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PROVINCIAL NOTICES**PROVINCE OF THE EASTERN CAPE****No. 1 17 January 2005****EASTERN CAPE SCHOOLS EDUCATION AMENDMENT ACT, 2004**

It is hereby published for general information that the Premier of the Province of the Eastern Cape has assented to the above-mentioned Act.

ACT NO 5 OF 2004 (EC) EASTERN CAPE SCHOOLS EDUCATION AMENDMENT ACT, 2004**GENERAL EXPLANATORY NOTE**

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

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

CT

To amend the Eastern Cape Schools Education Act, 1999; to rename the Eastern Cape Education and Training Council; to reflect the Provincial demarcation into districts; and to provide for matters incidental thereto.

(English text signed by the Premier) (Assented to on 15-12-2004)

Amendment of Section 1 of Act 1 of 1999

1. Section 1 of the Eastern Cape Schools Education Act, 1999 (Act No. 1 of 1999), hereinafter referred to as the "principal Act", is hereby amended by -

(a) the substitution for the definition of "Eastern Cape Education and Training Council" of the following definition:

"Eastern Cape Education **[and Training]** Advisory Council" means the Council established by section 12 and otherwise known as the Provincial Council;"

(b) the substitution for the definition of "national party" of the following definition:

"national **[party]** policy means the national education policy determined by a competent authority within the jurisdiction of the national government;"

(c) the substitution for the definition of "region" or "district" of the following definition:

"[region' or] 'district means a [region or] district established in terms of section 13;"

(d) the deletion of the definition of **"[regional director]"; and**

(e) the substitution for the definition of "Treasury" of the following definition:

"[Treasury' shall bear the meaning assigned thereto in section 1 of the Provincial Exchequer Act, 1994 (Act No. 1 of 1994) (Eastern Cape) 'Treasury' means the provincial treasury of the Province as defined in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999)"

Amendment of section 12 of Act 1 of 1999

2. Section 12 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) There is hereby established a provincial council to be known as the Eastern Cape Education [and Training] Advisory Council, which shall consist of -

(a) the head of Department;

(b) two persons designated by the head of Department from his or her staff;

(c) two persons to represent each of the following institutions in the Province, respectively:

(i) universities;

(ii) technikons;

(iii) **[colleges of education];**

(iv) **[technical colleges] further education and training institutions; and**

(v) two representatives from learner organisations.

who shall be nominated by the respective institutions in the prescribed manner;

(d) two persons designated in the prescribed manner by the organized teaching profession;

(e) **[two persons designated by the MEC out of nominations made in the prescribed manner by the governing bodies of public schools] three representatives from religious organisations;**

(f) **[two persons representatives of independent schools design area a by the MEC out of organizations made in the prescribed manner by the independent schools registered with the Department] two representatives from the business sector;**

(g) **[one person designated by the MEC out of the nominations made in the prescribed manner by the governing bodies of schools for specialized education] two representatives from non-governmental organisations;**

(h) **[two persons representative of non-governmental organizations and learner organizations designated by the MEC; and] two representatives from school governing bodies; and**

(i) **[two persons designated by the MEC out of nominations made in the prescribed manner by adult basic education and training as well as early childhood development providers."**

(j) two representatives from the community based organizations,

who shall be nominated by the respective institutions in the prescribed manner;

Substitution of section 13 of Act 1 of 1999

3. The following section is hereby substituted for section 13 of the principal Act:

"Establishment of [regions and] districts of the Department

13. The MEC may, after consultation with the Provincial Council, by notice in the Provincial Gazette -

(a) divide the Province into districts, determine the boundaries thereof and establish **[regional or]** district councils in respect of each as provided in section 14; and

(b) change the boundaries of, and should he or she deem it desirable dissolve such, councils and establish new councils with effect from a date mentioned in the notice".

Amendment of section 14 of Act 1 of 1999

4. Section 14 of the principal Act is hereby amended by the deletion of the words **["regional and"]**.

Short title

. This Act is called the Eastern Cape Schools Education Amendment Act, 2004.



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