

## PROCLAMATIONS • PROKLAMASIES

## PROCLAMATION NOTICE 21 OF 2021



*by the*

*President of the Republic of South Africa*

**TRANSFER OF ADMINISTRATION AND POWERS AND FUNCTIONS ENTRUSTED BY  
LEGISLATION TO CERTAIN CABINET MEMBERS IN TERMS OF SECTION 97 OF THE  
CONSTITUTION**

In terms of section 97 of the Constitution of the Republic of South Africa, 1996, I hereby transfer the administration of and powers and functions entrusted by—

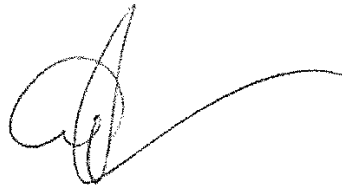
- (a) Chapter 5 of the Children's Act, 2005 (Act No. 38 of 2005) ("the Children's Act"), in respect of only partial care facilities that provide early childhood development services as defined in section 91(2) and early childhood development programmes as defined in section 91(3) of the Children's Act to the extent that they provide such programme or service;
- (b) Chapter 6 of the Children's Act; and
- (c) sections 306, 307 and 308 of the Children's Act, in respect of early childhood development services and early childhood development programmes

in so far as they relate to the Minister of Social Development, from such Minister to the Minister of Basic Education, with effect from 01 April 2022.

Given under my Hand and the Seal of the Republic of South Africa at *Johannesburg* this *27* day of *JUNE*, Two Thousand and Twenty One.

MR M.C. RAMAPHOSA

President



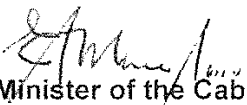
By Order of the President-in-Cabinet:

  
Minister of the Cabinet

MRS L ZULU, MP

  
Minister of the Cabinet

MRS AM MOTSHEKGA, MP

  
Minister of the Cabinet

MR S MCHUNU, MP

## PROKLAMASIE KENNISGEWING 21 VAN 2021



*van die*

*President van die Republiek van Suid-Afrika*

**OORDRAG VAN DIE ADMINISTRASIE VAN, EN BEVOEGDHEDE EN FUNKSIES  
OPGEDRA BY, WETGEWING AAN SEKERE KABINETSLEDE INGEVOLGE  
ARTIKEL 97 VAN DIE GRONDWET VAN DIE REPUBLIEK VAN SUID-AFRIKA, 1996**

Ingevolge artikel 97 van die Grondwet van die Republiek van Suid-Afrika, 1996, dra ek hierby die administrasie van en bevoegdheede en funksies opgedra by—

- (a) Hoofstuk 5 van die "Children's Act, 2005" (Wet No. 38 van 2005) ("die Kinderwet"), slegs ten opsigte van deelsorgfasiliteite wat vroeëkindertwikkelingsdienste en -programme verskaf soos omskryf in onderskeidelik artikel 91(2) en 91(3) van die Kinderwet, in die mate waarin hulle daardie dienste en programme verskaf;
- (b) Hoofstuk 6 van die Kinderwet; en
- (c) artikel 306, 307 en 308 van die Kinderwet, ten opsigte van vroeëkindertwikkelingsdienste en -programme,

in sover dit betrekking het op die Minister van Maatskaplike Ontwikkeling, van daardie Minister oor aan die Minister van Basiese Onderwys, met ingang van 1 April 2022.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te  
JOHANNESBURG, op hede die 27ste/de dag van  
JUNIE Tweeëduisend en Een-en-twintig.

