**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 1786**

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**1786. Ms H S Boshoff (DA) to ask the Minister of Basic Education:**

(1) Whether, in line with recommendation 5 of the Report of the Ministerial Task Team to Investigate Allegations into the Selling of Posts of Educators by Members of Teachers Unions and Departmental Officials in Provincial Education Departments, dated 18 May 2016, she requires all provinces to complete and implement their delegations’ frameworks in line with the Cabinet-approved 2013 public administrations delegations’ framework; if not, why not; if so, what are the relevant details;

(2) has she adjusted the education sector legislation accordingly? NW2094E

**Replies:**

(1)The project to implement delegations’ frameworks in line with the Cabinet-approved 2013 public administrations delegations’ framework, was carried out by the Department of Public Service and Administration and all Provincial Departments were invited to attend the briefing sessions.

(2) No, there is no need to adjust the education legislation as Section 36 of the Employment of Educators Act 1998 (the Act), already empowers the Minister, the Director-General, the Member of the Executive Council and the Head of Department to delegate their duties to relevant official under their control. In relation to recommendation 5 of the Ministerial Task Team, Section 36 (4) in particular empowers a Head of Department to delegate to any person in the service of the Provincial Department of Education any power conferred upon the Head of Department by or under the Act, on such conditions as the Head of Department may determine; or authorise the said person to perform any duty assigned to the Head of Department by or under the Act.