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IN THE HIGH COURT OF SOUTH AFRICA
EASTERN **CAPE DIVISION, MAKHANDA**

CASE NO: **2026-275577**

In the matter between:

Makhanda Circle of Unity,School Governing Body of Tanty,School Governing Body of Tanty,School Governing Body of Victo,School Governing Body of Victo,School Governing Body of Graha,School Governing Body of DF Ma,School Governing Body of Graem,School Governing Body of Laer,School Governing Body of Links,School Governing Body of Stutt,School Governing Body of Oatla	Plaintiff / Applicant / Appellant

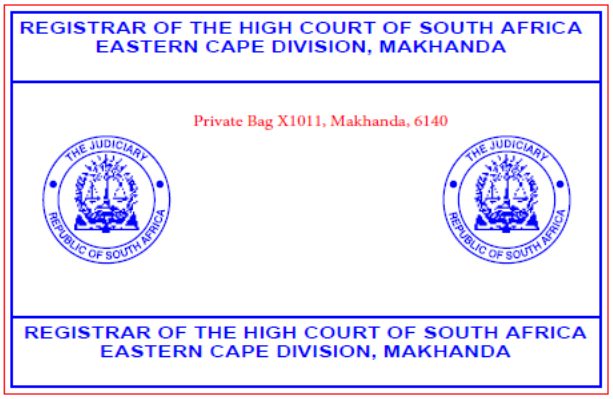
and

Head of the Department Eastern,Member of the Executive Counci,Government of the Eastern Cape,Minister of Basic Education,Member of the Executive Counci,Minister of Finance,Government of the Republic	Defendant / Respondent

---

Notice (Other)

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ELECTRONICALLY SIGNED BY:

Registrar of The High Court
Eastern Cape Division,
Makhanda

IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE DIVISION)

(This document should be kept in the Court file)

DIRECTION(S) ISSUED IN TERMS OF PRACTICE RULE12 (a)(i) OF THE RULES OF PRACTICE

DATE: 03 November 2026 CASE No._____

Before the Honourable ~~Mr/Ms~~ Justice Rweyemamu.

In the matter between:

Makhanda Circle of Unity & Others APPLICANT

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EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

And

HOD - E. Cape Dept. of Basic Education & Others RESPONDENTS.

Having considered the certificate of urgency placed before me in the abovementioned matter, I hereby issue the following direction(s) with regard to the hearing and further conduct of the matter:

1. Provided that the papers (once issued)
2. are properly served in accordance with the
3. Rules, the matter - whether opposed or unopposed,
4. may be heard on the ordinary motion court
5. day as suggested in the unsigned certificate

Remarks if any: of urgency. (2) The duty judge will determine all relevant issues, including urgency.

BY ORDER

SIGNATURE

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IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CASE NO. _____

In the matter between:

MAKHANDA CIRCLE OF UNITY	First Applicant
SCHOOL GOVERNING BODY OF TANTYI PRIMARY SCHOOL	Second Applicant
SCHOOL GOVERNING BODY OF PJ OLIVIER HIGH SCHOOL	Third applicant
SCHOOL GOVERNING BODY OF VICTORIA PRIMARY SCHOOL	Fourth applicant
SCHOOL GOVERNING BODY OF VICTORIA GIRLS HIGH SCHOOL	Fifth applicant
SCHOOL GOVERNING BODY OF GRAHAMSTOWN PRIMARY SCHOOL	Sixth applicant
SCHOOL GOVERNING BODY OF DF MALHERBE HIGH SCHOOL	Seventh applicant
SCHOOL GOVERNING BODY OF MERRYVALE SCHOOL	Eighth applicant
SCHOOL GOVERNING BODY OF LAER VOLKSKOOL GRAAFF-REINET	Ninth applicant
SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL	Tenth applicant



SCHOOL GOVERNING BODY OF STUTTERHEIM HIGH SCHOOL	Eleventh applicant
SCHOOL GOVERNING BODY OF OUTLANDS PREPARATORY SCHOOL	Twelfth applicant

and

HEAD OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	First Respondent
MEMBER OF THE EXECUTIVE COUNCIL EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	Second Respondent
GOVERNMENT OF THE EASTERN CAPE PROVINCE	Third Respondent
MINISTER OF BASIC EDUCATION	Fourth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE	Fifth Respondent
MINISTER OF FINANCE	Sixth Respondent
GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	Seventh Respondent

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CERTIFICATE OF URGENCY

I the undersigned, Daniel Linde, an advocate of the High Court of South Africa and practising as a member of the Johannesburg Society of Advocates, do hereby certify that I have read the papers in this matter and am of the view that the relief that the applicants seek should be considered on an urgent basis. I submit that a departure from the ordinary time limits set out in the Rules of the High Court is justified.

Time frames

1. The applicants seek to have this matter placed on the unopposed motion roll for **Tuesday 17 November 2026** if it is unopposed or, if it is opposed, on the opposed motion roll on **Thursday 3 December 2026** or an alternative preferent date as directed by this court (if it is opposed).

2. The applicants do not seek to radically abridge the time periods for service of a notice to oppose or answering papers. The respondents will have also been given notice of the truncated time periods for filing answering affidavits and will have enough time to adequately prepare for the hearing of this matter.

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EASTERN CAPE DIVISION, MAKHANDA

3. The notice of motion requests that any notice of intention to oppose be filed within 3 days of service of the notice of motion; the answering affidavits will then be filed within 10 days of service of the notice of opposition; and argument be heard on 3 December 2026 or on such alternative preferent date as directed by this court.

4. I submit that these time frames are reasonable in the circumstances, and the respondents will not be prejudiced by the shortened time frames.

Background

5. This application concerns the Eastern Cape Department of Education's ("**ECDOE**") unlawful withholding of 40% of all public schools' allocations in the Eastern Cape for the 2026/27 financial year (**"the withholding decision"**). The ECDOE has withheld 40% of all public schools' allocations to purportedly fund "*Provincial NNSSF resourcing*" administered centrally

by the ECDOE to fund programmes benefiting a select group of qualifying schools.

6. The withholding decision is in contravention of the Constitution, the South African Schools Act and the Amended Norms and Standards for School Funding (**"the Norms and Standards"**).

7. The Norms and Standards clearly require provincial education departments to allocate the full school allocations to schools each year, to use at their own discretion to purchase essential educational resources and cover schools' essential operational expenses. The school allocations are determined in accordance with a formula set out in the Norms and Standards, with reference to the number of learners enrolled at each school, and on the basis of the minimum per-learner amount that the Minister deems necessary from time to time for the realisation of the right to basic education.

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EASTERN CAPE DIVISION, MAKHANDA

8. The withholdings is also in contravention of an order granted by this Court on 19 August 2026 in the matter of *Makhanda Circle of Unity and Others v Head of Department, Eastern Cape Department of Education* Case NO. 3830/2023. There, this Court declared the same withholding practice in previous financial years unconstitutional, unlawful and invalid in respect of similar withholding decisions taken in the 2023/2024 and 2024/2025 financial years.

9. Despite agreeing to the terms of this Court's 19 August 2026 order, in full acknowledgment of the unlawfulness of their actions, the ECDOE has

subsequently failed to correct the current year budgets or provide schools with the unlawfully withheld 40%.

10. This has left schools with only 60% of their school allocation for the current financial year, just over half of what they are legally owed, to cover all non-personnel operating expenses.

11. The impact of this has been significant, with schools in the Eastern Cape still carrying the burden of close to a decade of underfunding. Schools have been forced to make do with less, constraining learners' access to a basic education.

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Urgency

12. The ECDOE's unlawful decision has significantly impaired learners' access to basic education and had a significant consequential impact on learners' right to both human dignity and equality. The violation of these rights occasioned by the ECDOE's unlawful withholding decision is significant and ongoing and compounds the effects of previous years of underfunding in one of the poorest provinces in South Africa.

13. The supporting affidavits in the matter demonstrate the untenable conditions in which schools are forced to operate because of the budgetary constraints they are faced with.

14. Accordingly, it is vital to ensure that setting aside the ECDOE's unlawful, unconstitutional and invalid withholding also provides schools with substantive relief.

15. Put simply, the unlawful withholding decision must be dealt with urgently, so that the money which is owed to schools can reach schools within this academic or at least financial year. If it is not, schools will never receive the minimum amount of money to which they are entitled, and which the executive itself has determined to be necessary for the realisation of the right to basic education. The impact will be dire and permanent. Learners attending schools without the basic teaching, learning and maintenance budgets suffer learning harms that cannot be undone.

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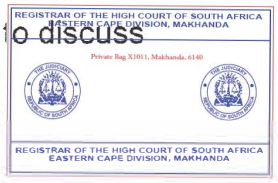
16. Concerningly, despite attempts by the applicants' attorneys to engage with the ECDOE, it is clear that the ECDOE will not correct its unlawful decision in the absence of litigation.

17. Relief in the ordinary course would come too late, far after the end of the 2026/2027 financial year on 31 March 2027. The budgeting and payment processes for the ECDOE are set for a particular year and once that year passes, it will be increasingly difficult for courts to compel the state to change its budgets, and it will effectively be impossible to recover funds that had to be allocated to schools but were unlawfully spent elsewhere. I understand that if this matter is heard in the ordinary course, it will likely only be heard around the beginning of 2028. This is outside of the window where it is still possible for the ECDOE to redirect funds unlawfully withheld from schools.

18. The timeframes set out in the notice of motion are proposed with this in mind and will ensure that the matter is heard before the school year closes and the 2027 academic year commences. This window allows for the

ECDOE to take the necessary steps to ensure that all schools will receive their full school allocation and to communicate those steps to schools so that schools have the necessary clarity regarding how much money they will receive before the end of the financial year in question.

19. The applicants have been left with no option but to approach this court for urgent relied. In doing so, they have not delayed unreasonably. Any potential delays are the result of factors outside of the applicants' control, relating primarily to the ECDOE's belated request for a meeting to discuss the applicants' demands.



20. I respectfully submit that this matter is urgent.

Daniel Linde
Counsel for the applicants
Chambers, Sandton
3 November 2026

IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CASE NO. _____

In the matter between:

MAKHANDA CIRCLE OF UNITY	First Applicant
SCHOOL GOVERNING BODY OF TYANTYI PRIMARY SCHOOL	Second Applicant
SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLIVIER	Third applicant
SCHOOL GOVERNING BODY OF VICTORIA PRIMARY SCHOOL	Fourth applicant
SCHOOL GOVERNING BODY OF VICTORIA GIRLS HIGH SCHOOL	Fifth applicant
SCHOOL GOVERNING BODY OF GRAHAMSTOWN PRIMARY SCHOOL	Sixth applicant
SCHOOL GOVERNING BODY OF DF MALHERBE HIGH SCHOOL	Seventh applicant
SCHOOL GOVERNING BODY OF GRAEME COLLEGE	Eight Applicant
SCHOOL GOVERNING BODY OF LAER VOLKSKOOL GRAAFF-REINET	Nineth applicant

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SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL	Tenth applicant
SCHOOL GOVERNING BODY OF STUTTERHEIM HIGH SCHOOL	Eleventh applicant
SCHOOL GOVERNING BODY OF OATLANDS PREPARATORY SCHOOL	Twelfth applicant

and

HEAD OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	First Respondent
MEMBER OF THE EXECUTIVE COUNCIL EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	Second Respondent
GOVERNMENT OF THE EASTERN CAPE PROVINCE	Third Respondent
MINISTER OF BASIC EDUCATION	Fourth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE	Fifth Respondent
MINISTER OF FINANCE	Sixth Respondent
GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	Seventh Respondent

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NOTICE OF MOTION

TAKE NOTICE THAT the applicants intend to make application to the above court on **Tuesday 17 November 2026 at 09:30** or as soon thereafter as the matter can be heard, if the matter is unopposed, or **Thursday 3 December 2026**, if the matter is

opposed, or as soon thereafter as counsel may be heard for an order in the following terms:

1. The ordinary forms, service, and time periods prescribed in the Uniform Rules of Court are dispensed with and the application is heard on an urgent basis in terms of Uniform Rule 6(12).

2. The decision of the first, second and third respondents communicated to all ordinary public schools in the Eastern Cape during or about May 2026 to withhold 40% of each school's school allocation for 2026/2027 is declared unconstitutional, unlawful and invalid, and is reviewed and set aside.

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3. The decision referred to in paragraph 2 is corrected and substituted by a decision that all ordinary public schools in the Eastern Cape will be provided with their full school allocations for 2026/2027, calculated at 100% of the national per learner norm communicated to schools in May 2026 of R1 835 per learner in quintiles 1 to 3 schools; R919 for quintile 4 schools and R315 for quintile 5 schools, multiplied by the total enrolment numbers of the applicable school.

4. The first to third respondents are directed:

   4.1. to issue, within 5 days of the date of this order, a revised 2026/2027 budget to each ordinary public school in the Eastern Cape in terms of which each school is allocated no less than 100% of the national per learner norm communicated to schools in May 2026 applicable to the

school's quintile, multiplied by the total enrolment numbers of that school in the 2026/2027 financial year;

4.2. before the end of the 2026/27 financial year:

4.2.1. in respect of every ordinary public school in the Eastern Cape that has been allocated functions in terms of section 21 of the Schools Act, to transfer the balance of the allocation due to them in terms of the revised budgets referred to in paragraph 4.1;

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4.2.2. in respect of every ordinary public school in the Eastern Cape without section 21 functions, to make the balance of the allocation due to them in terms of the revised budgets referred to in paragraph 4.1 available for expenditure on each such school's behalf.

5. The first to third respondents are directed to deliver written reports to this Court on affidavit, every 30 calendar days, reporting on their compliance with paragraph 4 above, until such time as all schools receive the balance of their school allocation.

6. The first to sixth respondents are directed, for purposes of enabling the first to third respondents to prepare the written reports referred to in paragraph 5 above, to prepare a joint plan to ensure that sufficient funds are made available to ensure that each school receives the balance of its school

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allocation, and for such plan to be annexed to the first written report filed in terms of paragraph 5 above.

7. Any party is entitled to re-enrol the matter, on duly supplemented papers, to seek further relief in relation to the respondents' compliance with paragraphs 4 to 6 above.

8. Any respondent that opposes the application to pay costs of this application, jointly and severally, including the costs of two counsel on an attorney client scale.



9. Further and/or alternative relief.

TAKE NOTICE FURTHER that the affidavit of **LEON GROVE** and the annexures thereto, and supporting affidavits of **MICHELLE NEL AND ZIMANE THAME** will be used in support of this application.

TAKE NOTICE FURTHER that the applicants appoint the address of the applicants' attorneys, the Legal Resources Centre, 116 High Street, Makhanda, as the address at which they will receive and accept all notices and service of all processes in this matter.

TAKE NOTICE FURTHER that the applicants waive their rights to the provision of a Record in terms of Uniform Rule of Court 53(1)(b)

TAKE NOTICE FURTHER that if any respondent intends to oppose this application, it is required to:

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a. Notify the applicants' attorneys in writing, by no later than 16:00 on **Monday, 9 November 2026**, of its intention to oppose, and in such notice appoint an address within 15 kilometres of the office of the Registrar of this Honourable Court at which it will accept notice and service of all process in these proceedings, together with an electronic mail address at which it will accept service;

b. Deliver its answering affidavit, if any, by no later than 16:00 on **Friday, 20 November 2026;**

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c. **TAKE NOTICE FURTHER** that the applicants will deliver their replying affidavit, if any, by no later than 12:00 on **Friday, 27 November 2026.**

KINDLY ENROL THE MATTER ACCORDINGLY

DATED AT Makhanda **ON** 3rd **NOVEMBER 2026.**

LEGAL RESOURCES CENTRE
Attorneys for the Applicants
116 HIGH STREET
MAKHANDA
REF: C VAN SCHALKWYK
Tel: 046 6229230
cecile@lrc.org.za / claire@lrc.org.za
Tel: 046 6229230

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TO: THE REGISTRAR
HIGH COURT
MAKHANDA

AND TO: FIRST AND SECOND RESPONDENTS,

Steve Vukile Tshwete
Education Complex,
Zone 6, Zwelitsha.
C/O STATE ATTORNEY,
29 Western Road, Central,
Gqeberha, 6001.
Tel: 041 585 7921
Email: SMnyande@justice.gov.za



AND TO: THIRD RESPONDENT

2nd Floor Office of the Premier Building,
4 Independence Avenue,
Bhisho
C/O STATE ATTORNEY
29 Western Road, Central,
Gqeberha, 6001.
Tel: 041 585 7921
Email: SMnyande@justice.gov.za

AND TO: FOURTH RESPONDENT

Sol Plaaitjie House
222 Struben Street
Pretoria
C/O STATE ATTORNEY
316 Salu Building,
Cnr Thabo Sehume and Francis Baard Street,
Pretoria, 0001

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AND TO: FIFTH RESPONDENT

Tyamzashe Building
Phalo Avenue
Civic Square
Bhisho
C/O STATE ATTORNEY
29 Western Road, Central,
Gqeberha, 6001.
Tel: 041 585 7921
Email: SMnyande@justice.gov.za



AND TO: SIXTH RESPONDENT

40 Church Square,
Old Reserve Bank Building, 2nd Floor,
Pretoria, 0002
C/O STATE ATTORNEY
316 Salu Building,
Cnr Thabo Sehume and Francis Baard Street,
Pretoria, 0001

AND TO: SEVENTH RESPONDENT

Union Buildings,
Government Avenue,
Pretoria, 0001
C/O STATE ATTORNEY
316 Salu Building,
Cnr Thabo Sehume and Francis Baard Street,
Pretoria, 0001

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IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CASE NO. _____

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SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL	Tenth applicant
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and

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MINISTER OF BASIC EDUCATION	Fourth Respondent
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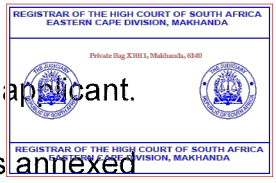
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I, the undersigned,

LEON GROVE

do hereby make oath and state as follows:

1. I am an adult male, and the chairperson of the Makhanda Circle of Unity's Education cluster. The Makhanda Circle of Unity is the first applicant in this matter.



2. I am duly authorised to depose to this affidavit on behalf of the first applicant. Minutes of the Makhanda Circle of Unity dated 3 September 2026 is annexed **LG1**. The Circle of Unity has duly resolved to institute these proceedings in furtherance of the objectives of the organisation.

3. I am also authorised to depose to this affidavit on behalf of the second to twelfth applicants. Confirmatory affidavits deposed to by duly authorised representatives of the second to twelfth applicants will be filed with this affidavit. Due to the urgency with which this application is launched, we will file some of the confirmatory affidavits following the launching of the litigation.

4. The contents of this affidavit fall within my personal knowledge, except where otherwise indicated by the context, and are to the best of my belief both true and correct. Where I make legal submissions, I do so on the advice of the applicants' legal representatives, which I believe is correct.

5. This affidavit must be read in conjunction with the supporting affidavits of the second to twelfth applicants which will be delivered with this affidavit.

LG TM

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INTRODUCTION

6. Each year, the Minister of Basic Education ("**Minister**") sets an annual per-learner minimum target at a national level. The Amended Norms and Standards for School Funding ("**Norms and Standards**") are clear that this target is considered to be the "*minimally adequate*" amount necessary to fund each learner's educational costs. This target varies across quintiles, with no-fee paying quintiles 1 to 3 schools receiving a greater amount per learner than their fee-paying quintiles 4 and 5 counterparts.

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7. In turn, provincial education departments ("**PEDs**") are required to set an appropriate per-learner amount for their province and calculate and allocate each school's school allocation on the basis of at least that minimally adequate per-learner amount. A school's allocation is calculated by multiplying the number of learners enrolled at that particular school by the per learner amount corresponding to that school's quintile.

8. The Norms and Standards make clear that the school allocation is an amount that must be allocated *to* schools each year to purchase essential educational resources and cover schools' operational expenses.

9. Despite this, the Eastern Cape Education Department ("**ECDOE**") unlawfully purported to retain 40% of all public schools' allocations in the Eastern Cape for the 2026/27 financial year. Without any basis in the Constitution, the Schools Act, or the Norms and Standards, the ECDOE purported to "split" schools' budgets into two parts:

9.1. Part A, totalling 40%, was withheld by the ECDOE to fund "*Provincial NNSSF resourcing*" administered centrally by the ECDOE.

9.2. Part B, the balance totalling 60% was transferred directly to schools, intended to be paid in two tranche payments.

(**"the impugned withholding decision"**)

10. This has resulted in schools in the Eastern Cape, a province still regarded as one of the poorest and most under-resourced provinces in South Africa, receiving a little over half of their school allocations, which are calculated on the basis of the absolute minimum which the Minister deems capable of achieving the realisation of the right to basic education.

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11. As I detail below, the impugned decision was taken in May 2026, while the litigation under case number 3830/2023 was pending. On 19 August 2026, the ECDOE and the national Department of Basic Education agreed to an order declaring materially identical withholding decisions for earlier financial years unconstitutional, unlawful and invalid. They also agreed to declaratory relief establishing that, absent compliance with paragraph 114(b) of the Norms and Standards, a provincial education department must fund schools at or above the applicable national per-learner targets.

12. From 19 August 2026, therefore, the ECDOE knew that the legal premise on which its subsisting 2026/2027 withholding decision rested had been rejected (with its agreement). The ECDOE nevertheless did not correct the current-year budgets or undertake to provide schools with the withheld 40%. Instead, notwithstanding repeated engagement by the applicants' attorneys, it has

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maintained the 2026/2027 arrangement. It is that continued failure to correct the current-year position which has necessitated this application.

13. The ECDOE's own documents confirm that the withheld funds are not used for the benefit of all schools. They are used to fund various programmes administered by the ECDOE. Which schools qualify and how they qualify has never been explained to schools in the province, nor are schools given the opportunity to opt in or out of any such programmes. On their face, some of the programmes appear to be focused on an extremely small proportion of schools and learners in the province.

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14. In any event, the impugned retention decision is unlawful on any version. It is unconstitutional and ultra vires the South African Schools Act and the Norms and Standards.

15. As a consequence of the impugned retention decision, schools in the Eastern Cape thus receive far less money in hand than the minimum necessary to cover their essential running costs and educational resources for their learners. This has had a significant and detrimental impact on learners' quality of education in the province and made it substantially harder for public schools in the province to provide quality education to their learners.

16. For that reason, and as I detail further below, this application has become necessary and urgent.

17. The applicants approach this Court seeking to have the impugned retention decision reviewed and set aside in terms of the Promotion of Administrative Justice Act 3 of 2000 ("**PAJA**"), alternatively the principle of legality.

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18. In addition, the applicants seek substitution relief, directing the ECDOE to issue schools with revised budgets awarding schools their full school allocation, as already budgeted for and allocated by the ECDOE, and mandatory relief, requiring the ECDOE to pay schools in accordance with the revised budgets.

19. Given that the ECDOE has already calculated the sum of each school's allocation and given that this Court has already ordered that the total school allocation must be allocated to each school, there is no other possible lawful decision, and the Court is in as good a position to take the decision as the ECDOE.

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20. Remittal in these circumstances is not only unnecessary, but would delay the final allocation to poor schools in the province of the minimum amount necessary for schools to provide an adequate basic education. Exceptional circumstances warrant the Court's correction of the impugned retention decision.

21. The applicants anticipate that the ECDOE may raise practical and financial difficulties in transferring the balance of schools' total school allocations in the current financial year. Such difficulties do not extinguish schools' clear constitutional and statutory claim to the full award of their total school allocation and the Court's corresponding ability to correct the impugned retention decision.

22. In anticipation of the ECDOE raising such issues, and in the light of the ECDOE's obdurate and ongoing failure to pay at the full allocation for a period now exceeding eight years, the applicants also seek structural relief,

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compelling the ECDOE to report to the Court in respect of its progress in paying the full allocation within the current financial year, including by developing a plan, in conjunction with both Provincial and National Treasury, to secure the necessary funding to do so. .

23. In the remainder of this affidavit, I address the following in turn:

23.1. First, I describe the parties to this litigation;

23.2. Second, I detail the constitutional and legislative framework for the funding of public schools in South Africa;

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23.3. Third, I explain how school allocations are calculated and allocated each financial year;

23.4. Fourth, I provide further contextualisation of the impugned retention decision within the ECDOE's recent history of underfunding schools in the Eastern Cape in recent years;

23.5. Fifth, I deal with the impugned retention decision that forms the subject of this urgent application;

23.6. Sixth, I highlight the impact of the impugned retention decision on schools and learners;

23.7. Seventh, I demonstrate that the impugned retention decision is unconstitutional and unlawful;

23.8. Eighth, I deal with the appropriate remedy; and

23.9. Ninth, I deal with the timing of this application and its urgency.

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THE PARTIES

The applicants

24. The first applicant, the **MAKHANDA CIRCLE OF UNITY** ("MCU") was established in 2021 as a registered non-profit organisation with NPO Number: 258-810 NPO. MCU is a collaborative forum established for the fulfilment of an inclusive and purposeful approach for the socio-economic development of Makhanda in the Eastern Cape.

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25. MCU operates through various clusters that focus on specific socio-economic rights, including education. The education cluster consists of a collective of education activists and practitioners in Makhanda in the Eastern Cape. Its primary objective is to ensure that the right to education for every child in Makhanda is realised. MCU works closely with schools in the town, as well as with Rhodes University, other nonprofit organisations, and education practitioners to address challenges faced by schools in the town and provide resources and support to schools to equip them to address all their learners' educational needs.

26. MCU seeks to ensure that the schools and other educational institutions in Makhanda become a beacon of excellence in the province. It is through its work with schools that MCU became aware of the crippling underfunding of the province's public schools by the respondents.

27. MCU has the necessary standing to litigate this matter in terms of sections 38(a), (b), (c) and (d) of the Constitution. It brings this application:

27.1. in its own interest, as an organisation that concerns itself with the right of learners to access to a basic education;

27.2. on behalf of school children in the Eastern Cape who are not receiving adequate funding by the respondents to ensure a quality education;

27.3. in the interests of all school children in the Eastern Cape whose rights to basic education, dignity and equality have been violated, as well as educators and parents of those learners in the province; and

27.4. in the public interest, including in the interest of all learners in public schools, whose rights are compromised by the failure to fund schools in accordance with the funding obligations set out in this affidavit, and of educators and parents around the country.

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28. The second applicant is the **SCHOOL GOVERNING BODY OF TYANTYI PRIMARY SCHOOL.** The SGB is tasked with the governance and professional management of the school in terms of section 16 of the Schools Act. The confirmatory affidavit of the SGB is attached to this affidavit.

29. Tyantyi Primary School is a quintile 3, no-fee paying school located in Tyantyi Location on the outskirts of Makhanda. It provides education to 189 learners from grades R to 7. The school is located in one of the poorest areas of Makhanda and is entirely dependent on the respondents for its funding. More than 80% of the learners' parents are unemployed and the main source of household income for the learners are social grants.

30. The third applicant is the **SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLIVIER,** a quintile 4 public school in Makhanda. It provides education to

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413 learners from grades R to 12. While the parents of the learners in PJ Olivier are asked to pay minimal school fees, 70% of the parents do not pay any fees at all.

31. The school used to be a quintile 5 school, but in 2018 it was reclassified as quintile 4, to reflect the financial situation of the parent community more accurately. The supplementary affidavit of the SGB is attached to this affidavit.

32. The fourth applicant is **THE SCHOOL GOVERNING BODY OF VICTORIA PRIMARY SCHOOL**, a quintile 5 school located in Makhanda and provides education to 442 learners. The confirmatory affidavit of the SGB is attached to this affidavit.

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33. The fifth applicant is the **SCHOOL GOVERNING BODY OF VICTORIA GIRLS HIGH SCHOOL**, a quintile 5 school in Makhanda. The school provides education to 425 learners. The confirmatory affidavit of the SGB is attached to this affidavit.

34. The sixth applicant is the **SCHOOL GOVERNING BODY OF GRAHAMSTOWN PRIMARY SCHOOL**, a quintile 3 school located in Makhanda. The school currently provides education to 269 learners from Makhanda. It is located in a low-income area, and the school does not charge school fees. The confirmatory affidavit of the SGB is attached to this affidavit.

35. The seventh applicant is the **SCHOOL GOVERNING BODY OF DF MALHERBE HIGH SCHOOL** in Gqeberha. It is a quintile 4 school and provides education to 856 learners. The confirmatory affidavit of the SGB is attached to this affidavit.

36. The eighth applicant is the **SCHOOL GOVERNING BODY OF GRAEME COLLEGE** in Gqeberha. The confirmatory affidavit of the SGB is attached to this affidavit.

37. The ninth applicant is the **SCHOOL GOVERNING BODY OF LAER VOLKSKOOL GRAAFF-REINET** that is located in Graaff-Reinet. It is a quintile 5 school and provides education to 366 learners. The confirmatory affidavit of the SGB is attached to this affidavit.

38. The tenth applicant is the **SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL** in Gqeberha. It is a quintile 4 school and provide education to 714 learners. The confirmatory affidavit of the SGB is attached to this affidavit.

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39. The eleventh applicant is the **SCHOOL GOVERNING BODY OF STUTTERHEIM HIGH SCHOOL** in Stutterheim. The school provides education to 747 learners and is a quintile 4 school. The confirmatory affidavit of the SGB is attached to this affidavit.

40. The twelfth applicant is the **SCHOOL GOVERNING BODY OF OATLANDS PREPARATORY SCHOOL** in Makhanda. The school has 290 learners and is a quintile 4 school. The confirmatory affidavit of the SGB is attached to this affidavit.

41. The second to twelfth applicants, like the first applicant, also bring this application:

41.1. in their own interest, as public schools in the Eastern Cape who have been unable to provide the fundamental inputs, in respect of each

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learner, necessary to ensure each learner can realise their right to basic education;

41.2. on behalf of school children in their schools, as well as school children in the Eastern Cape who are not receiving adequate funding by the respondents to ensure a quality education;

41.3. in the interests of all school children in the Eastern Cape whose rights to basic education, dignity and equality have been violated, as well as the educators and parents of those learners in the province; and

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41.4. in the public interest, including in the interest of all learners in public schools, whose rights are compromised by the failure to fund schools in accordance with the funding obligations set out in this affidavit, and of educators and parents around the country.

The respondents

42. The first respondent is the **HEAD OF DEPARTMENT: EASTERN CAPE DEPARTMENT OF BASIC EDUCATION**. The Head of Department is cited as the administrative head of the Eastern Cape Department of Education. The ECDOE is responsible for the administration, registration, and funding of educational institutions in the Eastern Cape Province.

43. The second respondent is the **MEMBER OF THE EXECUTIVE COUNCIL, DEPARTMENT OF BASIC EDUCATION, EASTERN CAPE PROVINCE**. The second respondent is cited as the nominal respondent on behalf of the Eastern Cape Government's Department of Education and as the bearer of the

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constitutional and statutory powers and duties of the Member of the Executive Council of Education for the Eastern Cape.

44. References in this affidavit to the "**ECDOE**" include the first and second respondents. This application will be served on the ECDOE at Steve Vukile Tshwete Education Complex, Zone 6, Zwelitsha.

45. The third respondent is the **GOVERNMENT OF THE EASTERN CAPE PROVINCE** (the "**Provincial Government**" or the "**EC Government**"). It, too, bears constitutional and statutory responsibilities in respect of the provision, administration and funding of public schools in the Eastern Cape. This application will be served on the Provincial Government at the Office of the Premier Building, Independence Avenue, Bhisho.

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46. The fourth respondent is the **MINISTER OF BASIC EDUCATION**. The Minister of Education is cited in their official capacity as the political head of the National Department of Basic Education ("**DBE**"), and as the person responsible for the acts and omissions of officials within the DBE. In terms of section 85(2) of the Constitution and the National Education Policy Act 27 of 1996, the Minister is responsible for developing and implementing national education policy, as well as monitoring and evaluating all levels of education. This application will be served on the Minister of Education at its offices at Sol Plaatjie House, 222 Struben Street, Pretoria.

47. The fifth respondent is the **MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS, EASTERN CAPE**. The fifth respondent is cited as the nominal respondent on behalf of the Eastern Cape Government's Department of

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Finance, Economic Development and Environmental Affairs and as the bearer of the constitutional and statutory powers and duties of the MEC of Finance, Economic Development and Environmental Affairs, including the funding of the ECDOE. This application will be served on the fifth respondent at their office in the Dukumbana Building, 10th Floor, Independence Avenue, Bhisho.

48. The sixth respondent is the **MINISTER OF FINANCE**, cited as the political head of National Treasury and the person responsible for the acts and omissions of officials within National Treasury. The Minister of Finance is cited for any interest that they may have in the matter. This application will be served on the sixth respondent at their offices at 40 Church Square, Old Reserve Bank Building, 2nd Floor, Pretoria.

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49. The seventh respondent is the **GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA**. The government is cited as a result of its statutory and constitutional responsibilities in respect of the provision, administration and funding of public education. These include the responsibilities of the Minister and the DBE, arising from the Schools Act and the National Education Policy Act 27 of 1996, as well as the responsibilities of the MECs and the national Department of Finance. This application will be served on the seventh respondent at the Office of the Presidency, Union Buildings, Government Avenue, Pretoria.

50. The respondents will also be served c/o the State Attorney, 29 Western Road, Central, Gqeberha, 6001.

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CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

The Constitution

51. The right to basic education is enshrined in section 29(1) of the Constitution which provides that "*everyone has the right to a basic education*."

52. I am advised that our courts have interpreted this right as creating an entitlement for learners to have their basic learning needs met. It entails providing learners with goods and services that ensure the meaningful content of the right, such as the necessary textbooks, stationery, school infrastructure, furniture and educators. Where necessary, it also includes the right of access to scholar transport and nutritional programmes.

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53. I am further advised that the right to basic education is distinct from other socio-economic rights. Unlike other socio-economic rights, it is immediately realisable and not subject to internal constraints regarding the availability of resources. Consequently, a lack of resources cannot justify the state's failure to provide basic education. Our Courts have repeatedly affirmed that the right consists of more than merely access to schools, and that it also encapsulates the inputs necessary for quality and equity in education.

54. The right to basic education is also intertwined with other rights contained within the Bill of Rights, which need to be read in conjunction with one another. These rights include:

54.1. the right to equality (section 9);

54.2. the right to human dignity (section 10); and

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54.3. section 28(2), which provides that the best interests of the child are of paramount importance in all matters concerning the child.

55. In respect of each of these rights, the state bears a general obligation under section 7(2) of the Constitution to "*respect, protect, promote and fulfil the rights in the Bill of Rights*." Put plainly, a failure to realise the rights of children and learners to basic education is a breach of their dignity, and a breach of the obligation to respect, protect promote and fulfil the rights to equality and to give paramountcy to the best interests of the child.

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56. As the administration of public ordinary schools also falls more generally under the public administration, the state is also obliged to ensure it complies with the basic values and principles governing the public administration when making decisions that impact schools. Of relevance here is the need to ensure a public administration that:

56.1. promotes the efficient, economic and effective use of resources (section 195(1)(b));

56.2. ensures the impartial, fair and equitable provision of services without bias (section 195(1)(d));

56.3. ensures responsiveness to people's needs (section 195(1)(e));

56.4. ensures accountability (section 195(1)(f)); and

56.5. ensures transparency (section 195(1)(g)).

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The Schools Act

57. The South African Schools Act 84 of 1996 ("**Schools Act**") provides a uniform system for the organisation, governance and funding of schools.

58. In its preamble, it recognises that South Africa "requires a new national system for schools which will redress past injustices in educational provision" and will ensure the provision of "an education of progressively high quality for all learners."

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59. The Schools Act gives concrete effect to the state's constitutional obligation to fund schools, and to do so in a manner that promotes and seeks to fulfil the rights to equality and dignity, and the right to basic education.

60. Section 12 provides that:

> "The Member of the Executive Council must provide public schools for the education of learners out of funds appropriated for this purpose by the provincial legislature."
>
> (my emphasis)

61. Section 34 provides that:

> "The State must fund public schools from public revenue on an equitable basis in order to ensure the proper exercise of the rights of learners to education and the redress of past inequalities in education provision."
>
> (my emphasis)

62. Section 35 of the Schools Act requires the Minister to (a) determine national quintiles for public schools and (b) adopt national norms and standards for school funding.

63. The latter must:

> "(a) set out criteria for the distribution of state funding to all public schools in a fair and equitable manner;
>
> (b) provide for a system in terms of which learners at all public schools can be placed into quintiles, referred to as national quintiles for learners, according to financial means;
>
> (c) provide for a system in terms of which all public schools in the Republic can be placed into quintiles referred to as national quintiles for public schools, according to the distribution of learners in national quintiles for learners; and
>
> (d) determine the procedure in terms of which the Member of the Executive Council must apply the criteria contemplated in paragraph (a)."
>
> (my emphasis)

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64. The Schools Act emphasises, amongst other things, the constitutional imperative of ensuring equity and redress in school funding. It also makes clear the need for the state to use funds appropriated by provincial legislatures to provide schools with funding.

65. Consequently, the Schools Act establishes, amongst others, two key legislative principles that underpin school funding which are relevant for this case:

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65.1. First, funding decisions must ensure equity and redress within the education system.

65.2. Second, where funds are appropriated to be allocated to schools, such funds must actually be allocated to the schools in question.

The Norms and Standards

66. Pursuant to section 35 of the Schools Act, the Minister promulgated the Norms and Standards in 1998. They were most recently amended in 2006, and a copy of the operative version of the Norms and Standards is annexed marked "**LG2**".

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67. The Norms and Standards set the procedures to be adopted by PEDs when determining resource allocations to the schools in their provinces.

68. It is expressly premised on the Constitution and on the Schools Act's recognition that "the basic principles of state funding of public schools derive from the constitutional guarantee of equality and the recognition of the right of redress" (paragraph 16).

69. The Norms and Standards expressly acknowledge disparities within the education system driven by inequality, and in particular by the differences in the ability of schools to generate income through fees, stating that:

> "Ironically, given the emphasis on redress and equity, the funding provisions of the Act appear to have worked thus far to the advantage of public schools patronised by middle-class and wealthy parents. The apartheid regime favoured such communities with high-quality facilities, equipment and resources. Vigorous fund-raising by parent

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bodies, including commercial sponsorships and fee income, have enabled many such schools to add to their facilities, equipment and learning resources, and expand their range of cultural and sporting activities. Since 1995, when such schools have been required to down-size their staff establishments, many have been able to recruit additional staff on governing body contracts, paid from the school fund.

Poor people, on the other hand, especially in former homeland areas, have contributed a disproportionate share of their incomes over many decades to the building, upkeep and improvement of schools, through school funds and other contributions, including physical labour. All too many schools in poor rural and urban working-class communities still suffer the legacy of large classes, deplorable physical conditions, and absence of learning resources, despite various school building programmes. Yet the educators and learners in poor schools are expected to achieve the same levels of learning and teaching as their compatriots." (paragraphs 38 – 39)

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70. I am advised that these are the "*legislative facts*" – i.e. the social or economic milieu which gave rise to the instrument – which a court considers when interpreting the Norms and Standards.

71. To remedy these disparities, paragraph 40 of the Norms and Standards recognises the need for the state's funding approach to favour poor communities, stating that:

> "Such contradictions within the same public school system reflect past discriminatory investment in schooling, and vast current disparities in the personal income of parents. <u>The present document addresses these inequalities by establishing a sharply progressive state funding policy for ordinary public schools, which favours poor communities</u>."
>
> (my emphasis)

72. A key vehicle for the progressive funding of schools under the Norms and Standards is the provision for a "*school allocation*" to allow schools to meet their operational expenses and their learners' educational expenses.

73. A school allocation is defined as "an amount allocated by the state to each public ordinary school on an annual basis in order to finance non-personnel non capital expenditure items" (paragraph 87). The school allocation is intended to fund key inputs that are considered "necessary if educators and other personnel in schools are to perform their functions properly" (paragraph 88).

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74. School allocations are intended to ensure equity in the funding system, with paragraph 89 of the Norms and Standards recognising that:

> "As there is a history within South Africa and in other countries of school fees being used to cover the items targeted by the school allocation, Government regards a school allocation that is adequate for at least the poor, as a key lever for ensuring that households suffering the effects of poverty enjoy schooling that is adequately funded by the state. A distributional approach that favours the poor in this regard is in keeping not only with Government's Constitutional obligation to redress the imbalances of the past, but also with South Africa's commitment to various regional and international agreements to combat poverty through increased access to quality education."

75. The Norms and Standards provide further guidance regarding what inputs the school allocation could cover but emphasises that the school allocation is not required to be the sole source of funding for these inputs, nor that the school allocation must be used exclusively to fund these inputs.

