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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 41 OF 2020****POLICY FOR COMMENT:**  
**DRAFT LEARNER TRANSPORT POLICY - 2020**

The Member of the Executive Council, Mr Kwazikwenkosi Mshengu: MEC for the KwaZulu- Natal Department of Education hereby publishes the Draft KZN Learner Transport Policy (2020). All stakeholders, interested parties and members of the public are invited to submit written comments on the Draft Policy within 30 days from date of publication of the Draft Policy. All comments must be submitted to: The Director: Legal Service Ms NG Maphumulo- Private Bag X9137 Pietermaritzburg 3200; 1<sup>st</sup> Floor Anton Lembede Building 247 Burger Street 3201;

Phone numbers: (033) 392 1143, (033) 392 1124;

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Email: Ntokozo.Maphumulo@kzndoe.gov.za or Sibusisiwe.Gumede@kzndoe.gov.za

**DRAFT**

**KZN LEARNER TRANSPORT  
POLICY: 2020**

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## 1. DEFINITIONS

In this Policy unless the context indicates otherwise –

“**bus**” means a motor vehicle designed or modified to carry more than 35 persons, including the driver, as defined by the National Road Traffic Act, 1996 (Act No. 93 of 1996), hereinafter referred to as the “NRTA”;

“**bus attendant**” means a person who supervises learners attending public special schools on learner transport provided by the KwaZulu-Natal Department of Education (KZN DOE) or the School Governing Body;

“**certificate of roadworthiness**”, in relation to a motor vehicle, means certification of roadworthiness in terms of section 42 of the NRTA;

“**Constitution**” means the Constitution of the Republic of South Africa Act, No. 108 of 1996;

“**contracted services**” is dedicated subsidised learner transport services aimed at needy learners who travel more than three kilometres from home to the nearest appropriate school;

“**dedicated subsidised learner transport services**” means transportation of learners to and from public schools, arranged and funded by the KZN DOE and/or the KZN DOT;

“**district**” means a cluster of schools within a geographical area under the administration and management of a district director;

“**DOT**” means the National Department of Transport;

“**effective date**” means the date on which the KZN Learner Transport Policy: 2020 becomes effective as determined by the Heads: Education and Transport.

“**Head: Education**” means the Head: KZN DOE;

“**Head: Transport**” means the Head: KZN DOT;

“**implementing authorities**” means the KZN DOE and the KZN DOT;

“**implementing departments**” means the KZN DOE and the KZN DOT;

“**KZN DOE**” means the KwaZulu-Natal Department of Education;

“**KZN DOT**” means the KwaZulu-Natal Department of Transport;

“**KZN Learner Transport Policy**” means the KZN Learner Transport Policy: 2020;

“**learner**” means any person receiving education or obliged to receive education in terms of the South African Schools Act, No. 84 of 1996 (SASA);

“**learner transport**” means any transport services provided to learners from Grade R to Grade 12 in order to access education including transport to learners with disabilities;

**“learners with special educational needs”** means learners with disabilities experiencing barriers to learning in public schools requiring additional support after appropriate assessment contemplated by the SIAS;

**“midibus”** means a sub-category of a bus, designed or modified solely or principally for the conveyance of more than 16 and not more than 35 persons (including the driver and the attendant) as defined by the NRTA;

**“minibus”** means a motor vehicle designed or adapted solely or principally for the conveyance of more than nine, but not more than 16 persons, (including the driver and the attendant) as defined by the NRTA;

**“mode of transport”** refers to different types of transport – e.g. road or rail, maritime or aviation;

**“monitoring firm”** means a service provider contracted to electronically monitor the service and liaise with operators;

**“National Policy”** means the National Learner Transport Policy issued by the DOT and published in the Government Gazette on 23<sup>rd</sup> October 2015 in Government Notice No. 997;

**“nearest appropriate school”** means the nearest school offering the grades and subjects chosen by the learner.

**“needy learner”** means a learner attending a quintile 1, 2, or 3 school or a learner entitled to a fee exemption attending a quintile 4 or 5 school;

**“NLTA”** means the National Land Transport Act, 5 of 2009;

**“operator”** means the owner of the vehicle contracted to provide learners with transport to school or the driver of the said vehicle;

**“operating licence”** means a licence required in terms of section 50 of the NLTA and granted and issued in accordance with the NLTA;

**“Province”** means the Province of KwaZulu-Natal;

**“public school”** means a school contemplated by section 12(3)(a)(i) and 12(3)(a) (iii) of the South African’s Schools Act, No. 84 of 1996 (SASA);

**“public special school”** means a school contemplated by section 12(3)(a)(ii) of the South African’s Schools Act, No. 84 of 1996 (SASA);

**“public transport”** means the conveyance of people or freight for reward by any travel mode whether car, metered taxi, minibus-taxi, bus, train and light and heavy rail;

**“quintile school”** means the National poverty ranking of a public school based on the relative wealth of the surrounding community with quintile 1 being the poorest and quintile 5 being the least poor;

**“rural area”** means a geographical area situated in KwaZulu-Natal outside of the urban area;

**“SASA”** means the South African’s Schools Act, No. 84 of 1996;

**“school”** means a public school as defined in the SASA;

**“school bus”** means a mini-bus or bus, owned by or contracted to, or on behalf of, a school and used principally for the conveyance of learners and other persons associated with such school;

“**school day**” means a day in a school term on which tuition is scheduled to take place at a school for pupils enrolled at such school;

“**school of parental choice**” means a school which parents prefer to enrol their children in, other than the nearest school;

“**school term**” means any one of the periods into which a particular school year is divided for tuition purposes and fixed as such by the Head: Education;

“**SGB**” means a School Governing Body contemplated in terms of section 16(1) of the SASA;

“**SIAS**” means the Policy on Screening, Identification, Assessment and Support (2014);

“**trip**” means a journey from an approved pick-up point/drop-off point to and from school;

“**unauthorised passenger**” means any person not permitted to be in a learner transport vehicle; and

“**vehicle**” means any contracted mode of transporting learners which could be a bus/midibus/minibus.

## 2. **INTRODUCTION**

1. Section 29(1) of the Constitution provides that everyone has the right to basic education.
2. On 23<sup>rd</sup> October 2015 the DOT published the National Policy.
3. The rationale for the National Policy is to improve access to quality education by providing safe, decent, effective, integrated and sustainable learner transport especially for learners in rural areas who experience transportation challenges in accessing education centres.
4. The main thrust of the National Policy is to ensure that learners, schools, parents, communities, planners and law enforcement authorities are governed by a uniform set of priorities and regulations.
5. The National Policy recognises *inter alia* –
  - (a) that Provincial Education Departments have been providing transport to learners who do not have access to their nearest schools; and
  - (b) that implementing departments are responsible for the planning and implementation of learner transport.

### 6. **The National Policy specifically provides –**

- (a) that the implementing authorities, after consultation with stakeholders, will determine who qualifies as beneficiaries and the type of learner transport within their area of jurisdiction;
- (b) that Provincial Departments of Education will be responsible for selecting learners who will benefit from dedicated subsidised learner transport services;
- (c) that learner transport will be funded through the fiscus from the relevant treasuries' allocation;



- (d) that all processes involved from planning to implementation must take cognizance of the needs of learners with disabilities; and
  - (e) that the school Principals, after consultation with the SGB must identify beneficiaries of dedicated subsidised learner transport services in accordance with the following criteria –
    - i. Beneficiaries must be needy learners attending grade R to 12.
    - ii. Learner transport will be subsidised to the nearest appropriate school. Learners attending a school of parental choice shall not be entitled to learner transport.
    - iii. Priority must be given to learners with disabilities, taking into consideration the nature of the disability and primary school learners who walk long distances to schools, especially in rural areas.
    - iv. Existing transport services must be taken into account when identifying beneficiaries as no learner transport services should be provided in areas where public transport is available.
- 7. Due to the limited resources learner transport will only be provided where there are not less than ten learners using the same route to access a school.
  - 8. The National Policy requires implementing authorities and departments to *inter alia* manage and operate learner transport in the Provinces.
  - 9. In order to give effect to the KZN Learner Transport Policy the implementing authorities and departments have agreed on their respective roles and responsibilities which are set out in this document.
  - 10. As all learners requiring learner transport are currently not integrated into a single learner transport programme, the Implementation Procedure for learners attending public schools and public special schools are set out separately.

### **3. THE LEGISLATIVE AND POLICY FRAMEWORK**

- 1. Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).
- 2. Education White Paper 6 (July 2001).
- 3. National Education Policy Act, 1996 (Act No. 27 of 1996).
- 4. National Land Transport Act, 2009 (Act No. 5 of 2009).
- 5. National Learner Transport Policy (June 2015) published in Government Gazette No. 39314 on 23<sup>rd</sup> October 2015, No. 997.
- 6. National Road Traffic Act, 1996 (No. 93 of 1996).
- 7. Policy on Screening, Identification, Assessment and Support (2014).
- 8. Public Finance Management Act, 1999 (Act No. 1 of 1999).
- 9. South African Schools Act, 1996 (Act No. 84 of 1996).
- 10. White Paper 9 on the Rights of persons with disabilities (2016).

### **4. PURPOSE, SCOPE AND IMPLEMENTATION**

- 1. This KZN Learner Transport Policy is applicable to the transportation of learners from grade R to 12, including learners with disabilities as defined by the SASA.
- 2. The purpose of the KZN Learner Transport Policy is to give practical application to the rights of learners to gain access to their schools as contemplated in the National Policy.

3. Whilst acknowledging the learners' right of access to schools, the Province's ability to give full effect thereto is dependent on funding which is critical to the implementation of its learner transport programmes. Consequently and in accordance with the National Policy, priority will be given to needy learners in rural communities who have to walk long distances to schools and learners with disabilities.
4. The implementation of the KZN Learner Transport Policy shall be the shared responsibilities of the implementing authorities.
5. The KZN DOT shall be responsible for the provision of dedicated subsidised learner transport services for learners attending public schools.
6. The KZN DOE shall be responsible for the provision of learner transport services for learners attending public special schools.

## **5. STRUCTURE OF POLICY**

1. In keeping with the National Policy this KZN Learner Transport Policy makes provision for learners attending public schools as well as public special schools.
2. The provision of transport for each category of learners is dealt with by different implementing departments and under different programmes.

## **SECTION 1:**

### **6. LEARNERS ATTENDING PUBLIC SCHOOLS**

1. The implementing departments shall be guided by the criteria for the identification of beneficiaries for learner transport as set out in the National Policy and as amplified further hereunder.
2. A learner who travels a minimum distance of 3 kilometres to the nearest appropriate school qualifies for learner transport.
3. If, as a consequence of budgetary constraints, the implementing authorities are unable to provide all learners who qualify for learner transport with transport, the Head: Education shall on the advice of the Director: Learner Transport prioritise learners in each district in keeping with the intent and purpose of the KZN Learner Transport Policy.
4. The KZN DOE shall act consistently and with transparency and to this end it shall ensure *inter alia* that school Principals are regularly informed of the prioritisation criteria under the KZN Learner Transport Policy.

### **7. IDENTIFICATION OF BENEFICIARIES ATTENDING PUBLIC SCHOOLS**

1. School Principals shall –
  - (a) after consultation with the SGB, identify learners who qualify for learner transport;
  - (b) compile a list of all such learners together with the following information in respect of each learner-

- i. **age;**
          - ii. **gender;**
          - iii. **grade;**
          - iv. **luritz number;**
          - v. **pick-up point;**
          - vi. **kilometres travelled (return trip);**
          - vii. **mode of transport; and**
          - viii. **costs per day to and from school;**
  - (c) forward an electronic version of the list together with a hard copy thereof to the district director and retain the original list.
2. The district director shall –
- (a) scrutinise the list to satisfy himself/herself that the learners reflected thereon qualify for learner transport;
  - (b) direct any enquiries in connection with the list to the school Principals and/or verify any information contained therein in any manner he/she deems appropriate;
  - (c) request the school Principal to amend the list appropriately if he/she is satisfied on good grounds that the school Principal erred in a material respect in compiling the list; and
  - (d) forward the finalised list to the Head: Education together with any relevant comments.
3. The officials in charge of learner transport shall prepare a consolidated list of all learners requiring learner transport at schools in each district. The list should include information on the current number of learners receiving learner transport in each school, the number of vehicles servicing each school, the number of learners that were eligible for learner transport but not provided transport, together with any other relevant information.
4. They shall forward the lists together with recommendations, if any, and the reasons for such recommendations to the Head: Education.
5. The Head: Education shall consider the applications together with the information provided and recommendations submitted to him/her. Where it is not possible to provide all eligible learners with learner transport the Head: Education shall have regard to the provisions of the National Policy as amplified by the KZN Learner Transport Policy in prioritising the learners.
6. Where necessary he/she shall consult with the Head: Transport on the most effective and justifiable way of providing as many eligible learners with transport having regard to the budget allocated for the provision of such transport.
7. If the Head: Education does not approve learner transport to learners of a particular school, he/she shall inform the district director in writing of his/her decision and reasons for such decision.
8. The district director shall convey the decision of the Head: Education together with the reasons to the school Principals concerned.
9. The school Principals shall inform learners' parents/guardians who applied for learner transport whether their applications were successful and in the case of those learners who were unsuccessful, inform the learners' parents or guardians in writing why their applications were unsuccessful.

**8. INCLUSION OF NEW LEARNERS WHERE PUBLIC SCHOOLS HAVE EXISTING LEARNER TRANSPORT**

1. Where space becomes available on learner transport servicing an existing route as a result of learner migration, learners completing their studies etc., the school Principal shall –
  - (a) inform learners and their parents/guardians still requiring learner transport of the criteria under the KZN Learner Transport Policy and basis for prioritisation and request them to complete the necessary applications;
  - (b) make a list of the applicants who meet the criteria under the KZN Learner Transport Policy and reflect the information set out in paragraph 7(1)(b) above; and
  - (c) after consultation with the SGB, make recommendations to the district director on which learners should be provided learner transport.
2. The district director shall as soon as reasonably possible after receipt of the list accept the recommendations or request the school Principal to make any adjustments if good cause exists.
3. The school Principal shall inform learners who applied for learner transport whether their applications were successful and in the case of those learners who were unsuccessful, inform the learners' parents or guardians in writing of the decision and reasons why their applications were unsuccessful.

**9. SPECIFIC RESPONSIBILITIES OF THE KZN DOE**

1. The KZN DOE shall –
  - (a) make such needs analysis as might reasonably be necessary for the provision of learner transport from time to time;
  - (b) identify learners who qualify for dedicated subsidised learner transport services including learners in public special schools;
  - (c) keep and provide all records and relevant documents required by the KZN DOT to carry out its responsibilities under any learner transport programme;
  - (d) keep a database of the following information for each school –
    - i. names of learners;**
    - ii. parents'/guardians' contact details;**
    - iii. contract numbers;**
    - iv. operator contact details;**
    - v. number of learners;**
    - vi. number of kilometres of route;**
    - vii. vehicle registration numbers;**
  - (e) nominate representatives to attend the Programme Management Committee meetings or any other meetings relating to the learner transport programmes;
  - (f) evaluate the impact of learner transport on teaching and learning;
  - (g) monitor and evaluate programme performance at school, district and Provincial levels;

- (h) be responsible for the provision of learner transport for learners with disabilities;
- (i) purchase suitable vehicles for the provision of transport for learners with disabilities;
- (j) determine the mode of transport and vehicle modifications suitable for the needs of learners with disabilities;
- (k) allocate and distribute modified and unmodified vehicles to public special schools;
- (l) hire suitable persons as drivers and attendants on the aforesaid vehicles;
- (m) regularly and whenever the need arises motivate to the Provincial Treasury additional funding for the various learner transport programmes;
- (n) provide and facilitate the necessary and relevant training for both drivers and attendants including, but not limited to those operating special equipment, managing student behaviour, providing basic first aid, firefighting, serving as seating specialists in positioning and securing adaptive and assistive devices for learners with disabilities;
- (o) monitoring the learner transport operations provided by the KZN DOT at the school level;
- (p) reporting any defects or concerns regarding the contracted services to the KZN DOT;
- (q) monitoring the conduct of both the learners and drivers whilst in transit;
- (r) ensuring the implementation of the code of conduct for both learners and drivers; and
- (s) preparation of reports on findings and making recommendations to the KZN DOT.

#### **10. SPECIFIC RESPONSIBILITIES OF THE KZN DOT**

1. The KZN DOT shall be responsible for –
  - (a) service planning and designing of dedicated subsidised learner transport services based on data which shall include a priority list of qualifying learners as provided by the KZN DOE to be transported on their respective routes;
  - (b) procurement of service providers who are in possession of valid operating licences;
  - (c) ensuring that the provisions of paragraphs 5 to 10 hereunder are taken into account in its dealings with service providers;
  - (d) budget control and administration in public ordinary schools;
  - (e) adherence to budget;
  - (f) regulating, monitoring and evaluating the programme in terms of the services provided;

- (g) providing the KZN DOE with monthly reports on the programme as and when required;
- (h) procuring vehicles in accordance with specifications received from the KZN DOE for learners with disabilities;
- (i) procuring and distributing non-motorised transport in collaboration with the KZN DOE;
- (j) the provision and monitoring of non-dedicated subsidised services to learners using main stream public transport services;
- (k) conducting technical inspections of vehicles;
- (l) ensuring compliance by operators with operational and contractual obligations;
- (m) keeping updated operational statistics;
- (n) monitoring dedicated subsidized learner transport services including reviewing monitoring reports from contracted monitoring firms;
- (o) verification of the operated routes; and
- (p) monitoring of road conditions of operated routes.

