (6)*(b)* ten opsigte van die betrokke beheerliggaam bepaal is, moet ’n stemming ooreenkomstig regulasie 25 gehou word.

(8) Indien daar tien of minder opvoeders op die diensstaat van ’n skool is, word die prosedure vir die benoeming van opvoederlede nie gevolg nie maar word die prosedure vir die stemming beoog in regulasie 25 gevolg.

Stemming by verkiesing van opvoederlede

25. (1) Die skoolkiesbeampte moet ’n kennisgewing van die benoemings- en verkiesingsvergadering opstel en minstens sewe dae voor die vergadering ’n afskrif van die kennisgewing aan elke opvoeder op die diensstaat van die skool besorg.

(2) ’n Kworum by die stemming bestaan uit die aanwesigheid van meer as die helfte van die totale getal opvoeders op die diensstaat van die skool.

(3) Die skoolkiesbeampte moet aan elke opvoeder wat sy of haar stem wil uitbring, ’n goedgekeurde stembrief uitreik waarop die skoolstempel beoog in regulasie 10(7) verskyn.

(4) ’n Opvoeder beoog in subregulasie (1) wat wil stem, moet sy of haar stem uitbring deur die name van hoogstens twee opvoederkandidate op die stembrief te skryf.

(5) Die skoolkiesbeampte moet ’n stembrief verwerp—

(a) waarop die skoolstempel beoog in subregulasie (3) nie verskyn nie;

(b) waarop die name van meer as twee opvoederkandidate verskyn; of

(c) wat op so ’n wyse ingevul is dat dit, na die mening van die skoolkiesbeampte, onduidelik is op watter opvoederkandidaat of opvoederkandidate ’n stem uitgebring is.

(6) Die twee opvoederkandidate op wie die meeste stemme uitgebring is, moet deur die skoolkiesbeampte as behoorlik verkose verklaar word.

(7) Indien geen opvoederkandidaat ’n meerderheid van die stemme behaal nie, moet die kandidaat wat die laagste getal stemme ontvang het, uitgeskakel word en word ’n verdere stemming oor die oorblywende kandidate ooreenkomstig hierdie regulasies gehou.

(8) Die prosedure beoog in subregulasie (7) moet herhaal word totdat daar twee opvoederkandidate is wat deur die skoolkiesbeampte as behoorlik verkose verklaar moet word.

(9) By die toepassing van subregulasie (7), indien twee of meer opvoederkandidate elk die laagste getal stemme het, moet daar afsonderlik gestem word oor hierdie kandidate, en dit moet herhaal word so dikwels as wat nodig is om te bepaal watter kandidaat uitgeskakel moet word.

Benoeming en verkiesing van nie-opvoederlid

26. Die prosedure vir die benoeming en verkiesing van opvoederlede is, met die nodige veranderinge, van toepassing op die benoeming en verkiesing van ’n nie-opvoederlid.

Benoeming en verkiesing van leerderlede

27. Die twee leerderlede beoog in regulasie 2(1)*(d)* en (6)*(d)* word deur die verteenwoordigende raad van leerders uit eie geledere verkies soos beoog in die Bepaling van die Werksaamhede en Prosedures vir die Instelling en Verkiesing van Verteenwoordigende Rade van Leerders by Openbare Skole, gemaak deur die Provinsiale Minister onder Provinsiale Kennisgewing 272/2014 in *Provinsiale Koerant* 7317 van 13 Oktober 2014.

Besluite van skoolkiesbeampte

28. (1) Die skoolkiesbeampte moet alle aangeleenthede in verband met die benoeming van kandidate en die verkiesing van lede beslis en oplos.

(2) Behoudens regulasie 29(1) moet alle geskille oor die benoemings- en verkiesingsproses by die skoolkiesbeampte aangemeld word.

(3) Die skoolkiesbeampte moet poog om alle geskille te besleg ten einde verkiesings onbetwis te verklaar.

(4) ’n Besluit van die skoolkiesbeampte tydens die benoemings- en verkiesingsproses is finaal.

(5) Die skoolkiesbeampte moet ná die verkiesing ’n beswaar teen ’n benoeming beoog in regulasie 17(2)*(f)* beslis en oplos.

(6) Indien daar ’n geskil is wat die skoolkiesbeampte nie kan besleg nie, moet die benoemings en verkiesing voortgaan.

Besluite van distrikskiesbeampte

29. (1) Enige persoon wat ’n beswaar teen ’n besluit van ’n skoolkiesbeampte wil aanteken, moet die beswaar binne sewe dae ná die verkiesing van lede in die betrokke kategorie skriftelik by die betrokke distrikskiesbeampte aanteken.

(2) Enige persoon kan, binne sewe dae ná die verkiesing van lede in die betrokke kategorie, ’n onopgeloste geskil beoog in regulasie 28(6) na die distrikskiesbeampte verwys.

(3) Die distrikskiesbeampte moet die beswaar beoog in subregulasie (1) of die verwysing beoog in subregulasie (2) oorweeg en binne sewe dae ná ontvangs van die beswaar of verwysing skriftelik reageer.

(4) Enige persoon wat ná die verkiesing bewus word van ’n beweerde onreëlmatigheid in die verkiesingsproses kan die beweerde onreëlmatigheid binne sewe dae ná die afkondiging van die beheerliggaamlede na die distrikskiesbeampte verwys.

(5) Enige persoon wat nie met ’n besluit van die distrikskiesbeampte tevrede is nie, kan binne 21 dae ná ontvangs van die besluit van die distrikskiesbeampte na die Provinsiale Minister appelleer.

(6) Die Provinsiale Minister moet die appèl oorweeg en die aangeleentheid binne 21 dae ná ontvangs van die appèl skriftelik beslis.

Prosedure ná verkiesing van beheerliggaam

30. (1) Ná die verkiesing van ’n beheerliggaam moet die skoolkiesbeampte—

(a) ’n geskandeerde kopie maak van alle dokumente wat by die benoeming en verkiesing van die lede gebruik is, met inbegrip van alle ingevulde stembriewe wat in die verkiesing gebruik is en alle benoemingsvorms wat ontvang is en—
   (i) ’n geskandeerde kopie aan die skool se prinsipaal aanstuur; en
   (ii) ’n geskandeerde kopie behou;

(b) die oorspronklike dokumente beoog in paragraaf *(a)* in koeverte plaas, die koeverte verseël en hulle aan die distrikskiesbeampte oorhandig, wat hulle in veilige bewaring moet hou vir ’n tydperk van minstens drie jaar ná die datum van die verkiesing van die beheerliggaam;

(c) indien daarvan oortuig, die verkiesing as vry en regverdig verklaar;

(d) elke verkose lid skriftelik in kennis stel van sy of haar verkiesing; en

(e) die prinsipaal en die distrikskiesbeampte binne drie dae ná die datum van die verkiesing van die beheerliggaam skriftelik in kennis stel van die name en adresse van die persone wat tot lede verkies is.

(2) Die uittredende beheerliggaam hou op om te bestaan wanneer die skoolkiesbeampte die nuutverkose ouerlede afkondig en die verkiesing as vry en regverdig verklaar.

Eerste vergadering van beheerliggaam

31. (1) Die eerste vergadering van die nuutverkose beheerliggaam moet—

(a) deur die prinsipaal belê word binne vyf dae nadat hy of sy die kennisgewing beoog in regulasie 30(1)*(e)* ontvang het;

(b) binne tien dae ná die verkiesing gehou word;

(c) die prinsipaal as voorsitter hê;

(d) die beheerliggaam se ampsdraers verkies; en

(e) die ondertekenaars vir finansiële aangeleenthede bepaal.

(2) Die ondertekenaars beoog in subregulasie (1)*(e)* moet binne sewe dae ná die vergadering beoog in subregulasie (1) tekenregte gegee word.

(3) Die prinsipaal moet ’n vergadering tussen die ampsdraers van die uittredende beheerliggaam en die ampsdraers van die nuutverkose beheerliggaam belê en voorsit, wat binne sewe dae ná die vergadering beoog in subregulasie (1) gehou moet word sodat die oorhandigingsproses kan plaasvind.

(4) By die eerste vergadering van ’n beheerliggaam van ’n skool vir leerders met spesiale onderwysbehoeftes moet die lede beoog in regulasie 2*(a)*, *(b)*, *(c)*, *(d)* en *(e)* die lede beoog in regulasie 2(6)*(f)*, *(g)*, *(h)*, *(i)* en *(j)* met stemreg koöpteer.

(5) Op die eerste vergadering van die beheerliggaam beoog in subregulasie (1) moet die liggaam vanuit sy stemgeregtigde geledere ampsdraers verkies, wat minstens ’n voorsitter, ’n ondervoorsitter, ’n tesourier en ’n sekretaris moet insluit.

(6) Geen lid mag meer as een amp van die beheerliggaam gelyktydig beklee nie, tensy die beheerliggaam uit minder as vyf lede bestaan.

(7) In die omstandighede beoog in regulasie 2(1), (2), (3), (4) en (5) mag slegs ’n stemgeregtige ouerlid van ’n beheerliggaam as voorsitter of ondervoorsitter van die beheerliggaam dien.

(8) In die omstandighede beoog in regulasie 2(6) kan enige lid van die beheerliggaam as voorsitter of ondervoorsitter dien, uitgesonderd die prinsipaal van die skool, ’n opvoeder by die skool, ’n nie-opvoeder by die skool of ’n leerder.

(9) Behoudens subregulasies (7) en (8) kan enige stemgeregtigde lid van die beheerliggaam, uitgesonderd die prinsipaal, as ’n ampsdraer dien.

(10) Behoudens subregulasie (11) moet die ampsdraers in hul ampte bly vir ’n termyn van 12 maande ná hul verkiesing.

(11) ’n Ampsdraer van ’n beheerliggaam kan herverkies word as ’n ampsdraer ná die verstryking van sy of haar ampstermyn, met dien verstande dat hy of sy steeds kwalifiseer om ’n lid van die beheerliggaam te wees.

(12) Indien die amp van ’n ampsdraer om enige rede vakant raak, moet die beheerliggaam op die eerste vergadering nadat die vakature ontstaan het een van sy lede verkies om die vakature vir die onverstreke ampstermyn van sy of haar voorganger te vul.

(13) Die prinsipaal moet by ’n verkiesingsvergadering beoog in subregulasies (5) en (12) die voorsitter wees.

(14) Die prinsipaal moet, ná 'n vergadering waarop enige ampsdraer ooreenkomstig hierdie regulasie verkies is, die Departementshoof deur middel van die Wes-Kaapse Onderwysdepartement se aanlyn bestuursinligtingstelsel in kennis stel van die datum van die vergadering, die naam en adres van die persoon wat verkies is en die amp waartoe hy of sy verkies is.

(15) Behoudens regulasies 7 en 30(2), by verstryking van sy of haar ampstermyn, moet 'n uittredende ampsdraer sy of haar werksaamhede verrig totdat die verskiesing van die nuwe ampsdraer wat hom of haar sal vervang, plaasgevind het, met dien verstande dat die nuwe ampsdraer kwalifiseer om 'n lid van die beheerliggaam te wees.

Komitees

32. (1) Die beheerliggaam—

(a) moet die volgende instel:

(i) 'n finanskomitee;

(ii) 'n beskikkingskomitee;

(iii) 'n veiligheids-, sekuriteit- en sakekontinuïteitskomitee;

(iv) 'n instandhoudingskomitee; en

(v) 'n dissiplinêre komitee vir leerders; en

(b) kan soveel ander komitees as wat nodig mag wees instel.

(2) Behoudens subregulasie (3) kan 'n stemgeregtigde lid as voorsitter van 'n komitee van die beheerliggaam dien.

(3) Die tesourier of, indien dit nie moontlik is nie, die ondervoorsitter moet as voorsitter van die finanskomitee en van enige delegasie van die beheerliggaam wat met finansiële aangeleenthede te make het, dien.

Vergaderings van beheerliggaam

33. (1) Die beheerliggaam moet minstens een maal per skoolkwartaal vergader.

(2) Die voorsitter van 'n beheerliggaam moet ná oorleg met die prinsipaal en die sekretaris van die beheerliggaam die datum, tyd en plek van 'n vergadering beoog in subregulasie (1) bepaal, en die sekretaris moet elke lid minstens 14 dae voor sodanige vergadering skriftelik daarvan in kennis stel en die agenda vir die vergadering verskaf.

(3) Indien die voorsitter van die beheerliggaam van mening is dat 'n aangeleentheid dringende aandag op 'n spesiale vergadering van die beheerliggaam vereis, moet die sekretaris van die beheerliggaam vir elke lid minstens 24 uur kennis van die spesiale vergadering gee.

(4) Nie meer as drie aangeleenthede mag op 'n spesiale vergadering beoog in subregulasie (3) bespreek word nie.

(5) Enige persoon kan op uitnodiging van die beheerliggaam by 'n vergadering van die liggaam teenwoordig wees en aan die bespreking deelneem, maar mag nie stem nie en moet die vergadering verlaat wanneer die beheerliggaam 'n besluit neem.

(6) 'n Beheerliggaam kan van enige opvoeder of nie-opvoeder van die betrokke skool vereis om 'n vergadering van die liggaam by te woon in verband met enige aangeleentheid wat op die werksaamhede van die beheerliggaam betrekking het.

(7) 'n Kworum vir enige vergadering van die beheerliggaam bestaan uit een meer as die helfte van die getal van alle stemgeregtigde lede van die beheerliggaam.

(8) Behoudens artikel 22 van die Wet en hierdie regulasies moet ’n beheerliggaam sy eie reëls vir sy vergaderings en die prosedures op daardie vergaderings bepaal.

(9) ’n Lid van ’n beheerliggaam wat ’n leerder is, mag nie stem oor enige besluite wat aanspreeklikhede op die skool of derde partye oplê nie.

(10) Leerderlede van ’n beheerliggaam moet vir die duur van die beheerliggaamvergaderings teenwoordig bly.

(11) Die beheerliggaam moet minstens een maal per jaar onderskeidelik met ouers, opvoeders, nie-opvoeders en leerders by die skool vergader.

(12) Geen volmagstemme word by beheerliggaamvergaderings aanvaar nie.

(13) ’n Kworum van die vergadering is ’n voorvereiste vir ’n geldige beheerliggaamvergadering om te begin of voort te gaan, na gelang van die geval.

Notule van verrigtinge van vergaderings

34. (1) Die sekretaris van ’n beheerliggaam moet toesien dat—

(a) notule van die verrigtinge van elke vergadering van die beheerliggaam gehou word; en

(b) ’n afskrif van die notule minstens 14 dae voor die volgende vergadering aan elke lid van die beheerliggaam verskaf word.

(2) Die sekretaris van ’n beheerliggaam moet aan die prinsipaal ’n afskrif van die notules verskaf, en die prinsipaal moet die notules en ander dokumente van die beheerliggaam op lêer hou.

(3) Die sekretaris van ’n beheerliggaam moet aan die Departementshoof of enige persoon wat regmatig deur die Departementshoof aangewys is, op redelike versoek en vir ’n spesifieke doel, ’n afskrif van die notule verskaf.

(4) Die sekretaris van ’n beheerliggaam moet, op versoek, aan ’n ouer van ’n leerder by die skool of ’n opvoeder of ’n nie-opvoeder by die skool ’n afskrif van daardie gedeeltes van die notule verskaf wat op die beskerming van die regte of belange van die ouer of sy of haar kind of die opvoeder of nie-opvoeder, na gelang van die geval, betrekking het.

(5) In die omstandighede beoog in subregulasies (3) en (4) moet daar geen skending van die regte van enige ander persone of verbreking van vertroulikheid wees waar sodanige verbreking nie in die beste belang van die skool of lid van die beheerliggaam, personeellid, ouer of leerder by die skool is nie.

(6) Die notule van ’n vergadering van ’n beheerliggaam of ’n komitee daarvan moet op die volgende vergadering van die beheerliggaam of komitee daarvan, na gelang van die geval, vir goedkeuring en ondertekening voorgelê word.

(7) By die ontbinding van ’n beheerliggaam of die verstryking van sy ampstermyn moet alle notules en ander dokumente van die beheerliggaam en enige komitee daarvan aan die prinsipaal van die skool oorhandig word.

(8) By die sluiting van ’n skool moet die prinsipaal alle notules en ander dokumente van die beheerliggaam of enige komitee daarvan aan die betrokke distriksdirekteur vir veilige bewaring oorhandig.

(9) Die beheerliggaam moet minstens een maal per jaar ’n verslag van sy aktiwiteite aan ouers, opvoeders, nie-opvoeders en leerders by die skool voorlê.

Oorgangsbepalings

35. ’n Beheerliggaam by ’n openbare skool wat, by die inwerkingtreding van hierdie regulasies, geldig saamgestel is ingevolge die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame

by Openbare Skole, 2017, gepubliseer onder Provinsiale Kennisgewing 156/2017 in *Provinsiale Koerant* 7810 van 17 Augustus 2017, word geag saamgestel te wees ingevolge hierdie regulasies.

Herroeping

36. Die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2017, gepubliseer onder Provinsiale Kennisgewing 156/2017 in *Provinsiale Koerant* 7810 van 17 Augustus 2017, word herroep.

Kort titel

37. Hierdie regulasies heet die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2021.

AANHANGSEL A

Kennisgewing van Benoemingbevestigingsvergadering en Verkiesing

Verkiesing van Ouers van Leerders tot Beheerliggaam

(Regulasies 18, 19, 21 en 22 van die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2021)

NAAM VAN SKOOL: ____________________________ EMIS-NOMMER: _____________

Kennis geskied hiermee soos volg:

1. 'n ouer van 'n leerder wat die bogenoemde skool bywoon, wie se naam op die kieserslys van die skool is kan enige ander ouer van 'n leerder wat die skool bywoon wie se naam op die keiserslys van die skool is, benoem of so 'n ouer se benoeming sekondeer, deur 'n voltooide benoemingsvorm teen nie later nie as ________________ (datum) by die skool te besorg.

2. verskeie benoemingbevestigingsvergaderings, wat deur ouerkandidate bygewoon mag word, sal gehou word op:
   (a) Datum: ____________ Plek: ______________________________ Tyd:________
   (b) Datum: ____________ Plek: ______________________________ Tyd: ________
   (c) Datum: ____________ Plek:______________________________ Tyd: ________

   om die volgende sake af te handel:
   (i) alle benoemings te oorweeg;
   (ii) alle benoemings wat nie verkiesbaar is nie of nie behoorlik ingevul is nie, te verwerp; en
   (iii) 'n lys van ouerkandidate op te stel wat as benoemdes verkiesbaar is.

3. Die kieserslys van ouers, wat gegrond is op die skool se toelatingsregister, sal by die skool vir insae beskikbaar wees vanaf ____________________ (datum) __________ (tyd), en 'n ouer het die reg om tot ____________________ (datum) ____________ (tyd) 'n geskil by die skoolprinsipaal aanhangig te maak. Die prinsipaal sal alle geskille voor die bekendmaking van die kieserslys vir ouers teen ________________________ (datum) oorweeg. Geen name sal ná ____________________ (datum) bygevoeg word nie.

4. Enige persoon kan 'n beswaar teen enige benoeming skriftelik by die skoolkiesbeampte ______________________ (naam en van) aanteken teen 16:00 op __________________________ (datum).

5. 'n Verkiesing sal gehou word op ____________________________________ (datum), by __________________________ (plek), en die stemstasie sal om ____________ (tyd) open en om _____________ (tyd) sluit en sal vir die volgende tydgleuwe (in die geval van 'n verkiesing-per-hand) oop wees:

   ____
   ____
   ____
   ____
   ____
   ____

Hierdie verkiesing sal plaasvind indien meer ouerkandidate benoem word as die getal lede wat verkies moet word.

