



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

MEDIA ALERT

Amendments to FET Colleges Act and the Skills Development Act give wider powers to Minister of Higher Education and Training

Pretoria, 15 May 2012 – The signing into law of two critical Bills that President Jacob Zuma has recently assented to, has effectively given wider powers to the Minister of Education and Training, Dr Blade Nzimande, which will assist in making the department more effective in discharging the responsibilities of its mandate.

President Zuma signed his ascent to the Further Education and Training Colleges Amendment Act earlier this month, which has effectively put all FET Colleges in the country under the authority of the national Department of Higher Education and Training.

The Further Education and Training Colleges Amendment Act, 2012 brought amendments to the Further Education and Training Colleges Act, 2006, to remove all references to provincial authority and assign functions previously assigned to the Member of the Executive Council to Minister Blade Nzimande.

In addition, the Act effectively:

- Removes all references to “Head of Department”, replacing them with “Director-General”;
- Regulates the conduct of members of the council, members of a committee of the council and staff of a public further education and training college engaging in business with the relevant public college;
- Provides for the appointment of staff as well as for transitional arrangements; as well as for matters connected therewith.

A commencement notice to bring the Act into operation was published on Friday the 11th May, with all its sections brought into operation with immediate effect except for those dealing with personnel affected by the amendment and budget vote provisions. These sections will still be brought into operation through another Government Gazette once the procedures required by the Labour Relations Act have been complied with.

Meanwhile, an amendment to another Act, the Skills Development Act, has been effected to amend provisions relating to the establishment, amalgamation and dissolution of SETAs, as well as to provide for the incorporation of a sub sector of one SETA into another SETA.

The Skills Development Amendment Act, 2012, will further provide for the composition of an Accounting Authority for each SETA, regulate the eligibility to become a member of an Accounting Authority and provide for the development of a constitution for every SETA.

The Act will also regulate the conduct of a member of an Accounting Authority, or of a member of the staff, of a SETA when engaging in business with the SETA and require members of Accounting Authorities to disclose any conflict of interest with the relevant SETA.

Issued on behalf of the Ministry for Higher Education and Training.