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## GOVERNMENT NOTICE

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### DEPARTMENT OF HIGHER EDUCATION AND TRAINING

No. 486

15 July 2013

**SKILLS DEVELOPMENT ACT, 1998(Act no. 97 of 1998)****Amendment Notice to Government Notice No. R 990****Published in Government Gazette No. 35940 of 3 December 2012**

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, hereby amend the Preamble of the Sector Education and Training Authorities (SETAs) Grant Regulations regarding monies received by a SETA and Regulations 1, 4(1) (a) (b), 4(4), 4(5), 4(7), 5(2) (d), 5(2) (e), 5(2) (f), 6(3), 6(7), 6(10) (d) , 6(14) 6(15) in Government Gazette No. 35940 of 3 December 2012.

**AMENDMENT TO PREAMBLE**

1. Preamble is substituted with the following wording.

Preamble

The intent behind these regulations is to:

- regulate the proportion of funds available for skills development that is spent on administration;
- provide for the Sector Education and Training Authorities(SETAs) to contribute to the cost of the work of the Quality Council for Trade and Occupations(QCTO);
- discourage the accumulation of surpluses and the carry-over of unspent funds at the end of each financial year;
- improve the quantity and quality of labour market information received by SETAs in the form of Annexure 2 to inform planning;
- promote National Qualifications Framework (NQF) registered and quality assured PIVOTAL programmes that address priority scarce and critical skills needs identified in sector skills plans; and
- create a framework within which expanded use is made of public education and training providers for the provision of learning programmes.

**AMENDMENT TO REGULATION 1**

2. The definition of ATR is deleted.

3. The definition of Mandatory grant means funds designated as mandatory grants contemplated in Regulation 4 to fund the education and training programmes as contained in Annexure 2.

4. The definition of "surplus" in Regulation 1 is substituted with the following definition.

"Surplus "means a favourable residual balance in the statement of financial performance for the financial year ending on 31 March less commitment to training of learners in programmes funded from discretionary funds; "commitments" in this context mean that contractual obligations exist at the end of the financial year that will oblige the SETA to make a payment or agreement (written) with specific terms between a SETA and a third party whereby the third party undertakes to perform something in relation to a discretionary project for which a SETA will be obliged to make payment against the discretionary grant."

5. The definition of WSP is deleted.

#### **AMENDMENT TO REGULATION 4**

6. The phrase WSP and ATR grant is hereby deleted in Regulation 4(1) (a).

7. The phrase WSP and ATR is substituted with the word Annexure 2 in Regulation 4(1)(b).

8. The phrase WSP and ATR is substituted with the word Annexure 2 in Regulation 4(4).

9. The phrase WSP and ATR is substituted with the word Annexure 2 in Regulation 4(5).

#### **AMENDMENT TO REGULATION 5**

10. The phrase WSP and ATR is substituted with the words Annexure 2 in Regulation 5(2) (d).

11. The phrase WSP is substituted with the words work skills plan in Regulation 5(2) (e).

12. The phrase WSP and ATR is substituted with the word Annexure 2 in Regulation 5(2) (f).

#### **AMENDMENT TO REGULATION 6**

13. The phrase skills development programmes is substituted with the word learning programmes in Regulation 6(3).

14. The phrase skills development programme is substituted with the word learning programme in Regulation 6(7).

15. The phrase WSP and ATR grant is hereby deleted in Regulation 6(10) (d).

16. The Phrase PIVOTAL training plan and report is substituted with the words PIVOTAL plan and PIVOTAL report in Regulation 6(14).

17. The Phrase PIVOTAL training plan and report is substituted with the words PIVOTAL plan and PIVOTAL report in Regulation 6(15).

"Insertion of a new regulation to follow Regulation 10

**10A Transitional arrangement**

18. For the 2013/14 financial year, the date referred to in Regulation 4(7) is substituted to read 15 October 2013.



DR BE NZIMANDE, MP

MINISTER OF HIGHER EDUCATION AND TRAINING.

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