

PROVINCE OF THE NORTHERN CAPE

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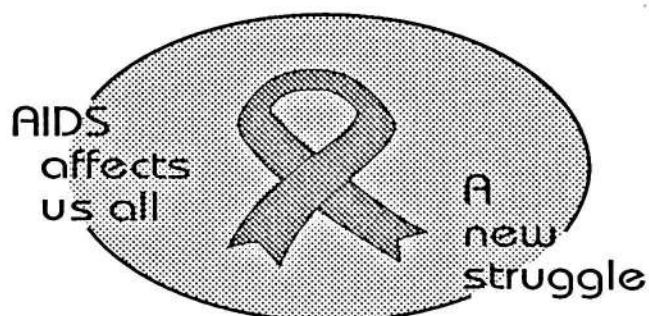
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OFFICIAL NOTICE**OFFICIAL NOTICE 37 OF 2001****DEPARTMENT OF EDUCATION: NORTHERN CAPE PROVINCE****FURTHER EDUCATION AND TRAINING ACT, 1998****PROVISIONS RELATING TO THE COMPOSITION OF INTERIM COUNCILS FOR
NEWLY DECLARED PUBLIC FURTHER EDUCATION AND TRAINING COLLEGES**

I, Tina Monica Joemat-Pettersson, Member of the Executive Council responsible for Education in the province of the Northern Cape hereby determine in accordance with the attached Schedule, the composition of a single council for two or more Further Education and Training colleges, and the manner of appointment and election of the members according to the categories of persons as contemplated in section 9 of the Further Education and Training Act, I exercise my discretion in terms of section 10 (3) of the Further Education and Training Act, 1998.

SCHEDULE

Provisions relating to the composition of Interim Councils for newly declared Public Further Education and Training Colleges in terms of sections 8, 9 and 10 of the Further Education and Training Act, No. 98 of 1998.

The Member of the Executive Council for Education for the Northern Cape has in terms of Section 8, 9 and 10 of the Further Education and Training Act, determined the provisions relating to the composition of Interim Councils for newly declared Public Further Education and Training Colleges.

1. Definitions

In the schedule, unless the context indicates otherwise, expressions defined in the Act have the same meaning and;

- Act—means the Further Education and Training Act (No 98 of 1998).
- Department means the Northern Cape Education Department.
- MEC means the Member of the Executive for Education in the Province of the Northern Cape.
- Student Representative Council means SRC referred to in Section 8 (1) of the Act;
- Cluster—refers to the group of Further Education and Training colleges under the governance of a single council as determined by the MEC in terms of section 10 of the Act.
- Term—means a period of three (3) months commencing on the first day of January, April, July or October.
- Interim—indicates a period of not less than three (3) months.

2. Composition of an Interim Council

The Interim Council shall consist of:

- (1) The principal of each of the individual Further Education and Training colleges that form part of the cluster.
- (2) One vice-principal elected from all the vice principals of the cluster.
- (3) Not more than five members per Further Education and Training college that forms part of the cluster to be appointed by the MEC in terms of Section 9 (4) (c) of the Act.
- (4) One member of the academic board elected from all academic board members in the cluster.
- (5) One educator elected from amongst the education ranks in the cluster.
- (6) One student elected from amongst the students in the cluster.
- (7) One staff member other than an educator elected from the ranks of other staff members.

Members elected under subparagraphs (2), (3), (4), (5), (6) and (7) should be equally spread over all colleges in the cluster.

3. Establishment of the Interim council

(1) The incumbent principals or acting principals, of the colleges to be declared Further Education and Training colleges must ensure that elections for positions held in terms of paragraphs 2 (2), (4), (5), (6) and (7) are held in due time and that the names of elected persons are submitted to the department one week before declaration. A facilitator, to be appointed by the MEC, is to monitor and support the election process.

(2) The MEC further invites nominations from The Public, Organised Business and Organised Labour, for appointment to the Interim Council in terms of paragraph 2 (3) of this notice. A nomination form is appended at the end of this notice.

4. Election of Office Bearers of the Interim council

The election of office bearers and internal members for the Interim Council shall be in terms of section 2 (2), (4), (5), (6) and (7) of this notice.

4.1 The current serving officials of the groupings described in 2 (2), (4), (5), (6) and (7) must meet per individual groups to elect from their midst the respective member who will represent their respective category of persons on the Interim Council. The elections will be from nominations from each of the Further Education and Training colleges that is part of the cluster and the member will be determined by the majority of votes cast for that specific person. The electoral process will be determined and managed, in consultation with the Department, by the facilitator appointed by the MEC. Notice must be given of the meeting by the facilitator to all the persons within a specific category as contemplated in sections 2 (2), (4), (5), (6) and (7) of this Notice which will indicate the time, venue and purpose of the meeting.