**MNR. M.C. RAMAPHOSA**

**President**

Op las van die President-in-Kabinet:



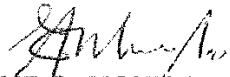
**MEV. L. ZULU, MP**

**Minister van die Kabinet**



**MEV A.M. MOTSHEKGA, MP**

**Minister van die Kabinet**



**MR S. MCHUNU, MP**

**Minister van die Kabinet**



PHATLALATSO

ka

*Mopresidente wa Rephaboliki ya Afrika Borwa*

**HO FETISETSHA HA TSAMAIISO LE MATLA LE MESEBETSI EO MOLAO O  
TSHEPETSING HO YONA HO TSWA HO DITHO TSA KABINETE HO YA KA KAROLO YA  
97 YA MOLAO THEO**

Ho ya ka karolo ya 97 ya Molaotheo wa Rephaboliki ya Afrika Borwa, 1996, mona ke fetisetša tsamaiso ya le matla le mesebetsi eo ho tshepetsweng ho yona—

- (a) Kgaolo ya 5 ya Molao wa Bana, 2005 (Molao wa Nmr ya 38 wa 2005) (Molao wa Bana), ho tse amanang le dibaka tsa tlhokomelo e sa phethahalang tse fanang ka ditshebeletso tsa ntshetsopele ya bana jwalo ka ha ho hlalositse ho karolo ya 91(2) le mananeo a ntshetsopele jwalo ka ha ho hlalositse ho karolo ya 91(3) ya Molao wa Bana hore di kgone ho fana ka lenaneo kapa tshebeletso e jwalo;
- (b) Kgaolo ya 6 ya Molao wa Bana; le
- (c) Dikgaolo tsa 306, 307 le 308 tsa Molao wa Bana, mabapi le ditshebeletso tsa ntshetsopele ya bana le mananeo a ntshetsopele ya bana

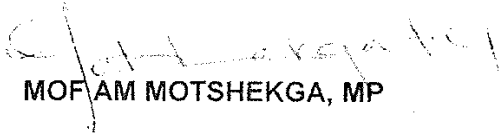
moo feela di amanang le Letona la Ntshetsopele ya Setjhaba, ho tswa ho Letona leo ho ya ho Letona la Thuto ya Motheo, ho tloha ka la 01 Mmesa 2022.

Ho fanwe ka yona tlasa Letsoho la ka le Netefaletsong ya Rephaboliki ya Afrika Borwa mona  
*JOHANNESBURG* mohla la *27* letsatsi la *PHUPHULE*, Diketse tse Pedi le Mashome a Mabedi a Nang  
le Motso.

**MONG M.C. RAMAPHOSA**

Mopresidente

Ka Taelo ya Mopresidente Kabineteng:

  
**MOFAM MOTSHEKGA, MP**

Letona la Kabinete

  
**MOF L ZULU, MP**

Letona la Kabinete

  
**MONG S MCHUNU, MP**

Letona la Kabinete



ISIBHENGEZO

*ngu*

*Mongameli weRiphabliki yoMzantsi Afrika*

**UKUDLULISWA KOLAWULO KUNYE NAMAGUNYA NEMISEBENZI ENIKWE  
NGUMTHETHO KUMALUNGU ATHILE EKHABHINETHI NGOKWECANDELO LAMA- 97  
LOMGAQO-SISEKO**

NgokweCandelo lama-97 loMgaqo-siseko weRiphabliki yoMzantsi Afrika, 1996, ngale ndlela ndidlulisela ulawulo kunye namagunya kunye nemisebenzi enikwe—

- (a) SiSahluko sesi-5 somThetho wabaNtwana, 2005 (umThetho wama-38 ka-2005) ("umThetho wabaNtwana"), ngokunxulumene nezibonelelo zokhathalelo eziyinxalenye kuphela ezibonelela ngeenkonzozophuhliso lobuntwana kusekwangoko njengoko kuchaziwe kwicandelo lama-91 (2) kunye neenkqubo zophuhliso lobuntwana kusekwangoko njengoko kuchaziwe kwicandelo 91 (3) lomThetho wabaNtwana ukuya kuma ekubeni zinika inkqubo okanye inkonzo enjalo;
- (b) ISahluko sesi-6 somThetho wabaNtwana; kunye ,
- (c) amacandelo 306, 307, no-308 kunye nomThetho wabaNtwana, ngokunxulumene neenkonzozophuhliso lobuntwana kusekwangoko kunye neenkqubo zophuhliso lobuntwana kusekwangoko

ukuya kuma apho kunxulumene noMphathiswa woPhuhliso lwezeNtlalo, ukusuka kuMphathiswa onjalo ukuya kuMphathiswa weMfundo esiSiseko, ukusukela ngomhla woku-01 Epreli 2022.