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76. Paragraph 96 of the Norms and Standards indicates that the school allocation may be used to cover expenses associated with the purchase of:

76.1. learning support material ("LTSM"), including textbooks, library books, charts, models, computer hardware and software, laboratory equipment, and learner desks and chairs;

76.2. non-LTSM equipment, including furniture, photo copier machines, phone and internet connectivity equipment, sporting equipment, cleaning equipment, and first aid kits;

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76.3. educational consumables, including stationery;

76.4. non-educational consumables, including items for internal office use;

76.5. services relating to repairs and maintenance;

76.6. other services, including municipal services, equipment rental, audit fees, bank charges and copying services.

77. However, the Norms and Standards are clear that, while PEDs determine "*the level and distribution of the school allocation*," decisions regarding how the school allocation is to be used lie with schools themselves.

78. Paragraph 94 states that the examples of inputs that school allocations could be used to fund are intended to guide "*schools in determining the utilisation of the allocation*".

79. The general description of the intended use of the school allocation at paragraph 95 also indicates that its use is specific to each individual school,

stating that "*the school allocations are intended to cover non-personnel recurrent items and small capital items required by the school as well as normal repairs and maintenance to all the physical infrastructure of the school.*" (my emphasis)

80. Where existing inequality in schools, population increases, unexpected emergencies or other events cause generalised shortages of key education inputs, the Norms and Standards are also clear that the DBE and PEDs must pursue resourcing mechanisms *other than* the school allocation to provide these inputs (paragraph 97). It does not anticipate or permit funds being withheld from the school allocation in order to fund these other inputs

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CALCULATION AND APPROPRIATION OF SCHOOL ALLOCATIONS

Calculation of school allocations

81. School allocations are calculated using the procedure outlined in the Norms and Standards. In this section of the affidavit, I describe the prescribed methodology.

82. As I noted at the outset of this affidavit, a school allocation is the amount that the Minister determines to be the *minimally adequate* amount, per learner, for purposes of realising the right to basic education.

83. Before calculating school allocations, PEDs must ascertain the quintile distribution of schools in its province, assigning each school to a quintile.

84. First, PEDs assign each school in the province a poverty score, considering both the geographical location of the school and various variable indicators,

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including data relating to income levels, dependency ratios, and the level of education of a community. Schools are then sorted by the PED from poorest to least poor.

85. Second, schools are then allocated into quintiles 1 through 5, based on where they appear on the list of schools ranked from most to least poor in accordance with the province-specific poverty distribution table published by the DBE, which prescribes the percentage-distribution of schools across different quintiles in each province.

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86. Under the Norms and Standards, the amount of money allocated to schools varies between schools based on their quintile classification.

87. Each year, pursuant to paragraph 110, the Minister is required, in consultation with the Minister of Finance, to publish a "*Table of Targets for the School Allocation*" or "*Targets Table*", which sets out the per-learner target for each learner, differentiating across quintiles, and foreshadows three years ahead. Put differently, each year, the Minister is required to publish targets for three years hence. According to the Norms and Standards, this is "*to promote predictability and better medium term planning in the schooling system*". Paragraph 110 also provides that "*Changes to previously released targets could be made to deal with factors such as unexpected changes in the inflation rate*".

88. Revising the minimum per-learner target, or the "*no fee threshold amount*", carries additional requirements. Paragraph 110 of the Norms and Standards provides that the Minister may revise the no fee threshold amounts, "*after consultation with the Minister of Finance*". It also provides that:

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88.1. such revisions should occur on the basis of emerging research into the costs of schooling in different socio-economic contexts, changes in the socio-economic profile of the country, and the overall budget of Government; and

88.2. the Minister will release for public comment a report on the methodology employed whenever the no fee threshold is altered, and will take into consideration the ensuing comments.

89. The differentiation across quintiles also includes a differentiation between fee-paying and no-fee public ordinary schools.

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90. In fee-paying public ordinary schools, PEDs fund departmental staff at the school through post provisioning. The costs of textbooks, other learner support material, municipal services, infrastructure maintenance costs and other operational or education input costs are partially funded by PEDs through school allocations. The school governing bodies at these schools supplement their school allocations by charging school fees. Fees can also be used to pay the salaries of additional staff employed by the relevant school governing bodies.

91. In no-fee public ordinary schools, which are quintiles 1 to 3, PEDs take full responsibility for funding schools' personnel costs through post provisioning and covering the operational expenses of schools and the cost of other education inputs through school allocations. School governing bodies at these schools are not entitled to charge fees but may attempt to fundraise to supplement their funding.

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92. The per-learner target is the highest for schools in quintiles 1 to 3, to compensate for those schools' status as no-fee schools, and to advance the equitable redress envisaged by the Constitution, the Schools Act and the Norms and Standards. Conversely, schools in quintiles 4 and 5 receive far less, given their ability to supplement their funding by charging fees.

93. PEDs are required to calculate the target allocation of each individual school for the following year, multiplying the relevant target by the enrolment figures for each school for the current academic year.

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94. While not stated expressly in the Norms and Standards, PEDs are required to calculate their actual allocation as part of their ongoing Medium-Term Expenditure Framework ("**MTEF**").

95. If the *actual* school allocation (i.e. the amount actually transferred to schools) varies from the target allocation (i.e. the target calculated according to the methodology in the Norms and Standards), the PED must:

95.1. if the actual amount *exceeds* the target allocation, ensure that each school receives at least the minimum target and use the remainder to create a "*smoother distribution*" of funds across quintiles (paragraph 114(a)); or

95.2. if the actual amount is *less* than the target allocation, develop a joint plan with the DBE, National Treasury and the relevant provincial treasury to ensure attaining the target allocations in the earliest possible year (paragraph 114(b)).

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96. As I detail below, this Court recently declared, in an order of Malusi J under case number 3830/2023, that the joint plan described above is a prerequisite for any allocation below the targets; that the joint plan must demonstrate, in the first instance, that it is not financially possible to provide schools with at least the target allocations in that financial year; and that it must be made available to every public school simultaneously with the publication of the school allocation.

Appropriation of funding for school allocations

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97. Education funding is largely left to the discretion of provincial treasuries and PEDs, funded primarily out of the provincial equitable share and conditional grants.

98. The provincial equitable share, which is determined during the division of revenue process, is the amount calculated and allocated to each province to enable provincial government to meet its spending obligations. The equitable share varies between provinces as it is calculated using a formula that accounts for the varying levels of need and demand.

99. The provincial equitable share is comprised of six components, with the education component calculated based on the size of the school-age population of the province and the number of learners enrolled in public ordinary schools in the province.

100. The education component constitutes 48 per cent of each province's equitable share. However, it remains within provincial treasuries' discretion to decide

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how much of the provincial equitable share to allocate towards education during the provincial budgeting process.

101. Conditional grants are also used by provincial treasuries to fund very specific educational inputs in accordance with each conditional grant's grant framework. The funds allocated to specific projects through conditional grants are ringfenced for those projects and cannot be used to fund other educational inputs.

102. Provinces can raise a small amount of their own revenue to further supplement their provincial revenues.

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103. During the provincial budget process, provincial treasuries allocate the discretionary funds towards different provincial priorities. During this process, provincial treasuries exercise their discretion to decide how much will be allocated to the relevant provincial education department.

104. After debating the proposed provincial budget, provincial legislatures are responsible for passing each provinces' Provincial Appropriation Act, in terms of which the legislature appropriates funds for the purposes reflected in each province's budget.

105. This process is relevant to the present application for the following reason.

106. The school allocations communicated to schools for the 2026/2027 financial year were calculated by the ECDOE at the full per-learner targets.

107. There is, moreover, direct contemporaneous evidence from Provincial Treasury concerning the funding of the Norms and Standards in the current

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financial year. In its published 2026/2027 Provincial Budget, Provincial Treasury records an allocation of R2.756 billion for "*Norms and Standards*", which it describes as funding provided to qualifying public schools in rand value per learner for each quintile category. Most significantly, Provincial Treasury states that this policy area is "*supported sufficiently (100%) and in line with national prescribed sector norms and standards for school funding in public ordinary schools*". A copy of the relevant extract is annexed marked "**LG3**".

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108. The same Provincial Treasury document separately identifies allocations of R768.986 million for centralised LTSM procurement, R151.377 million for school furniture, and R702.563 million for the Learner Attainment Improvement Strategy ("LAIS"). These are significant because, as I explain below, the ECDOE has subsequently sought to justify the 40% withholding on the basis that the withheld school-allocation funds are required to finance, amongst other things, LTSM, school furniture and LAIS.

109. On the information presently available to the applicants, therefore, the Province itself budgeted on the basis that Norms and Standards funding was supported at 100% of the nationally prescribed level. The applicants accordingly do not accept that restoring the withheld 40% necessarily requires a fresh appropriation. If the respondents contend otherwise, they must explain how the amount which Provincial Treasury recorded as sufficient to fund the policy area at 100% came to be unavailable for that purpose.

110. The funds required to pay those allocations therefore form part of the amounts appropriated to the ECDOE by the Eastern Cape Provincial Legislature for the 2026/2027 financial year.

111. As a result, and as I explain in the remedy section of this affidavit, transferring the full per-learner allocation of funds to schools in the province ought, in principle, not to require any new appropriation, or any reallocation of funds between programmes. It should simply involve the transfer of funds already appropriated for school allocations to the schools for which they were appropriated.

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112. The applicants nevertheless recognise that some of the withheld money may by now have been committed or expended on other programmes. That possibility does not affect the unlawfulness of the impugned decision or schools' entitlement to an effective remedy. It may affect the practical steps required to implement that remedy. That is why the applicants seek, in addition to substitution and mandatory relief, a remedial implementation plan involving the ECDOE and the relevant treasuries.

113. Funds allocated to schools as part of their school allocation are intended to be utilised by schools to finance their individual operational expenses, with schools retaining discretion over how to utilise those funds.

114. The relief sought in this application accordingly ought not to require any new appropriation, or any reallocation of funds between programmes. It ought to require only that funds already appropriated for school allocations actually be allocated to the schools for which they were appropriated. However, if

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appropriation or reallocation is required, then that is what must occur, with the involvement and support of the provincial treasury.

THE ECDOE'S UNLAWFUL UNDERFUNDING OF SCHOOLS SINCE 2020

Underfunding decisions from 2020/2021 to 2023/2024

115. Since 2020, the ECDOE has made a series of unlawful funding decisions, resulting in the unlawful underfunding of schools in the Eastern Cape and culminating in the decision to retain 40% of schools' allocations in the 2026/2027 financial year.

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116. The bulk of these decisions were recently declared unlawful, unconstitutional, and invalid in *Makhanda Circle of Unity v Head of Department, Eastern Cape Department of Education* Case No. 3830/2023 – an application brought by the first to third applicants (together with another public school). In order not to overburden these papers, I do not attach the papers in that matter, but they will be made available to the Court to the extent necessary.

117. The invalid funding decisions in previous years provide important context for understanding the decision impugned in this application. Accordingly, I provide a summary of these decisions in this section.

118. Despite undertaking to fund learners in line with the per-learner targets in the 2020/2021 financial year, in November 2020, schools were informed they would only receive 45% of their second tranche payment for 2020/2021 financial year. A copy of the memorandum communicating this decision to schools is annexed marked "**LG4**".

119. In the 2021/2022 financial year, the ECDOE indicated that it would be reducing its per learner allocation to approximately half of the national per-learner target.

120. That year, while the national per-learner target for quintiles 1 to 3 schools was set at R1 466 per learner, quintiles 1 to 3 schools in the Eastern Cape were allocated R766,32 per learner.

121. While the target for quintile 4 schools were set at R735 per learner, learners in quintile 4 schools in the Eastern Cape received R384,20 each. Quintile 5 schools also received 45% less than their prescribed school allocation.

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122. This pattern was repeated in the 2022/2023 financial year, with schools in the Eastern Cape again allocated about half of the national per-learner target. The ECDOE allocated R815 per learner in quintiles 1 to 3 schools, despite the national per-learner target being set at R1 536; and R431 per learner in quintile 4 schools, despite the corresponding national per-learner target being set at R770. Quintile 5 schools were due to receive R266 per learner, but only received R149 per learner.

123. These are staggering shortfalls. The poorest schools in the province – comprising some of the poorest schools in the country – were receiving about half of what national government had determined to be the minimally adequate amount required to realise the right to a basic education. And despite the clear requirements of the Norms and Standards, these underfunding decisions were taken, year after year, without any joint plan in place to address the shortfall.

124. On or around 7 November 2022, schools in the Eastern Cape received their budgets for the 2023/2024 financial year. These budgets revealed that schools in the Eastern Cape were going to receive significantly less than half of the national per-learner target for the upcoming financial year.

125. On 9 November 2022, the Legal Resources Centre ("**LRC**") wrote to the ECDOE on behalf of the first applicant and several schools in the Makhanda area, advising the ECDOE that their reduction in funding was unlawful and unconstitutional and requesting that the ECDOE review and re-issue their budgets to ensure compliance with the Norms and Standards, the Schools Act and the Constitution. A copy of this letter is annexed marked "**LG5**".

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126. On or around 9 May 2023, the ECDOE issued revised budgets to schools. This followed from a briefing by the ECDOE and other PEDs to the Select Committee on Education and Technology, Sport, Arts and Culture on 19 April 2023, at which the ECDOE presented its budget to the Committee. During the presentation, the ECDOE indicated that the province had allocated an amount of R772.484 million to "*augment norms and standards for funding in Public Ordinary and Early Childhood Development in order to meet the required national norm per learner funding for all qualifying quintile school categories.*" A copy of this presentation is annexed marked "**LG6**".

127. However, when schools received their revised budgets in May, it became apparent that while the ECDOE had seemingly calculated and appropriated its per-learner amount at the national per-learner target, only a portion of that had actually been allocated to schools.

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128. For the first time, the ECDOE purported to *withhold* a portion of the school allocation, indicating that allocations would be divided into two parts, as follows:

> "PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefiting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.
>
> PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools."

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129. Copies of the second and the third applicant schools revised budgets for the 2023/2024 financial year are annexed hereto as "**LG7**" to demonstrate this decision.

130. For the 2023/2024 financial year, schools in the Eastern Cape thus only received 66.25% of their school allocations. Effectively, the ECDOE funded below the minimum per-learner target, or no-fee threshold, by 33.75%.

131. The unlawfulness of this decision was again raised by several of the applicants in correspondence with the ECDOE on 16 May 2023. A copy of this letter is annexed marked "**LG8**".

The order under case number 3830 – 19 August 2026

132. The ECDOE failed to provide any response to the correspondence of 16 May 2023.

133. Accordingly, on or about 23 October 2023, the first to the third applicants in this matter, together with an additional school, brought an application under case number 3830/2023 to review and set aside the ECDOE's decisions to:

133.1. fund schools below the national per-learner target in the 2020/2021; 2021/2022; and 2022/2023 financial years; and

133.2. retain 33.75% of schools' allocations in the 2023/2024 financial year.

134. The application also sought an order declaring that paragraph 144 only permitted a PED to provide school allocations at less than the amount implied by the minimum per-learner target if meeting that minimum was shown to be impossible, and if, simultaneously, a plan to make up the shortfall in the same year, or as soon as possible, was published.

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135. This application was initially opposed by the ECDOE.

136. While the application was pending, the ECDOE issued schools with their budgets for the 2024/25 financial year in December 2023. These budgets again indicated that the ECDOE intended to retain 33.75% of schools' allocations to fund the so-called "*Provincial NNSSF Budget*." A copy of the second and third applicant schools' 2024/2025 budgets is annexed hereto as "**LG9**".

137. The applicants to the application under case number 3830/2023 consequently amended their notice of motion to include a challenge to the December 2023 funding decision. A copy of the final amended notice of motion is annexed hereto marked "**LG10**".

138. In the course of 2024, the ECDOE delivered its answering affidavit in the matter, contending that the impugned decisions were lawful. Though there was no separate affidavit from the Minister, the deponent to the answering affidavit claimed to act on the Minister's behalf.

139. In December 2024, the ECDOE issued schools with their budgets for the 2025/2026 financial year. A copy of the second and third applicant schools' budgets for that year is annexed hereto as "**LG11**". The ECDOE again purported to retain a percentage of each schools' allocation to fund their "*Provincial NNSSF Budget*".

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140. In addition to the setting aside and declaratory relief, the applicants also sought an order that the funding decisions in respect of the 2023/2024 and 2024/2025 financial years be corrected and substituted, and that the ECDOE be compelled to allocate and transfer to schools the unlawfully withheld 33.75%.

141. However, the applicants could not ultimately pursue that relief. By the time the matter was heard on 19 August 2026, the financial years in question had long since ended, and a retrospective payment would have been too disruptive. The substitution relief had accordingly been rendered an effective impossibility given the substantial passage of time between the hearing of the matter and the financial years in question.

142. The applicants seek to avoid the same outcome in this application, hence its urgency.

143. On the morning of the hearing, the ECDOE and the national Department of Basic Education agreed to an order granting all the relief persisted in by the applicants in that case. In other words, they conceded the unlawfulness and unconstitutionality of the decisions under review, and in particular the invalidity of:

143.1. their decisions, taken between 20 November 2020 and November 2022, to fund schools below the national per-learner target; and

143.2. their decisions to withhold a portion of schools' allocations in the 2023/2024 and 2024/2025 financial years.



144. They also conceded that paragraph 114 of the Norms and Standards bears the meaning contended for by the applicants in that matter, and agreed to declaratory relief, which makes clear, among other things, that the requirement for a joint plan under paragraph 114(b) of the Norms and Standards is a *prerequisite* for any allocation by a PED below the national per-learner target.

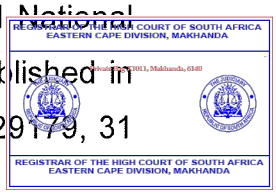
145. On 19 August 2026, this Court (per Malusi J) granted an order to this effect. A copy of the order is annexed marked "**LG12**". The order provides in relevant part as follows:

> "1. The decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in May 2023, to withhold 33.75% of each school's funding allocation for 2023/2024, is declared unconstitutional, unlawful and invalid.
>
> 2. The decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in

December 2023, to withhold 33.75% of each school's funding allocation for 2024/2025, is declared unconstitutional, unlawful and invalid.

3. The decisions taken by the first, second and third respondents between 20 November 2020 and November 2022, to reduce the per-learner funding allocations for public ordinary schools in the Eastern Cape to an amount less than the targets determined by the fourth respondent from time to time, are declared unconstitutional, unlawful and invalid.

4. It is declared that paragraph 114(b) of the Amended National Norms and Standards for Public School Funding (published in Government Notice 869 of the Government Gazette 29179, 31 August 2006) ("the Norms and Standards"):



4.1. sets out the prerequisites with which a provincial education department must comply before it may lawfully provide less than the target per learner allocations to schools in the province. Therefore, in the absence of a joint plan for attaining the per-learner targets that complies with paragraph 114(b), a provincial education department is required to provide allocations in accordance with (or that exceed) the targets;

4.2. requires that, in the joint plan contemplated in paragraph 114(b), the provincial education department is required to demonstrate, in the first instance, that it is not financially possible to provide schools with at least the target per learner allocations in that financial year. In the event that it is possible to attain the targets later in the same financial year, then the joint plan must include the steps that will be taken, to the extent possible, to make up any shortfall at the earliest possible stage;

4.3. requires that, if the joint plan demonstrates that it is not financially possible to provide schools with at least the

target per learner allocations in that financial year, then that joint plan must determine whether it is financially possible to meet the target in any subsequent year(s). The joint plan must in these circumstances include the steps that will be taken, to the extent possible, to make up any shortfall in prior years at the earliest possible stage;

4.4. requires that, if a provincial education department publishes a school allocation, whether provisional or final, where the target school allocation exceeds the actual school allocation, it must, simultaneously with the publication of the school allocation, provide every public school with access to the joint plan contemplated in paragraph 114(b) and

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4.5. creates an ordering of priorities, such that in any years when it is not possible for the provincial education department to fund at least in accordance with the target, the provincial education department must prioritise quintile 1 and 2 schools and learners from grades 1 to 9.

5. The first to fourth respondents are directed:

5.1. to deliver written reports to this Court relating to compliance with its order, on affidavit, and once per three-month period, commencing on 1 September 2026, for a period of 360 calendar days following the date of this Court's order, meaning that each report must be delivered no later than:

5.1.1. 30 November 2026;

5.1.2. 28 February 2027;

5.1.3. 30 June 2027; and

5.1.4. 30 September 2027; and

5.2. to ensure that such written reports detail the first to third respondents' steps to ensure that every school is provided a school allocation for 2027/2028 calculated on the basis

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of at least the prevailing minimum per-learner target amount contemplated in paragraph 109 of the Norms and Standards as applicable to that school's Quintile, multiplied by the total enrolment numbers of that school.

.."

[my emphasis]

146. Malusi J indicated that he will, in due course, deliver reasons for granting the order. The LRC's Ms Cecile van Schalkwyk was present in Court when the order was granted, and her confirmatory affidavit will be provided at a later date.



147. Three features of Malusi J's order are of particular significance to this application.

148. First, the decisions declared invalid in paragraphs 1 and 2 of the order are, in all material respects, the same as the impugned retention decision.

149. Each involved the ECDOE purporting to withhold a fixed percentage of every school's school allocation to fund a centrally administered "Provincial NNSSF" budget.

150. The only material difference is that the percentage withheld has now increased from 33.75% to 40%. In other words, the extent and effect of the impugned withholding decision is worse than those that Malusi J declared (with the ECDOE's agreement) unlawful.

151. The significance of the order is twofold. First, its declaratory provisions establish what paragraph 114(b) means and has always meant. Second, after

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19 August 2026 the ECDOE could no longer plausibly maintain that its current-year withholding decision rested on a lawful interpretation of those provisions.

152. Second, paragraph 4 of the order declares that a PED may only lawfully provide schools with less than the target per-learner allocations implied by the minimum per-learner target amount (or 'no-fee threshold' in quintiles 1 to 3 schools) if it has first complied with the prerequisites in paragraph 114(b) of the Norms and Standards.

153. These prerequisites include a joint plan, which must be provided to schools, demonstrating that it is not financially possible to provide schools with at least the target per learner allocations in that financial year.

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154. No such joint plan has been published or provided to schools in respect of the 2026/2027 financial year (or, for that matter, any previous year).

155. Third, the reporting obligations in paragraph 5 of the order concern the 2027/2028 school allocations. The impugned retention decision was not before the Court in case number 3830/2023, and the order therefore does not address the current 2026/2027 financial year. The order therefore does not, on its own, secure for schools their full school allocations in the current financial year. That is why this application is necessary.

THE IMPUGNED WITHHOLDING DECISION

156. Undeterred by the pending litigation, during May 2026 the ECDOE again decided to withhold a percentage of schools' allocations for the current 2026/2027 financial year.

157. In budgets provided to schools in or around 22 May 2026, the ECDOE stated that it would retain 40% of all schools' allocations for Provincial NNSSF resourcing. A copy of the applicants' school budgets for the 2026/2027 financial year is annexed hereto as "**LG13**".

158. In this budget, the ECDOE explains that schools' allocations would again be split in two parts, as follows:

> "PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefiting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.
>
> PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools." (emphasis added)

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159. At the time, no further information was provided to schools regarding what the "Provincial NNSSF" is, what programmes or benefits form part of "*Provincial NNSSF resourcing*", or which schools are "*qualifying schools*" for that purpose.

160. Equally, no further communication to this effect was forthcoming in the months that followed.

161. It is striking – and deeply regrettable – that the ECDOE would take this decision in the face of pending litigation, when, less than three months later, their legal representatives would concede the unlawfulness of earlier decisions taken on the identical basis.

162. It is also unfortunate that, in the wake of this Court's order, the ECDOE has not taken any steps to correct its unlawful decision. That is, despite conceding

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the unlawfulness and unconstitutionality of the prior withholding decisions, and despite an order of this Court declaring those decisions unlawful and unconstitutional, the ECDOE has made no attempt to allocate and transfer the unlawfully withheld 40% of each school's per-learner allocation. The ECDOE would be entitled to revise the school budgets at any time within the school's financial year. That would have been the lawful and responsible course following this Court's order. But it is not the course the ECDOE has chosen, and the applicants have accordingly been required to approach the Court.

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163. Instead, on 24 August 2026, the ECDOE issued a media statement regarding the order of Malusi J, a copy of which is annexed marked "**LG14**".

164. Before the media statement came to the applicants or their attorneys attention, the LRC, acting on behalf of the applicants in the Malusi J matter (being the first to third applicants before this Court and one additional school) wrote to the ECDOE and the Minister on 28 August 2026, highlighting that Malusi J's order had put beyond doubt that a purported withholding of any portion of the school allocation is not permitted by the Norms and Standards. The letter accordingly demanded that the ECDOE:

164.1. issue a circular correcting the purported withholding;

164.2. by 17 September 2026 provide schools with revised schools budgets to indicate that each school will be allocated 100% of its school allocation, without any withholding; and

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164.3. during the second tranche payment process in 2026, process the payment of the 40% of schools' school allocations that was erroneously withheld.

165. A copy of the 28 August 2026 letter is annexed marked "**LG15**".

166. It is deeply concerning that, in its media statement of 24 August 2026, the ECDOE asserted not only that a portion of schools' school allocations had been retained to fund centralised programmes, but, in contradiction of this Court's order, that the "*centralised portion remains part of the Norms and Standards funding envelope and is spent directly for the benefit of schools.*" That is simply false.

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167. The ECDOE's statement conflates its unlawful withholding of a portion of schools' per-learner allocation with centralised procurement, undertaken in terms of section 21(3A) of the Schools Act, stating that:

> "The department is in the process of consulting all schools, through the Circular 10 of 2026, for the schools wishes to opt out from the centralised procurement shall make a representation by providing the evidence of pricing is cheaper than centralised procurement for them to be considered for decentralisation of LTSM procurement." The Circular is enclosed as "**LG16".**

168. To be clear, the applicants accept that if 40% of a *particular school's* allocation were to be utilised for the centralised procurement of LTSM *for that school*, that would be permissible and would not constitute a withholding of funds from that school. In other words, if the ECDOE were to use part of School A's allocation to purchase School A's textbooks to the same value, then the school

has received that part of its allocation in kind. Where schools opt in to such a process, it is unobjectionable.

169. But that simply describes a mode of provisioning. It says absolutely nothing about the amount of the allocation. In other words, whether School A receives R100,000 in cash to buy textbooks or the Department buys R100,000 of textbooks on School A's behalf, School A's allocation remains R100,000.

170. But that is not what it is happening. Such a process would not occasion a general withholding of 40% of every school's school allocation to be used for expenses that is not authorised by 21(3A) of the Schools Act.

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171. First, not every school participates in centralised procurement.

172. Second, there is no evidence that, even in respect of those schools that do participate in centralised procurement, exactly 40% of each of their school allocation is utilised in that programme.

173. Third, in respect of the previous withholding decisions, there was no evidence of actual spending of the entire withheld amount on centralised procurement.

174. Fourth, the purported centralisation justification contradicts the reasons proffered in the decision itself, where the withholding is vaguely described for purposes of "Provincial NNSSF resourcing, benefiting all schools". This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools." [ECDOE's underlining]

175. Indeed, this is evident from the Department's own documents, which formed part of the record in the previous litigation. In this regard:

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176. In annexure H to the ECDOE's answering affidavit,[1] the ECDOE sets out in paragraphs 5.2 and 5.3 that the school allocations are intended to cover non-personnel recurring items and small capital that is required by the school, as well as minor repairs and maintenance of the infrastructure of the school. 35% of the school allocation is ring-fenced for LTSM and be used for the purchasing of textbooks. According to the circular quintile 1-3 LTSM has been centralised. This document is enclosed as **LG17**.

177. Annexure M to the ECDOE's answering affidavit[2] provides a table that sets out the Norms and Standards split for 2022/2023. For both textbooks and stationery, it is clear that the mode of provisioning for these items are centralised procurement and that the funds come directly from the school allocation. This makes it clear that centralisation is simply a mode of procurement and that the actual allocation for textbooks and stationery still reach the schools through the delivery of the books and stationery. The document is attached as **LG18**.

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178. Annexure O to the answering affidavit[3] of the ECDOE also makes it clear that not all schools benefit from the retained amount. At paragraph 8 the ECDOE provides a breakdown of the Norms and Standards allocation for 2023/2024. It explicitly states that Part A, which the provincial NNSSF resourcing does not benefit each school in each year as this depends on the schools identified in the project roll outs. This is different to Part B which is allocated to the

[1] Volume 5, p. 666.

[2] Volume 5, p. 681.

[3] Vol 5, p. 690.

individual schools based on the learner numbers and of which textbooks and stationery form part. This document is attached as **LG19**.

179. Annexure PJO9 of the answering affidavit[4] of the ECDOE again confirms that the retained percentage for the 2024/2025 financial year, as in 2026/2027, is used for bespoke projects that do not benefit all schools. The table on page 4 of the document sets out that the amount is used for things such as specialised schools, occupational skills only at secondary levels, graded readers for the foundation phase, and the bail out of schools for their services accounts. This document is annexed as **LG20**.

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180. The answering affidavit itself made clear that the withheld funds would be utilised for projects that only benefit some schools (for example, agricultural schools: see paragraph 66.2 (a) – (h) of the ECDOE's answering affidavit in case number 3830/2023, the relevant extract of which is annexed marked "**LG21**"), in clear contravention of the requirement that each school must receive the benefit of its school allocation.

181. The ECDOE's explanation of how they have used the withheld funds, discussed in more detail below, clearly demonstrates that such funds were ultimately not used to benefit all schools.

182. Ultimately, the ECDOE in the impugned retention decision, did not attempt to explain what the benefits occasioned by the purported retention entail, what a qualifying school is, and how each school would actually receive the full benefit of the 40% of their school allocation being withheld from them.

[4] Vol 5, p. 738.

183. Concerned about the clear misconstruction of the requirements of the Norms and Standards and of the meaning and import Malusi J's order, the LRC wrote to the ECDOE on 3 September 2026. A copy of that correspondence is annexed marked "**LG22**".

184. In the letter, the LRC emphasised the difference between centralised procurement and the unlawful withholding of a portion of schools' allocation. The former has nothing to do with the latter.

185. Section 21(3A) of the Schools Act allows PEDs to procure *specific and identified items* on behalf of schools who opt into centralised procurement, upon consultation with those schools.

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186. Such procurement differs significantly from the ECDOE's unlawful withholding decisions, which saw the withholding of a percentage of schools' school allocations to fund *undisclosed* projects to the benefit of *unidentified qualifying schools* and which reduced the total amount left available to schools under Part B that could be used to contribute by schools towards the centralised procurement of textbooks, LTSM and stationery.

187. On 17 September 2026, the ECDOE sent a letter to the LRC, requesting a meeting to discuss the letter of 28 August 2026. The letter informed us that the issues raised in our letter of 28 August 2026 are complex in nature and reducing a response in writing might not correctly capture the intended message, and therefore proposed a physical meeting. The ECDOE requested three dates on which the LRC would be available to meet. The letter is enclosed as **"LG23".**

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188. On 23 September 2026, the LRC responded and proposed four dates for the meeting. The email correspondence is attached as **"LG24".**

189. On 1 October 2026, the LRC followed up with the state attorney about the date for the meeting, as we had received no further response from them as to when the meeting could be held. Mr Sisilana, the state attorney, responded that he was still waiting for confirmation. The emails are attached as **"LG25".**

190. On 5 October 2026, the LRC again followed up with Mr Sisilana and advised him that one of the proposed dates (9 October 2026) was no longer suitable for our counsel in the matter. Mr Sisilana responded and advised that he would once again follow up with his clients as to a suitable date for the meeting. The email correspondence is enclosed as **"LG26"**

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191. On 14 October 2026, Mr Sisilana advised that his clients were available to meet on 27 October 2026 in East London. The email is attached as **"LG27".**

192. It should be noted that this email was sent more than three weeks after our attorneys proposed available dates for the meeting. Two of the proposed dates (8 and 9 October 2026) had already passed by the time that we received a response from the state attorney. This reflects an unfortunate failure on the part of the ECDOE to appreciate the importance and urgency of the matter, and a disregard for the rights of the applicant schools and the learners they serve.

193. On 27 October 2026, our attorneys met with members of the ECDOE and their legal representatives, including the ECDOE's HOD, Ms Maasdorp; Chief

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Financial Officer, Ms Kese; and their Deputy Director-General in charge of Supply Chain Management, Mr Marius Harmse.

194. The ECDOE sought to provide more detailed information on why they had elected to withhold funds from schools' school allocation and what these withheld funds were used to finance.

195. In a presentation, annexed hereto as **LG28**, the ECDOE reported that since 2013/2014, it had faced significant budget cuts implemented by provincial treasury. These budgets cuts have placed pressure on its ability to meet its financial obligations.

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196. In the presentation, it is reported that funds allocated to Norms and Standards payments had been protected from budget cuts until the 2020/21 financial year. In the financial years that followed, the ECDOE was under pressure to implement other statutory and policy objectives which included, amongst other things, a comprehensive eLearning and ICT rollout and the promotion of Mother Tongue Based Bilingual Education (MTBBE).

GOODS AND SERVICES During the 2026/2027 financial year, the 40% that was retained by the ECDOE has been earmarked to fund the following projects	**Funded in 2026/2027**
Agricultural	8,010,523 (0.5% split)

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Technical Occupational Studies	6,173,504 (0.4% split)
Maritime School	2,315,064 (0.1% split)
Curriculum Occupational Skills, Robotics	12,26,525 (0.7% split)
Graded Readers (grades 1 – 3)	19,592,199 (1.2% split)
Curr. Ext. Tbooks shortfall & MTBBE	33,472,341 (2.1% split)
E-Learning	56,638,246 (3.5% split)
LTSM Project	106,658,299 (6.6% split)
LTSM School Furniture	151,077,475 (9.3% split)
Municipal Services (Centralised)	129,101,420 (7.9% split)
Section 20 Schools	3,390,892 (0.2% split)
LAIS (JENN, MSI, AVIATION)	469,076,035 (28,8% split)
ICT SCHOOLS	77,168,795 (4.7% split)

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197. It is clear from this information that the school allocations that were due to each learner in the province, has been used to fund projects that do not benefit

all learners in the province and to support projects that have not been properly costed and funded by the relevant treasury departments.

198. For example, during the 2026/2027 financial year about R35 578 000 has been budgeted for an aviation school in Port Alfred. When the school was established in 2025, it was reported in the media that 25 learners would benefit from the programme. It is not clear what the number of learners is for the 2026/2027 financial year, but if the number has stayed consistent, this means that 25 learners in the province will each have R1 423 120 allocated to their education while the remaining 1 584 129 million learners are receiving significantly less towards their schooling and have had their per-learner allocation cut by 40%.

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199. The same is true for Agricultural Schools and Maritime schools where only a handful of learners in the province are benefitting, while the money that is used to pay for the schools is earmarked in law for every learner in the province through their school allocation.

200. Much of the E-learning budgets are spent on tablets for matric learners. Again, these are not projects from which all learners benefit.

201. As for the municipal services payments, this line item is already included in the schools' paper budgets. However, 40% is withheld to contribute to municipal services bailouts. While we take no issue with schools being bailed out when their municipal services accounts become too high, many schools' accounts are high because they do not receive the right amount of money to pay the account. Effectively, *all* schools receive 40% less for municipal services, so that the ECDOE can pay the accounts of *some* schools in the

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province. As is demonstrated below, schools like Tantyi Primary School would have no overdue municipal account if they were paid the full school allocation for 2026/2027. The only reason they are in arrears is because their money is being kept by the ECDOE to pay towards a select few schools.

202. The withheld amount is also used for projects that have not been funded by the treasury departments. According to the ECDOE, the MTBBE is a national policy that must be implemented, but that has no accompanying relevant funding.

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203. In summary, and most significantly, it is clear that while a small number of schools may benefit from these projects, every learner in the province is contributing 40% of the money owed to them to subsidise these projects. The applicants do not mean to suggest that some of these items are unimportant and should not be funded. Our position is that the funding cannot in law be taken from the Norms and Standards for School Funding.

204. In the meeting with our legal representatives, the ECDOE reported that they have regular meetings with the Minister of Basic Education, National Treasury and Provincial Treasury to address the funding constraints. This includes Medium-Term Expenditure Committee (MTEC) Hearings and the 10x10 meetings, a joint intergovernmental forum for education financing, budgeting, planning and fiscal coordination. It appears from the presentation that these meetings have only resulted in the ECDOE being afforded an overdraft of R569.9 million during 2025/2026, which has resulted in a corresponding payment obligation during the 2026/2027 financial year. This amount, added

to existing accruals, means that the ECDOE entered the financial year with a R1.6 billion deficit in accruals and payables.

205. The ECDOE also indicated to our legal representatives that when they raise funding concerns with the treasury departments, they are told to find the funding within their baseline. This is apparently true for the unfunded mandate to implement the MTBBE as well as the introduction of grade R following the passing of the Basic Education Laws Amendment Act 32 of 2024.

206. At the end of the meeting, it was agreed that our attorneys would take instructions on two aspects:



206.1. The applicants' willingness to further consult with the ECDOE in respect of which items currently funded by the 40% retained amount should continue to be funded by the ECDOE during 2027/2028; and

206.2. The applicants' willingness to withdraw our instruction to pursue urgent legal action to ensure that the 40% retained amount of the Norms and Standards for School Funding for the 2026/2027 financial year be paid to the schools directly.

207. On 30 October 2026, our attorneys addressed a letter to the state attorney, Mr Sisilana to advise him that while we remain open to further discussions on the question as to which of the items currently funded by the 40% retained amount needs to be prioritized by the ECDOE, it remains the purview of the ECDOE to determine what projects should be prioritized and funded. This is primarily because the applicants cannot direct policy decisions of the ECDOE.

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208. We further communicated that in light of the ECDOE's position that it will not repay the 40% that has been retained for the 2026/2027 financial year, we have no other option than to approach the court for an order compelling them to pay the money. This letter is attached as **"LG29"**.

THE IMPACT OF THE IMPUGNED WITHHOLDING DECISION

209. The impugned retention decision has had a dire impact, and continues to have that impact, on schools and learners in the Eastern Cape.

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210. As evident from the context canvassed above, schools in the Eastern Cape have been unlawfully underfunded below the absolute minimum which the state considers adequate for the realisation of the right to basic education, for close to half a decade.

211. Despite the unlawfulness of several funding decisions taken by the ECDOE between 2020 and 2024, the ECDOE has not demonstrated a commitment to take any steps to address the rights violations occasioned by these decisions.

212. Instead, the ECDOE has publicly emphasised that it was not required to pay back the money it unlawfully withheld from schools, and has persisted, in spite of the order of Malusi J, with a misconstruction of what the school allocation is and how it must be treated.

213. Schools across the Eastern Cape have been significantly impacted by the past six years of underfunding. These impacts have been compounded each year that schools have been required to operate without their full school allocation.

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214. Below, I set out the difference between what quintile 1 to 3 schools were entitled to receive per-learner and the amount that they actually received.

Year	National Per-Learner Target	Money per-learner allocated to schools in the Eastern Cape
2016/2017	R1175	R1177
2017/2018	R1243	R1177
2018/2019	R1316	R1316
2019/2020	R1390	R1390
2020/2021	R1544	R1319,40 (schools only received 78% of this allocation = R1029,13)
2021/2022	R1466	R766,32
2022/2023	R1536	R815
2023/2024	R1602	R1061.30
2024/2025	R1627	R1232
2025/2026	R1754	R1142,73
2026/2027	R1835	R1101

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215. The effect of the 2026/2027 retention decision is that schools are, in real terms, receiving less money in the current financial year than they received

during the 2024/2025 and 2025/2026 financial years. That is quintessentially retrogressive.

216. Instead of resolving this shortfall, the ECDOE's continued withholding of a percentage of schools' school allocations has left those schools continuing to operate at a deficit, struggling to cover their operational expenses.

217. The impugned withholding decision has also allowed the ECDOE to mask its underfunding and avoid compliance with the peremptory requirements of paragraph 114(b), by asserting, without evidence, that it is funding schools at the minimum per learner target amount, when it is actually providing schools with only 60% of that absolute minimum.

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218. The impugned withholding decision results in schools in the Eastern Cape receiving far less than the minimum national per-learner target to cover their operational costs. Even if a small number of schools were to benefit from any centralised projects resourced from the "*Provincial NNSSF*", such benefit would be distinct from and not in furtherance of schools' ability to cover the costs that their per-learner allocation is intended to cover.

219. The impact of the impugned retention decision has thus been no different from what it was when the ECDOE expressly funded schools below the national per-learner target. That is, in practice, what is happening.

220. The ECDOE has not provided schools with a clear indication of what policies or programmes are funded using the "*Provincial NNSSF*". Our attorneys obtained limited insight into this issue during the meeting with the ECDOE on 27 October 2026.

