

NOTICE TO ALL W&RSETA STAKEHOLDERS

21 APRIL 2016

SECTOR EDUCATION AND TRAINING AUTHORITIES (SETA) GRANT REGULATIONS

Following the letter from BUSA dated 15 April 2016 to its members regarding the Labour Court order and the perceived implications of the order on its members, the W&RSETA (SETA) wishes to advise as follows:

1. Subsequent to the Labour Court setting aside Regulations 3(12) and 4(4) of the 2012 SETA Grant Regulations on 7 August 2015 for want of consultation, the Minister of Higher Education and Training subsequently consulted with the National Skills Authority (NSA) as required by section 36 of the Skills Development Act 97 of 1998.
2. Upon consultation, the NSA provided the requisite advice to the Minister of Higher Education and Training on 30 October 2015. Following the advice of the NSA, the Minister re-promulgated Regulation 4(4) as per gazette number 39592 dated 13 January 2016.
3. The re-promulgation of Regulation 4(4) sets the Mandatory Grant at 20% thus affirming the original position provided for in the 2012 Grant Regulations.
4. The position by the SETA is that, the SETA is bound by the peremptory provisions of the Grant Regulations issued by the Minister of Higher Education and Training in terms of the Skills Development Act (the Act) in the exercise of his legislative powers.
5. Therefore, the SETA hereby wishes to re-assert its position to all stakeholders that it will continue to comply with and enforce Regulation 4(4) that has been re-promulgated as per gazette number 39592 dated January 2016.



higher education
& training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA