

For GPW business and processing rules relating to publishing of notices in this gazette, please refer to page 3.

## NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE



NOORD-KAAP PROVINSIE

IPHONDO LOMNTLA KOLONI

Provincial Gazette  
Kasete ya Profensi

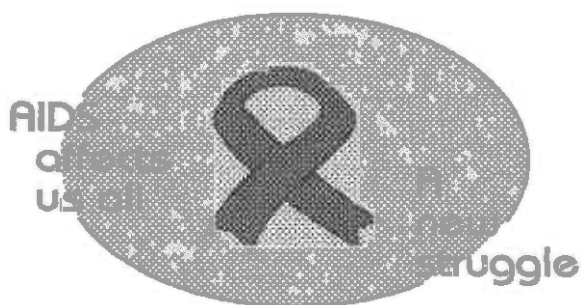
IGazethi YePhondo  
Provinsiale Koerant

Vol. 26

KIMBERLEY  
9 SEPTEMBER 2019  
9 SEPTEMBER 2019

No. 2295

**We all have the power to prevent AIDS**



**Prevention is the cure**

**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes**

ISSN 1682-4549



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As of **Monday, 04 January 2016**, the **Government Printing Works** has become the custodian of the Northern Cape *Provincial Gazette*.

**GPW** will start accepting notices from Northern Cape (NC) customers with the following conditions:

- Any submissions received from the NCPL (Northern Cape Provincial Legislature) from the 01 January 2016 will be rejected.
- Any submissions received from NC customers where the proof of payment is made to NCPL will also be rejected.
- Over and above these 2 points, the **GPW** Business rules and Submissions deadlines will apply.

Each province has standard notice types that are published in that specific *Provincial Gazette*.

The valid notice types applicable for the Northern Cape *Provincial Gazette* are:

Proclamations, General Notice, Municipal Notice, Premier's Notice

**IMPORTANT NOTICE OF OFFICE RELOCATION****GOVERNMENT PRINTING WORKS  
PUBLICATIONS SECTION**

Dear valued customer,

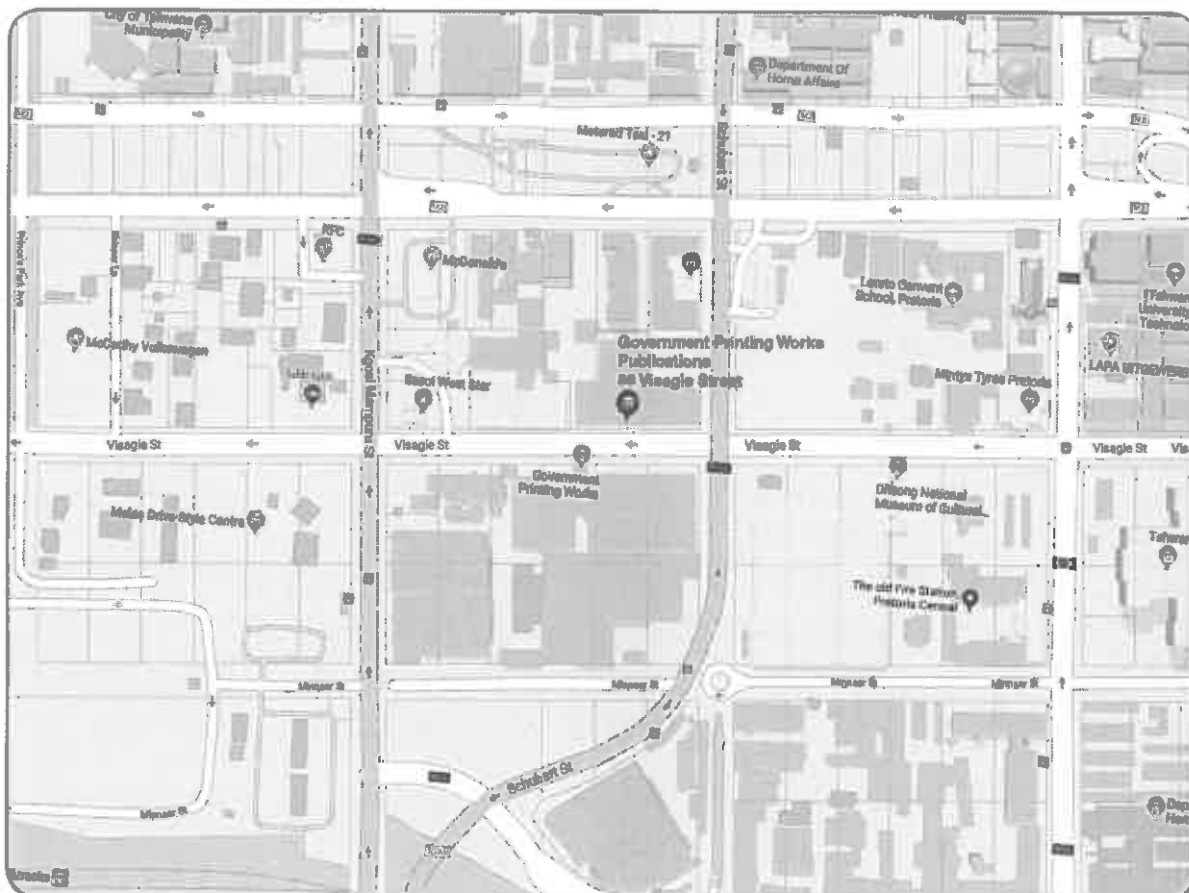
We would like to inform you that with effect from the 1<sup>st</sup> of November 2019, the Publications Section will be relocating to a new facility at the corner of **Sophie de Bruyn** and **Visagie Street, Pretoria**. The main telephone and facsimile numbers as well as the e-mail address for the Publications Section will remain unchanged.

