

## NOTICE 110 OF 2016

### NOTICE FOR THE ESTABLISHMENT, ELECTION AND FUNCTIONING OF REPRESENTATIVE COUNCILS OF LEARNERS IN PUBLIC SCHOOLS IN THE NORTHERN CAPE

#### SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996) as amended

Section 11 (2), Subject to policy made in terms of section 3 (4) (g) of the National Education Policy Act, 1996 (Act No. 27 of 1996), the Member of the Executive Council must, by notice in the Provincial Gazette, determine the functions and the procedures for the establishment and election of representative councils of learners.

(Signed)  
Ms. MARTHA BARTLETT, MPL  
MEC: EDUCATION

#### SCHEDULE

To provide for a uniform system for the organization and elections of representative council of learners to amend and repeal the previous Notice relating to schools and to provide for matters connected therewith.

##### 1. Definitions

In this Notice any word or expression to which a meaning has been assigned In the Act, shall have the meaning so assigned to it, unless the context indicates otherwise-

"Council" means a representative council of learners referred to In Section 11 of the South African Schools Act, 1996;

"District Director" means a director of any of the districts of the Northern Cape Department Education;

"Electoral Officer" means a relevant class teacher

"District Electoral Officer" means any employee of the department designated by the District Director to be the District Electoral Officer;

"Teacher liaison officer (TLO)" means any teacher in any school designated to manage the day to day functions of the RCL.

"Learner" means learners officially enrolled in the eighth grade or higher at a public school.

"Voters' Roll" means the school's class register as drawn from the latest updated SASAMS database.

##### 2. Composition

- (1) A representative council of learners of a public school shall comprise of learners who are enrolled In the eighth grade or higher, and who are nominated and elected by the learners of such a school.
- (2) Each register class In a grade referred to in paragraph (1) shall elect twolearners, a boy and a girl where applicable.
- (3) Notwithstanding paragraph (2), schools enrolling only boys or only girls must elect two boys or girls per registered class.
- (4) Where reasonably practicable the composition of the Representative Council of Learners (RCL) must reflect the demographics of the learners enrolled at the school.

##### 3. Ineligibility

A learner shall be ineligible to be a member of a council If he or she has any disciplinary record that resulted in his or her suspension or expulsion in the preceding six (6) months.

##### 4. Term of office

- (1) The term of office of a member of a council may not exceed one year.
- (2) A member of a council may be re-elected after the expiry of his or her term of office.

##### 5. The Role of Electoral Officer The electoral officer must:

- (1) preside and administer at any meeting held for the purpose of an election of members of a council in the school.
- (2) announce the duly elected candidates at the end of the election process

##### 6. The duties of TLO during the election process

The TLO must:

- (1) determin1e the date, time and place of a nomination and the election meeting for each of

the categories of members.

- (2) at least fourteen days prior to the nomination and election meeting, give written notice of such nomination and election and display such notice in a prominent place on the premises of the school, as well as In each classroom.
- (3) ensure that the voters roll for each register class is available seven days prior to the nomination and election process.
- (4) inform the electoral officer of the processes to follow.

## **7. Monitoring**

The District Electoral Officer shall appoint any number of persons to monitor all processes during the election.

## **8. Voters roll**

A voters' roll shall contain the following information:

- ? Name and Surname
- ? Register class
- ? ID number
- ? Gender
- ? Space for signature.

## **9. Nominations**

- (1) A candidate for election to the council may be nominated as set out in "Annexure B" and such nomination supported In writing in the prescribed form by the learners who are enrolled in the same class In which the candidate is enrolled.
- (2) The electoral officer shall ascertain whether or not the nominated candidate consents to the nomination.
- (3) The electoral officer shall announce the names of the candidates whose nominations have been accepted

## **10. Election period**

The election of a council *must* take place annually during the first four (4) weeks of the first term.