#### **11. VARIATION OF CONTRACTS AND PROVISION FOR TRANSPORT IN CASES OF EMERGENCY**

1. Where additional needs for transport are identified the KZN DOE will inform the KZN DOT of the proposed variation and provide an updated priority list of identified learners. Any proposed variation shall be supported by the Head: Education.
2. The KZN DOT will reassess the service provision in line with the revised prioritisation, having regard to the existing budget.
3. The KZN DOT will engage the operator to effect the service variation.
4. Variations with financial implications must follow the approval process as per the relevant SCM policies as well as Treasury instructions.
5. Where, as a result of an emergency, the KZN DOE is required to provide transport which is not covered by the existing contracts the Head: Education shall confirm that an emergency situation has arisen and he/she shall inform the Head: Transport.
6. The Head: KZN DOT shall take all reasonable measures to provide transport for the learners affected by the emergency for the duration of the emergency.

**12. PAYMENT MODEL**

1. The adopted payment model mutually agreed upon is a standardized rate per mode of transport plus standardized rate per kilometre multiplied by the number of school days.
2. The payment model may be amended by mutual consent of both Executive Authorities for future procurement processes.

**13. PAYMENT TO OPERATORS**

1. The monitoring firm is required to compile payment certificates with all relevant documentation and submit to the KZN DOT in the first week of each month.
2. The KZN DOT: Public Transport Services shall verify the requisition for payment and submit the request to Supply Chain Management.
3. A complete payment certificate shall consist of the following documents –
  - (a) **pro forma / fleet list;**
  - (b) **operational statistics / detailed invoice;**
  - (c) **valid operating licence;**
  - (d) **PDP for drivers;**
  - (e) **certificate of road worthiness disc;**
  - (f) **permits or receipt for proof of application;**
  - (g) **proof of liability insurance; and**
  - (h) **proof of insurance.**
4. In the absence of all the relevant documentation payments to operators may be refused.
5. Operators must communicate with the KZN DOT through the monitoring firm when it relates to payment certificates and the required attachments.
6. Operators are required to attend monthly project meetings convened by the monitoring firm, the KZN DOE and KZN DOT and sign the attendance registers.

**14. REPLACEMENT OF CONTRACTED VEHICLES BY OPERATORS**

1. Operators may use an alternative vehicle in case of a breakdown on condition that the alternative vehicle complies with safety standards as set out in all relevant National and Provincial Road Transport policies and legislation.
2. Relief vehicles must meet all the required standards as expected of the contracted vehicle. The operator must immediately inform the monitoring firm so that arrangements for the monitoring of the replacement vehicle can be effected.

3. Operators may, with the consent of the KZN DOT: Public Transport Services, change the contracted vehicle permanently under the following circumstances-
  - (a) **the vehicle being written off;**
  - (b) **the number of learners has increased beyond the capacity of the current vehicle or decreased;**
  - (c) **the vehicle is no longer roadworthy; or**
  - (d) **the vehicle being stolen.**
4. Except where the number of learners has decreased, the capacity of the replacement vehicle must necessarily have the same or greater capacity as the contracted vehicle.
5. Where the request to change a contracted vehicle arises from a breakdown, the request for the replacement of the vehicle must be made to the monitoring firm on the same day.
6. Operators will not be paid for service rendered with an alternative vehicle which was not authorised by the monitoring firm.

#### **15. ROUTE VARIATION**

1. The KZN DOT reserves the right to vary the contract with operators according to learner needs for transport. Variations of the service rendered by the operator shall be in writing. The written consent of the Head: Transport is mandatory before any variation is effected to –
  - (a) **increase the number of trips on any route or routes;**
  - (b) **omit any route or add a new route;**
  - (c) **lengthen, shorten or alter an existing route;**
  - (d) **alter the number or location of authorised pick-up points, (provided this is done after consultation with the relevant local community, monitoring firm, and the operator);**
  - (e) **make alterations in connection with vehicle capacities; and**
  - (f) **increase or decrease the number of learners on any route or routes.**

#### **16. TRIP EXCHANGE**

1. A trip exchange is the variation of the existing contract by replacing an existing operator with another approved operator. A trip exchange will be allowed in circumstances where the operator –
  - (a) **has withdrawn or has been withdrawn from the route;**
  - (b) **is replaced due to incapacity of the vehicle;**
  - (c) **is replaced due to breach of contract/conduct; or**
  - (d) **refuses to accept a route variation.**
2. For purposes of trip exchange, the KZN DOT, working closely with the monitoring firm, will identify a contracted operator to service the available route, indicating the rate, kilometres, and number of learners, district and school.
3. An identified operator must submit all the necessary documents as proof that the vehicle can transport the number of learners.



4. The trip exchange letter must be approved by the Head: Transport.
5. In effecting any trip exchange the KZN DOT shall do everything reasonably possible to ensure that learner transport is not interrupted.

## SECTION 2:

### 17. LEARNERS ATTENDING PUBLIC SPECIAL SCHOOLS

1. Learners who have difficulty learning in mainstream schools as a result of a disability including any of the following –
  - (a) **visual impairment;**
  - (b) **hearing impairment;**
  - (c) **physical impairment;**
  - (d) **medical impairment; or**
  - (e) **intellectual disability,**
  - (f) **qualify for learner transport.**
2. The following criteria should be used to prioritise transport for learners with disabilities in public special schools-
  - (a) **the nature and extent of the disability;**
  - (b) **the affordability of the parents to provide transport;**
  - (c) **the age of the learner; and**
  - (d) **whether or not the learner is attending the nearest Public Special School or a school of parental choice.**

### 18. IDENTIFICATION OF BENEFICIARIES ATTENDING PUBLIC SPECIAL SCHOOLS

1. The Admissions Committee of the Public Special School shall assess the nature and extent of the learners' disabilities and provide a list to the Transport Committee of the school setting out *inter alia* –
  - (a) the relevant details of each learner requiring learner transport including -
    - i. **age;**
    - ii. **gender;**
    - iii. **grade;**
    - iv. **luritz number; and**
    - v. **kilometres travelled (return trip);**
  - (b) the nature of the disability;
  - (c) the address of the learner; and
  - (d) the nearest pick-up point for the learner.

2. Each Public Special School shall appoint a Transport Committee comprising at least five members as follows -
  - (a) **the school Principal or his/her representative as the Chairperson;**
  - (b) **at least one member of the academic staff;**
  - (c) **at least one member of the non-academic staff which includes therapists; and**
  - (d) **at least two members of the SGB.**
3. The Transport Committee shall consider the list, have regard to the transportation resources of the school, the criteria for eligibility and any prioritisation necessary and provide a list with its recommendation to the district director through the school Principal.
4. The district director shall –
  - (a) ensure that the Transport Committee has compiled the list by having regard to the provisions of SIAS and he/she shall be entitled to make enquiries or verify any information or request the Transport Committee to amend the list if necessary.
  - (b) prepare a consolidated list of all learners requiring learner transport at schools in the district together with the current number of learners receiving learner transport, the number of vehicles servicing each school, the number of learners that qualified for learner transport but not provided transport, the reasons why such learners have not received transport together with any other relevant information and make recommendations to the Head: Education.
5. The Head: Education shall consider the applications together with the information provided and recommendations made by the Department's officials. Where it is not possible to provide all eligible learners with learner transport the Head: Education shall have regard to the provisions of the National Policy as amplified by the KZN Learner Transport Policy and the available budget in prioritising the learners.
6. If the Head: Education does not approve learner transport for a learner, he/she shall inform the district director in writing of his/her decision and reasons for such decision.
7. The district director shall convey the decision of the Head: Education together with the reasons to the school Principals concerned.
8. The school Principals shall inform all learners whether they are entitled to receive learner transport and in the case of such learners who have been refused, he/she shall convey the reasons for such refusal in writing to the learners' parents or guardians.
9. It shall be the responsibility of the parent or guardian of a learner with a disability to make such reasonable arrangements as are necessary to ensure that the learner gets access to a pick-up point where learner transport is accessible.

**19. INCLUSION OF NEW LEARNERS WHERE PUBLIC SPECIAL SCHOOLS HAVE EXISTING LEARNER TRANSPORT**

1. Where space becomes available on transport servicing an existing route to a Public Special School as a result of learner migration, learners completing their schooling etc. the Transport Committee shall be entitled to add further learners onto the transport programme as follows –

- (a) it shall firstly make a list of all the applicants who are entitled to learner transport including any new admissions in accordance with the criteria and the basis for prioritisation under the KZN Learner Transport Policy; and
  - (b) after consultation with the SGB, make a recommendation to the district director on which learners should be provided learner transport.
2. The district director shall as soon as reasonably possible, after receipt of the list, accept the recommendations or request the school Principals to make any adjustments if good cause exists.
3. The school Principals shall inform learners who applied for learner transport whether their applications were successful and in the case of those learners who were unsuccessful, inform the learners' parents or guardians in writing of the decision and reasons why their applications were unsuccessful.

## **20. ROLE OF PRINCIPALS IN PUBLIC SPECIAL SCHOOLS**

1. The school Principal shall ensure that –
  - (a) a Transport Committee as described in paragraph 10.2 is formed as early as possible so as to ensure the smooth implementation of the KZN Learner Transport Policy;
  - (b) information regarding the learner's transportation needs are collated timeously to ensure that the KZN DOE can properly plan its transportation service;
  - (c) learners are safely transported, given the transportation environment, (including the length of the ride), without undue risk to themselves or others;
  - (d) any medical, physical or behavioral concerns by teachers and parents in connection with the transportation of the learners are taken into account;
  - (e) assistive or adaptive equipment identified as necessary to accommodate learners during the transportation process is safely secured and transported, and there are adequate instructions regarding its use;
  - (f) all relevant details and records described above including the nature of disability must be attached to the register for each mode of transport;
  - (g) safety compliance regulation documents including evacuation plans, medical emergency and accident protocols are available for each mode of transport; and
  - (h) parents and transportation staff are aware of and have in their possession route schedules, designated pick-up and drop-off points, and details of all learners using the pick-up and drop-off points.
2. A public special school may purchase additional suitably modified transport from their budgets to supplement the transport allocated by the KZN DOE subject to the following –
  - (a) the prior written consent of the KZN DOE (which consent shall be provided in consultation with the KZN DOT) is obtained; and
  - (b) the KZN DOT shall ensure that the vehicles are suitable for the needs of the learners to be transported.

- (c) all the provisions of the KZN Learner Transport Policy applicable to state vehicles, drivers and attendants shall, insofar as is reasonably practicable, apply of equal force to vehicles acquired by the SGB and its drivers and attendants.

## **21. INTERNAL APPEAL**

1. Should any learner feel aggrieved by the decision of the Head: Education the learner shall lodge a written appeal with the MEC for Education within thirty (30) days of receiving written notification of the decision from the school Principal.
2. The MEC for Education shall consider and decide the appeal within thirty (30) days of receipt of the appeal. The MEC shall inform the Appellant in writing of his/her decision and the reasons for such decision. A copy of the decision shall be forwarded to the school Principal.
3. Thereafter should the learner remain aggrieved by the decision of the MEC he/she shall be entitled to act in terms of the Promotion of Administrative Justice Act No. 3 of 2000.

## **22. CIRCULARS, DIRECTIVES, IMPLEMENTATION PROCEDURE AND STANDARD OPERATING PROCEDURES**

1. Subject to the provisions set out hereinafter the implementing departments and authorities shall apply the Implementing Procedure attached hereto as an Appendix to give effect to the KZN Learner Transport Policy.
2. The Heads: Education and Transport shall issue such circulars, directives and/or standard operating procedures from time to time on any matter in connection with this KZN Learner Transport Policy.
3. School Principals and SGBs shall ensure that they comply with any such circulars and/or directives where such circulars/directives apply to them.
4. All circulars or directives issued by the Heads: Education and Transport prior to the effective date shall remain valid and binding but only to the extent that they do not conflict with this KZN Learner Transport Policy or the National Policy.

## **23. JOB DESCRIPTIONS**

### **Drivers –**

1. Drivers of vehicles for learners with special needs are employed either by the KZN DOE or the SGB.
2. No person shall be employed as a driver unless –
  - (a) he/she is in possession of the following minimum requirements –
    - i. formal schooling up to and including grade 10;**
    - ii. appropriate and valid driver's licence and PDP;**
    - iii. demonstrated aptitude or competence for assigned responsibilities; and**
    - iv. any other requirement that the KZN DOE, KZN DOT or school administration may consider appropriate;**
  - (b) is of suitable character; and
  - (c) has at least two (2) years' suitable experience as a driver for the vehicle that he/she will be driving.

3. No person shall be employed as a driver if the KZN DOE or the SGB has any reason to believe that the driver is not of suitable character whether on account of any criminal record, section 120 of the Children's Act, No. 38 of 2005 or any other good reason.
4. All drivers shall –
  - (a) file regular reports as required by the School Transportation Supervisor;
  - (b) generally, provide safe and efficient transportation so that learners may enjoy the fullest possible advantage from the education curriculum and extra-curricular programs;
  - (c) obey all applicable laws, policies and procedures;
  - (d) follow the school's guidelines for maintaining order on the vehicle;
  - (e) keep the assigned vehicle clean;
  - (f) adhere to an assigned schedule;
  - (g) check the vehicle before each operation for mechanical defects;
  - (h) notify the proper authority in case of mechanical failure or lateness;
  - (i) ensure that they are in possession of a list of all learners being transported which list shall contain *inter alia* the information set out in paragraph 12(5)(b)(ii) and (iii);
  - (j) discharge students only at authorised stops;
  - (k) exercise responsible leadership;
  - (l) transport only authorised students;
  - (m) report all accidents and complete required reports;
  - (n) enforce safety regulations and the learner code of conduct on the vehicle;
  - (o) treat students and co-workers with respect and dignity;
  - (p) shall not allow the number of learners travelling in the vehicle to exceed the legal carrying capacity; and
  - (q) ensure that prior to any trip they are in possession of a cell phone or other means of communication which can be used in the case of an emergency.
5. The foregoing provisions shall be subject to the KZN DOE's Transport Policy in respect of state vehicles.

#### **Attendants –**

6. No person shall serve as an attendant on a vehicle for learners with special needs unless he/she has met the requirements laid down by the KZN DOE and school administration.
7. The provisions applicable to drivers in paragraph 11.3 above shall apply *mutatis mutandis* to all attendants.
8. The attendant is obliged to report to the School Transportation Supervisor.
9. He/She is required to assist school staff, parents and school drivers.
10. His/Her responsibilities include the following –
  - (a) load, unload, and properly secure all students dependent on mobility assistive aids or mobile seating devices;
  - (b) properly secure all assistive devices and equipment as necessary on an individual basis;
  - (c) follow school guidelines for maintaining order on the vehicle;
  - (d) monitor all students who are medically challenged;

- (e) treat students and co-workers with respect and dignity; and**
- (f) assist the school driver in emergency situations and evacuations.**

11. In the event of the attendant not being available on a particular trip, the school Principal shall be entitled to appoint a staff member or members as a substitute for the attendant for the duration of the attendant's absence.

#### **24. EMERGENCY EVACUATION PLAN**

1. In the event of an emergency the driver shall take all reasonable steps to deal with the specific emergency including where necessary –
  - (a) to park the vehicle;**
  - (b) to engage the parking brake;**
  - (c) to place the manual transmission in either first or reverse gear and automatic transmission in park;**
  - (d) in the event of a possible threat and dangerous situation, or if the location is unsafe due to a fire or health risk, to decide on evacuation;**
  - (e) to manually deploy lifts for evacuation purposes; and**
  - (f) to ensure that his/her instructions on evacuation or any other course of action is given clearly and understood by all the occupants.**
2. In the event of an evacuation, the vehicle driver/attendant must –
  - (a) release passengers from their passenger restraints or seat belts by unbuckling or cutting (if passengers are in a wheelchair, first remove the passenger, then, if time permits, recover the wheelchair);**
  - (b) move the passengers from the seat or wheelchair to floor level (If passengers can walk, assist to a standing position);**
  - (c) move passengers to the best usable exit;**
  - (d) move passengers at least 50 metres away from the vehicle; and**
  - (e) assist the learner back into the wheelchair if the wheelchair can be safely recovered and conditions permit.**
3. The driver shall ensure that the vehicle is always equipped with an approved safety and first aid kit which must include –
  - (a) gloves;**
  - (b) towelettes;**
  - (c) cold pack bandages;**
  - (d) CPR mask;**
  - (e) gauze;**
  - (f) tape;**
  - (g) scissors;**
  - (h) seat-belt cutter;**
  - (i) fire blanket; and**
  - (j) approved body fluid clean up kit.**

4. The driver shall ensure that the kit is checked at least once a month and after an emergency.
5. In the case of an emergency the following procedure must be adopted –
  - (a) notify the dispatcher – EMERGENCY SERVICES (10111);
  - (b) ensure that all necessary information is provided including the following –
    - i. name of school and address; and/or**
    - ii. learner's name, birth date, disability and nature of the problem; and/or**
    - iii. any medication taken by the learner.**
6. Contact the learner's parent or guardian –
  - (a) to enquire –
    - i. if transport is available;**
    - ii. whether anyone else should be notified and if so, establish that person's name and phone number;**
    - iii. if there are any recent symptoms, altered or new medication, or anything else that the paramedics may need to know; and**
  - (b) to request the parent/guardian to keep his line free and regularly update him/her on the status of the situation.
7. Following an emergency, the school's administration and the KZN DOE should be notified immediately.