ISayinwe ngeSandla sam kunye neSitampu soMzantsi Afrika e JOHANNESBURG ngolu-27 suku luka ISILUMELA, amaWaka amaBini namaShumi amaBini.

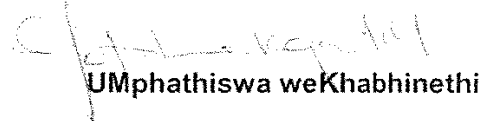
**MNU M.C. RAMAPHOSA**

uMongameli

NgokoMyalelo kaMongameli okwiKhabhinethi:

  
UMphathiswa weKhabhinethi

**NKSK L ZULU, MP**

  
UMphathiswa weKhabhinethi

**NKSK AM MOTSHEKGA, MP**

  
UMphathiswa weKhabhinethi

**MNU S MCHUNU, MP**





KGOELETŠO

ka

*Mopresidente wa Repabliki ya Afrika Borwa*

**PHETIŠETŠO YA TAOLO LE MAATLA LE MEŠOMO YE E NEILWEGO KE MOLAO GO MALOKO A ITŠEGO A KABINETE GO YA KA KAROLO YA 97 YA MOLAOTHEO**

Go ya ka karolo ya 97 ya Molaotheo wa Repabliki ya Afrika Borwa wa 1996 ke fetišetša taolo ya le maatla le mešomo ye e laetšwego ke—

- (a) Karolo ya 5 ya Molao wa Bana wa 2005 (Molao wa 38 wa 2005) ("Molao wa Bana"), le diphetošo ka moka tše di lego gona, fela mabapi le dinolofatši tša tlhokomelo ya nakwana tšeo di abelanago ka ditirelo tša tlhabollo ya bana ba mengwaga ya ka fase; le
- (b) Kgaolo ya 6 ya Molao wa Bana, le
- (c) dikarolo tša 306, 307 le 308 tša Molao wa Bana, mabapi le ditirelo tša tlhabollo ya bana ba mengwaga ya ka tlase le mananeo a tlhabollo ya bana ba mengwaga ya ka fase

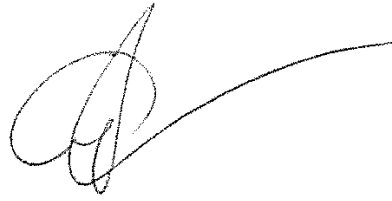
Ka moo di amanago le Tona ya Tlhabollo ya Leago, go tloga go Tona yeo go ya go Tona ya Thuto ya Motheo, go tloga ka la 1 Moranang 2022

E neetšwe ka Tshaeno ya le Setempe sa Repabliki ya Afrika Borwa go la JOHANNESBURG ka 27 letšatši la Phupu, Ketepedimasomesepeditee.

**MNA M.C. RAMAPHOSA**

**Mopresidente**

Ka Taelo ya Mopresidente ka Kabineteng



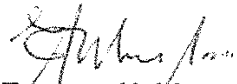
**Tona ya Kabinete**

**MDI L ZULU, MP**



**Tona ya Kabinete**

**MDI AM MOTSHEKGA, MP**



**Tona ya Kabinete**

**MNA S MCHUNU, MP**



NDIVHADZO

*nga*

*Phuresidennde wa Riphabuliki ya Afurika Tshipembe*

**U FHIRISELA NDAULO NA MAANDA NA MISHUMO YO NETSHEDZWAGO NGA MULAYO KHA MIÑWE MIRADO YA KHABINETE U YA NGA TSHIPIĐA TSHA VHU 97 TSHA NDAYOTEWA**

U ya nga tshipiđa tsha vhu 97 tsha Ndayotewa ya Riphabuliki ya Afurika Tshipembe, ya 1996, ndi khou fhirisela ndaulo na maanda na mishumo yo netshedzwaho nga—

