

In bilateral discussion between the SA Government and the African National Congress the following draft of revised schedule 9 which goes with section 118 of the Constitution was formulated for submission to the Technical Committee on Constitutional Issues. This is a preliminary draft and both parties may propose modifications in due course.

SCHEDULE 9

Agriculture

Casinos, racing, gambling and wagering

Cultural Affairs

Education at all levels, excluding university and technikon education

Health services

Housing

Language policy and language/s as languages of record for use in provincial administrations

Local government subject to the provision of Chapter 10

Nature conservation, excluding national parks and national botanical gardens and marine resources

Police subject to the provisions of the appropriate chapter

Provincial public media

Public transport

Regional planning and development

Road traffic regulation

Roads

Tourism

Trade and industrial promotion

Traditional authorities

Urban and rural development

Welfare services

12 November 1993

In bilateral discussion between the SA Government and the African National Congress the following clause dealing with education in the transitional arrangements section of the Constitution was formulated for submission to the Technical Committee on Constitutional Issues. This is a preliminary draft and both parties may propose modifications in due course.

1. The national government and provincial governments shall not alter the rights, powers and functions of the governing bodies, management councils or similar authorities of departmental, community-managed or state-aided primary or secondary schools, unless agreement, resulting from *bona fide* negotiations has been reached with such bodies and reasonable notice of implementation has been given.
2. The national government and provincial governments shall not alter the rights, powers and functions of the controlling bodies of universities and technikons, unless agreement, resulting from *bona fide* negotiations, has been reached with such bodies.
3. Where in the case of 1 and 2 above, agreement is not reached after such negotiations, the competence of the Government to alter the rights, powers and functions of the governing bodies, management councils or similar authorities of departmental, community-managed or state-aided primary or secondary schools as well as the controlling bodies of universities and technikons will not be constrained. In such event, individuals and bodies will have recourse to challenge the exercise of the competence of the government within the framework of the Constitution.
4. The responsible government authorities shall fund departmental, community-managed or state-aided primary or secondary schools on an equitable basis which ensures an acceptable quality of education.