## **25. TRANSPORTATION OF STUDENTS IN WHEELCHAIRS OR OTHER MOBILITY ASSISTIVE DEVICES**

1. Whenever it is possible or feasible, wheelchair passengers may be transported in a regular vehicle or car seat (which meets all regulation standards). A person transported in this manner must be fitted with a dynamically tested occupant restraint (i.e., a lap/shoulder belt assembly or a child car seat). Wheelchairs may be transported unoccupied when appropriately secure.
2. When wheelchair transportation is necessary, a four-point wheelchair tie-down should be used.
3. Whenever possible or feasible, an occupant restraint system involving a lap-belt and shoulder harness should be used.
4. Factors to be considered with this occupant restraint system are –
  - (a) The occupant needs to be secured separately from the chair, and at no time should the occupant carry any of the load of the wheelchair or its securement system. Wherever possible the occupant's restraint should be attached to the rear wheelchair tie-down belt rather than the floor to ensure that no load transfer occurs through stretching or release of the wheelchair tie-down belts. (NOTE: The tie-down belt system must be able to accommodate the increased weight of the occupant and his/her securement.) If it attaches to the floor, further investigation is necessary.
  - (b) A variety of belts and positions should be available through the use of a retraction system and/or multi-attachment track system to attach the shoulder belt to the vehicle. Crash-tested equipment should be used.

- (c) Installation of the shoulder restraint to the vehicle should be at/or above and slightly behind the level of the shoulder joint of the occupant. The goal is to have the shoulder belt, contract the occupant over the clavicle (or collar bone) while avoiding the neck area. The lap belt portion must contact the hard structures of the pelvis (namely the iliac crests) and avoid the soft abdominal areas.

## 26. **FRAMEWORK**

### 1. Use of a vehicle transporting learners with special needs –

- (a) A KZN vehicle transporting learners with special needs shall be used only for school activities as defined in the SASA.
- (b) Prior written consent must be obtained from the KZN DOE if a vehicle allocated to a particular school is used by another school or by an employee of the KZN DOE.
- (c) Under no circumstances shall vehicles owned by the KZN DOE be used for party political purposes or industrial action.

### 2. **Passengers**

- (a) No persons other than learners who have qualified for learner transport shall be conveyed in a vehicle unless such persons are authorised in writing by the school Principal.
- (b) Under no circumstances must the driver convey any passengers who are not authorised to use the vehicle and in the event of him/her doing so he/she shall be liable to disciplinary proceedings and/or personal liability. The KZN DOE will not be liable for any damages arising out of injury to such unauthorised persons.

### 3. **Authority to use a vehicle**

- (a) No trips shall be undertaken without the school Principal, failing him/her, the district transport officer signing an appropriate trip authority. In the event of the driver breaching this provision, he/she shall be personally liable for any damages in consequence of the trip and shall forfeit state protection.
- (b) The signed trip authority must be carried on the vehicle and a copy thereof filed at the transport office.
- (c) The school Principal or his/her delegate must record the condition of the vehicle, the quantity of fuel in the tank, the logbook and petrol card numbers which must be signed by the driver. The driver takes responsibility for the vehicle at that point. The driver must hand in all petrol/diesel/oil purchase slips to the school Principal for checking after each trip.

### 4. **Overnight parking**

In normal circumstances vehicles must be parked at official locations. The school Principal or his/her delegate must allocate an approved parking place for each vehicle. The parking places should be lockable or have 24-hour security. When the vehicle is away from its home base, the driver must use a steering or gear lock on the vehicle. Where secure facilities are not available, the vehicle should be parked at the nearest official property e.g. police station. The driver of the vehicle is responsible for ensuring that the vehicle is parked as safely as circumstances permit.



5. Logbooks, petrol cards, vehicle keys, vehicle equipment. The driver takes responsibility for the logbook, keys and petrol card once the vehicle issue form has been signed until the vehicle has been returned to the transport officer at the end of the journey. All vehicle keys must be safely secured (preferably in a locked container) in the transport office when the vehicle is not in use. A spare set of keys must be kept in a secure place, e.g. the office safe.

The petrol card is to be treated as cash and the driver will be held responsible for all transactions whilst it is in his/her possession. All fuel receipts must be kept and made available when the vehicle is returned to the school Principal or delegated person. It is the responsibility of the driver to fill in the vehicle logbook legibly and accurately. Loose equipment such as the spare wheel, toolkit, jack and any other extras will be checked at the time of issuing the vehicle and will remain the responsibility of the driver until such time as the vehicle is returned to its base.

## **27. MANAGEMENT SYSTEMS**

1. The following key indicators must be kept for each vehicle by the school administration and the district director-
  - (a) **fuel utilization (km/l);**
  - (b) **actual kilometres travelled;**
  - (c) **total maintenance cost;**
  - (d) **maintenance cost per quarter; and**
  - (e) **running cost per quarter.**
2. The school Principal or delegated person must monitor the indicators and address shortcomings or any irregularities immediately.
3. The disposal of vehicles withdrawn from service must be effected in accordance with the provisions of the Treasury Instructions and the Tender Regulations.
4. The Head: Education may authorize the use of privately owned vehicles where it is cost-effective to do so. Subsidy funding, school fees and any other legitimate source may be used for such purpose.

## **28. LOGBOOKS**

1. Log-sheets must be completed in every detail, during or immediately after a trip by the driver.
2. Supplies of logbooks or forms are obtainable from the Government Printer or the KZN DOE.
3. The school Principal, delegated person or the official using the vehicle must take the necessary care with regard to the safe custody of the logbook, keys and vehicle card.

## **29. LOAD ON VEHICLES**

The load on any KZN DOE vehicle may not exceed the maximum recommended by the manufacturer of the vehicle. The school administration and/or the driver may be held personally liable for any punishment that may be imposed by any court for any infringement of overloading. If a load is transported on or in a vehicle, care must be taken that it is properly safeguarded at all times in order to prevent any potential damage or loss. Damage or loss caused by overloading or negligent control over a load on vehicles will be recovered from the school administration and/or the driver.

**30. CO-OPERATION OF OFFICIALS AND EMPLOYEES TO PROMOTE EFFICIENCY IN THE OPERATION OF VEHICLES**

1. Vehicles are subject to inspection by KZN DOE officials to ensure that learner transport is in a proper state of repair and efficiency and that the required instructions are complied with. Persons in charge of learner transport must furnish all information required by such officials.
2. Officials or employees should refrain from using green ink or pencils when completing any documents in connection with the use and maintenance of state vehicles.
3. Non-compliance with the KZN Learner Transport Policy, any circulars or directives issued by the Heads: Education and Transport or appearing on forms or in books used in connection with official travelling and transport, will render the offending officials liable to disciplinary action and, in certain cases, to making good any loss.

**31. ROADWORTHINESS OF VEHICLES**

1. The driver of a vehicle must at all times ensure that the vehicle is in a roadworthy condition with particular emphasis on the steering, the brakes, the lights, the wheel nuts, the state of the tyres and safety belts.
2. Any defects discovered must be remedied before any resultant damage. Such defects include excessive engine heating and lack of oil pressure. In these instances, the engine must be switched off immediately. The vehicle shall not be driven further until the problem is rectified. In such a case the radiator cap must not be removed until the engine has cooled down, and depending on the possible cause or the circumstances, water may then be added but only while the engine is idling.
3. The driver must pay proper attention to the dash gauges and indicators, and take appropriate action immediately should anything untoward be noticed.
4. A roadworthy certificate as required by Regulation 267 of the Road Traffic Act, No. 29 of 1989, and an Operator Card for vehicles exceeding 3 500 kilograms must be displayed at all times for all makes of vehicles.

**32. SAFE DRIVING**

1. Traffic and any other regulations applicable to users of the road must be strictly observed at all times. Where these rules are not observed, the drivers shall be personally liable for any penalties imposed.
2. The applicable speed limit must not be exceeded at any time.
3. Users of vehicles must obey the rules of the road at all times.

**33. SAFE CUSTODY OF VEHICLES**

Officials in charge of vehicles must ensure that the vehicles are adequately garaged or parked and must at all time take all reasonable steps to safeguard them including the accessories and tools, against theft, irregular use, damage and fire. Under no circumstances may articles or documents, whether State or private property, be left on or under the seats, on the floor or in the glove box of a vehicle while such vehicle is parked and left unguarded. If such articles or documents must of necessity be left in the vehicle, they must be locked away in the boot. When, on account of their mass and/or size, it is impracticable to move articles to the boot of the vehicle, the driver or other responsible official must take all possible and practical precautions for the safeguarding of such property before leaving the vehicle unattended. Officials or employees will be held personally liable for any loss to or from the vehicles caused through non-observance of these provisions.

**34. GARAGING AND PARKING OF VEHICLES**

1. Where possible state vehicles must be garaged or parked on State premises. Under no circumstances may the vehicles be garaged on State premises, under carports or on parking sites where unauthorised persons have free access. The necessary measures must be taken at all times to safeguard vehicles against loss or theft.
2. In the case of vehicles on tour, the most suitable arrangements must be made where facilities for official garaging are not available, and any expenditure incurred in this connection must be borne by the school using the vehicle.
3. Where a driver makes use of parking meters and parking lots while on duty, the expenditure actually and necessarily incurred must be refunded to him/her by his/her school.

**35. DISPLAY OF REGISTRATION PLATES AND LICENCE DISCS ON STATE VEHICLES**

Save for the usual registration number plates and other approved plates or marks to indicate the KZN DOE's ownership of a vehicle, no marks, special or private insignia, mascots, stickers or advertising material may be displayed on such vehicle without the approval of the Head: KZN DOE.

**SECTION 3: GENERAL****36. PROGRAMME MANAGEMENT COMMITTEE**

1. A Programme Management Committee shall be appointed jointly by the Heads: Education and Transport and shall –
  - (a) comprise at least ten (10) members from both Departments and shall include –
    - i. **the KZN DOT, Deputy Director-General: Transportation Services;**
    - ii. **Chief Financial Officers KZN DOE and KZN DOT;**
    - iii. **the Chief Directors KZN DOE and KZN DOT responsible for the learner transport programmes;**
    - iv. **the Responsibility Manager: KZN DOT: Public Transport Services;**
    - v. **the Responsibility Manager: KZN DOE: Learner Transport Directorate;**
    - vi. **KZN DOE: Director: Inclusive Education; and**
    - vii. **one official from each Department;**
  - (b) be chaired by the KZN DOT, DDG: Transportation Services.
2. The Programme Management Committee shall –
  - (a) discuss all matters related to the planning, management, and implementation of the learner transport programmes. It shall focus on a needs-driven budget for learner transport and other related financial and budgetary issues in compliance with provisions of the Public Finance Management Act, 1999, and the provisions of the Division of Revenue Act, 2009;
  - (b) formulate the budget including projected expenditure in all areas of the provision of the services, monitoring, emergency services/variations and any other need that might arise; and
  - (c) conduct quarterly meetings.

**37. MONTHLY OPERATIONAL MEETINGS**

1. Monthly operational meetings shall be held for the purposes of *inter alia* –
  - (a) **assessing the quality of service delivery;**
  - (b) **ensuring compliance with contractual obligations;**
  - (c) **assessing the need for any variations to routes or operators and making any recommendations in respect thereof;**
  - (d) **assessing the need for maintenance of vehicles transporting learners to public special schools and making recommendations in respect thereof;**
  - (e) **evaluating the need for procurement of additional vehicles for public special schools and making recommendations in respect thereof; and**
  - (f) **making recommendations to the Programme Management Committee in respect of any matter related to learner transport in general.**

**38. REPORTING**

1. The implementing departments must compile quarterly implementation reports to the National Departments of Transport and Basic Education. The reports must be signed off by the Heads: Transport and Education before it is submitted to the National Departments.
2. Officials from the implementing departments shall report to the quarterly meetings of the National Learner Transport Steering Committee on all learner transport matters dealing with *inter alia* learners being transported in the Province including learners at public special schools and learners being transported in state vehicles.

**39. MONITORING OF LEARNER TRANSPORT BY SCHOOLS AND DISTRICTS**

1. At the most basic level, the daily monitoring of learner transport must be carried out at the school level by such persons as are appointed by the school Principal.
2. Written complaints from learners and parents must be resolved by the school Principals wherever possible and in appropriate circumstances Principals must forward the complaints to the district director for attention.
3. The district director must attend to the complaints and if necessary escalate the matter in writing to Head Office.

**40. PLANNING**

1. The National Policy emphasizes the need for the Province to ensure adequate planning to meet its objectives.
2. The National Policy specifically requires Provincial strategies and any local government plans must be approved by the MEC (or MEC's) in charge of the implementation of the learner transport programmes and to submit same to the DOT.
3. The Province shall prepare implementation plans in accordance with such framework as may be provided for the implementation of the National Policy.

4. In the absence of such framework the KZN Learner Transport Policy shall prevail.
5. If a national framework is provided by the DOT then those provisions shall supersede the provisions of the KZN Learner Transport Policy.
6. Any plans for the implementation of the Province's learner transport programs shall specify how the Province intends meeting the needs of all learners who are eligible for learner transport.
7. The KZN DOE and KZN DOT shall review the state of learner transport at least every three years and introduce further plans for an interval of five years at a time.

#### **41. CO-OPERATION WITH CIVIL SOCIETY**

The KwaZulu-Natal Provincial Government shall be entitled to engage with civil society to procure funding for learner transport subject to the approval of the National Government.

#### **42. IMPLEMENTATION DATE, REVIEW AND REVISIONS**

1. Notwithstanding the date of approval by the Heads: Education and Transport. This KZN Learner Transport Policy shall come into effect on the effective date.
2. The KZN Learner Transport Policy shall supersede the KZN Learner Transport Policy of March 2013 from the effective date.
3. This KZN Learner Transport Policy shall be reviewed by the KZN DOT and KZN DOE as and when the need arises provided that it shall be reviewed at least every five years from the effective date.

## INQUBOMGOMO YEZOKUTHUTHA ABAFUNDI YASE-KZN: 2020

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**1. IZINCAZELO –**

Kule Nqubomgomo ngaphandle uma isizinda sikhomba okunye -

**“ibhasi”** lichaza imoto eyakhiwe noma eguquliwe ukuze ithwale abantu abangama-35, okufaka nomshayeli, njengoba kuchazwe wuMthetho woMthamo weZimoto eMgwaqweni kaZwelonke, wowe-1996 (uMthetho No. 93 wowe-1996), lapha obizwa nge-“NRTA”;

**“osiza ebhasini”** uchaza umuntu ogada abafundi abaya ezikoleni ezikhethekile zikahulumeni kwizithuthi zabafundi ezihlizekwa wuMnyango weZemfundo KwaZulu-Natali (i-KZN DOE) noma iSigungu eSilawula iSikole;

**“isitifiketi sokufanela ukuba semgwaqweni”**, simayelana nemoto, sichaza ukuniklwa isitifiketi sokulungela ukuba semgwaqweni ngokwemigomo yesigaba 42 se-NRTA;

**“UMthethosisekelo”** uchaza uMthethosisekelo waseNingizimu Afrika, No. 108 wowe-1996;

**“imisebenzi ekhokhelwayo”** iyimisebenzi yokuthutha abafundi ekhokhelwa wuhulumeni eqondiswe kubafundi abahlwempu abahamba amakhilomitha angaphezu kwamathathu ukusuka ekhaya beya esikoleni esifanele esiseduze;

**“ezokuthutha abafundi ezixhaswe wumnyango”** zichaza ezokuthutha abafundi beya noma bebuya ezikoleni zikahulumeni, zihlelwe zaphinde zakhokhelwa yi-KZN DOE kanye/noma i-KZN DOT;

**“isifunda”** sichaza iqoqo lezikole endaweni ngokwebalazwe eliphethwe nelilawulwa wumqondisi wesifunda;

**“I-DOT”** ichaza uMnyango kaZwelonke weZokuthutha;

**“usuku lokuqala ukusebenzisa”** luchaza usuku lapho iNqubomgomo yeZokuthutha aBafundi yase-KZN: 202 iqala ukusebenza ngendlela njengoba kuhlonzwe yiziNhloko: yeZemfundo neZokuthutha.