4.2 The Facilitator to be appointed by the MEC to facilitate the merger process, is to convene the first meeting of the Interim Council within five working days, after Declaration for the election of the Chairperson, Vice-Chairperson, Treasurer and Secretary of the Interim Council—(Latter to be elected from the ranks of serving staff members) excluding principals.

(3) DISQUALIFICATION

5.1 A person may not be a council member of a Public Further Education and Training College if he or she:

- (a) has been convicted of an offence and sentenced to more than twelve months' imprisonment without the option of a fine either in the Republic or outside the Republic if the conduct constituting such offence would have been an offence in the Republic but no one may be regarded as having been sentenced until an appeal against the conviction or sentence has been determined, or until the time for an appeal has expired: provided that a disqualification under this paragraph end five years after the sentence has been completed;
- (b) is of unsound mind and has been declared so by a competent court.

5.2 A member vacates his or her office as council member if he or she:

- (a) resigns;
- (b) has been absent from two consecutive meetings of a council without the council's leave;
- (c) is no longer employed at the public further education and training institution concerned if he or she holds an appointment in terms of section 9 (4) (a); (b); (d); (e) or (g) of the Act; or
- (d) is no longer a student at the public further education and training institution concerned if he or she holds an appointment in terms of section 9 (4) (f) of the Act.

5.3 A person vacates his or her office as an elected academic board member or a student representative council member if he or she:

- (a) resigns;
- (b) has been absent from two consecutive meetings of an academic board or student representative council, as the case may be; or

- (c) is no longer employed at the public further education and training institution concerned or is no longer a student of the public further education and training institution concerned, as the case may be.

(4) Filling of Vacancies

- 6.1 Whenever a vacancy arises on a council, academic board or student representative council, the member who fills that vacancy must hold the office for the remainder of the terms of office of the departing member.
- 6.2 If a vacancy arises as a result of the departure of an elected member of a council, academic board or a student representative council, the vacancy must be filled by the election of a new representative by the body or group so represented.
- 6.3 (a) If a vacancy arises as a result of the departure of a council member—
- (i) appointed by the MEC in terms of section 9 (4) (c) of the Act, the MEC must appoint a person from those nominated with the departing member in terms of section 9 (9) of the Act at the commencement of the term of office of the departing member in terms of the Act.
 - (b) If no person nominated with the departing member in terms of section 9 (9) of the Act at the commencement of the term of office of the departing member is available or regarded as suitable for office, the MEC may invite further nomination in terms of section 9 (9) of the Act from whom—
 - (i) he or she may appoint a member to a council in terms of section 9 (4) (c) of the Act;

TINA MONICA JOEMAT-PETTERSON

MEC: Education

GENERAL NOTICE

NOTICE 44 OF 2001

FURTHER EDUCATION AND TRAINING ACT, 1998 (ACT No. 98 OF 1998)

NOTICE IN TERMS OF SECTION 9 (9) OF THE ACT INVITING NOMINATIONS FOR PERSONS TO BE APPOINTED BY THE MEC TO THE COUNCIL FOR FURTHER EDUCATION AND TRAINING INSTITUTION

The MEC of Education and Culture, Tina Monica Joemat-Pettersson, in terms of section 9 (9) of the Further Education and Training Act, 1998 (Act No. 98 of 1998), herewith invites nominations from the public, organised business and organised labour of persons as contemplated in the attached schedule to be appointed in terms of sections 9 (4) (c) of the said Act, as council members of the Rural Further Education and Training College (Hitherto Upington College, Kathu Technical College, Namaqualand Technical Training Institute and the De Aar Satellite Campus).

Nominations must be in writing, give the name, address and contact number of the nominator, who must sign the nomination. It must be accompanied by a curriculum vitae of the nominated person and a written indication by the nominator of his or her willingness to serve as a council member. The full name, address and contact number of the nominee must be given.

Nominations must be handed to the facilitator of the Further Education and Training Institution within 8 days of the publication of this notice at the following address:

C/o Mr A F Joemat, The Northern Cape Education Department, 156 Barkly Road, Homestead; Private Bag X5029, Kimberley, 8300.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001. Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515

Also available at the **Provincial Legislature: Northern Cape**, Private Bag X5066, Provincial Building, Chapel Street, Kimberley, 8300.

Tel. (direct line): (053) 830-9041 or (053) 830-9222. Fax: (053) 833-1608

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