MEDIA RELEASE

07 AUGUST 2026

MINISTER GWARUBE PUBLISHES ADDITIONAL DRAFT BELA REGULATIONS FOR PUBLIC COMMENT, REAFFIRMING COMMITMENT TO RESPONSIBLE AND INCLUSIVE IMPLEMENTATION

The Minister of Basic Education, Ms Siviwe Gwarube, has published additional draft regulations and a related draft notice for public comment as part of the responsible implementation of the Basic Education Laws Amendment (BELA) Act.

The publication covers four instruments of implementation: three sets of draft regulations and one draft notice dealing with school governing body elections.

The BELA Act is already in force, and its implementation continues across the basic education sector. The publication of these draft regulations does not mark the beginning of implementation. Rather, they are intended to provide additional clarity, consistency and practical support in four areas in which schools, governing bodies and education departments must give effect to the amended law.

The Minister has consistently maintained that implementation must be guided by transparency, constitutional principles and meaningful public participation.

The publication of these draft regulations gives parents, teachers, learners, school governing bodies, education organisations, unions, faith-based organisations, civil society and all interested South Africans an opportunity to scrutinise the proposals and make submissions before any regulations are finalised.

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The published draft instruments relate to:

1. the election and functioning of School Governing Bodies;
2. additional remuneration for state-employed educators and other qualifying state employees undertaking approved additional duties;
3. minimum norms and standards for Provincial Teacher Development Institutes and District Teacher Development Centres; and
4. the National Education Information System.

The South African Schools Act, as amended by the BELA Act, establishes the legislative framework. These draft regulations provide further practical details to support consistent implementation of specific provisions across the education sector. They seek to strengthen good governance, improve accountability, support teacher development and enhance the quality, reliability and protection of education information across the sector.

The first instrument, the draft Notice Relating to the Election of Members of Governing Bodies, proposes a common national framework for the election of school governing bodies. It provides for three possible election methods: a traditional election meeting, voting throughout a designated election day, or secure electronic voting where a school has the necessary capacity and safeguards.

The second instrument, the Draft Regulations on the Prohibition of the Payment of Unauthorised Remuneration or the Giving of Other Financial Benefits or Benefits in Kind to Certain Employees, deals with circumstances in which a school governing body seeks to compensate a state-employed educator or other qualifying state employee for genuine additional work. The draft regulations make it clear that such payments may not be made informally or without oversight.

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The third instrument, the Draft Regulations on the Minimum Norms and Standards for Provincial Teacher Development Institutes and District Teacher Development Centres, seeks to ensure that teachers across the country have access to functional, safe and inclusive professional development facilities.

The fourth instrument, the Draft Regulations on the National Education Information System, proposes a structured national framework for collecting, verifying, storing, protecting and using education information. Reliable information is essential for understanding how many learners and teachers are in the system, identifying where classrooms, textbooks, educators and other resources are needed, and tracking whether services are reaching the schools and communities that need them most.

“The BELA Act is law and its implementation is continuing. Our responsibility is to ensure that implementation is lawful, responsible and workable, and that the schools, governing bodies and education officials who must give effect to the law have clear and practical guidance,” said Minister Gwarube.

“Public consultation is an important part of that process. These draft regulations and the related notice will support greater certainty and consistency across the sector, while giving the sector a meaningful opportunity to help improve the proposals before they are finalised.”
The Minister reiterated that effective implementation of legislation requires practical regulations that provide certainty, consistency and accountability, while remaining responsive to public input and constitutional values.

The public comment process does not pause the broader implementation of the BELA Act, which continues across the sector.

Following the conclusion of the public comment period, all submissions received will be carefully considered before the regulations are finalised.

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The Minister of Basic Education encourages all interested stakeholders to engage constructively with the draft regulations and submit comments within 30 days of publication in the Government Gazette, Closing on 05 September 2026 at 23h59.

The draft regulations, together with details on the submission process, are available in the relevant Government Gazette notices.

Comments may be sent to the following dedicated email addresses:

- School governing body elections: SGBElections@dbe.gov.za
- Additional remuneration under section 38A: Section38A@dbe.gov.za
- Teacher development institutes and centres: TeacherDevelopment@dbe.gov.za
- National Education Information System: NEIAS@dbe.gov.za

Comments may also be delivered by hand to the Department of Basic Education at 222 Struben Street, Pretoria, or posted to Private Bag X895, Pretoria, 0001.

The relevant Government Gazette notices should be consulted for the complete draft texts, submission requirements and closing dates.

ISSUED BY THE DEPARTMENT OF BASIC EDUCATION

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