**“INhloko: yeMfundo”** ichaza INhloko: ye-KZN DOE;

**“INhloko: yeZokuthutha”** ichaza INhloko: ye-KZN DOT;

**“abagunyazwe ukuqalisa ukusebenza”** bachaza i-KZN DOE ne-KZN DOT;

**“iminyango eqalisa ukusebenza”** ichaza i-KZN DOE ne-KZN DOT;

**“I-KZN DOE”** ichaza uMnyango weMfundo KwaZulu-Natali;

**“I-KZN DOT”** ichaza uMnyango weZokuthutha KwaZulu-Natali;

**“INqubomgomo yeZokuthutha”** ichaza iNqubomgomo yeZokuthutha aBafundi yase-KZN: 2020;

**“umfundi”** uchaza othola imfundo noma onesibopho sokuthola imfundo ngokwemigomo yoMthetho weZikole zaseNingizimu Afrika, No. 84 wowe-1996 (i-SASA);



**“ezokuthutha abafundi”** zichaza nanoma yiziphi izinhlobo zezithuthi ezihlinzekelwa abafundi abasebangeni R kuya kwele-12 ukuze bafinyelele emfundweni ukufaka nabafundi abaphila nokukhubazeka;

**“abafundi abaphila nokukhubazeka”** bachaza abafundi **abakuhamba kwabo** kunqundekile ngenxa yokukhubazeka emzimbeni noma emqondweni okwesikhasha noma unomphelo, nokufaka **abancane kakhulu**, abangaboni noma ababona kancane abangezwa noma abezwa kancane;

**“abafundi abanezidingo ezikhethekile zokufunda”** zichaza abafundi abaphila nokukhubazeka abazithola benezingqinamba ekufundeni ezikoleni zikahulumeni ngenxa yokudinga ukwesekwa okongeziwe emva kokuhlolwa okuyikho njengokuchaza kwe-SIAS;

**“ibhasi eliphakathi ngobukhulu”** lichaza ibhasi elingaphansi kwelejwayelekile, elakhiwe noma laguqulwa ukuze lithuthe abantu abangaphezu kwe-16 kodwa abangaphansi kwabangama-35 (okufaka nomshayeli nomsizi womshayeli) njengoba kuchazwe yi-NRTA;

**“ibhasi elincane”** lichaza imoto eyakhelwe noma eguqulelwe ukuba ithuthe abantu abangaphezu kwabayisi-9, kodwa abangeqi kwabayi-16, (okufaka umshayeli kanye nomsizi womshayeli) njengoba kuchazwe yi-NRTA;

**“uhlobo lwezokuthutha”** luchaza izinhlobo ezehlukene zezokuthutha – isib., umgwaqo noma ezezitimela, ezasemanzini noma ezokundiza;

**“ifemu eqaphayo”** ichaza umhlinzeki wemisebenzi osayiniswe inkontileka ukugada ngokwekhompyutha imisebenzi bese exhumana nomnikazi;

**“iNqubomgomo kaZwelonke”** ichaza iNqubomgomo yeZokuthutha aBafundi kaZwelonke ekhishwe yi-DOT yashicilelwa kuSomqulu kaHulumeni zingama-23 kuMfumfu kowezi-2015 eSazisweni sikaHulumeni No. 997;

**“isikole esiseduza esifanele”** sichaza isikole esiseduze esinamabanga kanye nezifundo ezikhethwe wumfundi. **“umfundi odingayo”** uchaza umfundi oya esikoleni esiyikhwintili 1, 2, noma 3 noma umfundi okungafanele akhokhe imali yokufunda oya esikoleni esikwikhwintili 4 noma 5;

**“i-NLTA”** ichaza uMthetho weZokuthutha kuZwelonke eZweni, **Somqulu**, 5 wowezi-2009;

**“umnikazi”** uchaza owemoto osayiniselwe ukuhlinzeka abafundi ngezokuthutha esikoleni noma umshayeli wemoto eshiwoyo;

**“ilayisense yokusebenza”** ichaza ilayisense edingeka ngokwemigomo yesigaba 50 se-NLTA enikezwa iphinde ikhishwe ngokuhambisana ne-NLTA;

**“iSifundazwe”** sichaza iSifundazwe saKwaZulu-Natali;

**“isikole sikahulumeni”** sichaza isikole esichazwe esigabeni 12(3)(a)(i) nese 12(3)(a) (iii) soMthetho weZikole zaseNingizimu Afrika, No. 84 we-1996 (i-SASA);

**“isikole sabafundi abakhubazekile”** sichaza isikole esichazwe esigabeni 12(3)(a)(ii) soMthetho weZikole zaseNingizimu Afrika, No. 84 wowe-1996 (i-SASA);

**“ezokuthutha umphakathi”** zichaza ukuhanjiswa kwabantu noma ezokuthutha ezikhokhelwayo nganoma iyiphi indlela yokuhamba okungaba yimoto, yitekisi enemitha, itekisi-eyibhasi elincane, ibhasi, isitimela, ireyli elula nesindayo;

**“isikole esiyikhwintili”** sichaza ukubekwa kwesikole sikahulumeni ngokobuhlwempu kuZwelonke okususelwa emnothweni wendawo yomphakathi okhona womphakathi oseduzane kwaso, ikhwintili 1 iyisikole esihlwempu kakhulu kanti ikhwintili 5 ingesihlwempu kangcono;

**“indawo yasemakhaya”** ichaza indawo ngokwebalazwe engaphandle kwendawo eyidolobha;

**“I-SASA”** ichaza uMthetho weZikole zaseNingizimu Afrika, No. 84 wowe-1996;

**“isikole”** sichaza isikole sikahulumeni njengoba sichazwe kwi-SASA;

**“ibhasi lesikole”** lichaza ibhasi elincane noma ibhasi, elinomnikazi noma elibolekiswa, esikhundleni sesikole elisetshenziselwa ukuhambisa abafundi kanye nabanye abantu abahlobene nalesi sikole;

**“usuku lwesikole”** luchaza usuku kwithemu yesikole nalapho uhlelokufunda luhlelelwe ukuba khona esikoleni kubantu ababhaliswe esikoleni esinjalo;

**“isikole esikhethwe wumzali”** sichaza isikole lapho abazali bekhetha ukubhalisa izingane zabo kuso, ukunaleso sikole esiseduze kwabo;

**“ithemu yesikole”** ichaza nanoma yisiphi isikhathi lapho unyaka othile wesikole wehlukaniselwe izinhloso zohlelokufunda nolubekwe yiNhloko: eZemfundo;

**“I-SGB”** ichaza iBhodi eLilawula iSikole okuchazwe ngokwemigomo yesigaba 16(1) se-SASA;

**“I-SIAS”** ichaza iNqubomgomo yokuSkrina, ukuZihlonza, ukuHlola noKweseka (2014);

**“uhambo”** luchaza uhambo olusuka endaweni evunyiwe yokulanda/nokwehlisa abafundi abaya nababuya esikoleni;

**“umgibeli ongagunyaziwe”** uchaza nanoma yimuphi umuntu ongavunyelwe ukuba emotweni ethutha abafundi;

**“imoto”** ichaza nanoma yiluphi uhlobo lokuthutha abafundi okungaba yibhasi/ibhasi elimaphakashana/ibhasi elincane.

## 2. ISINGENISO

1. Isigaba 29(1) soMthethosisekelo sihlizeka ukuthi wonke umuntu unelungelo lemfundo eyisisekelo.
2. Zingama-23 kuMfumfu kowezi-2015 i-DOT yashicilela iNqubomgomo kaZwelonke yokuthutha abafundi.
3. Okuyisizathu sokuba neNqubomgomo kaZwelonke wukuphucula ukufinyelela kwikhwalithi yemfundo ngokuhlizeka izithuthi zabafundi eziphephile, ezisezingeni, ezisebenza ngendlela, ezididiyelwe nezisimeme ikakhulukazi kulabo bafundi abasezindaweni zasemakhaya abanezinsalelo zezokuthutha ezibafikisa ezikhungweni zemfundo.
4. Umongo weNqubomgomo kaZwelonke wukuqinisekisa ukuthi abafundi, izikole, abazali, imiphakathi, abahleli nabaphethe emthethweni babuswa yimitheshwana nokubekwe phambili okufanayo.
5. INqubomgomo kaZwelonke, *kodwa ingagcini kulokhu*, ibhekelela:
  - (a) ukuthi uMnyango weZemfundo kaZwelonke ubuhlizeka ezokuthutha kubafundi abangenakho ukufinyelela ezikoleni eziseduzane;
  - (b) ukuthi iminyango iqalisa ukusebenza inesibopho sokuhlela nokuqalisa ukusebenza kwezithuthi zabafundi.
6. INqubomgomo kaZwelonke ihlizeka ngokuqondile –
  - (a) ukuthi abaphethe abaqalisa ukusebenza, emva kokubonisana nabanesabelo, bayohlolona ukuthi ibaphi abafundi abafanelekile ukuhlomula kanjalo nohlobo lwezithuthi endaweni engaphansi kwabo;
  - (b) ukuthi iMnyango yeZemfundo yeSifundazwe izoba nesibopho sokukhetha abafundi abazohlomula ezithuthini zabafundi ezixhasiwe;
  - (c) ukuthi izithuthi zabafundi zizokhokhelwa ngemalinsalela evela ezikhwameni ezibekwe yiminyango yezimali eqondene;
  - (d) ukuthi zonke izinqubo ezikhona kusukela ekuhloleni kuya ekuqaliseni ukusebenza kumele kuqaphelwe izidingo zabafundi abaphila nokukhubazeka;
  - (e) nokuthi oThishomkhulu bezikole, emva kokubonisana ne-SGB, kumele bahlonze abazohlomula kwezokuthutha ngokuhambisana nemigomo elandelayo –
    - i. **Abazohlomula kumele kube abafundi abeswele abafunda ibanga R kuya kwele -12.**
    - ii. **Izithuthi zabafundi zibayisa kwisikole esiseduzane samabanga aqokiwe. Abafundi abaya esikoleni esikhethwe wumzali ngokusithanda ngeke bakwazi ukusebenzisa izithuthi zabafundi.**
    - iii. **Izidingo zabafundi abaphila nokukhubazeka kumele zibekwe phambili, kuphinde kubhekwe indlela abakhubazeke ngayo, kanye nabafundi basezikoleni zamabanga aphansi abahamba amabanga amade uma beya esikoleni, ikakhulukazi ezindaweni zasemakhaya.**
    - iv. **Ezokuthutha ezivele zikhona kumele zicatshangelwe uma kuhlonzwa abazohlomula njengoba zingekho ezokuthutha abafundi okumele zihlizekwe lapho kukhona ezokuthutha umphakathi.**
7. Ngenxa yemithombo enganele yezokuthutha, ezokuthutha abafundi ziyohlizekwa kuphela lapho kungekho khona abafundi abangaphansi kwabayishumi abasebenzisa umzila owodwa ukufinyelela esikoleni.

8. INqubomgomo kaZwelonke idinga abaphethe ukuqalisa ukusebenza kanye neminyango *okufaka kodwa kungagcini* ekulawuleni nasekusebenziseni izithuthi zabafundi eZifundazweni.
9. Ukuze kube nokusebenzisa iNqubomgomo yeZokuthutha aBafundi yase-KZN abasemagunyeni abaqalisa ukusebenza kanye neminyango ezindimeni nasezibophweni ezibekwe zacaca kule dokhumenti.
10. Njengoba bonke abafundi bedinga, ezokuthutha njengamanje zididiyelwe ohlelweni olulodwa lokuthutha abafundi: iNqubo yokuQalisa ukuSebenza kubafundi abaya ezikoleni zikahulumeni, nezikole zabafundi abakhubazekile zehlukanisiwe kahle.

### **3. UHLAKA LOMTHESHWANA KANYE NENQUBOMGOMO**

1. UMthethosisekelo waseNingizimu Afrika, wowe-1996 (uMthetho No. 108 wowe-1996).
2. UMthetho ongakaphasiswa wezeMfundo 6 (uNtulikazi wowezi-2001).
3. UMthetho weNqubomgomo yeZemfundo kuZwelonke, wowe-1996 (uMthetho No. 27 wowe-1996).
4. UMthetho kaZwelonke weZokuthutha eZweni, wowezi-2009 (uMthetho No. 5 wowezi-2009).
5. INqubomgomo kaZwelonke yokuThutha aBafundi (kuNhlangulana wowezi-2015) ishicilelwe kuSomqulu kaHulumeni No. 39314 ngomhla zingama-23 kuMfumfu kowezi-2015, No. 997.
6. UMthetho woMthamo weZimoto eMgwaqweni kaZwelonke, wowe-1996 (No. 93 wowe-1996).
7. INqubomgomo yokuSkрина, ukuHlonza, ukuHlola noKweseka (2014).
8. UMthetho wokuLawula iZimali zikaHulumeni, wowe-1999 (uMthetho No. 1 wowe-1999).
9. UMthetho weZikole zaseNingizimu Afrika, wowe-1996 (uMthetho No. 84 wowe-1996).
10. UMthetho ongakaphasiswa 9 ngamaLungelo abantu abaphila nokukhubazeka (wowezi-2016).

### **4. INHLOSO, UMKLAMO NOKUQALISA UKUSEBENZA**

1. Le Nqubomgomo yeZithuthi zaBafundi yase-KZN imayelana nokuthuthwa kwabafundi abasemabangeni asukela kwibanga lika R kuya kwele-12, okufaka nabafundi abaphila nokukhubazeka njengokulandisa kukaSASA.
2. Inhloso yeNqubomgomo yeZithuthi Zabafundi yase-KZN wukunika isicelo ngamalungelo abafundi ukuze bakwazi ukufinyelela ezikoleni zabo njengoba kuchazwe kwiNqubomgomo kaZwelonke.
3. Abafundi bavunwa ilungelo labo lokufinyelela ezikoleni, ukukwazi kweSifundazwe kuncike ezimalini nokuyinto ebalulekile ekuqaliseni ukusebenza kwezinhlelo zokuthutha abafundi. Njengomphumela nangokuhambisana neNqubomgomo kaZwelonke, isikhala esiphambili siyonikwa abafundi abadingayo emiphakathini yasemakhaya abahamba amabanga amade ukuya ezikoleni kanye nabafundi abaphila nokukhubazeka.
4. Ukuqalisa ukusebenza kweNqubomgomo yeZithuthi zaBafundi yase-KZN kuyoba yisibopho esiphakathi kwabasemagunyeni abaqalisa ukusebenza.
5. I-KZN DOT iyoba nesibopho sokuhlinzeka imisebenzi enokuzinikela nexhasiwe yezithuthi zabafundi abafunda ezikoleni zikahulumeni.
6. I-KZN DOE iyoba nesibopho sokuhlinzeka nokuthutha abafunda ezikoleni zikaHulumeni nalezo zabantwana abakhubazekile abafunda ezikoleni zikaHulumeni.

**5. UMUMO WENQUBOMGOMO**

1. Ekuhambisaneni neNqubomgomo kaZwelonke, le Nqubomgomo yokuThutha aBafundi base-KZN ihlela indlela okuzohlinzekwa ngayo izithuthi kubafundi bonke nabafunda ezikoleni zabafundi abakhubazekile zikaHulumeni.
- Ukuhlinzeka izithuthi zalezo nalezozigaba zabafundi kubhekwana nayo ngeminyango eyehlukene yokuqalisa ukusebenza nangaphansi kwezinhlelo ezehlukene.

**ISIGABA 1:****6. ABAFUNDI ABAFUNDA EZIKOLENI ZIKAHULUMENI**

1. Iminyango eqalisa ukusebenza iyoholwa yimigomo yokuhlonza abazohlomula kwizithuthi zabafundi njengoba kuvezwe kwiNqubomgomo kaZwelonke njengoba uchazwe ngezansi.
2. Umfundi ohamba ibanga elingephansi kwamakhilomitha ama-3 ukuya esikoleni esimfanele esiseduzane esifanelwe ukuba nezithuthi zabafundi.
3. Uma, njengomphumela wokuvinjwa yisabelozimali, abanamagunya ekuqaliseni ukusebenza bengakwazi ukuhlinzeka abafundi abafanelekile ukuhamba ngezithuthi zabafundi. iNhlolo: yoMnyango weMfundo ngokweseluleko soMqondisi: eZokuthutha aBafundi uyobeka phambili abafundi kuleso naleso sifunda eqinisekisa inhloso nenjongo yeNqubomgomo yokuThutha aBafundi base-KZN.
4. I-KZN DOE kumele benze ngokungaphazami kulokhu ukuqinisekisa ukuthi oThishomkhulu bezikole bayokwaziswa ngemigomo yokubeka phambili abafundi ngokulandela iNqubomgomo yeZokuthutha aBafundi yase-KZN.

