

Statutory Instrument No. 3 of 1967.

**THE EDUCATION LAW, 1966
THE EDUCATION (FEES) REGULATIONS, 1967**

In exercise of the powers vested in him by sections 26 and 29 of the Education Law, 1966, the Minister of Labour and Social Services hereby makes the following regulations —

Title.

1. (1) These regulations may be cited as the Education (Fees) Regulations, 1967.
- (2) These regulations shall come into operation on the promulgation thereof:

Provided that the provisions of regulations 4 (3) and 5 (3) shall come into operation on a date to be notified by the Minister in the *Gazette*.

Interpretation.

2. In these regulations —

“education committee” means an education committee appointed in terms of section 24 (1) of the Local Government (District Councils) Law, 1965, or in terms of regulation 24 (1) of the Town Council Regulations, 1966;

“fee” means a fee payable in terms of these regulations for the tuition of any child at school and for the supply of books and materials in connexion therewith;

“person responsible” means the person responsible for the payment of a fee in terms of regulation 3;

“prescribed date” means the day before that on which the school opens for any term;

“school” means an aided school, Government school or Local Government School.

Responsibility for payment of fees.

3. The person responsible for the payment of a fee shall be the parent of the child in whose custody the child is unless some other person has undertaken to be liable for the fee, in which case that person shall be responsible.

Fees payable at schools other than those listed in regulation 5 (1).

4. (1) The provisions of this regulation shall not apply in respect of the schools listed in regulation 5 (1).

(2) For every child there shall be paid a fee of R6-00 *per annum* which shall be payable in three instalments of R2-00 on or before each prescribed date.

(3) For every child who attends a school in the area of a local council other than that in which a parent is ordinarily resident there shall be paid an additional fee of R6-00 *per annum* which shall be payable in three instalments of R2-00 on or before each prescribed date.

Increased fees payable at certain schools.

6. (1) The provisions of this regulation shall apply in respect of the former English medium primary schools, or -

Frankstown	Gabereene	Lobatse
Mabochwe	Mene	Serowe

and the Basotho School, Lobatse.

(2) For every child there shall be paid a fee of R32-00 *per annum* which shall be payable in three equal instalments on or before each prescribed date.

(3) For every child who attends a school in the area of a local council other than that in which a parent is ordinarily resident there shall be paid a fee of R18-00 *per annum* which shall be payable in three equal instalments on or before each prescribed date, unless, having regard to all the circumstances of the case, including the home language and social background of the child, it would not be reasonable for the Local Education Authority to expect the child to attend a school in the area in which the parent has his home.

Remission of school fees.

7. (1) The Local Education Authority shall have power in its sole discretion, to remit fees payable under regulation 4 or 5 --

(a) in respect of one child, at any one time, of a family where the parent, being the person responsible, is exempted from the payment of local government tax under the provisions of section 13 (1) (b) or (c) or 13 (3) of the Local Government Tax Law, 1965, up to an amount of 100 *per centum* of all fees payable for the child;

(b) in respect of one child, at any one time, of a family where the parent, being the person responsible, is liable to make payment of local government tax at the minimum level prescribed in First Schedule of the Local Government Tax Law, 1965, for the area in which he resides, up to an amount of two thirds of all fees payable for the child.

Provided that no fee shall be remitted in terms of this paragraph unless the Local Education Authority is satisfied that the parent is extremely poor.

(2) Any person seeking a remission of a fee under the provisions of this regulation shall make application to the school committee, if any, established under section 11 of the Law, otherwise to the education committee.

(3) A school committee receiving an application for remission in accordance with the provisions of subregulation (2) shall forthwith forward the application to the education committee.

(4) The total amount of all fees which may be remitted under this regulation in respect of any school at any time shall not exceed 5 *per centum* of the total amount (disregarding any remission granted in terms of this section) chargeable as fees for the year and in respect of the school concerned.

Remission of school fees where four or more children are at school.

7. (1) Where a parent, being the person responsible, has four children at school, the amount of any fee for the fourth child shall be reduced by one third and the amount of the instalments payable shall be reduced proportionately.

(2) Where a parent, being the person responsible, has five or more children at school, the amount of any fee for the fifth and subsequent children shall be reduced by two thirds and the amount of the instalments payable shall be reduced proportionately.

Change of school during the year.

8. (1) Subject to the provisions of subregulation (2), where any child changes his school, the person responsible shall be exempted from the payment of any fee in respect of the new school which has been paid in respect of the school which the child attended before the change.

(2) Where a child changes from a school to which the provisions of regulation 4 apply, to a school to which the provisions of regulation 5 apply, the person responsible shall be exempted from the payment of any fee in respect of the new school up to the amount paid in respect of the school which the child attended before the change.

(3) Fees shall be payable for a child who is admitted to any school during the course of a year (other than during the first month of the first term) in respect of the remainder of the year only fees for the period not attended being remitted.

To whom fees payable.

9. (1) Fees shall be paid to the Local Education Authority or to such person as may be designated by the Authority for the purpose.

(2) A receipt shall be issued to any person making payment of a fee.

Production of receipts prior to admission.

10. No child shall be admitted to any school in any term unless he first produces to the principal teacher at the school at the time of his registration as a pupil a receipt issued under regulation 9 (2) showing that all fees for the term have been paid.

Reservation of places.

11. (1) Where a child is seeking admission to any school to which he has not previously been admitted he, or the person responsible, may request the principal teacher at the school to reserve a place for him pending the payment of fees.

(2) If there is a place available for a child and an application is made in terms of subregulation (1) the principal teacher shall reserve a place for the child for a period of seven days.

Special provision for 1967.

12. The provisions of regulation 10 shall not apply in respect of the first school term in 1967:

Provided that where a receipt issued in terms of regulation 9 (2) showing that fees for the term have been paid is not produced to the principal teacher at the school on or before the 10th March, 1967, the child shall be excluded from the school and his registration as a pupil shall be cancelled.

Cabinet Office,
GABERONES.
27th January, 1967.

G. WINSTANLEY,
for Secretary to the Cabinet.