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GENERAL NOTICE

NOTICE 271 OF 2011

SKILLS DEVELOPMENT ACT, 1998 (ACT NO. 97 OF 1998)

AMENDMENT OF THE SECTOR EDUCATION AND TRAINING AUTHORITIES (SETAs) GRANT REGULATIONS REGARDING MONIES RECEIVED BY A SETA AND RELATED MATTERS PUBLISHED IN GOVERNMENT NOTICE NO. R713 IN GOVERNMENT GAZETTE NO. 27801 OF 18 JULY 2005

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education and Training, hereby intend to amend the Sector Education and Training Authorities (SETAs) Grant Regulations regarding monies received by a SETA and related matters, published in Government Notice No. R.713 in *Government Gazette* No.27807 of 18 July 2005, as amended by Government Notice No. R88 in published in *Government Gazette* No.29584 of 2 February 2007 .

These amendments, as contained in the Schedule, are made in terms of section 36 of the Skills Development Act, 1998 (Act No. 97 of 1998), after consultation with the National Skills Authority and I hereby publish amendment for comments. All interested persons and organisations are invited to comment on the amended Regulations in writing, and to direct their comments to –

The Director-General, Private Bag X174, Pretoria, 0001, for attention: Ms M Erra, email Erra.m@dhet.gov.za .

Kindly provide the name, address, telephone number, fax number and email address of the person or organisation submitting the comments.

The comments should reached the Department within 21 calendar days after publication of this Notice.



Bonginkosi Emmanuel Nzimande, MP
Minister of Higher Education and Training

Date: 21/04/11

SCHEDULE

Amendment of Regulation 1 of the Regulations

1. Regulation 1 is hereby amended by the insertion after the definition of “mandatory grants”, of the following definition:

“PIVOTAL Programmes” means professional, vocational, technical and academic learning programmes that result in occupational qualifications and may include a knowledge component that is normally delivered at a further education and training college or a university as well as structured learning in an accredited training centre or an approved workplace.”.

Amendment of Regulation 6 of the Regulations

2. Regulation 6 is hereby amended by the substitution for sub Regulation (3) of the following sub Regulation:

“(3) The mandatory grant to be paid by the SETA –

- (a) must be equivalent to 40% of the total levies paid by the employer in terms of section 3(1) read with section 6 of the Skills Development Levies Act during each financial year;
- (b) must in addition to the 40% contemplated in (a) above also include 10% of the total levies paid by the employer should the employer utilise 10% of total levies paid to fund unemployed learners on pivotal programmes; and
- (c) must be paid to the employer monthly before the 7th calendar day of each month.”.

Amendment of Regulation 7 of the Regulations.

3. Regulation 7 is hereby amended by the substitution for sub Regulation (1) of the following sub Regulation:

“ (1) A SETA may determine and allocate a discretionary grant –

(a) to fund research in the sector in accordance with the sector skills plan and guidelines prepared by the Department in order to give effect to establishing a credible institutional mechanism for skills planning;

(b) to fund qualifying employers for the provision of workplace experiential learning opportunities in order to upgrade the intermediate skills pool;

(c) to fund capacity building projects within education and training institutions;

(d) to fund projects that support the establishment of formal written partnerships to enable the number of artisans that the sector has capacity for to be registered on artisan learning programmes, trained and become qualified artisans;

(e) to fund projects that facilitate agreements between SETAs and university faculties to support improved entry to priority PIVOTAL programmes, increased work experiential learning opportunities and access to post – graduate work experiential opportunities;

(f) to fund partnership projects between DHET , SETAs, employers, private providers and public FET colleges that result in increased capacity to meet industry needs throughout the country;

(g) to fund programmes that will raise the education base of youth in order to enable them to take on further learning and/or employment guided by DHET institutional frameworks;

(h) to fund, in support of the New Growth Path, government priorities as well as other government strategies, workplace training of workers already in employment in order for the workers to acquire critical skills as identified by the Sector in the Sector Skills Plan;

- (i) to fund NGO, community and worker-initiated skills development and training programmes as identified by the Sector in the Sector Skills Plan;
- (j) to fund initiatives that seek to build career guidance in their sector and nationally;
- (k) to fund a lead employer contemplated in regulation 5(4) of the Learnership Regulations;
- (l) to fund an agency established in terms of section 17(7) of the Skills Development Act;
- (m) to fund all components and relevant institutional structures for an occupational qualification relevant to the sector; or
- (n) to fund sector specific skills interventions that help achieve the goals of NSDS III, address employer demand and deliver results.”.

Amendment of Regulation 10 of the Regulations.

4. Regulation 10 is hereby amended by the substitution for sub Regulation (2) of the following paragraph:

“(e) with effect from 1st April 2011 has implemented its workplace skills plan for the previous financial year to the extent that it satisfies the criteria for implementation that must be established by the SETA Board or Council and approved by the Department annually.”.

Amendment of Annexure 3 of the Regulations.

5. Annexure 3 is hereby amended by the insertion after section G in the Annexure of the following addition:

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