**7. UKUHLONZA ABAZOHLOMULA ABAYA EZIKOLENI ZIKAHULUMENI**

1. UThishomkhulu wesikole uyokwenza lokhu-
  - (a) emva kokubonisana ne-SGB, hlonza abafundi abafanelekile ukusebenzisa ezokuthutha zabafundi,
  - (b) hlanganisa uhlu lwabo bonke abafundi kanye nolwazi olulandelayo kulowo nalowo mfundi –
    - i. Iminyaka;
    - ii. ubulili;
    - iii. ibanga;
    - iv. inombolo yeluritz;
    - v. indawo yokulandwa;
    - vi. amakhilomitha ahanjiwe (uhambo lokuya nokubuya);
    - vii. indlela yokuhamba; kanye
    - viii. nezindleko ngosuku ukuya nokubuya esikoleni;
  - (c) Yedlulisa uhlobo olulethwa ngekhompyutha uhla oluhlangene nekhophi ephrintiwe kumqondisi wesifunda bese begcina uhlu lokuqala.

2. Umqondisi wesifunda uyokwenza lokhu -
  - (a) uzobhekisisa uhlu ukuzanelisa ukuthi abafundi abavela kulona bafanelekile ukuba sezithuthini zabafundi;
  - (b) bhekisa noma yimiphi imibuzo emayelana nohlu koThishomkhulu bezikole kanye/noma ukuhlolisisa nanoma yiluphi ulwazi oluqukethwe phakathi nganoma iyiphi indlela abayibona ilungile;
  - (c) cela uThishomkhulu wesikole ukuba achibiyele uhlu ngendlela eyiyo uma anelisekile ngezizathu ezinhle ukuthi uThishomkhulu wesikole akhombise ukuhlonipha izimpahla ekhlanganiseni uhlu;
  - (d) thumela uhlu oluphothuliwe kwiNhloko: yeMfundo kanye nokuphawula okuyikho.
3. Abasebenzi abaphethe izithuthi zabafundi bayolungiselela uhlu oludidiyele bonke abafundi abadinga izithuthi zabafundi ezikoleni kuleso naleso sifunda. Uhlu kumele lufake ulwazi ngenani lamanje labafundi abahamba ngezithuthi zabafundi kuleso naleso sikole, inani lezimoto ezisebenza esikoleni ngasinye, inani labafundi okumele bangene kwizithuthi zabafundi kodwa abangahlinzekwanga ngesithuthi, kanye nanoma yiluphi olunye ulwazi.
4. Bayothumela uhlu kanye neziphakamiso, ima zikhona, kanye nezizathu zalezo ziphakamiso kwiNhloko: yeMfundo.
5. INhloko: yeMfundo izobheka izicelo kanye nolwazi oluhlinzekiwe kanye neziphakamiso ezilethwe kuye izikole. Lapho kungenzeki khona ukuhlinzeka abafundi abafanelekile ngezithuthi zabafundi iNhloko: yeMfundo uyobheka lokhu kuhlinzeka kweNqubomgomo kaZwelonke njengoba kubekwe yiNqubomgomo yeZokuthutha aBafundi yase-KZN ekubekeni phambili abafundi.
6. Lapho kunesidingo khona uyothintana neNhloko: yeZokuthutha ngendlela eyiyo nesekelwayo yokuhlinzeka abafundi abaningi abafanelekile ngezithuthi ngokubheka isabelozimali esibekelwe ukuhlinzeka izithuthi.
7. Uma iNhloko: yeMfundo ingavumelani nezokuthutha abafundi besikole esithile, uyobe esazisa umqondisi wesifunda ngokubhala isinqumo sakhe nezizathu zaleso sizathu.
8. Umqondisi wesifunda uyodlulisa isinqumo kwiNhloko: yeMfundo kanye nezizathu kuThishomkhulu oqondene.
9. UThishomkhulu wesikole uyokwazisa abafundi abafake isicelo sokuhamba ngesithuthi sesikole ukuthi izicelo zabo ziphumelele bese kuthi lapho labo bafundi bengaphumelelanga, azise abazali noma abagadi babafundi ngokubabhalela ngokuthi kungani izicelo zabo zingaphumelelanga.
8. **UKUFAKWA KWABAFUNDI ABASHA LAPHO IZIKOLE ZIKAHULUMENI ZIVELE ZINAZO IZITHUTHI ZABAFUNDI**
  1. Uma kuba nesikhala esithuthini sabafundi esihamba emzileni ovele ukhona njengomphumela wokuhamba komfundi, abafundi abaqede izifundo zabo njll, uThishomkhulu wesikole uyokwenza lokhu-
    - (a) ukwazisa abafundi nabazali/nabagadi bazo abadinga ezokuthutha abafundi ngokomgomo ongaphansi kweNqubomgomo yeZokuthutha zaBafundi yase-KZN kanye nesisekelo sokubeka phambili bese ebacela ukuba kugcwaliswe izicelo ezidingekayo;
    - (b) ukwenza uhlu lwabafaka izicelo behlangabezana nemigomo yeNqubomgomo yeZokuthutha aBafundi yase-KZN nokuveza ulwazi oluvezwe endimeni 7(1)(b) ngenhla;
    - (c) emva kokubonisana ne-SGB, benze iziphakamiso kumqondisi wesifunda lapho abafundi kumele bahlinzekwe ngezithuthi zabafundi.

2. Umqondisi wesifunda uyoshesha ngangangakwazi ukukwenza emva kokuthola uhlu uyobe esamukela iziphakamiso noma isicelo kuThishomkhulu wesikole ukwenza nanoma yiluphi ushintsho uma kunezizathu ezizwakalayo.
3. UThishomkhulu wesikole uyokwazisa abafundi abafake isicelo sokuhamba ngesithuthi sesikole ukuthi izicelo zabo ziphumelele bese kuthi lapho labo bafundi bengaphumelelanga, azise abazali noma abagadi babafundi ngokubabhalela ngesinqumo kanye nezizathu zokuthi kungani izicelo zabo zingaphumelelanga.

## 9. IZIBOPHO EZIZWAKALAYO ZE-KZN DOE

### 1. I-KZN DOE iyokwenza lokhu -

- (a) izoqinisekisa ukuthi ukuhlaziywa kwezidingo njengoba kungadingeka ukuhlinzekela abafundi izithuthi ngezikhathi ezithile;
- (b) ukuhlonza abafundi abafanelekile ukuba baxhaswe ngemisebenzi yezithuthi zabafundi okufaka nabafundi abasezikoleni zabakhubazekile zikahulumeni;
- (c) ukugcina nokuhlinzeka onke amarekhodi nawo wonke amadokhumenti adingwa yi-KZN DOT ukuba yenze okulindeleke kuyo ngaphansi kwanoma yiluphi uhlelo lokuthutha abafundi;
- (d) ukugcina idathabhesi yolwazi olulandelayo lwaleso naleso sikole -
  - i. **amagama abafundi;**
  - ii. **imininingwane yokuxhumana nabazali/ababheki bezingane;**
  - iii. **izinombolo zezinkontileka;**
  - iv. **imininingwane yokuxhumana nomsebenzi;**
  - v. **inani labafundi;**
  - vi. **inani lamakhilomitha omzimba;**
  - vii. **izinombolo zokurejista imoto;**
- (e) ukuphakamisa abazomela ekwethameleni imihlangano yeKomidi lokuLawula uHlelo noma kunoma yimiphi imihlangano ehlobene nezinhlelo zezithuthi zabafundi;
- (f) ukuhlola umthelela wezithuthi zabafundi ekufundeni nasekufundeni;
- (g) ukugada nokuhlola izinhlelo zokudlala esikoleni, amazinga esifunda naweSifundazwe;
- (h) ukuba nesibopho sokuhlinzekwa ngezithuthi zabafundi abaphila nokukhubazeka;
- (i) ukuthenga izimoto eziyiyizo zokuhlinzekela izithuthi zabafundi abaphila nokukhubazeka;
- (j) ukuhlonza uhlobo lwezokuthutha nobunjalo bemoto elungele izidingo zabafundi abaphila nokukhubazeka;
- (k) ukwaba nokusabalalisa izimoto eziguquliwe nezingaguquliwe ezikoleni zabakhubazekile zikahulumeni;
- (l) ukuqasha abantu njengabashayeli nabasizi babashayeli ezimotweni ezibaluliwe;
- (m) ukuvama nangesikhathi kuba nesidingo banike izizathu eMnyangweni weZezimali eSifundazweni zokuthola izimali ezongeziwe ezizosetshenziselwa izinhlelo ezehlukene zezithuthi zabafundi;
- (n) ukuhlinzeka nokwenza uqeqesho oludingekayo kubashayeli nabasizi bomshayeli okufaka, kodwa okungagcini ithuluzi elikhethekile lokusebenza, ukulawula ukuziphatha kwabafundi, ukuhlinzeka usizo lokuqala, ukucima imililo, ukusebenza njengogoti bokuhlalisa nokumisa amathuluzi angaguquleka nawusizo kubafundi abaphila nokukhubazeka;
- (o) ukugada ukusebenza kwezithuthi zabafundi okuhlinzekwa yi-KZN DOT ezingeni lasesikoleni;
- (p) ukubika nanoma yikuphi ukulimala noma ukukhathazeka okumayelana nemisebenzi kwi-KZN DOT;
- (q) ukuqapha ukuziphatha kwabafundi nomshayeli ngesikhathi behamba;
- (r) ukuqinisekisa ukuthi ukuqalisa ukusebenza kwendlelakuziphatha yabo bobabili abafundi nabashayeli;
- (s) ukulungisa imibiko yokutholakele nokwenza iziphakamiso kwi-KZN DOT.

**10. IZIBOPHO EZIQONDILE ZE-KZN DOT**

## 1. I-KZN DOT iyoba nesibopho salokhu -

- (a) ukuhlela imisebenzi nokudweba okuzokwenziwa ngemisebenzi yezithuthi zabafundi ezixhasiwe ngokususela eminingweni ezofaka uhlu oluhamba phambili lwabafundi abafanelekile njengoba kuhlinzekwe yi-KZN DOE ukuba bahanjiswe ngemizila yabo ebekiwe;
- (b) ukuqashwa kwabahlizeki bemisebenzi abanamalaysense okusebenza ayiwo;
- (c) ukuqinisekisa ukuthi izihlinzeko zezindima 5 kuya ku-10 ngezansi ziyabhekwa uma kusetshenzwa nabahlizeki bemisebenzi;
- (d) ukulawula isabelozimali kanye nokuphatha ezikoleni ezejwayelekile zikahulumeni;
- (e) ukulandela isabelozimali;
- (f) ukulawula, ukuqapha nokuhlaziya uhlelo ngokwemigomo yemisebenzi ehlinzekiwe;
- (g) ukuhlinzeka i-KZN DOE ngemibiko yanyanga zonke ohlelweni njengoba nangesikhathi kudingeka;
- (h) ukuthenga izimoto ngokuhambisana nezimiso ezitholakele kwi-KZN DOE zabafundi abaphila nokukhubazeka;
- (i) ukuthenga nokwaba izithuthi ezingezona izimoto ngokusebenzisana ne-KZN DOE;
- (j) ukuhlinzeka nokuqapha imisebenzi exhasiwe enikwa abafundi abasebenzisa izindlela zokuthutha ezejwayelekile;
- (k) ukuhlola izimoto ngokwezobuchwepheshe;
- (l) ukuqinisekisa ukuhambisana kwabanikazi ngezibopho zokusebenza nezezinkontileka;
- (m) ukugcina isitathistikhi esiyiso sokusebenza;
- (n) ukugada imisebenzi yezithuthi zabafundi ezixhasiwe okufaka nokubuyekeza imibiko yokuqapha evela emafemini okuqapha asesivumelwaneni;
- (o) ukubheka kabusha imizila esetshenzisiwe; kanye
- (p) nokuqapha izimo zomgwaqo enemizila esebenzayo.

**11. UKWEHLUKA KWINKONTILEKA NOKUHLINZEKA IZITHUTHI UMA KUNEZIMO EZIPHUTHUMAYO**

- 1. Lapho kunezidingo ezongeziwe zezokuthutha ezihlonzwe yi-KZN DOE eyobe isiyazisa i-KZN DOT ngokwehlukana okuhlongoziwe nokuhlinzeka uhlu lwabafundi asebehlonziwe ababekwe phambili. Nanoma yikuphi ukwehluka okuphakanyisiwe kuyokwesekwa yiNhloko: yeZemfundo.
- 2. I-KZN DOT iyohlola kubusha ukuhlinzeka imisebenzi ngokuhambisana nokubeka phambili okubuyekeziwe, ngokunaka isabelozimali esikhona.
- 3. I-KZN DOT iyoxoxisana nomsebenzisi ukuba aqalise ukwehlukahlukana kwemisebenzi.
- 4. Ukwehluka okunemithelela yezimali kumele kulandele uhlelo nemigomo yokuphathwa kwemali ngokwe-SCM lokuvuma njengokwemigomo engenayo ye-SCM kanjalo nemiyalelo yoMnyango weZezimali.
- 5. Lapho, njengomphumela wesimo esiphuthumayo, i-KZN DOE kudingeka ihlinzeke ezokuthutha ezingavalwa ngenkontileka ekhona, iNhloko: yeMfundo kumele iziqinisekise ukuthi isimo esiphuthumayo sikhona bese kwaziswa iNhloko: yeZokuthutha.
- 6. INhloko yeKZN DOT kumele yenze imizamo ezwakalayo ukuhlinzeka ukuthutha abafundi abathintwe yisimo esiphuthumayo ngesikhathi lesimo sikhona.



**12. IMODELI YOKUKHOKHA**

1. Imodeli yokukhokha okuvunyelwene ngayo iyisilinganiso esibekwe salingana ngohlobo ngalunye lwesithuthi kanye nenani lekhilomitha ngalinye bese liphindaphindwa ngenani lezinsuku zesikole.
2. Imodeli yokukhokha ingachitshiyelwa ngokuvumelana kwabo bobabili aBasemagunyeni aBaphethe ngokwezinhlelo zokuthenga zasesikhathini esizayo.

**13. UKUKHOKHELA ABANIKAZIMOTO ABASEBENZI**

1. Ifemu eqapha ukusebenza kwezithuthi eqaphayo kudingeka ukuhlanganisa izitifiketi zokukhokha namadokhumenti angenayo bese bewahambisa kwi-KZN DOT esontweni lokuqala lwaleyo naleyo nyanga.
2. I-KZN DOT: Imisebenzi yeZokuthutha yoMphakathi iyosicwaninga ngokucacile cacisa isicelo sokukhokhelwa nokuletha isicelo sidluliselwe kwa-Supply Chain Management.
3. Isitifiketi sokukhokha esiphelele siyoba namadokhumenti alandelayo –
  - (a) umfuziselo wokusebenza okwakhiwe ngohlobo oluthile/uhlu lukachibidolo;
  - (b) isistathistikhi sokusebenza/incwadi yokubelesela isikweletu eneminingwane ephelele;
  - (c) ilayisense eligunyaza ukuthutha yokusebenza eyiyo;
  - (d) I-PDP yomshayeli;
  - (e) idiski yesitifiketi esigunyaza isithuthi ukuba semgwaqweni;
  - (f) izimvume noma irisidi yobufakazi besicelo;
  - (g) ubufakazi obuqinisekisa ukukweleta umshwalense wabagibeli;
  - (h) ubufakazi bokuba nomshwalense wesithuthi.
4. Uma kungekho amadokhumenti ayiwona okukhokha kwabasebenzisayo kunganqatshwa.
5. Abanikazi bomsebenzi kumele baxhumane ne-KZN DOT ngefemu eqapha ukuthuthwa ngokugada kabanzi uma kuhlobana nezitifiketi zokukhokha nokunanyathiselwe okunamathiselwayo okudingekayo.
6. Abanikazi bezithuthi kufuneka baye emihlanganweni yephrojekthi nyanga zonke ebizwa yifemu eqaphayo, i-KZN DOE ne-KZN DOT bese besayina irejista yabebethamele.

**14. UKUSHINTSHWA KWEZITHUTHI EZISENKONTILEKINI ABANIKAZI ZEZIMOTO YILABO ABAZISEBENZISAYO**

1. Abasebenzi bangasebenzisa esinye isithuthi uma kwenzeka sibe nokuphuka, inqobo nje uma lesi sithuthi sihambelana namazinga okuphepha njengoba kubekwe kuzo zonke izinqubomgomo nemitheshwana engena kwiZithuthi zaseMgwaqweni yeSifundazwe nekaZwelonke.
2. Izimoto zokuphumuza ezinye kumele ihlangabezane nawo wonke amazinga afunekayo ngemoto esenkontilekeni. Abawasebenzisayo kumele bazise ifemu egadayo ukuze ukuhlela ukuba kugadwe imoto efakwa esikhundleni senye engaba nokuthinteka.
3. Abawasebenzisayo kungenzeka, ngemvume ye-KZN DOT: Imisebenzi yeZokuthutha zoMphakathi, baguqule imoto esenkontilekeni unomphelo ngaphansi kwezimo ezilandelayo –

- (a) imoto elimale yaphela;
- (b) inani labafundi lenyukile ngaphezu komthamo wemoto ekhona noma eyehlile;
- (c) imoto engasakulungele ukuhamba emgwaqweni; noma
- (d) imoto entshontshiwe.

