

REPUBLIC OF SOUTH AFRICA

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**PORTFOLIO COMMITTEE AMENDMENTS  
TO  
NATIONAL STUDENT  
FINANCIAL AID SCHEME BILL**

[B 48—99]

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*(As agreed to by the Portfolio Committee on Education (National Assembly))*

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[B 48A—99]

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REPUBLIEK VAN SUID-AFRIKA

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**PORTEFEULJEKOMITEE-AMENDEMENTE  
OP  
WETSONTWERP OP DIE  
NASIONALE SKEMA VIR  
FINANSIËLE BYSTAND VIR  
STUDENTE**

[W 48—99]

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*(Soos goedgekeur deur die Portefeuljekomitee oor Onderwys (Nasionale Vergadering))*

**AMENDMENTS AGREED TO**  
**NATIONAL STUDENT FINANCIAL AID SCHEME BILL**  
**[B 48—99]**

CLAUSE 1

1. On page 2, after line 11, to insert:
  - (iv) “bursary” means that part of the loan granted to a person by the NSFAS which the person is not required to pay back on compliance with the criteria and conditions set in the written agreement;

CLAUSE 5

1. On page 4, in line 36, to omit “eleven” and to substitute “13”.
2. On page 4, after line 40, to insert:
  - (iv) three members must be nominated by national organisations representing students;
3. On page 6, in line 9, to omit “eleven”.

CLAUSE 13

1. On page 8, in line 46, to omit “elect” and to substitute “appoint”.

CLAUSE 19

1. On page 12, from line 17, to omit subsection (6) and to substitute:
  - (6) A right to obtain a loan or bursary from the NSFAS cannot be construed from any provision of this Act.

CLAUSE 25

1. On page 14, after line 52, to add:
  - (2) The NSFAS must on request provide such information as may be reasonably required by the science, research and professional councils, higher education institutions and any other persons or bodies who grant loans or bursaries to students.

CLAUSE 29

1. On page 16, in line 27, to omit “the executive officer” and to substitute:

TEFSA and the executive officer of TEFSA and between TEFSA

PREAMBLE

Preamble rejected.

NEW PREAMBLE

1. That the following be a new Preamble:

WHEREAS it is desirable to—

redress past discrimination and ensure representivity and equal access;

respond to human resource development needs of the nation; and

establish an expanded national student financial aid scheme that is affordable and sustainable,

LONG TITLE

1. On page 2, in the fifth line, after “loans;” to insert:

**to provide for the repeal of the Provision of Special Funds for Tertiary Education and Training Act, 1993;**

**AMENDMENTS REJECTED**

## CLAUSE 1

1. On page 2, in line 20, after “borrower” to insert:  
or makes use of services of a free-lancer, student worker or temporary worker and any person who is self-employed

## CLAUSE 4

1. On page 4, in line 25, after “students” to insert:  
for purposes of study in disciplines of national interest

## CLAUSE 5

1. That the following be inserted:

## Subsection (1)(a):

- (ii) two members must be nominated by national organisations representing organised business;
- (iii) one member must be nominated by the Committee of University Principals established by section 6 of the Universities Act, 1955;
- (iv) one member must be nominated by the Committee of Technikon Principals established by section 2 of the Technikons Act, 1993;
- (v) one member must be nominated by national organisations representing colleges and recognised by the Minister for this purpose;

## Subsection (1)(b):

not more than two members who may be co-opted by the board;

## Subsection (2)(b):

- (v) has a knowledge and understanding of South Africa’s skills shortage and of the requirements of the job market;

2. On page 6, in line 9, after “members” to insert:  
other than those contemplated in subsection (1)(a)(i) and (ii)

## CLAUSE 11

1. That the following be inserted:

## Subsection (1)(d):

- (d) not more than five financial experts, at least two of whom must be from the private sector.

## CLAUSE 18

1. That the following be inserted:

**18.** Any student may, subject to the provisions of this Act, apply in writing to any designated higher education or training institution for a loan or bursary on an application form determined by the board.

## CLAUSE 19

1. That the following be inserted:

**19.** (1) (a) Loans or bursaries granted by the board must be subject to the condition that the student—

- (i) be a citizen of South Africa;
- (ii) be accepted as a registered student at a South African university or technikon, or be registered as an apprentice, at the time the award is made;
- (iii) be judged to have the potential to succeed not only through performance in the school leaving examination;
- (iv) be regarded as financially in need, as determined by a means test; and
- (v) be unable to finance his or her studies without an NSFAS award.

(b) Loans and bursaries may be subject to any other reasonable conditions as it may determine, either generally or in respect of a particular loan or bursary, provided that steps are taken to ensure that all bursary applicants are informed of these conditions.

## CLAUSE 20

1. On page 12, in line 21, after “institution” to insert “and disciplinary direction institutions”.
2. On page 12, in line 23, after “institution” to insert “and/or other qualifying institutions”.
3. On page 12, in line 25, after “institution” to insert “and/or other qualifying institutions”.
4. On page 12, after line 22, to insert:

(2) The board may enter into an agreement with a higher education institution according to which such institution’s loan schemes may be administered under the provisions of section 23 for recovery purposes.

(3) A higher education institution may, on a contingency or free basis, cede student debt to the board for purposes of recovery of such debt on behalf of such institution.

## CLAUSE 25

1. On page 14, in line 52, after “Act.” to add:

The NSFAS will, in turn, provide relevant information emanating from its activities to any person or body that provide bursaries and loans as they may reasonably require. The provision of all information in terms of this section is subject to the Open Democracy Act and the Constitution of the Republic of South Africa, Act No. 108 of 1996.