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KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 1363.

11 Julie 1984

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11 July 1984

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

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

—No. 78 van 1984: Wysigingswet op Onderwys vir Indiërs, 1984.

No. 78 of 1984: Indians Education Amendment Act, 1984.

INDIANS EDUCATION AMENDMENT ACT, 1984

Act No. 78, 1984

GENERAL EXPLANATORY NOTE:

- [] Words in bold type in square brackets indicate omissions from existing enactments.
- _____ Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Indians Education Act, 1965, so as to delete a certain obsolete expression; to extend the definition of "technical vocational education"; to provide for the establishment of technical colleges and of college councils and college senates for colleges of education and of college councils for technical colleges; and to provide for the access of Indian students at the University of South Africa or the University of Durban-Westville to colleges of education and of such students at colleges of education to those Universities for the purposes of the training of those students as teachers in certain subjects or courses; and to provide for matters connected therewith.

(Afrikaans text signed by the State President.)
(Assented to 19 June 1984.)

BE IT ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

1. Section 1 of the Indians Education Act, 1965 (hereinafter referred to as the principal Act), is hereby amended—
- 5 (a) by the substitution for the definition of "education" of the following definition:
- 10 "education" means any education other than education provided by a university established by or in terms of any law or an institution for advanced technical education established [in terms] under the provisions of the Indians Advanced Technical Education Act, 1968 (Act No. 12 of 1968), and includes vocational education, technical vocational education and special education not so provided;";
- 15 (b) by the substitution for the definition of "governing body" of the following definition:
- 20 "'governing body', in relation to any school, including a [nursery school, or a] hostel, means the person or, in the case of a college of education and a technical college, the college council referred to in section 3A (1) managing such school or hostel;";
- 25 (c) by the substitution for the definition of "special education" of the following definition:
- 30 "'special education' means education or training of a specialized nature provided to suit the needs of handicapped children, and includes general cultural education, vocational guidance, vocational education, technical vocational education and medical, dental and mental examination and treatment, as well as care in a hostel, when provided for or taking place in respect of such children;";

Amendment of section 1 of Act 61 of 1965, as amended by section 1 of Act 39 of 1979.

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- (d) by the insertion after the definition of "State school" of the following definition:
 "technical college' means a technical college established under section 3 (1) (a) in which Indians receive technical vocational education;";
- (e) by the substitution for the definition of "technical vocational education" of the following definition:
 "technical vocational education' means education and training (theoretical or practical or both theoretical and practical) consisting of—
 (a) a course that includes education and training in any prescribed trade or any prescribed technical subjects [but does not include]; and
 (b) a course of education [or] and training in woodwork, metal work or any other practical art or craft not being specific education or training for any prescribed trade [if] and the duration of [the education or training in such subjects] which does not exceed eight hours per week, irrespective of the number of handi-craft subjects taken;"; and
- (f) by the substitution for the definition of "vocational education" of the following definition:
 "vocational education' means commercial vocational education and domestic science vocational education [and technical vocational education];".

2. Section 3 of the principal Act is hereby amended by the substitution for paragraph (a) of subsection (1) of the following paragraph:
 (a) establish, erect and maintain colleges of education, technical colleges, secondary schools, primary schools, agricultural schools, vocational schools, special schools, pre-primary schools and homes;".

Amendment of section 3 of Act 61 of 1965, as amended by section 2 of Act 39 of 1979.

3. The following sections are hereby inserted in the principal Act after section 3:

Insertion of sections 3A and 3B in Act 61 of 1965.

3A. (1) The Minister may at any time establish—
 (a) for a college of education, a college council and senate; and
 (b) for a technical college, a college council, which shall, subject to the provisions of subsection (2), exercise such powers and perform such duties as may be prescribed.
 (2) (a) A college council established for a college of education may name statutes providing for the general government of the college of education concerned in relation to any matter not prescribed by any law.
 (b) No statute framed under paragraph (a) shall be in force unless it is approved by the Minister and is published in the *Gazette*.
 3B. Notwithstanding anything to the contrary contained in any law but subject to an arrangement between the Minister and, with the concurrence of the Minister of National Education, the council of the University of South Africa, or the council of the University of Durban-Westville, Indian students at those Universities or any college of education may be granted access to any college of education or those Universities, as the case may be, for the purpose of or incidental to the training of such students as teach-

"Establishment of college councils and senates for colleges of education and college councils for technical colleges.
 Teaching and training of teachers in collaboration with certain universities.

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ers in such subjects or courses as the Minister may from time to time determine by notice in the Gazette."

4. Section 33 of the principal Act is hereby amended by the insertion in subsection (1) after paragraph (b) of the following paragraph:

Amendment of section 33 of Act 61 of 1965, as amended by section 3 of Act 9 of 1981.

10 “(bA) as to the powers and duties of a college council and senate, the constitution, election, nomination or appointment and period of office of a chairman and vice-chairman of a college council and senate, the period of office of the members thereof, the filling of vacancies therein, the person by whom and the manner in which meetings of a college council and senate shall be convened, the procedure to be followed at such meetings
15 (including the quorum), the procedure to be followed in the event of an equality of votes and the keeping of minutes in respect of such meetings;”.

5. This Act shall be called the Indians Education Amendment Act, 1984. Short title.