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**GOVERNMENT NOTICE**

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**DEPARTMENT OF BASIC EDUCATION**

No. R. 684

28 August 2012

**THE SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)****DRAFT AMENDMENT REGULATIONS TO PROVIDE FOR A COMPETENCY TEST TO BE USED IN THE SELECTION OF MARKERS FOR THE NATIONAL SENIOR CERTIFICATE EXAMINATION**

1. I, Angelina Matsie Motshekga, Minister of Basic Education, hereby, in terms of *section 61(d)* of the *South African Schools Act, 1996 (Act. No. 84 of 1996)*, after consultation with the Council of Education Ministers, hereby give my intention to amend regulations pertaining to the National Senior Certificate and accordingly invite stakeholder bodies and members of the public to comment on the relevant regulation change as set out in the **Schedule**.

**CLOSING DATE**

2. The closing date for the receipt of comments is set as **14 days** after publication of this Notice.

**ADDRESS FOR SUBMISSIONS**

3. Please send or deliver your submission to:

**The Chief Director  
Department of Basic Education  
222 Struben Street  
PRETORIA, 0001**

Or

**Private Bag X895  
PRETORIA, 0001**

Or

**Fax: 012 328-2898**

**E-mail: [poliah.r@dbe.gov.za](mailto:poliah.r@dbe.gov.za)**

  
**MRS AM MOTSHEKGA, MP  
MINISTER OF BASIC EDUCATION**

**DATE: 13 August 2012**

## DEPARTMENT OF BASIC EDUCATION

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

#### GENERAL EXPLANATORY NOTE

[-----] Words in bold in square brackets indicate omissions from the existing Regulations.

\_\_\_\_\_ Words underlined with a solid line indicate insertions into the existing regulations.

#### SCHEDULE

The regulation document, *Regulations pertaining to the Conduct, Administration and Management of Assessment for the National Senior Certificate*, published as *Regulation Notice, No. R872 in Government Gazette No. 31337 of 29 August 2008* is hereby amended by the following:

#### Amendment of Regulation 35 of the Regulations

1. *Regulation 35* is hereby amended by the addition of sub-regulations (4A) and 4(B) following sub-regulation (4)-

“35(4A) Teachers employed in terms of the *Employment of Educators Act, 1998 (Act No. 76 of 1998)*; will in terms of the Personnel Administrative Measure (PAM) criteria be provisionally selected as markers, however, their appointment is subject to the outcome of a competency test as contemplated in *sub-paragraph (4B)*.”

**35(B)** Successful markers will be categorized on the basis of their performance in the competency test:

(i) the first category comprises markers that obtained between **80%** and **100%** and these markers will be appointed automatically and will be contracted to mark for a period of three years. After three years they will be once again subjected to the competency test to renew their contracts.

(ii) the second category is those markers that obtained between **60%** and **79%**. These markers will be considered to have potential and will be considered for marking on condition that they attend a three days content workshop training prior to the marking session. These markers will be subjected every year to the competency test until they achieve a score above 80% which will qualify them for a contract of three years.

(iii) The third category involves prospective markers that performed below 60%. This category will not be allowed to mark but will be subjected to a rigorous training session which will be conducted in collaboration with teacher development unit. These teachers will have to write the competency test of the following year and should score above 60% to be considered for appointment.”

#### Short title and commencement

2. This Regulation document is called “*Regulations pertaining to the Conduct, Administration and Management of Assessment for the National Senior Certificate*”, and will come into effect on the date of publication in the *Government Gazette*.