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| MEMORANDUM FROM THE PARLIAMENTARY OFFICE |

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 597**

**DATE OF PUBLICATION OF INTERNAL QUESTION PAPER: 04/03/2022**

**INTERNAL QUESTION PAPER NO 6 OF 2022**

**Dr W J Boshoff (FF Plus) to ask the Minister of Higher Education, Science and Innovation:**

Whether any efforts have been made to ensure that the post-school education and training sector fulfils the possibilities of self-determination as provided for in section 235 of the Constitution of the Republic of South Africa, 1996; if not, (a) why not and (b) in what way can self-determination be incorporated in the post-school education and training sector; if so, what are the relevant details?

**NW728E**

**REPLY:**

Legislation on post-school education does not preclude any aspect of the Constitution of the Republic of South Africa and that includes the right to self-determination.

For instance, the Higher Education Act, 101 of 1997 makes provision in line with the Constitution for the establishment of private institutions.

The development of the post-school sector in South Africa post-apartheid has been driven by post-apartheid national policy imperatives, geared towards developing a national unified higher education system within a coherent national education policy framework. The focus of the policy frameworks in place since democracy has been to develop a truly national post-school education and training system which addresses the legacies of past inequality and discrimination, which is geared towards supporting national imperatives, and which supports the national development agenda. These policy goals are clearly articulated in the various White Papers, including the White Paper on Post-School Education and Training.

As outlined in the preamble to the Higher Education Act, the purpose of the Act was to create a single unified higher education system, redress imbalances of the past, and transform higher education in terms of the expectations of an open and democratic society.

Public Universities are national institutions and while they are anchored in local communities and within provinces, they are funded and monitored at national system level.