6. ’n Opvolgverkiesing kan gehou word op ________________________ (datum), by ____________________ (plek), en die stemstasie sal om __________ (tyd) open en om __________ (tyd) sluit en sal vir die volgende tydgleuwe (in die geval van ’n verkiesing-per-hand) oop wees:

   ____
   ____
   ____
   ____
   ____
   ____

   Hierdie opvolgverkiesing sal slegs plaasvind indien meer ouerkandidate benoem word as die getal lede wat verkies moet word en ’n kworum nie by die vorige vergadering bereik is nie. By die opvolgverkiesing word geen kworum vereis nie.

7. Die tel van stembriewe, nadat ’n kworum bereik is, sal gehou word op ______________________ (datum), by ____________________ (plek), kort nadat die stemming by die verkiesing gesluit het, en benoemdes kan hierdie sessie bywoon.

8. Die tel van stembriewe sal gehou word op ______________________ (datum), by ____________________ (plek), kort nadat die stemming by die opvolgverkiesing gesluit het, en benoemdes kan hierdie sessie bywoon.

9. U word hiermee daaraan herinner om—
   (a) ’n vorm van identifikasie saam te bring om u toe te laat om te stem. Die vorm van identifikasie moet ’n Suid-Afrikaanse identiteitskaart of groen staafkode-identiteitsdokument, ’n tydelike identiteitsdokument uitgereik deur die Departement van Binnelandse Sake of ’n permit in die geval van ’n buitelander uitgereik ingevolge die “Immigration Act, 2002” (Wet 13 van 2002), wees; en
   (b) die volgende faktore in aanmerking te neem wanneer ouerkandidate benoem en verkies word:
      (i) die noodsaaklikheid van billikheid;
      (ii) die noodsaaklikheid daarvan om die onregte van die verlede reg te stel; en
      (iii) die noodsaaklikheid van verteenwoordiging.

10. Indien die getal benoemde kandidate gelyk is aan die getal lede wat verkies moet word, sal die ouerkandidate geag word as verkose lede van die beheerliggaam.

11. Indien die getal ouerkandidate wat benoem is, minder is as die getal lede wat verkies moet word, sal die skoolkiesbeampte nog benoemings van ouerkandidate aanvra.

DATUM

HANDTEKENING VAN SKOOLKIESBEAMPTE

ADRES:

AANHANGSEL B

BENOEMINGSVORM

Verkiesing van Ouers van Leerders as Lede van Beheerliggaam

(Regulasies 18, 19, 21 en 22 van die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2021)

NAAM VAN SKOOL: ____

VOORSTELLER:

Ek, ____,
(Volle naam)

van ____ (woonadres)

as 'n ouer van 'n leerder van die bogenoemde skool, benoem hiermee

____
(Volle naam van kandidaat)

as 'n lid van die beheerliggaam van die bogenoemde skool.

____
HANDTEKENING VAN VOORSTELLER

SEKONDANT:

Ek, ____,
(Volle naam)

van ____ (woonadres)

as 'n ouer van 'n leerder van die bogenoemde skool, sekondeer hiermee die benoeming van

____
(Volle naam van kandidaat)

as 'n lid van die beheerliggaam van die bogenoemde skool.

____
HANDTEKENING VAN SEKONDANT

KANDIDAAT:

Ek,

____
(Volle naam)

met PERSAL-/INDIENSNEMINGS-/IDENTITEITS nommer ______________________

van____
(Woonadres)

verklaar hiermee dat ek ten volle daarvan bewus is dat—

1. ek nie as ’n lid van ’n beheerliggaam benoem of aangestel mag word nie of dat my lidmaatskap beëindig sal word indien ek—

(a) te eniger tyd deur ’n geregshof skuldig bevind is aan ’n misdryf waarvoor ek ’n opgeskorte vonnis sonder die keuse van ’n boete gekry het of tot gevangenisstraf sonder die keuse van ’n boete gevonnis is, tensy ek kwytskelding gekry het of die tydperk van opskorting of gevangenisstraf minstens drie jaar voor die datum van my benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het;

(b) verklaar is as ongeskik om met kinders te werk ingevolge die “Children’s Act, 2005” (Wet 38 van 2005), of die Wysigingswet op die Strafreg (Seksuele Misdrywe en Verwante Aangeleenthede), 2007 (Wet 32 van 2007);

(c) geestesongesteld is en as sodanig verklaar is deur ’n geregshof;

(d) ’n ongerehabiliteerde insolvent is;

(e) nie ’n kind het wat as ’n leerder by die betrokke skool ingeskryf is nie;

(f) *(in die geval van ’n opvoeder wat aangestel is ingevolge die Wet op die Indiensneming van Opvoeders, 1998 (Wet 76 van 1998))*, skuldig bevind is aan wangedrag en—

(i) beboet is;

(ii) sonder betaling geskors is;

(iii) gedemoveer is; of

(iv) ’n kombinasie van die strawwe beoog in subparagrawe (i) tot (iii) gekry het,

tensy die tydperk van my straf minstens drie jaar voor die datum van my benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het;

(g) *(in die geval van ’n nie-opvoeder wat ingevolge die Staatsdienswet, 1994 (Proklamasie 103 van 1994), of deur die beheerliggaam aangestel is)*, skuldig bevind is aan wangedrag en—

(i) sonder betaling geskors is;

(ii) gedemoveer is; of

(iii) ’n kombinasie van die strawwe beoog in subparagrawe (i) en (ii) gekry het,

tensy die tydperk van my straf minstens drie jaar voor die datum van my benoeming of aanstelling as ’n lid van die beheerliggaam verstryk het.

2. Ek verklaar voorts, gegrond op die punte gelys in (1) hierbo, dat ek nie onverkiesbaar is om benoem te word tot of te dien in die beheerliggaam van ’n skool onder die toesig van die Wes-Kaapse Onderwysdepartement nie.

3. Ek verklaar voorts dat ek daartoe instem om deur ’n geakkrediteerde keuringsagentskap gekeur te word om voldoening aan punt (1) hierbo te bepaal, indien ek tot die beheerliggaam verkies word en ’n aantyging gegrond op punt (1) teen my gemaak word.

4. Ek verklaar voorts dat, nadat punte (1), (2) en (3) hierbo oorweeg is, ek die bogenoemde benoeming regmatig aanvaar.

____

HANDTEKENING VAN KANDIDAAT

Ek, ____,

(Volle naam)

die skoolkiesbeampte, verklaar hiermee dat hierdie benoeming aanvaar / verwerp word.
(Skrap wat nie van toepassing nie)

____________ _______________________________________

DATUM HANDTEKENING VAN SKOOLKIESBEAMPTE

Bring die stempel van die kantoor van die skoolkiesbeampte aan:

STEMPEL

AANHANGSEL C

Kennisgewing van Benoemings- en Verkiesingsvergadering

Verkiesing van Opvoeders / Nie-opvoeders tot Beheerliggaam

(Regulasies 24, 25 en 26 van die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2021)

NAAM VAN SKOOL: ___________________________________ EMIS-NOMMER: ________________

Kennisgewing geskied hiermee dat 'n vergadering vir die benoeming en verkiesing van kandidate vir die verkiesing van _____________________________________ (opvoeders / nie-opvoeders) as lede van die beheerliggaam vir die bogenoemde skool gehou sal word op _____________________ (datum) om ___________ (tyd) in ____ (plek). Indien 'n kworum nie bereik word nie, sal 'n opvolgvergadering gehou word op _____________________________________ (datum) om ________________ (tyd).

Daar sal om __________________ (tyd) op die dag van die benoemings- en verkiesingsvergadering bepaal word of genoeg opvoeders / nie-opvoeders wat stemgeregtig is, teenwoordig is sodat die vergadering kan voortgaan. Opvoeders / nie-opvoeders word daarom aangemoedig om die vergadering by te woon.

Daag asseblief voor __________________ (tyd) vir die vergadering op.

'n Kandidaat kan benoem word by die vergadering of deur hoogstens sewe dae voor die bogenoemde vergadering 'n benoemingsvorm wat behoorlik deur 'n voorsteller, 'n sekondant en die kandidaat ingevul is, by die skoolkiesbeampte in te dien. Vir hierdie doel sal benoemings by die skool aanvaar word vanaf ________________________ (datum) tot ___________ (tyd) op ____________________ (datum).

Indien die getal benoemde kandidate gelyk is aan die getal lede wat verkies moet word, sal die kandidate as verkose beheerliggaamlede geag word.
Indien meer kandidate benoem word as die getal lede wat verkies moet word, sal 'n stemming gehou word nadat die benoemings ingedien is.

________________________ ____

DATUM HANDTEKENING VAN SKOOLKIESBEAMPTE

ADRES:

____

____

____

AANHANGSEL D

BENOEMINGSVORM

Verkiesing van Opvoeders / Nie-opvoeders tot Beheerliggaam

(Regulasies 24, 25 en 26 van die Regulasies vir Prosedures vir die Instelling en Verkiesing van Beheerliggame by Openbare Skole, 2021)

NAAM VAN SKOOL: ____

VOORSTELLER:
Ek, ____,
(Volle naam)

van ____ (woonadres)

as 'n opvoeder / nie-opvoeder van die bogenoemde skool, benoem hiermee

____
(Volle naam van kandidaat)

as 'n lid van die beheerliggaam van die bogenoemde skool.

____
HANDTEKENING VAN VOORSTELLER

SEKONDANT:
Ek, ____,
(Volle naam)

van ____ (woonadres)

as 'n opvoeder / nie-opvoeder van die bogenoemde skool, sekondeer hiermee die benoeming van

____
(Volle naam van kandidaat)

as 'n lid van die beheerliggaam van die bogenoemde skool.

____
HANDTEKENING VAN SEKONDANT

KANDIDAAT:

Ek, ____
(Volle naam)

met PERSAL-/PERSONEELNOMMER ______________________________,

van____
(Woonadres)

verklaar hiermee dat ek ten volle daarvan bewus is dat—

1. ek nie as 'n lid van 'n beheerliggaam benoem of aangestel mag word nie of dat my lidmaatskap beëindig sal word indien ek—

(a) te eniger tyd deur 'n geregshof skuldig bevind is aan 'n misdryf waarvoor ek 'n opgeskorte vonnis sonder die keuse van 'n boete gekry het of tot gevangenisstraf sonder die keuse van 'n boete gevonnis is, tensy ek kwytskelding gekry het of die tydperk van opskorting of gevangenisstraf minstens drie jaar voor die datum van my benoeming of aanstelling as 'n lid van die beheerliggaam verstryk het;

(b) verklaar is as ongeskik om met kinders te werk ingevolge die "Children's Act, 2005" (Wet 38 van 2005), of die Wysigingswet op die Strafreg (Seksuele Misdrywe en Verwante Aangeleenthede), 2007 (Wet 32 van 2007);

(c) geestesongesteld is en as sodanig verklaar is deur 'n geregshof;

(d) 'n ongerehabiliteerde insolvent is;

(e) *(in die geval van 'n opvoeder wat aangestel is ingevolge die Wet op die Indiensneming van Opvoeders, 1998 (Wet 76 van 1998)*, uitgesonder die prinsipaal), skuldig bevind is aan wangedrag en—

(i) beboet is;

(ii) sonder betaling geskors is;

(iii) gedemoveer is; of

(iv) 'n kombinasie van die strawwe beoog in subparagrawe (i) tot (iii) gekry het,

tensy die tydperk van my straf minstens drie jaar voor die datum van my benoeming of aanstelling as 'n lid van die beheerliggaam verstryk het;

(f) *(in die geval van 'n nie-opvoeder wat ingevolge die Staatsdienswet, 1994 (Proklamasie 103 van 1994), of deur die beheerliggaam aangestel is)*, skuldig bevind is aan wangedrag en—

(i) sonder betaling geskors is;

(ii) gedemoveer is; of

(iii) 'n kombinasie van die strawwe beoog in subparagrawe (i) en (ii) gekry het,

tensy die tydperk van my straf minstens drie jaar voor die datum van my benoeming of aanstelling as 'n lid van die beheerliggaam verstryk het.

2. Ek verklaar voorts, gegrond op die punte gelys in (1) hierbo, dat ek nie onverkiesbaar is om benoem te word om op die beheerliggaam van 'n skool onder die toesig van die Wes-Kaapse Onderwysdepartement te dien nie.

3. Ek verklaar voorts dat, nadat punte (1) en (2) hierbo oorweeg is, ek die bogenoemde benoeming regmatig aanvaar.

____

HANDTEKENING VAN KANDIDAAT
OF

(INDIEN VOORGESTEL BY BENOEMINGS- EN VERKIESINGSVERGADERING EN NIE AANWESIG OM DIE BENOEMINGSVORM TE VOLTOOI NIE)

Ek, ____ ,
(Volle naam)

verklaar dat skriftelike bewyse ter bevrediging ingedien is dat die bogenoemde kandidaat, wat nie aanwesig is by die benoemings- en verkiesingsvergadering om die benoemingsvorm in te vul nie, indien verkies, bereid sal wees om as 'n lid van die beheerliggaam te dien.

____

HANDTEKENING VAN SKOOLKIESBEAMPTE

Hierdie benoeming word aanvaar / verwerp.
(Skrap wat nie van toepassing nie)

_____________ ____

DATUM HANDTEKENING VAN SKOOLKIESBEAMPTE

Bring die stempel van die kantoor van die skoolkiesbeampte aan:

STEMPEL

ISAZISO SEPHONDO

I.S. 23/2021 12 kweyoKwindla 2021

ISEBE LEMFUNDO KWIPHONDO LENTSHONA KOLONI

IMIGAQO YEENKQUBO ZOKUMISELWA NOKONYULWA KWAMABHUNGA OLAWULO KWIZIKOLO ZIKAWONKEWONKE, 2021

UMphathiswa weMfundo kwiSebe lePhondo kwiNtshona Koloni, phantsi kwecandelo 24, xa sifundwa necandelo 63, somthetho wezeMfundo weZikolo zePhondo leNtshona Koloni, ka-1997 (UMthetho 12 ka-1997), uceba ukumisela le migaqo ithiwe thaca kule Shedyuli.

ISHEDYULI

UKUHLENGAHLENGISWA KWEMIGAQO

Imigaqo

1. Iingcaciso
2. Ukwakhiwa kwebhunga lolawulo
3. Ukungalungeli ukuba lilungu lebhunga lolawulo kwakunye nokungamkeleki ukuba lilungu lebhunga lolawulo
4. Ukuphonononga
5. Ixesha lokusebenza kwamalungu ebhunga lolawulo
6. Izikhewu kwibhunga lolawulo
7. Ukuchithwa nokuphinda kumiselwe ibhunga lolawulo
8. Ilungelo lokuvota
9. Iindlela zonyulo
10. Igosa lonyulo lesikolo
11. Imisebenzi yegosa lonyulo kwisikolo
12. Imisebenzi yegosa lonyulo kwisithili
13. Imisebenzi yomlungelelanisi wonyulo kwiphondo
14. Indlela Yokuziphatha
15. Uluhlu lwabaVoti
16 Umhla, ixesha kwakunye nendawo yentlanganiso yokuqinisekisa utyunjo kwakunye nokonyulwa kwamalungu angabazali
17. Isaziso sentlanganiso yokuqinisekisa utyunjo nokonyulwa kwamalungu angabazali
18. Inkqubo yotyunjo olwenziwa ngokusebenzis’ izandla
19. Ukuvota kunyulo lwamalungu angabazali okwenziwa ngokusebenzis’ izandla
20. Indima yesikolo ekukhetheni unyulo ngeintanethi
21. Inkqubo yotyunjo kunyulo oluqhutywa ngeintanethi
22. Ukuvota kunyulo oluqhutywa ngeintanethi
23. Ukubalwa kweevoti kunyulo oluqhutywa ngeintanethi
24. Intlanganiso yotyunjo nonyulo lwamalungu angabahlohli
25. Ukuvota kunyulo lwamalungu angabahlohli
26. Utyunjo nonyulo lwelungu elingengomhlohli
27. Utyunjo nonyulo lwamalungu angabafundi
28. Izigqibo zegosa lonyulo kwisikolo
29. Izigqibo zegosa lonyulo kwisithili

30. Inkqubo emva konyulo lwebhunga lolawulo
31. Intlanganiso yokuqala yebhunga lolawulo
32. Iikomiti
33. Intlanganiso yebhunga lolawulo
34. Imizuzu yeenkqubo zeentlanganiso
35. Imigaqo yethutyana
36. Ukubhangiswa
37. Isihloko esifutshane

Iingcaciso

1. Kule migaqo, ngaphandle kwaxa kuthe kwachazwa ngahlobo lumbi, naliphi na igama okanye imvakaliso enikwe intsingiselo ngokwalo Mthetho liza kuba nentsingiselo eliyinikiweyo yaye, ngaphandle kokuba imeko ikhokelela kwelinye icala—

"usuku" lubhekisa kulo naluphi na usuku, kuquka noMgqibelo, iCawa, iholide kawonkewonke kwakunye nosuku olungumhla wesikolo; nosuku oluyiholide yesikolo ekhethekileyo.

"ikomiti yoluleko lwabafundi" ithetha ikomiti yoluleko echazwe kwiMigaqo eNxulumene nokuLuleka, ukuNqumamisa nokuGxotha ABafundi kwiZikolo zikaRhulumente eNtshona Koloni, eyenziwe phantsi kweSaziso sePhondo esingu-365/2011 kwi*Gazethi yePhondo* 6939 yomhla wesi-15 kweyoMnga 2011;

"igosa lonyulo kwisithili" libhekisa kwigosa eliyintloko kwi-ofisi yesebe lemfundo yesithili elithwaliswe uxanduva lokongamela kwanokulawula inkqubo yokunyulwa kwebhunga lolawulo kweso sithili;

"unyulo ngeintanethi" lubhekisa kunyulo lwebhunga lolawulo apho kuthi kwizigaba ezithile kusetyenziswe iinkqubo ezikhatshwa bubuxhakaxhaka bobugcisa (intanethi) khona;

"ilungu eliselungelweni" libhekisa kwilungu elinelungelo lokuvota;

"uvoto ngeintanethi" lubhekisa ekufakeni ivoto kunyulo olwenziwa ngobuxhakaxhaka bobugcisa (intanethi);

"isikhululo sovoto ngeintanethi" sibhekisa kwisikhulo sovoto oluqhutywa ngokobuxhakaxhaka bobugcisa (intanethi);

"isehlo sophazamiseko olumandla" sibhekisa kwisehlo esiphazamisana nemisebenzi, intsebenzo okanye iinkqubo eziqhelekileyo zesikolo, nokuba bezilindelekile na okanye bezingalindelekanga, nezikhokelela ekuphulukaneni nasekuphazamisekeni kwenkqubo eqhelekileyo yesikolo;

"ilungu" libhekisa kwilungu lebhunga lolawulo;

"intlanganiso yokuqinisekisa utyunjo" ibhekisa kwintlanganiso ngokuthiwe thaca kumgaqo 16(1)*(a)*(i);

"ongengomhlohli" ubhekisa emntwini, ngaphandle komhlohli, oqeshwe esikolweni ngokwesivumelwano sethutyana okanye isigxina ngokwemiqathango yoMthetho wee Nkonzo zoLuntu, ka-1994 (Isibhengezo 103 sika-1994), okanye oqashwe libhunga lolawulo;

"ilungu elingekho lungelweni nelithe labizwa" libhekisa—

(a) kumnini-mhlaba okanye kumntu ochongwe nguye ukuba isikolo esi simiselwe phezu komhlaba wabucala; okanye

(b) kumntu othe wafakelelwa ukuza kuncedisa ekufezekiseni imibandela ethile;

"isikolo esiqhelekileyo" sibhekisa kwisikolo esingesiso isikolo sabafundi abanezidingo **ezizezinye**;

"umlungelelanisi wonyulo kwiphondo" ubhekisa kwigosa eliyintloko leSebe leMfundo kwiNtshona Koloni elithwaliswe uxanduva lokongamela unyulo lwamabhunga olawulo kwiphondo nelithe laqeshwa njengomlungelelanisi weenkqubo zokhetho yiNtloko yeSebe;

"inani elamkelekiyo kwintlanganiso (ikhoram)", kumba wonyulo lwebhunga lolawulo, libhekisa kwinani labavoti njengoko kuthiwe thaca kumgaqo 33(7);

"isikolo" sibhekisa kwisikolo esiqhelekileyo sikawonkewonke okanye kwisikolo sikawonkewonke esenzelwe abafundi abanezidingo **ezizodwa**;

"igosa lonyulo lesikolo" libhekisa kwigosa lonyulo elibekwe ngokomgaqo 10(1);

"iqela lonyulo lesikolo" libhekisa kwigosa lonyulo kwisikolo ndawonye nabantu abaqeshelwe ukuncedisana negosa lonyulo leso sikolo ngokomgaqo 10(3);

"iholide yesikolo" ibhekisa kwiholide yesikolo echazwe kuMgaqonkqubo kaZwelonke wokuMisela iiKhalenda zeZikolo ukwenzela izikolo zikawonkewonke; eMzantsi Afrika, zenziwe phantsi kwesaziso sikaRhulumente 57 kwi*Gazethi kaRhulumente* 38330 yomhla wama-30 kweyoMqungu 2015;

"isekela" libhekisa kwisekela lenqununu okanye kumhlohli obambe indawo yesibini ephezulu kweso sikolo;

"ibhunga elixhasayo" libhekisa kwibhunga elinikezela ngenkxaso yemali kwisikolo esineemfuno zemfundo ezizodwa;

"inkqubo", kumba wonyulo oluqhutywa nge intanethi, inkqubo ibhekisa kwinkqubo yezobugcisa esetyenziselwa olo khetho;

"uMthetho" ubhekisa kuMthetho wezeMfundo weZikolo zePhondo leNtshona Koloni ka-1997 (uMthetho 12 ka-1997).