Our New Address:  
**88 Visagie Street**  
**Pretoria**  
**0001**

Should you encounter any difficulties in contacting us via our landlines during the relocation period, please contact:

Ms Maureen Toka  
Assistant Director: Publications  
Cell: 082 859 4910  
Tel: 012 748-6066

We look forward to continue serving you at our new address, see map below for our new location.



**IMPORTANT NOTICE:**

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

**CONTENTS**

	<i>Gazette No.</i>	<i>Page No.</i>
<b>GENERAL NOTICES • ALGEMENE KENNISGEWINGS</b>		
93 Local Government: MPRA (6/2004): Tariffs for the 2019/20 Financial Year .....	2295	13
94 Spatial Planning and Land Use Management Act (16/2013): Erf 2376, Uptington.....	2295	14
94 Ruimtelike Beplanning en Grondgebruikbestuur Wet (16/2013): Erf 2376, Uptington .....	2295	14
95 Local Government: Municipal Finance Management Act (56/2003): Publication of the Northern Cape municipal consolidated statement: 4th quarter ended 30 June 2019 .....	2295	15
96 South African Schools Act (84/1998: Call for Comments on Notice for Code of Conduct for Members of the School Governing Bodies .....	2295	49
97 Spatial Planning and Land Use Management By-Law: Subdivision and rezoning of Plot 2265, Kakamas South Settlement .....	2295	60
97 Ruimtelike Beplanning en Grondgebruikbestuur Verordening: Hersoening en onderverdeling van Perseel 2265, Kakamas South Settlement .....	2295	60

# Closing times for ORDINARY WEEKLY NORTHERN CAPE PROVINCIAL GAZETTE 2019

*The closing time is 15:00 sharp on the following days:*

- 28 December 2018, Friday for the issue of Monday 07 January 2019
- 07 January, Monday for the issue of Monday 14 January 2019
- 14 January, Monday for the issue of Monday 21 January 2019
- 21 January, Monday for the issue of Monday 28 January 2019
- 28 January, Monday for the issue of Monday 04 February 2019
- 04 February, Monday for the issue of Monday 11 February 2019
- 11 February, Monday for the issue of Monday 18 February 2019
- 18 February, Monday for the issue of Monday 25 February 2019
- 25 February, Monday for the issue of Monday 04 March 2019
- 04 March, Monday for the issue of Monday 11 March 2019
- 11 March, Monday for the issue of Monday 18 March 2019
- 15 March, Monday for the issue of Monday 25 March 2019
- 25 March, Monday for the issue of Monday 01 April 2019
- 01 April, Wednesday for the issue of Monday 08 April 2019
- 08 April, Monday for the issue of Monday 15 April 2019
- 12 April, Friday for the issue of Monday 22 April 2019
- 18 April, Thursday for the issue of Monday 29 April 2019
- 26 April, Friday for the issue of Monday 06 May 2019
- 06 May, Monday for the issue of Monday 13 May 2019
- 13 May, Monday for the issue of Monday 20 May 2019
- 20 May, Monday for the issue of Monday 27 May 2019
- 27 May, Monday for the issue of Monday 03 June 2019
- 03 June, Monday for the issue of Monday 10 June 2019
- 10 June, Monday for the issue of Monday 17 June 2019
- 14 June, Friday for the issue of Monday 24 June 2019
- 24 June, Monday for the issue of Monday 01 July 2019
- 01 July, Monday for the issue of Monday 08 July 2019
- 08 July, Monday for the issue of Monday 15 July 2019
- 15 July, Monday for the issue of Monday 22 July 2019
- 22 July, Monday for the issue of Monday 29 July 2019
- 29 July, Monday for the issue of Monday 05 August 2019
- 02 August, Friday for the issue of Monday 12 August 2019
- 12 August, Monday for the issue of Monday 19 August 2019
- 19 August, Monday for the issue of Monday 26 August 2019
- 26 August, Monday for the issue of Monday 02 September 2019
- 02 September, Monday for the issue of Monday 09 September 2019
- 09 September, Monday for the issue of Monday 16 September 2019
- 16 September, Monday for the issue of Monday 23 September 2019
- 20 September, Friday for the issue of Monday 30 September 2019
- 30 September, Monday for the issue of Monday 07 October 2019
- 07 October, Monday for the issue of Monday 14 October 2019
- 14 October, Monday for the issue of Monday 21 October 2019
- 21 October, Monday for the issue of Monday 28 October 2019
- 28 October, Monday for the issue of Monday 04 November 2019
- 04 November, Monday for the issue of Monday 11 November 2019
- 11 November, Monday for the issue of Monday 18 November 2019
- 18 November, Monday for the issue of Monday 25 November 2019
- 25 November, Monday for the issue of Monday 02 December 2019
- 02 December, Monday for the issue of Monday 09 December 2019
- 09 December, Monday for the issue of Monday 16 December 2019
- 13 December, Monday for the issue of Monday 23 December 2019
- 19 December, Thursday for the issue of Monday 30 December 2019

