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OFFICE OF THE PRIME MINISTER

KANTOOR VAN DIE EERSTE MINISTER

No. 689. 30 March 1983

No. 689. 30 Maart 1983

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 28 of 1983: Education and Culture Laws Amendment Act, 1983.

No. 28 van 1983: Wysigingswet op Onderwys- en Kultuurwette, 1983.

Act No. 28, 1983

EDUCATION AND CULTURE LAWS AMENDMENT ACT, 1983

- (b) by the substitution in subsection (4) for the words following on paragraph (c) of the following words:
 "shall be guilty of an offence and liable on conviction to a fine not exceeding **[five hundred rand]** R1 000 or to imprisonment for a period not exceeding twelve months."; 5
- (c) by the substitution for subsection (6) of the following subsection:
 "(6) Any person who fails to comply with a notice referred to in subsection (5) (c) (ii) shall be guilty of an offence and liable on conviction to a fine not exceeding **[two hundred rand]** R500 or to imprisonment for a period not exceeding six months."; and 10
- (d) by the substitution for subsection (8) of the following subsection:
 "(8) Any person who contravenes the provisions of subsection (7) shall be guilty of an offence and liable on conviction to a fine not exceeding **[five hundred rand]** R1 000 or to imprisonment for a period not exceeding twelve months." 15 20

Amendment of section 8 of Act 29 of 1969, as amended by section 12 of Act 11 of 1981.

4. Section 8 of the Cultural Institutions Act, 1969, is hereby amended—

- (a) by the deletion of the word "and" at the end of paragraph (d) of subsection (1) and the insertion after the said paragraph of the following paragraph: 25
 "(dA) to determine subject to the provisions of this Act the objects and functions of its declared institution with the approval of the Minister; and";
- (b) by the addition of the following subsection:
 "(3) The Minister may publish the objects and functions of a declared institution determined under subsection (1) (dA) in the Gazette." 30

Insertion of section 24A in Act 63 of 1974.

5. The following section is hereby inserted in the Mentally Retarded Children's Training Act, 1974, after section 24:

- 24A. (1) The governing body of a state-aided training centre shall—** 35
- (a) keep such accounting records as are necessary to reflect the transactions and financial state of affairs of the centre;
- (b) in respect of each financial year of the centre make out such financial statements as may be required by the Director-General, cause the statements to be audited and within six months after the end of that financial year submit copies of the audited statements to the Director-General; 40 45
- (c) within 14 days after it is ordered by the Director-General to do so, furnish the Director-General with any information in connection with the financial state of affairs of the centre or any transaction to which the centre is a party. 50
- (2) The Director-General may issue instructions to a governing body with respect to the system of book-keeping and accounting to be followed by it in the performance of its functions in terms of subsection (1). 55
- (3) The financial year of a state-aided training centre shall be a year terminating on the last day of March."

Substitution of section 35 of Act 63 of 1974, as amended by section 11 of Act 11 of 1981.

6. The following section is hereby substituted for section 35 of the Mentally Retarded Children's Training Act, 1974: 60

- 35. (1) The Minister may delegate any power, duty or function conferred upon or assigned to him by sections 3, 4, 5 (1) (in so far as it relates to the deter-**

"Delegation of powers, duties and

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functions of Minister and Director-General. mination of salaries), 6 (1), 8 (1) and (3) (a), 15 (a) and (b), 17 (1), 19 (1), (2), (3), (4) (in so far as the last-mentioned subsection relates to the determination of salaries) and (6), 22 (1) (a), (b), (c), (f) and (g), 22 (2), 25 and 34 (2), to the Director-General or any person in the Department or to any governing body. 5

(2) The Director-General may delegate any power, duty or function conferred upon or assigned to him by sections 17 (3), 21 (1) (b) and (2), 24A, 26, 10 28, 29, 31 and 32 to any other person in the Department."

Amendment of section 1 of Act 104 of 1981.

7. Section 1 of the Technical Colleges Act, 1981, is hereby amended by the substitution for the definition of "post-school education" of the following definition: 15

"'post-school education' means instruction and training—

(a) provided with a view to the pursuance of a vocation or the development of a social or recreational skill; and

(b) primarily intended for persons who are not subject to compulsory school attendance in terms of a provision of any law or who were exempted from such a provision, 20

but excluding education referred to in paragraph (a) or (d) of section 14 of the Financial Relations Act, 1976 (Act No. 65 of 1976) [, or provided by way of correspondence];". 25

Amendment of section 6 of Act 104 of 1981.

8. Section 6 of the Technical Colleges Act, 1981, is hereby amended by the addition of the following subsection:

"(5) A college council may appoint committees of the council consisting of council members or of council members as well as other persons, and may delegate to a committee consisting solely of council members any of the council's powers: Provided that the council shall not be divested of a power so delegated by it and may amend or set aside any decision of a committee at the first meeting of the council after the decision was taken." 30

Short title.

9. This Act shall be called the Education and Culture Laws Amendment Act, 1983.