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221. In the budget that schools received in May 2026, the ECDOE itself admitted that "*Provincial NNSSF resourcing*" would only be used to benefit *qualifying* schools. No further information was provided establishing which schools qualified or on what basis any schools qualified for these benefits. The subsequent explanation of how withheld funds are used by the ECDOE given during the meeting of 27 October 2026 confirms that not all schools benefit from the funds withheld by the ECDOE.

222. Yet, these programmes are being funded through the withholding of funds from *all* schools in the Eastern Cape to the exclusive benefit of a far smaller percentage of schools across the province. For example, funds are being withheld from *all* ordinary public schools to fund a few learners attending the Air School in Port Alfred. Similarly, funds are being withheld from *all* ordinary primary schools to fund the provision of extra support to grade 12 learners, while funds are being withheld from ordinary high schools to fund readers from learners in grades 1 to 3.

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223. Moreover, this has occurred without any consultation with any of the schools from whom funds are being withheld.

224. Perhaps worst of all, the poorest schools – that is, quintile 1 to 3 no-fee schools – are contributing significantly *more* to "*Provincial NNSSF resourcing*" than wealthier quintile 4 and 5 schools, which have the ability to charge school fees and thereby at least the possibility of recouping a portion of the funds lost as a result of the withholding decision.

225. The impacts are dire. I do not burden the Court by setting them out in detail, particularly since they were already set out comprehensively before this Court

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in the matter that led to the Malusi J order. Instead, I annex to this affidavit only a few supporting affidavits, which illustrate the dire impact on schools and learners of continued underfunding. It should be noted that since the application in case number 3830/2023 was launched the circumstances at the applicant schools have deteriorated even further.

226. In particular, I attach two supporting affidavits. I annex marked "**LG30**" the affidavit of Ms Zimase Thame, the treasurer of the SGB at Tantyi Primary School.

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227. The school is a no fee-paying school and about 80% of the parents of the learners attending the school are unemployed. The primarily rely on child support grants to provide for their children.

228. Despite this, the school has had to rely more and more on parents to provide essential educational resources for the children. This includes contributions to toilet paper and copying paper at the school. The school does not have enough money to pay for basic maintenance such as the replacement of door locks, window handles, the cutting of the grass on the school premises, as well as the fixing of toilets, leaking roofs, and the classroom floors. The leaking toilets and taps have a knock-on effect on its water consumption; however the school simply do not have the funds to fix the bathrooms. Not all the classrooms have electricity as the school cannot afford to have it installed.

229. A large portion of the top story of the school cannot be used at all, as the roof has partially collapsed. This makes it unsafe for the learners and the school has had to cordon off the area to avoid the children being injured. The school

simply does not have the maintenance money to afford any repairs to the school.

230. The school's municipal account is also in arrears with R57 079.64. For the current 2026/27 financial year, the school's entire municipal allocation is only R47 618, paid to the school over two tranche payments. Had the ECDOE not retained 40% of our school's budget, the school would have had R78 093,93 allocated to it for municipal services, which would have enabled it to clear its account in full, with R21 014.29 remaining for municipal charges for the remainder of the financial year. Without these additional funds, the school remains in arrears, potentially affecting the rendering of services to the school.

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231. I annex marked "**LG31**" the affidavit of Ms Michelle Nel, the secretary of the SGB at Hoërskool PJ Olivier.

232. While the school is a quintile 4 fee paying school, 70% of its learners are not paying school fees. In 2023, when the application in case number 3830/2023 was launched, 52% of the learners were receiving fee alleviation. This shows the immense increase in the learners' inability to pay school fees and the financial pressure that the school is under.

233. As a result, the school has several maintenance issues that cannot be addressed. In 2023, the school already reported on the problems with its roof in the hall. These problems have increased over the last three years, and the roof is persistently leaking when it rains. There are also other roofs that are leaking and causing structural damage to the school building. In addition, the school needs a new fence and gate for security purposes, but it is unable to afford it. The school's municipal account is also in arrears with R1 065 896.61.

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234. The hostel at the school is also in desperate need of a new boiler and the school is struggling to continue paying the non-teaching staff at the school that fill vacant substantive posts that the ECDOE has failed to fill.

235. The harms set out above are being replicated and suffered at present, every day, by schools and learners in the Eastern Cape, as a consequence of only 60% of the minimum necessary per-learner funding having actually been allocated to the Province's schools.

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236. The impugned retention decision has, yet again, forced schools to function with close to half of what is recognised as the amount necessary to finance key non-personnel educational inputs.

237. Perhaps the best indication of the impact on the schools, is an understanding of the extent to which each of the applicant schools will be underpaid during the current financial year. In the table below, I set out the amount that the applicant schools were entitled to receive but did not receive due to the 40% retention decision. The amount is determined as follows:

Number of learners X target allocation in terms of the school quintile X 0.40 = underfunded amount

APPLICANT SCHOOL	AMOUNT UNDERFUNDED (40%)
Tantyi Primary School	R126 982
Hoërskool PJ Olivier	R148 878

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Victoria Girls High School	R53 298
Victoria Primary School	R48 258
Grahamstown Primary School	R171 756
DF Malherbe High School	R314 665.60
Graeme College	R79 254
Laer Volkskool Graaff-Reinet	R46 116
Linkside High School	R266 142,40
Stutterheim High School	R274 597,20
Oatlands Preparatory School	R106 604

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238. For each school, these are substantial amounts of money. They are funds that each school is entitled to receive, and that each school could apply towards their maintenance, municipal accounts, textbooks and stationery for the learners. Notably, not one of the applicant schools is aware of having received any additional assistance from the ECDOE that could possibly be construed as "Provincial NNSSF resourcing".

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239. Each day that a school is underfunded substantially below the minimum that the State itself deems necessary for the realisation of the right to basic education does irreparable harm to that right and to the dignity and best interests of each child at each underfunded school. Given its disproportionate impact on poor learners at historically disadvantaged schools in the Eastern Cape, it also breaches the right to equality. This has a bearing both on the merits of the review, to which I now turn, and on the need for this Court to determine this matter on an urgent basis.

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GROUNDS OF REVIEW

The pathway to review

240. In this section of the affidavit, I set out the bases on which the applicants contend that the impugned withholding decision is unlawful and falls to be reviewed and set aside. I am advised that further legal argument on these matters will be advanced at the hearing of this application.

241. I am advised that Rule 53 of the Uniform Rules of Court entitles an applicant in a review to call for a record of the relevant impugned decision, and to supplement their founding affidavit and amend their notice of motion based on that record. I am advised further, however, that Rule 53 exists primarily for the benefit of the applicant, that it may be waived, and that a review applicant may instead use the ordinary application procedure under Rule 6.

242. The applicants waive their right to the Rule 53 record, for two reasons.

242.1. First, the relief sought in this application is urgent.

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242.2. The applicant schools and other schools in the Province cannot await the delivery of a record. In the matter that served before Malusi J, the ECDOE unfortunately delayed inordinately in delivering a record, then delivered a scant record, and then sought to withdraw that record and supplement it with a further record.

242.3. In this matter, even if the ordinary timeframes in Rule 53 were strictly complied with (which is itself highly unlikely based on recent experience), pleadings would only close in early 2027, and the applicants would only then be able to seek enrolment. The matter would likely be heard after the current financial year, and long after the window for the payment to schools of the second tranche of their school allocation.

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242.4. In order to ensure the efficacy of the relief sought, and that schools are actually provided with their full school allocation during the present financial year, and ideally during the current school year, the process in Rule 53 must be waived.

242.5. Second, the impugned retention decision is clearly unlawful, and nothing in any record could justify it. The dispositive issue in this case can be determined on documents which emanate from the respondents themselves and are already before the Court.

242.6. In particular:

242.6.1. the ECDOE's May 2026 budgets themselves identify the impugned 40% withholding;

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242.6.2. Malusi J's order establishes the legal requirements of paragraph 114(b);

242.6.3. no paragraph 114(b) joint plan was provided to schools simultaneously with the publication of their 2026/2027 allocations; and

242.6.4. the ECDOE has subsequently itself explained the purposes for which it says the withheld 40% has been used; and

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242.6.5. no subsequently produced administrative record can retrospectively create the paragraph 114(b) plan which, in terms of paragraph 4.4 of Malusi J's order, was required to be provided simultaneously with publication of a below-target allocation.

242.7. Once the ECDOE calculates a school allocation on the basis of the minimum per-learner target amount, the only lawful decision it can take is to provide the full allocation to each school.

242.8. Accordingly, to the extent that the respondents wish to rely on any document or other record to purportedly justify the impugned retention decision, they are invited to provide that record as an annexure to their answering affidavit. The applicants' waiver of Rule 53 causes the respondents no procedural prejudice.

243. I am advised that the impugned withholding decision constitutes administrative action for the purposes of PAJA. However, in the event that it was to be held that PAJA does not apply, the impugned retention decision would in any event

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still be reviewable under the principle of legality. The applicants rely both on PAJA and the principle of legality.

244. The impugned withholding decision is unlawful and unconstitutional, and invalid in the same way that the ECDOE's retention decisions in respect of the 2023/2024 and 2024/2025 were found by this Court to be unlawful and unconstitutional, and invalid, namely that such a decision is:

244.1. not authorised by, and in conflict with, the Norms and Standards and the Schools Act;

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244.2. irrational and unreasonable;

244.3. procedurally unfair;

244.4. ignores relevant considerations; and

244.5. unconstitutional.

The impugned retention decision was not authorised by an empowering provision

245. The impugned withholding of 40% of schools' school allocations is not authorised by any empowering provisions in the Schools Act nor the Norms and Standards.

246. Instead, various provisions in both the Schools Act and the Norms and Standards clearly require that school allocations are paid *to* schools.

247. Section 35(2)(a), in terms of which the Norms and Standards was adopted, clearly indicates that the Norms and Standards are intended to "*set out the*

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criteria for the distribution of state funding to all public schools in a fair and equitable manner."

248. Section 34(1) of the Schools Act likewise requires that the State "must fund public schools from public revenue on an equitable basis in order to ensure the proper exercise of the rights of learners to education and the redress of past inequalities in education provision".

249. The Schools Act thus requires the State to fund public schools, and to do so equitably. It does not authorise a PED to withhold from schools funds that it has itself allocated to them.

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250. Paragraph 87 of the Norms and Standards similarly reflects that school allocations are an amount "*allocated by the state to each public ordinary school.*"

251. Finally, paragraph 94 of the Norms and Standards clearly provides that while PEDs retain discretion to determine the "*level and distribution*" of school allocations, schools alone are responsible for "*determining the utilisation of the allocation.*"

252. The legislative and regulatory framework applicable to school allocations thus clearly provides for the provision of school allocations *to* schools, affording schools themselves the discretion to determine how to utilise such allocations.

253. Not only is the withholding of a percentage of schools' school allocations to fund "*Provincial NNSSF resourcing*" not mentioned in the Schools Act nor the Norms and Standards, but such withholding is antithetical to the provisions in both instruments governing the allocation and utilisation of school allocations.

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254. The budgets issued to schools state that the retained "Part A" is to be utilised to fund "Provincial NNSSF resourcing", which is said to make "provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools".

255. Neither a "*Provincial NNSSF*" budget, nor the "*resourcing of curriculum*" or "*other teaching and learning related needs*", is referred to anywhere in the Norms and Standards as a permissible use of the school allocation.

256. These vague and unsubstantiated descriptions cannot supply a lawful basis for withholding 40% of every school's allocation.



257. On the contrary, the Norms and Standards are clear that the school allocation funds the inputs that are "*necessary if educators and other personnel in schools are to perform their functions properly*" (paragraph 88), that the school allocations are intended to cover items "*required by the school*", and that "*the school allocation is primarily and exclusively intended for the promotion of efficient and quality education in public ordinary schools*" (paragraph 95).

258. The school allocation is, in other words, intended for use by and in the school to which it is allocated.

259. PEDs are not empowered to use school allocations to fund centralised projects to the benefit of "qualifying" schools. Instead, school allocations are calculated and appropriated with specific reference to the number of learners of each school and the per-learner targets determined annually by the Minister in terms of the Norms and Standards.

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260. In fact, paragraph 97 of the Norms and Standards makes clear that the DBE and PEDs must "*pursue resourcing mechanisms other than the school allocation in order to deal with*" shortages in educational inputs occasioned by historical expenditure inequities, significant and recent increase in school enrolments, shortages resulting from emergencies, the introduction of new grades in existing schools or the establishment of new schools.

261. The requirements of the Norms and Standards in relation to any failure to provide a school with at least its school allocation as calculated on the basis of the minimum per-learner target are confirmed by the order of Mali J, to which the respondents agreed.

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262. I have quoted the relevant portions of the order at paragraph 145 above, and note that the order made clear that:

262.1. decisions by the ECDOE to withhold 33.75% of each school's funding allocation for the 2023/2024 and 2024/2025 financial years, which are decisions of precisely the kind now under review, are unconstitutional, unlawful and invalid;

262.2. paragraph 114(b) of the Norms and Standards sets out prerequisites with which a PED must comply before it may lawfully provide schools with less than the target per-learner allocations (paragraphs 4 and 4.1 of the order); and

262.3. the first of those prerequisites is a joint plan in which the PED demonstrates that it is not financially possible to provide schools with

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at least the target per-learner allocations in that financial year (paragraph 4.2 of the order).

263. The ECDOE has not published or provided to schools any such joint plan for the 2026/2027 financial year. Nor has it suggested that it is not financially possible to provide schools with their full school allocations.

264. On the contrary, the ECDOE has itself calculated and announced each school's school allocation at the full per-learner target and then withheld 40% of it. What it failed to do, in clear contravention of the Norms and Standards, is provide each school with the full school allocation.

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265. The impugned withholding decision is, in substance, a decision to provide schools with less than the target per-learner allocations: although each school's school allocation is purportedly calculated at the full per-learner target, only 60% of it is actually provided to the school. But the impugned retention decision fails to comply with each of the prerequisites of paragraph 114(b). In particular:

265.1. there is no joint plan, devised by the ECDOE together with the DBE and the National and Provincial Treasuries, for attaining the targets;

265.2. the ECDOE has not demonstrated, in any joint plan or otherwise, that it is not financially possible to provide schools with at least the target per-learner allocations in the 2026/2027 financial year;

265.3. no joint plan was provided to schools simultaneously with the publication of the 2026/2027 school allocations in May 2026, or at all;

265.4. the ECDOE has provided no detail as to how, in the interim, the actual budget will be distributed across the national quintiles, as paragraph 114(b) requires; and

265.5. far from prioritising quintile 1 and 2 schools and learners in grades 1 to 9, as paragraph 114(b) requires, the impugned retention decision withholds the same 40% from every school, irrespective of its quintile. In rand terms, this means that the most is withheld, per learner, from quintile 1 to 3 schools.

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266. For all these reasons, the impugned withholding decision is *ultra vires* the Norms and Standards and the Schools Act.

267. In the absence of an empowering provision authorising the impugned withholding decision and its direct contradiction of various provisions in both the Schools Act and the Norms and Standards, it falls to be reviewed and set aside in terms of sections 6(2)(f)(i), 6(2)(e)(i) and 6(2)(d) of PAJA, alternatively in terms of the principle of legality.

The impugned retention decision is irrational and unreasonable

268. I am advised that every exercise of public power must be rational, which requires a rational connection between the exercise of that power and the purpose for which said power was given.

269. I am also advised that all administrative actions must be reasonable, requiring more exacting scrutiny than the rationality standard described above. Reasonableness requires a decision-maker to consider the impact of their

decisions and ensure an appropriate and proportionate balance between the harmful and beneficial consequences of their decisions.

270. The impugned retention decision is irrational and unreasonable, for four reasons.

271. First, it is not linked to the purpose of the school allocation.

272. The school allocation is designed to ensure that schools are able to cover the costs associated with ensuring that their learners have access to the inputs necessary for the realisation of their right to basic education.

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273. The process through which school allocations are calculated, appropriated and allocated is intended to ensure that each school receives what is considered to be the minimum amount necessary to fund a learner's education for that financial year, or as close as possible thereto.

274. The impugned retention decision detracts from this object, depriving schools of access to 40% of their school allocation to fund unspecified projects which the relevant school and its learners may never benefit from.

275. Indeed, many ordinary schools could never conceivably benefit from programmes the ECDOE currently funds using the withheld funds. Funds withheld for maritime, agricultural, aviation, and technical occupational schools will never benefit ordinary public schools.

276. Second, the impugned withholding decision undermines an additional purpose of school allocations, namely to fund schools in a manner that ensures redress and equity.

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277. PEDs are required to differentiate between quintiles when allocating school allocations, providing poorer schools with more support through increased per-learner allocations in comparison to wealthier quintile 4 and 5 schools.

278. However, the impugned withholding decision sees poorer schools contributing significantly more towards "*Provincial NNSSF resourcing*" than their wealthier counterparts. For the 2026/2027 financial year, quintile 1 to 3 schools contributed R734 per learner to the "*Provincial NNSSF resourcing*", while quintile 4 and 5 schools contributed R367.60 and R126 respectively

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279. From the scant information provided by the ECDOE regarding how "*Provincial NNSSF resourcing*" is used, nothing suggests that the ECDOE uses "*Provincial NNSSF resourcing*" to benefit poorer schools, or that it distinguishes between schools based on their quintile classification.

280. Third, the division of each school's school allocation into "Part A" and "Part B" disguises – and indeed appears *designed* to disguise – the underfunding of schools.

281. In each of the budgets issued to schools, the ECDOE states that schools are funded at 100% of the national per-learner norm.

282. But that is nothing but a paper construct – that is, a form intended to hide the true substance of the impugned withholding decision

283. As I have explained, in reality, schools are provided with only 60% of the amount required by that norm. The purported "Part A" / "Part B" division allows the ECDOE to say that it is funding schools at 100% of the per-learner targets, while in fact funding them at 60% of those targets, and to do so without

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complying with the safeguards that paragraph 114(b) of the Norms and Standards attaches to any funding below the minimum per-learner targets.

284. A decision which is given the appearance, in form, of being a decision to fund at 100% of the national norm, but which is, in substance, a decision to fund at substantially less than that norm, and thereby to avoid the safeguards that the Norms and Standards attach to underfunding, bears no rational connection to the purpose for which the power to determine and provide school allocations is conferred, and is taken for an improper purpose.

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285. Fourth, the detrimental impact of the impugned withholding decision, documented in the supporting affidavits, demonstrates the manifest unreasonableness of the impugned withholding decision.

286. The impugned withholding decision has seen *all* schools in the Eastern Cape bear the brunt of a funding model that was never intended to benefit all schools. Instead, only a select, unspecified number of qualifying schools are purported to benefit from the "*Provincial NNSSF resourcing*" towards which the withheld funds contribute.

287. This has left schools in one of the poorest provinces, servicing some of the most marginalised and poorest communities in the country, with far less to spend on essential inputs than the Minister has determined to be minimally adequate to ensure the realisation of learners' access to education.

288. The decision therefore bears no rational connection to its purpose. In addition, no reasonable decision-maker could have made such a decision, rendering it

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reviewable in terms of sections 6(2)(f)(ii), 6(2)(e)(vi) and 6(2)(h) of PAJA, and alternatively, in terms of the principle of legality.

The impugned retention decision was taken in a procedurally unfair manner

289. The impugned withholding decision deprives schools and learners of the funding determined to be minimally adequate to ensure the realisation of learners' access to education. It is a decision that materially and adversely affects the rights of all learners, parents and educators throughout the Eastern Cape, as well as the public schools that they attend.

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290. I am advised that the ECDOE's funding decision was required to be taken in a manner that is procedurally fair and consistent with the procedural protections outlined in sections 3 and 4 of PAJA, and, in any event, and at a very minimum, be procedurally rational in accordance with the principle of legality.

291. In the light of the impact of the impugned withholding decision described above, procedural fairness and rationality required, at the very least, that the affected parties were informed of the ECDOE's intention to withhold 40% of schools' allocation and afforded the opportunity to make representations regarding the decision.

292. However, the ECDOE issued no prior notice of its intention to withhold a percentage of schools' allocation, or of its intention to increase the percentage it withheld relative to preceding financial years. The ECDOE also offered affected parties no opportunity to make representations prior to taking the impugned withholding decision.

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293. It is also procedurally irregular that they were not consulted, since the Department was aware of the impact on schools as set out in the court papers in case number 3830/2023. This litigation was ongoing at the time that the impugned withholding decision was taken, and the information on the impact of these decisions was within the ECDOE's knowledge.

294. To date, no consultation regarding the impugned withholding decision with any affected education stakeholder has taken place. Only after our legal representatives sent the ECDOE a letter of demand did the ECDOE offer to meet with our representatives to discuss the matter. This was, of course, far too little far too late. The impugned withholding decision had already been taken.

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295. The impugned withholding decision was also communicated to stakeholders in a fundamentally untransparent manner. The decision stated only that 40% of each school's allocation would be utilised to fund "*Provincial NNSSF resourcing, benefiting all schools*", and that this would make provision for "*the resourcing of curriculum and other teaching and learning related needs for all qualifying schools*".

296. Schools were not told what "*Provincial NNSSF resourcing*" is, what the withheld funds would be spent on, which schools "*qualify*" or on what basis, or why the funds were not being provided to them directly.

297. This lack of transparency is also at odds with the constitutional requirement that the public administration be accountable and transparent (sections 195(1)(f) and (g) of the Constitution); with paragraph 117 of the Norms and Standards, which provides that "*[t]he effective implementation and monitoring*

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of the school allocation requires timely provision of accurate information by the DoE, PEDs and schools"; and with the requirement of paragraph 114(b), as made clear in the order of Malusi J, that a PED which provides schools with less than the target allocations must, simultaneously with the publication of the school allocation, provide every public school with access to the joint plan contemplated in paragraph 114(b).

298. For all these reasons, the impugned withholding decision was both procedurally unfair and procedurally irrational and falls to be reviewed and set aside in accordance with section 6(2)(c) of PAJA or the principle of legality.

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The impugned retention decision ignores relevant considerations

299. In taking the impugned withholding decision, the ECDOE ignored relevant considerations that should have been taken into account when making the decision. Most significantly, it ignored the impact of the decision on schools, principals, educators, SGBs, parents and learners and their constitutional rights.

300. These considerations are particularly important when viewed against the backdrop of years of funding reductions since 2020.

301. As stated throughout in this affidavit, the funding reductions over the last number of years were all taken without any consultation with schools, parents, learners, or SGBs. I have described the unfairness and irrationality of the ECDOE's failure to consult in relation to the impugned withholding decision.

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302. That failure had a further consequence. It meant that the ECDOE effectively ignored the immense impact that underfunding has on learners' constitutional rights to education, equality, human dignity, and best interests as children. Because it did not hear from those affected, it simply did not appreciate or consider these impacts.

303. If the ECDOE had considered the impact on schools and learners, it would have recognised that years of chronic under-funding had devastated schools, had left them financially crippled, and had made it almost impossible for them to meet the educational needs of learners. The ECDOE would, in those circumstances, have appreciated that a decision to withhold 40% of the budget would only deepen and entrench the financial hardship suffered by public schools in the province.

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304. In the circumstances, the impugned retention decision falls to be reviewed and set aside in accordance with section 6(2)(e)(iii) of PAJA.

The impugned retention decision is unconstitutional

305. The impugned retention decision is unconstitutional because it infringes the rights of learners across the Eastern Cape to basic education, human dignity and equality, and to have their best interests treated as paramount.

The right to basic education

306. The impugned retention decision diverts funds from schools intended to cover key educational inputs. The school allocation is the amount considered

necessary to meet learners' education needs. Any diversion deprives schools of the funds required to meet those educational needs.

307. As I indicated earlier in this affidavit, I am advised that our courts have held that the right to basic education includes more than merely access to a school. It encapsulates the right to have one's basic learning needs met and encompasses a right to certain key educational inputs, including textbooks, stationery, desks and chairs, and safe and adequate school infrastructure.

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308. The school allocation is intended to fund the purchase of these items and the services associated with them. It is also intended to fund the purchase of other goods and services essential to the running of a school, such as cleaning products, copying paper and ink, and maintenance services.

309. Without the funds required to purchase these goods and services, schools in the Eastern Cape have struggled to operate, forgoing certain key expenses. This has had a detrimental impact on learners' right to basic education.

310. This impact is aggravated by the fact that the impugned withholding decision was preceded by six years of underfunding decisions that have deprived schools of access to funding in line with the national per-learner target. Schools in the Eastern Cape have been operating at a deficit for the last six years, with the impugned withholding decision depriving schools that are *already* in a dire financial situation of funds they desperately need.

311. As made clear in the supporting affidavits, in order to ensure their continued operation, schools and their management teams have been forced to make a series of internal decisions and sacrifices.

Paramount consideration to the best interests of the child

312. As canvassed extensively above and in the supporting affidavits filed with this affidavit, the impugned withholding decision has had a significant impact on the ability of schools to ensure their learners access to basic education.

313. Learners across the province have and continue to struggle as a direct result of the underfunding of schools in the Eastern Cape.

314. There is no indication as to how withheld funds will be used to the benefit of each school, and indeed each learner on which the Norms and Standards require the school allocation to be determined.

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315. The withholding of 40% of the absolute minimum amount needed to cover basic educational expenses demonstrates a failure by the ECDOE to consider the best interests of the children impacted by their decision. Learners across the province suffer as a result of the ECDOE's chosen funding approach.

Right to human dignity

316. There is a close connection between learners' right to basic education, including the right to adequate education funding, and the right to human dignity. I am advised that our courts have repeatedly emphasised the link between these two rights.

317. The ECDOE's failure to ensure the provision of adequate funding to schools has meant that schools have been forced to forgo essential expenses, negatively impacting their ability to maintain schools in a safe, functional and

hygienic state. The detrimental impact this failure has on learners' right to basic education also impacts learners' right to human dignity.

The right to equality

318. I am also advised that our courts have repeatedly emphasised the interconnection between the right to basic education and the right to equality. The right to basic education is intended to serve as an "equalising right", providing access to opportunities learners were previously denied by reason of their race. School allocations themselves are intended to serve as vital equalising instruments within the education system, ensuring all learners have access to a certain minimum standard of education of which their class, geographical location and socio-economic status may otherwise have deprived them.

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319. The educational context of the Eastern Cape is particularly significant in this regard. Learners in the province are predominantly black, and the majority attend no-fee schools. In fact, according to the most recent poverty distribution table published in a 2022 amendment to the Norms and Standards, 71.6% of schools in the Eastern Cape are no-fee paying.

320. These are the learners impacted by the impugned withholding decision. For the overwhelming majority of these learners and their caregivers, it is simply not possible to secure additional funds to supplement their reduced school allocations. That is the very reason that the Norms and Standards are designed to provide equitable funding to favour schools serving poor communities.

321. The effect of the impugned withholding decision is that these schools are funded at a comparatively lower level than their counterparts in other provinces, where schools are provided their full per-learner allocation. The differential impact occasioned by the impugned retention decision reinforces already prevalent inequalities between different provinces. Learners receive less funding for their education based solely on the province in which they happen to live.

322. While we are aware that some provinces such as KwaZulu-Natal, also funds below the per learner target, many other provinces such as the Western Cape, Gauteng, and North West are funding at the correct per learner target

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323. This means that the impugned withholding decision differentiates arbitrarily and irrationally between learners in the Eastern Cape and learners in many of the other provinces in the courtry. That differentiation bears no rational connection to any legitimate government purpose, and accordingly infringes the right of learners in the Eastern Cape to equality before the law and to the equal protection and benefit of the law under section 9(1) of the Constitution.

324. The impugned retention decision also unfairly discriminates against learners in the Eastern Cape, in contravention of section 9(3) of the Constitution, read with the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000, based on the prohibited grounds of race, ethnic or social origin, and birth.

325. As I have explained, the learners who bear the brunt of the decision are predominantly poor, black learners attending no-fee schools, whose families cannot supplement the funds withheld from their schools.

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326. Even if the decision does not differentiate on its face on the basis of race, its burden falls disproportionately on black learners and on learners from poor communities.

327. I am advised that this constitutes indirect discrimination on grounds listed in section 9(3) of the Constitution, including race and social origin, and that such discrimination is presumed to be unfair in terms of section 9(5) of the Constitution.

328. Moreover, the impact of the impugned retention decision differentiates significantly between schools. The impact of the decision is felt most acutely in no-fee schools who cannot rely on fees to supplement their funding. The impoverished communities these communities serve will struggle to support the schools in other ways, such as fundraising drives. In comparison, fee-paying schools serving wealthier communities will not struggle in the same way. While the impugned retention decision is still detrimental to these schools, these schools have a greater ability to raise money through school fees or their communities' access to financial resources.

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329. In addition, the disproportionate contribution from no-fee schools towards "*Provincial NNSSF resourcing*" also aggravates inequality between these schools. This contradicts the clear commitment to equitable school funding which is required by the Constitution and given express effect in the Schools Act and the Norms and Standards. It violates the rights to dignity and equality of learners across the Province.

330. It also breaches section 34(1) of the Schools Act, which requires the State to fund public schools from public revenue on an equitable basis, in order to

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ensure the proper exercise of the rights of learners to education and the redress of past inequalities in education provision. If funding were distributed on an equitable basis, schools in the Eastern Cape, one of the poorest provinces in the country and one with a high proportion of no-fee schools, would receive at least as much per learner as schools elsewhere in the country, if not more. The impugned retention decision achieves the opposite.

Retrogressive measure

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331. The limitations on the rights to basic education, human dignity, equality and the paramountcy of the best interests of the child is occasioned through the adoption of a retrogressive measure.

332. The withholding decision is a retrogressive measure, because it results in public schools in the province receiving less than in previous years (in nominal and real terms, and as a proportion of the national per-learner norm) as their school allocation. The amount actually allocated to the schools in the 2026/2027 financial year is less than the amount schools received in the two previous financial years. In real terms, poor schools in the Eastern Cape are now even poorer than they were two years ago.

333. I am advised that the ECDOE is obliged, if possible, to avoid the adoption of any retrogressive measure.

334. However, in instances where such measures are unavoidable, the ECDOE bears a higher burden of justification, and is obliged to demonstrate that such measures are temporary, necessary, proportional and non-discriminatory.

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335. The ECDOE has failed to do so.

336. The ECDOE has provided no information that demonstrates the necessity of the impugned retention decision. I deny that the decision is necessary. On the ECDOE's own version, it has the funds to fund schools at 100% of the national per-learner norm. In those circumstances it cannot be suggested that it is objectively necessary to withhold 40% of that allocation.

337. Moreover, the measure is not temporary. The impugned withholding decision constitutes the fourth retention decision taken by the ECDOE over the course of the last six financial years. It is clearly not intended to function as a temporary measure.

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338. The disproportionate and discriminatory impact of the impugned retention decision on schools within the Eastern Cape relative to their counterparts in other provinces renders the decision inherently discriminatory.

339. The impugned retention decision is an impermissible retrogressive measure that infringes on numerous rights of learners in the Eastern Cape. It thus falls to be reviewed on the basis of section 6(2)(i) of PAJA, or the principle of legality.

REMEDY

Introduction

340. I now turn to address the relief sought by the applicants in this matter. I am advised that further legal argument regarding the relief sought will be canvassed in the hearing of this matter.

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341. The applicants seek relief in four forms:

341.1. First, an order reviewing and setting aside the impugned withholding decision (prayer 2).

341.2. Second, an order substituting the impugned withholding decision with a decision that schools will be provided their full school allocation for the 2026/2027 financial year, calculated at 100% of the national per-learner target (prayer 3).



341.3. Third, an order directing the ECDOE to give effect to that decision by providing schools with revised paper budgets and paying their allocations (prayer 4).

341.4. Fourth, an order directing the ECDOE to report to the Court in respect of its progress in paying the full allocation within the current financial year, including by developing a plan, in conjunction with both Provincial and National Treasury, to secure the necessary funding to do so (prayer 5).

Setting aside and correction

Prayer 2: Review and setting aside

342. I have demonstrated that the impugned withholding decision is unlawful, unconstitutional, irrational, unreasonable and procedurally unfair.

343. I am advised that, in terms of section 172(1)(a) of the Constitution, invalid administrative decisions must be declared unlawful and invalid.

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344. In addition, it would plainly be just and equitable for this Court to review and set aside the impugned decision in accordance with section 8(1)(c) of PAJA. The default position is that just and equitable relief granted must be aimed at correcting or reversing the consequences of invalid administrative action – the so-called "*corrective principle*". Ordinarily, this entitles an applicant to call for the unlawful action to be set aside.

345. That is the relief sought in prayer 2 of the notice of motion.

Prayer 3: Substitution relief

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346. In the present case, the corrective principle demands more than a mere setting aside. In prayer 3 of the notice of motion, the applicants ask the Court to correct the impugned withholding decision, so that the sums of money unlawfully withheld are allocated to the schools that are entitled to them. This requires substitution relief.

347. I am advised that courts may, in exceptional cases, substitute or vary an unlawful administrative decision, or correct a defect resulting from it, in terms of section 8(1)(c)(ii)(aa) of PAJA. I am further advised that this is primarily done in situations where the court considers the correct administrative decision or the outcome of such a decision to be a foregone conclusion and considers itself to be in as good a position as the administrator to take such a decision.

348. Substitution is just and equitable in the present case, for the following reasons.

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349. First, the Court is in as good a position as the ECDOE to take the decision. All of the information necessary to do so is before the Court, and none of it is in dispute:

349.1. the per-learner targets for the 2026/2027 financial year, namely R1 835 per learner for quintile 1 to 3 schools, R919 per learner for quintile 4 schools and R315 per learner for quintile 5 schools, have been determined by the Minister;

349.2. the ECDOE has itself calculated each school's allocation for 2026/2027 on the basis of those targets, applying its own enrolment figures and quintile classifications, and has communicated that allocation to each school in the budgets issued in or around 22 May 2026; and

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349.3. the ECDOE has itself identified, in each of those budgets, the precise portion of each school's school allocation, namely 40%, that it purports to withhold under the so-called "Part A" element of the unlawful retention decision.

350. The decision that the Court is asked to make therefore requires no fresh calculation, no new determination of enrolment figures or quintile classifications, and no weighing of competing policy considerations or budgetary priorities. The school allocations have already been determined and announced on the basis of the minimum per-learner targets. The Court is asked only to give effect to the only lawful consequence of the ECDOE's own determination, namely that the entire school allocation must be allocated to each school. That is what the Schools Act and the Norms and Standards

require, and it is what the ECDOE conceded in respect of materially identical decisions in case number 3830/2023.

351. Second, the decision is a foregone conclusion.

352. The impugned withholding decision is binary in nature.

353. The *only* possible alternative to the ECDOE's decision to retain a percentage of schools' school allocations is to provide schools with their full school allocation.

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354. No possible *lawful* alternative third choice is envisaged by or exists within the legislative and regulatory framework governing school funding.

355. The ECDOE, in conceding to the unlawfulness of other similar retention decisions in the application under case number 3830/2023, has also indicated its own awareness of the unlawfulness of the impugned retention decision. In light of this recent development, it is inconceivable that any other decision would be reached by the ECDOE were the impugned retention decision be remitted for a further decision to the ECDOE.

356. Third, remittal would cause unjustifiable delay and would be an ineffective remedy in the present case. Remittal will see the ECDOE making a decision regarding the impugned retention decision *after* the final tranche payment window. Substitution avoids any unnecessary delay that may be occasioned by a remittal, and ensures the correction of the impugned retention decision with time to still reflect the new decision within the upcoming tranche payment window.

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357. Fourth, the ECDOE has shown itself to be regrettably incapable of taking, or unwilling to take, a lawful decision in this regard.

358. The ECDOE was undeterred by the pending litigation (which it vehemently defended before capitulating on the morning on which it was set for hearing) in which several of the applicants had already shown, in some detail, that a withholding decision of the sort replicated in the impugned retention decision is unconstitutional and unlawful.

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359. The applicants have, since the first withholding decision, repeatedly sought to engage the ECDOE on the unlawfulness of the retention of a portion of schools' school allocations. These attempts, including a most recent letter of demand sent to the ECDOE on 28 August 2026, annexed hereto as **LG23**, to which no substantive response has been received.

360. More alarmingly, the ECDOE has since, in the application under case number 3830/2023 conceded the unlawfulness of the withholding decisions. Yet, it continued, after that litigation was instituted, to make further withholding decisions, and has done nothing to remedy the currently impugned withholding decision.

361. These exceptional circumstances necessitate the substitution relief set out in prayer 3 of the notice of motion.

362. It appears that the ECDOE may already have spent a substantial portion of the funds it unlawfully withheld from schools. However, this does not diminish the schools' entitlement, in law, to the full transfer of their school allocation in

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its entirety. It is thus not relevant to the question of whether the substitution relief is warranted.

363. Moreover, and in any event, should it indeed be the case that those funds have been spent, then it is incumbent on the ECDOE, together with provincial and national treasury, to secure the funds necessary to provide ordinary public schools in the province with the allocations to which they are entitled. The supervisory relief in prayers 5 to 7 – discussed below – seeks to ensure that this occurs.

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Prayer 4: Mandatory relief

364. Prayers 4.1 and 4.2 simply seek to give effect to the substitution relief:

364.1. first, through the re-issuing of corrected budgets to schools; and

364.2. second, through an increase to schools' second tranche payments.

365. Every ordinary public school must be allocated its full school allocation.

366. Schools that have been allocated functions in terms of section 21 of the Schools Act receive their school allocations by way of transfer, and must therefore also receive the balance of what is owed to them by transfer.

367. In respect of schools without section 21 functions, the ECDOE administers the school allocation on the school's behalf, and the balance must be made available for expenditure on each such school's behalf.

368. The mandatory relief requiring the ECDOE to make these transfers follows axiomatically from, and simply gives practical effect to the substitution relief.

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369. Moreover, the requirements for mandatory relief are plainly met, in that:

369.1. the applicants have established a clear right to the provision of corrected budgets and to payment in accordance with those budgets;

369.2. the applicants, and indeed all schools in the Eastern Cape province, have suffered a real injury by being drastically underfunded for a number of years, including in the current financial year;

369.3. the applicants have no alternative remedy.



Supervisory relief

Prayer 5: The ECDOE's reporting obligation

370. Prayer 5 seeks supervisory relief, requiring the ECDOE to deliver written reports to this Court relating to its compliance with prayer 4 on affidavit every 30 calendar days after the date of the court's order, until such time as it has ensured the transfer of the balance of each schools' allocation.

371. I am advised that the Constitutional Court has emphasised the courts' duty to grant effective, just and equitable relief in cases involving infringements of rights that impact upon the most vulnerable and most marginalised. For this reason, our courts have on numerous occasions granted supervisory orders requiring state litigants to take concrete steps to address a rights violation, and to report back to the court on those steps.

372. The applicants respectfully submit that supervisory relief requiring the ECDOE to report on its compliance with the mandatory relief is just and equitable in

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the circumstances of this case, taking into account the nature of the implicated rights and the respondents' conduct to date.

373. The respondents' conduct has, to date, demonstrated a consistent failure to appreciate the unlawfulness of their conduct, and act accordingly.

374. First, the ECDOE has demonstrated a consistent failure to engage with schools on its unlawful withholding of funds.

375. Second, the ECDOE was aware of the challenge to its prior withholding decisions when the current impugned decision was taken, yet it elected not only to proceed with the decision, but to retain an even *greater* percentage of schools' school allocations than before.

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376. Third, the ECDOE knew that the withholding decision was unlawful, having agreed to the Malusi J order. Yet, it has taken no steps to remedy the situation.

377. Fourth, instead of taking steps to remedy the impugned withholding decision, the ECDOE issued a press statement, discussed above, that incorrectly conflated the unlawful withholding of school allocations with the centralised procurement of textbooks and LTSM.

378. Moreover, the ECDOE's conduct has resulted in a serious breach of learners' right to basic education. The systemic nature of this pattern of underfunding has now, seven years after the ECDOE first started funding schools below the national per-learner target, resulted in entire generations of learners passing through primary and high school without ever benefiting from a per-learner allocation that has matched what the Minister has determined to be the minimum amount necessary to meet a learner's educational needs.

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379. Any further limitation and failure to provide schools with their full school allocation compounds the devasting effect of this rights violation. More learners cannot be forced to suffer. It is essential that the ECDOE be required to report on, and that this Court monitors, compliance with the order requiring it to pay schools their full allocation.

Prayer 6: A joint remedial plan

380. The applicants recognise that implementation of the corrective relief may now require administrative and budgetary steps because a portion of the withheld funds may already have been committed or spent. The applicants accordingly seek an implementation mechanism which preserves the respondents' proper role in determining how compliance is achieved.

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381. It is important to distinguish this remedial implementation plan from the "*joint plan*" contemplated in paragraph 114(b) of the Norms and Standards. The paragraph 114(b) plan was a prerequisite to lawful below-target funding and was required to exist, and to be made available to schools, when the allocations were published. It cannot be created retrospectively to validate the May 2026 decision.