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as Extra ordinary submissions will be charged at R3026.32 per page.

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

The Government Printing Works (GPW) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic Adobe Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

#### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwonline.co.za](http://www.gpwonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi-Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	Before 10h00 on publication date	Before 10h00 on publication date
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days after submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

#### EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

#### NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications).*
    - 8.1.5. Any additional notice information if applicable.



### GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

#### QUOTATIONS

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the eGazette Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that the quotation number can only be used once to make a payment.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While GPW deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

#### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as Indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

#### PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*

### GOVERNMENT PRINTING WORKS CONTACT INFORMATION

**Physical Address:**

**Government Printing Works**  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:  
**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)  
**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)  
**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)  
**Tel:** 012-748-6068 / 6060 / 6058  
**Fax:** 012-323-9574

**NOTICE 96 OF 2019**

**SOUTH AFRICAN SCHOOLS ACT, 84 OF 1996 as amended**

**NORTHERN CAPE DEPARTMENT OF EDUCATION**

**CALL FOR COMMENTS ON NOTICE FOR CODE OF CONDUCT FOR MEMBERS OF THE SCHOOL GOVERNING BODIES**

The Notice for the Code of conduct for members of the school Governing Bodies Amendment is hereby published for comment.

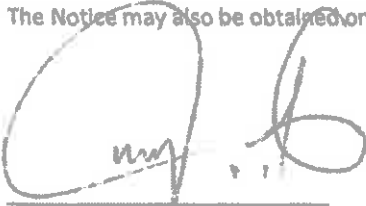
All interested persons and organisations are invited to comment on the Notice in writing and direct their comments to:

The Head of Department: Education, Private Bag X5029, KIMBERLEY 8301 or 156 Barkly Road, Homestead, Kimberley 8301

Kindly provide the name, address, telephone and fax numbers and email address for the person or organization submitting the comment

The comments must reach the Department by 11 October 2019.

The Notice may also be obtained on [ncdoe.ncpg.gov.za](http://ncdoe.ncpg.gov.za)



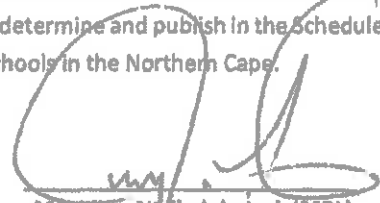
McCollen Ntsikelelo Jack (MPL)  
MEC: EDUCATION

## OFFICIAL NOTICE

NOTICE NO OF 2019

SOUTH AFRICAN SCHOOLS ACT, 84 OF 1998 as amended

I, **Mc COLLEN NTSIKELELO JACK**, Member of the Executive Council responsible for education in the Province of the Northern Cape, acting in terms of Section 18A (1) of the South African Schools Act, 1996, hereby determine and publish in the Schedule hereto the Code of Conduct for Members of the School Governing Bodies for public schools in the Northern Cape.



