

# Provincial Gazette Extraordinary

# Buitengewone Provinsiale Koerant

5834

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EDUCATION DEPARTMENT:

**NOTICE OF INTENTION TO ESTABLISH SINGLE COUNCILS FOR TWO OR MORE PUBLIC FURTHER EDUCATION AND TRAINING INSTITUTIONS IN TERMS OF SECTION 10(1) OF THE FURTHER EDUCATION AND TRAINING ACT, 98/1998**

Under the powers vested in me by section 10(1) of the Further Education and Training Act, 98/1998, I, ANDRÉ HURTLEY GAUM, Member of the Provincial Cabinet responsible for Education: Western Cape, hereby state my intention to establish single councils for the clusters of Public Further Education and Training Colleges as set out below. These councils will be responsible for the governance of the newly declared public Further Education and Training Institutions which have yet to merge in accordance with the new institutional landscape for PFET colleges in the Western Cape. Their term of office shall expire on the day before the first meeting of the new councils for the merged PFET Institutions constituted in terms of section 9 of the FET Act.

**(i) CENTRAL METROPOLE CLUSTER**

Athlone College  
Cape College  
Western Province College  
Sivuyile College

**(ii) NORTHERN METROPOLE CLUSTER**

Bellville College  
Protea College  
Tygerberg College  
Wingfield College

**(iii) SOUTHERN METROPOLE CLUSTER**

South Peninsula College  
Westlake College

The appointment of FET governance structures implies the complete dissolution of all governance structures in these institutions (including campus councils) established in terms of legislation other than the Further Education and Training Act No. 98 of 1998.

Comments must be forwarded to the Director: Further Education and Training within 30 days of the publication of this notice at the following address:

**(1) mail to:**

The Head: Education  
(Attention: Mr. Z. Siyengo)  
Western Cape Education Department  
Private Bag X9114  
CAPE TOWN  
8000

**(2) fax to (021) 467-2996 at the above address****(3) email at [Zsiyengo@wced.wcape.gov.za](mailto:Zsiyengo@wced.wcape.gov.za)**

ANDRÉ HURTLEY GAUM

MEC: EDUCATION

**SCHEDULE**

Provisions relating to the composition of section 10 Councils for newly declared Public Further Education and Training Institutions in terms of sections 8, 9 and 10 of the Further Education and Training Act, Act 98 of 1998.

The MEC has in terms of sections 8, 9 and 10 of the Further Education and Training Act, determined the provisions relating to the composition of section 10 Councils for newly declared Further Education and Training Institutions.

**KENNISGEWINGS DEUR PLAASLIKE OWERHEDE**

PROVINSIE WES-KAAP:

ONDERWYSDEPARTEMENT:

**KENNISGEWING VAN VOORNEME OM 'N ENKELE RAAD VIR TWEE OF MEER INRIGTINGS VIR OPENBARE VERDERE ONDERWYS EN OPLEIDING DAAR TE STEL KRAGTENS ARTIKEL 10(1) VAN DIE WET OP VERDERE ONDERWYS, 98/1998**

Ingevolge die bevoegdheid aan my verleen kragtens artikel 10(1) van die Wet op Verdere Onderwys en Opleiding, 98/1998, gee ek, ANDRÉ HURTLEY GAUM, Lid van die Provinsiale Kabinet verantwoordelik vir Onderwys: Wes-Kaap, hiermee my voorneme te kenne om 'n enkele raad vir elk van die groepe Kolleges vir Openbare Verdere Onderwys en Opleiding (OVOO) hieronder genoem, daar te stel. Hierdie rade sal verantwoordelik wees vir die beheer van die nuut verklaarde inrigtings vir openbare verdere onderwys en opleiding wat nog moet saamsmelt kragtens die nuwe institusionele landskap vir OVOO-kolleges in die Wes-Kaap. Hulle ampstermyn sal verstryk op die dag voor die eerste vergadering van die nuwe rade vir die saamgesmelte OVOO-inrigtings wat tot stand gekom het kragtens artikel 9 van die VOO-wet.