382. The plan now sought serves a different purpose. It is a remedial mechanism to give practical effect to this Court's order after the impugned decision has been corrected.

383. The applicants do not ask the Court to dictate how funding must be obtained and compliance must be achieved. Those choices remain with the responsible organs of state. The plan should instead require the ECDOE, acting in

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consultation and cooperation with Provincial Treasury, the DBE and National Treasury, to identify:

383.1. the amount required to satisfy the outstanding balances;

383.2. the lawful source or sources from which those amounts will be funded;

383.3. the administrative steps necessary to make those amounts available to section 21 and non-section 21 schools respectively; and

383.4. a timetable ensuring implementation before 31 March 2027.

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384. I am advised that section 8(1) of PAJA allows a court to grant any order that is just and equitable in proceedings for judicial review under section 6(1). I am advised that our courts have understood this to mean that courts must exercise their remedial discretion to ensure the granting of relief that is both appropriate and effective, considering the nature of the rights impacted and the infringement in question.

385. The preparation of a joint plan constitutes just and equitable relief, taking into account the circumstances of this case.

386. The ECDOE's financial position does not detract from schools' entitlement to redress, particularly given the unqualified nature of the right to basic education. It may, however, warrant this Court's exercise of its remedial discretion to ensure the crafting of relief that can feasibly be implemented to ensure effective redress.

387. Prayer 6 simply seeks to ensure that the necessary steps are taken to enable the ECDOE to give effect to the relief sought in prayer 4 and that it can

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meaningfully report to the Court regarding its progress in doing so, in accordance with prayer 5.

Prayer 7: Re-enrolment

388. Finally, the applicants have included a prayer permitting any party to re-enrol the application on reasonable notice and duly supplemented papers, to seek further relief arising from the implementation of the review, setting aside and correction of the impugned withholding decision.

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389. Given the ECDOE's history of underfunding schools, and its apparent misapprehension of its obligations under the Constitution, Schools Act and Norms and Standards, the applicants contend that this relief is a sensible mechanism to ensure that the Court's order is effective.

NO DELAY

390. I am advised that all review applications under PAJA should be brought without undue delay and within 180 days of the applicants becoming aware of the impugned retention decision.

391. The impugned retention decision was communicated to the applicants on or around 22 May 2026. This application is thus brought well within the 180-day period. Any potential delay in bringing the application does not constitute undue delay.

392. The application previously instituted by several of the applicants under case number 3830/2023 was resolved by way of the order of Malusi J on 19 August 2026. The core legal issue now raised was already squarely before this Court

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in that pending litigation. Instituting a second application in the meantime, based on the same legal dispute and concerning the same funding mechanism, would have duplicated proceedings, increased costs and created an obvious risk of inconsistent adjudication. The applicants accordingly considered it appropriate to await the determination of that matter.

393. Once the order was granted, the applicants did not simply proceed immediately to further litigation. The order had been agreed to by the relevant respondents, and it was reasonable to afford the ECDOE an opportunity to correct the subsisting 2026/2027 arrangement without another application. That expectation unfortunately proved to be misplaced.



URGENCY

394. This application is brought on an urgent basis, in terms of the truncated timelines set out in the notice of motion.

395. In summary, and assuming that this application is issued and served on Tuesday, 3 November 2026, the notice of motion provides that:

396. any respondent that intends to oppose the application must notify the applicants' attorneys of its intention to do so by 12:00 on Monday, 9 November 2026;

396.1. any answering affidavit must be delivered by 16:00 on Friday, 20 November 2026;

396.2. the applicants will deliver any replying affidavit by 12:00 on Friday, 27 November; and

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396.3. the application will be heard on Tuesday, 17 November 2026 if it is unopposed, or on Thursday, 3 December 2026 if it is opposed.

397. These dates have been selected so that the application can be determined before the 2027 academic year commence.

398. The timelines are entirely reasonable and appropriate in the circumstances, and the need for this Court's urgent intervention is clear. I say so for the following reasons.

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399. The 2026 academic year comes to an end on 11 December 2026, and the financial year ends on 31 March 2027.

400. By 11 December 2026, schools must have their financial planning finalised for the academic year commencing in January 2027. This requires a clear understanding of what funding will be available to them before the end of the financial year on 31 March 2027.

401. While the Norms and Standards do not provide a timeline for the payment of the school allocations, the practice in the Eastern Cape for many years has been that payment is made in two tranches. Generally, the first payment is made around 15 May and the second payment around 15 November.

402. The anticipated November tranche is relevant because it demonstrates that the impugned financial arrangements are being implemented now. The applicants do not, however, contend that effective relief becomes legally impossible once 15 November has passed.

403. Instead, the decisive remedial deadline is the end of the present provincial financial year on 31 March 2027. This application must be determined sufficiently before that date to permit the respondents to implement effective relief within the financial year to which the allocations relate.

404. The budgeting and payment processes of the ECDOE are set for a particular year and once the year passes, it becomes increasingly difficult for the courts to compel the state to change its budgets. It could also mean that the money that was allocated for a particular financial year is no longer available and can no longer be allocated to a specific expense.

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405. The history of the previous litigation demonstrates the difficulty. In case number 3830/2023, the applicants originally sought substitution and payment of the withheld portions of the 2023/2024 and 2024/2025 allocations. By the time that matter was ultimately heard on 19 August 2026, those financial years had long since passed. The applicants responsibly abandoned retrospective substitution because attempting to reconstruct and unwind completed historic budgets had become excessively disruptive.

406. That experience demonstrates precisely why substantial redress will not be available to these applicants if this matter follows the ordinary timetable. If the review is only determined after 31 March 2027, the same objection which deprived the applicants of effective corrective relief in the first case will arise again.

407. The timeframes set out in the notice of motion ensure that the matter will be heard before the school year closes and the 2027 academic year commences. That window provides the opportunity for poor schools in the Eastern Cape,

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which have suffered the consequences of years of unconstitutional and unlawful underfunding, to receive their complete minimum school allocation, or at least have clarity on how much money they will receive, before the end of the 2026/2027 financial year.

408. Accordingly, if the matter is heard timeously, it gives the ECDOE the opportunity to still redirect their misdirected funding during the course of this financial year.

409. It is essential to ensure the ventilation of the issues raised in this application while it is still possible for the unlawfully retained funds to be redirected to schools.

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410. As canvassed at length in this affidavit and the supporting affidavits filed with this affidavit, schools in the Eastern Cape have and continue to suffer tremendously as a result of the underfunding occasioned through the impugned retention decision. The compounding effect of continuing to deprive schools of the funds that they not only desperately require but have been allocated on paper is significant.

411. If the matter is heard in the ordinary course, I am advised by my attorneys that first available hearing date would most likely be around the beginning of 2028. This would be long after the conclusion of the current school year, and the conclusion of the current financial year. The learners who have suffered the consequences of the unlawful underfunding will be unable to achieve any substantive redress. They will have finished the school year, and thousands will have written matric or commenced the matric syllabus without the benefit of the minimum funding necessary to effectively do so.

412. The consequences of not redressing the unlawful funding in the current financial year are irreversible.

413. In the circumstances, if the matter is not heard on an urgent basis in accordance with Rule 6(12), learners, and primarily children, whose rights are of paramount importance under our constitutional dispensation, will be denied the opportunity to achieve substantial redress.

414. **First**, the applicants have approached the matter responsibly and with appropriate haste.



415. When Malusi J granted the order on 19 August 2026, the applicants reasonably expected the ECDOE, having agreed to the invalidity of the earlier withholding decisions and to the proper meaning of paragraph 114(b), to reconsider the materially identical arrangement still operating in the current financial year.

416. On 28 August 2026, within nine days of the order, the LRC formally requested that the ECDOE do precisely that.

417. On 17 September 2026 the ECDOE did not reject that demand. Instead, it requested a meeting because, it said, the issues were sufficiently complex that a written response might cause misunderstanding. The applicants accepted that invitation in an effort to avoid further litigation.

418. The applicants provided available dates on 23 September. They followed up on 1 October and again on 5 October. The Department did not confirm a meeting date until 14 October, when it proposed 27 October.

419. At the meeting on 27 October it became clear that the ECDOE did not intend to reverse the 40% withholding or pay the outstanding balances. Only then did it become clear that further litigation could not be avoided. The applicants proceeded immediately thereafter.

420. The period following 19 August therefore does not evidence inaction by the applicants. It reflects an attempt to secure voluntary compliance with an order to which the respondents themselves had agreed, followed by delay in arranging the engagement requested by the ECDOE itself.

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421. In sum, the applicants, through the LRC, attempted in good faith to engage, and indicated an openness to meeting with the ECDOE. When the meeting did not resolve the dispute, and with the academic year approaching, the applicants were left with no option but to pursue this litigation.

422. **Finally**, I note that the condensed timeframes do not unduly prejudice the respondents in any way.

423. This is especially so in light of their concession that decisions of a similar nature to the impugned retention decision are unlawful. The respondents thus cannot in good faith oppose this application on the merits, and any grounds of opposition are likely to be narrowly contained to the relief sought.

424. Notably, every issue which could emerge on the merits was extensively dealt with in the affidavits and heads of argument in the matter which led to the Malusi J order. That order impugned identical earlier decisions of the ECDOE (save that the impugned retention decision purports to withhold from schools a higher percentage of their funds). In those circumstances, and especially in

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light of the respondents' ultimate concession on the unlawfulness of their earlier retention decisions, the respondents cannot reasonably assert that they require more time to place their position on these same issues before the Court.

425. For these reasons, the application is urgent. The applicant schools, together with all schools and learners in the province, cannot achieve substantial redress in the ordinary course, and the truncation of the time periods is appropriate.



CONCLUSION

426. In the circumstances, the applicants ask for an order in terms of the notice of motion to which this affidavit is attached.

427. If this Court is not inclined to grant the applicants relief, I note that the applicants are manifestly making a *bona fide* effort to realise and vindicate constitutional rights in litigation against the state and ought not to be ordered to pay any of the respondents' costs.

LEON GROVE

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at Makhanda on this the 3rd day of November 2026, and

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that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.

CERTIFIED TRUE COPY
I Certify that this document is a true copy of the original which was examined by me and that, from my observations, that there are no indications that the original document has been altered by unauthorised persons.
SIGN _____ DATE 3/11/2026 TIME: 11:15
EX OFFICIO COMMISSIONER OF OATHS (RSA)
TRACY FREDA VAN MOLENDORFF
HEAD : SENIOR SCHOOL
KINGSWOOD COLLEGE, 1 BURTON STREET, MAKHANDA
TEL: 046 603 6600
EMAIL: info@kingswoodcollege.com

COMMISSIONER OF OATHS

Tracy Freda van Molendorff Full names:

16 Park Road / 1 Burton Street Makhanda Address:

Head of Senior School Capacity:

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LG1

LRC Feedback on Court Case

1. Purpose of the LRC Meeting: The Legal Resources Centre (LRC) presented the outcomes of the recent court case against the Eastern Cape Department of Education regarding norms and standards funding of school budgets.

2. LRC Feedback:
   - Cecile took attendees through the history of the case
   - She explained how the case was finalised in court
   - She explained what this meant for schools moving forward: budgets from 2027 onwards should be full amounts rather than having 40% top-sliced by the ECDoBE
   - Cecile answered questions relating to the judge's finding.
   - The meeting discusses the possibility of MCOU and the applicant schools approaching the court to recover the 2026/2027 retention amount which is 40%.
   - She explained that schools could support the MCOU, Tantyi, and PJ Olivier's proposed legal action against the ECDoBE for the outstanding 40% of funds on this year's budget.
   - This would, she explained, entail SGBs signing on to the lawsuit should they take a resolution to become involved.
   - On request of MCOU, Cecile indicates that she would send out a letter to MCOU explaining the possible course of action and a resolution should SGBs wish to sign on.
   - It was suggested that schools from other districts should be approached as well so that the Sarah Baartman District Director could feel less targeted.
   - Cecile asked if the Circle of Unity would be happy to move forward with this under the same terms as the original case, with the LRC offering to do work pro-bono.
   - Hopefully this matter would be dealt with urgently and would appear before a judge before the end of the year.

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Makhanda
Circle of UNITY

Makhanda Circle of Unity: Education Cluster

MINUTES of Emergency meeting
03 September 2026

Present: Warren Schmidt (VG), Joubert Retief (PJ Olivier), Karry McConacchie (prev. Holy Cross), Nicci Hayes (Holy Cross), Priscilla Glover (prev. Tantyi), Mandlakayise

Sineka (Tantyi), Lucien Bartis (Grahamstown Primary), Thobile Ncula (Ntsika), Cecile Van Schalkwyk (LRC)

1. Following the LRC meeting, at which the outcomes of the recent court case were presented, the Makhanda Circle of Unity members present decided to support the follow up court case to seek financial relief for public schools based on the successful outcome of the initial case and to attempt to recover the 40% retained for the 2026/2027 financial year.
2. It is further resolved that Leon Grove, the chairperson of the MCOU will depose to all affidavits in this matter.
3. Meeting adjourned



STAATSKOERANT, 31 AUGUSTUS 2006 No. 29179 3

GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 869 31 August *2006*

SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO 84 OF 1996)

AMENDED NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING

I, Grace Naledi Mandisa Pandor, Minister of Education, in terms of Section 39 (7) of the South African Schools Act, 1996 (Act **84** of 1996) hereby publish the Amended National Norms and Standards for School Funding, as set out in the Schedule. The implementation date of the norms will be 1 January 2007.



Copies of the documents are available from the Department of Education:
Private Bag X895
PRETORIA
0001

GNM Pandor MP

Minister of Education
Date: 27-08-2006
(03430283)

SCHEDULE

NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING

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ABBREVIATIONS

CEM	Council of Education Ministers
	Department of Education
EMIS	Education Management Information System
IEDCOI	Heads of Education Departments Committee
HOD	Head of a Provincial Education Department or Head of Department
MEC	Member of the Executive Council for Education
MTEF	Medium Term Expenditure Framework
PED	Provincial Education Department
SASA	South African Schools Act, 1996 (as amended)
Section 21	Section 21 of the South African Schools Act, 1996
SGB	School Governing Body

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PART 1


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1. INTRODUCTION

This document

1. This document sets out the national norms and standards for school funding in terms of the South African Schools Act, 1996 (No. 84 of 1996). It also deals with the procedures to be adopted by Provincial Education Departments (PEDs) in determining resource allocations to their schools. These norms replace any previous school funding norms issued in terms of Section 35 of the South African Schools Act, 1996 (No. 84 of 1996).

2. These norms and standards are based on the original norms and standards published in 1998 (Notice 2362 of 1998). They include amendments introduced in 2003 (Notice 20 of 2003) and amendments made in 2006 following the publication of proposals for public comment (Notice 1357 of 2004).

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3. These norms and standards deal with

   (a) the public funding of public schools, in terms of Section 35 of the Act.

   (b) the exemption of parents who are unable to pay school fees, in terms of Section 39(4) of the Act.

   (c) Public subsidies to independent schools in terms of Section 48(1) of the Act.

4. The funding policy relating to learners with special educational needs will be prepared in accordance with Education White Paper 6: Special Needs Education.

5. The Department of Education (DoE) prepared this document after consultation with the Sub-Committee on Finance of the Heads of Education Departments Committee (HEDCOM). The Sub-Committee includes representatives of the DoE and PEDs, the National Treasury and the national educator organisations.

Interpretation

6. In this document-

   (a) unless the context indicates otherwise, any expression to which a meaning has been assigned in the South African Schools Act, 1996 (No. 84 of 1996), has that meaning;

   (b) "Regulations" means the Exemption of Parents from the Payment of School Fees Regulations, determined in terms of Section 39 of the Act;

   (c) "the Act" means the South African Schools Act, 1996 (No. 84 of 1996).

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Application of the norms

7. The norms and standards in this document apply uniformly in all provinces, and are intended to prevail in terms of Section 146(2) of the Constitution.

When the norms come into effect

8. These norms become national policy on 1 January 2007.

9. Some norms will apply to the public school financial year (January to December) and others to the state financial year (April to March).

10. Pre-conditions for full and efficient implementation of the norms are described later in this document, with suggestions for a sequence of activities that would enable PEDs to prepare themselves to put the norms into effect.

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Monitoring of implementation

11. The Department of Education is responsible for monitoring the implementation of the norms in terms of Section 8 of the National Education Policy Act, 1996 (No. 27 of 1996). The DoE is required to undertake its monitoring and evaluation role

> "in a reasonable manner, with a view to enhancing professional capacities in monitoring and evaluation throughout the national education system, and assisting the competent authorities by all practical means within the limits of available public resources to raise the standards of education provision and performance." (Section 8(4))

For purposes of monitoring the DoE will determine reporting formats in consultation with PEDs.

12. Each Head of Department will be expected to verify that the national norms are being complied with in allocating funds, or that acceptable alternatives are being implemented after consultation with the DoE. PEDs must use, for this purpose, systems and software tools that have been made available by the DoE or alternative methods that will produce reports required by the DoE. If the PED is unable to comply with the norms because of a lack of expertise or for any other reason, the DoE must be informed without undue delay, so that the problem can be examined and remedies sought.

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2. POLICY FRAMEWORK

The right to education and the financial responsibility of the state

13. The Bill of Rights in the Constitution of the Republic of South Africa, 1996 (No. 108 of 1996) establishes the right to education in these terms:

"Everyone has the right-

(a) to a basic education, including adult basic education; and

(b) to further education, which the state, through reasonable measures' must make progressively available and accessible" (Section 29(1)).

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14. The South African Schools Act, 1996 came into effect on 1 January 1997. The principal objective of the Act is "to provide for a uniform system for the organisation, governance and funding of schools". In terms of the Act, schools cover learning programmes between grade 0 (better known as grade R. for "Reception") through to grade 12.

15. The SASA (Section 3) provides for compulsory attendance of learners at school between the ages of seven and 15 (or the completion of grade 9). This is known as the compulsory or General Education phase. Every provincial Member of the Executive Council for Education (MEC) is required to provide sufficient school places for every child in the compulsory attendance bracket. If this cannot be done because of a lack of capacity, the MEC must take steps to remedy the lack as soon as possible.

16. The Act imposes other important responsibilities on the state with respect to the funding of public schools. The basic principles of state funding of public schools derive from the constitutional guarantee of equality and recognition of the right of redress. The Act provides that:

"The State must fund public schools from public revenue on an equitable basis in order to ensure the proper exercise of the rights of learners to education and the redress of past inequalities in educational provision" (Section 34(1)).

17. These principles therefore underlie the national norms and standards for public school funding which the Minister is required to determine (Section 35).

18. The SASA follows the Constitution (Section 29(3)) in establishing the right of any person to establish and maintain an independent school at his or her own cost, and sets out the grounds on which a **PED** must register an independent school. The Constitution does not preclude state subsidies for independent education institutions. The Act empowers the Minister of Education to determine norms and minimum standards for the granting of subsidies to independent schools. Such subsidies may be granted by the MEC in a province (Sections 46, 48).

Personnel costs in Provincial Education Departments

19. Except in this section, this document does not deal with personnel costs in Provincial Education Departments.

Policy targets

20. The Ministry of Education's personnel policy for schools embodies these key principles:

    (a) schools must be supplied with an adequate number of educator and non-educator personnel

    (b) such staff members must be equitably distributed according to the pedagogical requirements of the schools, and

    (c) the cost of personnel establishments must also be sustainable within provincial budgets.

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21. As a policy target, based on both local and international evidence, the Ministry of Education has determined that personnel:non-personnel spending in ordinary public schools should be of the order of 80:20.

22. Progress toward meeting the personnel: non-personnel target must be assessed by Provincial Education Departments in the course of preparing each year's updated **MTEF.** A reduction in the proportion of the education budget spent on personnel must result in an actual increase in budgeted expenditure on pedagogically critical non-personnel items (such as new school construction, provision of essential services, supply of books and other learning support materials, and educator development).

23. Within the total personnel allocation in **PEDs,** teaching personnel costs should be targeted at **85%,** to allow for the appointment and proper distribution of administrative and support staff in Provincial Education Departments.

24. The Department of Education (DoE) will work with Provincial Education Departments, using existing databases, to ensure that they can track the number and location of personnel engaged in teaching and non-teaching activities, in order to assist planning towards this target.

Educator personnel

25. Aside from the above general policy targets, this document does not norm the allocation of educator personnel, either in a province generally, or in teaching **posts** at or in connection with schools.

26. The Minister of Education determines national policy in respect of educator post provisioning, in terms of the National Education Policy Act, 1996 (No. 27 of 1996). The educator post establishment in each province is determined by the MEC, subject to national norms prescribed for the provisioning of posts (Employment of Educators Act, 1998 (No. 76 of 1998), Section 5(1)).

27. The Minister determines norms in respect of posts to be allocated to public schools, in relation to their curriculum and other circumstances, which the Head of Department must follow in distributing the available posts within the approved education establishment of a PED.

28. The Ministry's personnel and funding policies aim to remove inequities in the distribution of public resources for education, both across provinces and within provinces. The logical direction of policy is that personnel allocation costs to schools should be funded, eventually, on the basis of an equitable cost per learner, in order to address more efficiently the aim of redress and equity in the provision of quality education. However, these norms and the funding practices of PEDs are not yet based on a strict equitable cost per learner.

Non-teaching personnel at school level

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29. The allocation of non-teaching staff to schools, including administrative and support staff, is extremely uneven. The provision of such personnel has been severely lacking in historically disadvantaged and small schools. Inequalities in the provision of such staff members is almost certainly associated with major inefficiencies in schools which serve poor communities.

30. The Minister of Education is responsible for determining norms for the provision of non-educator personnel, including non-teaching personnel at school level.

Targeting expenditure for redress, equity and quality

31. Effecting redress and equity in school funding, with a view to progressively improving the quality of school education, within a framework of greater efficiency in organising and providing education services, are matters of urgent priority for the Ministry of Education. The Preamble to the South African Schools Act, 1996 states that:

> "...this country requires a new national system for schools which will redress past injustices in educational provision, provide an education of progressively high quality for all learners and in so doing lay a strong foundation for the development of all our people's talents and capabilities.. .."

32. To achieve these objectives in a systematic manner requires new systems of budgeting and spending for schools.

33. In terms of our Constitution and the government's budgeting procedure, the Ministry of Education does not decide on the amounts to be allocated annually for Provincial Education Departments. This is the responsibility of provincial governments and legislatures, which must make appropriations to their education departments from the total revenue resources available to their provinces. Thus, each province determines its own level of spending on education, in relation to its overall assessment of needs and resources.

34. It follows that national norms for funding schools cannot prescribe actual minimum amounts in Rands to be spent per learner, however desirable that might be.

35. From the 1998/99 financial year, the national and provincial budgets have been prepared within the MTEF, which enables government outlays to be planned on a three-year rolling basis.

36. An important assumption underlying these national norms is that the national and provincial levels of government will honour the state's duty, in terms of the Constitution and the SASA, to progressively provide resources to safeguard the right to education of all South Africans. However, educational needs are always greater than the budgetary provision for education. To effect redress and improve equity, therefore, public spending on schools must be specifically targeted to the needs of the poorest. This will apply to both the General Education (grades 1-9) and the Further Education and Training (grades 10-12) phases.

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Fee charging and exemption policy in public schools

School fees and equity

37. The SASA imposes a responsibility on all public school governing bodies to do their utmost to improve the quality of education in their schools by raising additional resources to supplement those which the state provides from public funds (Section 36). All parents, but particularly those who are less poor or who have good incomes, are thereby encouraged to increase their own direct financial and other contributions to the quality of their children's education in public schools. The **Act** does not interfere unreasonably with parents' discretion under the law as to how to spend their own resources on their children's education.

38. Ironically, given the emphasis on redress and equity, the funding provisions of the Act appear to have worked thus far to the advantage of public schools patronised by middle-class and wealthy parents. The apartheid regime favoured such communities with high-quality facilities, equipment and resources. Vigorous fund-raising by parent bodies, including commercial sponsorships and fee income, have enabled many such schools to add to their facilities, equipment and learning resources, and expand their range of cultural and sporting activities. Since 1995, when such schools have been required to down-size their staff establishments, many have been able to recruit additional staff on governing body contracts, paid from the school fund.

39. Poor people, on the other hand, especially in former homeland areas, have contributed a disproportionate share of their incomes over many decades to the building, upkeep and improvement of schools, through school funds and other contributions, including physical labour. **All** too many schools in poor rural and urban working-class communities still suffer the legacy of large classes, deplorable physical conditions, and absence of learning resources, despite various school building

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programmes. Yet the educators and learners in poor schools are expected to achieve the same levels of learning and teaching as their compatriots.

40. Such contradictions within the same public school system reflect past discriminatory investment in schooling, and vast current disparities in the personal income of parents. The present document addresses these inequalities by establishing a sharply progressive state funding policy for ordinary public schools, which favours poor communities.

Parents' responsibility

41. All public school governing bodies are obliged by the Act to support their schools financially as best they can. The Act provides that a governing body must -

> "take all reasonable measures within its means to supplement the resources provided by the State in order to improve the quality of education provided by the school to all learners at the school" (Section 36).

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42. However, in fulfilling their obligation to raise supplementary resources, governing bodies are not required to charge school fees. Whether or not to charge school fees is a matter for the parents of the schools, where schools have not been declared no fee schools in terms of these norms and Section 39(7) of the Act[1]. The Act links the question of fees to the budget of the school, which the governing body must present to a general meeting of parents for approval. The intention is that the governing body will give the parents all necessary information about the school's income, from the state and other sources, and its educational needs. Parents will then decide what additional revenue the school needs for educational purposes, and how that revenue is to be raised, including whether or not fees are to be charged.

43. At the parents' general meeting, any resolution that proposes fee payment must include the amount of fees to be charged, and "equitable criteria and procedures for the total, partial or conditional exemption of parents who are unable to pay" the fees (Section 39(2)). In making its decisions, therefore, the parent body must take into account, as far as is practicable, the financial circumstances of all the parents, taken as a whole. The Ministry expects that more affluent, or less poor, parent communities will contribute proportionally more, because state funding per learner in their schools will be less than in schools serving poorer communities. In no fee schools, parents may not set compulsory school

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[1] Section 1(xiv) of the Act defines "parent" as-

(a) the parent or guardian of a learner;

(b) the person legally entitled to custody of a learner; or

(C) the person who undertakes to fulfil the obligations of a person referred to in paragraphs (a) or (b) towards the learner's education at school.

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fees, and the school may not levy such fees. This is to protect households in the socio-economically least advantaged sections of society.

44. A parent body, taking into account its circumstances, may decide to charge no fees at all, even if parents have the right to determine compulsory school fees. In such a case the question of exemptions does not arise. Another parent body may decide to set a small fee, so that no parent needs to be exempted. In most public schools where parents decide to charge fees, parents' ability to pay fees may vary considerably. In such cases, difficult decisions must be taken about the level of fees, and an equitable threshold for exemption from fee-paying.

45. Parents of learners at a public school, therefore, carry serious responsibilities with respect to the determination of a school's budget, its sources of revenue, and (if fees are charged) the level of fees and the conditions for exemption of parents from fee paying. Furthermore, if a majority of parents vote in favour of school fees, each parent is responsible for paying the required fee, unless an exemption has been granted, and unless the school has been declared a no fee school. But no learner can be denied admission, or otherwise discriminated against, on grounds of the parent's inability or failure to pay fees.

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46. The Ministry of Education monitors all aspects of the implementation of the South African Schools Act, 1996, in order to assess to what extent its objectives are being met. In particular, the effect of the new budget allocation policy on the current inequalities in school provision, the levels of fee charging by public schools, and the uses to which such income is put, are all important matters of legitimate concern to the Ministry and the public, which must be kept under review.

State subsidies to independent schools

The independent school sector

47. Independent schools vary substantially in age, size, location, socio-economic status, facilities, staff, mission, governance, representivity, religious or secular identity, community service, cost structure, endowments, financial viability, rates of fees, and quality of teaching and learning. It is impossible to generalise about them. Many deliver valuable educational services and have loyal clienteles. Others deliver services of low quality and exploit the ignorance of parents. Some pride themselves on conservative principles of governance and teaching. Others value innovation. Some have an inward focus. Others have a deliberate mission of social concern and professional co-operation with public schools serving the poor.

48. Independent school enrolment amounts to about *two* percent of total school enrolment nation-wide. This percentage may be increasing. Within provinces, independent school enrolments vary from a fraction of a percent of total school enrolment, to several times the national average. If all learners were to transfer to public schools, the cost of public education in certain provinces might increase by as much as five percent.

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49. The practice of granting state subsidies to registered independent schools (previously known as private schools) is well established in South Africa. Subsidies have typically been calculated as a defined fraction of the cost per learner in the public school system. Before 1994, independent schools were required to register with the respective education departments of the apartheid state, among which the cost per learner was grossly unequal. Therefore, state subsidies to independent schools reflected the pattern of race-based inequality in the public (state and state-aided) school systems under apartheid.

50. Race-based inequalities in subsidies to independent schools have been eliminated since 1994. Since then, subsidy levels have differed somewhat by province. But extreme pressure on the non-salary components of provincial education budgets, especially in 1997/98 and 1998/99, has resulted in a sharp decline in the per learner value of independent school subsidies, and considerable uncertainty as to the future trend of independent school funding by provincial education authorities.

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51. Fees in independent schools have tended to rise in response to subsidy cuts. Some independent school proprietors have applied for schools to be taken over by Provincial Education Departments, as public schools on private property, in terms of Section 14 of the Act. PEDs have been slow to comply.

52. The Government is grappling with the necessity to stabilise and reprioritise provincial education budgets, in terms of the Medium Term Expenditure Framework. The serious reality underlying the new policy for school funding is that, for the foreseeable future, provincial education budgets will be extremely constrained, especially with respect to non-personnel allocations, out of which subsidies are paid.

Subsidy policy

53. The Ministry of Education cannot determine subsidy levels in monetary (Rand) terms because, under our Constitution, budget decisions of that kind are made within provincial governments. For this reason, the national norms for independent school subsidies are expressed as criteria of eligibility for subsidy, and principles of allocation. These criteria and principles are consistent with the values underlying the Constitution and the Act.

54. The Ministry of Education bases its subsidy policy on the fiscal argument, and on social grounds. The fiscal argument is as follows. The state has a constitutional and statutory responsibility to provide school education to all learners. However, the right of reputable, registered independent schools to exist is protected by the Constitution, and the payment of subsidies to them is not precluded. Such independent schools perform a service to their learners that would otherwise have to be performed by the Provincial Education Departments. Public subsidies to such schools cost the state considerably less per learner than if the same learners

enrolled in public schools. It is, therefore, cost efficient for the state to provide a subsidy.

55. In South Africa, the fiscal argument is an important but not a sufficient basis for national policy. Given the extreme inequalities and backlogs in the provision of public education and the pressure on public education budget allocations, the national policy on public subsidies to independent schools must serve explicit social purposes.

56. Subsidy allocations, therefore, must show preference for independent schools that are well managed, provide good education, serve poor communities and individuals, and are not operated for profit. Such criteria must be capable of measurement according to objective, transparent, and verifiable criteria.

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3. IMPLEMENTATION

Developing capacity for intensive data use

Data needs

57. Most PEDs manage budgets of many billions of Rands. Targeting redress, and improving equity in public funding of public schools in an efficient manner, requires the DoE and PEDs to undertake serious budgetary and financial analysis, and to use information intensively.

58. In order to make progress towards equity in school funding, each Provincial Education Department must

(a) use relevant provincial data much more intensively in budgeting and planning decisions;

(b) develop the necessary data systems to guide planning and allocations; and

(c) be able to demonstrate to the DoE that progress is being made.

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59. The SASA provides that all public schools are budget and cost centres (Sections 37, 38 and 42). These norms and standards therefore require the use of certain data that have not previously been necessary in budgeting for public schools.

60. Schools must provide information to Provincial Education Departments (Section 59 of the Act). On their part, departments must ensure that information is received on time from schools, so that the necessary analysis can be undertaken, and resource allocation decisions made on time.

61. PEDs must annually provide public schools with sufficient information so that the schools' governing bodies can develop their budgets as required by Section 34 of the Act.

62. PEDs must annually provide independent schools by 30 September of each year with sufficient indicative information, at least the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools, and an indication of the subsidy category under which the school is grouped in Figure 4 of paragraph 187, to enable them to plan their budgets and fee schedules for the following year. It should be noted that this subsidy amount is merely for planning purposes and might differ from the actual subsidy amount allocated.

63. Initially, the budget information provided to schools by PEDs may be indicative, rather than fully detailed. In time, such information should include the current year's expenditures at each school, and the guideline amount of the total allocation by the Provincial Education Department to the school for the coming school year, including all guideline personnel costs. Such costs should be expressed both in absolute and per learner terms. This is necessary so that schools become accustomed to thinking

about their total costs per learner. The aim is to improve each PED's accounting and information processing systems so that each school's costs for personnel and non-personnel can be identified by item.

64. Comprehensive data on schools have been created through the national School Register of Needs survey, whose databases have been incorporated in provincial data systems, and the new, provincially-based national Education Management Information System (EMIS). The 1996 national Census reports will provide reliable and up-to-date demographic information. Provincial Education Departments may have access to other data sources, and the national Department will augment these wherever possible.

65. The MTEF provides a co-operative mechanism for improving the accuracy of budget-related data, and undertaking relevant analytic studies. The DoE and PEDs are active participants in these processes.

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Skill requirements

66. To attempt to accomplish the new tasks without high-level skills is absolutely unrealistic, especially given the size of provincial education budgets. Each Provincial Education Department must, therefore, acquire the services of:

(a) At least one, and preferably several, highly-skilled strategic financial analysts who understand the use of data-intensive planning and analysis techniques in public financial management. If not already deeply familiar with education issues and policies, they must be willing to make a careful study and acquire the necessary knowledge.

(b) Several high-level accounting experts who understand the national computerised public financial and management information systems. Both accounting expertise and strategic financial management expertise are necessary if PEDs are to apply the norms satisfactorily.

(c) Several highly-skilled information systems experts to improve the functioning of the education databases (including the EMIS). This will include the decentralisation or devolution of such functions and the training of regional and district officers.

(d) At least one senior statistician or applied numerical analyst.

(e) At least one person skilled in educational planning and forecasting techniques.

(f) Computer systems and databases.

67. Provinces that have difficulty making the necessary appointments should explore:

(a) the use of existing donor-funded arrangements with consulting firms and NGOs;

(b) secondments from other public sector organisations (e.g., financial or scientific);

(c) secondments from the private sector;

(d) consultancies or other contracted services; and

(e) the use of DoE personnel with financial and EMIS expertise, to assist with the induction of the new, high-level analysts.

68. Each Provincial Education Department should plan the work of such specialists as follows:

(a) Assess the tasks that must be accomplished, taking into account financial regulations, sound financial management procedures, and the National funding norms described in this document

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(b) Proceed to appoint, or cause to be seconded, or out-source with own or donor funds, persons with the skills listed above to undertake the tasks identified in step (a).

(c) Clarify the relationship of the new specialists to existing work units. Lines of accountability and working relationships must be very clear.

(d) Ensure that the new specialists have the necessary operating budget, status, and support personnel, such as data entry personnel, to get the work done.

(e) Ensure that they interact with colleagues in similar posts in other provinces and with DoE officials working on these tasks, as a means of assisting with their familiarisation with the policy environment.

(f) Ensure that they have a written Scope of Work or task description. Draft lists of technical tasks consistent with the funding norms and other ongoing financial management tasks are available from the DoE.

(g) The Scope of Work must include budgeted plans for financial capacity building in provincial, district and other offices of the PED (depending on their actual responsibilities), school management teams and SGBs.

69. A Provincial Education Department that is not technically ready to apply the norms in full, will be expected to present to the DoE a detailed management plan for the acquisition of the necessary capacity to implement. This plan must be consistent with paragraphs 58-60 of this document. The DoE will assist PEDs to develop the capacity they need.

Implementing the norms

70. Certain tasks have priority, and must be undertaken or continued even before the norms and standards come into effect. These are:

(a) creating a computerised method of tracking and documenting the targeted allocations and subsidies, according to the norms;

(b) creating appropriate accounting and financial mechanisms to allocate and track funds in terms of the norms, and to inform schools of their allocations as required by Section 34 of the Act;

(c) helping SGBs, in schools that have not been declared no fee schools in terms of SASA Section 39(7), to understand how to advise parents on whether to set fees, to calculate the level of fees, to determine exemption criteria and procedures, and to handle appeals (SASA, Sections 38-40).

71. Analytical and budgetary preparation for January of year n+1 must start not later than the beginning of the school year of year n. Figure 1 outlines key aspects or functions of the norms that pertain to the school and fiscal years, or that are ongoing. The entries are presented in approximate chronological order during the year, except for the "ongoing" column. There is no time-wise correspondence across the three lists. Details and explanations of the activities listed in Figure 1 may be found in Part 2 of this document.

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Figure 1. Sequencing the application of the norms during the school and state financial years

School Financial Year	State Financial Year	Ongoing
1. Determination of Rand value of subsidies to independent schools (term by term) for current school year.	1. Availability of guideline, preliminary, and final budgetary information which can be used to determine school-level budgets and inform schools.	1. Ensure that personnel, teams, and systems needed to accomplish the tasks in this table and in these norms are available.
2. Determination of which public schools will be able to receive direct transfer payments for certain items for next school year and of which public schools will be no fee schools.	2. Availability of budgeted funds.	2. Improve databases for targeting of public schools according to poverty and school conditions criteria
3. Targeting of public schools according to targeting criteria for next school year and development of master targeting list.		3. Improve criteria for determining which public schools receive direct transfer payments for certain items.
4. Provide guideline budget information to public schools on their level of financial support for next year, including personnel, other directly-provided items, and transfer payments.		4. Improve financial and physical planning for new construction requirements, including analysis for targeting priorities.
5. Determination of percentage subsidy levels for independent schools for next school year.		5. Improve accounting, financial, and EMIS tracking methods ensure that individual school costs and personnel allocations can be tracked, cross-indexed and made more accurate.
6. Fee determination and exemptions at public schools for next school year. (The PED is not necessarily directly involved in these processes, but bears a responsibility of supervision and ensuring that governing bodies are well prepared.)		6. Provide financial management training to governing bodies and school leadership
		7. Ensure audited status of public schools.
		8. Ensure well-functioning process of appeal from parents over school fee exemptions.

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4. CAPITAL COST ALLOCATIONS IN PUBLIC SCHOOLS

Scenario planning for new school construction

72. "New classroom and other construction allocations" includes provision for water, electricity, sewage and telephone services on site, and connections to mains services where these are provided to the school site.

73. Provincial Education Departments must budget for this category in terms of their overall budget for education and for schools, and the relative flexibility or rigidity of other budget items.

74. The MEC for Education of each province must ensure that there are enough school places to enable each child living in the province to attend school during the compulsory phase (Section 3(3) of the Act). If an MEC cannot comply with this mandate, he or she must take steps to remedy the situation and must report annually to the Minister of Education on progress made (Section 3(4) of the Act).

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75. Despite the current shortage of funds for capital development, as an aid to planning and decision-making, each PED must:

    (a) maintain an accurate, prioritised, annually updated database of school construction needs, and

    (b) undertake annually updated long-term projections of new school construction targets and funding requirements, based on these norms.

76. Part of the physical planning framework should include an analysis of the cost and educational need for schools that are smaller than is normally desirable. If they are very close to each other, and there are no economic or educational grounds for their separate existence, the options of merger or closure (in terms of Section 33 of the Act) should be considered. In the event of a merger or closure, the Provincial Education Department must ensure that all affected learners have access, on a reasonable basis, to alternative public school accommodation.

77. The scenario planning should initially estimate the requirements to eliminate backlogs and provide sufficient school places by the target year 2008. This must form part of the analytical work required for the MTEF, and should be adjusted annually in the light of new data and performance in new school construction. Depending on the availability of funds each year, and construction performance, the plan may require acceleration or deceleration.

Target list

78. The construction of new schools or additional classrooms and learning facilities should be targeted to the neediest population. In this expenditure category, "need" is defined in terms of

(a) lack of current schools, or

(b) overcrowding of existing ones.

79. No national norm for "crowding" is given in this document. Each PED must objectively determine where to site new schools and classrooms based on provincial norms and verifiable crowding and distance indicators (need indicators) developed from available data, including the School Register of Needs, Census data, and the department's own EMIS. Wherever possible, PEDs must aim to eliminate under-utilisation of physical space occurring concurrently with overcrowding, and must therefore also determine minimum per classroom occupation levels below which schools will be considered under-utilised.

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80. Need indicators should refer to the proportion of children who are out of school or are in over-crowded schools. Preference should be given to areas where –

(a) children are out of school and there is no uncrowded local or nearby school; or

(b) all eligible children are enrolled in school but the local or nearby schools are crowded; ***and***

(c) an analysis of population movements demonstrates that the population concerned is resident and permanent.