**McCollen Ntsikelelo Jack (MPL)**  
**MEC: EDUCATION**

**SCHEDULE****CODE OF CONDUCT FOR MEMBERS OF GOVERNING BODIES FOR PUBLIC SCHOOLS****PREAMBLE**

Members of school governing bodies in public schools, recognize the supremacy of the constitution, and in particular that the education system has to strive to:

Heal the divisions of the past and support the establishment of a society based on democratic values, social justice and fundamental human rights, and to improve the quality of life of all learners and to free the potential of each;

Recognize further that while the State has the obligation to make education available and accessible, its efforts have to be complemented by the commitment and acceptance of responsibility by each member of a school governing body to uphold the values and principles contained in the constitution;

Accept that the interests of education require a system of schools which will redress past injustices in educational provision, provide an education of a high quality for all learners and, in so doing, lay a strong foundation for the development of all people's talents and capabilities, advance transformation of society, combat racism and sexism and all other forms of unfair discrimination and prejudice, contribute to the eradication of poverty and economic well-being of the province, protect and advance our diverse culture and languages, uphold the rights of all learners, parents and educators, and promote their acceptance of responsibility for the organization, governance and funding of schools in partnership with the State.

Therefore adopt, of our free will, this Code of Conduct aimed at upholding the above values and principles, and establishing a disciplined and purposeful school environment dedicated to the improvement and maintenance of a quality governance structure to which we are elected, appointment or co-opted

## 1. Definitions

In this Code of conduct all words, phrases or terminology shall have the same meaning attached to them in the constitution, South African School Act, 1996 and the Northern Cape School Act, 1996:

**"Act"** means the South African Schools Act, 1996 (Act No. 84 of 1996), as amended;

**"Circuit Manager"** means an official responsible for the management of a cluster of schools within a circuit;

**"Code of Conduct"** means a set of rules regulating the behaviour of members of governing bodies;

**"Constitution"** means the Constitution of the Republic of South Africa, 1996;

**"day"** means a school day;

**"Department"** means the Northern Cape Department of Education;

**"District Manager"** means the official responsible for the management of education at the district level;

**"educator"** means any person who teaches, educates or trains other persons or who provides professional educational services at a public school including professional therapy and educational psychological services but does not include a person who is appointed to exclusively perform extra-curricular duties;

**"governing body"** means a body as defined in the South African Schools Act, 1996 (Act No. 84 of 1996);

**"Head of Department"** means the Head of the Department of Education in the Province of Northern Cape;

**"stake holder"** means any member of the governing body, parent, owner of private land on which a public school is situated, an official of the department or member of the community;

**"learner"** means any person enrolled at a public school, receiving education or obliged to receive education in terms of the South African Schools Act, 1996 (Act No. 84 of 1996);

**"legal representative"** means either a practising attorney, non-practising attorney, an advocate, a non-practising advocate, legal advisor, prosecutor, magistrate, judge or any other person with a legal qualification that practises in any field of law;

**"member"** means a member of a school governing body of a public school in the Northern Cape as defined in Section 23(1), 24(1) of SASA.

**"member of staff"** means a person appointed according to the Public Service Act, 1994 (Act No.103 of 1994), or the South African Schools Act, 1996 (Act No. 84 of 1996), as amended, and who is not an educator at a school;

**"Member of the Executive Council"** means the Member of the Executive Council of the Province of Northern Cape, responsible for Education in the Province;

**"Official"** means office based employee of the Department employed in terms of the Employment of Educators Act, 1998 (Act No. 76 of 1998), as amended, or the Public Service Act, 1994 (Act No.103 of 1994);

**"principal"** means an educator appointed or acting as the head of a public school; and

**"Public School"** means a public school which enrolls learners in one or more grades from grade R (reception) to grade 12 including, where applicable, a special needs school and a school that provides education with a specialised focus on talent.

## **2. Purpose**

The purpose of this Code of Conduct is to –

- (a) promote a standard Code of Conduct that is applicable to all members of governing bodies;
- (b) assist members in conducting themselves in accordance with the Code of Conduct;
- (c) establish minimum standards of expected behaviour for members of governing bodies;
- (d) assist in eliminating or minimising conflict amongst members of governing bodies whilst dealing with misconduct;
- (e) promote and maintain good governance in schools in order to provide quality education;
- (f) provide a standard framework within which all members of governing bodies must operate; assist members of governing bodies when supporting the principal, educators and members of staff at the school in the performance of their duties.

## **3. Application**

This Code of Conduct shall be applicable to all members of governing bodies in public schools within the Province of Northern Cape, with effect from the date of publication of this notice.

## **4. Disclosure of information**

- (a) A member of the governing body must treat all information that he or she obtains in his or her capacity of being a member of the governing body as confidential unless the law prescribes otherwise.
  - (b) The governing body may classify and minute all information it deems to be confidential at its discretion.
  - (3) This information must remain confidential even after a member ceases to be a member of a governing body;
- (4) statements or information provided to the media including social networking sites or to any person, relating to the governing body, a member of the governing body, the school, a parent, a learner or any staff of the school, shall only be given with the consent of the governing body and/or by person(s) authorised in terms of legislation, policy or rules of the governing body;



- (5) A member may not disseminate false information or unsubstantiated allegations via any means whatsoever including any social networking sites about the governing body or any member of the governing body, the school, a parent, a learner or any staff members at the school.

