

GOVERNMENT NOTICE

DEPARTMENT OF NATIONAL EDUCATION

No. 1423, 26 November 1999

DEPARTMENT OF EDUCATION

SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

TRANSFER OF FUNDS AND OTHER MOVEABLE ASSETS OF THE STATE TO PUBLIC SCHOOLS

The Minister of Education hereby, in terms of section 52(3) of the South African Schools Act, 1996 (Act No. 84 of 1996), determines the dates on which and the conditions subject to which funds and other moveable assets used by, or held on behalf of public schools contemplated in section 52(1) of the Act and which in law are the property of the State, devolve upon the public schools, as set out in the Schedule.

PROFESSOR KADER ASMAL, MP
MINISTER OF EDUCATION
NOVEMBER 1999

SCHEDULE

TRANSFER OF FUNDS AND OTHER MOVEABLE ASSETS OF THE STATE TO PUBLIC SCHOOLS

Dates of transfer

1. The funds and moveable assets used by, or held for or on behalf of a public school contemplated in section 52(1) of the South African Schools Act, 1996 (Act No. 84 of 1996), and which in law are the property of the State, devolve upon the school on

(a) the date of publication of this notice, if the governing body of such a school has applied for the allocated functions in terms of section 21 of the Act and the functions contemplated in section 21(1)(a) have been allocated by the Head of the Department to the governing body; or

(b) the date from which the functions contemplated in section 21(1)(a) of the Act are

(i) allocated to the governing body of a school in terms of section 21(3) of the Act on application by the governing body in terms of section 21(1) of the Act; or

(ii) assigned to the governing body of a school in terms of section 21(6) of the Act.

Conditions for transfer

2. The transfer of the funds and moveable assets is subject to the following conditions:

(a) The principal of a public school must draw up a financial statement of the funds and compile an inventory of the moveable state assets used by, or held for or on behalf of the public school and which in law are the property of the State. A designated official of the provincial department of education must be assigned by the Head of Education to verify in writing that the financial statement and inventory have been compiled correctly.

(b) The chairperson of the governing body must sign an acknowledgment of receipt of the funds and moveable assets from the State on behalf of the school and submit it to the first meeting of the governing body after signature. (ANNEXURE A).

(c) A copy of the financial statement and the inventory must thereafter be made available to the Head of Department together with the signed acknowledgment of receipt. The Head of Department must keep a running record of all such documents.

(d) A copy of the financial statement and the inventory must be kept on record at the school.

(e) The moveable property listed in the inventory may not be alienated without value unless agreed to by the Head of Department.

(f) Any alienation of the property contemplated in paragraph (a) contrary to the provisions of paragraph (e) is invalid and the ownership of such property will revert to the State.

ANNEXURE A

PRO-FORMA ACKNOWLEDGEMENT OF RECEIPT OF FUNDS AND OTHER MOVABLE ASSETS TRANSFERRED TO A PUBLIC SCHOOL IN TERMS OF SECTION 52(3) OF THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

I, (name of the chairperson of the governing body) on behalf of the public school,.....(name of the public school), duly acknowledge receipt from the State of the funds in the enclosed financial statement, that were paid into the bank account of the school, and the assets listed in the enclosed inventory.

THUS DONE and SIGNED at on thisday of 1999 (date of receipt)

.....
Chairperson of governing body

WITNESSES:

1.
2.