

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO**

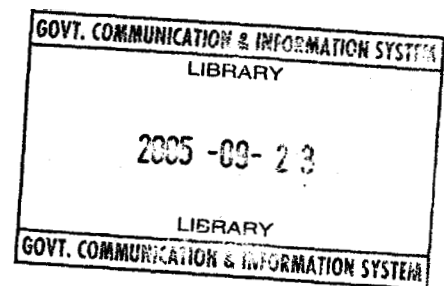
**EDUCATION LAWS  
AMENDMENT BILL**

[B23—20051

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*(As agreed to by the Portfolio Committee on Education  
(National Assembly))*

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[B23A—2005]

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**AMENDMENTS AGREED TO**  
**EDUCATION LAWS AMENDMENT BILL**  
**[B 23—2005]**

**CLAUSE 1**

1. On page 2, from line 8, to omit the definition in paragraph (a) and to substitute:

“‘no **fee** threshold’ means the level of funding per *learner* contemplated in the *norms and standards for school funding applicable to a public school* which enables the *Minister* to declare a school a no fee school in terms of *this* Act;”;

2. On page 2, from line 16, to omit the definition in paragraph (c) and to substitute:

“‘school *fees*’ means school *fees* contemplated in section 39 and includes any form of contribution of a monetary nature made or paid by a person or body in relation to the attendance or participation by a *learner* in any programme of a public school;”;

**CLAUSE 2**

1. On page 3, in line 17, after “seven” to insert “school”.
2. On page 3, in line 19, after “seven” to insert “*school*”.
3. On page 3, in line 27, to omit “one week” and to substitute “seven *school* days”.
4. On page 3, in line 35, after “may” to insert “suspend or”.
5. On page 3, in line 36, before “pending” to insert “for a period not longer than 14 days”.
6. On page 3, from line 37, to omit “only if the *Head of Department* has agreed to such an extension”.
7. On page 4, in line 2, after “may” to insert “, after consultation with the *governing body*,”.

**CLAUSE 3**

1. On page 4, in line 15, after “quintiles” to insert “for *public schools*”.
2. On page 4, in line 25, to omit “their”.
3. On page 4, in line 28, to omit “their”.

**CLAUSE 4**

1. On page 5, from line 2, to omit “*adequacy benchmark level of funding per learner*” and to substitute “*no fee threshold*”.

2. On page 5, from line 5, to omit subsection (9) and to substitute:
 

(9) The ~~Member of the Executive Council~~ must identify and draw a list of all the *schools* contemplated in subsection (7) within his or her *province*.
3. On page 5, after line 8, to insert:
 

(10) The *Minister* must—

  - (a) consider the list of *schools* identified in terms of subsection (9);
  - (b) compare the list with the determination contemplated in section 35(1); and
  - (c) publish the list per *province*, in the Government Gazette if it complies with the determination.
4. On page 5, from line 10, to omit “*adequacy benchmark level of funding per learner*” and to substitute “*no fee threshold*”.
5. On page 5, in line 14, to omit “(10)” and to substitute “(11)”.
6. On page 5, from line 15, to omit “*adequacy benchmark level of funding per learner*” and to substitute “*no fee threshold*”.

#### CLAUSE 5

1. On page 5, in line 27, to omit “beginning of the year, if” and to substitute “date on which”.
2. On page 5, in line 37, to omit “A” and to insert “Despite subsection (4), a”.
3. On page 5, in line 37, to omit “that complies with subsection (4)”.

#### CLAUSE 7

1. On page 6, in line 46, after “submit” to insert “, in order of preference to the Head of Department,”.
2. On page 6, in line 50, to omit “in order of preference to the Head of Department”.
3. On page 7, in line 3, to omit “(b)(i), (iii) and” and to substitute “(b)(i) to”.