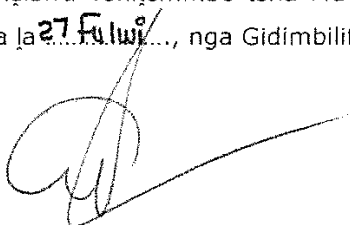
- (a) Ndimu ya 5 ya Mulayo wa Vhana, wa 2005 (Mulayo wa vhu 38 wa 2005), fhedzi kha zwiimiswa zwa ndondolo i si ya tshoŧhe zwine zwa netshedza tshumelo dza mveledziso ya vhana vhaŧuku sa zwo ŧalutshedzwaho kha tshipiđa tsha vhu 91(2) na mbekanyamushumo dza mveledziso ya vhana vhaŧuku sa zwo ŧalutshedzwaho kha tshipiđa tsha vhu 91(3) tsha Mulayo wa Vhana maelana na u netshedza mbekanyamushumo kana tshumelo yeneyo;
- (b) Ndimu ya vhu 6 ya Mulayo wa Vhana, na
- (c) zwipiđa 306, 307, na 308 zwa Mulayo wa Vhana maelana na tshumelo dza mveledziso ya vhana vhaŧuku na mbekanyamushumo dza mveledziso ya vhana vhaŧuku

u ya nga ngila ine ya amba ngayo nga Minista wa Mveledziso ya zwa Matshiliso, u bva kha Minista onoyo u ya kha Minista wa Pfunzo ya Mutheo, u bva nga 01 Lambamai 2022.

Yo sainiwa nga nge na u gandiswa Tshitemmbe tsha Muvhuso tsha Riphabuliki ya Afurika Tshipembe ngei ~~Johannesburg~~ <sup>27 Fulwi</sup> nga la....., nga Gidimbilifumbilinhihi.

**VHO MC RAMAPHOSA**

**Muphuresidennde**



Nga Ndaela ya Muphuresidennde kha Khabinete:



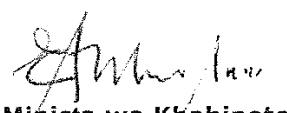
**Minista wa Khabinete**

**VHO L ZULU, MP**



**Minista wa Khabinete**

**VHO AM MOTSHEKGA, MP**



**Minista wa Khabinete**

**VHO S MCHUNU, MP**



XITIVISO

*hi**Phuresidente wa Riphabliki ra Afrika Dzonga*

**KU HUNDZISELA VULAWURI NA MATIMBA NA MITIRHO LEYI NYIKIWAKA HI  
MILAWU EKA SWIRHO SWIN'WANA SWA KHABINETE HI KU YA HI XIYENGE XA 97  
XA VUMBIWA**

Hi ku ya hi xiyenge xa 97 xa Vumbiwa bya Riphabliki ra Afrika Dzonga, 1996, hi mukhuva wolowo ndzi hundzisela vulawuri na matimba na mitirho leyi nyikiwaka hi—

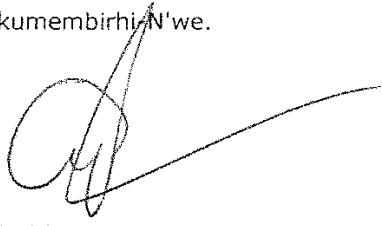
- (a) Ndzimana ya 5 ya Nawu wa Vana, wa 2005 (Nawu wa No. 38 wa 2005), "Nawu wa Vana" hi mayelana na nhlayiso wa switirhisiwa leswi nyikaka vukorhokeri bya dyondzo ya lavatsongo ntsena tanihi leswi swi hlamuseriweke eka xiyenge xa 91(2) na minongonoko ya nhluvukiso wa dyondzo ya lavatsongo tanihi leswi swi hlamuseriweke eka xiyenge xa 91(3) xa Nawu wa Vana ku fikelela mpimo wa leswaku yi nyika minongonoko yaleyo kumbe vukorhokeri;
- (b) Ndzimana ya 6 ya Nawu wa Vana; na
- (c) swiyenge swa 306, 307, na 308 swa Nawu wa Vana, hi mayelana na vukorhokeri bya dyondzo ya lavatsongo na minongonoko ya nhluvukiso wa dyondzo ya lavatsongo.

