**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION 3198**

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**3198. Ms N I Tarabella Marchesi (DA) to ask the Minister of Basic Education:**

What (a) number of public comments did her department receive relating to the draft Basic Education Laws Amendment Bill, (b) is the breakdown of (i) objections and (ii) support in respect of the specified draft Bill and (c) is the current progress of reviewing the public comments thereon? NW3627E

**REPLY**

1. The Department received more than 6 000 reactions to the call for comments. The vast majority were emails, but there were also a number of faxed and couriered documents. Many of the reactions do not contain substantive comments, but are merely requests for extension of the deadline or for information of some kind, and indications of opposition to the Bill. There were unfortunately also quite a number of repetitions – emails sent twice (and even up to five times), whether by accident or on purpose, and whether identical or with changes. The Department also received many petitions signed by interested parties. To date, 122 petitions containing 188 648 names and/or signatures have been registered. Owing to the practical difficulties alluded to above, the Department will be able to give details of how many comments were received only after all the comments have been evaluated.
2. The Minister appointed a task team consisting of officials from the Department and from three of the provincial education departments to evaluate the comments. The task team still needs to consider approximately 1 800 comments and can therefore not at this stage give an accurate breakdown of how many commentators are against or in support of the Bill. However, the majority of the commentators are opposed to the provisions in the Bill that, as they put it, restrict the powers of school governing bodies (SGBs). It should be mentioned that there were a few comments in favour of the restriction of the powers of SGBs. These commentators feel that SGBs do not have the necessary knowledge, or are corrupt, or use their powers to keep certain groups of children out of their schools. There has also been strong opposition to the provisions relating to home education. Centralised procurement, the declaration of educators' personal finances and those of their spouses, the provisions relating to alcoholic liquor, and the provisions relating to leases and loans are a few of the other matters that have drawn criticism.

1. To date, the task team has had 11 meetings, stretching over 23 days, at which approximately 3 000 reactions have been considered. These include the comments of 32\* of the main organisations directly involved in education. This does not represent a complete list of education stakeholder organisations because, as the sorting of the reactions continues, the comments of more organisations are coming to light. Task team members have also spent countless hours outside of meetings, working on the Bill. During the course of the work described above, changes have been made to the Bill in line with decisions that the task team took at its meetings. Currently, the fourth draft of the Bill is the version on which the task team is working.

\*

1. Centre for Child Law
2. Equal Education & EE Law Centre
3. Section27
4. Legal Resources Centre
5. AfriForum
6. FEDSAS
7. Governors’ Alliance
8. NAISA
9. Solidarity
10. Solidarity Helping Hand’s Schools Support Centre
11. KZNED
12. SADTU
13. SAOU
14. WCED
15. Centre for Constitutional Rights
16. FOR SA
17. The Governing Body Foundation
18. ISASA
19. FEDUSA
20. Progressive Principals’ Association
21. Grahamstown Residents Association
22. Concerned Teachers’ Group
23. ADvTECH Group
24. OGOD
25. WCED
26. GED
27. Corruption Watch
28. IEB
29. DeafSA
30. PACSEN
31. NASGB
32. (The Pestalozzi Trust submitted two comments, which the task team decided not to discuss at that time, because one of the task team members was given the responsibility of reevaluating the whole matter of home education for an in-depth discussion at a later stage.)