
GENERAL NOTICE

NOTICE 181 OF 2012

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

CALL FOR COMMENTS ON THE FURTHER EDUCATION AND TRAINING COLLEGES AMENDMENT BILL, 2012 AND THE HIGHER EDUCATION LAWS AMENDMENT BILL, 2012

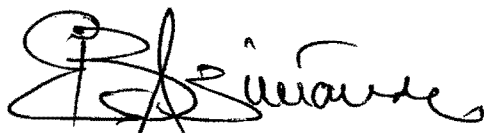
I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, consultation hereby publish the Further Education and Training Colleges Amendment Bill, 2012 and the Higher Education Laws Amendment Bill, 2012, for comment.

All interested persons and organisations are invited to comment on the draft Bills in writing, and to direct their comments to –

The Director-General, Private Bag X174, Pretoria, 0001, for attention: Mr VL Rikhotso, email Rikhotso.v@dhet.gov.za.

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

The comments on the draft Higher Education and Training Bills must be submitted not later than 26 March 2012.



Dr BE Nzimande, MP
Minister of Higher Education and Training
Date: 01/03/12

FURTHER EDUCATION AND TRAINING COLLEGES AMENDMENT BILL, 2012**(Section 76 Bill)****GENERAL EXPLANATORY NOTE:**

[] Words in bold type in square brackets indicate omissions from existing enactments.

_____ Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Further Education and Training Colleges Act, 2006, so as to amend certain definitions; to amend the provisions of the establishment of a public college; and matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows: –

Amendment of section 1 of Act 16 of 2006

1. Section 1 of the Further Education and Training Colleges Act, 2006, is hereby amended by:-

(a) the substitution for the definition of “college” of the following definition:

“college” means a public or private Vocational and Continuous Education and Training Colleges or a Community Education and Training Centre that is established, declared or registered under this Act, but does not include a college under the authority of a Government Department other than the Department and ‘centre’ has the same meaning”;

- (b) the substitution for the definition of “further education and training” of the following definition:

“further education and training” means all learning and training programmes leading to qualifications or part-qualifications at levels [2](1) to 4 of the National Qualifications Framework or such further education and training levels determined by SAQA and contemplated in the [-] National Qualifications Framework Act, 2008 (Act 67 of 2008) provided for at a college in terms of this Act, [which levels are above general education but below higher education];”.

- (c) the deletion of the definition of “general education”.

Amendment of section 3 of Act 16 of 2006

2. Section 3 of the Further Education and Training Colleges Act, 2006, is hereby amended by:-

- (a) the substitution for subsection (1) of the following subsection:
- (1) The Minister may, by notice in the Gazette and from money appropriated for this purpose, establish a public college with a distinctive type of either:-
- a) Vocational and Continuous Education and Training College; or
 - b) Community Education and Training Centre.
- (b) the substitution for subsection (2) of the following subsection:
- (2) Every public college contemplated in subsection (1)(a) or (b) is a juristic person.
- (c) the addition of the following subsection:
- “(2A) The Notice contemplated in subsection (1) must contain the following:

- (a) date of the establishment of the institution;
- (b) the type of the institution as contemplated in subsection (1);
- (c) the name of the institution;
- (d) the physical location and address of the institution.”.

Insertion of Chapter 4A in Act 16 of 2006

3. The following chapter is inserted in the Further Education and Training Colleges Act, 2006, after Chapter 4:

”CHAPTER 4A

THE ESTABLISHMENT OF SOUTH AFRICAN INSTITUTE FOR VOCATIONAL AND CONTINUOUS EDUCATION AND TRAINING

The Establishment of South African Institute for Vocational and Continuous Education and Training

**21A (1) The Minister may establish a South African Institute for Vocational and
Continuous Education and Training as a juristic person.**

**(2) A national Institute for Vocational and Continuous Education and Training is
managed, governed and administered by a board.**

Functions of the South African Institute for Vocational and Continuous Education and Training

**21B (1) The functions of the South African Institute for Vocational and Continuous
Education and Training are to-**

- (a) assist and support the development of lifelong learning;**

- (b) assist and support the development of an open and distance education and training;
- (c) assist and support in the development of learning, teaching and assessment materials;
- (d) assist and support the development of public colleges and development of the skills system;
- (e) assist in the development of curriculum of public colleges and ensure that the curriculum development is institutionalised with long term capacity within the specific institutional type as contemplated in subsection 3(1);
- (f) conduct research and innovate development in further education and training;
- (g) undertake and promote research in the areas of teaching and learning in vocational and occupational programmes that lead to qualifications or part-qualifications;
- (h) advise the Minister on any matter relating to Vocational and Continuous Education and Training;
- (i) develop materials for career guidance;
- (j) develop capacity and upgrade teaching staff skills in Vocational and Continuous Education and Training;
- (l) provide management training in the Vocational and Continuous Education and Training sector;
- (m) provide management, leadership and operational training at all levels for Services Education and Training Authorities as contemplated in section 9 of the Skills Development Act, 1998 (Act 97 of 1998);
- (n) provide management, leadership and operational training for officials of the Department of Education and Training;
- (o) promote dialogue between Colleges and between employers and Services Education and Training Authorities;
- (p) interact with Professional Councils and promote dialogue between them and Education and Training Institutions and the Department;