Hi ndlela leyi swi hlamuserisaka xiswona Holobye wa Nhluvukiso wa Vanhu, ku suka eka Holobye yaloye ku ya eka Holobye wa Dyondzo ya le Hansi, ku sukela 01 Dzivamisosko 2022.

Leyi sayiniweke hi mina na Xitempe xa Riphabliki ra Afrika Dzonga e <sup>JOHANNESBURG</sup> ..... hi ..... 27 siku  
ra ~~KHOTAVUXIKA~~ Magidimbirhi na makumembirhi N'we.

**NKUL M.C. RAMAPHOSA**

Phuresidente

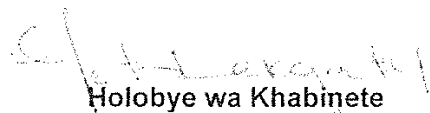


Hi Xileriso xa Phuresidente eka Khabinete:



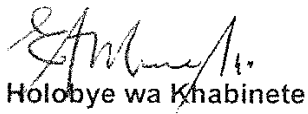
Holobye wa Khabinete

**MAN L ZULU, MP**



Holobye wa Khabinete

**MAN AM MOTSHEKGA, MP**



Holobye wa Khabinete

**NKUL S MCHUNU, MP**



*sikaMongameli waseRiphabhlikhi YaseNingizimi Afrika*

**UKUDLULISWA KOKUPHATHWA NAMANDLA KANYE NEMISEBENZI ENIKEZWE  
NGEQOQOMTHETHO AMALUNGU ATHILE EKHABHINETHI NGOKWESAHLOKO SAMA-  
97 SOMTHETHOSISEKELO**

NgokweSahluko sama-97 soMthethosisekelo waseRiphabhlikhi YaseNingizimi Afrika wonyaka we-1996, mina lapha ngidlulisa ukuphathwa namandla nemisebenzi enikezwe—

- (a) IsiQephu sesi-5 soMthetho Wezingane wonyaka we-2005 (uMthetho wama-38 wonyaka we-2005) ("uMthetho Wezingane"), maqondana nezikhungo zokunakekelwa kwesikhashana kuphela ezihlinzeka ngezinsizakalo zokukhulisa izingane ezisencane njengoba zichaziwe esahlukweni sama-91(2) nasezinhlelweni zokukhulisa izingane ezisencane njengoba zichaziwe esahlukweni sama-91(3) soMthetho Wezingane kuze kube yilapho zihlinzeka uhlelo noma insizakalo enjengalena;
- (b) IsiQephu sesi-6 soMthetho Wezingane; kanye
- (c) isahluko sama-306, sama-307 nesama-308 soMthetho Wezingane, maqondana nezinsizakalo zokukhulisa izingane ezisencane kanye nezinhlelo zokukhulisa izingane zisencane

njengoba zihlobene noNgqongqoshe Wezokuthuthukiswa Komphakathi, zivela kuNgqongqoshe onjengalona ziya kuNgqongqoshe Wezemfundo Eyisisekelo, kusukela mhla zi-01 Ephreli 2022.

Sinikwe ngeSandla sami nesiGxivizo saseRiphabhlikhi YaseNingizimi Afrika e <sup>Johannesburg</sup> ..... ngalolu suku lo mhla zi-<sup>21</sup> zika- <sup>Uyuni</sup> ....., ngonyaka weziNkulungwane Ezimbili Namashumi Amabili Nanye.

**UMNU M.C. RAMAPHOSA**

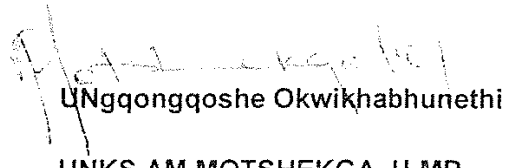
**UMongameli**

Ngomyalo kaMongameli Okwikhabhunethi:



**UNgqongqoshe Okwikhabhunethi**

**UNKS L ZULU, U-MP**



**UNgqongqoshe Okwikhabhunethi**

**UNKS AM MOTSHEKGA, U-MP**



**UNgqongqoshe Okwikhabhunethi**

**UMNU S MCHUNU, U-MP**





ISIMEMEZELO

*ngo*

*Mengameli weRiphabhliki yeSewula Afrika*

**UKUDLULISELWA KWELAWULO NAMANDLA NEMISEBENZI EGUNYAZWE MTHETHO  
KWAMANYE AMALUNGA WEKHBINETHI NGOKWESIGABA SAMA-97  
SOMTHETHOSISEKELO**

Ngokwesigaba se-137 somThethosisekelo weRiphabhliki yeSewula Afrika, 1996, ngakho-ke ngidlulisela ilawulo, amandla nemisebenzi egunyazwe ngokwe—

- (a) siGaba sesi- 5 somThetho wabeNtwana, 2005 (UmThetho wama- 38 wonyaka we-2005) ("umThetho wabeNtwana"), kwaphela mayelana neendawo ezinikela itjhejo lesikhatjhana ezinikela ngezenzelwa zokukhulisa abentwana ngendlela ekuhlathululwe ngayo esigabeni sama-91(2) kanye namahlelo wokukhulisa abentwana ngendlela ekuhlathululwe ngayo esigabeni sama-91 (3) somThetho wabeNtwana ukufika lapho banikela khona ihlelo namkha isenzelwa lesi;
- (b) Nesahluko sesi- 6 somThetho wabeNtwana; kanye
- (c) nesigaba sama- 306, 307 nesama- 308 somThetho wabeNtwana mayelana neenzelwa zokukhulisa abentwana kanye namahlelo wokukhulisa abentwana

kangangoba zikhuluma ngoNgqongqotjhe wokuThuthukiswa komPhakathi, ukusuka kuNgqongqotjhe loyo ukuya kuNgqongqotjhe wezeFundo esiSekelo, ukusuka ngomhlaka 01 kuSihlabantangana 2022.

Unikelwe ngesandla sami wabethwa nesitembu sakaRhulumende weRiphabhliki yeSewula Afrika e <sup>Johannesburg</sup> ngomhlaka <sup>27</sup> ku <sup>Ungweni</sup>, Eenkulungwaneni ezimBili namaTjhumamaBili Nanye.

**Nom. M.C. RAMAPHOSA**

**UMengameli**

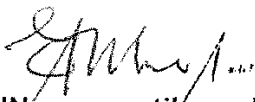
Ngokomlayo kaMengameli kuKhabinethi:

  
**UNgqongqotjhe weKhabinethi**

**MMA L ZULU, MP**

  
**UNgqongqotjhe weKhabinethi**

**MMA AM MOTSHEKGA, MP**

  
**UNgqongqotjhe weKhabinethi**

**NOM S MCHUNU, MP**



SIMEMETELO

sa

*Mengameli weRiphabhuliki yeNingizimu Afrika*

**KUNDLULISELWA KWEKUPHATSA NEMANDLA KANYE NEMISEBENTI LENIKETWE  
NGUMTSETFO KUMALUNGA EKHABHINETHI LATSITE NGEKULANDZELA SIGABA 97  
SEMTSETFOSISEKELO**

Ngekulandzela sigaba 97 seMtsetfosisekelo weRiphabhuliki yeNingizimu Afrika, 1996, ngitsandza kundlulisela kuphatsa nemandla kanye nemisebenti leniketwe—

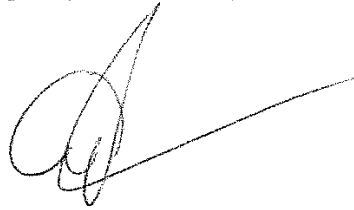
- (a) Sehluko 5 seMtsetfo Webantfwana, 2005 (Umtsetfo nombolo 38 wanga-2005) ("Umtsetfo Webantfwana"), macondzana netinsitancanti tekutfufukisa bantfwana labancane lokuyincenye kuphela letiniketa tinsita tekutfufukisa bantfwana labancane njengobe kuchaziwe kusigaba 91(2) kanye netinhlelo tekutfufukiswa kwebantfwana basesebancane njengobe kuchaziwe kusigaba 91(3) seMtsetfo Webantfwana ngendlela yokutsi baniketa tindhlelo nobe umsebenti lonjalo;
- (b) Sehluko 6 seMtsetfo Webantfwana; kanye
- (c) netigaba 306, 307 na 308 teMtsetfo Webantfwana, macondzana netinsita tekutfufukisa bantfwana labancane netinhlelo tekutfufukisa bantfwana labancane ngendlela letihlobana ngayo neNdvuna Yetekutfufukiswa Kwetenhlahlahle, kusuka eNdvuneni lenjalo kuye kuNdvuna Yetemfundvo Lesisekelo, kusukela ngamhlaka 01 Mabasa 2022.