## **11. Elections**

- (1) The election shall be held on a date, time and place determined by the TLO
- (2) The electoral officer shall issue to every learner with a right to vote a ballot paper on which an official mark or stamp appears.
- (3) Each learner in the grade or class concerned:
  - (a) shall in secrecycast his or her vote on the ballot paper, and
  - (b) shall have one vote in respect of each candidate.
- (4) The electoral officer shall reject e ballot paper.
  - (a) on which more votes are recorded than the number of members to be elected in accordance with paragraph 2(2);
  - (b) which Is completed In such a way that it is In the opinion of the Electoral Officer uncertain for which candidate or candidates a vote was recorded; or
  - (c) on which the official mark or stamp does not appear.
- (5) After the rejection of the ballot papers referred to in paragraph 10 (5), the electoral officer must.
  - (a) In the presence of every candidate who wishes to be present, count the votes recorded for every candidate, asset out in "Annexure C1 and C2";
  - (b) declare the number of learner's determined in terms of paragraph 2 (2) in respect of the council, for whom the greatest number of votes have been recorded, to be duly elected members of the council and state the number of votes recorded for each candidate.
- (6) The electoral officer must submit the results to the TLO immediately after the completion of the nomination and election process.

- (7) Where there is a tie in the number of votes obtained by two or more candidates and this affects the results of the election, the school electoral officer shall draw lots to ascertain a result.

## **12. Procedure after the election**

After the election of a council the Teacher Liaison Officer must:

- (1) place all documents, including ballot papers, used at such election in envelopes and seal the envelopes;
- (2) keep those envelopes in safe custody for a period of at least one month from the date of the election of the council;
- (3) Announce the names of the members of the council to all relevant stakeholders at schools.

## **13. Assumption of duty of the RCL**

The newly elected RCL must start to function immediately after the successful completion of the election process.

## **14. Election of officer-bearers**

- (1) The Teacher Liaison Officer shall convene the first meeting of the council within 7 school days after the announcement referred to in paragraph 13.
- (2) At the first meeting of the council such body shall from among its members elect office bearers, who must include at least a chairperson, deputy chairperson, secretary and deputy secretary by completing "Annexure A and B2",
- (3) When for any reason the office of any office-bearer becomes vacant, the council shall subject to the provisions of paragraph 15, at the first meeting after the vacancy has occurred elect one of its members to fill that vacancy for the unexpired term of his or her predecessor.
- (4) The Teacher Liaison Officer shall preside at an election referred to in paragraph 14 if both the offices of chairperson and vice chairperson are vacant.
- (5) The Teacher Liaison Officer, shall at a meeting at which any office-bearer has been elected in accordance with this measure, notify all stakeholders at the school of the date of the meeting as well as the names, grade or class and office of the learners elected.
- (6) RCL members must from amongst its members elect representatives to serve on the SGB.
- (7) Election of the SGB representative shall be the same process as that used in paragraphs 9 and 11.

## **15. By-elections**

- (1) Whenever a vacancy occurs in regard to one of the categories of members contemplated in paragraphs 2 and 14, by-elections in accordance with paragraph 10 must be held on a date and the time agreed upon in a meeting of the council.
- (2) A member, elected in accordance with paragraph 2, shall remain in office for the unexpired term of office of his or her predecessor.

## **16. Vacancies**

A vacancy shall occur in a council if a member

- (a) resigns;
- (b) becomes deceased;
- (c) when he/she is de-registered;
- (d) absents himself or herself from three consecutive meetings of the council without reasonable explanation;
- (e) if found guilty of a serious offence and is suspended or recommended for expulsion

## **17. Review of Regulations**

The Notice may be reviewed at any given time.

## **18. Repeal of Guidelines**

The Guidelines for the Establishment, Elections and Functioning of Representative Council of Learners in Public Schools in the Northern Cape Province contained in Notice No. 10 of 2003 and published in the Extraordinary Provincial Gazette of 07 April 2003 are hereby repealed.

## **19. Short Title**

This Notice shall be known as the Notice for the Functioning and Election of RCLs in Public Schools in the Northern Cape, and shall come into effect on publication in the Provincial Gazette.