4. Ngaphandle lapho inani labafundi sehlile, umthamo wemoto efakwe esikhundleni senye kumele ibe nomthamo olinganayo noma ongaphezulu njengale ebisenkontilekeni.
5. Lapho isicelo sokuguqula imoto esenkontilekeni sisuswa wukulimala kwemoto, isicelo sokufaka esikhundleni imoto okumele senziwe efemini egadayo ngelanga elifanayo.
6. Abanikazi ngeke bakhokhelelwe ngomsebenzi abawenzile ngesithuthi esingagunyazwanga yifemu eqaphayo.

#### 15. UKUGUQUKA KOMZILA

1. I-KZN DOT igodle ilungelo lokuguqula inkontileka nabanikazi ngokwezidingo zomfundi zezokuhamba. Izinguquko zemisebenzi eyenziwe oyisebenzisayo ngokubhaliwe. Imvume ebhaliwe yeNhlolo: eZokuthutha iyadingeka ngaphambi kokuba kube nenguquko –
  - (a) ukwenyusa inani lezinkambo kwanoma yimuphi umzila noma imizila;
  - (b) ukweqa nanoma imuphi umzila noma ukongeza umzila omusha;
  - (c) ukwelula, ukufishanisa noma ukuguqula umzila okhona;
  - (d) ukuguqula inani noma indawo egunyaziwe yokuzolanda izingane, (inqobo nje uma lokhu kwenziwe emva kokubonisana nomphakathi wasekhaya oqondene, ifemu egadayo, nowasebenzisayo);
  - (e) ukwenza ushintsho mayelana nemithamo yezimoto;
  - (f) ukwenyusa noma ukwehlisa inani labafundi kunoma yimuphi umzila noma imizila.

#### 16. UKUSHINTSHISANA NGOHAMBO

1. Ukushintsha kohambo wukuguquka kwenkontileka ekhona ngokufaka esikhundleni somnikazi ngomunye ovunyiwe. Ukushintshisana ngohambo kuyovunyelwa ezimweni lapho owumnikazi –
  - (a) esehoxile noma ehoxisiwe emzileni;
  - (b) sekufakwe esikhundleni ngenxa yokungakwazi kwemoto ukuthatha umthamo othile;
  - (c) sekufakwe esikhundleni ngenxa yokumelana nenkontileka/ ukuziphatha; noma
  - (d) ukwenqaba ukwemukela ukushintsha ngomzila.
2. Ngezinhlolo zokuguqula uhambo, i-KZN DOT, isebenzisana nefemu egadayo, izohlonza umnikazi onenkontileka yokusebenzisa umzila okhona, okukhomba isilinganiso, amakhilomitha, inani labafundi, isifunda nezikole.
3. Owasebenzisayo ohlonziwe kumele alethe onke amadokhumenti adingekayo njengobufakazi bokuthi imoto ingahambisa inani labafundi.
4. Incwadi yokuguqula uhambo kumele ivunywe yiNhlolo: yeZokuthutha.
5. Ukwenza noma yikuphi ukuguqula uhambo i-KZN DOT ingenza yonke into engenzeka ukuqinisekisa ukuthi isithuthi sabafundi asiphazamiseki.

**ISIGABA 2:****17. ABAFUNDI ABAYA EZIKOLENI ZABAKHUBAZEKILE ZIKAHULUMENI**

1. Abafundi abanezinkinga ekufundeni ezikoleni ezijwayelekile ngenxa yokukhubazeka okufaka nanoma yikuphi okulandelayo -
  - (a) ukungaboni;
  - (b) ukungezwa;
  - (c) ukukhubazeka emzimbeni;
  - (d) ukukhubazeka ngenxa yokugula; noma
  - (e) ukukhubazeka ngokomqondo,

Bayafaneleka ukuthola isithuthi sabafundi.
2. Imigomo elandelayo kumele isetshenziswe ukubeka phambili izithuthi zabafundi abanokukhubazeka ezikoleni zikahulumeni zabakhubazekile -
  - (a) umumo nobunjalo bokukhubazeka;
  - (b) ukukwazi ukukhokhela isithuthi abazali ukuze kuhlinzekwe imoto;
  - (c) iminyaka yomfundi;
  - (d) ukuthi umfundi uya esikoleni saBakhubazekile esiseduze sikaHulumeni noma ukukhetha isikole esikhethwa umzali nje komzali.

**18. UKUHLONZA ABANESABELO ABAYA EZIKOLENI ZABA KHUBAZEKILE ZIKAHULUMENI**

1. IKomidi loKwemukelwa yeZikole zaBakhubazekile zikaHulumeni liyohlola umumo nobunjalo bokukhubazeka kwabafundi nokuhlinzeka uhlu lweKomidi lweZokuthutha somumo wesikole *okufaka kodwa okungagcini kulokhu* -
  - (a) imininingwane eyiyo yalowo nalowo mfundi odinga isithuthi sabafundi okufaka –
    - i. iminyaka;
    - ii. ubulili;
    - iii. ibanga;
    - iv. inombolo ye-luritz;
    - v. amakhilomitha ahanjiwe (uhambo lokuya nokubuya);
  - (b) ubunjalo bokukhubazeka;
  - (c) ikheli lomfundi;
  - (d) indawo yokulanda umfundi.
2. Leso naleso Sikole Sabakhubazekile sikaHulumeni siyoqoka iKomidi leZokuthutha elinamalungu amahlanu njengalokhu okulandelayo -
  - (a) UThishomkhulu wesikole noma omele njengoSihlalo;
  - (b) okungenani ilungu elilodwa lomsebenzi ofundisayo;
  - (c) okungenani ilungu elilodwa labasebenzi abangafundisi okufaka abeluleki bengqondo;
  - (d) okungenani amalungu amabili e-SGB.

3. IKomidi leZokuthutha liyobheka uhlu, linake imithombo yezokuthutha esikoleni, imigomo yokukwazi kanye nokubeka phambili okudingekayo nokuhlinzeka uhlu neziphakamiso zalo kumqondisi wesifunda ngoThishomkhulu wesikole.
4. Umqondisi wesifunda uyokwenza lokhu –
  - (a) uyoqinisekisa ukuthi iKomidi leZokuthutha lihlanganise uhlu olumayelana nezihlinzeko ze-SIAS kanti uyoba negunya lokubuza noma ukuchazeleka nganoma yiluphi ulwazi noma isicelo seKomidi leZokuthutha ukuchibiyela uhlu uma kunesidingo.
  - (b) uyohlela uhlu lwabo bonke abafundi abadinga izithuthi zabafundi ezikoleni esifundeni kanye nenani labafundi abathola izithuthi zabafundi, inani lezimoto elisebenza isikole ngasinye, inani labafundi abafanele ukuhamba ngemoto ethutha abafundi kodwa abangahlinzekwanga ngesithuthi kanye nanoma yiluphi ulwazi olungenayo bese enza iziphakamiso kwiNhloko: eZemfundo.
5. INhloko: eZemfundo uzobheka izicelo kanye nolwazi oluhlinzekiwe neziphakamiso ezenziwe abasebenzi boMnyango. Uma kungeke kwenzeke ukuhlinzeka bonke abafundi abafaneleke ukuhamba ngesithuthi sabafundi. INhloko: eZemfundo izobheka izihlinzeko zeNqubomgomo kaZwelonke njengoba kuvezwe yiNqubomgomo yeZokuthutha aBafundi yase-KZN nohlelomali olukhona ekubekeni phambili abafundi.
6. Uma iNhloko: yeMfundo ayiyinikanga imvume yesithuthi sabafundi kumfundi, uyokwazisa umqondisi wesifunda ngokubhala ngesinqumo sakhe nangezizathu zaleso sinqumo.
7. Umqondisi wesifunda uyodlulisela isinqumo seNhloko: yeMfundo kanye nezizathu kuThishomkhulu wesikole oqondene.
8. OThishomkhulu bezikole bayokwazisa bonke abafundi ukuthi bafanelwe ukungena kwezokuthutha abafundi kanti ezimweni zalabo bafundi abanqatshelwe, uyosho izizathu zalokho kwenqatshelwa ngokubhaliwe kubazali noma abagadi bezingane.
9. Kuyoba semahlombe omzali noma umgadi womfundi ophila nokukhubazeka ukwenza amalungiselelo enelisayo ukuqinisekisa ukuthi umfundi ukwazi ukufinyelela lapho belandwa khona nalapho imoto ethutha abafundi itholakala khona.

**19. UKUFAKWA KWABAFUNDI ABASHA LAPHO IZIKOLE ZEZINGANE EZIKHUBAZEKILE SEZIVELE ZINEZIMOTO ZOKUHAMBISA ABAFUNDI**

1. Uma kuba nesikhala esiba khona emotweni ehamba emzileni ovele okhona eSikoleni saBakhubazekile esingaphansi kukaHulumeni ngenxa yokuba kunomfundi ohambile, abafundi abaqeda ukufunda kwabo njll. iKomidi leZokuthutha liyoba negunya lokwengeza abanye abafundi ohlelweni lwezokuthutha ngendlela elandelayo –
  - (a) okokuqala kuyokwenza uhlelo lwabo bonke abebefake izicelo okumele bangene kwezokuthutha okufaka nanoma yibaphi abangeniswa okokuqala ngokuhambisana nemigomo kanye nezisekelo zokuhambisa phambili ngaphansi kweNqubomgomo yeZokuthutha aBafundi base-KZN;
  - (b) emva kokubonana ne-SGB, yenza isiphakamiso kumqondisi wesifunda nokuthi yibaphi abafundi okumele bahlinzekwe ngezokuthutha.

2. Umqondisi wesifunda ngokushesha, emva kokuthola uhlu, emukele iziphakamiso noma acele oThishomkhulu bezikole ukuba enze ngenye indlela uma kunezizathu ezizwakalayo.
3. OThishomkhulu bezikole bayokwazisa abafundi abafake izicelo zemoto yabafundi noma ngabe izicelo zabo ziyaphumelala bese kuthi kulabo bafundi abangaphumelelanga, kwaziswe abazali noma abagadi babafundi ngokubabhalela ngesinqumo kanye nezizathu zokuthi kungani izicelo zabo zingaphumelelanga.

## 20. **IQHAZA LOTHISHOMKHULU EZIKOLENI ZABAFUNDI ABAKHUBAZEKILE ZIKAHULUMENI**

1. UThishomkhulu wesikole uyoqinisekisa ukuthi -
  - (a) IKomidi leZokuthutha njengoba lichazwe endimeni 10.2 lakhiwa ekuqaleni ukuqinisekisa ukuqalisa ukusebenza okungenazihibe kweNqubomgomo yeZokuthutha aBafundi yase-KZN;
  - (b) ulwazi olumayelana nezidingo zabafundi zokuthuthwa luhlanganiswe ngesikhathi ukuqinisekisa ukuthi i-KZN DOE ingahlela ngendlela imisebenzi yezokuthutha;
  - (c) abafundi bathuthwa ngokuphepha, uma kubhekwa indawo okuthuthwa kuyo (okufaka nobude bohambo), ngaphandle kwengcuphe engadingekile engeza kubo noma kwabanye;
  - (d) noma yikuphi ukukhathazeka okunokwezokwelapha, okuphathelene nomzimba noma kokuziphatha kothisha nabazali mayelana nezokuthutha kwabafundi kumele kunakwe;
  - (e) okokusebenza okusizayo noma okungasebenziseka kwenye indawo njengoba kudingeka ukusiza abafundi ngesikhathi sohlelo lokuhamba baphephe futhi bahanjiswe, bese kuba nemiyalelo eyanele omayelana nokusetshenziswa kwayo;
  - (f) yonke imininingwane engenayo kanye namarekhodi achazwe ngenhla efaka nomumo wokukhubazeka kumele inanyathiselwe kwirejista kulolo nalolo hlobo lwesithuthi;
  - (g) amadokhumenti emitheshwana yokuhambisana nezokuphepha okufaka nendlela yokukhipha abantu endaweni, isimo esiphuthumayo sezokwelapha namaphrothokholi okumele alandelwe uma kunengozi ayatholakala kulolo nalolo hlobo lwezokuthutha;
  - (h) abazali nabasebenzi bezokuthutha bazi futhi benamasheduli emizila, izindawo ezibekelwe ukulanda nokwehlisa abafundi, kanye nemininingwane yabo bonke abafundi kusetshenziswa izindawo zokulanda nokwehlisa abafundi.
2. Isikole sabakhubazekile sikaHulumeni singathenga isithuthi esifanelekile sokwengeza ngohlelozimali lwabo ukuchibiyela isithuthi esikhishwe yi-KZN DOE kuncike kokulandelayo –
  - (a) **imvume ebhalwe phansi ngaphambili ye-the KZN DOE (okuyimvume eyohlinzekwa ngokuhambisana ne-KZN DOT) iyatholakala;**
  - (b) **I-KZN DOT iyoqinisekisa ukuthi izimoto zizilungele izidingo zabafundi okumele bahanjiswe.**
  - (c) **zonke izihlinzeko zeNqubomgomo yeZokuthutha aBafundi base-KZN ezisebenza ezimotweni zikahulumeni, abashayeli nabasizi babashayeli kumele, ngokungenzeka, basebenzise amandla alinganayo ezimotweni ezitholwe yi-SGB nabashayeli bazo kanye nabasizi babashayeli.**

**21. UKWEDLULISELA KWESICELO KWANGAPHAKATHI**

1. Uma nanoma yimuphi umfundi enganelisekile ngesinqumo seNhloko: yeZemfundo umfundi uyofaka isicelo sokwedlulisele isicelo kuMphathiswa weZemfundo ezinsukwini ezingamashumi amathathu (30) zokuthola isaziso esibhaliwe sesinqumo evela kuThishomkhulu wesikole.
2. UMphathiswa weZemfundo uyobheka aphinde nqume ekwedluliselweni kwesicelo ezinsukwini ezingamashumi amathathu (30) zokuthola isicelo sokwedlulisele isicelo. UMphathiswa uyokwazisa uMfakisicelo ngokubhala isinqumo sakhe nezizathu zaleso sinqumo. Ikhophi yesinqumo iyokwedluliselwa kuThishomkhulu wesikole.
3. Emva kwalokho uma umfundi elokhu enganelisekile yisinqumo soMphathiswa uyoba nelungelo ukuba athathe izinyathelo ngokwemigomo yoMthetho wokuPhucula ukuPhathwa kwezoBulungiswa No. 3 wowezi-2000.

**22. AMASEKHULA, IMIYALELO, INQUBO YOKUQALISA UKUSEBENZA NEZINQUBO SOKUSEBENZA EZISEZINGENI**

1. Ngokuncika ezihlinzekweni ezibalulwe lapha yiminyango nabasemagunyeni beminyango eqalisa ukusebenza kwalolu hlelo kumele basebenzise iNqubo yokuQalisa ukuSebenza okunanyathiselwe lapha njengeSinamathiselo ukuqalisa ukusebenza iNqubomgomo yeZokuthutha aBafundi yase-KZN.
2. Izinhloko: eyeZemfundo neyeZokuthutha ziyokhipha amasekhula, imiyalelo kanye/noma izinqubo zokusebenza ezisezingeni ngokuhamba kwesikhathi nganoma yingaluphi udaba olumayelana neNqubomgomo yeZokuthutha aBafundi e-KZN.
3. OThishomkhulu beZikole kanye nama-SGB bayoqinisekisa ukuthi bahambisana nanoma yimaphi amasekhula afana nalawo kanye/noma imiyalelo lapho lawo masekhula/miyalelo eqondene nabo.
4. Onke amasekhula noma imiyalelo okukhishwa yiziNhloko: Onke amasekhula noma imiyalelo ekhishwa yiziNhloko: yeZemfundo neZokuthutha ngaphambi kosuku olubekiwe kuyohlala kuyikho nokuyisibopho kodwa kuze kufinyelele endaweni lapho kungangqubuzani neNqubomgomo yeZokuthutha aBafundi yase-KZN noma iNqubomgomo kaZwelonke.

