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## GENERAL NOTICE

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### NOTICE 454 OF 2011

#### DEPARTMENT OF HIGHER EDUCATION AND TRAINING

#### **PUBLICATION OF EXPLANATORY SUMMARIES OF THE HIGHER EDUCATION LAWS AMENDMENT BILL, 2011; THE FURTHER EDUCATION AND TRAINING COLLEGES AMENDMENT BILL, 2011 AND THE SKILLS DEVELOPMENT AMENDMENT BILL, 2011**

The Minister of Higher Education and Training intends introducing the Higher Education Laws Amendment Bill 2011, the Further Education and Training Colleges Amendment Bill, 2011 and the Skills Development Amendment Bill, 2011 in the National Assembly in July 2011. The explanatory summaries of the Bills are hereby published in accordance with Rule 241 (c) of the Rules of the National Assembly.

#### **The Higher Education Laws Amendment Bill, 2011 provides for:**

The amendment of the Higher Education Act, 1997, so as to provide for the conduct of council members and staff engaging in business with the public higher education institution concerned; and to provide for matters connected therewith; to amend the National Student Financial Aid Scheme Act, 1999, so as to amend the power of the Minister to intervene by way of an administrator in the case of poor or non performance or maladministration by the Board; and to provide for Ministerial power to remove the Board, as well as the procedure for such removal; and to provide for matters connected therewith.

#### **The Further Education and Training Colleges Amendment Bill, 2011 provides for:**

The amendment of the Further Education and Training Colleges Act, 2006, so as to remove all references to provincial authority; to substitute functions previously assigned to the Member of the Executive Council with the Minister; to remove all references to the Head of Department and substitute with the Director-General; to provide for the prohibition of a member of Council or a member of staff to conduct business, directly or indirectly with the public further education and training college which business is in conflict of interest with the concerned public further education and training college; to provide for transitional arrangements with

regard to public service posts and educator posts, staff, disciplinary measures; and policy made by the Member of the Executive Council under the principal Act or any provincial law, necessary for the effective governance, management and funding of public further education and training colleges; and to provide for matters connected therewith.

**The Skills Development Amendment Bill, 2011 provides for:**

The amendment of the Skills Development Act, 1998, so as to effect the necessary amendments to the provisions relating to the establishment of SETAs; amalgamation and dissolution of SETAs; the incorporation of sub sectors from one SETA to another; the composition of the SETA Accounting Authority; disqualification of a member to a SETA Accounting Authority; constitution of a SETA; conduct of a member of staff or Accounting Authority from engaging in business with the relevant SETA; disclosure of conflict of interests; the repeal of sections which were excluded in the transfer of the statutory functions to the Minister of Higher Education and Training dealing with employment services and Productivity South Africa; 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  
Ms N Nqaba  
Room 231  
120 Plein Street  
Parliament  
Cape Town  
Tel.: (021) 469 5150
  
  3. Mr L Claasen  
Clerk of Papers  
Parliament  
Cape Town  
Tel.: (021) 403 2224
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