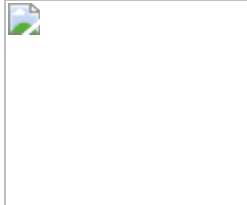


Navrae
Enquiries **Circuit Managers**
IMibuzo

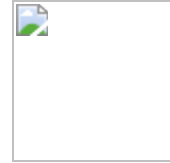
Telefoon
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Verwysing **13/12/41/B**
Reference **20031125-0028**
ISalanthiso



Wes-Kaap Onderwysdepartement
Western Cape Education Department
ISebe IeMfundo IeNtshona Koloni



CIRCULAR : 0011/2004
EXPIRY DATE : NONE

TO: DEPUTY DIRECTORS-GENERAL, CHIEF DIRECTORS, DIRECTORS, DEPUTY DIRECTORS, SENIOR CIRCUIT MANAGERS, CIRCUIT MANAGERS, HEADS OF PUBLIC SCHOOLS AND CHAIRPERSONS OF SCHOOL GOVERNING BODIES

BRIEF SUMMARY: *The drawing up of the annual budget by the school governing body and the approval of the budget by parents of learners at the school concerned*

SUBJECT: COMPLIANCE WITH SECTION 38 OF THE SA SCHOOLS ACT

1. TThe Western Cape Education Department wishes to draw the attention of schools to the prescriptions of Section 38 of the SA Schools Act, Act 84/1996, as amended. In South Africa the onus rests on each person and institution to ensure that legal prescriptions are executed. Principals of schools and chairpersons of school governing bodies (SGBs) must therefore ensure that they keep abreast of, and adhere to all acts, amendments, regulations, policy and prescriptions pertaining to the functioning of schools.
2. Section 38 of the SA Schools Act reads as follows:

*38[1] A **governing body** of a **public school** must prepare a budget each year according to the prescriptions determined by the Member of the Executive Council in a **Provincial Gazette**, which shows the estimated income and expenditure of the **school** for the following financial year.*

*[2] Before a budget referred to in subsection [1] is approved by the governing body, it must be presented to a general meeting of **parents** convened on at least 30 days' notice, for consideration and approval by a majority of **parents** present and voting.*

*[3] The notice contemplated in subsection [2] must also inform the **parents** that the budget will be available for inspection at the school for at least 14 days prior to the meeting.*
3. Schools must adhere to the above-mentioned prescriptions. During the fourth school term each SGB must prepare its budget for the following year and then convene a general meeting of parents in order to enable them to consider the budget.
4. At least 30 days before the meeting is to be held the SGB must direct a letter to all parents to inform them
 - of the date, time, venue and purpose of the meeting, and
 - that the proposed budget will be available at the school for inspection for at least 14 days before the date of the meeting.
5. At this meeting the **parents who are present** must approve or amend the budget by means of voting.
6. Principals of schools and chairpersons of SGBs are reminded that non-compliance with these legal prescriptions is a violation of the law. If these prescriptions are not complied with, the process will have to be repeated in terms of the prescribed requirements.

7. Please bring the contents of this circular to the attention of all members of staff and SGBs.

SIGNED: J.H. LYNERS

HEAD: EDUCATION

DATE: 2004:02:18

Meld asseblief verwysingsnommers in alle korrespondensie / Please quote reference numbers in all correspondence /
Nceda ubhale iimombolo zesalathisa kuyo yonke imbalelwano
Grand Central Towers, Laer-Parlementstraat, Privaatsak X9114, Kaapstad 8000
Grand Central Towers, Lower Parliament Street, Private Bag X9114, Cape Town 8000