#### ANNEXURES TEMPLATE NOTATION

A1	Notice of RCL Elections
A2	Notice of RCL Executive Members Elections
A3	Notice of RCL Members to serve on SGB
B1	Nomination Form for RCL
B2	Election of Executive Members of the RCL Nomination Form
B3	Election of members of the RCL to the SGB Nomination Form
C1	Ballot Paper for RCL Members
C2	Ballot Paper for RCL Executive Members
C2	Ballot Paper for RCL Reps to SGB
D1	Counted Ballot Papers of Class Representatives
D2	Counted Ballot Papers of Executive Members for the RCL
D3	Counted Ballot Papers for RCL reps to serve on the SGB
E	Declaration Form

(Logo)

**Northern Cape  
Department of Education**

#### Annexure A1

#### ELECTION OF MEMBERS OF THE REPRESENTATIVE COUNCIL OF LEARNERS NOTICE OF RCL ELECTIONS

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

Notice is hereby given that the nomination/election meeting of learners to serve as members of the Representative Council of Learners of the above named school, will be held as follows:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

Candidates (who must be registered learners in Grade 8 to 12 at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate; his/her proposer and seconder. Both proposer and seconder must be eligible voters at the school. The nomination form must be returned to the school not more than 7 days and not less than 24 hours (at least a day) before the commencement of the above meeting.

Nominations will also be accepted at the nomination and election meeting. The proposer, seconder and candidates **MUST** be present in the nomination meeting

An election meeting will be held on the same day as the nomination meeting mentioned above.

Electoral officer (Name)  
Electoral Officer (Signature)

Date

(Logo)

**Northern Cape  
Department of Education**

#### Annexure A2

#### ELECTION OF EXECUTIVE MEMBERS OF THE REPRESENTATIVE COUNCIL OF LEARNERS NOTICE OF RCL ELECTIONS

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

Notice is hereby given that the nomination/election meeting of learners to serve as **Executive Members** of the Representative Council of Learners of the above named school, will be held as follows:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_.

Candidates (who must be duly elected members of the RCL at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate; his/her proposer and seconder. Both proposer and seconder must be eligible voters at the school. The nomination form must be returned to the school not more than 7 days and not less than 24 hours (at least a **day**) before the commencement of the above meeting.

Nominations will also be accepted at the nomination and election meeting. The proposer, seconder and candidates

**MUST** be present in the nomination meeting

An election meeting will be held on the same day as the nomination meeting mentioned above.

Electoral officer (Name)

Date

Electoral Officer (Signature)

(Logo)

**Northern Cape  
Department of Education**

**Annexure A3**

**ELECTION OF RCL MEMBERS TO SERVE ON THE SCHOOL GOVERNING BODY  
NOTICE OF RCL ELECTIONS**

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

Notice is hereby given that the nomination/election meeting of RCL members to serve as members of the School Governing Body of the above named school, will be held as follows:

Date: \_\_\_\_\_

Time: \_\_\_\_\_

Place: \_\_\_\_\_

Candidates (who must be elected members of the RCL at the school) may be nominated by lodging with the electoral officer a nomination form duly completed by the candidate; his/her proposer and seconder. Both proposer and seconder must be eligible voters at the school. The nomination form must be returned to the school not more than 7 days and not less than 24 hours (at least a **day**) before the commencement of the above meeting.

Nominations will also be accepted at the nomination and election meeting. The proposer, seconder and candidates **MUST** be present in the nomination meeting

An election meeting will be held on the same day as the nomination meeting mentioned above.