81. Using these criteria, the PEDs must develop a ranking of geographical areas from neediest to least needy, based on the numbers of children out of school or in existing crowded schools. Backlogs must be eliminated by starting with the neediest, most crowded areas, and proceeding as quickly as possible down the list of priorities.

82. In the allocation of new school construction funds, preference must be given to-

(a) facilities serving the compulsory education grades (grades 1-9) in order to ensure that all eligible learners have school places as soon as possible, and

(b) extensions to existing schools, rather than new schools, except where extensions would result in schools that are too large to be pedagogically sound, or would otherwise be uneconomical, impractical, or undesirable on educational grounds.

Hostel facilities

83. New hostel facilities may be built if the following criteria are satisfied:

(a) the crowding criteria in paragraphs 78 to 82, for construction of new schools or extensions; and

(b) the transport time and poverty criteria in paragraph 148.

84. Other criteria may be used, provided that they give the same results in terms *of* equity and efficiency. Provincial Education Departments may be required to verify such results, in order to demonstrate that they have complied with this national norm for hostel construction.



5. THE SCHOOL ALLOCATION

85. This section describes the rights and obligations of schools and the state with regard to the school allocation that is granted by Government on an annual basis to public ordinary schools. This section also describes the hostel subsidy.

86. This section relates to public ordinary schools only. 'School' in this section must be taken to mean 'public ordinary school'.

Key terms

87. The following terms have particular importance with regard to the school allocation.

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National poverty distribution table (or the 'poverty table'). A table, provided in this policy, that describes the distribution of national poverty across the country.

National quintile for public schools. One of five groups into which all South African public ordinary schools are placed, and where the grouping is according to the poverty of the community around the school. Quintile one is the most poor quintile, quintile two is the second-poorest quintile, and so on. Each national quintile encompasses one-fifth of the learners enrolled in public ordinary schools. In this policy, 'national quintile' means 'national quintile for public schools'.

National quintile for learners. One of the five groups into which all South African public ordinary school learners are placed. The national quintile for any learner is always the same as the national quintile for the public school in which the learner is enrolled.

National table of targets for the school allocation (or the 'targets table'). A table, provided in this policy, that lays down the per learner monetary targets for the school allocation in terms of national poverty quintiles.

Resource targeting list. A list of schools in a province with schools ranked according to poverty of the school community. Schools should be sorted from poorest to least poor on this list.

School allocation. An amount allocated by the state to each public ordinary school in the country on an annual basis in order to finance non-personnel non capital expenditure items.

School allocation budget. A provincial budget used exclusively to finance the school allocations in the province.

School poverty score. A score attached to each school that reflects the degree of poverty of the surrounding community.

Introduction

88. The school allocation is intended to finance key inputs other than personnel and buildings in the education process. Key examples of inputs for which the school allocation is intended are textbooks, stationery and non-educational items such as cleaning materials and electricity. Such inputs are necessary if educators and other personnel in schools are to perform their functions properly. The school allocation is therefore an important instrument supporting Government's commitment to fulfilling the state's Constitutional obligation to provide education.

89. As there is a history within South Africa and in other countries of school fees being used to cover the items targeted by the school allocation, Government regards a school allocation that is adequate for at least the poor, as a key lever for ensuring that households suffering the effects of poverty enjoy schooling that is adequately funded by the state. A distributional approach that favours the poor in this regard is in keeping not only with Government's Constitutional obligation to redress the imbalances of the past, but also with South Africa's commitment to various regional and international agreements to combat poverty through increased access to quality education.

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90. Government sees the school allocation as a key means of empowering school communities, and realising democracy at the level of the school. It is important for the local level to participate in decision-making relating to what non-personnel inputs to purchase for particular schools. For this reason, Government supports the gradual transfer to the school level of decision-making powers relating to the school allocation. This must obviously occur in a controlled manner, in accordance with the important Sections 19 to 22 of the **SASA**, and in such a way that public funds are not squandered, and are spent in a manner that fully supports the national curriculum.

91. Government will determine the level of the school allocation, and optimise the translation of the school allocation into resources that schools can utilise, on the basis of five key considerations:

(a) The rights of learners with regard to schooling.

(b) What the minimum basic package of school inputs is in order to make quality education a possibility. With regard to this consideration, Government acknowledges that in striving for equity in education, there is a need to spend more on education for the poor, and that the basic minimum package may vary with factors such as socio-economic context.

(c) Prices of goods and services required by schools.

(d) The distribution of income and poverty in the country, including the greater ability of certain communities to make private contributions to the schooling process. With regard to

this consideration, it is recognised that the poor in South Africa are not all equally poor, and that it may be necessary for the state to deal with the problem of poverty differentially.

(e) The overall budget of Government.

Background

92. A school allocation for South African public ordinary schools was established through the 1998 publication of the National Norms and Standards for School Funding. It was first implemented in 2000 by PEDs, and represented a major innovation in South African school funding both in terms of financing systems and pro-poor resourcing.

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93. During the period 2000 to 2003 major lessons were learnt with respect to the pro-poor school allocation. On the side of implementation, lessons were learnt regarding the required management training for schools, the required financial accounting systems, and the importance of understanding how best to use the allocation in the interests of school improvement and the support of the curriculum. On the side of policy, it became clear that though the 1998 policy was fundamentally correct, certain policy improvements were needed. In particular, inter-provincial equity emerged as a key policy concern. Two major assessments, in 2001 and 2003, focussing specifically on the school allocation were conducted. Moreover, in 2003 the DoE published an assessment of the overall system for the resourcing of schools. This assessment led to the 2003 Plan of Action: Improving access to free and quality basic education for all. These documents are milestones in our building of a post-apartheid schooling system, and they strongly inform this amended policy on the school allocation.

Inputs that may be covered by the school allocation

94. This sub-section describes which items may be covered by the school allocation. The description is not intended to be unnecessarily restrictive or prescriptive. Nor does the description exclude the use of state funds other than the school allocation for the items mentioned. Instead, this description should guide the state in determining the level and distribution of the school allocation, and schools in determining the utilisation of the allocation. This sub-section does not in any way place the state under the obligation of ensuring that the cost of all the items listed here should be fully covered by the school allocation, given that the list covers the range of possibilities, and not a set of core items.

95. In general, the school allocations are intended to cover non-personnel recurrent items and small capital items required by the school as well as normal repairs and maintenance to all the physical

infrastructure of the school. Moreover, the school allocation is primarily and exclusively intended for the promotion of efficient and quality education in public ordinary schools.

96. The following list provides examples *of* items that the school allocation may cover, and a categorisation of these items. It should be noted that the items are mentioned serve as examples, and do not constitute all the possible items. The definition of a capital item is as per Treasury regulations (currently, any item exceeding a value of R5,000 per item is defined as a capital item).

(i) Learning support materials (LSMs), including textbooks, library books, charts, models, computer hardware and software, televisions, video recorders, video tapes, home economics equipment, science laboratory equipment, musical instruments, learner desks, chairs. (These items, and the ones under **(ii)** to (iv) below, would typically support the **SASA** Section 21(c) function.) This category is subdivided into capital items and non-capital items.

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(ii) Non-LSM equipment, including furniture other than learner desks and chairs, paper copier machines, telephone sets, fax machines, intercom systems, equipment for connectivity within the school and to the Internet, hardware tools, cleaning equipment, first aid kits, overalls for cleaners and ground staff, sporting equipment, electrical accessories. This category is subdivided into capital items and non-capital items.

(iii) Consumable items of an educational nature, including stationery for learners.

(iv) Consumable items of a non-educational nature, including stationery for office use, paper, cleaning materials, petrol, lubricants, food.

(v) Services relating to repairs and maintenance, including building repair work, equipment repairs and maintenance, light bulbs. (These items would typically support the **SASA** Section 21(a) function.)

(vi) Other services, including workshop fees, TV licences, Internet service providers, school membership of educational associations, postage, telephone calls, electricity, water, rates and taxes, rental of equipment, audit fees, bank charges, legal services, advertising, security services, public or scholar transport, vehicle hire, insurance, copying services. (These items would typically support the **SASA** Section 21(d) function.)

97. In view of the fact that schools are not equally subject to the legacy of apartheid inequities, population increases and unexpected calamities, the DoE and the PEDs must pursue resourcing

mechanisms other than the school allocation in order to deal with the following shortages of the items referred to in paragraph 96:

(a) Shortages of LSMs and equipment where the shortage is clearly and directly linked to historical expenditure inequities.

(b) Shortages of of LSMs and equipment, and in particular shortages of learner desks, learner chairs and textbooks, where the shortage is clearly and directly linked to a recent and significant increase in the enrolment of the school.

(c) Urgent building repair needs which are clearly and directly linked to historical expenditure inequities.

(d) Shortages resulting from calamities such as fire or floods.

(e) Start-up resource requirements linked to the approved introduction of new grades into existing schools, or the establishment of completely new schools.

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98. Nothing in this policy prevents PEDs or SGBs from devoting funds derived from the school allocation towards needs described in paragraph 97, if this is regarded as being in the interests of education in the school, and if this occurs in accordance with the general policy governing the school allocation. An SGB may, for instance, approve the use of the school allocation for urgent building repair needs arising out of a natural calamity. A PED may establish a system whereby schools are reimbursed at a future date for utilising funds from the school allocation for non-intended expenditure of a non-personnel nature. Such a system of reimbursement must be transparent and treat all schools equally. Schools do not have an automatic right to this type of reimbursement outside of, or in the absence of, such a system in the province.

99. The school allocation may not be used to cover the cost of personnel and new buildings.

The resource targeting list

100. This sub-section describes the 'resource targeting lists' that PEDs must maintain as a basis for the pro-poor distribution of the school allocation budget. The resource targeting list is a list of all the public ordinary schools in the province, sorted from poorest to least poor. The principle is followed that, ideally, communities are best served by the schools closest to them. It is precisely for this reason that the preferential public funding of schools in poorer communities is regarded as a priority for Government. However, exceptions to this principle are also contemplated in this sub-section.

101. The PED must assign to each school a school poverty score that will allow the PED to sort all schools from poorest to least poor. The principles governing the determination of the school poverty score are the following:

(a) The score should be based on the relative poverty of the community around the school, which in turn should depend on individual or household advantage or disadvantage with regard to income, wealth and/or level of education.

(b) The score should be based on data from the national Census conducted by StatsSA, or any equivalent data set that could be used as a source. The beneficiaries of the school allocation, for example schools or districts, should never be the source of the data, in order to avoid undesirable incentives to distort information.

(c) The derivation and calculation of the score should be sufficiently comprehensive to provide a reasonable measure of the relative poverty of the school community. However, it should not be the intention to incorporate the complete range of poverty indicators in the score. The score should moreover be constructed to be as transparent and generally understandable as possible.

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(d) The basic methodology behind the score should be national in order to promote a pro-poor funding framework that treats equally poor schools equally, regardless of the province they find themselves in.

102. The following steps should be followed in the determination of the school poverty score:

(a) Each school must be linked to a specific geographical area that can be considered, for the purposes of these determinations, the catchment area of the school. Where Census data is used, the geographical area would be the set of enumerator areas or place names closest to the particular school. Different levels of the schooling system, for example primary schools and secondary schools, would be dealt with separately, The DoE may determine precise rules for this step after consultation with PEDs.

(b) Variables from the data set relating to households or individuals must be selected to inform three different indicators of poverty: income; dependency ratio (or unemployment rate); and level of education of the community (or literacy rate). The DoE may change this set of indicators after consultation with the PEDs.

(c) Variables from the data set, and the indicators of poverty, must be weighted, for the purposes of arriving at a final poverty score for each specific geographical area, corresponding to each school. The DoE will determine the weightings that should be used.

103. The Provincial Departments of Education must, as a first priority, aim to provide schooling to communities in quality schools that are

geographically accessible for learners. Linked to this priority, is the imperative to ensure that preferential school funding in poorer communities translates into effective interventions and optimal combinations of inputs that assist in combating historical disadvantage. However, **PEDs** may deviate from this principle, and may deviate from the school poverty score methodology described in paragraph **102,** in the following circumstances:

(a) There are inadequate places in local schools, and the PED has determined that the community should make use of schools at a distance from the local community.

(b) The **PED** has requested parents to make use of a school other than the local school, where the local school is suffering severe and temporary problems relating to, for instance, the quality of teaching and learning.

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104. The exceptional circumstances referred to in paragraph **103** may permit the use of an approach other than the one described in paragraph **102** in order to determine a school's poverty score. In particular, the provision that it is the poverty of the community around the school that should be the determining factor, might be waived. Where a **PED** has determined that learners should attend a school other than the local school, the **PED** could, for instance, expand the community of the receiving school so that it included households from the community from which learners originated. Any deviation from the approach described in paragraph **102** must be effected transparently, and uniform criteria must apply to all similar deviations within the same province. **PEDs** must register deviations in a provincial register that provides details on each deviation, including the justification for the deviation. Such a register must be available for scrutiny by the public and monitoring authorities such as the **DoE.**

105. A school may apply to the **PED** for a deviation of the type described in paragraph 103 to be effected for that school, where the school believes that it warrants special consideration. **PEDs** must establish transparent and fair procedures for dealing with such applications from schools, in line with paragraph **104.**

106. A school may dispute the correctness of the poverty score assigned to it through representation to the Head of Department, **PEDs** must establish transparent and fair procedures to deal with such queries regarding technical accuracy. These procedures should not exceed six months in duration.

107. **PEDs** must on an annual basis, subject to the availability of new data which is sufficiently reliable, consider reviewing the poverty scores of schools and/or the poverty ranking of a school and make the necessary adjustments to effect equity. Those allocations of schools negatively affected by any such changes should be changed in a phased manner.

The determination of nationally progressive school allocations

108. This sub-section describes how PEDs should use the resource targeting list, the table of targets for the school allocation (the 'targets table') and the national poverty distribution table (the 'poverty table') to determine the school allocation for each school.

109. The following 'table of targets for the school allocation' or 'targets table' establishes target per learner amounts for the school allocation. Column A provides the percentages that underlie the pro-poor funding approach. For example, the first national quintile (or one-fifth) of learners should receive 30% of funding, which is six times more than the 5% of funding which should go towards the least poor quintile. Column B specifies the target per learner school allocation amount in rands for each of the years 2007, 2008 and 2009. Column B furthermore specifies what the average per learner target value would be for the country as a whole. The 'no fee threshold' amount appearing in column B indicates the per learner amount that Government considers minimally adequate for each year. For 2007, the no fee threshold is set at R554, and for the following two years inflationary increments have been calculated to give R581 and R605. Column C indicates the maximum percentage of learners in each national quintile that could be funded to the no fee threshold level. Column C provides an indication of both the possibility of adequate resourcing without school fees, and the percentage of learners which could be exempted from the payment of school fees, given the existence of fees. For example, in 2007 in national quintile 5, if school fees were used to finance the needs of 78% of learners, then 22% of learners could be financed through the state's school allocation, in other words 22% of learners could be fully exempt from the payment of school fees.

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Figure 2. The targets table

National table of targets for the school allocation (2007 - 2009)

		2007		2008		2009	
	A	B	C	B	C	B	C
NQ1	30.0	R738	100%	R775	100%	R 807	100%
NQ2	27.5	R677	100%	R 711	100%	R740	100%
NQ3	22.5	R554	100%	R 581	100%	R605	100%
NQ4	15.0	R369	67%	R388	67%	R404	67%
NQ5	5.0	R 123	22%	R 129	22%	R 134	22%
Overall	100.0	R492	89%	R 517	89%	R 538	89%
No fee threshold		R 554		R 581		R 605	

110. The table appearing in paragraph 109 covers the school allocation targets to the year 2009 only. The Minister, in consultation with the Minister of Finance, will release targets relating to years beyond

2009, and may change previously released targets, depending on circumstances. The Minister would publish in the Government Gazette, on an annual basis, the new column B targets for the new outer year. For instance, in 2007 the Minister would publish the column B targets applicable to 2010. This is to promote predictability and better medium term planning in the schooling system. Changes to previously released targets could be made to deal with factors such as unexpected changes in the inflation rate. The Minister may revise the distribution between national quintiles contained in column A. The Minister may revise the no fee threshold amounts, after consultation with the Minister of Finance. Revisions should occur on the basis of emerging research into the costs of schooling in different socio-economic contexts, changes in the socio-economic profile of the country and the overall budget of Government. The Minister will release for public comment a report on the methodology employed whenever the no fee threshold is altered, and will take into consideration the ensuing comments. The Department of Education must actively promote research that can inform optimal school allocation budgets, and an optimal distribution of this budget. Should research into costs, in combination with imperatives around equity, efficiency and compulsory schooling, indicate a need for a no fee threshold that is differentiated by grade, the Minister may implement such differentiation in the targets table.



111. Considering that poverty is unevenly spread across South Africa, and that it is Government's intention to establish targets that treat equally poor learners equally, regardless of the province they find themselves in, province-specific poverty data should be taken into account. The following 'national poverty distribution table' or 'poverty table' should be used by PEDs in determining how the target table in paragraph 109 finds expression in each province. For example, Eastern Cape must consider the national quintile 1 target to be applicable to as many schools on the resource targeting list as it takes to cover 34% of learners, starting from the poorest school. The national quintile 2 target would be applicable to the following schools on the resource targeting list up to the point at which the next 26% of learners would be covered. The national quintile 5 target would be applicable to only as many schools on the non-poor end of the resource targeting list as it takes to cover 11% of learners. The data in this table is based on household income data supplied by National Treasury.

Figure 3. The poverty table
National poverty distribution table

	National quintiles					
	1 (poorest)	2	3	4	5 (least poor)	Total
Eastern Cape	34.8%	21.6%	21.0%	11.6%	10.9%	100%
Free State	30.8%	14.9%	20.1%	18.8%	15.4%	100%
Gauteng	10.5%	11.4%	27.4%	27.2%	23.6%	100%
KwaZulu_Natal	24.2%	18.8%	25.6%	17.3%	14.1%	100%
Limpopo	34.0%	22.3%	24.9%	11.6%	7.2%	100%
Mpumalanga	16.7%	20.2%	29.8%	19.9%	13.5%	100%
Northern Cape	26.3%	17.7%	21.6%	14.8%	19.6%	100%
North West	22.7%	15.2%	30.5%	20.5%	11.0%	100%
Western Cape	6.5%	8.0%	23.1%	27.7%	34.6%	100%
South Africa	20.0%	20.0%	20.0%	20.0%	20.0%	100%

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112. The Minister, in consultation with the Minister of Finance, will review the national poverty distribution table on an annual basis and, when necessary, will publish updated versions of this table in the Government Gazette.

113. In order to calculate the target school allocation for each individual school for the following year, the PED must multiply the relevant per learner target from the targets table by the enrolment of the school in the current year. For example, a school serving 100 national quintile 2 learners (defined as such according to the criteria laid out in paragraph 111) in 2007, would have a target school allocation of 100 multiplied by R711 or R71,100, in 2008.

114. Each PED must, as part of its ongoing MTEF budgeting process, calculate the school allocation budget implied by the national targets, and compare this amount to the actual school allocation budget amount available in the MTEF budgets. If the target amount is not equal to the actual amount, one of the following sets of procedures should be followed:

(a) If the actual amount exceeds the target amount, the PED must ensure that, as a minimum, each school receives the school allocation implied by the national targets. A PED may use the difference between the actual amount and the target amount to create a smoother distribution, or a continuous curve, so that less abrupt per learner funding shifts occur between one school on the resource targeting list and the next. However, such smoothing should not result in any school receiving less than the target per learner amount applicable to that school.

(b) If the target amount exceeds the actual amount, the PED and the DoE, in collaboration with the National and Provincial Treasuries, must jointly devise a plan for attaining the targets in the earliest possible year. This plan must include details on

how, in the interim, the actual budget will be distributed across the national quintiles. Such a plan must prioritise the attainment of targets in quintiles 1 and 2, and for learners in Grades 1 to 9.

115. Each PED must provide a recommended breakdown of the school allocation, for each school, according to the three Section 21 functions of SASA that imply expenditure and according to the breakdown provided in paragraph 96. This breakdown should be communicated in all official letters to schools indicating what their school allocations are. The three relevant Section 21 functions are restated here, with some comments:

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Section 21(a) of SASA: To maintain and improve the school's property, and buildings and grounds occupied by the school.

Section 21(c) of **SASA:** To purchase textbooks, educational materials or equipment for the school.

Section 21(d) of SASA: To pay for services to the school.

It should be noted that though school hostels are mentioned in Section 21(a) of SASA, funding of school hostels is dealt with in the next section of this policy, titled 'Hostel costs'.

116. In addition to the breakdown referred to in the previous paragraph, and apart from the financial directions issued in terms of Section 37 of SASA, PEDs may determine other conditions governing the use of the school allocation where this is deemed necessary for the promotion of better school management, The other conditions would apply to all schools, whether they have SASA Section 21 functions or not. All these conditions must be communicated to schools in the official letters referred to in the previous paragraph.

The school allocation and accountability

117. The effective implementation and monitoring of the school allocation requires timely provision of accurate information by the DoE, PEDs and schools. This sub-section explains key obligations in terms of information provisioning and accountability, and provides some important timeframes.

118. The DoE must provide the Minister with sufficient data and research to enable the Minister to publish, in the Government Gazette, school allocation information (as described in paragraph 109) for the next three years, by 1 August of each year. Moreover, by this date, the Minister should publish information on what quintiles or parts of quintiles will comprise no fee schools in the following school year, in terms of paragraph 157, and Section 39(7) of **SASA.**

119. PEDs must process enrolment data, school poverty data (as described in paragraph 101), provincial budget data and the school allocation data released by the Minister in order to determine provisional school **allocations** for each school for the next three

years. The provisional school allocations for the next three years must be communicated to schools by 30 September of each year. This communication must include information on which national quintile individual schools find themselves in, what the national per learner target amount applicable to that national quintile is, what the rationale is for the national targets published by the Minister, what the national no fee threshold is and what calculations were performed by the PED to arrive at each school's school allocation amount, PEDs must furthermore submit to the DoE the data and calculations used to arrive at the provisional school allocations for each school, so that the DoE can be in a position to monitor policy compliance, make inter-provincial comparisons, and advise PEDs of national best practice. The submission of the information to the DoE must occur by 30 September.

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120. By 30 September of each year, MECs must publish in the provincial Government Gazette the entire resource targeting list for the province. This list must include, as a minimum, school EMIS numbers, names of schools, the poverty score of each school, and the national quintile in which each school is situated. The list must also include **SASA** Section 21 functions allocated to each school in terms of paragraphs 125 to 130. If the national determination, in terms of paragraph 161, of the finalised list of no fee schools has occurred, and a formal communication to the MEC has occurred in this regard, the provincial resourcing targeting list should specify which schools are no fee schools. It is important that MECs and PEDs should not release any information on no fee schools that deviates from the national list. PEDs must furthermore make all of this information available to the public and schools on an ongoing and updated basis through a medium such as the Departmental website.

121. Due to the fact that the school year and the Government financial year are different, the final school allocation for any school year can only be determined during the course of the school year in question, after the Provincial Legislature has approved the budget for the PED. The final school allocation for the current year must be communicated to schools during the *two* weeks following the finalisation of the PED budget by the Provincial Legislature. In order to facilitate proper planning, PEDs should strive to ensure that the final school allocation communicated to schools in terms of this paragraph deviates **as** little as possible from the provisional figures provided on 30 September of the previous year.

122. The DoE, PEDs and schools must report on the usage of the school allocation, and the DoE and PEDs must furthermore report on the determination of the school allocation, within their respective annual reports. Reports produced by schools must explain how the spending of the school allocation supports the school development plan, quality education and learner performance. The DoE and PEDs must also produce analyses and proposals on how the school allocation

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can further enhance education delivery, including school effectiveness and learner performance. Analyses must moreover be produced on the impact of the school allocation on general socio-economic transformation, including black empowerment amongst manufacturers and suppliers of school materials. These analyses and proposals must be widely disseminated to encourage public debate and participation.

123. The DoE and PEDs must work with National Treasury and its provincial counterparts to ensure that the charts of account governing PED and school finances support the implementation of these norms. In particular, it must be clear from PED accounts what non-personnel non-capital expenditure on schools was occurring outside the framework of the school allocation, for instance in terms of paragraph 97. Furthermore, school accounting systems should allow for differentiation of expenditure according to SASA Section 21 functions, and any other required classifications, partly in order for the provisions in paragraph 140 below to be implemented.

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124. The DoE and PEDs will collaborate to ensure that every school in the country has a set of policy implementation manuals and tools relating to the school allocation. This set must include, for example, the policy documents themselves, explanatory manuals, and tools for educating the school community about the purpose of the school allocation. Materials must be available in all official languages. Materials applicable to all provinces will be made available on the website of the DoE. The DoE and PEDs must design and roll out training programmes in the use of the policy implementation tools.

The list of Section 21 status

125. This sub-section deals with the SASA Section 21 functions that may be allocated to schools by the Head of Department, and the maintenance by the PED of the list of Section 21 status used for determining mode of resourcing to schools with respect to the school allocation.

126. The SASA makes provision for public school governing bodies to become progressively more responsible for managing aspects of recurrent expenditure. Section 21 provides that, subject to the Act, a School Governing Body may apply in writing to the Head of Department to be allocated any of the SASA Section 21 functions.

127. The HOD must approve a governing body's application for Section 21 functions, conditionally or unconditionally, unless the SOB does not have sufficient capacity to undertake the functions effectively.

128. A MEC may determine that some governing bodies may exercise one or more functions under Section 21, even if they have not applied for them. This is permitted only if the governing bodies have the capacity to perform the functions effectively, and there is a

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reasonable and equitable basis for allocating the functions to them (Section 21(6) of the Act).

129. In order to guide the actions of the MEC, the HOD and an affected SGB, it is necessary to establish an objective test of governing body capacity in terms of Section 21 of the Act. DoE, in consultation with PEDs must, therefore, devise a managerial capacity checklist, for approval by the HOD. The checklist will include items relating to the capacity to handle and account for public funds, the capacity to meet ongoing contractual obligations to suppliers of goods and services, and the ability to make financial decisions that are educationally sound. The criteria used in developing such a list must be transparent and public.

130. Each PED must maintain a 'list of Section 21 status' containing all public ordinary schools in the province. This list must specify the Section 21 status of each school on the list, in other words what Section 21 functions have been officially allocated to each school. All the Section 21 functions of SASA, including additional functions introduced through amendments, must be considered in the list of Section 21 status. The list must be updated each time functions are granted to or withdrawn from schools, and must be easily accessible to the public. The number of schools with one or more Section 21 functions is expected to grow as more schools acquire the requisite capacity.

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Resource transfer procedures where SASA Section 21 functions have been allocated

131. This sub-section deals with the resource transfer procedures relating to the school allocation, where SASA Section 21 functions (a), (c) and/or (d) have been allocated.

132. Schools which, according to the list of Section 21 status, have been allocated one or more of the three SASA Section 21 functions, will receive a single transfer in accordance with their national quintile, their enrolment, the national table of targets for the school allocation, and the SASA Section 21 functions that have been allocated to the respective schools. A recommended breakdown into cost categories, in terms of paragraph 115, must accompany the transfer. If a school has not been allocated all of the three SASA functions in question, the transfer will only include funds for the allocated functions, determined in terms of paragraph 115.

133. School governing bodies that have been allocated the relevant SASA Section 21 functions may carry out their own procurement and may deal directly with suppliers and contractors for the relevant budgeted items in accordance with standard procurement procedures, the financial directions issued in terms of Section 37 of the SASA and paragraph 116 of this policy. They must keep documents as evidence of correct dealing with such suppliers and contractors, and records of

how the materials and services were used, and produce such documents or records at the request of officials from the PED and for audit purposes.

Resource transfer procedures where SASA Section 21 functions have not been allocated

134. Although it is Government's aim to improve school management capacity, and to make the assumption of Section 21 functions possible across all schools in the country, Government also recognises that this is a long-term task, and that the system will continue to include many schools without Section 21 functions, or so-called non-Section 21 schools, for many years. It will therefore continue to be necessary for the DoE and PEDs to work together to improve the systems and procedures that resource non-Section 21 schools with respect to the school allocation.

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135. There is no single solution for the resourcing of non-Section 21 schools. Many different approaches are pursued by PEDs, and a number of different improvements to current practice have been proposed. A common approach is for PEDs to procure resources in bulk for schools, relative to the size of the school allocations, and to manage the delivery of items to schools. This approach can involve varying degrees of determination by the schools regarding what resources are procured. Where this approach is pursued, it is important for schools to receive adequate information regarding the monetary value of the resources they receive. This need will increase with the establishment of national targets for the school allocation, as school communities will in many cases have a clearer idea than before of what the size of the school allocation is. The DoE and PEDs must collaborate to improve accounting systems that can provide schools with the required expenditure data.

136. The DoE and PEDs must continue to explore innovative solutions to improve the resourcing of non-Section 21 schools. Joint control by schools and the PED over individual school accounts, or special district-level accounts, must be considered. Moreover, solutions whereby the PED pays suppliers from whom schools have ordered goods should be considered. The aim should be to develop the capacity of the school to determine its own resource mix within the policy framework, to ensure that goods reach schools on time, and to combat the inefficient utilisation of resources, as well as excessive prices for school inputs. These aims should be pursued within the overall policy intention of a pro-poor school allocation, as expressed in this policy.

137. PEDs must take adequate measures to ensure that expenditure occurs according to school budgets within the relevant MTEF financial year, where SASA Section 21 allocations have not been allocated. This is in view of the fact that Provincial Treasuries generally do not

allow the roll-over of funds from one financial year to the next. In this regard, it is important that non-section 21 schools should not be disadvantaged relative to those schools that receive the transfer in terms of paragraph 132. In order to facilitate the purchase of, for instance, equipment, which may necessitate some saving from one year to the next, PEDs should explore budgetary solutions that allow schools to plan upfront for such expenditure without necessitating roll-overs at the Provincial Treasury level.

138. Schools with some, but not all, of the **SASA** Section 21 functions (a), (c) and (d) must be resourced on the basis of this sub-section (paragraphs 134 to 138) and the previous sub-section (paragraphs 131 to 133).

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Financial controls where Section 21 functions have been allocated

139. Schools which receive the school allocation as a monetary transfer into the school fund must administer this money in accordance with the ***SASA***. The PEDs must ensure that the financial management directions issued to all schools in terms of Section 37 of the **SASA** are adequate, and that schools comply with these directions.

140. Schools must be guided by the breakdown in the school allocation determined in terms of paragraph 115. PEDs must monitor compliance with, and deviations from these breakdowns. Where schools spend substantial amounts of private income, in addition to income from the school allocation, PEDs must ensure that total expenditure according to the breakdowns is at least as great as what was determined in terms of paragraph 115. In particular, PEDs must promote adequate expenditure on educational items, and strive to ensure that the **SASA** Section 21(c) function relating to educational inputs is not under-funded. Schools that deviate from the PED-determined breakdown, must have justifiable reasons for doing so, and should only under-budget for the educational items relative to the recommended breakdown after consultation with and approval from the PED. Where PEDs observe substantial deviations from the recommended breakdowns in the school allocation, in particular deviations where the educational inputs suffer and proper schooling is consequently placed at risk, PEDs should seriously consider implementing **SASA** Section 22, dealing with the withdrawal of **SASA** Section 21 functions.

Transition and commencement issues

141. This sub-section contains recommendations regarding the transition from previous to new policy imperatives with respect to the school allocation.

142. It is important that in the planning around the school allocation, all the various items linked to this fund, as described in paragraphs 95 to 99, be taken into account. For example, if utility charges had been excluded from the school allocation in the past, it would be important for these items to begin to become included.

143. The resource targeting lists of the **PEDs** should undergo a gradual transition with respect to the new policy imperatives. Poverty scores according to the new methodology should be determined during 2007. However, changes in the position of schools on the resource targeting list, in particular movement from one national quintile to another, should be phased in over some years. It should be noted that this principle of gradual change should apply even without changes to the methodology, as the relative poverty of communities does not remain static.

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144. In the interests of stability, the implementation of this policy should not result in any school receiving a smaller school allocation in nominal rand terms than it did in the past, or than it was promised for the future.

145. The amended policy provisions relating to the school allocation become applicable from 1 January 2007.

Hostel costs

146. **Records.** Schools with hostels must keep a separate account for all recurrent costs associated with hostels, and a record of the number of learners staying at each hostel. Such accounts and records will be subject to unannounced audits by officials of the **PED.**

147. **Hostel fee.** The school must charge each learner staying in the hostel a hostel fee equal to the average running cost per learner in the hostel. No blanket cross-subsidisation of hostel costs from fee income is permitted. However, if the SOB wishes to exempt particular learners from hostel fees, it may do so by recording the necessary book-keeping transfer.

148. Hostel **subsidy.** The **PED** must, in turn, set aside a budget item for hostel subsidies. These hostel subsidies are not a part of the school allocation referred to in paragraphs 85 to 145. Schools with hostels will be paid pro rata out of this budget for each of their learners

(a) whose transport time to the school is greater than 1½ hours;

(b) if there are no available school places near the learner's parents' place of residence; and

(c) whose parents cannot afford the per-child hostel cost.

149. The **PED** may adjust these criteria in order to ensure that the subsidy per learner is meaningful, while recognising that this may decrease the number of learners thus covered, requiring a tightening **of** the targeting criteria.

150. Subsidies for hostel costs incurred by learners with special education needs enrolled in ordinary public schools will be provided by the Provincial Education Department in accordance with the overall funding approach used for such learners.

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6. FEE EXEMPTIONS IN PUBLIC SCHOOLS

151. The SASA requires the Minister of Education to make regulations about the equitable criteria and procedures for exemption of parents who are unable to pay school fees, and to identify schools that will be no fee schools (Section 39). This section provides the basic principles governing school fee exemptions and the principles and procedures with respect to no fee schools, whilst the regulations, provide details on the exemptions calculations and how the exemptions policy should be implemented.

Introduction



152. School fees provide two benefits for the schooling system. Firstly, they provide a mechanism for raising revenue amongst parents who can afford to make this contribution, which in turn provides fiscal space for the state to implement preferential funding for poor schools. Secondly, school fees, even if they are set at a low and nominal level, encourage parent participation in school governance, and promote accountability of schools to the communities they serve.

153. School fees must not be allowed to become an obstacle in the schooling process, or a barrier preventing access to schools, especially as far as the most marginalised are concerned. Government believes that in the schools serving the poorest communities, there should be no school fees. Moreover, where schools do charge school fees, proper parent participation in the fee-setting process is critical. Effective criteria determining which schools should not charge school fees, as well as an effective exemptions policy to protect those who are less advantaged economically within fee-charging schools, are of utmost importance.

154. The amended policy on school fee exemptions, contained in these norms and in the regulations governing fee exemptions, is informed by a rigorous and participatory process of re-assessment of the school fee situation, culminating in Report to the Minister: Review of the financing, resourcing and costs of education in public schools and Plan of Action: Improving access to free and quality basic education for all, both published in 2003 by the DoE. The DoE's commitment to the global Education for All goals strongly informs this amended policy.

No fee schools

155. This sub-section deals with schools that may not levy compulsory school fees, referred to as 'no fee schools' in Section 1 of SASA. No fee schools are an integral part of Government's strategy to alleviate the effects of poverty and redress the imbalances of the past.

156. A school is a no fee school, and compulsory school fees may consequently not be charged in the school, if both of the following two criteria apply:

(a) The school has, in terms of paragraph 111, been placed in a national quintile, or in a part of a quintile, that has been identified by the Minister, in terms of paragraph 157 and Section 39(7) of SASA, as being in need of a total prohibition on compulsory school fees.

(b) The school receives a per learner school allocation, as defined in paragraphs 87 and 113, that is greater than or equal to the no fee threshold for the year in question referred to in paragraph 109. This criterion is aimed at ensuring that a critical level of public funding is reached before private funding in the form of school fees is removed. The per learner school allocation amount that should be compared against the no fee threshold is the amount implicit in the communication made to schools in terms of paragraph 120.

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157. The Minister shall, terms of Section 39(7) of **SASA**, annually determine those quintiles or parts of quintiles where, subject to condition (b) in paragraph 156, schools may not implement compulsory school fees in the following school year. This information should be made public by 1 August of each year, concurrently with the school allocation information referred to in paragraph 118.

158. In order for the Minister to make the determination referred to in paragraph 159, whilst applying condition (b) of paragraph 156, MECs must supply certain background information relating to the financing of schools to the Minister in advance. Specifically, MECs must inform the Minister of the school allocation amounts budgeted for in the MTEF budgets by quintile. It should be clear from this information whether the province is able to afford the school allocation targets referred to in paragraph 109. The information should reach the Minister by 15 July.

159. The determination by the Minister referred to in paragraph 157 may involve the determination of schools with no fee grades, in other words the removal of compulsory school fees from certain grades only. This provision allows the Minister to take special measures that will support compulsory attendance of seven to fifteen year old learners in terms of Section 3 of **SASA**. The determination of no fee grades for certain schools will be subject to the condition of adequate state funding referred to in paragraph 156.

160. In accordance with Section 39(9) of **SASA**, MECs must identify which schools qualify as no fee schools, and must determine the details, if any, regarding no fee grades. The details of schools which are identified as no fee schools by the MEC must be submitted to the Minister of Education by 1 September. Details must include, as a

minimum, school EMIS numbers, names of schools, and physical addresses of schools.

161. In accordance with Section 39(10) of **SASA**, the Minister must assess the validity of the information on no fee schools submitted by MECs, and must publish a valid list of schools, organised by province, in the Government Gazette. This must occur by 30 September. The list of no fee schools published by the Minister is the definitive list of no fee schools in the country for the following school year.

162. In addition to the publication of the list described in paragraph 161, the Minister and MECs must ensure that additional communication strategies are implemented in order to make the identity of no fee schools, and the implications of this to parents, as clear as possible. MECs should ensure that the identity of no fee schools is specified in the provincial Government Gazette referred to in paragraph 120.

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163. If, in spite of the planning steps outlined in paragraphs 157 and 158, a no fee school does not receive a school allocation that is at least as high as the no fee threshold then, in terms of Section 37(11) of SASA, the school may charge school fees up to an amount equal to the difference between the no fee threshold and the school allocation actually received. The planning process should be sufficiently rigorous to prevent any such contingencies. However, should the funding of no fee schools for some reason not reach the no fee threshold level, it would be important for parents to have a way of dealing with this contingency. Importantly, the school allocation that should be considered the received school allocation, is the sum of any monetary transfer of this allocation, and the monetary value of goods procured by the PED on behalf of the school, in line with paragraphs 134 to 138.

Automatic exemptions for individual learners

164. This sub-section deals with instances where the status of the individual learner makes school fees with respect to that learner undesirable, and hence an automatic exemption for that learner a necessity. The provisions in this sub-section apply to all schools charging school fees in terms of **SASA** Section 40. Should a learner be subject to a no fee situation in terms of paragraphs 155 to 160, then this sub-section becomes redundant.

165. An automatic exemption applies to any learner who is an orphan or who has been abandoned by his or her parents.

166. An automatic exemption applies to any learner for whom a poverty-linked state social grant is paid. A poverty-linked state social grant is any state social grant distributed explicitly to alleviate poverty, and would include all social grants issued on the basis of a means test.

167. Details regarding, for instance, the procedures for establishing automatic exemptions, and for nullifying them when the conditions in

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paragraphs 164 to 166 no longer apply, are explained in the exemptions regulations.

Calculations to determine total and partial exemptions

168. Parents may be fully or partially exempted from the payment of school fees, even if they do not qualify for exemptions in terms of the foregoing two sub-sections. It is principally the income of individual parents and households, relative to school fees and other education expenses that is used to determine eligibility to such total or partial exemptions.

169. The formulas for total or partial exemptions, explained in the exemptions regulations, are informed, amongst other things, by two important equity principles:

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(a) Within any school, the income threshold in rands below which parents qualify for total exemption, should be the same for all parents, regardless of the number of learners for which parents have been charged school fees. It must not be possible for there to be two parents within the same school, with the same income, where one parent is fully exempt from school fees whilst the other is not.

(b) Within any school, the income threshold in rands below which parents qualify for partial exemption, should depend partly on the number of learners for which parents have been charged school fees. The greater financial burden of having more than one learner for whom school fees are charged, should be recognised, especially insofar as the less advantaged are concerned.

Other types of fee exemptions

170. An SGB may grant fee exemptions in addition to the types referred to above, on condition that such exemptions are based on transparent and equitable criteria which take into account the need to alleviate the effects of poverty in the households of the school community.

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7. SUBSIDIES TO INDEPENDENT SCHOOLS

Introduction

171. Every person has the right, in terms of the Constitution, to establish and maintain, at their own expense, an independent educational institution that does not discriminate on grounds of race and complies with Section 9(4) of the Constitution, is registered with the state, and maintains standards that are not inferior to standards in comparable public educational institutions. The provision does not preclude state subsidies for such institutions (Section 29(3) and (4)).