#### **5. General Code of Conduct for members of a school governing body**

**(1) A member of a governing body must –**

- (a) at all times conduct himself or herself in a manner that will promote the best interests of the school;
  - (b) conduct himself or herself at all times in a manner that will bring credit to the governing body of the school;
  - (c) conduct himself or herself in a responsible and sensible manner in the performance of his or her duties as a member of the governing body;
  - (d) only perform governance related duties to the best of his or her ability;
  - (e) ensure that the work of the governing body is carried out lawfully and in accordance with the Constitution of the governing body;
  - (f) conduct himself or herself at all times in a respectable manner;
  - (g) disclose any information that relates to his or her conduct, especially in respect of the National Register of Sex Offenders (NRSO) compiled in terms of the Sexual Offences and Related Matters Amendment Act, 2007 (Act No. 32 of 2007), or any other Acts relating to offences committed against children and which information may not have been known to the school prior to the member's election or appointment. Any member who fails to disclose such information shall, after due process being followed, vacate his or her seat immediately upon such information becoming known to the school or the department;
  - (h) conduct himself or herself at all times in a manner conducive to the smooth running of the school and of the meetings of the governing body;
  - (i) adhere to the provisions of the Constitution of the governing body as set out in section 18 of the Act;
  - (j) exercise care to ensure that he or she protects the property of a school;
  - (k) act with fidelity, honesty, integrity and in the best interest of the public school when administering, controlling and managing the property of the school; and
- (l) In writing, excuse himself or herself if he or she is unable to attend two (2) consecutive ordinary meetings of the governing body, failing which he or she will no longer be eligible to be a member of the governing body.

**(2) A member of a governing body must –**

- (a) conduct himself or herself in a manner that promotes the professional management of a school or with any educator's performance of his or her duties;
- (a) conduct himself or herself in a manner that promotes the work of a member of staff in the performance of his or her duties at the school;
- (b) ensure the implementation of decisions that were duly adopted by the governing body;
- (c) refrain from interfering with learners during any school activity or do anything that may be construed as interference with learners during a school activity. Any conduct in furtherance of the member's responsibilities as a member of the governing body during a school activity will not be construed as interference;
- (d) refrain from conducting himself or herself in a manner that may harm the relationship of trust between the governing body and the school;
- (e) refrain from any action which may bring him or her and/or the school into disrepute or in any manner whatsoever harm the good name of the school, the governing body or any member of the school community.

## 6. Serious Misconduct

The following constitutes serious misconduct and any member may, after due process is followed, be found guilty of serious misconduct if he or she –

- (a) possesses or consumes intoxicating substances, alcohol or illegal drugs whilst performing governing body functions and duties;
- (b) carries on his or her person or uses unauthorised, unlawful or illegal dangerous objects to harm other persons during any school activity and whilst performing his or her governing body functions and duties;
- (c) engages in a sexual relationship with a learner of a public school;
- (d) participates, initiates or conducts a corrupt, unethical, immoral or unbecoming relationship with any person in the school governing body or the school where he or she is a member of the governing body;
- (e) conducts himself or herself in a manner which will affect his or her powers of decision making in the governing body;
- (f) brings the name of the school or the governing body into disrepute;
- (g) verbally abuses a learner, parent, educator or member of staff employed at the school or another member of the school governing body;
- (h) misuses or abuses school property and resources;
- (i) abuses or misuses his or her position as a member of the governing body in any manner whatsoever;
- (j) accepts or gives bribes or favours to any person in the performance of his or her duties as a member of the governing body;
- (k) uses his or her position as a member of the governing body for personal gain or for the benefit or gain of his or her relatives, acquaintances, friends or any other person;
- (l) unduly influences the procurement processes of the school for personal gain or for purposes of enriching friends, acquaintances, relatives or any other person;
- (m) hinders the Department's investigations into the conduct of any person and in particular investigations relating to any other member of the governing body, learner, educator or member of staff employed at the school or hinders investigations into any other matter whatsoever;
- (n) fails to perform the functions mandated to him or her as a member of the governing body;
- (o) binds the school into unauthorised, unlawful or financially wasteful contracts by entering into or negotiating contracts that are not beneficial to the school or that negatively affects the school's budget;
- (p) requests or accepts any personal or financial favours or gain by virtue of conducting any duties or activities of the governing body;
- (q) exempts or directs the governing body to exempt himself or herself or any other member of the governing body from the payment of school fees contrary to the school fee exemption policy;
- (r) receives any concession in school fees payment for his or her children attending a school where he or she is a member by virtue of his or her position on the governing body and not in accordance with the school fee exemption policy;
- (s) grants concessions in school fees to any member of the school staff or to another member of the governing body who would otherwise not qualify in terms of the school fee exemption policy;
- (t) sells, possesses or deals in illegal drugs or intoxicating liquor in or out of the school premises or during any school activity. Should any member operate a liquor business, same shall not be located within 50 m of the school boundary fence and shall not allow entry of under-aged persons in the business;
- (u) operates a business of a sexual nature which renders services of a sexual nature or sells items related to a sexual activity;