Ukwakhiwa kwebhunga lolawulo

2. (1) Ngokomgaqwana (23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo esiqhelekileyo samabanga aphezulu, esamabanga aphakathi okanye esiquka onke la mabanga kufuneka liqulathe—

(a) abazali abasixhenxe (7) abangaqeshwanga liSebe leMfundo kwiNtshona Koloni okanye libhunga lolawulo kweso sikolo;

(b) abahlohli ababini (2) beso sikolo;

(c) umsebenzi omnye ongengomhlohli kwesi sikolo;

(d) abafundi ababini (2) abakwibanga lesibhozo okanye ngentla abakhethwe libhunga elimele abafundi kwakumalungu alo; kunye

(e) nenqununu.

(2) Ngokwemigaqwana (3), (4), (5) kunye nowama-(23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo esiqhelekileyo samabanga phantsi (esinabasebenzi abamiselweyo ababini nangaphezulu abangabahlohli, nomnye ongengomhlohli) kufuneka liqulathe—

(a) abazali abahlanu (5) abangaqeshwanga liSebe leMfundo leNtshona Koloni okanye libhunga lolawulo kweso sikolo;

(b) abahlohli ababini (2) beso sikolo;

(c) umsebenzi omnye ongengomhlohli kweso sikolo; kunye

(d) nenqununu.

(3) Ngokomgaqwana (23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo esiqhelekileyo samabanga aphantsi esinomqeshwa omnye ongumhlohli kufuneka liqulathe—

(a) abazali ababini (2) abangaqeshwanga liSebe leMfundo leNtshona Koloni okanye libhunga lolawulo kweso sikolo; kunye

(b) nenqununu.

(4) Ngokomgaqwana (23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo esiqhelekileyo samabanga aphantsi esinomqeshwa omnye ongumhlohli kunye nomnye ongengomhlohli kufuneka liqulathe—

(a) abazali abathathu (3) abangaqeshwanga liSebe leMfundo leNtshona Koloni okanye libhunga lolawulo kweso sikolo;

(b) inqununu; kunye

(c) nalowo ungengomhlohli kweso sikolo.

(5) Ngokomgaqwana (23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo esiqhelekileyo samabanga aphantsi esinabaqeshwa esinootitshala ababini nenqununu kunye nomnye ongengomhlohli kufuneka liqulathe—

(a) abazali abane (4) abangaqeshwanga liSebe leMfundo leNtshona Koloni okanye libhunga lolawulo kweso sikolo;

(b) inqununu;

(c) umhlohli weso sikolo ongeyonqununu; kunye

(d) naloo msebenzi ungengomhlohli kweso sikolo.

(6) Ngokomgaqwana (23) kunye nomgaqo 7(4), ibhunga lolawulo lesikolo sabafundi abaneemfuno zemfundo ezizodwa kufuneka liqulathe—

(a) abazali abasixhenxe (7) abangaqeshwanga liSebe leMfundo leNtshona Koloni okanye libhunga lolawulo kweso sikolo, ukuba kuyakwazeka oko;

(b) abahlohli ababini (2) beso sikolo;

(c) umsebenzi ongengomhlohli kweso sikolo;

(d) abafundi ababini (2) abakwibanga lesibhozo okanye ngentla abakhethwe libhunga elimele abafundi kwakumalungu alo, ukuba kuyakwazeka oko;

(e) inqununu;

(f) ummeli omnye kwibhunga elixhasa ngemali, ukuba kuyakwazeka oko;

(g) ummeli omnye kwimibutho yabazali babafundi abanezidingo zemfundo ezizodwa, ukuba kuyakwazeka oko;

(h) ummeli omnye osuka kwimibutho yabantu abaphila nokukhubazeka, ukuba kuyakwazeka oko;

(i) umntu omnye ophila nokukhubazeka, ukuba kuyakwazeka oko; kunye

(j) ingcali enye kwelinye lamacandelo afanelekileyo eemfuno zemfundo ezizodwa.

(7) Akukho sigqibo esithatyathwe libhunga lolawulo okanye intshukumo ethatyathwe ngegunya lebhunga lolawulo enokukhatyelwa bucala ngenxa nje yokuba bekukho isikhewu selungu okanye kuba kukho mntu uthile obengenalo ilungelo lokuhlala njengelungu lelo bhunga lolawulo othe wahlala kwelo bhunga lolawulo njenge lungu ngethuba lokuthatyathwa kweso sigqibo okanye ngethuba kugunyaziswa loo ntshukumo, ukuba eso sigqibo sithatyathwe okanye loo ntshukumo ithe yagunyaziswa linani elamkelekileyo (ikhoram) lamalungu elo bhunga lolawulo.

(8) Ibhunga lolawulo lingafakelela amalungu angena lungelo lakuvota.

(9) Ngokomgaqwana (10) kunye nomgaqo 6(11) no-31(4), amalungu athe afakelelwa awanawo amalungelo okuvota kwibhunga lolawulo elo.

(10) Ukuba kuthi kuvele isikhewu kwinani lamalungu angabazali kwibhunga lolawulo, ibhunga lolawulo kufuneka libize okwethutyana umzali onelungelo lokuvota.

(11) Ukuba umzali uthi amenywe ze anikwe amalungelo okuvota njengoko kuthiwe thaca kumgaqwana (10), isimemo eso siyaphela sakuvingcwa isikhewu eso ngokuthi kwenziwe olunye unyulo, ekufuneka lwenziwe kwisithuba seentsuku ezingamashumi alithoba (90) emva kokuvela kweso sikhewu, ngokwemiqathango yeenkqubo ezikwafanayo nezo zokunyulwa kwamalungu angabazali njengoko zichaziwe kule migaqo.

(12) Ukuba unyulo lokuvingca isikhewu olukhankanywe kumgaqwana (11) aluthanga lwenziwe kwisithuba seentsuku ezingamashumi alithoba (90) sivelile eso sikhewu, ibhunga lingabiza umzali onelungelo lokuvota limhlalise apho esinye isithuba seentsuku ezingamashumi amathathu (30) ukususela ngosuku lokuphelelwa kweza ntsuku zingamashumi alithoba (90), apho kufuneka kwenziwe unyulo lokuvingcwa kwesikhewu.

(13) Ukuba unyulo lokuvingca isikhewu olukhankanywe kumgaqwana (11) aluthanga lwenziwa kwisithuba seentsuku ezingamashumi alithoba (90), emva kokuvela kweso sikhewu ngenxa yesehlo esimandla sokuphazamisa ibhunga lolawulo lingamema umzali onelungelo lokuvota isithuba esisesinye seentsuku ezingamashumi alithoba (90) ukususela ngosuku lokuphelelwa kwelo xesha.

(14) Ukuba kuthi emva kwezi ntsuku zingamashumi alithoba (90) zongezelelweyo zichazwe kumgaqwana (13)—

(a) siphele esihlo esimandla ebesiphazamisa, ukuhlaliswa kwaloo mzali ubiziweyo kwandiswa ngezinye iintsuku ezingamashumi amathathu (30), apho kufuneka kwenziwe olwa nyulo lokuvingca isikhewu; okanye

(b) isehlo ebesiphazamisa ngokumandla siyaqhuba, ukuhlaliswa kwelo lungu limenyiweyo kwandiswa ngezinye iintsuku ezingamashumi alithoba (90) de kube kuyakwazeka ukwenziwa konyulo lokuvingca isikhewu, nokuba yeyiphi na eyenzeka kuqala.

(15) Intlanganiso yokuqinisekiswa kotyunjo kwakunye nonyulo lokuvingcwa kwesikhewu olukhankanywe kwimigaqwana (11) kunye no-(14) kuneka lwenziwe ngokwalemigaqo.

(16) Ngokomgaqwana (26), abazali babafundi beso sikolo kufuneka batyumbe ze banyule amalungu angabazali achazwe kwemigaqwana (1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* kunye no-(6)*(a)*.

(17) Abahlohli abaqeshwe kweso sikolo kufuneka batyumbe ze banyule amalungu angabahlohli achazwe kwimigaqwana (1)*(b)*, (2)*(b)* kunye no-(6)*(b)*.

(18) Ukuba ilungu elingumhlohli elikhankanywe kwimigaqwana (1)*(b)*, (2)*(b)*, (5)*(c)* okanye ku-(6)*(b)* liqeshelwe ukusebenza endaweni yenqununu kweso sikolo, ibhunga lolawulo kufuneka libize omnye umhlohli kweso sikolo kumagama atyunjwe ze afakwa kwibhunga lolawulo ngabahlohli ukuze lowo ahlale apho njengelungu de libe ilungu eliqeshelwe ukuthabatha indawo yenqununu liyayeka ukwenza loo msebenzi.

(19) Abasebenzi abangengobahlohli abaqeshwe kweso sikolo kufuneka batyumbe ze banyule amalungu angengobahlohli abakhankanywe kwimigaqwana (1)*(c)*, (2)*(c)* kunye no-(6)*(c)*: Kwimeko apho isikolo sinomntu omnye ongengomhlohli, elo lungu kufuneka linyuliwe lingene zwabha.

(20) Ibhunga elimele abafundi esikolweni kufuneka lityumbe ze linyule amalungu akhankanywe kwimigaqwana (1)*(d)* kunye no-(6)*(d)*.

(21) Ibhunga lolawulo lesikolo sabafundi abaneemfuno zemfundo ezizodwa kufuneka limisele ikomiti eza kujongana nemicimbi yeemfuno zemfundo ezizodwa njengoko kukhankanyiwe kwicandelo 30(2) soMthetho weZikolo zoMzantsi Afrika.

(22) Ikomiti ekhankanywe kumgaqwana (21) kufuneka—

(a) ihlangane ubuncinci kanye ngekota yonyaka wesikolo; ze

(b) ibandakanye—

(i) inqununu;

(ii) umhlohli omnye okweso sikolo;

(iii) amalungu amabini (2) ebhunga lolawulo angabazali; kunye

(iv) ukuba kuyenzeka oko, ubuncinci, nomnye futhi bangadluli kwisihlanu (5) kwaba bantu balandelayo:

(aa) ummeli wamabhunga axhasa ngemali;

(bb) ummeli wemibutho yabazali babafundi abaneemfuno zemfundo ezizodwa;

(cc) ummeli wemibutho yabantu abaphila nokukhubazeka;

(dd) umntu ophila nokukhubazeka; kunye

(ee) nengcali kumacandelo afanelekileyo emfundo eneemfuno ezizodwa.

(23) INtloko yeSebe ingayiphumeza indlela elakhiwe ngayo ibhunga lolawulo kunye nexesha eza kuqhuba ngalo kweso sikolo, ndlela leyo yahlukileyo kwindlela ekuqhele ukwakhiwa ngayo neliqhele ukuqhuba ngalo ibhunga lolawulo njengoko kuthiwe thaca kwimigaqwana (1), (2), (3), (4), (5) kunye no-(6) ukuba—

(a) ibhunga lolawulo leso sikolo lithe lafaka isicelo ngembalelwano licela imvume yaloo ndlela yahlukileyo yokwakhiwa kwalo ze lanikezela nezizathu zoko; okanye

(b) ibhunga lolawulo kufuneka ukuba limiselwe ukwenza umsebenzi webhunga lolawulo okwethutyana, ukuba liliso kwiphulo lokusekwa kwesikolo esitsha,

yaye neNtloko yeSebe ikholisekile ukuba loo ndlela yokwakhiwa kwalo kuza kuba yinzuzo kwimfundo kweso sikolo.

(24) Ngaphandle kwesikolo esisungulwe ngokwemiqathango yecandelo 12(1)*(g)* yalo Mthetho, kwiimeko ezikhankanywe kumgaqwana (23)*(a)* inani lamalungu angabazali abakwibhunga lolawulo lesikolo esimiselwe ngokwemigaqwana (1), (2), (3), (4) kunye no-(5) kufuneka libe nalo nelinye ilungu elongezelelweyo kunenani elihlanganisiweyo lekhabhinethi yamanye amalungu anamalungu okuvota.

(25) Nangaliphi na ixesha iNtloko yeSebe ingathi ngokubona kwayo, ikurhoxise ukuphunyezwa okukhankanywe kumgaqwana (23)*(b)* ze alichithe ibhunga lolawulo lexeshana ekujoliswe kulo, apho kuya kufuneka kumiselwe ibhunga lolawulo elitsha ngokwemigaqwana (1), (2), (3), (4), (5) okanye u-(6), ngokuxhomekeka kwimeko leyo.

(26) Ngokwenjongo yokumiselwa kwebhunga lolawulo lexeshana njengoko limiselwe ngokomgaqo (23)*(b)*, umlawuli wesithili, ngokubonisana nenqununu, apho kuyimfuneko, kuya kufuneka angenise kwiNtloko yeSebe amagama neenkcukacha zabantu abalinani elaneleyo ukuze benze yonke imisebenzi yebhunga lolawulo.

Ukungalungeli ukuba lilungu lebhunga lolawulo kwanokungamkeleki ukuba lilungu lebhunga lolawulo

3. Umntu akayi kuchongwa njengelungu lebhunga lolawulo ukuba kanti—

(a) wayekhe ebomini wagwetywa yinkundla yomthetho ngetyala awathi wanikwa isigwebo sokuvalelwa enkundleni esanqunyanyiswayo kodwa walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, okanye wathi wagwetyelwa ukuqamela ngenqindi ze walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, ngaphandleni kokuba uthe wakhutshwa ngokuxolelwa, okanye ithuba leso sinqumamiso okanye lokuhlala ejele lidlule ubuncinci isithuba seminyaka emithathu ngaphambi kosuku lokuchongelwa kwakhe kwibhunga elo lolawulo;

(b) wathi wachazwa njengongakulungelanga ukusebenza nabantwana ngokwemiqathango yomthetho iChildren's Act, 2005 (Act 38 ka-2005), okanye yeCriminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Umthetho 32 ka-2007);

(c) uphazamiseke ngokwasengqondweni yaye oko kudizwe yinkundla yomthetho;

(d) akazange ancedakale ekwahlulekeni ukuhlawula amatyala akhe;

(e) ngaphandle kwenqununu, kwimeko apho umhlohli aqashwe ngokwemiqathango yoMthetho wokuQeshwa kwabaHlohli ka-1998 (uMthetho 76 ka-1998), wathi wafunyanwa enetyala lokungaziphathi kakuhle ze—

(i) wanikwa umdliwo;

(ii) wayekhe wanqunyanyiswa ngaphandle komvuzo;

(iii) wakhe wehliselwa; okanye

(iv) wanikwa isigwebo esihlanganisa ezi zikhankanywe kumasolotyanyana (i) ukuya ku-(iii),

ngaphandle kokuba ixesha elo lesigwebo liphele ubuncinane isithuba seminyaka emithathu ngaphambi komhla wokutyunjwa kwakhe okanye wokunyulwa kwakhe njengelungu lebhunga lolawulo;

(f) kwimeko apho umntu ongengomhlohli oqeshwe ngokwemiqathango yoMthetho wee Nkonzo zoLuntu 1994, okanye libhunga lolawulo, ethe wafunyanwa enetyala lokungaziphathi ze—

(i) wanqunyanyiswa ngaphandle komvuzo;

(ii) wehliselwa; okanye

(iii) wafumana intlanganisela yezigwebo ezikhankanywe kumasolotyanyana (i) no-(ii),

ngaphandle kokuba ixesha elo lesigwebo liphele ubuncinane isithuba seminyaka emithathu (3) ngaphambi komhla wokutyunjwa kwakhe okanye wokunyulwa kwakhe njengelungu lebhunga lolawulo;

(g) kwimeko echaphazela umgqatswa ongumzali, ongenamntwana ufunda kweso sikolo;

(h) kwimeko apho umfundi wakhe wagxothwa kwisikolo yiNtloko yeSebe okanye wanqunyanyiswa libhunga lolawulo; okanye

(i) wakhe wakhutshwa kwibhunga lolawulo yiNtloko yeSebe ngokomgaqo 5(3) kwisithuba seminyaka emithathu (3) edlulileyo.

Ukuphononongа

4. (1) Umntu otyunjwe ukuba lilungu lebhunga lolawulo njengoko kuchazwe kwimigaqo 18, 21, 24 no-26 kufuneka anikezele imvume yokuphononongwa libhunga elinamagunya okuphononongа ukuze kuqatshelwe ukuthotyelwa komgaqo 3, apho kuyimfuneko khona.

(2) Ukuba inkqubo yophononongo ifumanisa ukuba umntu lowo owonyulelwe ukuba lilungu lebhunga lolawulo akafanelekanga ukuba lilungu lelo bhunga lolawulo kufuneka kuqwalaselwe ubulungu bakhe kweli bhunga lolawulo ngokwale migaqo.

(3) Ukuba kuthi kuvele isityholo kuye nawuphi na umntu kwibhunga lolawulo ngelungu lalo, esithi akawuthobeli umgaqo 3, usihlalo webhunga elo lolawulo, okanye kwimeko apho eso sityholo senziwe ngakusihlalo buqu, umlawuli wesithili, kufuneka azise elo lungu ngembalelwano ngezityholo aze alinike ithuba lokuziphendulela kwibhunga lolawulo kwisithuba seentsuku ezili-14 emva kokufumana isaziso eso.

(4) Ilungu ekufakwe isityholo ngalo njengoko kuchaziwe kumgaqwana (3) kufuneka lizirhoxise kwintlanganiso yebhunga lolawulo xa kuxoxwa lo mba, naxa kuthatyathwa isigqibo.

(5) Ukuba ibhunga lolawulo ligqiba ekubeni liliphononongе elo lungu lichazwe kumgaqwana (3) ukuze lifumanise ukunyhashwa komgaqo 3, usihlalo okanye umlawuli wesithili, njengoko iya kube isitsho

imeko, kufuneka azise elo lungu ngembalelwano ngesigqibo kwisithuba seentsuku ezintlanu (5) emva kokuthatyathwa kweso sigqibo.