**23. UKUCHAZWA KWEMISEBENZI****Abashayeli**

1. Abashayeli bezimoto zabafundi abanezidingo ezikhethekile baqashwa yi- KZN DOE noma yi-SGB.
2. Akekho umuntu oyoqashwa njengomshayeli ngaphandle kokuba –
  - (a) ehlangabezana nalezi zidingo eziyisisekelo –
    - i. imfundo esemthethweni aze afike kuphinde kufake nebanga le-10;
    - ii. ilayisense yokushayela eyiyo nefanele kanye ne-PrDP;
    - iii. ekhombise ikhono nobuchule ezibophweni ezibekiwe; kanye
    - iv. nanoma yisiphi esinye isidingo i-KZN DOE, i-KZN DOT noma abaphathi besikole abangasibona sifanele;

- (b) enesimo yomumo olungele; futhi  
 (c) eneminyaka okungenani emibili (2) yesipiliyoni sokwenza umsebenzi ofanayo njengomshayeli wesithuthi azosishayela.
3. Akekho umuntu oyoqashwa njengomshayeli uma i-KZN DOE noma i-SGB inanoma yisiphi isizathu sokukholwa ukuthi umshayeli akanabo ubuntu obufanele mhlawumbe ngenxa yokuboshelwa ubugebengu, isigaba 120 woMthetho weZingane, No. 38 wowezi-2005 noma ngenxa yesinye isizathu esizwakalayo.
4. Bonke abashayeli bayokwenza lokhu –
- (a) bafake imibiko njalo njengoba idingwa wuMphathi weZokuthutha eZikoleni;  
 (b) bahlinzeke ukuthutha okuphephile nokusebenza ngesikhathi ukuze abafundi bajabulele ngokuphelele inzuzo engaba khona kuhlelokufunda lwezemfundo nezinhlalo zemidlalo nezezinhlangano ezongezelela lapho;  
 (c) bathobele yonke imithetho engenayo, izinqubomgomo nezinqubo;  
 (d) balandele imihlahlandlela yesikole ukuze kube nokuphathwa ngendlela eyiyo kwemoto;  
 (e) bagcine imoto eqokiwe ihlanzekile;  
 (f) balandele isheduli ababekelwe yona;  
 (g) hlola imoto ngaphambi kwalokho nalokho kusebenza ukuthi ayinazinkinga ezidinga ukukhandwa;  
 (h) yazisa abasemagunyeni uma kwenzeka kuba nezinkinga ezidinga umakhenikha noma ukufika emva kwesikhathi;  
 (i) baqinise ukuthi baphethe uhlu lwabo bonke abafundi abahanjiswa ngemoto okuwuhlu *olufaka kulo nolwazi olufakwe endimeni 12(5)(b)(ii) ne-(iii)*;  
 (j) behlise abafundi ezitobhini ezigunyaziwe kuphela;  
 (k) baveze ubuholi obuyibo;  
 (l) bathuthe kuphela abafundi okugunyaziwe ukuba babathuthe;  
 (m) babike zonke izingozi bese begcwalisa imibiko edingekayo;  
 (n) baqinisekise ukusebenza kwemitheshwana yokuphepha nendlelakuziphatha yabafundi emotweni;  
 (o) baphathe abafundi kanye nabasebenza nabo ngenhlonipho nesithunzi;  
 (p) bangavumeli inani labafundi abahamba ngemoto leqe isibalo okumele sithwalwe yimoto; baphinde umakhalekhukhwini noma enye indlela yokuxhumana engasetshenziswa uma kuba nesimo esiphuthumayo.
5. Izihlinzeko ezibaluliwe zincike kwiNqubomgomo yeZokuthutha ye-KZN DOE uma kuthintwa izimoto zikahulumeni.

#### **Abasiza umshayeli –**

6. Akekho umuntu okumele asebenze njengomsizi kamshayeli emotweni ethutha izingane ezinezidingo ezikhathekile ngaphandle uma ehlangabezana nezidingo ezibekwe yi-KZN DOE nabaphathi besikole.
7. Izihlinzeko ezingenayo kubashayeli endimeni 11.3 ngenhla kuyongena *ngendlela efanayo* kubo bonke abasizi babashayeli.
8. Umsizi womshayeli unesibopho sokubika kuMphathi weZokuthutha kwaseZikoleni.
9. Kudingeka asize abasebenzi basesikoleni, abazali nabashayeli basesikoleni.

10. Umthwalo osemahlombe akhe ufaka lokhu okulandelayo –
- (a) ukufaka, ukukhipha, nokuvikela abafundi ngukubabophela izihlalo noma izinduku ezibasiza uma behamba ngendlela kuncike ezintweni ezisiza ukuhamba noma izinto zokuhlala uhambe;
  - (b) ukubopha ngendlela izinto ezisizayo kanye namathuluzi njengoba edingekayo kumuntu ngamunye;
  - (c) balandele imihlahlandlela yesikole yokugcina isimo sisihle emotweni;
  - (d) ukugada bonke abafundi abanekinga yokugula;
  - (e) ukuphatha abafundi nokusetshenzwa nabo ngenhlonipho nesithunzi;
  - (f) ukusiza umshayeli wesikole ezimweni eziphuthumayo nasezimweni zokuphuma engcupheni.
11. Uma umsizi kamshayeli engatholakali ohambweni oluthile, uThishomkhulu wesikole uyoba nelungelo lokukhetha umsebenzi noma abasebenzi njengabangamela umsizi womshayeli isikhathi sonke azobe engekho ngaso.

#### 24. UHLELO LOKUKHIPHA ABANTU EZIMWENI EZIPHUTHUMAYO

1. Uma kuba nesimo esiphuthumayo umshayeli uyothatha izinyathelo ezidingekayo ukubhekana nesimo esiphuthumayo esiqondile okufaka nalokhu lapho kudingeka khona -
- (a) ukupaka imoto;
  - (b) ukusebenzisa amabhuleki okupaka;
  - (c) ukubeka ukwedlulisela ngesandla egiyeni lokuqala noma kwelokuhlehla kanye nokuhamba kwemoto ezihambelayo uma ipaka;
  - (d) uma kwenzeka kuba nengcuphe nesimo esiyingozi, noma uma indawo ingaphephile ngenxa yomlilo noma ingcuphe yezempilo, ukunquma ukuphuma endaweni;
  - (e) ukusebenzisa ikheshi ngesandla ukuba asetshenziselwe ukuphuma endaweni; Kanye;
  - (f) nokuqinisekisa ukuthi imiyalelo yakho yokuphuma endaweni noma ngabe yikuphi okunye okudinga ukwenziwa kunikezwe ngokucacile kwaphinde kwaqondwa yibo bonke abaphakathi.
2. Uma kwenzeka uphuma ngenxa yesimo, umshayeli/umsizi kamshayeli kumele -
- (a) aqaqe abagibeli kokubabophile noma amabhande abagibeli ngokuwaqqa noma ukuwasika (uma abagibeli besesihlalweni esihamba ngamasondo, qala ngokukhipha umgibeli, bese, uma isikhathi sivuma, ulande isihlalo esihamba ngamasondo);
  - (b) asuse abagibeli esitulweni noma esihlalweni esihamba ngamasondo usibeke ezingeni eliphansi (uma umgibeli ekwazi ukuhamba, msize ukuba ame);
  - (c) ahambise abagibeli endaweni yokuphuma esebenziseka kangcono;
  - (d) ahlelise abagibeli okungenani amamitha angama-50 ukusuka emotweni; aphinde
  - (e) asize abuyisele umfundi esihlalweni esihamba ngamasondo uma isihlalo singatholwa futhi lokho kuphephile nezimo zivuma.
3. Umshayeli uyoqinisekisa ukuthi imoto ihlala ihlomiswe ngesikhwanyana esivunyiwe sosizo lokuqala okumele sifake-
- (a) amagilavu;
  - (b) amathawulana okwesula;
  - (c) amabhandishi anokubanda;



- (d) imaski ye-CPR;
- (e) igozi;
- (f) itheyphu;
- (g) isikele;
- (h) okokusika ibhande lomgibeli;
- (i) ingubo yokwemboza oshayo; kanye
- (j) nesikhwanyana sokusaluketshezi lokuhlansa umzimba olugunyaziwe.

4. Umshayeli kumele aqinisekise ukuthi isikhwanyana siyahlolwa okungenani kanye ngenyanga futhi nasemuva kwesimo esiphuthumayo.
5. Uma kunesimo esiphuthumayo izinqubo ezilandelayo kumele zilandelwe -
  - (a) yazisa udispesha – IMISEBENZI YEZIMO EZIPHUTHUMAYO (10111);
  - (b) qinisekisa ukuthi lonke ulwazi oludingekayo luyahlinzekwa okufaka nalokhu okulandelayo – igama lesikole nekheli; kanye/noma -
    - ii. igama lomfundi, usuku lokuzalwa, ukukhubazeka nesimo senkinga; kanye/noma
    - iii. nanoma yimuphi umuthi othathwa wumfundi.
6. Ukuthintana nabazali noma abagadi babafundi -
  - (a) ukuthola –
    - i. ukuthi imoto engabathutha ikhona;
    - ii. uma kukhona omunye okumele aziswe, uma kunjalo, thola igama lalowo muntu nenombolo yocingo;
    - iii. uma kunezimpawu ezisanda kuba khona, noma nanoma yini enye amapharmedikhi angadinga ukuyazi esimweni esiphuthumayo;
  - (b) ukucela umzali/umgadi wengane agcine ucingo lwakhe luvulekile nokuhlala ufaka ulwazi olusha ngomumo wesimo.
7. Emva kwesimo esiphuthumayo, abaphathi besikole kanye ne-KZN DOE kumele baziswe ngokushesha.

**25. UKUTHUTHWA KWABAFUNDI ABAHAMBBA NGEZIHLELO EZIHAMBBA NGAMASONDO NOMA NGEZINYE IZINTO EZISIZA UKUKWAZI UKUHAMBBA**

1. Lapho kungenzeka khona, abagibeli bezihlelo ezihamba ngamasondo bangahanjiswa ngemoto ejwayelekile noma isihlelo esifakwa emotweni ukuze umuntu aphephe (esihlangabezana nawo wonke amazanga abekiwe). Umuntu ohanjiswa ngale ndlela kumele zifakwe nesivimbi somgibeli esihloliwe (okungukuthi, ukuhlangana kwebhande lasemathangeni/lasemahlombe noma isihlelo sengane sasemotweni). Izihlelo ezihamba ngamasondo zingahanjiswa zingahlezi muntu uma ziboshelwe ngendlela.
2. Uma ukuhambisa isihlelo ezihamba ngamasondo kudingekile, kumele kusetshenziswe isibopheli phansi esinamachopho-mane.
3. Uma kungenzeka, uhlelo lokubamba ophakathi okufaka ibhande-lasemathangeni nasemahlombe kumele lisetshenziswe.

3. Izimo okumele zibhekwe kulolu hlobo lokunqinda abaphakathi yilezi –
  - (a) Ophakathi udinga ukuba aboshwe kahle ehlukaniswe nesihlalo, kanti asikho isikhathi lapho ophakathi kumele agone isisindo sesihlalo esihamba ngamasondo noma lokho okusibophile. Uma kungenzeka isibambi sophakathi kumele sihlanganiswe nebhande lokubophela-phansi isihlalo esihamba ngamasonto ukuqinisekisa ukuthi akukho kwedlulisela isisindo ngokunweba noma ngokuqaqa amabhande okubophela-phansi isihlalo esihamba ngamasondo. (QAPHELA: Uhlelo lwebhande lokubophela-phansi kumele lukwazi ukumelana nesisindo sophakathi kanye nokuhlaliseka). Uma sisuka phansi, kudingeka kube nophenyo oluqhubekayo.
  - (b) Izinhlobo zamabhande nomumo okumele ube khona ngokusebenzisa uhlelo lokubuyisela emuva kanye/noma uhlelo lokugada ukunamathelana okuningi ukunamathisela ibhande lehlombe emotweni. Ithuluzi elihloliwe lokushayisa kumele lisetshenziswe.
  - (c) Ukufakwa kokuvimbela ihlombe emotweni phakathi/noma ngenhla nangemuvana kwegxalaba lehlombe lomuntu ophakathi. Inhloso wukuba nebhande lehlombe, inkontileka nophakathi phezu kwethambo lesifuba ngesikhathi ugwema ithambo lentamo. Inxenye yebhande lasethangeni kumele lithintane nezindawo nezitho eziqinile zephelvisi (i-iliac crests) bese ugwema izindawo ezithambile zesisu.

## 26. UHLAKA

1. Ukusebenzisa imoto ethutha abafundi abaphila nokukhubazeka –
  - (a) **Imoto yokuthutha abafundi yase-KZN abaphila nokukhubazeka iyosetshenziselwa kuphela imisebenzi yesikole njengoba kuchaze u-SASA.**
  - (b) **Ngaphambi kwemvume yangaphambili okumele itholakale kwi-KZN DOE uma imoto ebekelwe isikole esithile igcine isisetshenziswa esinye isikole noma wumqashwa we-KZN DOE.**
  - (c) **Akukho la izimoto okungeze-KZN DOE ziyisetshenzisekwa izinhloso zezepolitiki noma iziteleka.**
2. Abagibeli
  - (a) **Abekho abantu ngaphandle kwabafundi abafanelekile ukugibela emotweni yabafundi abayofakwa emotweni ngaphandle uma abantu abanjalo begunyazwe ngokubhaliwe wuThishomkhulu wesikole.**
  - (b) **Akukho lapho umshayeli okumele agibele khona abantu abangagunyaziwe emotweni kanti uma enze njalo uyojiziswa bese kumele akhokhe. I-KZN DOE ngeke ibe nesibopho sokukhokhela ukulimama okuyoqhamuka ekulimaleni kwabantu abanjalo abangagunyaziwe.**
3. Igunya lokusebenzisa imoto
  - (a) **Akukho zinkambo okumele zithathwe ngaphandle kukaThishomkhulu wesikole, ukwedlula lapho, umsebenzi wezokuthutha asayinele uhambo olugunyaziwe. Esikhathini lapho umshayeli ephambana nalokhu kuhlinzeka, uzoba necala nokuthi kumele akhokhele nanoma yikuphi ukulimala okuwumphumela wohambo bese belahlekelwa wukuvikelwa wuhulumeni.**

- (b) Imvume esayiniwe yohambo kumele iphathwe emotweni kanye nekhophi efakwe efayeleni ehhovisi lezimoto.
- (c) UThishomkhulu wesikole noma lowo amjubile kumele barekhode isimo semoto, ubungako bukaphethiloli ethangeni, ilogibhukhu kanye nezinombolo zamakhadi kaphethiloli okumele lisayinwe wumshayeli. Umshayeli unesibopho semoto ngaleso sikhathi. Umshayeli kumele alethe zonke iziliphu zikaphethiloli/udizili/uwoyela kuThishomkhulu wesikole ukuze azihlole emva kwalolo nalolo hambo.

#### 4. Ukupaka ubusuku bonke

- Ezimweni ezijwayelekile izimoto kumele zipakwe ezindaweni ezisemthethweni. UThishomkhulu wesikole noma lowo amthumele ukupaka okugunyaziwe kwaleyo naleyo moto. Izindawo zokupaka kumele kube ekhuyekayo noma zibe nonogada amahora angama-24. Uma imoto ingekho ekhaya la ivame khona, umshayeli kumele usebenzise okokukhiya isiteringi noma igiya. Uma kungekho indawo ephephile, imoto kumele ipakwe endaweni yomthetho, isib. esiteshini samaphoyisa. Umshayeli wemoto unesibopho sokuqinisekisa ukuthi imoto ipakwe endaweni ephephile njengoba izimo zivuma.
5. Amalogibhukhu, amakhadi kaphethroli, izikhiye zemoto, amathuluzi emoto. Umshayeli unesibopho sokubheka ilogibhukhu, okhiye nekhadi likaphethroli uma imoto ifomu lokukhipha imoto selisayiniwe kuze kube isibuyisiwe kumsebenzi wezokuthutha ekupheleni kohambo. Zonke izikhiye zemoto kumele zibekwe endaweni ephephile (endaweni eyisiqukathi esikhiyiwe) ehhovisi lezokuthutha uma imoto ingasetshenziswa. Ukhuyisele kumele igcinwe endaweni ephephile, isib. esisefweni sasehhovisi.
6. Ikhadi likaphethroli kumele lithathwe njengokheshi kanti umshayeli uyoba nesibopho sakho konke ukusetshenziswa kwalo ngaso sonke isikhathi uma likuyena. Onke amarisidi kaphethiloli kumele agcinwe bese ekhishwa uma imoto isibuyiselwa kuThishomkhulu wesikole noma umuntu oqokiwe. Kuyisibopho somshayeli ukugcwalisa ilogibhukhu yemoto ngokubonakalayo nangendlela. Amathuluzi ahamba ngalinye njengesondo eliyisipele, ibhokisi lamathuluzi, ujeke nanoma yikuphi okokwengeza kanti kuyohlala kuyisibopho somshayeli kuze kube yisikhathi sokubuyisela imoto la ihlala khona.

