

GENERAL NOTICE

NOTICE 720 OF 2010

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

PUBLICATION OF EXPLANATORY SUMMARIES OF THE HIGHER EDUCATION AND TRAINING LAWS AMENDMENT BILL, 2010, THE HIGHER EDUCATION LAWS AMENDMENT BILL, 2010 AND THE SKILLS DEVELOPMENT LEVIES AMENDMENT BILL, 2010

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training intends to introduce the Higher Education and Training Laws Amendment Bill, 2010; the Higher Education Laws Amendment Bill, 2010 and the Skills Development Levies Amendment Bill, 2010 in the National Assembly in September 2010. The explanatory summaries of the Bills are hereby published in accordance with Rule 241 (c) of the Rules of the National Assembly.



Dr BE Nzimande, MP,

Minister of Higher Education and Training

Date:

THE HIGHER EDUCATION AND TRAINING LAWS AMENDMENT BILL, 2010 provides for:

To amend the Adult Basic Education and Training Act, 2000, so as to amend the title and the definitions of "adult basic education and training", "Department", "NABABET" and "Minister" in order to bring them in line with the creation of the Ministry and Department of Higher Education and Training; to amend the application of the Act with respect to the employment of educators at public centres so as to provide for employers of educators, salaries and other conditions of service of educators at public centres, and for educator establishment, powers of employers, appointments and the filling of posts, the transfer of educators, the secondment of educators, retirement, the discharge of educators, incapacity and misconduct, and the performance of other work by educators; to make transitional arrangements in respect of public centres; to make provision for determination of national education policy for public centres,

directive principles of national education policy and consultation on policy and legislation, the publication of national education policy, monitoring and evaluation of adult education and training, and the Council of Education Ministers, the Heads of Education Departments Committee and consultative bodies and their administrative functions; to provide for quality assurance in respect of the qualifications offered by public and private centres; to amend the Further Education and Training Colleges Act, 2006, so as to amend the definitions of "college", "Department", "Head of Department", and "Minister" to bring them line with the creation of the Ministry and Department of Higher Education and Training; to make provision for determination of national education policy for colleges, directive principles of national education policy and consultation on policy and legislation, the publication of national education policy, monitoring and evaluation of further education and training; and the Council of Education Ministers, the Heads of Education Departments Committee and consultative bodies and their administrative functions; to provide for transitional arrangements with regard to colleges; to provide for quality assurance in respect of the qualifications offered by colleges; and to provide for matters connected therewith.

THE HIGHER EDUCATION AMENDMENT BILL, 2010 provides for:

To amend the Higher Education Act, 1997, so as to amend the definitions of "Department of Education", "Director-General" and "Minister" in order to reflect the creation of the Ministry and Department of Higher Education and Training; to amend the application of the Act to include the State, foreign persons and institutions; to require that all higher education programmes offered in South Africa be registered on the National Qualifications Framework; and to provide that foreign persons or institutions may only offer National Qualifications Framework qualifications to students within the Republic of South Africa; to amend the Skills Development Act, 1998, so as to amend the definitions of "Department of Labour", "Director-General" and "Minister"; to amend the National Student Financial Aid Scheme Act, 1999, so as to amend the definition of "Minister"; to amend the National Qualifications Framework Act, 2008, so as to amend the definition of "Minister" in order to reflect the creation of the Ministry and Department of Higher Education and Training; to amend the application of the Act in order to require that all qualifications offered in the Republic of South Africa be registered on the National Qualifications Framework; to remove all references to the Minister of Labour in relation to functions shared with the Minister; and to repeal section 9 of the Act; and to provide for matters connected therewith.

THE SKILLS DEVELOPMENT AMENDMENT BILL, 2010

To amend the Skills Development Levies Act, 1999, so as to amend the definitions of “Director-General” and “Minister” as technical amendments in order to reflect the creation of the Ministry and Department of Higher Education and Training as provided for in Proclamation No. 56 of 4 September 2009; and to provide for matters connected therewith

Copies of the Bills can be obtained from:

1. The Government Printer – Cape Town and Pretoria
 2. Department of Higher Education and Training
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Room 1125
120 Plein Street
Parliament
Cape Town
Tel.: (021) 465 5513 / 3542
 3. Mr Llewellyn Claassen
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Tel.: (021) 403 2224/6
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