**(i) METROPOOL-SENTRAAL GROEP**

Athlone Kollege  
Kaaipstad Kollege  
Westelike Provinsie Kollege  
Sivuyile Kollege

**(ii) METROPOOL-NOORD GROEP**

Bellville Kollege  
Protea Kollege  
Tygerberg Kollege  
Wingfield Kollege

**(iii) METROPOOL-SUID GROEP**

Peninsula-Suid Kollege  
Westlake Kollege

Die aanstelling van VOO-beheerstrukture impliseer die totale ontbinding van alle beheerstrukture in hierdie instansies (insluitende kampusrade) wat tot stand gekom het kragtens wetgewing anders as die Wet op Verdere Onderwys en Opleiding, No. 98 van 1998.

Kommentaar moet binne 30 dae na die publikasie van hierdie kennisgewing gerig word aan die Direkteur: Verdere Onderwys en Opleiding by die volgende adresse:

**(1) Pos aan:**

Die Hoof: Onderwys  
(Aandag: Mnr. Z. Siyengo)  
Wes-Kaap Onderwysdepartement  
Privaatsak X9114  
KAAPSTAD  
8000

**(2) Faks aan (021) 467-2996 by bostaande adres****(3) E-pos aan: [Zsiyengo@wced.wcape.gov.za](mailto:Zsiyengo@wced.wcape.gov.za)**

ANDRÉ HURTLEY GAUM

LUR: ONDERWYS

**SKEDULE**

Bepalings ten opsigte van die samestelling van artikel 10-Rade vir nuwe inrigtings vir Openbare Verdere Onderwys en Opleiding ingevolge artikels 8, 9 en 10 van die Wet op Verdere Onderwys en Opleiding, Wet 98 van 1998.

Die LUK het, ingevolge artikels 8, 9 en 10 van die Wet op Verdere Onderwys en Opleiding (VOO), die bepalings vir die samestelling van artikel 10-Rade vir nuwe Inrigtings vir Verdere Onderwys en Opleiding opgestel.

## Definitions:

1. In the schedule unless the contents indicate otherwise, expressions defined in the Act have the same meaning and:
  - \* Act means the FET Act (Act 98 of 1998)
  - \* Minister means the MEC for Education
  - \* Student Representative Council means SRC referred to in section 8(1) of the Act and;
  - \* Cluster refers to the group of Further Education and Training Institutions under the governance of a single council as determined by the MEC in terms of section 10 of the FET Act and which are to be merged.
  
2. Section 10 Council consists of:
  - (a) the principal of each of the individual FET Institutions that form part of the cluster
  - (b) one vice-principal elected from all the vice-principals of the cluster
  - (c) not more than five members to be appointed by the MEC in terms of section 9(4)(c) of the Act
  - (d) one member of the academic board elected from all academic board members in the cluster
  - (e) one educator elected from amongst the educator ranks in the cluster
  - (f) one student elected from amongst the students in the cluster
  - (g) one staff member other than an educator elected from the ranks of other staff members
  - (h) not more than 20 such additional members per PFET Institutions as may be determined by the council in consultation with the MEC.

(Members elected under subsections (b), (d), (e), (f), (g) shall be equitably representative of all Institutions in the cluster.)
  
3. Establishment of the section 10 Council
  - 3.1 The MEC shall establish a committee to identify suitable persons to be appointed in terms of section 9(4)(c).
  - 3.2 The incumbent principals or acting principals, of the colleges to be declared FET Institutions must ensure that elections are conducted in terms of sections 2(b), (d), (e), (f) and (g) of this notice in due time. The names of elected persons must be submitted to the WCED one week after declaration. A facilitator, to be appointed by the MEC or an official of the provincial education department, is to monitor and support the election process.
  - 3.3 Existing councils of each PFET must nominate not more than five serving councillors to be appointed in terms of section 9(h) of the Act and section 2(h) of this notice. The names of these councillors must be submitted to the department one week after declaration.
  