172. The SASA provides for the right of persons to establish and maintain an independent school, and for the registration of an independent school by the Head of Department, under conditions consistent with the Constitution. The Act enables the provincial MEC to grant a subsidy to a registered independent school, in terms of norms and minimum standards determined by the Minister of Education (Sections 45-46, 48).

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173. The norms that follow are the first uniform national norms for independent school subsidies. They are intended to provide a stable and principled basis for MECs in all provinces, to decide the eligibility for subsidy and the level of subsidies for registered independent schools.

174. The national norms apply uniformly in all provinces. However, a provincial MEC may vary them, so long as their intent and spirit is maintained. The Head of Department must consult the national DoE on this matter.

175. The following norms embody conditions of eligibility for subsidy, and funding criteria for allocating subsidies.

Conditions of eligibility

176. An independent school may be considered for subsidy if it

(a) is registered by the PED;

(b) has made an application to the PED in the prescribed manner;

(c) has been operational for one full school year;

(d) is a registered non-profit organisation in terms of the non-profit organisations Act, Act No. 71 of 1997.

(e) is managed successfully according to a management checklist determined by the PED, as described in paragraph 179;

(f) agrees to unannounced inspection visits by officials of the PED or person duly authorized by the PED; and

(g) has not been established in direct competition with a nearby uncrowded public school of equivalent quality.

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177. In addition to the conditions in the previous paragraph, the following conditions apply to the secondary school phase. A secondary school phase may be considered for subsidy if–

(a) its final grade 12 pass rate is 50% or more of full-time candidates writing the examination in the prior year ;

(b) not more than 20% of Grade 11 learners are repeaters who took Grade 11 in the same school during the previous year;

(c) not more than 20% of Grade 12 learners are repeaters who took Grade 12 in the same school during the previous year; and

(d) it does not engage in practices that are calculated to artificially increase the school's grade 12 pass rate.

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178. The Head of Department may vary conditions (a), (b) or (c) in the previous paragraph in response to good cause shown by a school to the Head of Department.

179. Each school requesting funding will be subject to a management checklist (which may be the same as, or based on, the checklist referred to in paragraph 129 above), which will be approved by the HOD after consultation with representatives of independent schools. In the event that the independent school sector could not agree regarding this checklist, the HOD will determine the checklist. This checklist will determine, amongst other things, whether the school is able to manage its finances responsibly. It must include indicators of sound management, such as whether the school keeps proper admissions and attendance registers, and maintains fee payment and other financial records. To be eligible for funding a school must subscribe to the checklist, and must allow unannounced inspections by officials of the PED, to ensure that the practices in the checklist are up-to-date. Refusal to allow an unannounced visit will result in forfeiture of further funding.

Funding criteria

Subsidies related to fees

180. For the purpose of this national policy, "fees" means any form of payment for registration and tuition made by a parent in relation to a learner's enrolment or attendance at an independent school. It includes the present annualised value of any past or future once-off payment, using a market rate of interest for investments of equal certainty. It also includes any other form of payment by a parent, or equity in the school taken by a parent, as a form of fee payment-equivalent. The highest level of fees normally charged at the school, as opposed to fees discounted for once-off payment, will be taken as representative. Additional costs associated with the normal course of instruction which learners are expected to follow are to be

considered fees, even if they are not formally called fees. However, payments for extra items or services, or for school materials that are procured by the school instead of having to be purchased by the parent, are not to be considered fees, as long as the cost of such items is similar to their open-market value.

181. For purposes of these norms, "primary" phase comprises grades 1 to 7, and "secondary" phase comprises grades 8 to 12.

182. In what follows, the level of annual fees as defined in paragraph 180 charged at primary phases and secondary phases of independent schools as of the date stated in paragraph 183 below will be taken as indicators of the socio-economic status of a school's community.

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183. The initial date is January 1998. This date will be amended from time to time by the DoE by way of Government Notices in the month of January of any year. This date must be retroactive to the date of publication.

184. The subsidy category of schools based on the date in paragraph 183 will remain until a new date is published.

185. When a new date in paragraph 183 is published the PED will inform the independent schools eligible for subsidy of their relevant subsidy category for the year subsequent to the date of publication referred to in paragraph 183 during April or earlier of the year in which the notice referred to in paragraph 183 is published. To determine the subsidy category per school the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools, and the learner numbers according to the 10th Day/Snap Survey in the different school phases of the year mentioned in paragraph 183 must be used.

186. Schools established after the date in paragraph 183 and which qualify for subsidy will have their subsidy category determined through paragraph 188.

187. The Ministry's policy is to enable subsidies to be granted in relation to the socio-economic circumstances of an eligible school's clientele. The level of school fees charged by the primary or secondary phases of an independent school is taken as an objective, publicly-available criterion that correlates well with the socio-economic circumstances of the school's clientele for each of those two phases. Subsidy levels are therefore related to fee levels on a five-point progressive scale, as shown in Figure 4 below. Eligible schools charging the lowest fees will qualify for the highest level of subsidy. Schools charging fees, in excess of 2.5 times the separate provincial average estimates per learner in primary or secondary phases of ordinary public schools respectively, are considered to serve a highly affluent clientele, and 0% subsidy will be paid to them from public funds.

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Figure 4. Allocation table for independent school subsidies	
School fee level as on the date in Paragraph 183	Level of subsidy from the **PED** in school year n, where n is initially the school year 2003, is equal to:
1. Up to 0.5 times (50%) of the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools[1)] respectively in the fiscal year, following the date in paragraph 183.	60% of the separate provincial average estimate per learner in primary and secondary phases of ordinary public schools 2) respectively in the **PED's** fiscal year n/n+1.
2. Higher than 0.5 and up to 1.0 times the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools respectively in the fiscal year, following the date in paragraph 183.	40% of the separate provincial average estimate per learner in primary and secondary phases of ordinary public schools 2) respectively in the **PED's** fiscal year n/n+1.
3. Higher than 1.0 and up to 1.5 times the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools respectively in the fiscal year, following the date in paragraph 183.	25% of the separate provincial average estimate per learner in primary and secondary phases of ordinary public schools 2) respectively in the **PED's** fiscal year n/n+1.
4. Higher than 1.5 and up to 2.5 times the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools respectively in the fiscal year, following the date in paragraph 183.	15% of the separate provincial average estimate per learner in primary and secondary phases of ordinary public schools 2) respectively in the **PED's** fiscal year n/n+1.
5. Higher than 2.5 times the separate provincial average estimate per learner in the primary and secondary phases of ordinary public schools[2)] respectively in the Fiscal year, following the date in paragraph 183.	0% subsidy.

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Suffix 1) refers to the "Adjustments Estimates of Expenditure" (including planned increases in remuneration) as they apply to the sub programmes of primary and secondary phases of ordinary public schools separately as included in the programme structure of the same "Adjustments Estimates of Expenditure". The budget amounts included in the other sub-programmes under the programme: Public Ordinary Schools, must be added to the sub-programmes of primary and secondary ordinary public

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schools in the ratio of the sub-programmes of primary and secondary ordinary public schools.

Suffix 2) refers to the provincial 'Main Estimates of Expenditure Figures" (including planned adjustments to personnel costs) as they apply to the sub programmes of primary and secondary phases of ordinary public schools separately and the learner numbers according to the 10th Day /Snap Survey of year n. The budget amounts included in the other sub-programmes under the programme: Public Ordinary Schools, must be added to the sub-programmes of primary and secondary ordinary public schools in the ratio of the sub-programmes of primary and secondary ordinary public schools.

188. PEDs will need to establish a procedure to deal with borderline situations. For example, if the average public school cost in a province is R2000, and an independent school charges fees of R1050, it will just miss being in the first (highest subsidy) category, even if its clientele is not different from that of a school charging, say, R950. PEDs may use the following criteria, in addition to any other relevant information submitted by the school, to judge whether a school falls into a certain category:

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(a) schools in the first (highest subsidy level) category would typically be located in townships, deep rural areas, or informal settlements and serving the residents in these areas.

(b) schools in the second category would typically be in inner city or transitional suburban areas, catering largely for township and informal sector clientele or the urban lower middle class.

(c) schools in the third and fourth categories would be middle and upper middle class schools with good facilities with a local clientele.

(d) schools in the fifth category would be well established schools with excellent facilities and a national or regional clientele and very low learner: educator ratios.

189. Subsidies may be paid only in respect of grades 1-12. No other grades are eligible for subsidy for the time being. If the fee structure varies by grade, the enrolment-weighted average of the fees in all relevant grades will be taken as representative of each level.

190. The fee levels applying to the primary and secondary sections of a combined school may differ. The principal of such a combined school can approach the HOD with a request to lower its fees in either the primary or secondary sections so that it is the same for both the primary and secondary sections of the school in order to qualify for the same percentage subsidy in both the primary and secondary sections. The HOD may recommend a subsidy, if it is deemed in the interest of the school and the Provincial Education Department.

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Subsidies in relation to PED budgets

191. The Ministry of Education is sensitive to the connection between the total cost of independent school subsidies and the overall budgetary position of a Provincial Education Department. Recent reductions in the overall funds available for independent school subsidies because of urgent budgetary expediency, should not become de facto policy by default. At the same time, PEDs must have latitude to vary budgetary allocations between programme areas, in relation to the total funds at their disposal, and the priorities established in terms of national and provincial policies.

192. A PED may, therefore, alter the fee levels and/or corresponding percentage subsidies levels except for the 0% subsidy level applicable to school fee level 5 in Figure 4 after consultation with the DoE, if the application of these norms would-

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(a) cause a PED's expenditure on subsidies to independent schools to deviate from a three-year historical moving average by more than 10 percent in real terms in any given year; or

(b) contribute to over-expenditure on the PED's budget in the year they are applied; or

(c) result in the total independent school programme receiving year-to-year budget cuts (or increases) in any given year that are significantly larger (or smaller) than other programme areas in the PED's budget.

Other deviations

193. Aside from deviations already discussed in this document, a PED may deviate from the subsidy and fee levels in these norms only on good cause shown to the DoE (see paragraph 174 above).

Date of subsidy payments

194. Subsidies will be calculated on a per learner basis according to the verified enrolment in the school at the beginning of each term.

195. PEDs must ensure that the first term's subsidy is paid no later than 1 April in each school year. Subsequent subsidies must be paid no later than six weeks after the beginning of each school term.

Monitoring and revision

196. The Ministry of Education, in co-operation with PEDs and representatives of independent schools, will monitor the application of these norms in order to:

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(a) monitor fee levels;

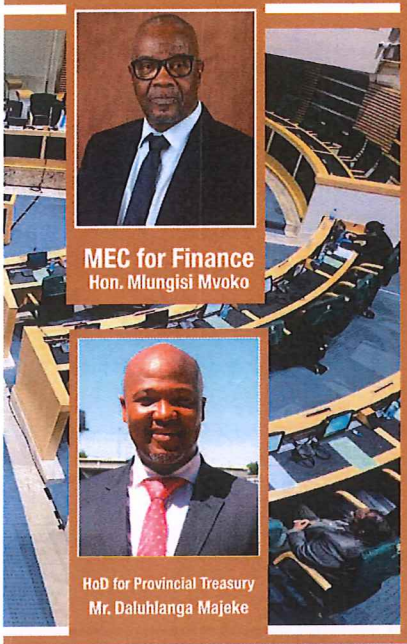
(b) monitor subsidy levels;

(c) ensure that the overall level of subsidy to independent schools is a reasonable percentage of the total education budget in a province, in relation to the relative size of the independent and public school sectors in the province, and other relevant considerations; and

(d) ensure that national education policy objectives are being well served by the norms and their application.

197. In the light of an analysis of these matters, the Ministry, after due consultation, may amend or revise the norms.

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MEC for Finance
Hon. Mlungisi Mvoko

HoD for Provincial Treasury
Mr. Daluhlanga Majeke

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EASTERN CAPE 2026 MTEF PEOPLE'S BUDGET GUIDE

"Accelerating Provincial Growth and Broadening Human Development"





PROVINCIAL BUDGET FRAMEWORK

The budget formulation process is inherently collaborative and consultative, engaging key stakeholders such as the National Treasury, Provincial Treasuries, sectoral budget forums, the Technical Committee on Finance, the Budget Council, the Ministers' Committee on the Budget, Provincial Cabinet Budget Committees, Executive Council, Provincial Departments, and Public Entities. This inclusive process leads to the determination of departmental allocations, with budgets subsequently tabled and approved by the Legislature in accordance with the Public Finance Management Act (PFMA) and its accompanying regulations, prior to the incurring of any expenditures.

The 2026/27 Provincial Budget Framework aims to drive economic recovery and job creation by targeting high-growth sectors and protecting social programs for sustainable development.

This prioritization addresses weak economic performance, currently estimated at 0.5 per cent for the province, which has been caused by low levels of private investment, recurrent droughts and animal disease outbreaks, and global trade uncertainties.

However, a domestic recovery for the province is anticipated over the medium-term, driven by faster sectoral interventions within the broader framework of national economic reforms, including:

- Operation Vulindlela, which emphasizes targeted public and private investments in port operations, rail, water, digital infrastructure, and the enhancement of the electricity transmission network to accommodate additional generation capacity.
- Strengthening service delivery and governance at the local government level, with comprehensive support available throughout all tiers of government.
- Fostering high-growth, competitive sectors such as Agri-Value Chains, the Oceans Economy, the automotive industry, and facilitating both licensing and financial support for SMEs, as well as advancing tourism, creative industries, and renewable and gas energy sectors.
- Pursuing trade diversification and deeper regional integration, as exemplified by initiatives like the African Continental Free Trade Area (AfCFTA).
- Macroeconomic stability, accompanied by deliberate efforts to achieve lower inflation targets and improve future economic

THE PROVINCIAL FISCAL FRAMEWORK FOR THE 2026/27 FINANCIAL YEAR AT A GLANCE

The Eastern Cape Provincial Government finances its budget through National Transfers by means of Provincial Equitable Share and Conditional Grants as well as Provincial Own Receipts. In 2026/27, total provincial receipts amount to R105.094 billion and consist of:

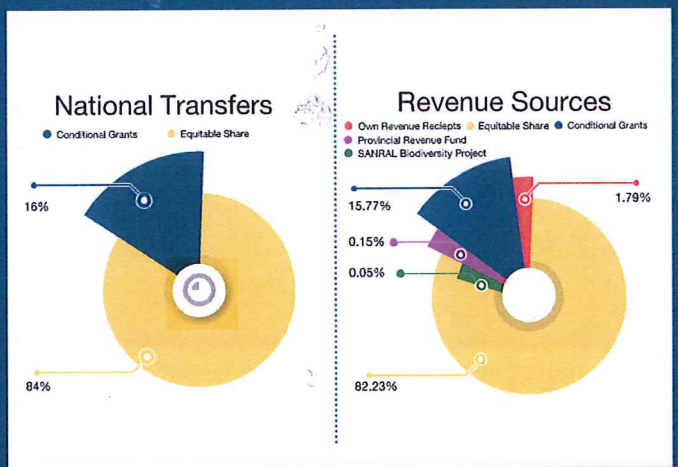
- Equitable Share of R86.598 billion, which accounts for 82 per cent of provincial receipts.
- Conditional Grants of R16.609 billion which account for 16 per cent; and
- The Provincial Own Receipts of R1.886 billion, which accounts for 2 per cent.

The above includes additional allocations of R1.219 billion in 2026/27, R1.076 billion in 2027/28 and R1.116 billion in the 2028/29 to the provincial equitable share for the Health sector to fund goods and services expenditure and the employment of doctors and the Education sector to fund compensation of employees' costs as well as to address other spending pressures, the Presidential Employment Stimulus towards the Teacher Assistants Programme and the progressive equalisation of the remuneration of Grade R teachers. Additional allocation for the incentivised early retirement and voluntary exit programmes is also included.

Own revenue

Provincial own revenue is projected to collect R1.886 billion in 2026/27 and increases to R1,970 billion in 2027/28 and to R2.059 billion in 2028/29 due to the revenue study implementation in respect of the new revenue streams. The major revenue generating departments, namely Health, Public Works and Infrastructure, Economic Development, Environmental Affairs and Tourism and Transport, reflect upward adjustments in 2026/27 compared to the 2025/26 revised estimates. These increases are largely due to annual tariff adjustments, improved compliance, revenue enhancement measures and the introduction or expansion of new revenue streams.

Regarding the revenue enhancement strategies, the province continues to strengthen its own revenue through a coordinated and strategic approach with key initiatives focus on asset optimisation, regulatory compliance, modernised revenue systems, and the introduction of innovative revenue streams to improve collections, reduce leakages and enhance long-term sustainability. The province is targeting an integrated, end-to-end digital revenue system that minimises manual processing, strengthens reconciliation, provides comprehensive billing, and trustworthy reporting.



This guide to the 2026/27 Eastern Cape Provincial Budget is published by the Eastern Cape Provincial Treasury to keep people of the Eastern Cape Province informed of how the Provincial Government is responding to the needs of the people. Any suggestions to improve this publication or comments are welcome and should be addressed to The Accounting Officer and Head of Department: Eastern Cape Provincial Treasury, Private Bag X0029, **BHISHO**, 5605, e-mail: budgetoffice@ectreasury.gov.za.

2026 MTEF BUDGET ALLOCATION - AREAS OF FUNDING

THE 2026 MTEF IS GUIDED BY THE FOLLOWING KEY PRINCIPLES:

The following key principles guide the 2026 MTEF:

- Resource Allocation: Align resources allocations with the Medium-Term Development Plan (MTDP 2024-2029), Provincial-Medium-Term Development Plan (P-MTDP 2024-2029), the 2026/27 Provincial Programme of Action (PoA), and the Provincial Development Plan 2030 (PDP), with particular focus on education, healthcare services, provincial high growth economic sectors, combating crime and corruption, job creation, and containment of the wage bill.
- Economic Growth: Drive provincial economic growth by prioritizing key socio-economic infrastructure and implementing programmes that are consistent with both national and provincial priorities.
- Expenditure Reprioritisation: Shift expenditure from consumption toward service delivery, ensuring improved efficiency and effectiveness in public spending to maximize service delivery outcomes.
- Service Delivery Protection: Safeguard critical service delivery items to guarantee that the provincial government continues to fulfill its constitutional and development mandates effectively.

The total payments for the province in 2026 amount to R104.989 billion; reflecting an increase of 3.5 per cent compared with the revised estimate of R102.563 billion in 2025/26 and R321.912 billion over the 2026 MTEF. The financing of the provincial expenditure has been supplemented by additional funding from the Provincial Revenue Fund and SANRAL Biodiversity project funds.

Provincial summary of payments and estimates by vote

R 'thousand		2026 MTEF estimates		
	2025/26	2026/27	2027/28	2028/29
Office of the Premier	1 655 762	1 457 172	1 513 871	1 554 487
Provincial Legislature	799 125	810 837	836 355	859 521
Health	32 785 064	32 983 327	33 962 497	34 873 832
Social Development	3 117 048	3 271 468	3 351 359	3 440 252
Public Works and Infrastructure	2 760 783	2 713 373	2 789 398	2 862 716
Education	45 432 029	47 233 089	48 782 071	50 089 731
Cooperative Governance and Traditional Affairs	1 150 556	1 214 036	1 241 698	1 282 270
Agriculture	2 578 623	2 713 300	2 730 490	2 805 568
Economic Development, Environmental Affairs and Tourism	1 645 203	1 939 310	2 218 109	1 928 213
Transport	6 547 627	6 628 716	5 637 635	5 795 374
Human Settlements	2 376 845	2 190 585	2 270 405	2 338 830
Provincial Treasury	478 639	534 891	536 989	551 097
Sports, Recreation, Arts and Culture	1 096 598	1 152 645	1 169 958	1 199 662
Community Safety	139 896	146 315	148 307	152 250
Total payments and estimates	**102 563 798**	**104 989 064**	**107 189 142**	**109 733 803**

Provincial summary of payment and estimates by cluster

R' thousand	2026 MTEF estimates			% share of 2026/27 total budget
	2026/27	2027/28	2028/29	
Economic Sectors, Investment, Employment & Infrastructure Development	**17 337 929**	**16 815 995**	**16 930 363**	**16,5%**
Public Works and Infrastructure	2 713 373	2 789 398	2 862 716	2,6%
Agriculture	2 713 300	2 730 490	2 805 568	2,6%
Economic Development, Environmental Affairs &Tourism	1 939 310	2 218 109	1 928 213	1,8%
Transport	6 628 716	5 637 635	5 795 374	6,3%
Human Settlements	2 190 585	2 270 405	2 338 830	2,1%
Sports, Recreation, Arts & Culture	1 152 645	1 169 958	1 199 662	1,1%
Social Sector, Community and Human Development	**83 487 884**	**86 095 927**	**88 403 815**	**79,5%**
Education	47 233 089	48 782 071	50 089 731	45,0%
Health	32 983 327	33 962 497	34 873 832	31,4%
Social Development	3 271 468	3 351 359	3 440 252	3,1%
Justice, Crime Prevention & Security Cluster	**146 315**	**148 307**	**152 250**	**0,1%**
Community Safety	146 315	148 307	152 250	0,1%
Provincial Legislature	810 837	836 355	859 521	0,8%
Governance, State Capacity &Institutional Development	**3 206 099**	**3 292 558**	**3 387 854**	**3,1%**
Office of the Premier	1 457 172	1 513 871	1 554 487	1,4%
Cooperative Governance and Traditional Affairs	1 214 036	1 241 698	1 282 270	1,2%
Provincial Treasury	534 891	536 989	551 097	0,5%
Total	**104 989 064**	**107 189 142**	**109 733 803**	**100,0%**

Provincial Budget 2026/27

R' thousand	Budget 2026/27	% Share 2026/27
Office of the Premier	1 457 172	1,4%
Provincial Legislature	810 837	0,8%
Health	32 983 327	31,4%
Social Development	3 271 468	3,1%
Public Works and Infrastructure	2 713 373	2,6%
Education	47 233 089	45,0%
Cooperative Governance and Traditional Affairs	1 214 036	1,2%
Agriculture	2 713 300	2,6%
Economic Development, Environmental Affairs and Tourism	1 939 310	1,8%
Transport	6 628 716	6,3%
Human Settlements	2 190 585	2,1%
Provincial Treasury	534 891	0,5%
Sports, Recreation, Arts and Culture	1 152 645	1,1%
Community Safety	146 315	0,1%
Total payments and estimates	**104 989 064**	**100,0%**

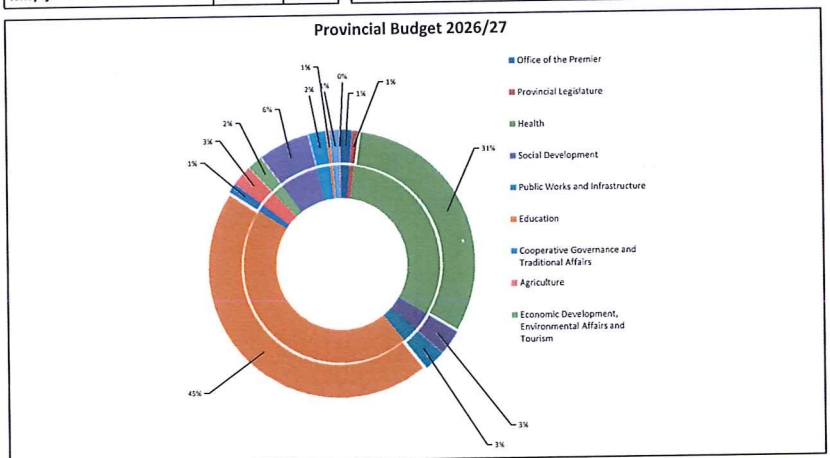
Summary of provincial payments by economic classification

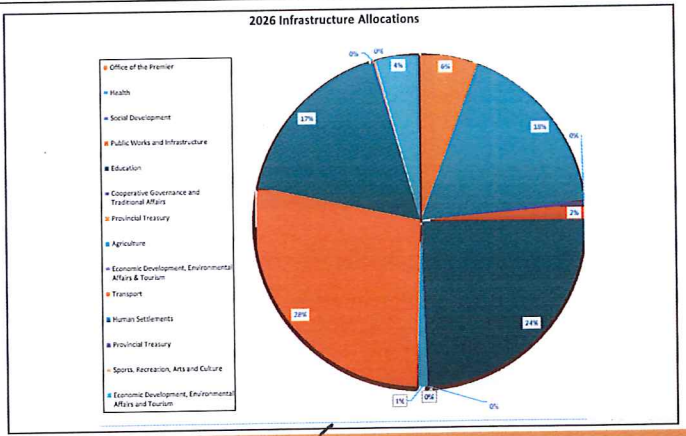
R' thousand	% Share of 2026/27	2026 MTEF estimates		
		2026/27	2027/28	2028/29
Current payments	**85,0%**	**89 197 601**	**90 778 502**	**93 029 651**
Compensation of employees	65,4%	68 679 251	70 602 842	72 064 725
Goods and services	19,5%	20 518 350	20 175 660	20 964 926
Transfers and subsidies	**10,5%**	**11 038 765**	**11 897 722**	**11 934 916**
Payments for capital assets	**4,2%**	**4 372 698**	**4 022 918**	**4 279 236**
Payments for financial assets	**0,4%**	**380 000**	**490 000**	**490 000**
Total economic classification: Eastern Cape Province	**100,0%**	**104 989 064**	**107 189 142**	**109 733 803**

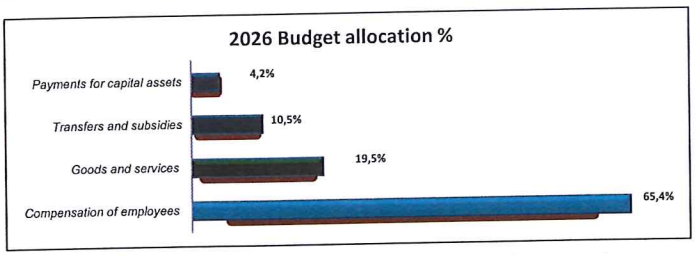
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2026 MTEF estimates
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Infrastructure Allocations in 2026/27

Infrastructure Allocations	Budget '2026/27	% share of 2026/27 Infrastructure budget
Office of the Premier	569 804	5,8%
Health	1 724 418	17,5%
Social Development	42 343	0,4%
Public Works and Infrastructure	145 739	1,5%
Education	2 389 645	24,2%
Cooperative Governance and Traditional Affairs	10 905	0,1%
Provincial Treasury	-	0,0%
Agriculture	107 186	1,1%
Economic Development, Environmental Affairs & Tourism		0,0%
Transport	2 754 510	27,9%
Human Settlements	1 690 821	17,1%
Provincial Treasury	9 000	0,1%
Sports, Recreation, Arts and Culture	22 020	0,2%
Economic Development, Environmental Affairs and Tourism	412 040	4,2%
Infrastructure Budget	**9 878 431**	**100%**







Education

The department is allocated R47.233 billion in 2026/27 and R146.104 billion over the 2026 MTEF to fund amongst others, the following:

- National School Nutrition Programme (NSNP): The NSNP is funded through a conditional grant that is appropriated in terms of Division of Revenue Act (DORA). An amount of R1.932 billion (of which transfers for school feeding accounts for R1.878 billion) is for 2026/27 financial year and is intended to have a participation of 1 564 342 learners that expected to benefit from the school feeding programme in 4 754 public ordinary and qualifying special schools. The total allocation for the 2026 MTEF amounts to R5.981 billion (of which transfers for school feeding accounts to R5.816 billion).
- Early Childhood Development (ECD): which encompasses children from birth to four (0-4) years, as well as formal schooling from Grade R to Grade 12, remains the cornerstone the nation's education system and a critical driver of long-term social and economic development. Through the implementation of the BELA Act, government is committed to building a future in which every community has access to a functional and well-resourced school and centers. The department aims to achieve this through funding subsidy for both center and non-centre based ECD facility whilst also ensuring a universal academic outcomes improvement can be seen across the foundation phase. An amount of R1.741 billion is allocated in 2026/27 financial year, of which R920.662 million (combined equitable share and conditional grant) is for transfers to qualifying Public Ordinary Schools to resource Grade R teaching and learning, and Pre-Grade R training. For the 2026 MTEF, ECD is allocated R5.823 billion of which R3.432 billion is for transfers to qualifying Public Ordinary Schools.
- Educator Post Provisioning Norm (PPN): In line with the turnaround strategy to manage personnel budgetary constraints and address personnel inefficiencies, the 2026 educator post basket remains at the current limit of 52 817 posts. These are primarily allocated to maintain existing teaching staff, with a small portion reserved for unforeseen requirements. Posts are distributed annually across education districts based on learner enrolment, while top-sliced posts cater for learner growth and substitutes. The current multi-year agreement runs for a period of 3 years, and it started in 2025 and will conclude in 2027. Therefore, R32.538 billion is allocated for the 2026/27 and R101.058 billion over the 2026 MTEF mainly to fund the PPN.
- Learner Teacher Support Material (LTSM): The department has the responsibility to provide quality teaching through the procurement and provision of adequate Learner Teacher Support Material at schools. The procurement of quintiles 1 to 5 textbooks and stationery for Q1 - 3 is centralized, whilst most quintiles 4 and 5 receive their learning material (stationery) budget through transfers (Norms and standards). For centralized procurement of material, a total amount of R768.986 million is provided in 2026/27 and R2.408 billion over the 2026 MTEF, for the annual procurement of textbooks and stationery for all learners in Grades R to 12.
- School furniture: As part of creating a conducing learning and teaching environment at schools, the acquisition of classroom resources such as furniture (desks, chairs and tables) for schools is also prioritized. Therefore, a total allocation of R151.377 million is allocated for 2026/27 and totalling to R468.970 million over the 2026 MTEF period, mainly for the procurement of new furniture and revamping of broken material at identified schools.
- Infrastructure Development: The Education Infrastructure Grant (EIG) provides funding for ongoing infrastructure projects in the provincial schools, including refurbishment, the maintenance of existing infrastructure and the building of new structures. Thus, a total allocation of R2.319 billion is provided for 2026/27 and a total of R6.429 billion over the 2026 MTEF to assist the department in addressing infrastructural requirements at schools and hostels and other related backlogs.

Other priorities funded by the department include the following areas;

- Norms and Standards – An amount of R2.756 billion in 2026/27 and R8.538 billion over the 2026 MTEF to provide school funding to all qualifying public schools in the province, in Rand Value per learner for each quintile category. This allocation enables the provision of critical goods and services that are required for the proper functioning of the schools. This policy area is supported sufficiently (100%) and in line with national prescribed sector norms and standards for school funding in public ordinary schools.
- External Examination - An amount of R676.984 million in 2026/27 and R1.893 billion over the 2026 MTEF is provided on the baseline, mainly to fund examination related activities, primarily covering operational requirements for marking, moderation processes, and other personnel-related costs.
- Teacher Development through training and bursaries – An amount of R156.217 million in 2026/27 and R473.867 million over the 2026 MTEF period, to support the training and capacitation of educators at public schools. The funding will enable the department to strengthen teacher development initiatives, including bursaries and professional training programmes, as part of the broader Education Transformation Plan aimed at improving the functionality and performance of schools.
- Learner Attainment Improvement Strategy (LAIS) - An amount of R702.563 million in 2026/27 and R2.116 billion over the 2026 MTEF is allocated to support educational learning interventions aimed at improving Grade 12 learner performance, particularly focusing on underperforming districts / schools in the province through the provision of supplementary teaching and learning support, including extra classes during school holidays, learning camps and weekends.

Transport

The department is allocated R6.628 billion in 2026/27 and R18.061 billion over the 2026 MTEF to fund amongst others, the following:

- Roads Infrastructure: An amount of R2.754 billion allocated in 2026/27 and R6.627 billion over the 2026 MTEF is allocated for bridge and roads maintenance, regravelling, upgrading, rehabilitation and resealing of provincial roads.
- Bus Passenger Services: an amount of R839.786 million allocated in 2026 /27 and a total of R2.508 billion over the 2026 MTEF for providing bus passenger services mainly for people in rural areas for the subsidization of passenger fares.
- Scholar Transport: An amount of R844.596 million allocated in 2026/27 and R2.531 billion over the 2026 MTEF for the provision of scholar transport services to deserving learners from grade R to12, who travel a distance of 5 km or more (single trip) to the nearest public school. A total of 103 000 learners are planned to benefit from the programme.
- Traffic Law Enforcement:an amount of R493.024 million in 2026/27 and R1.436 billion over the 2026 MTEF is allocated to fund the cost of 490 traffic officers providing for the 24/2 traffic officer shift system, in order to ensure adequate road safety and maximise traffic control and law enforcement on provincial roads.
- Community development an allocation of R675.612 million in 2026/27 and R1.983 billion over the 2026 MTEF is allocated to the programme which aims to create 34 000 work opportunities.

Human Settlements

The department is allocated R2.190 billion in 2026/27 and R6.799 billion over the 2026 MTEF to fund amongst others, the following:

- Rural Interventions: An amount of R982.209 million in 2026/27 and R2.935 billion over the 2026 MTEF to facilitate 4 770 housing opportunities across and service 2 774 sites;
- Incremental Intervention: An amount of R727.820 million in 2026/27 and R2.259 billion over the 2026 MTEF has been allocated to facilitate housing access to beneficiaries for Emergency Housing and Enhance People Housing Process (EPHP), 1 100 destitute and vulnerable groups, including disabled, elderly, child-headed families, and 25 military veterans.
- Financial Interventions: An amount of R224.650 million in 2026/27 and R846.117 million over the 2026 MTEF has been allocated to create an enabling environment and provide the implementation support of housing development, provide access to 170 beneficiaries for the First Home Finance (Help Me Buy a Home) programme and a target of 2 237 title deeds will be registered.
- Informal Settlements Upgrading Partnership grant: An amount of R214.012 million in 2026/27 and R653.593 million over the 2026 MTEF has been allocated to upgrade 38 informal settlements to improve living conditions in informal settlements across municipalities in the province.

Health

The department is allocated R32.983 billion in 2026/27 and R101.819 billion over the 2026 MTEF to fund amongst others the following:

- Compensation of Employees (CoE): As health is a labor-intensive department, an amount of R22.409 billion is allocated for CoE in 2026/27 and R67.900 billion over the 2026 MTEF. An amount of R2.482 billion is allocated for conditional grants in 2026/27 and R6.847 billion over R6.847 billion over the 2026 MTEF. Additional funding of R512.153 million has been allocated to CoE in 2026/27, of which R242.308 million will support the employment of health professionals, while R269.845 million is allocated for the upgrading of Community Health Workers. In total, R1.604 billion is allocated for these initiatives over the 2026 MTEF.
- Health Infrastructure: An amount of R1.724 billion is allocated for Health infrastructure within the province and a total of R5.131 billion over the 2026 MTEF period for maintenance and repairs, upgrades and additions and rehabilitation and refurbishment for health facilities, including new infrastructure assets. Of the R1.724 billion, an amount of R818.917 million relates to the Health Facilities Revitalization Grant in 2026/27 financial year and R2.356 billion over 2026 MTEF.
- District Health Programmes Grant: an amount of R3.243 billion in 2026/27 and R10.112 billion over the 2026 MTEF is allocated for Human Immuno-deficiency Virus (HIV) test kits, Anti-retroviral Virus (ARV), Tuberculosis (TB) related medication, National Health Laboratory Services (NHLS) tests, Condoms, Compensation of Employees for health professionals, Human Papilloma Vaccine (HPV) and salaries for Nurses who administers the vaccination, Salaries for Community Health Workers in the Community Outreach Services component, as well as vaccines for prevention of mother to child transmission on the HIV component.
- Human Resources and Training Grant: An amount of R623.758 million in 2026/27 and R1.927 billion over the 2026 MTEF period is allocated for training and development of health professionals (nurses, doctors, registrars and bursary holders etc.), and provision of critical staff at health facilities.
- Tertiary and Specialized Hospital Services: the allocation for these hospitals is R5.667 billion in 2026/27 and R16.970 billion over the 2026 MTEF.
- National Health Laboratory Services: An amount of R1.366 billion in 2026/27 and R4.231 billion is over the 2026 MTEF period is allocated for blood testing (HIV, Diabetes, High Blood Pressure, Cancer, etc.).
- Medicine: An amount of R1.308 billion in 2026/27 and R7.146 billion over the 2026 MTEF period is allocated for medicine and other related drugs.
- Medical Supplies: An amount of R1.211 billion in 2026/27 and R4.022 billion over the 2026 MTEF period is allocated for blood products and medical implants.
- Emergency Medical Services: An amount of R1.717 billion in 2026/27 and R5.378 billion over the 2026 MTEF period is allocated for the operationalization of the existing ambulances and paramedics in the province.

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Sport, Recreation, Arts and Culture

The department is allocated R1.152 billion in 2026/27 and R3.522 billion over the 2026 MTEF to fund amongst others, the following:

- **Cultural Affairs: An amount of R290.529 million in 2026/27 and R866.175 million over the 2026 MTEF is allocated among others for the hosting of arts and culture festivals, national significant days and commemoration partnership projects.**
- **Library and Archives Services: An amount of R308.962 million in 2026/27 and R962.804 million over the 2026 MTEF for building of library infrastructure and digitisation of archives.**
- **Sport and Recreation: An amount of R188.425 million in 2026/27 and R580.299 million over the 2026 MTEF is allocated among others for hosting of major sport tourism events and school sport competitions.**
- **Furthermore, included in the department's allocation, are additional amounts of R5.825 million as a contribution towards the renovation of the Buffalo Park Cricket Stadium that will be host in the upcoming 2027 cricket world cup in kuGompo City; R2.5 million for the hosting of SANZAAR Under 20 Rugby Championship at the Nelson Mandela Stadium in Gqeberha; and R22 million included in the transfer to the Eastern Cape Provincial Arts and Culture Council (ECPACC) for film and arts development as well as telenovela production support.**

Cooperative Governance and Traditional Affairs

The department is allocated R1.214 billion in 2026/27 and R3.738 billion over the 2026 MTEF to fund amongst others, the following:

- Municipal Support: An amount of R478.791 million in 2026/27 and R1.433 billion over the 2026 MTEF is allocated for support to municipalities to ensure the transformation of developmental local government by strengthening municipal institutions that will be responsive to the needs of the communities.
- Support on Traditional Leaders: An amount of R430.892 million in 2026/27 and R1.352 billion over the 2026 MTEF for support and capacitate institutions of Traditional Leadership to effectively perform their statutory and customary obligations, for the implementation of the summer and winter Initiation Programmes,as well as the operational costs associated with the provision of support to Traditional Leadership Institutions.
- Disaster Management: An amount of R31.517 million in 2026/27 and R76.381 million over the 2026 MTEF to render support services regarding integrated planning and development in municipalities. Included herein is an allocation of R2.881 million in 2026/27 for the maintenance and support of the operations of the Provincial Disaster Management Application System (PDMAS).
- Furthermore, included in the department's allocation are the rescheduled amounts totalling to R5.896 million in respect of the following: R1.038 million for Provincial Spatial Development Plan Framework, R1.801 million for Spatial Master Plan for current N2 and New Wild Coast Road, R1.470 million for Amazizi JSS (Fingoland); and R1.587 million for Imingcangathelo Traditional Council.

Community Safety

In 2026/27 the department is allocated an amount of R146.315 million and R446.872 million over the 2026 MTEF to fund amongst other things the following:

- Monitoring and Evaluation: An amount of R4.579 million in 2026/27 and R14.852 million over the 2026 MTEF is allocated for monitoring and evaluating the police performance and conduct. An estimate of 51 policing accountability engagements will be convened in the coming year.
- Safety Promotion: An amount of R36.970 million in 2026/27 and R107.144 million over the 2026 MTEF is allocated for the crime prevention mobilisation in the hotspot areas in the province. Provision is made ensure the implementation of 62 social crime prevention programmes.
- Community Police Relations: An amount of R20.628 million in 2026/27 and R65.985 million over the 2026 MTEF is allocated to promote good relations between police and the community.

Public Works and Infrastructure

The department is allocated R2.713 billion in 2026/27, and R8.365 billion over the 2026 MTEF to fund amongst others, the following:

- Payment to municipalities for rates and taxes as well as the municipal services of water and electricity with an amount of R829.601 million in 2026/27 and R2.678 billion over the 2026 MTEF.
- Construction of the one stop office complexes as well as maintenance and upgrade of government buildings with an amount of R145.739 million in 2026/27 and R323.484 million over the 2026 MTEF.
- Optimising the skills development via the National Youth Service (NYS) and Accelerated Professional and Trade Competencies Development (APTCoD) programmes with an amount of R41.088 million allocated in 2026/27 and R128.293 million over the 2026 MTEF.
- Providing leasing of properties for office accommodation with an amount of R315.267 million in 2026/27 and R1 billion over the 2026 MTEF.
- Providing security services to government buildings with an amount of R332.102 million in 2026/27 and R988.242 million over the 2026 MTEF.

