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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**DEPARTMENT OF HIGHER EDUCATION AND TRAINING**

NO. 1277

17 OCTOBER 2016

**NOTICE IN TERMS OF SECTION 15(3)(c) OF THE SKILLS DEVELOPMENT ACT
(ACT NO. 97 OF 1998)****AMENDMENT TO THE NOTICE RELATING TO THE APPOINTMENT OF THE
WHOLESALE AND RETAIL SECTOR EDUCATION AND TRAINING AUTHORITY
(W&RSETA) ADMINISTRATOR****AMENDMENT NOTICE**

I, Dr Bonginkosi Emmanuel Nzimande, by virtue of powers vested in me by Section 15(3)(c) of the Skills Development Act, 1998 (Act No. 97, 1998 as amended) hereinafter referred to as the Act, hereby amend the provisions of Government Notice No. 1211 published in Government Gazette No. 40324, dated 3 October 2016, issued in terms of Section 15(2) of the Act by the Director-General of the Department of Higher Education and Training, as directed by me, in terms of Section 15(1) of the Act to appoint the Administrator for the W&RSETA.

AND

I repeal the second paragraph and substitute it with the following:

"I hereby replace Ms Manching Benedicta Monama with Mr Mathealira Pascalis Mokupo as Administrator for a period of 12 (twelve) months from the date of publication of this notice to take over the administration of the W&RSETA that was established in terms of Government Gazette No. 34202 of 8 April 2011, and re-established by Government Gazette No. 39260 of 6 October 2015 and the appointment of which may be reviewed and extended at the expiry of the said period.

The new Administrator is subject to the conditions that he must:

- Determine and consider all actions and decisions taken by the former Administrator since the Government Notice dated 3 October 2016 came into effect; and
- Review all decisions implemented by the former Administrator exercising the powers and functions assigned to her in terms of Government Gazette No. 40324 dated 3 October 2016.



Dr BE Nzimande, MP

Minister of Higher Education and Training

Date:

14/10/2016

SCHEDULE 1**POWERS AND DUTIES OF THE ADMINISTRATOR****1. The powers of the Administrator are as follows:**

- (a) Take over the role of Accounting Authority of the W&RSETA as provided for in the Public Finance Management Act, 1999 (Act No 1 of 1999) and the relevant regulations;
- (b) Establish if necessary, with the Minister's approval, chambers as provided for in Section 12 and 13 of the Act;
- (c) Review the terms and conditions of employment of the Chief Executive Officer, Chief Financial Officer and other employees of the W&RSETA where necessary;
- (d) Review general governance policies of the W&RSETA in terms of any applicable law;
- (e) Suspend, institute disciplinary proceedings or replace, where it is necessary, any of the officials of the W&RSETA for reasons as contemplated in terms of relevant legislation;
- (f) Consult widely with the relevant stakeholders within the sector in order to adopt a standard constitution of the W&RSETA in terms of section 13 of the Act and other relevant legislation for approval and publication by the Minister of Higher Education and Training;
- (g) Facilitate the appointment of a new W&RSETA Accounting Authority;
- (h) Ensure the management of the W&RSETA funds in liaison with the Department of Higher Education and Training using relevant provisions of the Act and as provided for in the Public Finance Management Act, 1999 and the relevant regulations; and
- (i) Make rules relating to W&RSETA and chamber meetings, financial matters, general procurement and administrative matters which are in accordance with the provision of the Constitution of the Republic of South Africa, 1996, the Act or any other applicable law.

2. The duties of the Administrator shall include the following:

- (a) The Administrator will work closely with the Executive Management of the W&RSETA, the employees of the W&RSETA, and the Director-General: Higher Education and Training to establish joint working committees comprising of the sector specialists and experts;**
- (b) Perform the functions of the W&RSETA in terms of the Act, the Public Finance Management Act, 1999 and other relevant legislation;**
- (c) Ensure the management of the National Skills Development Strategy within the W&RSETA;**
- (d) Ensure on a monthly basis the submission of progress reports regarding the effective functioning of the W&RSETA to the Director-General: Higher Education and Training;**
- (e) Ensure sufficient funding of all the processes and activities pertaining to the powers and duties as an administrator from the W&RSETA budget in terms of the relevant legislative requirements;**
- (f) Perform any such other functions as may be delegated or instructed by the Minister or Director-General: Higher Education and Training from time to time;**
- (g) Facilitate the overall process and attend to dispute resolution, as well as the management of legal issues as required; and**
- (h) Submit a final close out report for the project at the end of the 12 month period of appointment.**

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