(v) conducts any business on the school premises which is in conflict with the school policies or the department's policies or which adversely affects teaching and learning at the school delays staff recruitment, staff selection and placement procedures without any lawful or reasonable grounds;

(w) delays staff recruitment, staff selection and placement procedures without lawful or reasonable grounds;

(x) involves himself or herself in acts of nepotism, bribery, corruption or favouritism in the staff recruitment, selection and placement procedures;

(y) commits any act of bribery, corruption or favouritism in the admission of learners;

(aa) charges or instructs the principal to charge any administration, registration or any other type of fee for the admission of learners (excluding school fees, where applicable);

(bb) commits any act of theft or fraud whilst executing governing body functions;

(cc) utters any racist, sexist or xenophobic words or displays such behaviour towards any learner, parent, member of staff, member of the governing body, any departmental official or any other person at the school or during any school activity;

(dd) participates or causes, directs or incites other members of the governing body, parents, learners or members of staff to participate in unlawful, immoral or unethical activities;

(ee) conducts himself or herself in any manner whatsoever that will affect good governance and management of a school; and

(ff) conducts a corrupt relationship with another member of the governing body, staff or any other person at the school which hinders the smooth running of the school.

(z) in any way, conducts himself or herself in a manner that conflicts with the vision or mission of the school or any policy or legislation administered by the Department;

## **7. Conduct Relating to Financial Management**

Financial misconduct is an act of serious misconduct and every member of a governing body must:-

(a) maintain the highest standard of ethical behaviour in matters pertaining to funds and the management of school funds;

(b) ensure utmost honesty and confidentiality in dealing with documentation and records pertaining to the financial matters of the school;

(c) ensure that the resources of the school, and especially financial resources, are managed and utilised responsibly;

- (d) ensure that all school financial matters are conducted honestly and in accordance with the applicable policies, rules, regulations and prescripts as determined by the Minister of Education, the Member of the Executive Council or the Head of Department and the governing body;
- (e) accept assistance from the school principal in respect of the financial regulations, policies, the relevant prescripts and Acts with regard to the management of the school funds;
- (f) consider the policy advice on the financial implications of decisions relating to the financial matters of the school from the school principal;
- (g) ensure that all school accounts are managed in a proper manner in accordance with generally acceptable accounting practices and which must be in accordance with the Act, relevant policies and practices;
- (h) inform the governing body of his or her immediate relatives, business partners, friends or any other acquaintances who may have an interest in financial matters relating to the governing body;
- (i) recuse himself or herself from any item on the agenda of a meeting that discusses a financial matter which affects the member or in which the member has an interest;
- (j) ensure that procedures are in place for the collection of monies, their safe keeping, use and the banking thereof;
- (k) not bind the school into any contracts without the consent of the governing body, the Member of the Executive Council or any other relevant authority;
- (l) abstain from voting on any financial matters or contracting on behalf of a school if the member is a minor; and
- (m) report any maladministration or mismanagement of school finances to the Chairperson of the Governing Body, the Circuit Manager or other relevant authority

#### **8. Breach of code of conduct**

- (1) Any member who breaches this Code of Conduct must be subjected to the disciplinary process in terms of this Code of Conduct.
- (2) In the event of a member being found guilty of serious misconduct after a disciplinary hearing, a sanction shall be imposed on the member in terms of clause 11.
- (3) The Member of the Executive Council may, from time to time, declare other forms of serious misconduct, general misconduct or serious financial misconduct and such declaration shall be accepted as constituting serious misconduct, general misconduct or serious financial misconduct.
- (4) A member found guilty of a serious act of misconduct may be suspended or have his or her membership of the governing body terminated by the Head of Department.
- (5) Should there be any evidence of misconduct by the principal, educator or a non-educator in terms of this code then it may form the basis for a disciplinary hearing against the principal, educator or non-educator in terms of the respective codes of conduct applicable to that particular official.
- (6) A member found to be in breach of this clause may, in addition to any other sanction, be requested to –
  - (a) publish at his or her cost a retraction of the offensive statement or information; and
  - (b) issue an apology to the person or institution affected by the disclosure, dissemination or publication of information.

