
GOVERNMENT NOTICE

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

No. 215

20 March 2013

SKILLS DEVELOPMENT ACT (ACT NO. 97 OF 1998)

APPOINTMENT OF THE LOCAL GOVERNMENT SECTOR EDUCATION AND TRAINING AUTHORITY (LGSETA) ADMINISTRATOR

I, Mr Gwebinkundla Fellix Qonde, Director-General: Department of Higher Education and Training, by virtue of powers vested in me by Section 15 (2) of the Skills Development Act, 1998 (Act No. 97, 1998 as amended) hereinafter referred to as the Act, hereby suspend all the members of the Accounting Authority and the operations of the constitution of the Local Government Sector Education and Training Authority (LGSETA) as directed by the Minister of Higher Education and Training in terms of section 15 (1) of the Act;

AND

Appoint Mr Nqabekaya Nqandela as Administrator for a period of 12 (twelve) months from the date of publication of this notice to take over the administration of the LGSETA that was established in terms of Government Gazette No. 34202 of 8 April 2011, and the appointment of which may be reviewed and extended at the expiry of the said period.

The powers and duties of the Administrator shall be as indicated in schedule 1 of this Notice.



MR GWEBINKUNDLA FELLIX QONDE

DIRECTOR-GENERAL: HIGHER EDUCATION AND TRAINING

DATE: 20/03/2013

SCHEDULE 1**POWERS AND DUTIES OF THE ADMINISTRATOR****1. The powers of the Administrator are as follows:**

- (a) Take over the role of accounting authority of the LGSETA as provided for in the Public Finance Management Act, 1999 (Act No 1 of 1999) and the relevant regulations;
- (b) Ensure that LGSETA complies with the five areas of concern indicated by the Auditor-General in a letter to the Minister in order to avoid a further disclaimer on the financial management of the Sector Education and Training Authority (SETA) for 2012/13 financial year;
- (c) Establish if necessary, with the Minister's approval, chambers as provided for in Section 12 and 13 of the Act;
- (d) Review the terms and conditions of employment of the executive officer, chief financial officer and other employees of the LGSETA where necessary;
- (e) Review general governance policies of the LGSETA in terms of any applicable law;
- (f) Suspend, institute disciplinary proceedings or replace, where it is necessary, any of the officials of the LGSETA for reason as contemplated in terms of relevant legislation;
- (g) Consult widely with the relevant stakeholders within the sector in order to adopt a standard constitution of the LGSETA in terms of section 13 of the Act and other relevant legislation for approval and publication by the Minister of Higher Education and Training;
- (h) Facilitate the appointment of a new LGSETA Board;
- (i) Ensure the management of the LGSETA funds in liaison with the Department of Higher Education and Training using relevant provisions of the Act and as provided for in the Public Finance Management Act, 1999 and the relevant regulations; and
- (j) Make rules relating to LGSETA and chamber meetings, financial matters, general procurement and administrative matter which are in accordance with the provision of the Constitution of the Republic of South Africa, 1996, the Act or any other applicable law.

2. The duties of the Administrator shall include the following:

- (a) The Administrator will work closely with the:
- Chief Executive Officer of the LGSETA as well as the affected SETAs;
 - Establish joint working committees comprising of the sector specialist and experts;
 - Establish a joint working committee of the LGSETA;
 - Key stakeholders of the LGSETA and their subsequent delegated committees; and
 - Director-General: Department of Higher Education and Training.
- (b) Perform the functions of the LGSETA in terms of the Act, the Public Finance Management Act, 1999 and other relevant legislation;
- (c) Ensure the management of the National Skills Development Strategy within the LGSETA;
- (d) Ensure on a monthly basis the submission of progress reports regarding the effective functioning of the LGSETA to the Director- General: Higher Education and Training;
- (e) Ensure sufficient funding of all the processes and activities pertaining to the powers and duties as an administrator from the LGSETA budget in terms of the relevant legislative requirements;
- (f) Perform any such other functions as may be delegated or instructed by the Minister or Director- General: Department of Higher Education and Training from time to time;
- (g) Facilitation of overall process and attend to disputes resolution as well as the management of legal issues as required; and
- (h) Submit final close out report for the project at the end of the 6 month period of appointment.
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