#### 27. IZINHLELO ZOKULAWULA

1. Izinkomba ezisemqoka ezilandelayo kumele zibekwe kuleyo naleyo moto abaphethe isikole kanye nomqondisi wesifunda-
- (a) ukusebenzisa uwoyela (km/l);  
 (b) amakhilomitha angampela ahanjiwe;  
 (c) izindleko zonke zokuyigcina isesimweni;  
 (d) izindleko zokuyigcina isebenza ngekota;  
 (e) izindleko zokusebenza kwayo ngekota.
2. UThishomkhulu wesikole noma umuntu obekiwe okumele aqaphe izinkomba zokubhekana nokushodayo noma okungalungile ngokushesha.
3. Ukulahlwa kwezimoto ezihoxiswe emsebenzini kumele kwenziwe ngokuhambisana nezihlinzeko zeMiyalelo yoMnyango weZezimali neMitheshwana yamaThenda.

4. INhloko: eZemfundo angagunyaza ukusetshenziswa kwezimoto ezinabanikazi bangasese uma kushibhile ukwenza njalo. Ukukhokha imali yokwelekelela, izimali zesikole nanoma iyiphi eminye imithombo esemthethweni ingasetshenziselwa leyo nhloso.

## **28. AMALOGIBHUKHU**

1. Amalogishidi kumele agcwaliswe ngayo yonke imininingwane, ngesikhathi noma emva nje kohambo lomshayeli.
2. Umhlinzeki wamalogibhukhu noma amafomu atholakala kuBagayi bakaHulumeni noma i-KZN DOE.
3. UThishomkhulu wesikole, umuntu ogunyaziwe noma umsebenzi osebenzisa imoto okumele abe nokunakekela okubalulekile mayelana nokubekwa ngokuphephile kwamalogibhukhu, okhiye nekhadi lemoto.

## **29. INANI LABAGIBELI EZIMOTWENI**

Inani labagibeli lanoma iyiphi imoto ye-KZN DOE akumele ledlule isindo esiphakanyiswe wumakhi wemoto. Abaphathi besikole kanye/noma umshayeli bangazithola bengathola isijeziso esingehliswa yinoma iyiphi inkantolo ngokwenza icala lokugcwalisa imoto ngokweqile. Uma inani labagibeli lihanjiswa ngemoto, kumele kuqashelwe ukuthi iqashwe ngeso lokhozi ngazo zonke izikhathi ukuze kuvinjelwe nanoma yikuphi ukulimala noma ukulahlekelwa okungaba khona. Ukulimala noma ukulahlekelwa okungadalwa wukuba nabagibeli abangaphezu kwesibalo noma ukulawula okuwubudedengu obungaphezu kwenani labagibeli ezimotweni kuyokhokhelwa abaphathi besikole kanye/noma umshayeli.

## **30. UKUBAMBISANA KWABASEBENZI NABAQASHIWE UKUTHUTHUKISA UKUSEBENZA NGENDLELA EKHANJISWENI KWEZIMOTO**

1. Izimoto kumele zihlolwe abasebenzi baka-KZN DOE ukuqinisekisa ukuthi isithuthi sabafundi sisesimweni esiyiso sokukhandwa nokusebenza ngendlela nokuthi imiyalelo edingekayo iyalandelwa. Abantu abaphethe izithuthi zabafundi kumele banikeze lonke ulwazi oludingwa yilabo basebenzi.
2. Abasebenzi noma abaqashiwe kumele bayeke ukusebenzisa u-inki oluhlaza satshani noma amapensela uma begcwalisa nanoma yimaphi amadokhumenti mayelana nokusebenzisa nokugcina esimweni izimoto zikahulumeni.
3. Ukungahambisani neNqubomgomo yase-KZN yeZithuthi Zabafundi, nanoma yimaphi amasekhula noma imiyalelo ekhishwe yiziNhloko: zezeMfundo nezokuThutha noma okuvela kumafomu noma ezincwadini ezisetshenziswa mayelana nokuhamba ngokusemthethweni nezokuthutha, kuyokwenza ukuba abasebenzi abenze icala, ezimweni ezithile, ukwenza ngcono noma yikuphi okulahlekile.

## **31. UKULUNGELA UKUBA SEMGWAQWENI KWEZIMOTO**

1. Umshayeli wemoto ngazo zonke izikhathi aqinisekise ukuthi imoto isesimweni esilungele ukuba semgwaqweni ngokugxila esitelingini nakumabhuleki, amalambu, amanati amasondo, umumo wamathayi namabhande okuphepha.

2. Nanoma yikuphi ukungaphili okutholakalayo kumele kukhandwe ngaphambi kokuba kuholele ekulimaleni. Lokho kungaphili kufaka ukushisa kwenjini okusezingeni eleqile nokushoda komfutho wamafutha. Kulezi zikhathi, injini kumele icishwe ngokushesha. Imoto akumele ishayelwe kuze kube inkinga iyalungiswa. Kuelso sikhathi isivalo sikarediyetha akumele sivulwe kuze kube injini iyaphola, bese kuncika kulokho okungenzeka noma izimo, amanzi asenganezelwa kodwa lokho kungezniwa kuphela uma injini iduma.
3. Umshayeli kumele anake ngendlela amageji akwideshibhodi nama-indikheytha, bese ethatha izinyathelo eziyizo ngokushesha uma kwenzeka kuqapheleka into engeyinhle.
4. Isitifiketi sokulungela ukuba semgwaqweni njengoba kudingwa wuMtheshwana 267 soMthetho woBuningi beZimoto, No. 29 wowe-1989, neKhadi lokuSebenzisa izimoto ezingumthamo ongaphezu kwezi-3 500 zamakhilogramu kumele zivezwe ngaso sonke isikhathi ngazo zonke izinhlobo zezimoto.

### **32. UKUSHAYELA OKUPHEPHILE**

1. Ubungakomthamo wezimoto kanye neminye imitheshwana eqondene nabasebenzisi bomgwaqo kumele ilandelwe ngaso sonke isikhathi. Lapho lemithetho ingalandelwa, abashayeli bayobanga bafanele ukujeziswa okuhlelwayo.
2. Isivinini esibekiwe sesithuthi akumele seqiwe nganoma yingasiphi isikhathi.
3. Abasebenzisi bezimoto kumele bahloniphe imithetho yomgwaqo ngaso sonke isikhathi.

### **33. UKUGCINWA OKUPHEPHILE KWEZIMOTO**

Abasebenzi abagade izimoto kumele baqinisekise ukuthi izimoto zifakwe kahle egaraji noma zipakwe kahle kanti kumele ngaso sonke isikhathi bathathe izinyathelo ezizwakalayo ukuzigada okufaka namathuluzi, ukuze zingebiwa, ukungasetshenziswa ngendlela, ukulimala nomlilo. Akukho zimo lapho ama-athikhili noma amadokhumenti, noma ezikaHulumeni noma indawo yomuntu, zishiywe phezu noma ngaphansi kwezihlalo, phansi ebhokisini elakhelwe emotweni ngesikhathi leyo moto ipakiwe noma ishiywe ingagadiwe. Uma ama-athikhili anjalo noma amadokhumenti kumele ahlale esemotweni, kumele akhiyelwe ebhuthini. Uma, ngenxa yesisindo kanye/noma usayizi, kubuye kungenzeki ukuhambisa ama-athikhili ebhuthini yemoto, umshayeli noma omunye umsebenzi onesibopho okumele aqaphele ngayo yonke indlela nangokungenzeka ukugada leyo mpahla ngaphambi kokushiya imoto ungadwe muntu. Abasebenzi noma abaqashiwe bayobekwa icala nganoma yingakuphi ukulahleka kwezimoto noma ezimotweni okudalwe wukungalandeli lezi zihlinzeko.

### **34. UKUBEKA EGARAJI NOKUPAKA IZIMOTO**

1. Lapho kungenzeka khona izimoto zikahulumeni kumele zifakwe egaraji noma zipakwe ezindaweni zikaHulumeni. Akukho zimo ezingenza izimoto zibekwe egaraji likaHulumeni, ngaphansi kwamakhaphothi noma izindawo zokupaka lapho abantu abangagunyaziwe bekwazi ukufinyelela kalula. Imizamo edingekayo kumele yenziwe ngaso sonke isikhathi ukuvikela izimoto ukuze zingalahleki noma zebiwe.
2. Uma kwenzeka ukuthi izimoto zinohambo, ukulungiselela okuyindlela eyiyo kumele kwenziwe lapho izindawo lapho kungekho khona amagaraji asemthethweni, kanti zonke izindleko ezithwaliwe kulokhu kuxhuma kuyomele zithwalwe yisikole esisebenzisa imoto.
3. Uma umshayeli esebenzisa amamitha okupaka nezindawo zokupaka ngesikhathi esebenza, izindleko ezithwelwe ngokunesidingo kumele akhokhelwe yisikole.

### 35. UKUVEZWA OBALA KWEZINOMBOLO ZOKUREJISTA NAMADISKI OKUTHELA EZIMOTWENI ZIKAHULUMENI

Gcina izinombolo zokurejista ezijwayelekile namanye amapuleti avunyiwe noma amamaki akhombisa ukuthi imoto ingeka-KZN DOE, ayizibazi, ubunikazi bemoto, ayinazibazi, amaskhothi, izitikha noma izinto zokukhangisa zingabekwa endaweni ebonakalayo kuleyo moto ngaphandle kwemvume yyeNhloko: KZN DOE.

### ISIGABA 3: OKWEJWAYELEKILE

#### 36. IKOMIDI LOKUPHATHA IZINHLELO

1. IKomidi lokuLawula uHlelo liyoqokwa ngokuhlanganyela yiziNhloko: yeMfundo neZokuthutha bese –

**(a) liba okungenani namalungu ayishumi (10) avela kuyona yomibili iMinyango nokuyofaka -**

- i. I-KZN DOT, Isekela loMqondisi-Jikelele: iMisebenzi yeZokuthutha;
- ii. IZikhulu eZiphezulu zeZimali ze-KZN DOE ne-KZN DOT;
- iii. ABaqondisi aBakhulu be-KZN DOE ne-KZN DOT banesibopho sezinhlelo zokuthutha abafundi;
- iv. IMenenja eQondene: i-KZN DOT: Imisebenzi ueZokuthutha uMphakathi;
- v. IMenenja eQondene: i-KZN DOE: Ihhovisi loMqondisi weZokuthutha aBafundi;
- vi. I-KZN DOE: uMqondisi: Imfundi efaka konke;
- vii. umsebenzi oyedwa oqhamuka eMnyangweni ngamunye;

**(b) liyophathwa yi-KZN DOT, u-DDG: iMisebenzi yokuThutha.**

2. IKomidi lokuLawula uHlelo liyo –

**(a) dingida zonke izindaba ezimayelana nokuhlela, ukuphatha nokuqalisa ukusebenza kwezinhlelo zokuthutha abafundi. Lizogxila ohleweni lwezimali oluqhutshwa yizidingo zezokuthutha abafundi nezinye izindaba ezihlobene nezezimali nesabelozimali ngokuhambisana nokuhlinzekwa wuMthetho wokuPhathwa kweZimali zikaHulumeni, wowe-1999, kanye nezihlinzeko zoPhiko loMthetho weZimali zeNtela wowezi-2009;**

**(b) kwakha uhlelozimali olufaka izindleko ezilinganisiwe kuzo zonke izindawo zokuhlinzeka imisebenzi, ukuqapha, imisebenzi/ukuhlukana kwezimo eziphuthumayo nanoma yisiphi esinye isidingo esingaba khona;**

**(c) bamba imihlangano ngamakota.**

#### 37. IMIHLANGANO YANYANGA ZONKE YOKUSEBENZA

1. Imihlangano yanyanga zonke yokusebenza iyobanjwa ngezinjongo ezifaka kodwa zingagcini kulokhu -

- (a) ukuhlola ikhwalithi yokulethwa imisebenzi;**
- (b) ukuqinisekisa ukuhambisana nezibopho zenkontileka;**
- (c) ukuhlola isidingo sanoma yikuphi ukuguquka kwemizila noma abasebenzayo nabenza nanoma yiziphi iziphakamiso mayelana nalokho;**

- (d) ukuhlola isidingo sokugcina izimoto zokuthutha abafundi abaye ezikoleni zabafundi abakhubazekile zisesimweni baphinde benze iziphakamiso mayelana nalokho;
- (e) ukucubungula isidingo sokuthenga izimoto ezongeziwe zezikole zabafundi abakhubazekile zikahulumeni nokwenza iziphakamiso ngalokho;
- (f) nokwenza iziphakamiso eKomidini lokuPhathwa koHlelo mayelana nanoma iyiphi indaba ehlobene nokuthuthwa kwabafundi okwejwayelekile.

### 38. UKUBIKA

1. Iminyango okuyiyona eqalisa ukusebenza kumele ihlanganise imibiko yamakota yokuqalisa ukusebenza iyihambise eMnyangweni kaZwelonke weZokuthutha noweMfundo eYisisekelo. Imibiko kumele isayinwe yiziNhloko: weZokuthutha neyezeMfundo ngaphambi kokuthi ihanjiswe eMnyangweni kaZwelonke.
2. Abasebenzi abavela eminyangweni eqalisa ukusebenza kumele babike emihlanganweni yamakota eKomidini eliHolayo leZithuthi zaBafundi kuZwelonke ngazo zonke izindaba ezimayelana nokuthuthwa kwabafundi *okufaka kodwa kungapheleli* kubafundi abathuthwayo eSifundazweni okufaka nabafundi abasezikoleni zikahulumeni zabafundi abanokukhubazeka kanye nabafundi abahanjiswa ngezimoto zikahulumeni.

### 39. UKUQAPHA IZITHUTHI ZABAFUNDI YIZIKOLE NEZIFUNDA

1. Ezingeni eliyisisekelo kakhulu, ukuqapha kwansuku zonke kwezithuthi zabafundi kumele kwenziwe ezingeni lesikole yilabo bantu abaqokwe wuThishanhloko.
2. Izikhalazo ezibhalwe phansi ezivela ezinganeni nakubazali kumele kuxazululwe oThishomkhulu bezikole uma kwenzeka nasezimweni okuyizo oThishomkhulu kumele adlulise izikhalazo kumqondisi wesifunda ukuba azibheke.
3. Umqondisi wesifunda kumele alalele izikhalazo kanti uma kunesidingo edlulisele udaba eNhloko hovisi ngenwadi.

### 40. UKUHLELA

1. Inqubomgomo kaZwelonke igxila esidingweni seSifundazwe ukuba siqinisekise ukuthi kunokuhlela olwanele ukuba kuhlangantshezwane nezinjongo.
2. INqubomgomo kaZwelonke ibeka ngokucacile amasungqo eSifundazwe nanoma yiziphi izinhlelo zikahulumeni okumele zivunywe wuMphathiswa (noma abasebenzisana noMphathiswa) abengameli yokuqalisa ukusebenza kokuthuthwa kwabafundi bese beletha lokho kwi-DOT.
3. ISifundazwe siyolungisa izinhlelo zokuqalisa ukusebenza ngokuhambisana nalolo hlaka njengoba lungahlinzekelwa ukuqalisa ukusebenza kweNqubomgomo kaZwelonke.
4. Ekungabini khona kohlaka olunjalo iNqubomgomo yeZokuthutha aBafundi e-KZN kuyoba yiyona esebenzayo.
5. Uma uhlaka lukazwelonke luhlinzekwe yi-DOT lokho kuhlinzeka kuyohlelela izihlinzeko zeNqubomgomo yeZokuthutha aBafundi.

6. Nanoma yiziphi izinhlelo zokuqalisa ukusebenza kwezinhlelo zokuthutha abafundi eSifundazweni zihlose ukuhlangabezana nezidingo zabafundi abafanelwe wukusebenzisa ezokuthutha zabafundi.
7. I-KZN DOE kanye ne-KZN DOT bayobuyekeza ubunjalo bezithuthi zabafundi okungenani njalo eminyakeni emithathu bese bethula izinhlelo ezisuselwa kulezo njalo eminyakeni emihlanu.

**41. UKUSEBENZA NGOKUBAMBISANA NOMPHEKATHI**

Uhulumeni weSifundazwe saKwaZulu-Natali uyoba nelungelo lokusebenzisana nomphakathi ukuthola izimali ezokuthutha abafundi okuyinto encike ekunikweni kwemvume wuHulumeni kaZwelonke.

**42. USUKU LOKUQALISA UKUSEBENZA, UKUCUBUNGULA NOKUBUYEKEZA**

1. Kungabekwa eceleni usuku lokuvunywa yiziNhlolo: yeZemfundo neyeZokuthutha. Le Nqubomgomo yeZokuthutha aBafundi yase-KZN iyiqala ukusebenza kusukela ngosuku olubekiwe.
2. INqubomgomo yeZokuthutha aBafundi yase-KZN iyoba ngaphezu kweNqubomgomo yeZokuthutha aBafundi yase-KZN kaNdasa wowezi-2013 kusukela ngosuku iqala ukusebenza.
3. Le Nqubomgomo yeZokuthutha aBafundi yase-KZN iyobuyekwezwa yi-KZN DOT ne-KZN DOE uma nangesikhathi kuba nesidingo inqobo nje uma izobuyekwezwa okungenani njalo eminyakeni emihlanu kusukela ngesikhathi iqala ukusebenza.









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