(6) Kwimeko ekhankanywe kumgaqwana (5), ibhunga lolawulo kufuneka ngaphandle kokulibazisa, liqhagamshelane nequmrhu lophononogo eligunyazisiweyo, ukuze liphononononge elo lungu kwisithuba seentsuku ezili-14 kuthatyathwe isigqibo sokuliphononononga ukuze kuvele ukuba unyhashiwe na umgaqo 3.

(7) Ukuba ibhunga lophononongo lilifumanisa ilungu elo lingayanelisi imigomo yomgaqo 3, kufuneka linikezele ingxelo ngembalelwano kusihlalo okanye kumlawuli wesithili, njengoko iya kube inyanzela imeko, ekuya kufuneka yena, kwisithuba seentsuku ezingama-30 okufumana loo ngxelo—

(a) anikezele ikopi yengxelo leyo kwiNtloko yeSebe ze anikezele nezindululo zokunqanyulwa kobulungu belo lungu njengoko kumiselwe kumgaqo 5(3); ze

(b) azise ilungu elo ngaloo ngxelo kwakunye nesindululo esidizwe kumhlathi *(a)*.

(8) INtloko yeSebe kufuneka iqwalasele ingxelo leyo ze iphendule kweso sindululo kwisithuba seentsuku ezingama-20 iyifumene ingxelo.

(9) Isikolo sinoxanduva lokuthwala zonke iindleko ezithe zavela ngalo naluphi na uphononongo olwenziwe ngokwemiqathango yalo mgaqo.

Amaxesha okuqhuba kwamalungu ebhunga lolawulo

5. (1) Ngokwemiqathango yomgaqwana (3) no-(4) kwakunye nemigaqo 6, 7, 30(2) no-31(15), ixesha lokuba se-ofisini kwilungu lebhunga lolawulo elingengomfundi kufuneka libe yiminyaka emithathu (3) yaye liqala ukususela ngosuku lokuchazwa kovoto lokunyula ibhunga lolawulo ligosa lonyulo kwisikolo njengobelu khulekile, lungenamkhethe.

(2) Ixesha lokuba se-ofisini kwilungu elingumfundi kufuneka libe ngunyaka.

(3) INtloko yeSebe—

(a) ingathi, nangaliphi na ixesha, ibunqamle ubulungu belungu lebhunga lolawulo ngokuthi lingawuhloneli umgaqo wokuziphatha njengoko umiselwe kwicandelo 26A loMthetho; okanye

(b) ingathi ibunqamle ubulungu belungu lebhunga lolawulo—

(i) ngokuthi lingayanelisi imigomo yomgaqo 3; okanye

(ii) ngokwemiqathango yomgaqo 6(3).

(4) Ngokwemiqathango yomgaqwana (5), ukuba umntu onyulelwe ukuba lilungu lebhunga lolawulo njengoko kumiselwe kwimigaqo 2(1), (2), (3), (4), (5) okanye (6) uyayeka ukuwela kwibakala elimiselwe kula mgaqo apho wayenyulwe njengelungu, uyayeka ukuba lilungu lebhunga lolawulo.

(5) Ukuba ithuba lokuba se-ofisini lelungu elingumzali liza kuphela kuba umntwana walo ephuma kweso sikolo yaye ilungu elo lingumzali sele lisifumene isiqinisekiso esibhalwe phantsi sisamkela ukungena komntwana walo wesibini kweso sikolo kunyaka olandelayo, umzali lowo angaqhuba nokuba lilungu lebhunga lolawulo phantsi komqathango wokuba umntwana wakhe wokuqala usishiya isikolo eso ngomhla wokugqibela wesikolo ze owesibini yena aqale apho ngomhla wokuqala wonyaka olandelayo.

(6) Ukuba isikolo esixubileyo okanye esamabanga aphakathi simiselwe—

(a) njengesikolo samabanga aphantsi, isimo sebhunga lolawulo esimiselwe kumgaqo 2(1) sisala sinjalo, singenazinguqu, ngokwemiqathango yemigaqo emincinic (7) no-(9), de liphele ixesha lokuba se-ofisini kumalungu ebhunga lolawulo; okanye

(b) njengesikolo samabanga aphezulu, isimo sebhunga lolawulo esimiselwe kumgaqo 2(1) sihlala sinjalo, singabi nazinguqu, ngokwemiqathango yomgaqwana (8) no-(9), de kuphele ixesha le-ofisi lamalungu ebhunga lolawulo.

(7) Kwiimeko ezichazwe kumgaqwana (6)*(a)*, ukuba abazali abakwibhunga lolawulo baninzi kunabo bamiselwe apha 2(2), (3), (4) okanye ku-(5), ngokwemeko, kufuneka kumiselwe unyulo lwamalungu angabazali njengoko kumiselwe kumgaqo 19 kwisithuba seentsuku ezingama-90 kwenziwe uhlengahlengiso.

(8) Kwiimeko ezimiselwe kumgaqwana (6)*(b)*, ukuba inani labazali abakwibhunga lolawulo lehlile kunelo limiselwe ngokwemiqathango yomgaqo 2(1), kufuneka kumiselwe unyulo lwamalungu angabazali njengoko kumiselwe kumgaqo 19 kwisithuba seentsuku ezingama-90 kwenziwe uhlengahlengiso.

(9) Kwiimeko ezimiselwe kumgaqwana (6), ukuze libe nokuqhuba njengelungu lebhunga lolawulo, ilungu kufuneka lihlale liselungelweni ngokwemiqathango yale migaqo ukuba lihlale likwibhunga lolawulo elo lesikolo samabanga aphantso okanye lesikolo samabanga aphakamileyo.

(10) Ilungu lebhunga lolawulo lingaphinda linyulwe okanye lenyuselwe, njengoko inokutsho imeko, emva kokuphela kwexesha lalo e-ofisini ukuba lithi libe selungelweni lokuba lilungu ngokwale migaqo.

Izikhewu kwibhunga lolawulo

6. (1) Isikhewu sithi sivele kwibhunga lolawulo ukuba ilungu—

(a) lithi lilahle ngembalelwano ze lingakurhoxisi ukulahla ngaphambi kokuba kwamkelwe ngokusesikweni libhunga lolawulo entlanganisweni;

(b) lithi lisutywe kukufa;

(c) liye lingabikho ezintlanganisweni ezintathu elandelelanayo zebhunga lolawulo lingakhange linikezele zizathu zibambekayo, emva kokuba laziswe kakuhle ngale mihlangano;

(d) lithi liphulukane nokuba selungelweni lokuba lilungu njengoko kukhankanyiwe kumgaqo 3 okanye 5(4); okanye

(e) lithe lakhutshwa e-ofisini ngokwemiqathango yo mgaqo 5(3).

(2) Kwiimeko ezikhankanywe kumgaqwana (1)*(c)*—

(a) ibhunga lolawulo kufuneka liziphawule kwimizuzu ezi meko zokungabikho;

(b) emva kokungabikho okwesibini, uNobhala webhunga lolawulo kufuneka azise ilungu elo lingekhoyo ukuba ibhunga lolawulo liya kucela iNtloko yeSebe ukuba ibunqamle ubulungu balo ukuba lithi lingaveli nakwintlanganiso yesithathu;

(c) emva kokungabikho kwiintlanganiso ezintathu, ibhunga lolawulo kufuneka licele iNtloko yeSebe ukuba inqamle ubulungu belo lungu; ze

(d) unobhala azise ilungu elo lingekhoyo ngembalelwano ukuba ibhunga lolawulo licele iNtloko yeSebe ukuba inqamle ubulungu balo.

(3) Ukuba iNtloko yeSebe ikholisekile ukuba ilungu belingekho iintlanganiso de zantathu zebhunga lolawulo ngaphandle kwesizathu esibambekayo, iNtloko yeSebe kufuneka inqamle ubulungu belo lungu ze yazise elo lungu ngalo ntshukumo kwisithuba seentsuku ezingama-21 isifumene eso sicelo njengoko kuchazwe kumgaqwana (2)*(c)*.

(4) Umntu othe wohluthwa ubulungu njengoko kumiselwe kwimigaqwana (2) no-(3) angabhena kuMphathiswa wePhondo kwisithuba seentsuku ezili-14 emva kokufumana isaziso njengoko kuchazwe kumgaqwana (3).

(5) UMphathiswa wePhondo kufuneka aqwalasele isibheno eso ze athabathe isigqibo ngaloo mba kwisithuba seentsuku ezingama-21 esifumene isibheno.

(6) Xa kuvela isikhewu—

(a) kwibhunga lolawulo elimiselwe ngokwemiqathango yomgaqo 2(23)*(b)*, iNtloko yeSebe kufuneka inyue ilungu ukuvingca eso sikhewu;

(b) kwibhunga lolawulo elimiselwe ngokwemiqathango yemigaqo 2(1), (2), (3), (4), (5), (6) okanye (23)*(a)*, isikhewu eso kufuneka sivingcwe ngokokhetho lovingco-sikhewu ngokwemiqathango yeenkqubo zokhetho ngokwale migaqo—

(i) kwimeko yelungu elingumzali, kwisithuba seentsuku ezingama-90 emva kokuvela kweso; ze

(ii) kwimeko yesikhewu somhlohli, umsebenzi ongengomhlohli, kwisithuba seentsuku ezili-14 emva kokuvela kweso sikhewu.

(7) Ilungu elinyulwe ngokwemiqathango yomgaqwana (6)*(a)* okanye elikhethelwe ukuvingca isikhewu ngokonyulo lovingco-sikhewu ngokwemiqathango yomgaqwana (6)*(b)* lifumana ubulungu bethuba elingekaphelelwa lexesha le-ofisi lalowo ebengaphambi kwalo, linamalungeo okuvota, ngokwemiqathango yomgaqo 5.

(8) Ukuba isikhewu sithe savingcwa—

(a) ngokwemiqathango yomgaqwana (6)*(a)*, iNtloko yeSebe kufuneka; okanye

(b) ngokwemiqathango yomgaqwana (6)*(b)*, unobhala webhunga lolawulo kufuneka,

azise inqununu ngembalelwano ngegama nedilesi yalowo ungene ezihlangwini zalowo ususiweyo.

(9) Isikhewu sethutyana siye sivele kwibhunga lolawulo ukuba ilungu lithi lingabikho kwiintlanganiso ezintathu ezilandelelanayo linikezele isizathu esibambekayo.

(10) Kwiimeko ezikhankanywe kumgaqwana (9) ilungu elo kufuneka lazise ibhunga lolawulo ukuba alizi kuba nakho ukwenza imisebenzi yalo yebhunga lolawulo isithuba seentlanganiso ezintathu ezilandelelanayo ze linikezele isizathu soko kungabikho.

(11) Ukuba ibhunga lolawulo liyasamkela isizathu esikhankanywe kumgaqwana (10) ze likuvumele oko kungabikho, kufuneka lifake umntu okwibakala elikwafana nelo lelo lungu lingekhoyo ukuze enze imisebenzi yelungu elingekhoyo, kuquka nokusebenzisa amalungelo alo okuvota, de ilungu elo lingekhoyo libe liyakwazi ukubuya lenze imisebenzi yalo kwibhunga lolawulo.

(12) Ukuba ibhunga lolawulo liyasikhaba isizathu esikhankanywe kumgaqwana (10) ze lingakuvumeli ukungabikho kwelungu, ilungu elo kufuneka lifake incwadi elilahla kuyo njengelungu ze isikhewu eso siqwalaselwe njengoko kukhankanyiwe kumgaqwana (6).

(13) Kwiimeko ezikhankanywe kumgaqwana (11) unobhala webhunga lolawulo kufuneka azise inqununu ngembalelwano ngegama lelungu elo elingakwazi kubakho okwethutyana ndawonye negama nedilesi osenza imisebenzi yelo lungu lingekhoyo okwethutyana.

Ukuchithwa nokumiselwa ngokutsha kwebhunga lolawulo

7. (1) INtloko yeSebe ingalichitha ibhunga lolawulo lolawulo lesikolo ukuba—

(a) ngokokubona kwayo, ngenxa yokuhlanganiswa kwezikolo okanye ukwahlulwa kwesikolo okanye ukulungiswa ngokutsha kwezibonelelo zesikolo, oko kuyimfuneko ukunika abazali bezikolo okanye besikolo ithuba lokuba bakhethe amalungu ebhunga lolawulo lesikolo elitsha eliza kumela ngendlela eyiyo abazali babafundi abafundi kwezo zikolo okanye kweso sikolo emva kolo hlanganiso, lwahlulo okanye olo lungiso ngokutsha;

(b) ibhunga lolawulo lesikolo liye lasilela ukwenza umsebenzi walo ngokwanelisayo okanye lenze into engazi kuba lulutho kwisikolo eso;

(c) ubuncinane ama-60 eepesenti abazali bonke abanelungelo lokuvota ngokomgaqo 8(1) baye bavota, kwintlanganiso, ukuba abasalithembi elo bhunga lilawula isikolo.

(2)*(a)* Usihlalo webhunga lolawulo lesikolo kufuneka abize intlanganiso yabazali ekubhekiswe kuyo kumgaqwana (1)*(c)* zingaphelanga iintsuku ezili-14 emva kokuba eceliwe ukuba enze oko, ngokuthi

ababhalele ze ukuchithwa kwebhunga kwenziwe ngabazali abangekho ngaphantsi kwama-30 epesenti yabazali abanelungelo lokuvota ngokomgaqo 8(1) ukuba babize intlanganiso ekubhekiswe kuyo kumgaqwana (1)*(c)*.

(b) Ukuba usihlalo akaphenduli kwisicelo esichazwe kumhlathi *(a),* abazali bangakrweca umlawuli wesithili, ekufuneka abize intlanganiso yokulamla phakathi kwe bhunga lolawulo kunye nabazali zingaphelanga iintsuku ezintlanu (5) ekrweciwe ngabazali.

(c) Ukuba ibhunga lolawulo nabazali abafikeleli kwisivumelwano kulo ntlanganiso yokulamla echazwe ku mhlathi *(b)*, umlawuli wesithili kufuneka zingaphelanga iintsuku ezintlanu (5) zale ntlanganiso yokulamla, abeke kwi ofisi yesithili echaphazelekayo—

(i) umphathi wesekethe; okanye

(ii) intloko yokuphatha nolawulo,

njengo sihlalo we ntlanganiso yabazali echazwe kumgaqwana (1)*(c)* aze acele loo sihlalo ukuba abize lo ntlanganiso.

(d) Usihlalo ochazwe kumhlathi *(c)* kufuneka—

(i) ngaphandle kokulibazisa abize intlanganiso yabazali echazwe kumgaqwana (1)*(c)*, intlanganiso mayibanjwe zingaphelanga iintsuku ezinagama 14 usihlalo ebekiwe ngoko mhlathi *(c)*; kwaye

(ii) zingaphelanga iintsuku ezintlanu (5) ecelwe ukuba enze njalo, ngumlawuli wesithili, aqinisekise isaziso esibhaliweyo sentlanganiso sikhutshiwe, noba sikhutshwa ngeposi kubo bonke abazali, okanye okanye isaziso sinikezelwa kumfundi ngamnye nomyalelo wokuba asinike abazali bakhe.

(3) Apho ibhunga lolawulo lichithwe phantsi komgaqwana (1), liyayeka ukusebenza ngomhla obekwe yi Ntloko ye Sebe.

(4) Kwangoko emva komhla elithi ibhunga lolawulo liyeke ukusebenza—

(a) umlawuli wesithili kufuneka anike uluhlu lwamagama abantu, ngokwendlela abangakhethwa ngayo, abafanelekileyo ukuba bangabekwa njengamalungu ebhunga lolwawulo; kwaye

(b) iNtloko yeSebe kufuneka ibeke abantu aboneleyo kolo luhlu ukwenza imisebenzi ye bhunga lolawulo esikolweni kwixesha elingagqithisanga kwiinyanga ezintathu (3).

(5) INtloko yeSebe kufuneka yazise inqununu emva koku ngokubhaliweyo, ngamagama kunye nee dilesi zamalungu ebhunga lolawulo elibekwe ngoko mgaqwana (4).

(6) INtloko ye Sebe ingalolula ixesha elikhankanywe kumgaqwana (4) ngamanye amaxesha angagqithisanga kwii nyanga ezintathu (3) ixesha lilinye, kodwa lilonke ixesha kufuneka lingagqithi kunyaka omnye.

(7) Ibhunga lolawulo kufuneka lonyulwe phantsi kwale migaqo ungaphelanga unyaka emva kokubekwa kwabantu abakhankanywe ku mgaqwana (4).

(8) Xa uMphathiswa wephondo evala isikolo ngokwe candelo 18 loMthetho, ibhunga lolawulo leso sikolo lichithakala ngomhla wokugqibela wexesha lesikolo elandulela umhla wokuvalwa kwesikolo.

Ilungelo lokuvota

8. (1) Wonke umzali onomtwana omnye nangaphezulu ababhaliswe njengabafundi esikolweni unelungelo lokuvotela amalungu angabazali ebhunga lolawulo kweso sikolo, kwaye angavota kanye kuphela, evotela umtyunjwa othile, apho ubuninzi benani leevoti lilingana nenani lamalungu angabazali abaza konyulwa.

(2) Kwii meko ezichazwe ku mgaqwana (1) abazali abangagqithanga kwisibini kumfundi ngamnye bavumelekile ukuba bavote.

(3) Wonke umhlohli oqeshwe esikolweni, kuquka inqununu, unelungelo lokuvotela ilungu eli ngumhlohli lebhunga lolawulo kweso sikolo, kwaye angavota kanye kuphela evotela umtyunjwa othile, apho elona nani liphezulu lee voti lilingana nenani lamalungu angabahlohli abaza konyulwa.

(4) Lonke ilungu lebhunga elimele abafundi esikolweni linelungelo lokuvotela amalungu angabafundi ebhunga lolawulo kweso sikolo kwaye angavota kanye kuphela evotela umtyunjwa othile, apho ubuninzi benani leevoti lilingana nenani lamalungu angabafundi ebhunga elimele abafundi abaza konyulwa.

(5) Lonke ilungu labasebenzi abangengo bahlohli esikolweni linelungelo lokuvotela ilungu labasebenzi abangengo bahlohli lebhunga lolawulo kwaye line voti enye: Ukuba isikolo sinomsebenzi ongengo mhlohli omnye, elo lungu linyuliwe ngokuzenzekelayo.

Iindlela zonyulo

9. (1) Unyulo lwebhunga lolawulo malwenziwe ngezindlela—

(a) unyulo oluqhutywa ngesandla; okanye

(b) unyulo oluqhutywa ngeintanethi.

(2) Isikhululo sokuvotela ibhunga lolawulo kufuneka—

(a) sivule ngentsimbi yesi-7:00 size sivale ngeyesi-20:00; kwaye

(b) ngexesha elichazwe kumhlathi *(a)* limele livule kangangeeyure ezili-10 zizonke.

(3) Inqununu kufuneka ubuncinane kwiintsuku ezingamashumi amathathu (30) phambi konyulo lwebhunga lolawulo—

(a) yazise umlawuli wesithili ukuba kuzakubakho unyulo oluqhutywa ngesandla; okanye

(b) ifake isicelo kuMlawuli wesithili ukuze ifumane imvume yokuqhuba unyulo oluqhutywa nge intanethi.

(4) Umlawuli wesithili kufuneka, zingaphelanga iintsuku ezintlanu esifumene isicelo esichazwe kumgaqwana (3)*(b)*—

(a) asiqwalasele isicelo aze athathe isigqibo ngomba kwaye;

(b) azise inqununu ngembalelwano ngesigqibo.