**Electoral officer  
(Name)**

**Electoral Officer (Signature)**

**Date**

(Logo)

**Northern Cape  
Department of Education**

**Annexure B1**

**ELECTION OF MEMBERS OF THE REPRESENTATIVE COUNCIL OF LEARNERS  
NOMINATION FORM**

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**Proposer:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby propose:

\_\_\_\_\_  
**(FULL NAME AND SURNAME OF CANDIDATE)**

as a member of the Representative Council of Learners (RCL) of the above named school

SIGNATURE OF THE PROPOSER

DATE

Seconder:

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby second:

**(FULL NAME AND SURNAME OF CANDIDATE)**

as a member of the Representative Council of Learners (RCL) of the above named school

SIGNATURE OF THE SECONDER

DATE

**NOMINEE:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, herby accept the nomination and declare that I am not / have not:

- ? been convicted of an offence and sentenced to imprisonment without the option of affine for a period exceeding six (6) months or have not yet served a full period of imprisonment.
- ? been found guilty of a serious misconduct leading to suspension and/or expulsion from school by the HOD.

**SIGNATURE OF THE NOMINEE**

**DATE**

**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure B2**

**ELECTION OF EXECUTIVE MEMBERS OF THE REPRESENTATIVE COUNCIL OF  
LEARNERS  
NOMINATION FORM**

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**Proposer:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, herby propose:

\_\_\_\_\_

**(FULL NAME AND SURNAME OF CANDIDATE)**

as a \_\_\_\_\_

**(NAME OF POSITION)**

of the Representative Council of Learners (RCL) of the above named school

SIGNATURE OF THE PROPOSER

DATE

**Secunder:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME) SS)**

being a registered learner at the above named school, hereby second:

\_\_\_\_\_

**(FULL NAME AND SURNAME OF CANDIDATE)**

as a \_\_\_\_\_

**(NAME OF POSITION)**

of the Representative Council of Learners (RCL) of the above named school

**NOMINEE:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby accept the nomination and declare that I am not / have not:

? been convicted of an offence and sentenced to imprisonment without the option of fine for a period exceeding six (6) months or have not yet served a full period of imprisonment.

? been found guilty of a serious misconduct leading to suspension and/or expulsion from school by the HOD.

_____ SIGNATURE OF THE NOMINEE	_____ DATE
_____ ELECTORAL OFFICER (NAME AND SURNAME)	_____ DATE
_____ ELECTORAL OFFICER (SIGNATURE)	_____ DATE

(Logo)

**Northern Cape  
Department of Education**

**Annexure B3**

**ELECTION OF RCL REPRESENTATIVES TO SERVE AS MEMBERS  
OF THE SCHOOL GOVERNING BODY  
NOMINATION FORM**

**NAME OF SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**Proposer:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby propose:

\_\_\_\_\_  
**(FULL NAME AND SURNAME OF CANDIDATE)**

as a School Governing Body (SGB) member of the above named school

\_\_\_\_\_  
SIGNATURE OF THE PROPOSER                      DATE

**Secunder:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby second:

\_\_\_\_\_  
**(FULL NAME AND SURNAME OF CANDIDATE)**

as a School Governing Body (SGB) member of the above named school

\_\_\_\_\_  
**SIGNATURE OF THE SECONDER                      DATE**

**NOMINEE:**

I, \_\_\_\_\_

**(FULL NAME AND SURNAME)**

being a registered learner at the above named school, hereby accept the nomination and declare that I am not / have not:

? been convicted of an offence and sentenced to imprisonment without the option of fine for a period exceeding six (6) months or have not yet served a full period of imprisonment.

? been found guilty of a serious misconduct leading to suspension and/or expulsion from school by the HOD.

SIGNATURE OF THE NOMINEE

DATE

ELECTORAL OFFICER (NAME AND SURNAME)

ELECTORAL OFFICER (SIGNATURE)

DATE

(Logo)

**Northern Cape  
Department of Education**

**Annexure C1**

**ELECTION OF CLASS REPRESENTATIVES TO SERVE AS  
MEMBERS OF THE REPRESENTATIVE COUNCIL OF LEARNERS  
BALLOT PAPER**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE CANDIDATE(S) OF YOUR CHOICE**

**Example:**                      X

Nr	Name and Surname of Candidate	Place (x) next to preferred candidate
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ELECTORAL OFFICER (NAME AND SURNAME)