4. Election of office bearers of the section 10 Council.
  - 4.1 The election of office bearers and Internal members for the section 10 Council shall be in terms of section 2(b), (d), (e), (f) and (g) of this notice.
  - 4.2 The current serving officials of the groupings described in 2(b), (d), (e), (f) and (g) must meet per individual groups to elect from their midst the respective member who will represent their respective category of persons on the section 10 Council. The elections will be from nominations from each of the Further Education and Training Institutions that is part of the cluster and the member will be determined by the majority of votes cast for that specific person. The process will be monitored by the Director: Further Education and Training or his nominees. Notice must be given of the meeting to all persons within a specific category as contemplated in sections 2(b), (d), (e), (f) and (g) of this Notice which will indicate the time, venue and purpose of the meeting.

## Definisies:

1. Tensy dit anders aangedui word, het uitdrukkings in die skedule soos in die Wet gedefinieer dieselfde betekenis en
  - \* Wet dui op Die Wet op Verdere Onderwys en Opleiding (Wet 98 van 1998)
  - \* Minister dui op die LUK vir Onderwys
  - \* Verteenwoordigende Studenteraad is die VSR waarna in artikel 8(1) van die Wet verwys word.
  - \* Groep dui op die groep inrigtings vir Verdere Onderwys en Opleiding onder bestuur van 'n enkele raad soos bepaal deur die LUK ingevolge artikel 10 van die VOO Wet en wat gaan saamsmelt.
  
2. 'n Artikel 10-Raad sal bestaan uit:
  - (a) Die prinsipaal van elkeen van die individuele VOO-inrigtings wat deel uitmaak van die groep.
  - (b) Een vise-prinsipaal verkies uit al die vise-prinsipale van die groep.
  - (c) Nie meer as vyf lede deur die LUK aangestel ingevolge artikel 9(4)(c) van die Wet.
  - (d) Een lid van die akademiese raad verkies uit al die lede van die akademiese raad van die groep.
  - (e) Een opvoeder verkies uit die opvoedergelede in die groep.
  - (f) Een student verkies uit die verteenwoordigende studenteraad.
  - (g) Een personeellid, anders as 'n opvoeder, verkies uit die gelede van ander personeellede.
  - (h) Nie meer as 20 sodanige addisionele lede per inrigtings vir OVOO soos bepaal deur die raad in konsultasie met die LUK.

(Lede verkies volgens subseksies (b), (d), (e), (f), (g) sal verteenwoordigend op 'n gelykberegtigde wyse van alle inrigtings in die groep wees.)
  
3. Samestelling van die artikel 10-Raad
  - 3.1 Die LUK sal 'n komitee saamstel om geskikte persone te identifiseer wat ingevolge artikel 9(4)(c) aangestel sal word.
  - 3.2 Die huidige prinsipale of waarnemende prinsipale, of die kolleges wat as VOO inrigtings verklaar gaan word, moet seker maak dat verkiesings mettertyd plaasvind ingevolge artikels 2(b), (d), (e), (f) en (g) van hierdie kennisgewing.
  - 3.3 Die bestaande rade van elke OVOO moet nie meer as vyf diensdoende raadslede nomineer om aangestel te word ingevolge artikel 9(h) van die Wet en artikel 2(h) van hierdie kennisgewing. Die name van hierdie raadslede moet aan die Departement voorgelê word 'n week na die verklaring.
  
4. Verkiesing van ampsdraers van die artikel 10-Raad
  - 4.1 Die verkiesing van ampsdraers en interne lede vir die artikel 10-Raad sal plaasvind ingevolge artikels 2(b), (d), (e), (f) en (g) van hierdie kennisgewing.
  - 4.2 Die huidige diensdoende amptenare van die groeperings soos beskryf in 2(b), (d), (e), (f) en (g) moet in individuele groepe vergader om uit hulle midde die betrokke lid te verkies wat daardie besondere kategorie van persone op die artikel 10-Raad sal verteenwoordig. Die verkiesing sal geskied van nominasies van elk van die inrigtings vir VOO wat deel van die groep vorm, en die lid sal die een wees wat die meerderheid van die stemme op hom of haar verenig. Die proses sal gemonitor word deur die Direkteur: Verdere Onderwys en Opleiding of sy genomineerdes. Kennis van die vergadering moet gegee word aan alle persone binne 'n bepaalde kategorie soos uiteengesit in artikels 2(b), (d), (e), (f) en (g) van hierdie kennisgewing, met 'n aanduiding van die tyd, vergaderplek en doel van die vergadering.