(5) Umlawuli wesithili kufuneka anike imvume yesicelo esichazwe kumgaqwana (2)*(b)* uyaneliseka kukuba—

(a) unyulo oluqhutywa ngeintanethi luqhubela phambili iinjongo zoluntu lwesikolo kunye nesikolo eso sibandakanyekayo;

(b) unyulo oluqhutywa ngeintanethi buza kuvumela ukuvota kwabavoti ngokobuninzi babo;

(c) unyulo oluqhutywa nge intanethi abuzi kusingela phantsi isakhono sabavoti ekuvoteleni abagqatswa;

(d) unyulo oluqhutywa ngeintanethi abuzi kudlelandlala bucalucalule phakathi kwabantu ebebenako ukuvota;

(e) ulungiselelo olululo lwenziwe ukuqinisekisa ukuba inkqubo yotyumbo ekhokelela kunyulo ifanele wonke umntu; kwaye

(f) izixhobo ezaneleyo zokuqhuba unyulo nge intanethi, zikhona.

(6) Inqununu kufuneka ichaze indlela yonyulo kwigosa lonyulo lwesikolo—

(a) ekwazisweni koMlawuli wesithili ukuba kuza kuqhutywa unyulo olwenziwa ngesandla ngokuchazwe kumgaqwana (3)*(a)*; okanye

(b) zingaphelanga iintsuku ezimbini ifumanekile imvume ebhaliweyo esuka kuMlawuli wesithili ngokomgaqwana (4)*(b)*.

(7) Igosa lonyulo lesikolo kufuneka—

(a) lazise igosa lonyulo lesithili ngendlela oluza kuqhutywa ngalo unyulo, zingaphelanga iintsuku ezimbini emva kokwaziswa yinqununu indlela oluza kuqhutywa ngalo unyulo njengoko kuchazwe kumgaqwana (6); kwaye

(b) lingenise isicwangciso solawulo lonyulo kwi gosa lonyulo lesithili ubuncinane kwiintsuku ezilishumi eline (14) phambi komhla wonyulo.

(8) Isicwangciso solawulo esichazwe kumgaqwana (7)*(b)* kufuneka siqulathe ubuncinane oku kulandelayo:

(a) umhla wovoto ocetywayo, ixesha nendawo yonyulo;

(b) ixesha elibekelwe bucala lokubala iivoti; kunye

(c) ishedyuli yamalungu eqela lonyulo lwesikolo ebeka iliso intlanganiso yokuqinisekisa ukutyunjwa, ukuvota, kunye nenkqubo yokubalwa kweevoti.

Igosa lonyulo lesikolo

10. (1) UMlawuli wesithili makabeke inqununu okanye isekela-nqununu yesinye isikolo, ukuba kuyimfuneko, okanye kungenjalo bobabini noMphathi wesekethe yezemfundo yeso sithili, ngokubhaliweyo, njengegosa lolonyulo lesikolo, ukuqhuba utyunjo nonyulo lwaba bahlohli namalungu angengoo bahlohli, njengoko kuyimfuneko, ngokuchazwe kwimigaqo 2(1), (2), (3), (4), (5) no (6) webhunga lowawulo.

(2) Inqununu okanye isekela-nqununu okanye uMphathi wesekethe okhankanywe kumgaqwana (1) akanakubekwa njenge gosa lonyulo esikolweni ukuba unabantwana ababhaliswe kweso sikolo okanye akaqeqeshwanga njenge gosa lonyulo lesikolo.

(3) Igosa lonyulo lesikolo lingabeka umhlohli omnye okanye ngaphezulu, okanye umsebenzi ongengo mhlohli ukuba ancedise kwintlanganiso yokuqinisekisa utyunjo kunye nolonyulo.

(4) Igosa lonyulo lesikolo kufuneka liqinisekise ukuba iqela lonyulo lesikolo liyayiqonda inkqubo yonyulo eza kulandelwa kwaye liyayanelisa imigomo yale migaqo.

(5) Igosa lonyulo lesikolo kufuneka longamele unyulo lwamalungu ebhunga lolawulo, ngaphandle konyulo lwamalungu angabafundi kunye nabasezikhundleni.

(6) Igosa lonyulo lesikolo maliqinisekise ukuba isikolo esiqhuba unyulo simisele igosa lonyulo ngokuthi linikezele igumbi elinomnxeba, umnxeba ophathwayo one datha, kwakunye nekhompyuta nomtshini wokushicilela, zisetyenziswe ligosa lonyulo lesikolo kunye neqela lonyulo lesikolo ngelixesha lentlanganiso yokuqinisekisa utyunjo, uvoto kwakunye nenkqubo yokubalwa kweevoti.

(7) Iqela lonyulo lesikolo kufuneka lisebenzise isitampu sesikolo apho igosa lonyulo lesikolo liqashwe khona xa kufakwa isitampu kwiifomu zotyunjo nakumaphepha okuvota.

Imisebenzi yegosa lonyulo lesikolo

11. Igosa lonyulo lesikolo kufuneka—

(a) liqinisekise ukuba kukho indawo efanelekileyo yentlanganiso yokuqinisekisa utyunjo, ukuvota, nokubalwa kweevoti;

(b) apho kuqhutywa unyulo ngeintanethi, qinisekisa ukuba isikhululo esinye okanye ngaphezulu sisekiwe;

(c) lingenelele kwaye lisombulule neyiphi na imbambano ngomhla wentlanganiso yokuqinisekisa utyunjo, ukuvota kunye nokubalwa kwee voti; kwakhona

(d) lingenise iziphumo zonyulo kwigosa lonyulo lesithili.

Imisebenzi yegosa lonyulo lesithili

12. Igosa lonyulo lesithili kufuneka—

(a) lilungelelanise iinkqubo zonyulo lwama bhunga olawulo kwisithili;

(b) lazise iofisi yezemfundo yesithili ngenkqubo ecetyiweyo nangokwenziwa konyulo kwisithili, kwaye liqinisekise ukuba inkqubo ilandelwa njengoko kuvunyelenwe nomlungelelanisi wolonyulo wephondo;

(c) liqulunqe isicwangciso solawulo sokuqhuba unyulo lwama bhunga lolawulo;

(d) liqinisekise ukuba isikolo ngasinye sinalo igosa lonyulo, kwaye iqela lonyulo limiselwe;

(e) liqinisekise ukuba amagosa onyulo ezikolweni anazo iifomu ezichazwe kwizihlomelo nawo onke amaxwebhu afunekayo kwinkqubo yonyulo;

(f) liqinisekise ukuba onke amaqela onyulo ezikolo aqeqesheke ngokwaneleyo kwaye ayakwazi okulindelekileyo kwizikhundla zawo;

(g) liqinisekise ukuba amalungu amaqela onyulo ezikolo ayifumene lemigaqo namanye amaxwebhu afunekayo kunyulo, kwangethuba;

(h) liqinisekise ukuba inkxaso yonyulo iqhutywa njengoko bekucwangcisiwe;

(i) liqinisekise ukuba amagosa ezemfundo esithili abeka iliso kwinkqubo yolonyulo;

(j) liqinisekise ukuba amagama neenkcukacha zonxibelelwano zabantu abonyulwe kumabhunga olawulo zingenisiwe kumlungelelanisi wolonyulo wephondo, zingaphelanga iintsuku ezisixhenxe (7) luqhutyiwe unyulo;

(k) liqinisekise ukuba amagama abase zikhundleni angenisiwe kumlungelelanisi wonyulo wephondo, zingaphelanga iintsuku ezisixhenxe (7) efumanekile amagama kwinqununu;

(l) liqinisekise ukuba amagama amalungu—

(i) afakelelweyo kwibhunga lolawulo njengoko kuchaziwe kumgaqo 2(8) no-(10); okanye

(ii) abekiweyo okanye anyuliweyo kwibhunga lolawulo ukuvala izikhewu njengoko kuchazwe kumgaqo 6(6),

angenisiwe kumlungelelanisi wonyulo wesithili zingaphelanga iintsuku ezingama 14 emva the kokuwafumana la magama kwinqununu;

(m) liphuhlise kwaye ligcine iziko ledatha yamalungu amatsha onyulwe kumabhunga olawulo kwisithili sezemfundo kwaye liyingenise kumlungelelanisi wonyulo wephondo; kwaye

(n) liqulunqe ingxelo ebhaliweyo ngonyulo lwamabhunga olawulo, liyingenise kumlungelenanisi wonyulo wephondo

Imisebenzi yomlungelelanisi wonyulo wephondo

13. Umlungelelanisi wonyulo wephondo kufuneka—

(a) aqulunqe isicwangciso sephondo esilawula ukuphunyezwa konyulo lwamabhunga olawulo;

(b) aqinisekise ukuba kukho inkxaso eyaneleyo yemihla yolonyulo;

(c) alungelelanise zonke izixhobo zokuqhuba ulonyulo lwamabhunga olawulo ngendlela eyiyo nefanelekileyo;

(d) abeke iliso kwaye avavanye inkqubo yolonyulo kwiphondo; kwaye

(e) aqulunqe iziko ledatha lamalungu anyulwe kumabhunga olawulo ephondo.

Umgaqo wokuziphatha

14. Igosa lonyulo lesikolo, igosa lolonyulo lesithili, umlungelelanisi wolonyulo wesithili, kunye nelungu leqela lolonyulo lesikolo kufuneka—

(a) enze ngokunyanisekileyo nangembeko;
(b) enze ngendlela enobulungisa nengena mkhethe;
(c) aqhelane nenkqubo yolonyulo kwakunye nemithetho ephathelele kulonyulo lwamabhunga olawulo;
(d) aqhube ulonyulo ngokwemiqathango yephondo;
(e) asebenzisane nenqununu;
(f) aphathe inkqubo yolonyulo ngendlela efanelekileyo enobulungisa; kwaye
(g) angagqithiseli kumandla akhe.

Uluhlu lwabavoti

15. (1) Inqununu mayenze uluhlu lwabavoti lodidi ngalunye kwezi ndidi zilandelayo zabavoti, oluqulethe amagama abo bonke abazali, abahlohli nabasebenzi abangengo bahlohli esikolweni, abanelungelo lokuvota njengoko kuchaziwe kumgaqo 8, ngokulandelayo:

(a) uluhlu lokuvota lwabazali kufuneka lusekelwe kwirejista yesikolo yolwamkelo lwabafundi, kwaye kufuneka luqulethe abo bantu babhalwe njengabazali kwirejista yolwamkelo okanye abanokubonisa ubungqina bokuba banga bazali babafundi ababhalisiwe esikolweni eso;
(b) uluhlu lwabavoti abangabahlohli kufuneka luqulathe bonke abahlohli abaqeshwe kweso sikolo;
(c) uluhlu lwabavoti abangengo bahlohli kufuneka luqulathe bonke abasebenzi abangengo bahlohli abaqeshwe kweso sikolo.

(2) Inqununu kufuneka iqinisekise ukuba akukho magama aphindaphindiweyo kuluhlu lokuvota kwaye iqinisekise ukuba kumfundi ngamnye elona nani liphezulu labazali ababhalwe kuluhlu sisibini, ngengoko kuchaziwe kumgaqwana (1)*(a)*.

(3) Uluhlu lokuvota lwabazali kufuneka lube nokufumaneka ebazalini ukuze baluhlole, ubuncinane iintsuku ezilishumi elinesine (14) phambi kolonyulo.

(4) Abazali bangalujonga uluhlu lokuvota lwabazali ukubona ukuba amagama abo ayavela na kulo, kwaye bangaphikisa zingadlulanga iintsuku ezintlanu (5) lukhutshiwe uluhlu lwabavoti oluchazwe kumgaqwana (3).

(5) Inqununu kufuneka iqwalasele impikiswano echazwe kumgaqwana (4) kwaye, apho kuyimfuneko, iguqule uluhlu lokuvota zingaphelanga iintsuku ezintlanu (5) ivelile impikiswano.

(6) Inqununu kufuneka igqibezele uluhlu lokuvota lwabazali, olwaba hlohli, nabasebenzi abangengo bahlohli, iintsuku ezine (4) phambi kolnyulo kwaye akukho magama anokuphinda ongezwe emva kokuba kugqityiwe.

(7) Igosa lonyulo lesikolo kufuneka liqinisekise uluhlu lwabavoti emva kokuba inqununu ilugqibezele ngoko mgaqwana (6).

Umhla, ixesha nendawo yentlanganiso yokuqinisekisa utyunjo, kunye nonyulo lwamalungu angabazali

16. (1) Igosa lonyulo lesikolo (ngokucebisana nenqununu yesikolo) kufuneka—

(a) ibeke usuku, amaxesha nendawo ye—

(i) ntlanganiso yokuqinisekisa utyunjo olusuka kubazali**,** intlanganiso leyo kufuneka ihlale ubuncinane iintsuku ezilishumi (10) phambi kolonyulo; kunye no

(ii) nyulo lwamalungu angabazali; kwaye

(iii) ukubalwa kweevoti; kwaye

(b) lichazele inqununu oko ngokubhaliweyo.

(2) Ukutyunjwa nokonyulwa kwamalungu angabazali kufuneka kukhokelwe lunyulo lweendidi zamanye amalungu ebhunga lolawulo ngokuchazwe kumgaqo 24, 25, 26 no 27.

(3) Kwimeko yesikolo esitsha, intlanganiso yokuqinisekisa utyunjo olusuka kubazali, nonyulo lwamalungu angabazali, kufuneka luqhutywe zingadlulanga iintsuku ezingamashumi alithoba (90) sivuliwe isikolo kubafundi.

(4) INtloko yecandelo ingathi, ukuba kuyimfuneko ngokwemeko, ivumele ngokubhaliweyo ukolulwa kwexesha elichazwe kumgaqwana (3), kodwa ukolulwa oko kungagqithiseli kwiinyanga ezintandathu (6) simiselwe isikolo.

Isaziso sentlanganiso yokuqinisekisa utyunjo nonyulo lwamalungu angabazali

17. (1) Igosa lonyulo lesikolo kufuneka lilungise isaziso, esiSihlomelo C, sentlanganiso yokuqinisekisa utyunjo, nonyulo oluchazwe kumgaqo 16 kunye nefomu yotyumbo esiSihlomelo D, kwaye kufuneka ubuncinane beentsuku ezinamashumi amabini ananye (21) phambi kolonyulo, inike inqununu ifomu yesaziso nefomu yotyumbo ukuze kuzalisekiswe imigomo yomgaqwana (4).

(2) Isaziso esiya kubazali kufuneka—

(a) sichaze umhla, ixesha nendawo yentlanganiso yokuqinisekisa utyunjo;

(b) sichaze ukuba abagqatswa abangabazali bangeza kwintlanganiso yokuqinisekisa utyunjo;

(c) sichaze umhla, amaxesha nendawo yokuvota;

(d) siquke isikhumbuzo sokuba abazali kufuneka beze nohlobo lwesazisi ukuze bavunyelwe bavote;

(e) sikhankanye umhla, amaxesha nendawo yovoto olulandelayo oluzakubanjwa iintsuku ezingekho ngaphantsi kwesixhenxe (7) kodwa zingadlulanga kwezilishumi elinanye (11) emva konyulo lokuqala, ukuba kwenzekile lingagcwali inani elifunekayo (ikhoram) ngoko mgaqo 19(2);

(f) sichazele abazali ukuba bangafaka kwigosa lonyulo lesikolo ngokubhaliweyo, ukukhabana notyunjo, phambi kwentsimbi yesine ngenjikalanga (16:00) yosuku olungaphambi kolo voto; kwaye

(g) sikhuthaze abazali ukuba bakunanze okulandelayo xa betyumba naxa bevotela abagqatswa abangabazali:

(i) imigqaliselo yobulungisa;

(ii) imfuneko yokulungisa ubugwenxa belixa langaphambili; kunye;

(iii) imfuneko yokumelwa.

(3) Isazisi esizhazwe kumgaqwana (2)*(d)* kufuneka ibeluxwebhu olunebhakhowudi oluluhlaza lwase Mzantsi Afrika, okanye ikhadi lesazisi, ngokukhutshwe liSebe leMicimbi yezeKhaya, okanye xa ingummi welinye ilizwe, ipemithi ekhutshwe ngoko Mthetho weImmigration ka-2002 (uMthetho 13 ka-2002): Ukuba isazisi esichaziweyo asikho, lisenokwamkelwa nolunye uhlobo lwesazisi lilungu leqela lonyulo lesikolo.

(4) Inqununu kufuneka zingaphelanga iintsuku ezingamashumi amabini ananye (21) ubuncinane phambi komhla wonyulo lwamalungu angabazali—

(a) iqinisekise ukuba ootitshala banikezela iikopi zesaziso nefomu yokutyumba kumfundi ngamnye wesikolo, nomyalelo wokuba banike abazali babo;

(b) iqinisekise ukuba iikopi zesaziso nefomu yokutyumba zithunyelwa kubazali bomfundi ngamnye esikolweni ngeposi, xa ekubona kufanelekile oko;

(c) isebenzise indibanisela yezindlela zimbini zokwazisa ezichazwe kumhlathi *(a)* no *(b)*;

(d) isebenzise neyiphi na enye indlela yokwazisa abazali bomfundi ngamnye esikolweni, ngentlanganiso yoqinisekiso lotyunjo, nonyulo lwamalungu angabazali, ukuba indlela yokwazisa ayibadleli ndlala abanye abazali okanye ithintele intatho nxaxheba yabo kwinkqubo yonyulo.

Inkqubo yotyunjo kunyulo oluqhutywa ngesandla

18. (1) Ukutyumba umgqatswa ongumzali kunyulo oluqhutywa ngesandla, umzali womfundi esikolweni makafake kwigosa lonyulo esikolweni, zingadlulanga iintsuku ezilishumi elinanye (11) phambi kolonyulo, ifomu yokutyumba eyi fomu ekwiSihlomelo D, igcwaliswe ngophakamisayo, oxhasayo kunye nomgqatswa ongumzali.

(2) Utyumbo oluchazwe kumgaqwana (1) malube luxhaswe ngomnye umzali, kwaye ifomu yokutyumba esiSihlomelo D mayigcwaliswe ngophakamisayo, oxhasayo, nomgqatswa ongumzali, kwaye ingeniswe kwigosa lonyulo lesikolo lingaphelanga ixesha elichazwe kumgaqwana (1).

(3) Umzali akanakuzityumba.

(4) Kwintlanganiso yokuqinisekisa utyunjo, iqela lonyulo lesikolo kufuneka liqwalasele ukutyunjwa kunye nokukhatywa kotyunjo lwaye nowuphi na umzali othe—

(a) akatyunjwa ngokomgaqwana (1);

(b) ongakulungelanga ngokomgaqo 3; okanye

(c) ozityumbileyo ngokwakhe,

kwaye kamva igosa lonyulo lesikolo kufuneka liqulunqe uludwe lwabatyunjwa kwaye azise inqununu nabazali ngamagama abazali abatyunjiweyo amkelweyo.

(5) Inqununu kufuneka ubuncinane iintsuku ezimbini (2) phambi komhla wonyulo lwamalungu angabazali—

(a) iqinisekise ukuba ootitshala banikezela iikopi zoluhlu lwabatyunjwa oluchazwe kumgaqwana (4) kumfundi ngamnye wesikolo esichaphazelekayo, nomyalelo ngomlomo wokuba agqithisele kubazali; okanye

(b) isebenzise nayiphi na enye indlela yokwazisa abazali bomfundi ngamnye esikolweni, ngolo ludwe lwabatyunjwa, ukuba ezondlela zokwazisa akukho mzali zimdleli-ndlala okanye zimthintela kuthatho nxaxheba kwinkqubo yonyulo.