Provincial Treasury

The department is allocated R534.891 million in 2026/27 and R1.622 billion over the 2026 MTEF to fund amongst other, the following;

- Sustainable Resources Management: an amount of R87.373 million is allocated in 2026/27 and R267.125 million over the 2026 MTEF to ensure allocative efficacy through budget preparation, infrastructure budgeting, expenditure monitoring, economic analysis and fiscal policy to all provincial departments, public entities and management of financial assets and liabilities.
- Provincial Supply Chain Management: an amount of R34.966 million is allocated in 2026/27, and R109.976 million over the 2026 MTEF to promote and enforce transparency and effectiveness of Supply Chain and Asset Management in the province.
- Provincial Financial Governance: an amount of R105.619 million is allocated in 2026/27 and R329.485 million over the 2026 MTEF to promote accountability through accounting practices, financial information systems governance as well as compliance with financial norms and standards.
- Municipal Financial Governance: an amount of R68.533 million is allocated for 2026/27, and R215.341 million over the 2026 MTEF to provide ongoing financial management and governance support to municipalities.

Agriculture

The department is allocated R2.713 billion in 2026/27 and R8.249 billion over 2026 MTEF, to fund amongst others, the following:

- Producer Support Services: An amount of R132.202 million is allocated in 2026/27 and R455.394 million over 2026 MTEF to provide support to producers through agricultural development programmes in line with the National Policy on Comprehensive Development Support targeting commercial and smallholder producers.
- Food security (crop and livestock production): an amount of R246.442 million in 2026/27 and R786.120 million over the 2026 MTEF to support production of field crops on 24 000 ha by supporting farmers with production inputs and mechanisation services. Additionally, supporting 35 000 Household producers with food production packs and clustering 20 to 100 household gardens in support of the Ilima Lokulima food gardens programmes..
- Veterinary Services: An amount of R474.902 million in 2026/27 and R1.314 billion over the 2026 MTEF to provide State Veterinary services to clients in order to safeguard the health of both animals and humans, promote sustainable and profitable animal production enterprises, trade in animals and products of animal origin, contribute to the security of supply of animal protein, rural livelihoods and the wellbeing of animals. Included in this funding, is additional allocation of R55 million for the procurement of animal vaccines to respond to the Foot and Mouth Disease (FMD) outbreak.
- Agricultural Economic Services: An amount of R145.766 million and R423.930 million over the 2026 MTEF to provide timely and relevant agricultural economic services to ensure equitable participation in the economy. An amount, of R247.152 million is transferred to the Eastern Cape Rural Development Agency (ECRDA) in 2026/27 and R760.543 million over the 2026 MTEF, for, amongst others, operational costs of the entity, implementation of projects, including commercialisation of agriculture, Cannabis and support to Magwa Tea Estate. Included in this allocation is additional funding of R7 million to assist farmers in accessing markets through compliance with South African Good Agricultural Practices (SA GAP) standards.
- Agricultural Education and Training: An amount of R196.012 million in 2026/27 and R657.464 million over the 2026 MTEF to provide and facilitate structured and vocational agricultural education and training to establish a knowledgeable, prosperous, and competitive sector. The department provides various training programmes to farmers and stakeholders, while formal agricultural education and vocational training targeting the youth is provided through Fort Cox College and the Tsolo Agricultural and Rural Development Institute (TARDI).
- In addition, an amount of R3.400 million is allocated to strengthen phytosanitary measures such as False Coddling Moth/Citrus Black Spot compliance, as well as to support aquaculture and fisheries development.

Economic Development, Environmental Affairs, and Tourism

The department is allocated R1.939 billion in 2026/27 and R6.085 billion over the 2026 MTEF to fund amongst other, the following:

- Eastern Cape Gambling Board (ECLB) For effective business regulation, an amount of R68.143 million is allocated in 2026/27 and a total of R213.796 million allocated over the 2026 MTEF mainly to regulate the gambling industry within the province. It is also critical to support digital transformation and ICT for responsible and more effective and efficient gambling as well as licencing to improve revenue generating.
- Eastern Cape Liquor Board An amount of R83.969 million has been allocated in 2026/27 with a total allocation of R261.179 million over the 2026 MTEF, to regulate the liquor industry within the province.
- Eastern Cape Development Corporation A total amount of R390.395 million is allocated in 2026/27 and R1.060 billion over the 2026 MTEF to promote inclusive sustainable socio-economic development focused on provision for innovative enterprise development financial services leveraging resources through strategic alliance, investment and partnership.
- East London Special Economic Zone (ELSEZ); A total amount of R98.231 million is allocated in 2026/27 with a total amount of R295.965 million over the 2026 MTEF to provide investor solutions to attract and develop strategic industries that strengthen South Africa's global competitiveness through the development and operation of a thriving, specialised industrial complex.
- Coega Special Economic Zone An amount of R455.436 million is allocated in 2026/27 with a total amount of R1.770 billion over the 2026 MTEF mainly for Budget Facility for Infrastructure (BFI) for the construction of a new bulk sewer connection pipeline, the upgrading of bulk infrastructure to accommodate the expected increase in demand, and construction of critical bulk water (return effluent) infrastructure to support economic growth and enable a human settlement development in Motherwell.
- Local and Regional Economic Development (LRED) Fund is allocated R8 million to support co-operatives within the province in 2026/27 and R24 million over the 2026 MTEF. It plays a critical role to support the industries in the Agro-processing value chain, Manufacturing, Tourism, Ocean economy, Digital Transformation, and ICT as well as automotive cluster.
- Eastern Cape Parks and Tourism Agency is allocated an amount of R281.597 million in 2026/27 and R741.225 million over the 2026 MTEF to is to assist with the implementation of climate change adaptive strategies, biodiversity and conservation initiative and tourism initiatives. Included in 2026/27, is R55.834 million for the continuation of the N2 Biodiversity Offset Project funded by SANRAL.
- Environmental management EPWP projects such as Waste Management, Waste Greening and Cleaning and Alien plants eradication is allocated an amount of R18.150 million in 2026/27 for job opportunities within the sector. Over the 2026 MTEF, an amount of R49.182 million has been allocated.

Office of the Premier

The department is allocated an amount of R1.457 billion in 2026/27 and R4.525 billion over the 2026 MTEF to fund amongst others, the following:

- Planning, Performance Monitoring and Evaluation: an amount of R181.104 million in 2026/27 and R555.583 million over the 2026 MTEF to coordinate and facilitate integrated development through monitoring and evaluation of government programmes. Included in this amount is R106.365 million allocated in 2026/27 and R333.259 million over 2026 MTEF to ECSECC to support socio-economic research, planning, and policy advisory functions.
- Human Resource Management: an amount of R29.531 million in 2026/27 and R90.096 million over the 2026 MTEF to provide strategic organisational development, human capital and talent management consultancy support services to the province and co-ordinate strategic skills development interventions.
- Provincial Legal Services: an amount of R28.944 million in 2026/27 and R86.931 million over the 2026 MTEF to ensure compliance to the constitutional and legislation requirements.
- Provincial ICT: an amount of R744.707 million is allocated in 2026/27 and R2.330 billion over the 2026 MTEF to provide and coordinate the provision of an integrated information and communication technology service. Included in this amount is budget for the Broadband project amounting to R411.229 million in 2026/27 and R1.290 billion over the 2026 MTEF, Microsoft licenses and Unified Support is allocated R2[illegible] million over the 2026 MTEF and SITA Mandatory services is allocated R37.263 million in 2026/27 and R118.701 million over the 2026 MTEF.
- Integrated Youth Development - an amount of R41.457 million in 2026/27 and R131.115 million over the 2026 MTEF to manage and coordinate the provision youth strategy, strategic skills and entrepreneurship and empowerment programmes. Included in this amount is R22.733 million allocated in 2026/27 and R71.314 million over the 2026 MTEF for bursaries (awards) for top achievers.
- Rapid Response and Priority Programmes: an amount of R164.507 million is allocated in 2026/27 and R513.886 million allocated over the 2026 MTEF for the department to facilitate the implementation of Premier Priority Projects. Of this amount the Transfers to municipalities amounts to R155.404 million in 2026/27 and R487.506 million over the 2026 MTEF for the continuation of the Small-Town revitalization programme in the prioritized towns.

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Provincial Legislature

The institution is allocated R810.837 million in 2026/27 and R2.506 billion over the 2026 MTEF to fund amongst other things the following:

- Political parties, including constituency and caucus funding: an amount of R137.563 million in 2026/27 and R434.792 million over the 2026 MTEF is set for the funding of political parties to enhance democracy. This is to provide and regulate the public and private funding of political parties represented in the Legislature, particularly, the establishment and management of those funds to ensure fair and efficient distribution.
- Committee services: an amount of R72.160 million in 2026/27 financial year and R225.241 million over the 2026 MTEF to facilitate law making and enhance oversight function over the departments and public entities.
- Public participation and awareness: an amount of R41.163 million in 2026/27 financial year and R152.248 million over the 2026 MTEF has been allocated to serve the people of the Eastern Cape through interactive public participation programmes that market the Legislature and increase public awareness of legislative processes; and
- Direct Charge: an amount of R96.531 million in 2026/27 financial year and R294.525 million over the 2026 MTEF have been allocated for the Members' remuneration.

Social Development

The department is allocated R3.271 billion in 2026/27 and R10.063 billion over the 2026 MTEF to fund amongst others, the following:

- Services to Older Persons: An amount of R101.467 million in 2026/27 has been allocated R313.531 million over the 2026 MTEF and to fund amongst other things 15 160 older persons who will access community-based care and support services and 1 480 persons accessing residential facilities.
- Services to Persons with Disabilities: An amount of R32.550 million in 2026/27 has been allocated and a total of R100.579 million over the 2026 MTEF to fund amongst other things 27 705 persons with disabilities who will be accessing Community Based Rehabilitation Services and 866 persons with disabilities accessing Residential Facilities.
- Social Relief: An amount of R53.412 million in 2026/27 has been allocated and a total of R164.063 million over the 2026 MTEF to fund amongst other things 143 320 indigent learners from quintile 1 – 3 schools benefitting from the Sanitary Dignity Programme to address Menstrual Health and Hygiene.
- Child Care and Protection: An amount of R36.160 million is allocated in 2026/27 and R111.735 million over the 2026 MTEF to fund amongst other things 1 180 children to be placed in foster care.
- HIV/AIDS: An amount of R39.178 million has been allocated in 2026/27 and R113.583 million over the 2026 MTEF to provide 52 887 Psychosocial Support Services to beneficiaries of HIV/AIDS.
- Victim Empowerment: An amount of R36.109 million has been allocated in 2026/27 and a total of R111.576 million over the 2026 MTEF amongst other things to strengthen and intensify Gender Based Violence programmes and Psycho – Social support services to victims of crime and violence.
- Substance Abuse Prevention and Rehabilitation: An amount R12.366 million has been allocated in 2026/27 and a total of R38.211 million over 2026 MTEF amongst other things to reach 125 700 people through prevention programmes and provide substance use disorder treatment services to 1 488 users.
- Youth Development: An amount of R3.000 million has been allocated in 2026/27 and a total of R9.458 million over the 2026 MTEF to fund amongst other things 2 623 youth to participate in skills development programmes.
- Women Empowerment: An amount of R3.090 million in 2026/27 is allocated and a total of R9.360 million over the 2026 MTEF to fund amongst other things 2 189 women participating in Skills Development for socio-economic empowerment; and
- Poverty Alleviation and Sustainable Livelihoods: An amount of R14.439 million has been allocated in 2026/27 and a total of R44.616 million over the 2026 MTEF to fund amongst other things 6 648 people accessing food security and nutrition initiatives.

Conclusion

With the current fiscal constraints, the province will continue to prioritise service delivery imperatives, such as in Health and Education non-negotiables whilst working towards eliminating fiscal leakages and bottlenecks.

"Accelerating provincial growth and broadening human development ".

Province of the
EASTERN CAPE
EDUCATION

OFFICE OF THE SUPERINTENDENT GENERAL
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MEMORANDUM

TO : **DEPUTY DIRECTORS GENERAL**
CHIEF FINANCIAL OFFICER
CLUSTER CHIEF DIRECTORS
DISTRICT DIRECTORS
PRINCIPALS OF SCHOOLS
EDUCATOR UNIONS
SGB ASSOCIATIONS

FROM : **SUPERINTENDENT GENERAL**

DATE : **20 NOVEMBER 2020**

SUBJECT : REVIEW OF NORMS AND STANDARDS FOR SCHOOL FUNDING

1. The current fiscal situation in the Country has resulted in unprecedented consequences for all government operations including the delivery of education services.

2. This is in part a direct result of the COVID-19 pandemic which has led to a sharp economic contraction and significant new financing needs in South Africa. In this regard, the Department has been severely hit by the COVID-19 crisis which resulted in budget cuts to the value of R1.3 billion in order to fund COVID-19 procurement activities. Beyond this cut, the Department had to use its budget to provide support to schools in the form of the provision of PPEs, the provision of School Support Teams (SSTs) and Education assistants where educators indicated they were unable to return to work due to comorbidities. The support provided to schools as listed above was not budgeted for.

3. Additional to the COVID-19 demands, the funding for Norms and Standards was already impacted by the following:

SNS

a. Honouring arrear transfers in respect of Municipal Services for section 21 schools outside municipalities for previous financial years
b. Accruals paid for LTSM
c. Tablets for Matriculants
d. Clearing outstanding Municipal bills for schools within Municipalities
e. Improvement of Communication in schools through laptops and data

4. This meant that urgent reprioritization of the Department's budget, including funds that were allocated for Norms and Standards for School Funding Second Tranche was inevitable.

5. This communication therefore seeks to advise that in the circumstances, the Department can only afford to pay 45% of the second tranche, translating to 78% of transfers for the year. An allocation letter detailing the amount per school will follow this communique.

6. This decision was taken to ensure that the Department protects the important need of ensuring that Learner Teacher Support Material in preparation for 2021 academic year is provided whilst also running smooth examinations at the end of the academic year.

Kind Regards

Mr T.S. Kojana
Superintendent General
Date: 20/11/20

Revision of Tranche - 2020

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LRC
Legal Resources Centre

Our Ref: C van Schalkwyk 9 November 2022

Mr Mahlubandile Qwase
Acting Head of Department
Eastern Cape Department of Education
Per email: naledi.mbude@ecdoe.gov.za

CC Ms Ligesh Pillay
Acting Legal Advisor: Eastern Cape Department of Education
Per email: ligesh.pillay@ecdoe.gov.za

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CC Mr Fundile Gade
The MEC Eastern Cape Department of Education
c/o Tanduxolo Dabi
Per email: nombuyekezo.nkwenkwezi@ecdoe.gov.za / mbuz@webmail.co.za

CC Ms Angelina Motshekga
The Minister of Basic Education
Pretoria
Per email: mabua.s@dbe.gov.za

Dear Mr Qwase,

LETTER OF DEMAND: REDUCTION OF PAPER BUDGETS IN THE EASTERN CAPE FOR 2022/2023 FINANCIAL YEAR

The above matter and our letter dated 31 May 2022 refers.

1. We act for the school governing body of Ntsika Secondary School in Makhanda (**"Ntsika Secondary"**) and write on behalf of the school as well as in the interests of learners and parents throughout the Eastern Cape Province.

2. Ntsika Secondary's paper budget for the 2023/2024 financial year was sent to the school on 7 November 2022. Again, the school's budget has

National Office:
N Govender (National Director)
S Dass (Director) L Mgedezi Z Mhlahlo AL Payne A Turpin D Turner W Wicomb

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been reduced significantly and in contravention of the Norms and Standards for School Funding ("**Norms and Standards**") and the national per learner targets contained therein. We are advised that all public schools in the Eastern Cape Province have seen a similar reduction of their paper budgets for the 2023/2024 financial years. As we pointed out in our letter dated 31 May 2022, the 2021/2022 and 2022/2023 financial year's paper budgets were also drastically lower than the targets in the Norms and Standards.

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3. The paper budget of a school, which is calculated by multiplying a per learner allocation by the number of learners enrolled at a school, is intended to cover critical aspects of basic education. These include learner teacher support materials (such as textbooks and stationery), education consumables, municipal services, school maintenance, and a cash payment which the schools use to pay for a number of educational and other resources, for example, cleaning products, additional office stationery, and toilet paper for the learners.

4. The school has been allocated R607,90 per learner for the 2023/2024 financial year. The Norms and Standards target for no fee schools for 2023/2024 is R1602 per learner. This means that the learners in the Eastern Cape are receiving R994,10 less than the target. This amounts to only 38% of the target amount in the Norms and Standards.

5. The school received R815 for the 2022/2023 financial year. They have now been allocated R207,10 less for 2023/2024.

6. The continuous reduction in the amount of school funding in the Eastern Cape is a retrogressive measure that seriously infringes on learners' rights to basic education, equality, and human dignity. It is unlawful and unconstitutional.

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7. The LRC raised this issue with the ECDOE in the letter of 31 May 2022 and requested clarity on the reasons for the reduction in the budget as well as the steps that the ECDOE is taking to ensure that funding is aligned with the target in the Norms and Standards.

8. In particular, we demanded that the ECDOE urgently:

   a. Provide detailed written reasons for:

      i. the reduction in the payment of the amount allocated schools in the Province for the 2020/2021 financial year

      ii. the reduction in the allocation of funds per learner to schools in the Province for the 2021/2022 and 2022/2023 financial year, and the drastic failure to meet the targets set in the Norms and Standards.

   b. Provide evidence of the consultations, if any, that ECDOE had with stakeholders, including schools, before reducing the per learner funding and the per learner allocation in the following financial years:

      i. 2020/2021;
      ii. 2021/2022;
      iii. 2022/2023;

   c. Provide the plans that the ECDOE, together with the DBE and National and Provincial Treasuries have jointly devised in compliance with paragraph 114(b) of the Norms and Standards, for attaining the targets in the earliest possible year.

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d. Provide full details and evidence of the steps that the ECDOE is taking to support schools for the 2022/2023 year that are unable to provide education to learners due to a lack of funding, including steps to:

i. Address the non-payment of municipal service accounts by schools;
ii. Address the non-payment of electricity bills by schools; or the inability to afford to purchase electricity due to a lack of funding;
iii. Address the inability of schools to do maintenance to the school buildings due to a lack of funding;
iv. Address the inability of schools to purchase critical education consumables and pay for services such as photocopying.

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9. We warned also in the 31 May 2022 letter that our client reserves their right to approach the court to challenge the budgets.

10. No response was received to this letter. In addition, and despite the pressing nature of these issues, and the fundamental rights of learners and children that are at stake, the ECDOE has not demonstrated compliance with any aspect of the demands made therein.

11. The LRC now holds instructions to approach the court on an urgent basis to review and set aside the paper budget of Ntsika Secondary School as well as the budgets for all other schools in the province on the basis that they are unlawful and unconstitutional.

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THE OBLIGATION TO EQUITABLY FUND PUBLIC SCHOOLS

12. In our letter of 31 May 2022 we set out the obligations on the State to equitable fund public schools. In light of the failure to do so, we restate the salient points here.

13. Section 29(1)(a) of the Constitution provides that everyone has the right to a basic education. This is an immediately realisable right, and one which is given effect by the provisions of the South African Schools Act 84 of 1996 (**"the Schools Act"**).

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14. In terms of section 34(1) of the Schools Act, the state must fund public schools from public revenue on an equitable basis to ensure the proper exercise of the rights of learners to education and the redress of past inequalities in education provisioning.

15. Pursuant to section 35 of the Schools Act, on 31 August 2006 the Minister promulgated the Norms and Standards. Paragraphs 16 and 17 of the Norms and Standards make it clear that they are underpinned by the constitutional and statutory requirements of funding schools towards equity and to redress past inequalities.

16. The Norms and Standards contain the table of targets, which sets out the target amount of funding per learner to be given to a school.

17. Schools are designated in quintiles, ranging from 1 to 5, with quintile 1 representing a school in the poorest communities, and quintile 5 representing a school in the wealthiest. Quintile 1 to 3 schools may not demand school fees from parents.

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18. To promote equity-based funding, the target funding per learner will differ across quintiles, with schools in the lower quintiles being allocated higher targets.

19. To determine the overall target school allocation for each individual school for the upcoming year, the provincial education department must, in terms of paragraph 113 of the Norms and Standards, multiply the relevant target, by the enrolment of the learners in the current year. So, if the Norms and Standards target for a particular year is R1000.00 for a quintile 1 school, then a quintile 1 school with 1000 learners should receive a paper budget of (R1000.00 X 1000) = R1 000 000.00.

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THE INADEQUATE AND INEQUITABLE FUNDING OF EASTERN CAPE SCHOOLS

20. Our courts have made it clear that the right to basic education entails more than just access to schools. It entails a range of elements necessary for a quality basic education and is intricately linked to the rights to equality and dignity, and to the constitutional injunction to give paramount importance to the best interests of children.

21. The Eastern Cape Province, and the learners at its schools, suffer immensely from the discriminatory and undignified legacy of colonialism and apartheid.

22. The national poverty distribution table shows that the Eastern Cape Province is regarded as having the second most schools in quintile 1.

23. The latest amended Norms and Standards, published on 10 March 2021, indicate that 27.3% of the schools in the Eastern Cape are quintile 1 schools, while 24.7% are in quintile 2, and 19.6% are in quintile 3. This

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means that 71,6% of the schools in the Eastern Cape are no fee-paying schools and are entirely reliant on state funding.

24. Accordingly, by virtue of its role in the management of the basic education system, and its constitutional duties to respect, protect, promote, and fulfil the rights to education, dignity, and equality, and respect the best interest of children, the ECDOE is obligated to ensure that schools are properly funded, and to ensure that the targets set under the norms and standards are met.

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25. The ECDOE has breached the aforementioned constitutional duties, and the statutory framework that flows from them.

The failure to fund schools on a level even approximating the Norms and Standards targets for the 2023/2024 financial years

26. Below we provide a summary setting out the national targets and the actual allocation to schools in the Eastern Cape from 2016 to 2023, highlighting the immense underfunding of the poorest schools in the province in the last two years:

Year	National Target	Money allocated to schools in the Eastern Cape
2016/2017	R1175	R1177
2017/2018	R1243	R1177
2018/2019	R1316	R1316
2019/2020	R1390	R1390

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2020/2021	R1544	R1319,40 (schools only received 78% of this allocation = R1029,13)
2021/2022	**R1466**	**R766,32**
2022/2023	**R1536**	**R815**
2023/2024	**R1602**	**R607,90**

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27. The funding allocated to schools has reduced significantly in the last four years. As indicated above, schools in the Eastern Cape are receiving only 38% of the target in terms of the Norms and Standards.

THE ECDOE'S FUNDING IS IN BREACH OF THE CONSTITUTION, THE SCHOOLS ACT AND THE NORMS AND STANDARDS

28. The requirement of funding schools on an "equitable basis", and to redress past inequalities, as well as the rights to equality and human dignity in the Constitution, require of the state to take all the necessary steps to ensure that those learners who are most in need, have access to the required resources to ensure that they realise the right to education.

29. The ECDOE's decisions to reduce the per learner funding targets under the Norms and Standards, on a drastic scale, has the exact opposite effect – it further impoverishes poor and marginalised learners. It widens the inequalities in the provisioning of education in the different provinces and reinforces the very legacy of inequality that the entire constitutional and statutory framework is designed to undo.

30. It is important to note that this reduction in funding is not happening in other provinces. The provincial education departments in the other

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provinces are all funding on the target or slightly below it, but none of the provinces are funding at a level as low as the Eastern Cape.

31. Perversely, the province that has the poorest schools and is in need of the most education resources, is now receiving the least amount of money, with no proper reasons provided and no clear mitigating attempts to address this inequality.

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32. The reduction appears also to have been decided unilaterally and without any consultation with school governing bodies, principals, learners, or parents as to the effect that the reduction in schools' funding would have on them and the realisation of their rights.

33. This perpetuates inequalities between learners in the Eastern Cape and learners in other provinces. It also perpetuates the apartheid regime's discriminatory approach to education funding. Most of the learners affected by this decision are black or coloured learners from poor backgrounds. Just like the apartheid regime's inequitable funding regime, these learners are again receiving the least amount of money for their education.

DEMAND

34. In light of the dire failure of the ECDOE to fund public schools in the province on an equitable and constitutionally permissible basis, we are instructed to demand, as we hereby do, that the ECDOE, within 10 days of the date of this letter:

    a. Increase Ntsika Secondary School's 2023/2024 paper budget so that it accords with the requirements of the 2023/2024 Norms and

Standards, and the framework and requirements of the Norms and Standards as a whole;

b. Increase the 2023/2024 paper budget of all public schools in the Eastern Cape so that they accord with the requirements of the 2023/2024 Norms and Standards, and the framework and requirements of the Norms and Standards as a whole;



As indicated, the LRC hold instructions to approach the court on an urgent basis should these demands not be met. The court will be approached with no further notice to you.

All our client's rights are reserved.

Yours faithfully

LEGAL RESOURCES CENTRE
Per: CECILE VAN SCHALKWYK

Province of the
EASTERN CAPE
EDUCATION

The Principal
District SARAH BAARTMAN
School and EMIS Nr NTSIKA SENIOR SECONDARY SCHOOL(200100597)
Circuit Management Centre Makhanda CM Circuit SB Makana 1 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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Item	Allocation	Mode of Provisioning
LTSM		
LTSM Textbooks	R135,012	Centralised for all Qs1-5.
LTSM MTBBE Textbooks	R4,412	Centralised for all Qs1-5.
LTSM Library	R2,647	All S21 Library transferred to S21 Qs1-5
LTSM Workbooks	R882	Centralised for all Qs1-5.
LTSM Stationery	R97,068	All Qs1-3 Stationery centralized / All Qs 4-5 will receive its transfer.
Specialised NSF (Ordinary Schools)		
Agricultural School	R0	Curriculum unit transfers a portion of funds for goods.
Technical School	R0	Technical Schools transfer all funds for workshop equipment.
Maritime School	R0	Curriculum unit transfers a portion for Maritime textbooks.
Full Service School	R0	Curriculum unit transfers all funds for Full Service.
Educational Consumables and Workshop Material	R45,004	Transfer Qs 1-5, S21; S20 @ Districts.
Cash Payment Q 1,2,3 Schools	R88,243	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R121,247	Transfer S21 Qs 1-5; S20 @ Districts; Option for S21 Qs1-3 to opt in to centralise payment up to Paper Budget limit.
Maintenance (15% for Quintile 4 and 5)	R8,824	Transfers Qs 1-5, All S20 @ Districts

Please note the following:

2.1 The learner enrolment for the schools' registered grades is captured as: 828

2.2 Transfer of funds for Tranche 1 is planned for May 2023. This tranche is made of Cash Payment (payable to Quintiles 1, 2 and 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. Budget for S20 schools is loaded at district level.

2.3 50% of the budget has been decentralized to districts to fund LAIS and 5% for Municipal Services is centralized at Head Office for quintiles 1-3 schools. A small portion of this budget is also used to transfer funds to SGB associations for school affiliation fees and SGB capacitation.

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EDUCATION

2.4 ALL transfers to the school will be made to the bank account ending with: ******1154

2.5 The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 10 August 2022. The department reserves the right to revise the final paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment.

3 A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked. See bullet 9.

4 LTSM textbook procurement and distribution centralised for all schools. Stationery budget will be transferred to all S21, Q 4 5 schools. Such schools will receive transfers for the portion relating to the equivalent provision on the RTL for stationery.

5 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche.

6 Operational schools, including new schools who have not received funds must contact their district office for support.

7 ncluded here are the banking details provided and used for all tranche payments to your school in 2023. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts. Transfers will not be made to schools who utilize Savings account for this purpose.

8 All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school from in 2022.

9 Schools must submit certified copies of 2022 Audited Financial Statement Head Office by latest 30 June 2023. Failure to comply with this requirement will have serious consequence management implications.

10 All applications by schools for changes in sectional and quintile status for 2023 have been finalized.

11 All schools must utilise electronic business banking for payments and should not use bank cards.

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Yours in Education,

ENS 2023-24

TJZ Mtyida
Programme Manager

TJZ TVM

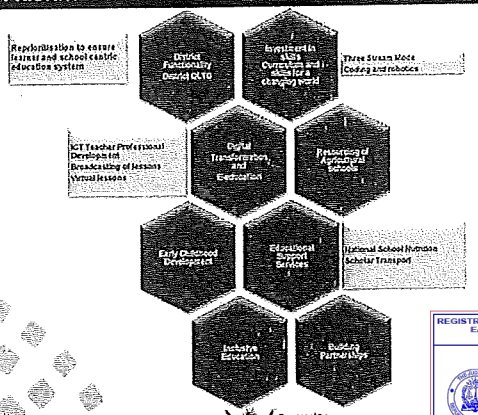
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PRESENTATION TO THE
SELECT COMMITTEE ON EDUCATION AND
TECHNOLOGY, SPORT, ARTS AND CULTURE

2023/24 BUDGET AND ANNUAL PERFORMANCE PLAN

19 APRIL 2023

MEC BUDGET SPEECH 2023 PRIORITIES



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POLICY PRIORITIES

Action Plan to 2024
Towards the realisation of Schooling 2030
(access, redress, equity, inclusivity, quality, & efficiency)

Five goals with an especially strong "action focus".

Goals 1 to 13:
Improvement of Learning Outcomes

- Improve learning outcomes in Language, Mathematics and Science as measured in Grades 3, 6, 9 and 12
- Ensure full access to compulsory schooling
- Decrease grade repetition and retention
- Improve access to FET colleges
- Improve quality of Grade R

Goals 14 to 27:
Support the Improvement of Learning Outcomes

- Increase teacher supply and improve teacher utilisation (incl. post provisioning)
- Improve teacher development and job satisfaction
- Increase curriculum coverage
- Ensure minimum set of books, materials and equipment
- Improve school management, funding and governance
- Ensure learner well being, inclusive education, community linkages
- Improve district functionality

3 Strategic Areas: Early Childhood Development | ICT | Early Learning

STRATEGIC FOCUS

Education System Transformation Plan 2019 - 2023

Capacity Building
Drive High Performance Culture
Accelerate Implementation of Service Delivery Model
Monitor & evaluate Learner Attainment Improvement Strategy implementation
Early Childhood Development

Economic Drive
Implement 3-Streams Model with a focus on
•Agriculture
•Oceans Economy
•Travel & Tourism
•Manufacturing
•Auto Sector
•Renewable Energy

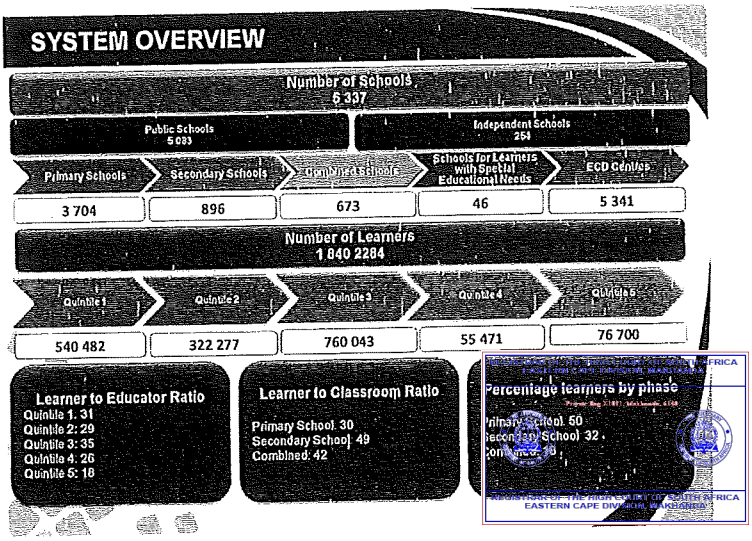
4th Industrial Revolution
Encourage Innovation
Implement Productivity Enhancements
Upscale e-Learning
Integrate e-Administration

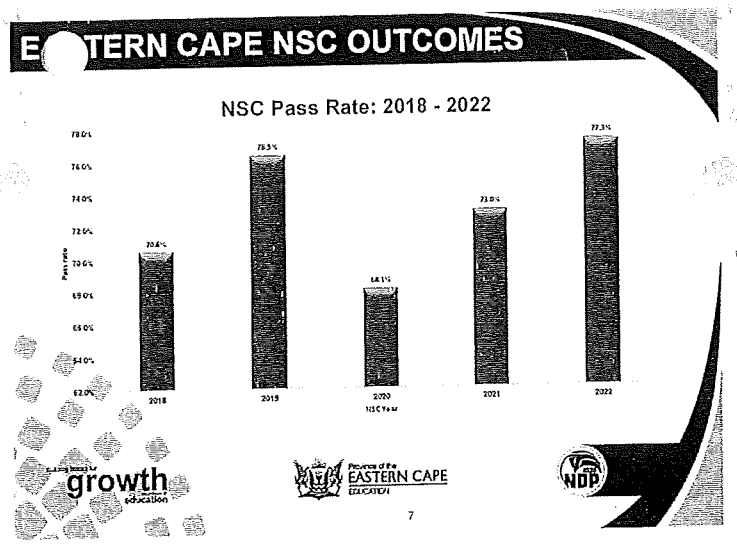
Inclusive Education & Social Cohesion
Promote a paradigm of inclusivity in all schools
Equity
Resourcing
Implement SIAS
Capacity Building

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SYSTEM OVERVIEW





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2023 MTEF BUDGET ALLOCATIONS

growth education

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AL ALLOCATIONS

	Revised estimate	Medium-term estimates			% Change from 2022/23 revised	% Change from 2023/24	% Change from 2024/25
	2022/23	2023/24	2024/25	2025/26			
	36 168 176	37 243 404	37 105 894	38 660 337	3.0	(0.4)	4.7
	3 627 830	3 634 845	3 631 797	4 118 364	7.1	(0.1)	6.1
s	39 796 006	41 128 250	40 987 691	42 978 701	3.3	(0.3)	4.9
	97 236	59 555	104 666	109 853	2.4	4.5	4.6

the equitable share allocation increased slightly by 3 per cent from 2022/23 ate, the slight increase is due to additional allocated received and effected on nt's baseline as a result of many factors such as the change in new data ovincial Equitable Share Formula (PES), additions in respect of both personnel d standards for funding. Conditional grant funding reflects a positive increase of from the revised estimates in 2022/23, largely due to poor performance on delivery during the period of reporting for December 2022.

growth of 0.3 per cent in 2024/25 is due to unallocated funding of Presidential ment Initiative by National.

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EQUITABLE SHARE BUDGET ALLOCATIONS

Final equitable allocation to the department is thus R37.243 billion; R37.105 billion and R38.660 billion in 2023/24, 2024/25 and 2025/26 respectively.

R000	2023/24	2024/25	2025/26
Equitable share allocation (per 2022 MTEF allocation letter)	34 912 482	35 344 271	36 970 107
	2 330 922	1 761 623	1 890 230
Adjustments to allocations			
Of which			
National Adjustments	1 558 438	1 761 623	1 890 230
Baseline adjustments	1 558 438	1 761 623	1 890 230
- Adjustment to baseline new data in the PES formula	100 016	173 409	169 667
- Education Compensation of employees pressures	732 023	853 714	975 317
- Allocation for the Wage Agreement	726 399	734 500	745 246
Provincial Priorities / Adjustments	772 484	-	-
Baseline Reductions / Reprioritisation	-	-	-
Function Shifts	-	-	-
Funding of Provincial Priorities	772 484	-	-
- Norms and Standards for Public Ordinary Schools and Early Childhood Development	772 484	-	-
	-	-	-
Equitable share allocation - 2023 MTEF	37 243 404	37 105 894	38 860 337

- The increase is due to impact in the equitable share formula by R100.016 million; R173.409 million in 2024/25 and R169.667 million in 2025/26, respectively earmarked for norms and standards for school funding.
- Another additional R732.023 million in 2023/24; R853.714 million in 2024/25 and R975.317 million in 2025/26 for the purpose of supporting provincial education department to address Compensation of employee's pressures, particularly the educator related shortfall.
- Furthermore, an additional amount of R726.399 million in 2023/24, R734.5 million in 2024/25 and R745.246 million in 2025/26 is for the wage agreement
- The province also added an amount of R772.484 million in 2023/24 is allocated to augment norms and standards for funding in Public Ordinary and Early Childhood Development in order to meet the required national norm per learner funding for all qualifying quintile school categories.

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TO THE BASELINES PER PROGRAMME

	2023/24	2024/25	2023/24	2024/25	2023/24	2024/25	2023/24	2024/25	2023/24	2024/25
	Indicative Baseline		Reprioritised Baseline		Revised Baseline		Changes to Baseline		Changes to Baseli	
	2 936 162	3 067 999	2 970 509	3 067 999	2 970 509	3 067 999	-	-	0.0%	0.0%
ucation	29 946 797	31 212 071	30 056 550	31 325 890	32 453 782	33 079 709	2 397 202	1 753 819	8.0%	5.6%
dies	110 345	115 299	110 345	115 299	110 345	115 299	-	-	0.0%	0.0%
cation	1 085 283	1 133 868	1 052 360	1 133 868	1 118 730	1 230 454	66 370	96 586	6.3%	8.5%
neat	1 135 165	1 186 135	1 018 958	1 072 316	1 062 238	1 119 076	43 280	46 760	4.2%	4.4%
nt	1 705 711	1 782 388	1 705 711	1 782 388	1 829 305	1 782 388	123 594	-	7.2%	0.0%
n Related Services	1 578 341	592 766	1 583 341	592 766	1 583 341	592 766	-	-	0.0%	0.0%
	38 497 804	39 099 526	38 497 804	39 099 526	41 128 250	40 987 691	2 630 445	1 897 165	6.8%	4.9%

or the department increased by R2.630 billion to R41.128 billion in 2023/24 and R1.897 billion due to once off increase in norms and standards
n Programme 1,3 and 7. Budget remain at a ceiling
2 increased by R2.397 billion due to additional funding off which SNP received on
E received R1.393 billion ringfenced allocations for CoE shortfall inclusive of Cost-Living Adjustment as well as R100.016 million for Norms and Standards funding sed on equitable share formula, and
ovincial allocation of R772.484 million ringfenced for Programme 2 and 5 Norms and ndard to fund at a National Threshold
o there are new allocations for EPWP (Social Sector @ R66.461 million and R3.162 lion).
4 change is R66.370 million due funds set aside for Cost-of-Living Adjustment
6, R123.594 million was set aside for maintenance and Repairs

CHANGES TO CONDITIONAL GRANTS BASELINES

	2022 MTEF Allocations			2023 MTEF Allocations			Changes to the Baseline		
	National Allocations/Transfers			National Allocations/Transfers					
Education (amounts in R'000)	2023/24	2024/25	2025/26	2023/24	2024/25	2025/26	2023/24	2024/25	2025/26
Maths, Science and Technology Grant	53 793	56 253	58 835	53 793	56 253	58 757	0	0	-78
Education Infrastructure Grant	1 705 711	1 782 388	1 864 374	1 829 305	1 782 388	1 692 256	123 594	0	-172
HIV and Aids (Life Skills Education) Grant	45 073	47 095	49 225	45 073	47 095	49 168	0	0	-57
National School Nutrition Programme Grant	1 551 843	1 621 645	1 696 255	1 647 454	1 710 421	1 800 411	95 611	88 776	104 156
Learners with Profound Intellectual Disabilities grant	29 070	30 232	31 623	29 070	30 232	31 173	0	0	-450
Early Childhood Development Grant	199 726	208 697	218 297	210 524	255 457	316 616	10 798	46 760	98 319
Maintenance Component	2 411	2 208	2 309	12 507	7 305	7 475	10 096	5 174	5 166
Subsidy Component	197 617	206 489	215 988	197 617	213 077	309 137	0	41 566	93 149
Social Sector EPWP Incentive Grant for Provinces	-	-	-	66 461	-	-	66 461	0	0
EPWP Integrated Grant to Provinces	-	-	-	3 162	-	-	3 162	0	0
Total	3 845 322	3 963 255	4 136 906	3 844 841	3 861 737	4 118 364	299 524	135 543	199 781

- the following grants did not have any changes during 2023/24 and 2024/25 financial years:
  - MST
  - HIV/AIDS
  - LSPID
- The budget for EIG, NSNP, ECD have been revised upwards
- New allocations have been received for both EPWP grants

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SUMMARY OF ALLOCATIONS PER PROGRAMME

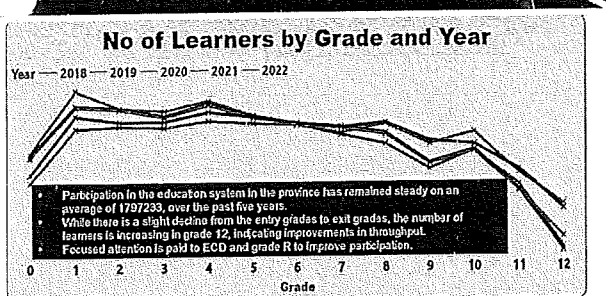
	2022/23	2023/24	2024/25	2025/26	2023/24	2024/25	2025/26
	Revised Estimate	Medium-term estimates			Medium-term estimates		
Administration	2 961 840	2 970 559	3 067 999	3 207 354			
Public Ordinary School Education	31 007 924	32 453 782	33 079 703	34 643 178			
Independent School Subsidies	157 897	110 345	115 299	120 464	-30.1%		
Public Special School Education	1 049 556	1 118 730	1 230 454	1 307 224			
Early Childhood Development	1 014 917	1 062 238	1 119 076	1 216 924			
Infrastructure Development	2 054 851	1 829 565	1 782 358	1 692 239	-11.0%	-2.6%	
Examination and Education Related Services	1 543 621	1 583 341	592 766	619 318		-62.6%	
Total	39 796 606	41 128 250	40 987 691	42 926 701		-0.3%	

- The 2023/24 budget allocation increases slightly by 3.3 per cent to R41.128 billion mainly due to additional funds provided for personnel and norms and standards in the baseline.
- The reduction in allocations under Independent Schools for 2023/24 is due to fiscal constraints, however the growth in allocation over the outer years caters for inflationary adjustments and the entire funding goes towards subsidies to registered schools.
- Reduced allocations in 2023/24 under Infrastructure Development is attributed to high baseline in 2023/24, whilst remained constant in the outer rs. The decline is caused by decline in infrastructure grant allocation.