## 4.3

The first meeting of the section 10 Council must be convened within five working days after its appointment by the MEC for the election of the Chairperson, Vice-Chairperson, Honorary Treasurer and Secretary. (The latter must be from the ranks of serving staff members excluding principals.) The Director: FET or his nominee shall chair the meeting until a chairperson is elected. The election of the office bearers shall be by secret ballot.

## 5. Disqualification

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

- (a) has been convicted of an offence and sentenced to more than 12 month's imprisonment without the option of a fine either in the Republic of South Africa or outside the Republic if the conduct constituting such offence would have been an offence in the Republic but no one may be regarded as having been sentenced until an appeal against the conviction or sentence has been determined, or until the time for an appeal has expired, provided that a disqualification under this paragraph end five years after the sentence has been completed.
- (b) is of unsound mind and has been declared so by a competent court.

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

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

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

- (a) resigns;
- (b) has been absent for two consecutive meetings of an academic board or student representative council, as the case may be; or
- (c) is no longer employed at the public Further Education and Training Institution concerned or is no longer a student of the public Further Education and Training Institution concerned, as the case may be.

## 6. Filling of Vacancies

6.1 Whenever a vacancy arises on a council, academic board or student representative council, the member who fills that vacancy must hold the office for the remainder of the term of office of the departing member.

6.2 If a vacancy arises as a result of the departure of an elected member of a council, academic board or a student representative council, the vacancy must be filled by the election of a new representative by the body or group so represented.

6.3 (a) If a vacancy arises as a result of the departure of a council member—

- (i) appointed by the MEC in terms of section 9(4)(c) of the Act, the MEC must appoint a person from those nominated in terms of section 9(9) of the Act at the commencement of the term of office of the departing member in terms of the Act.

## 4.3

Die eerste vergadering van die artikel 10-Raad moet belê word binne vyf werksdae na aanstelling deur die LUK, vir die verkiesing van die voorsitter, vise-voorsitter, eretesourier en sekretaris. (Lg. moet kom uit die geledere van diensdoenende personeellede, prinsipale uitgesluit.) Die Direkteur: VOO of sy genomineerde sal voorsit op die vergadering tot 'n voorsitter verkies is. Die verkiesing van ampsdraers sal geskied volgens geheime stembriefies.

## 5. Diskwalifikasie

5.1 Niemand mag 'n raadslid van 'n inrigting vir Openbare Verdere Onderwys en Opleiding wees indien hy of sy

- (a) skuldig bevind is aan 'n oortreding en vir meer as 12 maande gevangenisstraf gevonnissen is, sonder die opsie van 'n boete, in die Republiek van Suid-Afrika of buite die Republiek, indien die gedrag wat so 'n oortreding uitmaak 'n oortreding in die Republiek sou wees, maar niemand mag geag gevonnissen te wees totdat 'n appèl teen die skuldigbevinding of vonnis aangeteken is, of tot tyd en wyl die tyd vir appèl verstryk het, op voorwaarde dat 'n diskwalifikasie onder hierdie paragraaf verstryk vyf jaar nadat die vonnis uitgedien is.
- (b) Geestesiek is en as sodanig deur 'n bevoegde hof verklaar is.

5.2 'n Lid sal sy of haar kantoor as raadslid ontruim indien hy of sy

- (a) bedank;
- (b) vir twee agtereenvolgende vergaderings afwesig was sonder die raad se verlof;
- (c) nie meer in diens is by die betrokke openbare inrigting vir verdere onderwys en opleiding nie, indien hy of sy aangestel is ingevolge artikel 9(4)(a), (b), (d), (e) of (g) van die Wet;
- (d) nie meer 'n student van die bepaalde openbare inrigting vir verdere onderwys en opleiding is nie of aangestel is ingevolge artikel 9(4)(f) van die Wet.