(6) Ukuba lilonke inani labagqatswa abangabazali abatyunjwe ngokwamkelekileyo ngokomgaqwana (4) lingaphantsi kwenani elifunekayo ngokwemiqathango 2(1)*(a)*, 2*(a)*, 3*(a)*, 4*(a)*, 5*(a)* okanye 6*(a)* kwibhunga lolawulo elichaphazelekayo, igosa lonyulo lesikolo kufuneka zingaphelanga iintsuku ezimbini (2) emva kwentlanganiso yokuqinisekisa utyunjo—

(a) lazise inqununu ngokubhaliweyo ngoko;

(b) lazise abazali kwaye licele kutyunjwe abagqatswa abangabazali abongezelelweyo, zingagqithanga iintsuku ezine (4) emva kwentlanganiso yokuqinisekisa utyunjo; kwaye

(c) libize eyesibini intlanganiso yokuqinisekisa utyunjo ezakuhlala zingaphelanga iintsuku ezintlanu (5) emva komhla wentlanganiso yokuqinisekisa utyunjo yokuqala.

(7) Kwiimeko ezichazwe kumgaqwana (6)*(c)*—

(a) ukuba lilonke inani labagqatswa abangabazali abatyunjwe ngokwamkelekileyo, kuquka notyunjo olwamkelwe ngokwesolotyanyana (4), lingaphezulu kwenani lamalungu agqitywe

ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* no (6)*(a)* yebhunga lolawulo elichaphazelekayo—

(i) igosa lonyulo lesikolo malichazele inqununu nabazali ubuncinane iintsuku ezintlanu (5) phambi konyulo, ngamagama abazali ekwamkelwe utyunjo lwawo; kwaye

(ii) uvoto maluqhutywe ngokomgaqo 19;

(b) ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo, kuquka notyunjo olwamkelwe phantsi kwesolotyana (4), lilingana nenani lamalungu agqitywe ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* no (6)*(a)* yebhunga lolawulo oluchaphazelekayo, kufuneka kulandelwe inkqubo echazwe kumgaqwana (9); okanye

(c) ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo, kuquka notyunjo olwamkelwe phantsi kwesolotyana (4), lingaphantsi kwenani lamalungu afunekayo ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* no (6)*(a)* yebhunga lolawulo oluchaphazelekayo, igosa lonyulo lesikolo kufuneka zingaphelanga iintsuku ezimbini (2) emva kwentlanganiso yesibini yokuqinisekisa utyunjo—

(i) lichazele inqununu ngokubhaliweyo ngoko;

(ii) lichazele abazali kwaye licele kutyunjwe umgqatswa ongumzali owongezelelekileyo zingaphelanga iintsuku ezintandathu (6) emva komhla wentlanganiso yesibini yokuqinisekisa utyunjo echazwe kumgaqwana (6)*(c)*; kwaye

(iii) libize eyesithathu intlanganiso yokuqinisekisa utyunjo ibanjwe zingadlulanga iintsuku ezisixhenxe (7) emva kwentlanganiso yokuqinisekisa utyunjo yesibini echazwe kumgaqwana (6)*(c)*.

(8) Kwezi meko zichazwe kumgaqwana (7)*(c)*(iii)—

(a) ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo, kuquka notyunjo olwamkelwe phantsi kwamasolotyanyana (4) no (7) lingaphezulu kwenani lamalungu agqitywe ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* no (6)*(a)* yebhunga lolawulo elichaphazelekayo, inkqubo echazwe kumgaqwana (7)*(a)* mayilandelwe;

(b) ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo, kuquka notyunjo olwamkelwe ngokwamasolotyanyana (4) no (7), lilingana nenani lamalungu agqitywe ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* okanye (6)*(a)* ngokwebhunga lolawulo elichaphazelekayo, inkqubo echazwe kumgaqwana (9) mayilandelwe; okanye

(c) ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo, kuquka notyunjo olwamkelwe ngokwamasolotyanyana (4) no (7), lingaphantsi kwenani lamalungu afuneka ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* okanye (6)*(a)* ngokwebhunga lolawulo elichaphazelekayo, inkqubo echazwe kumgaqo 16(1) mayilandelwe.

(9) Ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo ngokuchazwe kumgaqwana (4) lilingana nenani lamalungu agqitywe ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* okanye (6)*(a)* ngokwebhunga lolawulo elichaphazelekayo, igosa lonyulo lesikolo malibhengeze ukuba wonke umgqatswa ongumzali owamkelweyo ulilungu elinyuliweyo lebhunga lolawulo.

(10) Ukuba lilonke inani labagqatswa abangabazali ekwamkelwe utyunjo lwabo ngokuchazwe kumgaqwana (4) lingaphezulu kwenani lamalungu agqitywe ngokwemiqathango 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* okanye (6)*(a)* ngokwebhunga lolawulo elichaphazelekayo, makuqhutywe uvoto ngokomgaqo 19.

Uvoto kunyulo lwamalungu angabazali kunyulo oluqhutywa ngesandla

19. (1) Uvoto ekubhekiswe kulo kumgaqo 18(7)*(a)*(ii), (8)*(a)* or (10) kufuneka lubanjwe ngomhla nexesha nendawo exeliweyo ngokwenkqubo yotyumbo nonyulo

(2) Ikhoram yabazali—

(a) iqulethe iipesenti ezilishumi (10) zenani lilonke labazali abaku luhlu lwaba voti abavotileyo; kwaye

(b) mayibalwe ligosa lonyulo lesikolo ekupheleni kovoto.

(3) Igosa lonyulo lesikolo kufuneka linike umzali ngamnye onelungelo lokuvota nonqwenela ukuvota iphepha lokuvota elamkelekileyo elinesitampu esisemthethweni esichazwe kumgaqo 10(7).

(4) Umzali makayibhale ivoti yakhe kwiphepha lokuvota elichazwe kumgaqwana (3): ngaphandle kokuba umzali akakwazi ukwenza oko ngenxa yokungakwazi ukubhala, ukungaboni, okanye nesiphina esinye isiphene somzimba, igosa lonyulo lesikolo lingathi ngesicelo salo mzali, naphambi kwengqina elikhethwe ngumzali lowo, liyibhale ivoti ngakuloo mgqatswa ungumzali okanye abo bagqatswa bakhonjwe nguloo mzali.

(5) Igosa lonyulo lesikolo kufuneka lilichwethele bucala iphepha lokuvota—

(a) ukuba ngaba asikho isitampu esisemthethweni ekubhekiswe kuso kumgaqwana (3) kwelo phepha;

(b) ukuba kubhalwe iivoti ezingaphezu kwenani lamalungu afanele ukunyulwa njengoko kuchaziwe kumgaqo 2; okanye

(c) eligcwaliswe ngendlela engacaciyo ukuba kuvotelwa abaphi abazali kanye kanye, ngokokubona kwegosa lonyulo lesikolo.

(6) Emva kokuba igosa lonyulo lesikolo liwachwethele bucala amaphepha okuvota amoshakeleyo, ngokuchazwe kumgaqwana (5), kufuneka—

(a) lithi, bekhona bonke abazali abangabatyunjwa abafuna ukuba khona xa kubalwa, libale zonke iivoti zabazali; yaye

(b) lichaze inani labazali elixeliweyo, ngokomgaqo 2(1)*(a)*, (2)*(a)*, (3)*(a)*, (4)*(a)*, (5)*(a)* okanye (6)*(a)* abakwibhunga lolawulo lesikolo esichaphazelekayo abathe bafumana iivoti ezininzi baze banyulwa njengamalungu ebhunga lolawulo lesikolo yaye achaze inani leevoti zomzali ngamnye obengumgqatswa.

(7) Ukuba kwinani leevoti ezibhaliweyo kukho abazali ababini okanye ngaphezulu kwesibini ababambeneyo ngeenani leevoti yaye oko kuchaphazela iziphumo, igosa lonyulo lesikolo kufuneka lifake amagama abazali ababambeneyo emnqwazini ze kutsalwe igama ukwenza isigqibo sabazali abaphumeleleyo.

(8) Ukuba inani elamkelekiyo (ikhoram) elichazwe kumgaqwana (2)*(a)* alivotanga ngexesha lokuvota, igosa lonyulo lesikolo kufuneka—

(a) lazise inqununu nabazali; kwakhona—

(b) lazise inqununu nabazali; kwakhona

lazise abazali umhla wonyulo oluzakulandela ngokuchazwe kumgaqo 17(2)*(e)*.

(9) Kuvoto olulandelayo akufuneki inani elamkelekileyo (ikhoram).

(10) Akukho voti zithunyelweyo ziya kwamkeleka kunyulo lwebhunga lolawulo lesikolo**.**

Indima yesikolo ekukhetheni unyulo oluqhutywa nge intanethi

20. Ekukhetheni unyulo oluqhutywa nge intanethi, inqununu kufuneka —

(a) icele kuMlawuli wesithili imvume yokusebenzisa olu hlobo lonyulo ngokuchazwe kumgaqwana 9(2)*(b)*;

(b) yazise abazali ngesicelo eso;

(c) phambi konyulo inike isikhokelo kubazali ngoxwebhu oluchaza ukuba lusebenza njani ulonyulo oluqhutywa nge intanethi;

(d) iqinisekise ukuba umntu onolwazi oluphangaleleyo ngokusebenza konyulo oluqhutywa nge intanethi uyafumaneka, ukuze anike inkxaso yobuchwepheshe ngaphambili nangomhla wonyulo;

(e) imisele ubuncinane nokuba sinye isikhululo sokuvota nge intanethi esikolweni ngoko bude bexesha lonyulo, ukulungiselela abo banqwenela ukuvota esikolweni;

(f) iqinisekise ukuba ukhona umtshini ovelisa umbane, xa kunokwenzeka uqhawuko lombane;

(g) yabe kwaye ibonelele ngabasebenzi abazakuncedisa iqela lonyulo lesikolo ngoko bude bexesha lotyunjo, ukuvota nenkqubo yokubala; kwakhona

(h) iqinisekise ukuba abazali babhalisela ukuvota ngokukhetha imibuzo yokhuseleko ubuncinane iintsuku ezintlanu (5) phambi konyulo.

Inkqubo yotyunjo yolunyulo olusebenzisa i intanethi

21. (1) Inkqubo yotyunjo echazwe kumgaqo 18 iyasebenza, ngaphandle kokuba inkqubo ibonelela ngenkqubo yotyunjo yonyulo oluqhutywa nge intanethi apho kwi-intanethi, kwimeko enjalo kusetyenziswa inkqubo yotyunjo echazwe kumgaqo 18, ngotshintsho olufanelekileyo.

(2) Apho inkqubo yotyunjo iza kwenziwa ngeintanethi, inkqubo kufuneka ilungiselelwe ukuba—

(a) inike umzali iinkcukacha zokungena kuyo, nenombolo sazisi eyahlukileyo esebenza kanye, ezakwenza ukuba akwazi ukutyumba abagqatswa abangabazali;

(b) ingqinisise isazisi somzali xa engena kuyo nge nombolo sazisi echazwe kumhlathi *(a)*, ngokusekelwe kuluhlu lokuvota lwabazali; kwakhona

(c) inike umzali ifomu yotyunjo ye intanethi ezakwenza ukuba akwazi ukutyumba abagqatswa abangabazali.

(3) Umzali kufuneka aphume kuyo inkqubo akugqiba ukutyumba.

(4) Abasebenzi abachazwe kumgaqo 20*(g)* kufuneka bancedise abazali ukungenisa amaxwebhu kwi intanethi, xa kukho imfuneko yokwenza oko.

Ukuvota ngexesha lovoto oluqhutywa ngeintanethi

22. (1) Inkqubo kufuneka ilungiselelwe uku—

(a) nika umzali iinkcukacha zokungena kuyo ne nombolo sazisi eyahlukileyo esebenza kanye, ezakwenza ukuba akwazi ukuvota;

(b) ngqinisisa isazisi somzali xa engena kuyo, nge nombolo sazisi echazwe kumhlathi *(a)*, gokusekelwe kuluhlu lokuvota lwabazali;

(c) nika umzali iphepha lokuvota le intanethi elizakwenza ukuba akwazi ukuvotela inani elifunekayo labagqatswa abangabazali; kunye

(d) umzali kufuneka aphume kuyo inkqubo emva kokuvota.

Ukubalwa kweevoti ngexesha lovoto oluqhutywa nge intanethi

23. (1) Inkqubo kufuneka ilungiselelwe ukuba ikwazi ukubala inike iziphumo nje ukuba liphele ixesha lonyulo.

(2) Igosa lonyulo lesikolo malingqinisise iziphumo zovoto oluchazwe kumgaqo 22.

(3) Ukuba inani lee voti ezibhaliweyo kubagqatswa abangabazali ababini nangaphezulu, liyalingana kwaye liyazichaphazela iziphumo zovoto, igosa lonyulo lesikolo kufuneka, phambi kwabo bonke abagqatswa abangabazali abafuna ukubakhona, lenze amaqashiso okukhetha abazali abaphumelele unyulo.

Intlanganiso yokutyumba nokunyula amalungu angabahlohli

24. (1) Igosa lonyulo kweso sikolo kufuneka likhuphe isaziso ngokohlobo lweSihlomelo C esidiza usuku, ixesha nendawo oza kubanjelwa kuyo intlanganiso yokutyumba nokunyula amalungu angabahlohli kwibhunga lolawulo, ekufuneka ubanjwe kwisithuba seentsuku ezilishumi elinanye (11) ubuncinci ngaphambi kokukhethwa kwamalungu angabazali.

(2) Ukutyumba umtyunjwa ongumhlohli, umhlohli osebenza kwakweso sikolo sinye kufuneka—

(a) afake kwigosa lonyulo kweso sikolo, zingadlulanga iintsuku ezisixhenxe (7) ngaphambi kosuku lomhlangano wokutyunjwa nokunyulwa, ifomu yokutyumba ngokohlobo lweSihlomelo D, egcwaliswe ngulowo uchongayo, omxhasayo kwakunye nomgqatswa ngumhlohli; okanye afake kwigosa lonyulo lesikolo, kwiintsuku ezisixhenxe phambi komhla wentlanganiso yotyumbo nonyulo, ifomu yotyumbo efana naleyo ikwiSihlomelo D, ezaliswe ngulowo uphakamise igama, umxhasi nomhlohli ongumgqatswa; okanye

(b) aphakamise igama lomhlohli njengelungu lebhunga lolawulo kwintlanganiso yokutyumba nokunyula.

(3) Utyunjo olukhankanywe kumgaqo (2)*(b)* kufuneka luxhaswe ngomnye umhlohli, ze ifomu yokuchonga eluhlobo lweSihlomelo D kufuneka igcwaliswe ngendlela ngulowo uphakamisa igama, umxhasi wakhe ze, ukuba ukho, naloo mhlohli utyunjwayo yaye kufuneka inikezelwe kwigosa lonyulo kweso sikolo kwisithuba sexesha esikhankanywe kumgaqwana (4).

(4) Ukuba inani lamalungu azimase intlanganiso elimiselwe kumgaqo 25(2) lifikelelekile, igosa lonyulo leso sikolo kufuneka lichaze ixesha ekuza kuvumeleka ukutyumba abagqatswa abangabahlohli ngalo kwakula ntlanganiso wokutyumba nokunyula ze lazise loo ntllanganiso ngoko.

(5) Umhlohli akakwazi ukuzichonga.

(6) Emva kokuphela kwexesha elikhankanywe kumgaqwana (4) igosa lonyulo leso sikolo kufuneka liqwalasele amagama aphakanyisiweyo ze likhabe ukutyunjwa kwakhe nawuphi na umhlohli—

(a) ongatyunjwanga ngokwemiqathango yomgaqwana (2)*(a)* okanye (3);

(b) ongekho lungelweni njengoko kuthiwe thaca kumgaqo 3;

(c) kwimeko yokutyumba okukhankanywe kumgaqwana (2)*(b)*, apho kungagcwaliswanga fomu yokutyumba khona, ngaphandle kokuba kungeniswe ubungqina obubhalwe phantsi nobulikholisayo igosa lonyulo leso sikolo ngaphambi kosuku lokuphelelwa oluchazwe kumgaqwana (4) obuthi umgqatswa ongumhlohli uzimisele ukuba lilungu lebhunga lolawulo; okanye

(d) uzichongile,

yaye emva koko kufuneka igosa lonyulo leso sikolo lazise amagama abagqatswa abangabahlohli athe amkelwa amagama abo.

(7) Ukuba inani elipheleleyo labagqatswa abangabahlohli abathe batyunjwa ze kwamkelwa nokunyulwa kwabo njengoko kukhankanyiwe kumgaqwana (6)—

(a) liphantsi kunelo lamalungu elimiselwe ngokwemiqathango yommiselo 2(1)*(b)*, (2)*(b)* okanye (6)*(b)* ngokumayelana nebhunga lolawulo elo, kufuneka kwenziwe intlanganiso omtsha ekuza kutyunjwa kuwo abagqatswa abatsha abangabahlohli, intlanganiso leyo yenziwe kwisithuba seentsuku ezisixhenxe (7) ukususela kwintlanganiso yokuqala ngokwemiqathango yeenkqubo ezimiselwe kule migaqo;

(b) liphantsi kwinani lamalungu elimiselwe ngokwemiqathango yommiselo 2(1)*(b)*, (2)*(b)* okanye (6)*(b)* ngokwemiqathango yelo bhunga lolawulo, igosa lonyulo leso sikolo kufuneka lazise ngabo bonke abagqatswa abangabahlohli abatyunjwe ngokwamkelekileyo ukuze babe ngamalungu anyulwe ngokwamkelekileyo kwelo bhunga lolawulo; okanye

(c) ilingaphezu kwenani lamalungu elimiselwe kumgaqo 2(1)*(b)*, (2)*(b)* okanye (6)*(b)* kumba welo bhunga lolawulo, kufuneka kwenziwe unyulo ngokwemiqathango yommiselo 25.

(8) Ukuba inani labahlohli kweso sikolo lilishumi nangaphantsi, inkqubo yokutyunjwa kwamalungu angabahlohli ayilandelwa, kodwa ke inkqubo yonyulo yona njengoko ithiwe thaca kumgaqo 25 kufuneka ilandelwe.

Uvoto kunyulo lwamalungu angabahlohli

25. (1) Igosa lonyulo lesikolo kufuneka liqulunqe isaziso somhlangano wokutyumba nokunyula yaye kufuneka lihambise ikopi yeso saziso kuye wonke umhlohli osebenza ubuncinci kwisithuba seentsuku ezisixhenxe (7) ngaphambi kolo nyulo.

(2) Inani labazimasi kolo nyulo kufuneka libe namalungu angaphezu kwesiqingatha senani elipheleleyo labahlohli basebenza kweso.

(3) Igosa lonyulo leso sikolo kufuneka linike umhlohli ngamnye ongathanda ukuba yingxenye yonyulo iphepha lokuvota eligunyazisiweyo elinestampu sesikolo elichazwe kumgaqo 10(7).

(4) Umhlohli okhankanywe kumgaqo (1) ongathanda ukuvota, kufuneka afake ivoti yakhe ngokuthi abhale phantsi amagama angadlulanga kwisibini abagqatswa abangabahlohli kwelo phepha lokuvota.

(5) Igosa lonyulo leso sikolo kufuneka lilichwethele bucala iphepha lokuvota—

(a) elingenastampu sesikolo njengoko kuthiwe thaca kumgaqwana (3);

(b) elinamagama abagqatswa abangabahlohli abadlulileyo kwisibini; okanye

(c) eligcwaliswe ngendlela ethi ngokwembono yegosa lezokhetho kweso sikolo, ethi ingacaci apho wafakelwa ivoti umgqatswa ongumhlohli okanye abagqatswa abangabahlohli.

(6) Abagqatswa abangabahlohli abafumene ukutyunjwa ngezona voti zininzi ezithe zabhalwa kufuneka baziswe ligosa lezokhetho kweso sikolo njengabagqatswa abathe banyulwa ngokuyimpumelelo.

(7) Ukuba akubikho mgqatswa ungumhlohli ufumana iivoti ezininzi, umgqatswa ofumana elona nani liphantsi leevoti kufuneka ekhutshelwe ecaleni ze kuphinde kuqhutywe olunye unyulo lwabagqatswa abaseleyo ngokwemiqathango yale migaqo.