ELECTORAL OFFICER (SIGNATURE)

DATE

(Logo)

**Northern Cape  
Department of Education**

**Annexure C2**

**ELECTION OF EXECUTIVE MEMBERS OF THE REPRESENTATIVE COUNCIL OF  
LEARNERS  
BALLOT PAPER**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE CANDIDATE(S) OF YOUR CHOICE**

**Example:**                      X

Nr	Name and Surname of Candidate	Place (x) next to preferred candidate
1		
2		
3		
4		
5		
6		
7		
8		
9		



**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure C3  
ELECTION OF RCL REPRESENTATIVES TO SERVE AS  
MEMBERS OF THE SCHOOL GOVERNING  
BODY BALLOT PAPER**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

**CHOOSE CANDIDATES BY PLACING A CROSS IN THE BOX NEXT TO THE CANDIDATE(S) OF YOUR CHOICE**

Example:                    X

Nr	Name and Surname of Candidate	Place (x) next to preferred candidate
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure D1  
COUNTED BALLOT PAPERS AND NUMBER OF COUNTED VOTES CLASS  
REPRESENTATIVE(S)**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

Nr	Names of candidates (Most to least votes)	Total nr of votes
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**TOTAL NUMBER OF ELIGIBLE VOTERS:** \_\_\_\_\_

**TOTAL NUMBER OF VOTES CAST:** \_\_\_\_\_

**SPOILED BALLOT PAPERS:** \_\_\_\_\_

**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure D2**

**COUNTED BALLOT PAPERS AND NUMBER OF COUNTED VOTES RCL EXECUTIVE  
COMMITTEE MEMBERS**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

<b>Nr</b>	<b>Names of candidates (Most to least votes)</b>	<b>Total nr of votes</b>
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**TOTAL NUMBER OF ELIGIBLE VOTERS:** \_\_\_\_\_

**TOTAL NUMBER OF VOTES CAST:** \_\_\_\_\_

**SPOILED BALLOT PAPERS:** \_\_\_\_\_

**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure D3**

**COUNTED BALLOT PAPERS AND NUMBER OF COUNTED VOTES RCL  
REPRESENTATIVES ON SGB**

**NAME OF DISTRICT:** \_\_\_\_\_

**SCHOOL:** \_\_\_\_\_ **EMIS No.** \_\_\_\_\_

<b>Nr</b>	<b>Names of candidates (Most to least votes)</b>	<b>Total nr of votes</b>
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

**TOTAL NUMBER OF ELIGIBLE VOTERS:** \_\_\_\_\_

**TOTAL NUMBER OF VOTES CAST:** \_\_\_\_\_

**SPOILED BALLOT PAPERS:** \_\_\_\_\_

**ELECTORAL OFFICER (NAME AND SURNAME)**

**ELECTORAL OFFICER (SIGNATURE)**

**DATE**

(Logo)

**Northern Cape  
Department of Education**

**Annexure E  
DECLARATION FORM**

**NAME OF DISTRICT:** \_\_\_\_\_

**NAME OF CIRCUIT:** \_\_\_\_\_

**NAME OF SCHOOL:** \_\_\_\_\_

**NAME OF ELECTORAL OFFICER:** \_\_\_\_\_

**DATE OF ELECTIONS FOR:**

**CLASS REPRESENTATIVES TO THE RCL:** \_\_\_\_\_

**RCL EXECUTIVE MEMBERS:** \_\_\_\_\_

**SGB LEARNER REPRESENTATIVE:** \_\_\_\_\_

**Complete the relevant section:-**

**SECTION A(Undisputed Elections)**

**As the Electoral Officer for the above-mentioned elections I declare that the election of all components were undisputed.**

**SIGNATURE**

**DATE**

**SECTION B: (Disputed Elections)**

**As the Electoral Officer for the above-mentioned elections, I declare that the following election was/were disputed**

**And hereby provide the detail of the said dispute/s.**

**SIGNATURE**

**DATE**