

NATIONAL ASSEMBLY

WRITTEN REPLY

QUESTION 2039.

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2039. Ms A M van Zyl (DA) to ask the Minister of Basic Education: to ask the Minister of Basic Education:

- (1) What are the details of the progress that her department has made to standardise the function of learner transport;
- (2) whether a decision has been made to award the function of learner transport to either her department or the Department of Transport; if not, why not; if so, at what stage is the process;
- (3) whether any legal opinion was sought as to where the function belongs; if not, why not; if so,
- (4) whether she will furnish Ms A M van Zyl with a copy of the specified legal opinion; if not, why not; if so, what are the relevant details?

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Response

1. The Department of Education in collaboration with the Department of Transport (DoT) published the Learner Transport Policy in 2015 with the main intention of standardizing the implementation of Learner Transport Function. Both the DBE and DoT are currently reviewing the Learner Transport Policy to address among others issues of unmet Demand, insufficient funding, and varied provincial cost models. The Review is expected to be completed by the end of the 3rd Quarter of 2023/2024 Financial Year. Also the two Departments are currently developing the Standard Cost Model to standardise the costing of Learner Transport Programme to be used by all Contracting Provinces as there are varied cost models from one Province to the other.
2. No decision has been made to award the Learner Transport Function to either the Department of Basic Education or the Department of Transport. The Departments jointly wrote a Cabinet Memorandum through the Department of Planning, Monitoring and Evaluation (DPME) requesting Cabinet to seek strategic advice and deeper analysis on the location of the Learner Transport Function. DBE's Council of Education Ministers (CEM) indicated that they do not have authority to decide on the optimal location of the function and that Cabinet or a higher political structure must decide on the location. The Departments are still waiting for feedback on this matter.
3. Legal advice was solicited internally from the DBE's Legal Services Unit during the development of the current Learner Transport Policy promulgated in 2015. The advice was provided in engagements internally and was not a formal written legal opinion.
4. Refer to 3 above.