**9. Process of handling complaints of misconduct**

(1) Should any interested party have any complaint –

(a) pertaining to the conduct concerning a member of the governing body other than the chairperson, such complaint must be lodged in writing with the chairperson and the chairperson must immediately report the alleged complaint to the Chief Director responsible for the School management and Support;

(b) pertaining to the conduct of a chairperson, the complainant must lodge his or her complaint, in writing, with the principal and the principal must immediately report the alleged complaint to the Circuit Manager responsible for the school and must inform the Chairperson of the Governing Body.

(2) Upon receipt of a complaint against any member of a governing body including the principal, the District Director must –

(a) within seven (7) days acknowledge, in writing, receipt of any complaint lodged with him or her and must determine the seriousness of the alleged misconduct, giving reasons for such determination;

(b) within fourteen (14) days of receipt of a less serious or minor complaint –

(i) attend to the complaint at circuit level;

(ii) notify the District Manager of the action and decision that he or she has taken in respect of the said complaint; and

(iii) Inform the complainant and governing body in writing of the outcome of the complaint and the reasons for his or her decision; and

(c) within seven (7) days of receipt of any complaint relating to serious misconduct or a complaint relating to financial misconduct, conduct a preliminary investigation and submit the investigation report to the District Manager for the District Manager's action.

(3) Any complainant may notify the District Manager of his or her dissatisfaction with –

(a) the non-compliance by the Circuit Manager with prescribed time frames in dealing with the matter; (b) the determination made by the Circuit manager; or (c) both (a) and (b) above.

(4) Upon considering the determination by the Circuit Manager that the complaint was one of serious misconduct, the District Manager may request the Head of Department to impose a precautionary suspension of not more than fourteen (14) days pending a disciplinary hearing under the following circumstances – (a) if it is likely that the member will interfere with witnesses;

(b) where the possibility exists that potential witnesses will be threatened or intimidated;

(c) where the possibility exists that evidence may be tampered with; or (d) any other valid reason.

(5) If it is a serious complaint, the District Manager, after considering the determination of the Circuit Manager in terms of sub-clause 2, must within seven (7) days direct that –

(a) a tribunal be constituted;

(b) the Chairperson of the Governing Body serve on the disciplinary tribunal responsible for conducting the disciplinary hearing subject to the provisions of sub-clause 9(6) below; and

- (c) the disciplinary hearing be conducted within fourteen (14) days of the precautionary suspension.
- (8) If the chairperson is implicated then the deputy chairperson must serve on the tribunal, however, should both the chairperson and the deputy chairperson be implicated then another member appointed by the governing body should be part of the tribunal.
- (7) The following members of the governing body shall not be eligible to serve on the disciplinary tribunal –
  - (a) any member who has been directly involved with the events or conduct in question;
  - (b) any person related to the implicated member or where a conflict of interest exists between the person and the member implicated;
  - (c) the school principal; and
  - (d) learner members of the governing body.
- (8) The tribunal must constitute of at least four (4) people and must include the following –
  - (a) an official of the Governance and Management component at district level;
  - (b) any other official from the Department with the necessary expertise and competence in disciplinary proceedings; and (c) two (2) members of the governing body appointed by the governing body, one being the chairperson in terms of sub-clause S(b).
- (9) The District Manager must appoint, in writing, the two departmental officials in terms of sub-clause 8 above.
- (10) The District Manager or his or her delegate, who is duly appointed in terms of a written delegation, must preside over the meeting of the tribunal to elect the chairperson.
- (11) The governing body must appoint, in writing, in the Departmental approved template the governing body representatives in the tribunal.
- (12) The tribunal must provide secretariat services.
- (13) In matters concerning financial misconduct, an additional member with the necessary financial background and expertise shall be co-opted to the tribunal by members of the tribunal.
- (14) A governing body may request the assistance of a governing body association in preparing for the hearing and for the purpose of representing the governing body as the Initiator at the hearing.

#### **10. Disciplinary Hearing**

- (1) The tribunal must give seven (7) days' written notice of the disciplinary hearing to a member who is alleged to have committed serious misconduct.
- (2) The notice must contain –
  - (a) the charges preferred against the member;
  - (b) the venue, date and time of the hearing;
  - (c) information to the member that the disciplinary hearing will proceed in the member's absence if a member without just cause and documentary proof (where applicable) fails to turn up for the hearing;
  - (d) the right of the member to have a representative from the governing body or any other person present during the hearing to represent him or her: Provided that that person is not a legal representative; (e) clear notification that representation by a legal representative will not be allowed;
  - (f) the right to call witnesses in support of his or her defense; and
  - (g) any other relevant information relating to the disciplinary hearing.
- (3) The disciplinary tribunal shall appoint a chairperson from amongst the members of the tribunal.