(8) Inkqubo ekhankanywe kumgaqo (7) kufuneka iphindwe de kusale abagqatswa ababini ekufuneka bebhengezwe ligosa lonyulo leso sikolo njengabonyuliweyo.

(9) Ngokwemiqathango yomgaqwana (7), ukuba abagqatswa abangabahlohli ababini nangaphezulu bafumene ezona voti ziphantsi, kufuneka kwenziwe olunye unyulo kwabo bagqatswa, ze luphindwe kangangoko kuyimfuneko kude kuvele oyena mgqatswa ukhutshelwe ecaleni.

Ukutyunjwa nokunyulwa kwelungu elingengomhlohli

26. Xa kunyulwa ilungu lesikolo elingengomhlohli, kusetyenziswa inkqubo yokutyunjwa nokonyulwa kwamalungu angabahlohli ze kwenziwe utshintsho oluyimfuneko ukutyumba nokunyula ilungu elingengomhlohli.

Ukutyunjwa nokunyulwa kwabafundi

27. Amalungu angabafundi amabini axelwe kumgaqo 2(1)*(d)* naku-(6)*(d)* kufuneka anyulwe libhunga elimele abafundi kumanqwanqwa alo njengoko kuchaziwe kuMiselo lweMisebenzi neeNkqubo zokuSungulwa noLonyulo lwabaMmeli beBhunga laBafundi kwiZikolo zikaRhulumente owenziwe nguMphathiswa wePhondo phantsi kweSaziso sePhondo 272/2014 kwi*Gazethi yePhondo* 7317, yomhla we-13 kweyeDwarha 2014.

Izigqibo zegosa lonyulo lesikolo

28. (1) Igosa lonyulo lesikolo kufuneka ligqibe yaye lilungise yonke imiba ehlangene notyumbo nonyulo lwamalungu.

(2) Ngokwemiqathango yommiselo 29(1), zonke iimbambano ezingokutyunjwa nokunyulwa kufuneka zichazwe kwigosa lonyulo leso sikolo.

(3) Igosa lonyulo lesikolo kufuneka lisombulule zonke iimbambano phambi kokuba libhengeze unyulo njengolungenamakhwiniba.

(4) Isigqibo segosa lonyulo lesikolo ngexesha lenkqubo yotyumbo nonyulo asinakutshintshwa mntu.

(5) Igosa lonyulo lesikolo kufuneka lithabathe isigqibo ze lisombulule impikiswano ngokutyunjwa komntu othile njengoko kuthiwe thaca kumgaqo 17(2)*(f)* emva konyulo.

(6) Ukuba kukho imbambano kweso sikolo igosa lonyulo leso sikolo elingakwazi kuyisombulula, unyulo maluqhube.

Izigqibo zegosa lezokhetho kwisithili

29. (1) Nawuphi na umntu onqwenela ukufaka isikhalazo kwisigqibo segosa lonyulo kufuneka, kwisithuba seentsuku ezisixhenxe (7) emva konyulo lwamalungu kwisigaba eso, afake isikhalazo eso ngembalelwano kwigosa lonyulo kwisithili elichaphazelekayo.

(2) Nawuphi na umntu, kwisithuba seentsuku ezisixhenxe (7) emva konyulo lwamalungu kweso sigaba, angadlulisela imbambano engazange isonjuluwe ethiwe thaca kumgaqo 28(6) kwigosa lonyulo kwisithili.

(3) Igosa lonyulo kwisithili kufuneka liqwalasele isikhalazo esichazwe kumgaqwana (1) okanye ukudluliselwa kwaso okuchazwe kumgaqwana (2) ze asabele ngembalelwano kwisithuba seentsuku ezisixhenxe (7) emva kokufumana eso sikhalazo okanye oko kudluliselwa kwaso.

(4) Nawuphi na umntu othi azi ngento engalunganga kwinkqubo yonyulo angathi emva konyulo ase ingxelo ngayo kwigosa lonyulo kwisithili kwisithuba seentsuku ezisixhenxe (7) emva kokwaziswa kwamalungu ebhunga lolawulo.

(5) Nawuphi na umntu ongakholisekanga sisigqibo segosa lonyulo kwisithili angafaka isibheno noMphathiswa wePhondo kwisithuba seentsuku ezingama-21 emva kokufumana isigqibo segosa lonyulo kwisithili.

(6) UMphathiswa wePhondo kufuneka aqwalasele isibheno ze athabathe isigqibo kwisithuba seentsuku ezingama-21 emva kokufumana isibheno eso.

Inkqubo emva kokhetho lwebhunga lolawulo

30. (1) Emva konyulo lwebhunga lolawulo igosa lonyulo kwisikolo kufuneka—

(a) enze iikopi eziskeniweyo zawo onke amaxwebhu athe asetyenziswa ekutyunjweni nasekunyulweni kwamalungu, kuquka nawo onke amaphepha ovoto athe agcwaliswa asetyenziswe kolo nyulo kwakunye nazo zonke iifomu zokutyumba ezithe zafunyanwa, ze—

(i) linikezele ikopi eskeniweyo kwinqununu yesikolo; ze

(ii) ligcine ikopi enye esikeniweyo;

(b) lifake amaxwebhu angakotshwanga njengoko kuthiwe thaca ngawo kumhlathi *(a)* kwiimvulophu, lizivingce ezo mvulophu ze lizidlulisele kwigosa lonyulo kwisithili, lona ekufuneka lizigcine zikhuselekile isithuba esifikelela kwiminyaka emithathu ubuncinci ukususela ngomhla wokhetho lwebhunga lolawulo;

(c) ukuba likholisekile, lidize unyulo olo njengebelukhululekile, lungenamkhethe;

(d) lazise ilungu ngalinye elikhethiweyo ngembalelwano ngokhetho lwalo; ze

(e) lazise inqununu kwakunye negosa lezokhetho kwisithili kwisithuba seentsuku ezintathu emva kosuku lonyulo lwebhunga lolawulo ngembalelwano, libanike amagama needilesi zabo bakhethwe njengamalungu.

(2) Ibhunga lolawulo eliphumayo liyayeka ukuba libhunga lolawulo lakuthi lazise ngamalungu amatsha angabazali ze lidize ukuba unyulo belukhululekile, lungenamkhethe.

Intlanganiso yokuqala yebhunga lolawulo

31. (1) Intlanganiso yokuqala yebhunga lolawulo elisandula ukunyulwa kufuneka—

(a) ibizwe yinqununu kwisithuba seentsuku ezintlanu (5) emva kokuba ifumene isaziso esikhankanywe kumgaqo 30(1)*(e)*;

(b) ibanjwe kwisithuba seentsuku ezilishumi (10) emva konyulo;

(c) yonganyelwe yinqununu;

(d) inyule amagosa ebhunga lolawulo; ze

(e) idize abantu abaza kutyikitya kwimicimbi yemali.

(2) Abatyikityi abakhankanywe kumgaqwana (1)*(e)* kufuneka banikwe amagunya okutyikitya kwisithuba seentsuku ezisixhenxe (7) emva kwentlanganiso ekhankanywe kumgaqo (1).

(3) Inqununu kufuneka ibize intlanganiso ze iyongamele phakathi kwamagosa ebhunga lolawulo eliphumayo kwakunye namagosa ebhunga lolawulo elisandula ukunyulwa ekufuneka ubanjwe ksiwithuba seentsuku ezisixhenxe (7) emva kwentlanganiso ekhankanywe kumgaqwana (1) ukuze kube nokwenziwa inkqubo yokunikezelwa kwamagunya.

(4) Kwintlanganiso yokuqala yebhunga lolawulo lesikolo yabafundi abanezidingo ezikhethekileyo, amalungu achazwe kumgaqo 2(6)*(a)*, *(b)*, *(c)*, *(d)* no-*(e)* kufuneka angene ezihlangwini zamalugu achazwe kumgaqo 2(6)*(f)*, *(g)*, *(h)*, *(i)* kwaye *(j)* abe namalungelo okuvota.

(5) Kwintlanganiso yokuqala yebhunga lolawulo ekhankanywe kumgaqwana (1), ibhunga kufuneka linyule phakathi kwamalungu alo anamagunya okuvota amagosa, ekufuneka ubuncinci abe nosihlalo, isekela lakhe, unondyebo nonobhala.

(6) Akukho lungu linokuba nezihlalo ezingaphezu kwesinye kwibhunga lolawulo ngaxesha-nye ngaphandle kokuba ibhunga lolawulo elo linamalungu angaphantsi kwesihlanu (5).

(7) Kwiimeko ezikhankanywe kwimigaqo 2(1), (2), (3), (4) no-(5), lilungu lebhunga lolawulo elingumzali nelinamagunya okuvota elinokuba ngusihlalo okanye isekela likasihlalo webhunga lolawulo.

(8) Kwiimeko ezichazwe kumgaqo 2(6), naliphi na ilungu lebhunga lolawulo lingabanguye usihlalo okanye usekelasihlalo, ngaphandle kwenqununu yesikolo, utitshala wesikolo eso, ongengotitshala kwisikolo eso okanye umfundi.

(9) Ngokwemiqathango yomgaqwana (7) no-(8), naliphi na ilungu elinamalungelo okuvota kwibhunga lolawulo, ngaphandle kwenqununu, lingalilo igosa.

(10) Ngokwemiqathango yomgaqwana (11), amagosa kufuneka abambe ezo zikhundla isithuba seenyanga ezilishumi elinanye ukususela ekuvotelweni.

(11) Igosa lebhunga lolwulo lingaphinda likhethwe njengegosa emva kokuphela kwexesha lesikhundla sakhe, kodwa libe liseselungelweni lokuba lilungu lebhunga lolawulo.

(12) Ukuba kuthi nangasiphi na isizathu kuvele isikhewu kwisikhundla segosa, ibhunga lolawulo kufuneka kwintlanganiso yokuqala emva kokuvela kweso sikhewu, likhethe elinye lamalungu alo ukuze livingce eso sikhewu isithuba sexesha elisaseleyo kweso sikhundla salowo ebebambe ngaphambili.

(13) Inqununu kufuneka yongamele unyulo olukhankanywe kumgaqwana (5) kunye no-(12).

(14) Inqununu kufuneka, emva komhlangano apho bekukhethwa naliphi na igosa ngokwemiqathango yalo mgaqo, yazise iNtloko yeSebe ngokwenkqubo yolawulo lweenkcukacha ye intanethi yeSebe leMfundo kwiNtshona Koloni ngosuku lwentlanganiso, igama nedilesi yomntu onyuliweyo kwakunye nesikhundla asinyulelweyo.

(15) Ngokwemiqathango yemigaqo 7 no-30(2), ekupheleni kwesikhundla salo, igosa eliphumayo kufuneka lenze imisebenzi yalo de kube kwenziwe unyulo lwegosa elitsha ekufuneka lithabathe indawo yalo, libe nelo gosa litsha linalo ilungelo lokuba ligosa lebhunga lolawulo.

Iikomiti

32. (1) Ibhunga lolawulo—

(a) kufuneka limisele—

(i) ikomiti yezemali;

(ii) ikomiti yokuchitha izinto;

(iii) ikomiti yokhuseleko, ukhuselo kunye nokuqhuba koshishino;

(iv) nekomiti yolondolozo; ze

(v) ikomiti yoluleko yabafundi; kwaye

(b) ibe nakho nokumisela uthotho lwezinye iikomiti elizibona ziyimfuneko.

(2) Ngokwemiqathango yomgaqwana (3), naliphi na ilungu elinamalungelo okuvota linganguye usihlalo wekomiti yebhunga lolawulo.

(3) Unondyebo, apho angakwaziyo khona ke isekela likasihlalo, kufuneka libe ngusihlalo wekomiti yezemali kwakunye naliphi na iqela labathunywa bebhunga lolawulo elijongene nemiba yemali.

Iintlanganiso zebhunga lolawulo

33. (1) Ibhunga lolawulo kufuneka lihlangane ubuncinci kanye ngekota yesikolo.

(2) Usihlalo webhunga lolawulo, emva kokubonisana nenqununu kunye nonobhala webhunga lolawulo, kufuneka amisele usuku, ixesha kunye nendawo ekhankanywe kumgaqwana (1), ze azise ilungu ngalinye ngembalelwano ngale ntlanganiso kwisithuba seentsuku ezili-14 ngaphambi kwalo ntlanganiso ze anikezele nemiba eya kuxoxwa.

(3) Ukuba usihlalo webhunga lolawulo unoluvo lokuba umba lowo udinga ingqwalasela ekhawulezileyo kwintlanganiso eyodwa yebhunga lolawulo, unobhala webhunga lolawulo kufuneka anike ilungu ngalinye isaziso ubuncinci iiyure ezingama-24 ngaphambi kwalo ntlanganiso iyodwa.

(4) Ayinakudlula kwisithathu (3) imiba enokushukuxwa kwintlanganiso eyodwa njengoko kuthiwe thaca kumgaqwana (3).

(5) Nawuphi na umntu angathi emva kokufumana isimemo kwibhunga lolawulo avele kuloo ntlanganiso yebhunga lolawulo ze athabathe inxaxheba kwiingxoxo kodwa akanakho ukuvota yaye kufuneka emke emva kokuba ibhunga lolawulo lithabathe isigqibo.

(6) Ibhunga lolawulo lingafuna ukuba nawuphi na umhlohli okanye okanye umsebenzi ongengomhlohli kweso sikolo ukuba awuzimase lo ntlanganiso yebhunga lolawulo malunga nawuphi na umba ochaphazela imisebenzi yebhunga lolawulo elo.

(7) Inani labazimasi bayo nayiphi na intlanganiso yebhunga lolawulo liquka amalungu adlulileyo kwisiqingatha samalungu anamalungelo okuvota kwibhunga lolawulo.

(8) Ngokwemiqathango yecandelo 22 soMthetho kwakunye nale migaqo, ibhunga lolawulo kufuneka lenze imigaqo yalo ngokwemiqathango esuka kwiSebe leMfundo kwiNtshona Kolomi echaphazela iintlanganiso kwakunye neenkqubo kwezo ntlanganiso.

(9) Ilungu lebhunga lolawulo elingumfundi alinakho ukuvota kwizigqibo ezibeka uxanduva kwisikolo okanye kumanye amabhunga angaphandle.

(10) Amalungu angabafundi kwibhunga lolawulo kufuneka ahlale ekho de ziye kuqoshela iintlanganiso zebhunga lolawulo.

(11) Ibhunga lolawulo kufuneka lihlangane nabazali, abahlohli, abo bangengobahlohli kwakunye nabafundi kweso sikolo, ngokwala mabakala, ubuncinci kanye ngonyaka.

(12) Akukho zivoti zenziwa egameni lamanye amalungu eziya kwamkelwa kwiintlanganiso yebhunga lolawulo.

(13) Inani elamkelekileyo (ikhoram) lamalungu azimasa intlanganiso liyimfuneko ukuze iqale okanye iqhube intlanganiso yebhunga lolawulo ibe yeyamkelekileyo, ngokwemeko.

Imizuzu yeenkqubo zeentlanganiso

34. (1) Unobhala webhunga lolawulo kufuneka aqinisekise ukuba—

(a) iyathathwa imizuzu yenkqubo yentlanganiso yentlanganiso nganye yebhunga lolawulo; kwaye

(b) ilungu ngalinye lebhunga lolawulo linikwa ikopi yemizuzu kwiintsuku ezili-14 noko phambi kwentlanganiso elandelayo.

(2) Unobhala webhunga lolawulo kufuneka anike inqununu ikopi yemizuzu yaye inqununu yona kufuneka iyigcine loo mizuzu kunye namanye amaxwebhu ebhunga lolawulo kwifayili.

(3) Unobhala webhunga lolawulo kufuneka anike, xa kuthe kwavela isicelo ngokwenjongo ethile, iNtloko yeSebe, okanye nawuphi na omnye umntu onikwe amagunya yiNtloko yeSebe, ikopi yemizuzu.

(4) Unobhala webhunga lolawulo kufuneka anike, kwakuvela isicelo, umzali womfundi okweso sikolo okanye umhlohli okanye umsebenzi ongengomhlohli okweso sikolo ikopi yezo nkalo zemizuzu zichaphazela ukukhuselwa kwamalungelo okanye kweemfuno zomzali okanye zomntwana wakhe, umhlohli okanye umsebenzo ongengomhlohli, njengoko iya kube isitsho imeko.

(5) Kwiimeko ezikhankanywe kumgaqwana (3) no-(4) kufuneka kungabikho kunyhashwa kwamalungelo akhe nawuphi na umntu, okanye kudizwe iimfihlo apho oko kudiza kungekho kwiimfuno zesikolo okanye zelungu lebhunga lolawulo, omnye wabasebenzi, umzali okanye umfundi okweso sikolo.

(6) Imizuzu yentlanganiso yebhunga lolawulo okanye yekomiti yalo kufuneka ingeniswe kwintlanganiso elandelayo yebhunga lolawulo, njengoko iya kube isitsho imeko, ukuze iphunyezwe, ityikitywe.

(7) Ekuchithweni kwebhunga lolawulo okanye xa kuphela ixesha lalo, yonke imizuzu kunye namanye amaxwebhu ebhunga lolawulo kwakunye nawayo nayiphi na ikomiti yalo kufuneka angeniswe kwinqununu yesikolo eso.

(8) Ekuvalweni kwesikolo, inqununu kufuneka inikezele yonke imizuzu kunye namanye amaxwebhu ebhunga lolawulo okanye ayo nayiphi na ikomiti yalo kumlawuli wesithili ochaphazelekayo ukuze awagcine ekhuselekile.

(9) Ibhunga lolawulo kufuneka linikezele ingxelo ngeentshukumo zalo kubazali, kubahlohli, kubasebenzi abangengobahlohli nakubafundi abakweso sikolo ubuncinci kanye ngonyaka.

Izibonelelo zethutyana

35. Ibhunga lolawulo kwisikolo sikawonkewonke elathi labe, ekuqaleni ukusebenza kwale migaqo, lamiselwa ngokukuko phantsi kwemigaqo yomqulu Wemigaqo Yeenkqubo Zokumiselwa Nokukhethwa Kwamabhunga Olawulo Kwizikolo Zikawonkewonke, zika-2017, lapapashwa phantsi kweSaziso sePhondo 156/2017 kwi*Gazethi yePhondo* 7810 yomhla we-17 kweyeThupha ka-2017, lithatyathwa njengelamiselwa phantsi kwemigaqo yale migaqo.

Ukubhangiswa

36. Umqulu Wemigaqo Yeenkqubo Zokumiselwa Nokukhethwa Kwamabhunga Olawulo Kwizikolo Zikawonkewonke, ka-2017, lapapashwa phantsi kweSaziso sePhondo 156/2017 kwi*Gazethi yePhondo* 7810 yomhla we-17 kweyeThupha ka-2017, ubhangisiwe.

Isihloko esifutshane

37. Le migaqo ibizwa ngokuba yiMigaqo Yeenkqubo Zokumiselwa Nokukhethwa Kwamabhunga Olawulo Kwizikolo Zikawonkewonke, ka-2021.

ISIHLOMELO A

Isaziso Sentlanganiso Yokuqinisekiswa Kotyunjo Nonyulo

Unyulo Lwabazali kwiBhunga Lolawulo

(Imigaqo 18, 19, 21 kunye no-22 Yemigaqo Yeenkqubo Zokumiselwa Nokukhethwa Kwamabhunga Olawulo Kwizikolo Zikawonkewonke, zika-2021)

IGAMA LESIKOLO: ________________________________ INOMBOLO YE-EMIS: _______________

Oku kukunikezelwa kwesaziso sokuba:

1. umzali, ogama livela kuluhlu lwabavoti lwesikolo olukhankanywe ngentla apha, womfundi ofunda kwesi sikolo sikhankanywe ngentla apha, angatyumba nawuphi na omnye umzali, ogama livelayo kuluhlu lwabavoti lwesikolo esikhankanywe ngentla apha, womfundi ofunda kwesi sikolo, okanye axhase ukutyunjwa kwakhe namphi na umzali, ogama livela kuluhlu lwabavoti lwesi sikolo sikhankanywe ngentla apha, womfundi ofunda kwesi sikolo sikhankanywe ngentla apha, ngokuthi azise olo tyunjo kwesi sikolo ngomhla ___________________________ (usuku).