5.3 'n Persoon ontruim sy of haar kantoor as 'n verkose akademiese raadslid of verteenwoordigende studenteraadslid indien hy of sy—

- (a) bedank;
- (b) afwesig was vir twee agtereenvolgende vergaderings van 'n akademiese raad of verteenwoordigende studenteraad, soos die geval mag wees;
- (c) nie langer in diens is by die openbare inrigting vir verdere onderwys en opleiding of nie meer 'n student is van sodanige inrigting nie, soos die geval mag wees.

## 6. Vul van Vakatures

6.1 Wanneer 'n vakature ontstaan op 'n raad, akademiese raad of verteenwoordigende studenteraad, moet dit geval word deur middel van die verkiesing van 'n nuwe verteenwoordiger deur die liggaam of groep wat as sodanig verteenwoordig word.

6.2 Indien 'n vakature ontstaan as gevolg van die vertrek van 'n raadslid wat aangestel is deur die LUK ingevolge artikel 9(4)(c) van die Wet.

6.3 (a) Moet die LUK 'n lid aanstel vanuit die genomineerdes ingevolge artikel 9(9) van die Wet aan die begin van die dienstermyn van die vertrekkende lid, of

- (b) If no person nominated in terms of section 9(9) of the Act at the commencement of the term of office of the departing member is available or regarded as suitable for office, the MEC may invite further nominations in terms of section 9(9) of the Act from whom—
  - (i) he or she may appoint a member to a council in terms of section 9(4)(c) of the Act.

ANDRÉ HURTLEY GAUM  
 MEC: EDUCATION

- (b) indien geen persoon wat genominee is ingevolge artikel 9(9) van die Wet aan die begin van die dienstermyn van die vertrekkende lid beskikbaar is nie of as geskik beskou word vir die amp nie, mag die LUK verdere nominasies aanvra ingevolge artikel 9(9) van die Wet waaruit hy of sy 'n raadslid mag aanstel ingevolge artikel 9(4)(c) van die Wet.

ANDRÉ HURTLEY GAUM  
 LUK: ONDERWYS

**PFET COLLEGE COUNCIL NOMINATION FORM**

1. NAME OF NOMINATING STAKEHOLDER BODY/PERSON

.....

2. ADDRESS:

.....

3. DETAILS OF NOMINEE

FULL NAME: .....

ADDRESS: .....

TELEPHONE NUMBER(S): .....

FAX NUMBER: .....

E-MAIL ADDRESS: .....

CURRENT POSITION HELD: .....

4. MOTIVATION IN SUPPORT OF NOMINATION

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SIGNED: ..... CAPACITY:.....  
 DATE:..... TEL. NO.:.....

**NOMINASIEVORM VIR OVOO-KOLLEGERADE**

1. NAAM VAN NOMINERENDE LIGGAAM/PERSON

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2. ADRES:

.....

3. BESONDERHEDE VAN GENOMINEERDE:

VOLLE NAAM: .....

ADRES: .....

TELEFOONNOMMER(S): .....

FAKSNOMMER: .....

E-POS ADRES: .....

HUIDIGE POSISIE BEKLEE: .....

4. MOTIVERING TER ONDERSTEUNING VAN NOMINASIE:

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GETEKEN:..... HOEDANIGHEID: .....  
 DATUM:..... TEL. NR.:.....

NOTICE OF INTENTION TO MERGE TWO OR MORE  
PUBLIC FURTHER EDUCATION AND TRAINING  
INSTITUTIONS INTO A SINGLE INSTITUTION

In terms of a decision taken by the Cabinet of the Western Cape Provincial Legislature and which has furthermore been approved as part of a nationally agreed new landscape for Public Further Education and Training Colleges, clusters of further education and training institutions will be merged to form single institutions. This will result in the establishment of large, multi-site FET colleges that are able to meet the Human Resource Development requirements of South Africa by providing high-quality, flexible and responsive lifelong learning opportunities that are accessible to all the citizens of our country.

Therefore, under the powers vested in me by section 6 of the Further Education and Training Act, 1998 (Act 98 of 1998), I, ANDRÉ HURTLEY GAUM, Member of the Provincial Cabinet responsible for Education: Western Cape, hereby state my intention to merge the clusters of Public Further Education and Training Institutions listed below into single institutions, with effect from 1 July 2002.