(4) The chairperson of the tribunal must determine the procedure to be followed at the hearing but he or she must take into account the following –

- (a) the right of each party to have a fair and just hearing;
  - (b) the right to allow witness evidence, cross-examining and re-examining of witnesses;
  - (c) the need to appoint an intermediary to enable a learner who is under the age of 18 to give evidence should it appear that the learner would endure mental stress or suffering should the learner testify at the proceeding;
  - (d) the right of each party to make closing arguments;
  - (e) the right to an interpreter;
  - (f) the right of the member to mitigate in the event that he or she is found guilty; and
  - (g) that accurate records of the proceedings are kept for the duration of the term of office of the governing body.
- (5) The tribunal chairperson must administer an oath to the member, all witnesses and to the interpreter, if applicable.
- (6) The chairperson of the tribunal must conduct the hearing in a fair, just and humane manner.
- (7) The hearing must be conducted in a language that is understood by the member, the witnesses and representatives involved in the hearing. An interpreter may be appointed at the request of the member.
- (8) The tribunal must, after hearing all evidence, make a finding and provide the reasons for the finding to the District Manager and recommend an appropriate sanction to him or her.
- (9) The tribunal may make the following recommendations to the District Manager –
- (a) that the member be absolved because there is no substance in the allegations of misconduct levelled against him or her; or
  - (b) that a recommendation be made to the Head of Department to impose a sanction in terms of clause 11 hereunder.
- (10) The tribunal must complete the hearing within fourteen (14) days after being constituted by the District Manager.
- (11) The District Manager must, in writing, inform the member of the –
- (a) outcome of the findings of the tribunal and give reasons for such finding; and
  - (b) the proposed recommendation, if applicable.
- (12) It is only the Head of Department that may impose a sanction of either a suspension or termination of membership.
- (13) In the event of a recommendation of a sanction of suspension or termination of membership, the District Manager must, within seven (7) days of the conclusion of the hearing, forward the tribunal's findings and the recommended sanction to the Head of Department and the Head of Department must, within twenty one (21) days, consider the recommended sanction and take appropriate action.
- (14) The decision of the Head of Department must be communicated by the District Manager to the member and the member must be notified of his or her right of appeal to the Member of the Executive Council in terms of clause 12.

## 11. Sanctions

(1) The following sanctions may be imposed by the Head of Department on a member found guilty of an act of serious misconduct –

- (a) suspension for a determined period of time;
- (b) termination of membership; or

(c) coupled with termination, a disqualification from being elected, co-opted or appointed as a member of any governing body for a period of three (3) years from date of imposition of the sanction.

(2) Any conduct that constitutes a criminal offence must be reported to the South African Police Services for investigation and prosecution, if applicable.

#### **12. Appeals**

(1) A member against whom a sanction has been imposed by the Head of Department in terms of clause 11(1) may, within seven (7) days of receipt of the sanction, appeal to the Member of the Executive Council against that decision.

(2) The Member of the Executive Council may dismiss or uphold an appeal.

(3) Should the Member of the Executive Council uphold the member's appeal, then the Member of the Executive Council may absolve the member of all charges or if he or she deems appropriate, vary the sanction or impose a lesser sanction.

### **NOTICE 97 OF 2019**

#### **KAI GARIB MUNICIPALITY**

### **Spatial Planning and Land Use Management By-Law**

**Applicant: Macroplan (Len J Fourie)**

Notice is given in terms of Section 40, 41 & 42 of the Kai Garib Spatial Planning and Land Use Management By-Law that the Kai Garib Municipality, has, with effect from **31 July 2019** approved the removal of restrictive title conditions in Title deed T3098/2010, P2-3, §B (1)&(2), to accommodate the subdivision and rezoning of Plot 2265, Kakamas South Settlement.

**MUNICIPAL MANAGER**  
Kai Garib Municipality  
P.O. Box 8  
Keimoes  
8860

### **KENNISGEWING 97 VAN 2019**

### **Ruimtelike Beplanning en Grondgebruikbestuur Verordening**

**Aansoeker : Macroplan (Len J Fourie)**

Hierby word ooreenkomstig Artikel 40, 41 & 42 van die Kai Garib Ruimtelike Beplanning en Grondgebruikbestuur Verordening bekend gemaak dat die Kai Garib Munisipaliteit, in effek sedert **31 Julie 2019**, die opheffing van beperkende titelvoorwaardes goed gekeur het, soos uiteengesit in Titelakte T3098/2010 B2-3, §B (1)&(2), ten einde die hersonering en onderverdeling van Perseel 2265, Kakamas South Settlement te akkommodeer.

**MUNISIPALE BESTUURDER**  
Kai !Garib Munisipaliteit  
Posbus 8  
Keimoes  
8860