Siniketwe ngaphasi kweSandla sami nangeLuphawu lweRiphabhuliki yeNingizimu Afrika e  
Johannesburg mhlaka...27... enyangeni ya Hhlobo..., Kutinkhulungwane letimbili neMashumi  
 Lamabili Nakunye.

**MNU M.C. RAMAPHOSA**

Mengameli

NgeMyalo waMengameli-kuKhabhinethi:



  
 Indvuna yeKhabhinethi

**NKST L ZULU, MP**

  
 Indvuna yeKhabhinethi

**NKST AM MOTSHEKGA, MP**

  
 Indvuna yeKhabhinethi

**MNU S MCHUNU, MP**



KITSISO

ka

*Mopresidente wa Rephaboliki ya Aforikaborwa*

**TSHUTISO YA TSAMAIISO LE DITHATA LE DITIRO TSE DI NEETSWENG KE PEOMOLAO GO MALOKO A A RILENG A KABINETE GO YA KA KAROLO YA 97 YA MOLAOTHEO**

Go ya ka karolo ya 97 ya Molaotheo wa Rephaboliki ya Aforikaborwa wa 1996, ke sutisa tsamaiso le dithata le ditiro tse di neetsweng ke—

- (a) Kgaolo ya 5 ya Molao wa Bana wa 2005 (Molao wa No. ya 38 wa 2005) ("Molao wa Bana"), mabapi le karolo fela ya dibebofatsi tsa tlhokomelo tse di tlamelang ka ditirelo tsa khudiso ya bana jaaka go tshalosiwa mo karolong ya 91(2) le ka manaane a khudiso ya bana jaaka go tshalosiwa mo karolong ya 91(3) ya Molao wa Bana mabapi le tlamelo ya tsona ya lenaane leo kgotsa tirelo eo;
- (b) Kgaolo ya 6 ya Molao wa Bana; le
- (c) karolo ya 306, ya 307 le ya 308 ya Molao wa Bana, mabapi le ditirelo tsa khudiso ya bana le manaane a khudiso ya bana

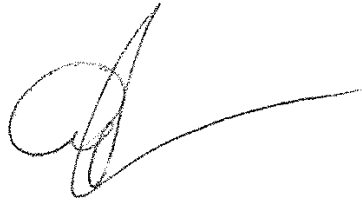
mabapi le ka moo di amanang ka teng le Tona ya Tlhabololo ya Loago, go tswa go Tona eo go ya go Tona ya Thuto ya Motheo, go simolola ka la 01 Moranang 2022.

E neetswe ka Letsogo la me le Sekano sa Rephaboliki ya Aforikaborwa mo <sup>Johannesburg</sup> la ..... ka letsatsi la <sup>27</sup> ~~seetebogo~~ Dikete tse Pedi le Somaamabedi le Bongwe.

**RRE M.C. RAMAPHOSA**

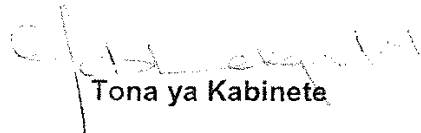
**Moporesidente**

Ka Taelo ya Moporesidente mo Kabineteng:




**Tona ya Kabinete**

**MOH L ZULU, MP**



**Tona ya Kabinete**

**MOH AM MOTSHEKGA, MP**



**Tona ya Kabinete**

**RRE S MCHUNU, MP**