2. Lungabizwa uthotho lweentlanganiso zokuqinisekisa utyunjo eziya kuzinyaswa ngabagqatswa abangabazali, ezinokubanjwa:
   (a) ________________ (usuku) e-____ (indawo) ________________ (ixesha)
   (b) ________________ (usuku) e-____ (indawo) ________________ (ixesha)
   (c) ________________ (usuku) e-____ (indawo) ________________ (ixesha)

   Ukuze kwenziwe le misebenzi ilandelayo:
   (i) Kuqwalaselwe abo batyunjiweyo;
   (ii) Kukhatywe bonke abatyunjwa abangenalungelo lakutyunjwa okanye abangagcwalisanga kakuhle; ze
   (iii) Kuqulunqwe uluhlu lwabagqatswa abangabazali abakulungeleyo ukutyunjwa.

3. Uluhlu wabavoti lwabazali, olusekelwe kwirejista yokwamkela abafundi yesikolo, luya kufumaneka ukuze luqwalaselwe ukususela ________________________ (usuku) _____________ (ixesha), yaye umzali unelungelo lokufaka imbambano de kube _________________________ (usuku) _______________(ixesha) kwinqununu. Inqununu iya kuqwalasela zonke iimbambano ngaphambi kokuba ipapashe uluhlu wabavoti lwabazali ukuya kuthi ga ______________________________ (usuku). Akuyi kongezwa magama emva_______________________ (usuku).

4. Nawuphi na umntu angasifaka isikhalazo nakoluphi na utyunjo negosa lonyulo leso sikolo ____________________________ (igama nefani) ngembalelwano ngokutyunjwa kwakhe nabani na ukuya kuthi ga ngo-16:00 ngomhla ____________________________________ (usuku).

5. Unyulo luya kubanjwa ngomhla ____ (usuku), e-
____________________________________ (indawo), yaye isikhululo sovoto siya kuvuleleka ukususela _________________ (ixesha) ze luvalwe __________________(ixesha) yaye luya kuvuleleka ezi zikhundla zilandelayo (ukuba lunyulo olwenziwa ngesandla):

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Olu nyulo luya kubakho ukuba konyulwe abagqatswa abaninzi abangabazali kunenani lamalungu ekusamele onyulwe.

6. Unyulo olulandela olo lungabanjwa ngomhla ____ (usuku), e-___________________________________ (indawo), yaye isikhululo sovoto siya kukuvulwa ngo-_________________ (ixesha) ze sivalwe ngo- __________________(ixesha) yaye luya kuvulelwa ezizikhundla zilandelayo (ukuba lunyulo olwenziwa ngesandla):

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Olu nyulo lolandeliso luya kubakho ukuba konyulwe abagqatswa abaninzi abangabazali kunenani lamalungu ekusamele onyulwe kwaye khange kufikelelwe kwikhoram kulonyulo lwangaphambili. Kunyulo lolandeliso akukho khoram ifunekayo.

7. Ukubalwa kweevoti, emva kokuba lifikelelekile inani elamkelekileyo lamalungu azimase intlanganiso, kuya kwenziwa ngomhla ______________________________________ (usuku), e-____________________________________ (indawo), emva kokuvalwa kovoto yaye abatyunjwa bangayizimasa le ndibano.

8. Ukubalwa kweevoti emva kokufikeleleka kwenani elamkelekileyo lamalungu azimase intlanganiso, kuya kwenziwa ngomhla _______________________________________ (usuku), e-____________________________________ (indawo), ngoko nangoko emva kokuvalwa kovoto yaye abatyunjwa bangayizimasa lo ntlanganiso.

9. Uyakhunjuzwa—
   (a) Ukuba uzise into oza kuzazisa ngayo ukuze ube nokuvunyelwa uvote. Isazisi eso masibe likhadi lesazisi loMzantsi Afrika okanye uxwebhu lwesazisi oluluhlaza olune bhakowudi, okanye isazisi sethutyana elikhutshwe liSebe leze Micimbi yezeKhaya okanye, xa ingu mmi wangaphandle, ipemithi ekhutshwe ngokoMthetho wokuFudukela kweli lizwe ka-2002 (uMthetho 13 ka-2002); kwaye
   (b) Bazinanze ezi zinto xa betyumba naxa bevotela umgqatswa ongumzali:
      (i) imigqaliselo yobulungisa;
      (ii) imfuneko yokulungisa ubugwenxa belixa langaphambili; kunye
      (iii) imfuneko yokumelwa.

10. Ukuba inani labagqatswa abatyunjiweyo lilingana nenani lamalungu aza kunyulwa, abagqatswa bakuthathwa njengokuba bangamalungu ebhunga lolawulo anyuliweyo, kodwa, ukuba abagqatswa abatyunjiweyo bangaphezulu kwenani lamalungu azakunyulwa, kuzakuvotwa emva kokuba kungeniswe utyunjo.

____________________ ________________________________

UMHLA UKUTYIKITYA KWEGOSA LONYULO LESIKOLO

IDILESI:

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ISIHLOMELO B

YOTYUNJO IFOMU

Unyulo lwabaZali babaFundi njengama Lungu eBhunga lolawulo

(Imigaqo 18, 19, 21 no 22 yeMigaqo yeeNkqubo zokuSekwa nokuNyulwa kwamaBhunga olawulo kwiZikolo zikaWonkewonke, ka-2021)

IGAMA LESIKOLO: ______________________________

UMPHAKAMISI:

Mna,

______________________________,
(Igama elipheleleyo)

wase ______________________________ (Idilesi yokuhlala)

ndingumzali womfundi wesikolo esikhankanywe ngentla, ngokwenjenje ndiphakamisa

____
(Igama elipheleleyo lo mgqatswa)

njengelungu lebhunga lolawulo lesikolo esikhankanywe ngentla.

____
KUTYIKITYA OPHAKAMISAYO

UMXHASI:

Mna, ______________________________,
(Igama elipheleleyo)

wase, ______________________________ (Idilesi yokuhlala)

ndingu mzali wesi sikolo sikhankanywe ngentla, ndixhasa

____
(Igama elipheleleyo lomgqatswa)

Njenge lungu le bhunga lolawulo lesi sikolo sikhankanywe ngentla.

____

KUTYIKITYA UMXHASI

UMGQATSWA:

Mna, ____

(Igama eliphel eleyo)

Nombolo ka-PERSAL/YOKUQESHWA/EYESAZISI _____________________________________,

wase ____
(Idilesi yokuhlala

Ndiyabhengeza ukuba ndazi kakuhle ukuba—

1. Andinakutyunjwa okanye ndibekwe njengelungu lebhunga lolawulo okanye ndiyayeka ukuba lilungu lebhunga lolawulo ukuba ndithe—
   (a) wayekhe ebomini wagwetywa yinkundla yomthetho ngetyala awathi wanikwa isigwebo sokuvalelwa enkundleni esanqunyanyiswayo kodwa walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, okanye wathi wagwetyelwa ukuqamela ngenqindi ze walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, ngaphandleni kokuba uthe wakhutshwa ngokuxolelwa, okanye ithuba leso sinqumamiso okanye lokuhlala ejele lidlule ubuncinci isithuba seminyaka emithathu ngaphambi kosuku lokuchongelwa kwakhe kwibhunga elo lolawulo;
   (b) wathi wachazwa njengongakulungelanga ukusebenza nabantwana ngokwemiqathango yoMthetho waBantwana, ka-2005 (uMthetho 38 ka-2005), okanye yoLwaphulo Mthetho (uLwaphulomthetho lwezeSondo ne Mibandela engqameneyo) uMthetho Oguquliweyo, ka-2007 (uMthetho 32 ka-2007);
   (c) uphazamiseke ngokwasengqondweni yaye oko kudizwe yinkundla yomthetho;
   (d) akazange ancedakale ekwahlulekeni ukuhlawula amatyala akhe;
   (e) akanamntwana ubhaliswe kwesi sikolo;
   (f) (kwimeko katitshala, oqeshwe liSebe leMfundo leNtshona Koloni, oqeshwe phantsi komthetho iEmployment of Educators Act, 1998 (uMthetho 76 ka-1998)), ofunyenwe enetyala lokungaziphathi kakuhle kwaye—
      (i) ufumene umdliwo;
      (ii) unqunyanyiswe ngaphandle komrholo;
      (iii) uhliselwe; okanye

(iv) ufumene idibanisela yesohlwayo esichazwe kwimigaqwana (i) ukuya ku-(iii), ngaphandle kokuba liphelelwe ixesha lesohlwayo kwiminyaka emithathu noko phambi komhla kotyunjo lwam okanye nonyulwe njengelungu lebhunga lolawulo;

(g) (kwimeko yongenguye utitshala, oqeshwe liSebe leMfundo leNtshona Koloni, phantsi komthetho iPublic Service Act, 1994 (Umpoposho 103 ka-1994), okanye libhunga lolawulo) ofunyenwe enetyala lokungaziphathi kakuhle kwaye—

(i) unqunyanyiswe ngaphandle komrholo;

(ii) uhliselwe; okanye

(iii) ufumene idibanisela yesohlwayo esichazwe kwimigaqwana (i) kunye no-(iii),

ngaphandle kokuba liphelelwe ixesha lesohlwayo kwiminyaka emithathu noko phambi komhla kotyunjo lwam okanye nonyulwe njengelungu lebhunga lolawulo.

2. Ndibhengeza kwakhona, ngokwamanqaku adweliswe ku-(1) ngentla, ukuba andinguye ongafanelekanga ukutyunjwa okanye ukunikezela inkonzo kwibhunga lolawulo lesikolo esiphantsi kolawulo lwe Sebe lezeMfundo leNtshona Koloni.

3. Ndibhengeza kwakhona ukuba ndiyavuma ukuphononongwa yi arhente yophononongo esemthethweni ukuze ibone ukuthotyelwa kwenqaku (1) ngentla, ukuba ndonyuliwe kwibhunga lolawulo kwaze kwenziwa isityholo esisekelwe kwinqaku (1) ngakum.

4. Ndibhengeza kwakhona ukuba, emva kokuqwalasela amanqaku (1), (2) no-(3) ngentla, ndamkela ngokufanelekileyo utyunjo olukhankanywe ngentla.

____

UKUTYIKITYA KOMGQATSWA

Mna,

____,

(Igama elipheleleyo)

Igosa lonyulo lesikolo, ngokwenjenje ndibhengeza ukuba olu tyunjo lwamkelekile / luyakhatywa.
(Cima engangeniyo)

UMHLA

UKUTYIKITYA KWEGOSA LONYULO LESIKOLO

(Nceda ubeke istampu se ofisi yegosa lonyulo lesikolo)

STAMP

ISIHLOMELO C

Isaziso sentlanganiso yoTyunjo noNyulo

Unyulo lwaBahlohli / Basebenzi abangengo bahlohli kwiBhunga lolawulo

(Imigaqo 24, 25 no 26 yiMigaqo yeeNkqubo zokuSekwa nokuNyulwa kwamaBhunga Olawulo kwiZikolo Zika Wonkewonke, ka-2021)

IGAMA LESIKOLO: __________________________________NOMBOLO YE-EMIS: ________________

Ukwenjenje kwaziswa ukuba intlanganiso yotyunjo nonyulo labagqatswa abazakunyulwa ____________________________________ (abahlohli / basebenzi abangengo bahlohli) njengamalungu ebhunga lolawulo yesikolo esikhankanywe ngentla iyakubanjwa ngo ____________________(umhla) ngo___________(ixesha) e ____(indawo). Should a inani elilamkelekileyo (ikhoram) alifikelelekanga, intlanganiso ezakulandela izakubanjwa ngo ____________________________________ (umhla) ngo ________________ (ixesha).

Kuyakugqitywa ngo __________________ (ixesha) ngomhla lentlanganiso yotyunjo nonyulo ukuba banele na abahlohli / basebenzi abangengo bahlohli abanelungelo lokuvota abakhoyo, ukuze intlanganiso iqhube. Abahlohli / basebenzi abangengo bahlohli ngoko bayakhuthazwa ukuba beze kwintlanganiso.

Nceda ufike kwintlanganiso phambi __________________ (ixesha).

Umgqatswa angatyunjwa kwintlanganiso okanye ngokufaka kwigosa lonyulo lesikolo electoral zingaphelanga iintsuku ezisixhenxe phambi kwale ntlanganiso, ifomu yotyunjo egcwaliswe ngokufanelekileyo ngumphakamisi, umxhasi no mgqatswa otyunjiweyo. Ngokwale njongo, ukutyunjwa luyakwamkelwa esikolweni ukusukela ________________________(umhla) de kube___________ (ixesha) ngo ____________________(umhla).

Ukuba inani labagqatswa abatyunjiweyo lilingana nenani lamalungu azakonyulwa, abagqatswa baya kuthathwa njengabonyuliweyo kwibhunga lolawulo members.
Ukuba abagqatswa abatyunjiweyo bangaphezulu kwenani lamalungu azakonyulwa, uvoto luyakuqhutywa emva kokungeniswa kotyunjo.

________________________ ____

UMHLA UKUTYIKITYA KWEGOSA LONYULO LESIKOLO

IDILESI:

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ISIHLOMELO D

IFOMU YOTYUNJO

Unyulo lwaBahlohli / Basebenzi abangengo bahlohli njenga Malungu eBhunga lolawulo

(Imigaqo 24, 25 no 26 ye Migaqo yeeNkqubo zokuSekwa noku Nyulwa kwama Bhunga olawulo kwi Zikolo zikaWonkewonke, ka-2021)

IGAMA LESIKOLO: ______________________________

UMPHAKAMISI: Mna,______________________________,
(Igama elipheleleyo)

wakwa ______________________________ (Idilesi yokuhlala)

ndingu mhlohli / msebenzi ongengomhlohli wesikolo esikhankanywe ngentla, ngokwenjenje ndiphakamisa

____
_
(Igama elipheleleyo lomgqatswa)

njengelungu lebhunga lolawulo lesikolo esikhankanywe ngentla.

____
UKUTYIKITYA KOMPHAKAMISI

UMXHASI: Mna,
______________________________,
(Igama elipheleleyo)

wakwa ______________________________(Idilesi yokuhlala)

ndingu mhlohli / msebenzi ongengo mhlohli wesikolo esikhankanywe ngentla, ngokwenjenje ndixhasa

____
_
(Igama elipheleleyo lo mgqatswa)

njenge lungu le bhunga lolawulo lesikolo esikhankanywe ngentla.

____
UKUTYIKITYA KOMXHASI

UMGQATSWA:

Mna,

____

(Igama elipheleleyo)

ne nombolo ye PERSAL/YOKUQESHWA

____,

wakwa

____

(Idilesi yokuhlala)

Ngokwenjenje ndibhengeza ukuba ndazi kakuhle ukuba—

1. Andinakutyunjwa okanye ndibekwe njengelungu lebhunga lolawulo okanye ndiyayeka ukuba lilungu lebhunga lolawulo ukuba—
   (a) wayekhe ebomini wagwetywa yinkundla yomthetho ngetyala awathi wanikwa isigwebo sokuvalelwa enkundleni esanqunyanyiswayo kodwa walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, okanye wathi wagwetyelwa ukuqamela ngenqindi ze walivinjwa ithuba lokukhutshiswa umdliwo wawalelwa umdliwo, ngaphandleni kokuba uthe wakhutshwa ngokuxolelwa, okanye ithuba leso sinqumamiso okanye lokuhlala ejele lidlule ubuncinci isithuba seminyaka emithathu ngaphambi kosuku lokuchongelwa kwakhe kwibhunga elo lolawulo;
   (b) wathi wachazwa njengongakulungelanga ukusebenza nabantwana ngokwemiqathango yoMthetho waBantwana, ka-2005 (uMthetho 38 ka-2005), okanye yoLwaphulo Mthetho (uLwaphulomthetho lwezeSondo ne Mibandela engqameneyo) uMthetho Oguquliweyo, ka-2007 (uMthetho 32 ka-2007);
   (c) uphazamiseke ngokwasengqondweni yaye oko kudizwe yinkundla yomthetho;
   (d) akazange ancedakale ekwahlulekeni ukuhlawula amatyala akhe;
   (e) ngaphandle kwenqununu, kwimeko apho umhlohli aqashwe ngokwemiqathango yoMthetho wokuQeshwa kwabaHlohli ka-1998 (uMthetho 76 ka-1998), wathi wafunyanwa enetyala lokungaziphathi kakuhle ze—
      (i) wanikwa umdliwo;
      (ii) wayekhe wanqunyanyiswa ngaphandle komvuzo;
      (iii) wakhe wehliselwa; okanye
      (iv) wanikwa isigwebo esihlanganisa ezi zikhankanywe kumasolotyanyana (i) ukuya ku-(iii),

      ngaphandle kokuba ixesha elo lesigwebo liphele ubuncinane isithuba seminyaka emithathu ngaphambi komhla wokutyunjwa kwakhe okanye wokunyulwa kwakhe njengelungu lebhunga lolawulo;

(f) kwimeko apho umntu ongengomhlohli oqeshwe ngokwemiqathango yomthetho i*Public Service Act, 1994 (Umpoposho 103 ka-1994)*, okanye libhunga lolawulo, ethe wafunyanwa enetyala lokungaziphathi ze—
  (i) wanqunyanyiswa ngaphandle komvuzo;
  (ii) wehliselwa; okanye
  (iii) wafumana intlanganisela yezigwebo ezikhankanywe kumasolotyanyana (i) no-(ii),

ngaphandle kokuba ixesha elo lesigwebo liphele ubuncinane isithuba seminyaka emithathu (3) ngaphambi komhla wokutyunjwa kwakhe okanye wokunyulwa kwakhe njengelungu lebhunga lolawulo;

2. Ndiyabhengeza kwakhona, ngokwamanqaku adweliswe ku-(1) ngentla, ukuba andinguye ongafanelekanga ukutyunjwa okanye ukunikezela inkonzo kwibhunga lolawulo lesikolo esiphantsi kolawulo lweSebe lezeMfundo leNtshona Koloni.

3. Ndiyabhengeza kwakhona ukuba, emva kokuqwalasela inqaku (1) nelesi-(2) ngentla, ndiyakwamkela oku kutyunjwa kuchazwe ngasentla.

4. Ndiyabhengeza kwakhona ukuba, emva kokuqwalasela amanqaku (1) no (2) ngentla, ndiyalwamkela utyunjo olungentla.

____

UKUTYIKITYA KOMGQATSWA

OKANYE

(UKUBA UPHAKANYISWE KWINTLANGANISO YOTYUNJO NONYULO ENGEKHO UKUBA AGCWALISE IFOMU YOTYUNJO)

I, ____ ,
(Igama elipheleleyo)

Ndibhengeza ukuba ubungqina obubhaliweyo obundanelisayo bungenisiwe obuthi lo mgqatswa ukhankanywe ngentla, ongekhoyo kwi ntlanganiso yotyunjo nonyulo ukugcwalisa ifomu, uzakuthi, ukuba unyuliwe, ulungele ukunikezela inkonzo njengelungu lebhunga lolawulo.

____

UKUTYIKITYA KWEGOSA LONYULO LESIKOLO

Olu tyunjo luyamkelwa /luyakhatywa.
(Cima leyo engangeniyo)

USUKU

UKUTYIKITYA KWEGOSA LEZOKHETHO LESIKOLO

(Nceda ubeke istampu seofisi yegosa lonyulo lesikolo)

STAMP

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