



## KWAZULU-NATAL PROVINCE

EDUCATION  
REPUBLIC OF SOUTH AFRICA

### OFFICE OF THE HEAD OF DEPARTMENT

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Governance and Management

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**TO: CHIEF DIRECTORS: DISTRICT OPERATIONS  
CHIEF DIRECTOR: CURRICULUM DEVELOPMENT PROGRAMMES  
DISTRICT DIRECTORS  
CESSs: CIRCUIT MANAGEMENT  
CIRCUIT MANAGERS  
PRINCIPALS OF PUBLIC SCHOOLS  
CHAIRPERSONS OF SCHOOL GOVERNING BODIES  
ASSOCIATIONS OF SCHOOL GOVERNING BODIES**

### KZN CIRCULAR NO. 9 OF 2025

**SUBJECT: CONDUCTING SGB BY- ELECTIONS, ELECTION OF OFFICE BEARERS AND  
APPOINTMENT OF SIGNATORIES.**

1. In terms of Section 16 (1) of the South African Schools Act No. 84 of 1996 *"the governance of every public school is vested in its governing body and may perform only such obligations and exercise only rights as prescribed by the Act"*
2. The Act in section 23 (2) and 23 (12) stipulates that:
  - 2.1 *Elected members of the governing body shall comprise a member or members of the following categories:*
    - (a) *Parents of learners at the school;*
    - (b) *educators at the school;*
    - (c) *members of the staff at the school who are educators; and*
    - (d) *learners in the eighth grade or higher at the school.*
  - 2.2 *if a person as a member of a governing body as contemplated in subsection (2) ceases to fall within the categories referred to in that subsection in respect of which he or she was elected as a member, he or she ceases to be a member of the governing body.*
3. Section 31 of the same Act further stipulates that:
  - 3.1 *The term of office of a governing body other than a learner may not exceed three years.*
  - 3.2 *The term of office of a member of a governing body who is a learner may not exceed one year.*
  - 3.3 *The term of an office bearer may not exceed one year.*
  - 3.4 *A member or office bearer of a governing body may be re-elected or co-opted after expiry of his or her term of office.*



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4. Schools affected by the above-mentioned prescripts of the South African Schools Act No.84 of 1996, are therefore reminded to conduct the by-elections as contemplated by the Act in Section 31 to ensure that they have legitimate and fully fledged governing bodies. This process must be completed by the 31<sup>st</sup> of March 2025.
5. Circuit Managers where there are Acting principals must monitor these processes closely.
6. All School Governing Bodies must elect the Office Bearers by the 31<sup>st</sup> of March 2025 to keep the SGBs legitimate.
7. Immediately after the election of Office Bearers, the signatories to the school account must be updated with banks. Keeping of non SGB Members as signatories to the account is an offence that may amount to criminal charges.
8. Schools are reminded that the two processes, 4 and 5 are conducted by the School Electoral Officer and Circuit managers must ensure that all schools in their Circuits execute the two processes. Timeous execution will ensure stability in the province.
9. The template listing the newly elected Office Bearers must be submitted to the Circuit Manager by the of 22<sup>nd</sup> of April 2025 for them to consolidate the information to the District Director by 30 April 2025.

Your cooperation in this regard is highly appreciated

**MR. GN NGCOBO**

**HEAD OF DEPARTMENT: KZN EDUCATION**

**DATE:** 27/1/25