- (i) CENTRAL METROPOLE CLUSTER  
Athlone, Cape, Sivuyile and Western Province Further Education and Training Institutions
- (ii) NORTHERN METROPOLE CLUSTER  
Bellville, Protea, Tygerberg and Wingfield Further Education and Training Institutions
- (iii) SOUTHERN METROPOLE CLUSTER  
South Peninsula and Westlake Further Education and Training Institutions

Written comments may be forwarded to the Director: Further Education and Training within 90 days of the publication of this notice at the following address:

(1) mail to:

The Head: Education  
(Attention: Mr. Z. Siyengo)  
Western Cape Education Department  
Private Bag X9114  
CAPE TOWN  
8000

(2) fax to (021) 467-2996 at the above address

(3) email at [Zsiyengo@wced.wcape.gov.za](mailto:Zsiyengo@wced.wcape.gov.za)

ANDRÉ HURTLEY GAUM

MEC: EDUCATION

11258

KENNISGEWING VAN VOORNEME OM TWEE OF MEER  
OPENBARE VERDERE ONDERWYS EN OPLEIDINGS-  
INSTANSIES TOT 'N ENKEL INSTANSIE TE VERKLAAR

Kragtens 'n besluit van die Kabinet van die Wes-Kaapse Provinsiale Wetgewer en met verdere goedkeuring as deel van 'n nasionaal-ooreengekome nuwe institusionele landskap vir Openbare Verdere Onderwys en Opleidingskolleges, sal groepe Verdere Onderwys en Opleidingsinstansies saamgesmelt word tot een enkel instansie. Dit sal lei tot die totstandkoming van groot, multi-kampus OVVO kolleges wat in staat sal wees om in die Menslike Hulpbron Ontwikkelingsvereistes van Suid-Afrika te voorsien deur die aanbieding van hoë kwaliteit, buigsame en aanpasbare lewenslange leergeleenthede wat toeganklik vir alle landsburgers sal wees.

Kragtens die bevoegdheid aan my verleen deur artikel 6 van die Wet op Verdere Onderwys en Opleiding, 1998 (Wet 98 van 1998), verklaar ek, ANDRÉ HURTLEY GAUM, Lid van die Provinsiale Kabinet verantwoordelik vir Onderwys: Wes-Kaap, hierby my voorneme om die ondergenoemde groepe Openbare Verdere Onderwys en Opleidingsinstansies tot enkel instansies met ingang 1 Februarie 2002 te verklaar.

- (i) SENTRAAL METROPOOL GROEPERING  
Athlone, Kaap, Sivuyile en Westelike Provinsie Verdere Onderwys en Opleidingskolleges
- (ii) NOORDELIKE METROPOOL GROEPERING  
Bellville, Protea, Tygerberg en Wingfield Verdere Onderwys en Opleidingskolleges
- (iii) SUIDELIKE METROPOOL GROEPERING  
Suid-Skiereiland en Westlake Verdere Onderwys en Opleidingskolleges

Skriftelike kommentaar moet die Direkteur: Verdere Onderwys en Opleiding binne 90 dae vanaf die publikasie van hierdie kennisgewing by die volgende adres bereik, deur dit

(1) te pos aan:

Die Hoof: Onderwys  
(Aandag: Mnr. Z. Siyengo)  
Wes-Kaap Onderwysdepartement  
Privaatsak X9114  
KAAPSTAD  
8000

(2) te faks aan (021) 467-2996 by bostaande adres

(3) te e-pos aan [Zsiyengo@wced.wcape.gov.za](mailto:Zsiyengo@wced.wcape.gov.za)

ANDRÉ HURTLEY GAUM

LUR: ONDERWYS

11258

*SUID-AFRIKA EERSTE –*  
KOOP SUID-AFRIKAANS  
VERVAARDIGDE GOEDERE

*SOUTH AFRICA FIRST –*  
BUY SOUTH AFRICAN  
MANUFACTURED GOODS