The quality of teaching and learning

STEM OVERVIEW

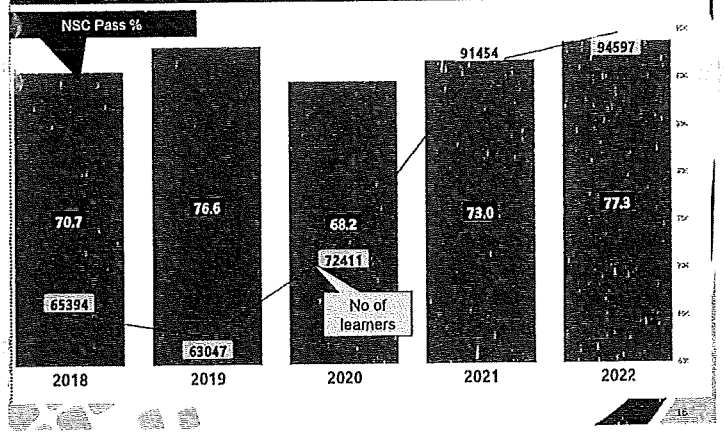
No of Learners by Grade and Year



Year	0	1	2	3	4	5	6	7	8	9	10	11	12	Total
2018	130440	172851	161012	158928	165655	155769	149424	142346	136154	119279	131693	107936	65394	1796881
2019	128702	162727	161011	155552	163706	155054	150374	146037	143504	123676	132136	104409	63047	1791935
2020	127740	161663	160003	154533	162642	154003	149283	146927	142414	122877	131191	103822	72411	1789509
2021	116193	155676	151476	151476	157944	154413	150244	147540	150358	138123	135520	118694	91454	1819111
2022	110603	147032	148544	147572	151952	150126	149047	143665	149714	136005	143829	116044	94597	1788730

EASTERN CAPE NSC OUTCOMES

Percent pass and No of Learners by Year and Grade



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PERFORMANCE OF THE CLASS OF 2022

	2021				2022				
Province	Total Wrote	Total Achieved	% Achieved	RANK	Total Wrote	Total Achieved	% Achieved	RANK	%Difference
Eastern Cape	91 500	66 770	73.0%	7	94 993	73 386	77.3%	6	4.3%
Free State	35 055	30 037	85.7%	1	36 607	32 397	88.5%	1	2.8%
Gauteng	127 523	105 526	82.8%	2	133 841	113 006	84.4%	2	1.7%
KwaZulu-Natal	166 570	127 990	76.8%	5	164 308	136 388	83.0%	3	6.2%
Limpopo	105 101	70 124	66.7%	9	110 295	79 493	72.1%	9	5.4%
Mpumalanga	66 756	49 133	73.6%	6	67 367	51 751	76.8%	7	3.2%
North-West	41 081	32 143	78.2%	4	43 823	34 960	79.8%	5	1.5%
Northern Cape	12 726	9 089	71.4%	8	13 574	10 072	74.2%	8	2.8%
Western Cape	57 709	46 875	81.2%	3	60 338	49 102	81.4%	4	0.2%
National	704 021	537 687	76.4%		725 146	580 555	80.1%		3.7%

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NSC PASSES BY TYPE OF QUALIFICATION: 2022

		Bachelor		Diploma		Higher Certificate		NSC	Endorsed
Province	Total Wrote	Achieved	% Achieved	Achieved	% Achieved	Achieved	% Achieved	Achieved	Achieved
Eastern Cape	94 993	34 974	36.8%	24 465	25.8%	13 923	14.7%	24	0
Free State	36 607	15 747	43.0%	11 471	31.3%	5 174	14.1%	1	4
Gauteng	133 841	58 119	43.4%	37 156	27.8%	17 655	13.2%	1	75
KwaZulu-Natal	164 308	69 849	42.5%	43 908	26.7%	22 660	13.7%	70	2
Limpopo	110 295	32 878	29.8%	27 020	24.5%	19 585	17.8%	10	0
Mpumalanga	67 367	22 576	33.5%	18 068	26.8%	11 095	16.5%	11	0
North-West	43 823	14 733	33.6%	12 370	28.2%	7 [illegible]	[illegible]	1	4
Northern Cape	13 574	4 177	30.8%	3 652	26.9%	2 242	16.5%	0	23
Western Cape	60 338	25 761	42.7%	15 247	25.3%	8 971	14.9%	117	108
National	725 146	278 814	38.4%	193 357	26.7%	10 157	14.0%		

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PERFORMANCE OF THE CLASS OF 2022 BY FEE PAYING STATUS

	Fee Paying				Independent				No Fee				
Province	Total Wrote	Total Achieved	% Achieved	RANK	Total Wrote	Total Achieved	% Achieved	RANK	Total Wrote	Total Achieved	% Achieved	RANK	Overall Rank
Eastern Cape	9 808	8 753	89.2%	3	3 781	3 177	84.0%	6	81 404	61 456	75.5%	5	6
Free State	7 205	6 721	93.3%	1	773	727	94.0%	1	28 629	24 949	87.1%	1	1
Gauteng	72 695	62 361	85.8%	7	9 720	9 057	93.2%	3	51 426	41 588	80.9%	3	2
KwaZulu-Natal	45 102	37 592	83.3%	9	3 270	2 998	88.5%	7	115 936	95 898	82.7%	2	3
Limpopo	5 553	4 913	88.5%	4	3 457	3 243	93.8%	2	101 285	71 337	70.4%	8	9
Mpumalanga	6 157	5 566	90.4%	2	2 100	1 926	91.7%	5	59 110	44 259	74.9%	6	7
North-West	8 659	7 539	87.1%	5	678	627	92.5%	4	34 486	26 794	77.7%	4	5
Northern Cape	5 004	4 307	86.1%	6	10	6	60.0%	9	8 560	5 757	67.3%	9	8
Western Cape	37 851	32 328	85.4%	8	1 565	1 411	90.2%	6	20 922	15 363	73.4%	7	4
National	198 034	170 080	85.9%		25 354	23 074	91.0%		501 758	387 401	77.2%		

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PROVINCIAL INCLUSIVE BASKET

Province	% Achieved	% Accounting Achieved	% Maths Achieved	% Physical Science Achieved	% Technical Mathematics	% Maths Participation	% Bachelors	% Distinctions Achieved	% Throughput
Eastern Cape	77.3%	76.9%	54.6%	70.6%	70.4%	37.4%	36.8%	3.7%	66.0%
Free State	88.5%	83.3%	64.6%	80.0%	81.6%	42.1%	43.0%	4.5%	66.4%
Gauteng	84.4%	79.8%	62.7%	76.7%	69.3%	33.1%	43.4%	4.5%	66.4%
KwaZulu-Natal	83.0%	72.2%	54.6%	77.3%	88.5%	38.5%	42.5%	4.0%	66.0%
Limpopo	72.1%	71.8%	49.9%	73.3%	74.4%	33.5%	29.8%	2.5%	71.8%
Mpumalanga	76.8%	72.4%	52.8%	80.1%	81.6%	42.1%	33.5%	2.6%	72.1%
North-West	79.8%	74.4%	59.9%	77.3%	82.4%	33.6%	33.6%	2.5%	61.4%
Northern Cape	74.2%	70.0%	51.5%	80.0%	88.0%	41.6%	30.8%	2.5%	70.1%
Western Cape	81.4%	76.6%	58.8%	83.9%	91.4%	26.9%	42.7%	4.0%	70.6%
NATIONAL	80.1%	75.4%	55.0%	74.6%	81.8%	37.2%	38.4%	4.2%	66.8%

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ACHIEVEMENT IN ACCOUNTING ACCORDING TO FEE STATUS

Province	Independent				Non Fee				All Categories			
	Total Wrote	Accounting Wrote	% Accounting	RANK Accounting	Accounting Wrote	Accounting Achieved	% Accounting Achieved	RANK Accounting	Accounting Wrote	Accounting Achieved	% Accounting Achieved	RANK Accounting
Eastern Cape	1 642	1 444	87.9%	3	406	362	89.2%	4	10 941	8 187	74.8%	2	12 989	9 993	76.9%	3
Free State	1 721	1 582	91.9%	1	127	120	94.5%	1	6 236	5 072	81.3%	1	8 084	6 774	83.8%	1
Gauteng	10 455	8 666	82.9%	6	1 789	1 592	89.0%	5	6 757	4 901	72.5%	3	19 001	15 159	79.8%	2
Kwazulu-Natal	9 430	7 076	75.0%	9	698	603	86.4%	7	19 458	13 690	70.4%	5	29 586	21 369	72.2%	7
Limpopo	851	760	89.3%	2	755	690	91.4%	3	11 692	8 100	69.3%	7	13 298	9 550	71.8%	8
Mpumalanga	1 076	934	86.8%	4	204	176	86.3%	8	7 603	5 319	70.0%	6	8 883	6 429	72.4%	6
North West	1 150	993	86.3%	5	110	98	89.1%	6	3 749	2 640	70.4%	4	5 009	3 729	74.4%	5
Northern Cape	602	479	79.6%	8					550	305	55.5%	9	1 152	784	68.1%	9
Western Cape	4 643	3 846	82.8%	7	135	127	94.1%	2	2 018	1 233	61.1%	8	6 798	5 206	76.6%	4
NATIONAL	31 570	25 760	81.7%	-	4 224	3 766	89.2%	-	69 004	49 447	71.7%	-	104 798	78 993	75.4%	-

PERFORMANCE IN MATHEMATICS ACCORDING TO FEE STATUS

Province	Independent				Non Fee				All Categories			
	Maths Wrote	Maths Achieved	% Maths Achieved	RANK % Maths	Maths Wrote	Maths Achieved	% Maths Achieved	RANK % Maths	Maths Wrote	Maths Achieved	% Maths Achieved	RANK % Maths
Eastern Cape	4 155	3 041	73.2%	5	2 120	1 185	55.9%	8	36 365	15 426	42.4%	8	42 640	19 652	46.1%	9
Free State	3 066	2 403	78.4%	1	288	209	72.6%	5	10 327	6 222	60.2%	1	13 681	8 834	64.6%	2
Gauteng	25 926	17 222	66.4%	8	4 179	3 217	77.0%	3	14 136	7 280	51.5%	3	44 241	27 719	62.7%	3
Kwazulu-Natal	18 529	11 216	60.5%	9	1 673	1 175	70.2%	6	43 057	22 117	51.4%	4	63 259	34 508	54.6%	5
Limpopo	3 541	2 423	68.4%	7	2 127	1 689	79.4%	1	42 303	19 806	46.8%	7	47 971	23 918	49.9%	8
Mpumalanga	2 853	2 179	76.4%	2	873	613	70.2%	7	24 614	12 185	49.5%	6	29	14 439	49.8%	7
North West	3 016	2 213	73.4%	4	237	187	78.9%	2	7 686	4 271	55.6%	2	10	6 484	50.9%	4
Northern Cape	1 142	793	69.4%	6	4	2	50.0%	9	1 701	670	39.4%	9	2 847	1 465	51.5%	7
Western Cape	10 946	8 233	75.2%	3	610	451	73.9%	4	4 060	1 918	47.2%	5	15 610	10 602	67.9%	1
NATIONAL	73 174	49 723	68.0%		12 111	8 728	72.1%		184 449	89 895	48.7%		269 734	148 346	55.0%	

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MATHS PARTICIPATION ACCORDING TO FEE STATUS

Province	Independent				Non Fee				All Categories			
	Total Wrote	Maths Wrote	% Maths Participation	RANK Maths Participation	Total Wrote	Maths Wrote	% Maths Participation	RANK Maths Participation	Total Wrote	Maths Wrote	% Maths Participation	RANK Maths Participation
Eastern Cape	9 808	4 155	42.4%	4	3 781	2 120	56.1%	2	81 404	36 365	44.7%	1	94 993	42 640	44.9%	1
Free State	7 205	3 066	42.6%	3	773	288	37.3%	8	28 629	10 327	36.1%	5	36 607	13 681	37.4%	5
Gauteng	72 695	25 926	35.7%	6	9 720	4 179	43.0%	4	51 426	14 136	27.5%	6	133 841	44 241	33.1%	6
Kwazulu-Natal	45 102	18 529	41.1%	5	3 270	1 673	51.2%	3	115 936	43 057	37.1%	4	164 308	63 259	38.5%	4
Limpopo	5 553	3 541	63.8%	1	3 457	2 127	61.5%	1	101 285	42 303	41.8%	2	110 295	47 971	43.5%	2
Mpumalanga	6 167	2 853	46.3%	2	2 100	873	41.6%	5	59 110	24 614	41.6%	3	67 367	28 340	42.1%	3
North West	8 659	3 016	34.8%	7	678	237	35.0%	9	34 468	7 886	22.9%	7	43 823	11 139	25.4%	8
Northern Cape	5 004	1 142	22.8%	9	10	4	40.0%	6	8 550	1 701	19.9%	8	13 574	2 847	21.0%	9
Western Cape	37 851	10 946	28.9%	8	1 565	610	39.0%	7	20 922	4 060	19.4%	9	60 338	15 616	25.9%	7
NATIONAL	198 034	73 174	37.0%		25 354	12 111	47.8%		501 758	184 449	36.8%		725 146	269 734	37.2%	

PERFORMANCE IN PHYSICAL SCIENCES ACCORDING TO FEE STATUS

Province Name	Independent				No Fee Paying				All Categories			
	Total Wrote	Total Achieved	% Achieved 30-100%	RANK	Total Wrote	Total Achieved	% Achieved 30-100%	RANK	Total Wrote	Total Achieved	% Achieved 30-100%	RANK
EASTERN CAPE	13 888	10 017	72.1%	9	1 542	1 219	79.0%	6	15 935	10 871	68.2%	6	31 365	22 107	70.5%	7
FREE STATE	5 405	4 446	82.3%	2	217	182	83.9%	5	5 213	4 101	78.7%	1	10 835	8 729	80.6%	2
GAUTENG	23 385	18 154	77.6%	4	2 920	2 558	87.6%	2	6 958	4 813	69.2%	5	33 263	25 525	76.7%	5
KWAZULU-NATAL	25 005	19 237	76.9%	5	1 236	1 043	84.4%	5	21 570	16 684	77.3%	2	47 811	36 964	77.3%	4
LIMPOPO	11 852	8 891	75.0%	7	1 721	1 612	93.7%	1	25 163	17 903	71.1%	4	38 736	28 406	73.3%	6
MPUMALANGA	3 973	3 006	75.7%	6	695	569	81.9%	7	21 095	13 960	66.2%	7	25 763	17 535	68.1%	9
NORTH WEST	5 727	4 484	78.3%	3	189	165	87.3%	3	3 304	2 480	75.1%	3	9 220	7 129	77.3%	3
NORTHERN CAPE	1 415	1 025	72.4%	8					778	499	64.1%	8	2 193	1 524	69.5%	8
WESTERN CAPE	8 083	6 766	83.7%	1	367	319	86.9%	4	1 368	873	63.8%	9	9 818	7 958	81.0%	1
NATIONAL	98 733	76 026	77.0%	-	8 887	7 667	86.3%	-	101 384	72 184	71.2%	-	209 004	155 877	74.6%	-

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PERFORMANCE IN BACHELORS ACHIEVEMENT ACCORDING TO FEE STATUS

Province	Fee Paying				Independent				No Fee				All Categories			
	Total Wrote	Achieved Bachelor	% Achieved Bachelor	RANK Bachelors	Total Wrote	Achieved Bachelor	% Achieved Bachelor	RANK Bachelors	Total Wrote	Achieved Bachelor	% Achieved Bachelor	RANK Bachelors	Total Wrote	Achieved Bachelor	% Achieved Bachelor	RANK Bachelors
Eastern Cape	9 808	5 418	55.2%	3	3 781	1 765	46.7%	8	81 404	27 791	34.1%	4	94 993	34 974	36.8%	5
Free State	7 205	4 077	56.6%	1	773	439	56.8%	5	28 629	11 231	39.2%	2	36 607	15 747	43.0%	2
Gauteng	72 695	32 806	45.1%	7	9 720	6 202	63.8%	1	51 426	19 111	37.2%	3	133 841	58 119	43.4%	1
KwaZulu-Natal	45 102	20 184	44.8%	8	3 270	2 012	61.5%	2	115 936	47 653	41.1%	1	164 308	69 849	42.5%	4
Limpopo	5 553	3 094	55.7%	2	3 457	2 086	60.3%	4	101 285	27 698	27.3%	8	110 295	32 878	29.8%	9
Mpumalanga	6 157	3 331	54.1%	4	2 100	1 172	55.8%	6	59 110	18 073	30.6%	5	67 367	22 578	33.5%	7
North West	8 659	4 073	47.0%	6	678	376	55.5%	7	34 486	10 284	29.8%	6	43 823	14 733	33.6%	6
Northern Cape	5 004	2 198	43.9%	9	10	2	20.0%	9	8 560	1 977	23.1%	9	13 574	4 177	30.8%	8
Western Cape	37 851	18 718	49.5%	5	1 565	958	61.2%	3	20 922	6 085	29.1%	7	60 338	25 761	42.7%	3
National	198 034	93 899	47.4%	-	25 354	15 012	59.2%	-	501 758	169 903	33.9%	-	725 146	278 814	38.4%	-

PERFORMANCE RELATING TO DISTINCTIONS AND ACCORDING TO FEE STATUS

Province	Fee Paying				Independent				Non Fee				All Categories			
	Total Wrote	Distinctions Achieved	% Distinctions Achieved	RANK Distinctions	Distinctions Potential	Distinctions Achieved	% Distinctions Achieved	RANK Distinctions	Distinctions Potential	Distinctions Achieved	% Distinctions Achieved	RANK Distinctions	Distinctions Potential	Distinctions Achieved	% Distinctions Achieved	RANK Distinctions along
Eastern Cape	69 316	5 449	7.9%	5	27 225	1 512	5.6%	6	585 595	18 133	3.1%	2	682 136	25 094	3.7%	4
Free State	51 326	4 061	7.9%	4	5 635	295	5.2%	7	206 434	4 300	2.1%	5	263 395	8 656	3.3%	5
Gauteng	520 707	27 643	5.3%	8	73 097	6 926	9.5%	4	375 163	8 733	2.3%	3	968 967	43 298	4.5%	3
KwaZulu-Natal	329 268	26 619	8.1%	3	25 601	3 479	13.6%	1	664 488	12 526	1.9%	1	1 219 557	72 624	6.0%	2
Limpopo	39 045	3 712	9.5%	1	24 351	2 417	9.9%	3	712 374	131						
Mpumalanga	43 442	2 978	6.9%	6	18 746	653	3.5%	8	448 356	9 5	2.1%	6	510 544	DISTINCTION		
North West	61 121	3 639	6.0%	7	4 844	290	6.0%	5	244 249	3 9	1.6%	8	310 214	7 503	2.4%	7
Northern Cape	35 324	1 317	3.7%	9	70	1	1.4%	9	60 676	5		9	96 070	1 819		9
Western Cape	268 385	22 627	8.4%	2	11 350	1 257	11.0%	2	149 373	25	1.7%	4	429 148	26 428	6.2%	
NATIONAL	1 417 935	99 042	6.9%	-	191 159	16 749	8.8%	-	3 846 708	103	2.7%	10	5 255 802	218 730	4.2%	

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

PERFORMANCE IN TERMS OF THROUGHPUT RATE ACCORDING TO FEE STATUS

Province	Fee Paying				Independent				Non Fee				All Categories			
	Total Wrote	2015 Grade 10 ASS	% Throughput	RANK Throughput	Total Wrote	2015 Grade 10 ASS	% Throughput	RANK Throughput	Total Wrote	2015 Grade 10 ASS	% Throughput	RANK Throughput	Total Wrote	2015 Grade 10 ASS	% Throughput	RANK Throughput
Eastern Cape	9 808	12 121	80.9%	2	3 781	3 539	100.0%	1	81 404	128 231	63.5%	5	94 993	143 891	66.0%	6
Free State	7 205	9 114	79.1%	4	773	1 162	66.5%	8	28 629	52 347	54.7%	9	36 607	62 623	58.5%	9
Gauteng	72 695	104 934	69.3%	8	9 720	11 194	86.8%	6	51 426	85 400	60.2%	6	133 841	201 528	66.4%	5
KwaZulu-Natal	45 102	61 501	73.3%	7	3 270	3 192	100.0%	2	115 936	184 317	62.9%	4	164 308	249 010	66.0%	4
Limpopo	5 553	6 379	87.0%	1	3 457	3 160	100.0%	3	101 285	145 394	69.7%	2	110 295	154 933	71.2%	3
Mpumalanga	6 157	7 887	78.1%	3	2 100	1 297	100.0%	4	59 110	83 892	70.5%	1	67 367	93 076	72.4%	1
North West	8 659	11 175	77.5%	5	678	874	77.6%	7	34 486	59 378	58.1%	7	43 823	71 427	61.4%	7
Northern Cape	5 004	7 852	63.7%	9	10	19	52.6%	9	8 560	14 965	57.2%	8	13 574	22 836	59.4%	8
Western Cape	37 851	51 274	73.8%	6	1 565	1 684	92.9%	5	20 922	32 648	64.1%	3	60 338	85 606	70.6%	2
National	198 034	272 237	72.7%		25 354	26 121	97.1%		501 758	786 572	63.8%		725 146	1 084 930	66.8%	

2023 PLANNED INTERVENTIONS

TVM

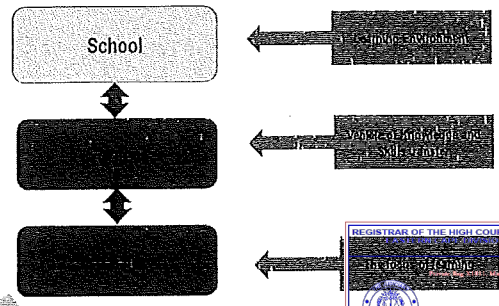
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PROBLEM STATEMENT

Level	Key challenges
District Level	i. Inadequate school monitoring and support ii. Content knowledge capacity necessary to support schools to be improved.
School Management Level	i. Limited coherent visioning and strategy. ii. Poor time management- school days and time spent learning iii. Resource utilisation- educators and LTSM. iv. Inadequate monitoring of curriculum delivery. v. Deteriorating educator and learner welfare.
Classroom Level	i. Incomplete curriculum coverage. ii. Low pitching of teaching. iii. Confusion about teaching methodologies e.g. how to teach reading. iv. Poor teacher content knowledge.
Learner Level	i. Learner reading, maths and science competences are low ii. There is low frequency and quality of reading and writing exercises. iii. Exercises are infrequent and low quality. iv. Learning resources under-supplied or –utilised. v. Indiscipline and career path (in secondary schools)

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IMPROVING LEARNING OUTCOMES



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SYSTEM WIDE FOCUS

ECD	GET	FET
• Integration of ECD services from age 0-9	• Reading proficiency • Math performance • Coding and Robotics	• 3 stream curriculum • Focus Schools • NSC results

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2023 NSC IMPROVEMENT STRATEGY OUTLOOK

Target Beneficiaries	Pillars of the Plan	Approach and Plan
• Q1-3 schools • Schools under 75% pass • Sec 58B Schools • Progressed Learners • Learners at Risk • Special Schools	1.QUALITY OF TEACHING AND LEARNING 2.PROVISION OF CRITICAL RESOURCES (LTSM, HR, INFRASTRUCTURE) 3.EDUCATOR DEVELOPMENT AND LEARNER SUPPORT 4.BASIC FUNCTIONALITY 5.LEADERSHIP, MANAGEMENT, GOVERNANCE AND RELATIONSHIPS 6.STAKEHOLDER PARTICIPATION AND MANAGEMENT	• THE FIRST PUSH (JANUARY – MARCH) THEME: IDENTIFY AND REMEDY • THE SECOND PUSH (APRIL – JUNE)THEME: COVER ALL THE BASES • THE LAST PUSH (JULY - NOVEMBER) THEME: CONSOLIDATE AND PRACTICE

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2023 LEARNER DISTRIBUTION PER SUBJECT

DISTRICT	TOTAL	Mathematics	Mathematics Lit	Physical science	Geography	L.Science	Agric	Accountig	Business	Economics	History	Tourism	CAT	Consumer	Tech Maths and Science	EGD
ANE	7185	3682	2553	2665	3038	3545	2155	1084	1715	1668	1830	1784	110	335	351	415
ANW	9410	5224	3660	3666	3908	5600	3843	1497	1716	2131	3137	1472	182	385	536	426
AE	7826	4353	3171	3249	2356	5035	3221	1187	1537	1705	2257	452	356	570	403	0
AW	4035	859	3112	660	1181	2107	2212	318	855	551	1721	1767	95	151	65	77
BCM	11707	3503	7830	1845	3521	4134	1945	1473	2833	2051	4078	3236	224	437	77	255
CHW	5717	1737	3978	1184	2601	3055	1911	631	1750	856	2256	1543	247	356	105	169
JG	4781	1640	2834	1335	2235	2665	1378	372	1077	662	1234	1549	185	167	317	305
ORTC	14416	8156	5694	5806	7605	9743	4125	2208	3044	2934	4618	2072	47	215	326	78
CHE	4993	2851	2067	2141	2256	3648	2298	658	831	809	1168	368	115	101	125	123
ISLAND TOTAL	78161	32576	35225	22607	29068	39844	23084	9424	15402	13472	22319	14118	1542	2672	2346	1847

Alfred Nzo West Data does not include non-contracted schools

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Differentiated School Support

LEVEL OF SUPPORT	PERCENTAGE PASS OF SCHOOL	TYPE OF SUPPORT
[redacted]		
LEVEL 2	75-90%	• Moderate Support with Extra Tuition needed to identify and address problem areas in subjects. • Daily self-study and practice of questions after every topic. Monitor x1 time per term
[redacted]		

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Differentiated Learner Support

ADDITIONAL SUPPORT/INTERVENTION PROGRAMMES ARE PROVIDED FOR THE DIFFERENT CATEGORIES OF LEARNERS IN GRADES 12

PROGRESSED	HIGH ACHIEVERS	LEARNERS WITH SPECIAL NEEDS
• Districts to keep record of progressed learners per subject. • Progressed learners to be prioritised in daily extra classes • Ensure learners have access to textbooks, past question papers • Specialised radio lessons • Development of low order questions for high-risk learners • Ensure learners work through the Grade 11 bridging programme • Mediate the QUICK WINS concept.	• Access to on-line Olympiads, debates, quizzes, public speaking competitions. • Specialised webinars, Radio lessons and video lessons, Voice over PPoint lessons, Specialised WhatsApp groups • Material development on how to answer high order questions • Incubation of high-risk learners and high-flyers in different places. • Revision classes targeted at higher order questions • Peer teaching	• Directorate SCM to collaboration with Dir: IE to assist with curriculum differentiation, provisioning of sign language interpreters for workshops etc. • As well as the conversion of any support material into braille, e.g. study tips for success

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ANNUAL PERFORMANCE PLAN PROGRAMME TARGET 2023/24

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PROGRAMME 1: ADMINISTRATION

Purpose:
To provide overall management of the education system in accordance with the National Education Policy Act, the Public Finance Management Act, and other policies.

Overview:
Programme objective - to provide good governance, financial management and assurance services. The management of the programme includes public funded goods, services and resources, in particular educators, non-educators and office items, utilised for governance, management, research and administration, in the provincial head office, districts and circuit offices.

Office of the MEC

To provide for the functioning of the office of the Member of the Executive Council (MEC) for education in accordance with the ministerial handbook.

Corporate Services

To provide management services which are not education specific for the education system.

Education Management

To provide education management services for the education system.

Human Resources Development

To provide human resource development for office-based staff.

Education Management Information System

To provide an Education Management information System in accordance with the National Education Information Policy.

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PROGRAMME 1 TARGETS

Standardised

Outcome	Output	Output Indicator	Audited Performance 2019/20	Audited Performance 2020/21	Audited Performance 2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	MTEF PERIOD 2024/25	MTEF PERIOD 2025/26
ICT integrated in the provision of quality basic education	School administration and Management system implemented	SOI 101 Number of public schools that use the South African Schools Administration and Management Systems (SA-SAMS) or any alternative electronic solution to provide data	5 033	5 105	5 096	5 130	5 020	5 011	5 005
	Effective School Communication system implemented	SOI 102 Number of public schools that can be contacted electronically (e-mail)	5 293	5 213	5 096	5 130	5 020	5 011	5 005
Good governance for quality basic education	Optimal distribution of financial, physical and human resources across the system	SOI 103 Percentage of education expenditure going towards non-personnel items	16%	19.3%	19.7%	20%	20%	20%	20%

Non-Standardised

Outcome	Output	Output Indicator	Audited Performance 2019/20	Audited Performance 2020/21	Audited Performance 2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	MTEF PERIOD 2024/25	MTEF PERIOD 2025/26
Good governance for quality basic education	District provided with targeted support to improve practices within schools	NSOI 104 Percentage of schools visited at least twice a year by District officials for monitoring and support purposes	65%	35.1%	49.7%	60%	60%	65%	65%
ICT integrated in the provision of quality basic education	Effective School Communication system implemented	NSOI 105 Percentage of schools having access to information through (a) Connectivity (other than broadband), and (b) Broadband	21.5%	23.9%		30%	20%	30%	40%	50%
Good governance for quality basic education	Work opportunities created for young graduates	NSOI 106 Number of qualified Grade R-12 teachers aged 30 and below entering the public service as teachers for the first time during the financial year	1 200	361		1	30%	35%	50%	50%

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PROGRAMME PRIORITIES

- The budget will be utilised for procurement and installation of server activity tracking software to improve data security.
- Training on Fundamentals of District Performance will be conducted to empower district officials on self-assessment process, analysis of qualitative data emanating from the self-assessment and to develop a District Development Plan.
- This will be done for the purposes of improving District functionality. Monitoring of schools will be strengthened to improve functionality. To improve governance, SGBs will also be trained. Schools will be resourced as per the required Norms and Standards.

2023 PLANNED ACTIVITIES

- Review of the Organisational Structure by 31 March 2024
- Completion of Capped Leave by 31 May 2023
- Costing and implementation of Norms and Standards for Special Schools and Public Ordinary Schools.
- Presidential Youth Employment initiative Phase 4
- Translation of website into four languages: Xhosa, Sesotho, Afrikaans and English
- Employee verification in Special Schools, Full Service Schools and Schools with Hostels.
- Audit of Full Service Schools.
- Migration of the Central Records Management Centre to new premises and Finalisation of digitization of HR records.
- Rollout of ICT Comprehensive Support Services to 2000 rural schools
- Implementation of the Digital Transformation Strategy
- Improvement of Internal Control Environment and Audit Outcomes.

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PROGRAMME 2 :PUBLIC ORDINARY SCHOOL EDUCATION

PROGRAMME 2: PUBLIC ORDINARY SCHOOL EDUCATION

Purpose:

To provide public ordinary education from Grades 1 to 12, in accordance with the South African Schools Act and White Paper 6 on inclusive education. (E-learning is also included).

Overview:

- This Programme is responsible for the provisioning of quality public Basic Education for Grades 1 to 12 through the following objectives:
- Funding of schools and No-Fee Schools at the required norms and standards.
- Improving the learner : textbook access ratio for every learning area/subject.
- Provisioning of school furniture and other teaching and learning requisites.
- Monitoring and evaluation of public school programmes and interventions to ensure maximum impact.
- Enhance the learning capacity of learners through a nutritious meal to eligible learners on all school days through the National School Nutrition Programme.
- Improving competency levels and capacity of school principals and senior management teams to ensure functional teams.
- Developing the professional capacity of teachers and instill a culture of accountability.
- Expanding inclusive education opportunities to support learners experiencing barriers to learning.
- Enhance the governance capacity of public schools and the creation of a conducive teaching and learning environment.
- Managing the schooling landscape and aligning all small and unviable schools in the Province.

Public Primary Schools		Human Resource Development	School sport, culture and media services	Conditional Grant
To provide specific public primary ordinary schools (including inclusive education) with resources required for the Grade 1 to 7 levels.	To provide specific public secondary ordinary schools with resources required for the Grades 8 to 12 levels.	To provide departmental services for the professional and other development of educators and non-educators in public ordinary school.	To provide additional and departmentally managed sporting and cultural activities in public ordinary schools	To provide for projects under programme 2 specified by the Department of Basic Education and funded by conditional grants.

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STANDARDISED TARGETS

Outcome	Output	Output Indicator	Audited Performance 2019/20	2020/21	2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	2024/25	2025/26
10-year-old learners enrolled in publicly funded schools read for meaning	Multi-media resources provided to school and learners	SOI 201: Number of schools provided with multi-media resources	1 [illegible]	4 445	4 366	4 000	4 200	4 300	4 300
Good governance for quality basic education	Learners in No-Fee Public Ordinary Schools in line with the National Norms and Standards for school funding	SOI 202: Number of learners in no-fee public ordinary schools in line with the National Norms and Standards for School Funding	1 523 356	1 517 601	1 523 082	1 521 833	1 521 833	1 521 833	1 521 833
Good governance for quality basic education	Funds Fundza graduates placed	SOI 203: Number of Fundza bursary holders placed in schools within six months upon completion of studies or upon confirmation that the bursar has completed studies	70%	69%	49.6%	70%	340	225	210
Good governance for quality basic education	Learners in schools that are funded at a minimum level	SOI 204: Percentage of learners in schools that are funded at a minimum level	100%	100%	99%	100%	100%	100%	100%
Skills for a changing world	Capacitated foundation phase teachers on reading methodology	SOI 205: Number of foundation phase teachers trained in reading methodology	New	New	New	New	3 000	4 000	5 000
	Capacitated teachers in language content and methodology	SOI 206: Number of foundation phase teachers trained in Numeracy content and methodology	New	New	New	New	5 200	6 200	7 200
	Capacitated teachers in Mathematics and methodology	SOI 207: Number of teachers trained in Mathematics content and methodology	4 250	0	1 092	5 200	5 200	6 200	7 200
	Capacitated foundation phase teachers in numeracy content and methodology	SOI 208: Number of educators trained in Literacy/Language content and methodology	4 750	0	1 210	5 200	6 200	6 200	7 200

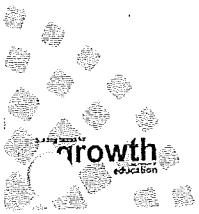
NON-STANDARDISED TARGETS

Outcome	Output	Output Indicator	Audited Performance 2019/20	2020/21	2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	2024/25	2025/26
A well-defined holistic integrated inclusive education support system	Capacitated teachers on inclusive education	NSOI 209: Number of educators with training on inclusion	New	0	100	1 500	500	1 000	1 500
Good governance for quality basic education	Schools with filled posts as per Post Provisioning Norms (PPN)	NSOI 210: Percentage of schools where allocated teaching posts are all filled	66%	67%	60.6%	80%	80%	85%	90%
10-year-old learners enrolled in publicly funded schools read for meaning	Provision of adequate Learner Teacher Support Material (LTSM) to Public Ordinary Schools	NSOI 211: Percentage of learners with English First Additional Language (EFAL) and Mathematics textbooks in Grades 3, 6, 9 and 12	New	66%	78%	70%	60%	80%	80%
Good governance for quality basic education	Schools producing a minimum set of management documents as per required standard	NSOI 212: Percentage of schools producing a minimum set of management documents at a required standard	80%	51.4%	53.01%	60%	62%	65%	67%

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Conditional Grant: National School Nutrition

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
Conditional Grant 2: National School Nutrition	To provide nutritious meals to targeted learners on time Number of schools in Quintiles 1-3 Public Primary and Secondary schools as well as targeted special schools that are provided with a nutritious meal on every school day	5094 schools that prepare nutritious meals for learners (projected data) 1 677 617 learners benefiting from the provision of a nutritious meal (projected data)	R 1 647 454	2023/24





Expanded Public Works Programme (EPWP) Grants

EPWP Integrated Incentive Grant

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
EPWP Integrated Incentive Grant	To incentivise provincial department to expand work creation efforts through the use of labour-intensive delivery methods in the following identified focus areas, in compliance with the Expanded Public Works Programme (EPWP) guidelines • Maintenance of buildings • Waste management • Other economic and social infrastructure	• Number of Full Time Equivalents (FTEs) employed • Number of youths to be employed • Number of women to be employed • Number of disabled people to be employed • Number of people to be trained in various skills • Community empowerment and development	R 3 182	2023/24




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Expanded Public Works Programme (EPWP) Grants

EPWP Social Sector Incentive Grant

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
EPWP Social Sector Incentive Grant	To incentivise Provincial Social Sector Departments identified in 2017 Social Sector EPWP log frame To increase work opportunities by focusing on the strengthening and expansion of Social Sector programmes that have employment potential	• 664 Full Time Equivalents (FTE's) to be created • Number of work opportunities to be created through the EPWP • Number of people with disabilities or special needs to be employed • Number of accredited training programmes to be conducted • Number of people to be employed	R 68 491	2023/24





Conditional Grant: HIV/AIDS Grant

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
Conditional Grant 4: HIV/AIDS Grant	• To support South Africa's HIV prevention strategy by providing comprehensive sexuality education and access to sexual and reproductive health services to learners supporting the provision of employee health and wellness programmes for educators • To mitigate the impact of HIV and TB by providing a caring, supportive and enabling environment for learners and educators	• Increased evidence of positive behavior changes amongst learners and educators and increased access to care and support services for orphans and vulnerable children resulting in higher learner retention	R 45 077	2023/24





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2023 PLANNED ACTIVITIES

- Implementation of Learner Attainment Improvement Strategy
- Strengthen District Financial and Supply Chain Management operations for improved Audit Outcome
- Management and support of underperforming schools
- To develop the most appropriate procurement model to improve the effective and timeous resourcing of schools

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PROGRAMME 3: INDEPENDENT SCHOOL EDUCATION

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PROGRAMME 3: INDEPENDENT SCHOOL EDUCATION

Purpose:

To support independent schools in accordance with the South African Schools Act.

Overview:

This Programme facilitates the payment of subsidies to Independent Primary and Secondary Schools, whose registration is approved by the Department. These schools are monitored for compliance in terms of relevant legislation and policies. Funds allocated to this programme are transferred in two tranches, Quarter 1 (April/May) and Quarter 3 (October) of each financial year.

Primary Phase

To support independent schools in the Grades 1 to 7 levels.

Secondary Phase

To support independent schools in the Grades 8 to 12 levels.

TARGETS

Standardised Targets

Outcome	Output	Output Indicator	Audited Performance 2019/20	Audited Performance 2020/21	Audited Performance 2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	MTEF PERIOD 2024/25	MTEF PERIOD 2025/26
Good governance for quality basic education	Registered independent schools receiving subsidies	SOI 301 Percentage of registered independent schools receiving subsidies	54%	43.6%	42%	47%	41.5%	43%	45%

Non – Standardised Targets

Outcome	Output	Output Indicator	Audited Performance 2019/20	Audited Performance 2020/21	Audited Performance 2021/22	Estimated Performance 2022/23	MTEF PERIOD 2023/24	MTEF PERIOD 2024/25	MTEF PERIOD 2025/26
Good governance for quality basic education	Learners at registered independent schools are subsidised	NSOI 302 Number of learners subsidised at registered independent schools	41 054	33 417	42 651	43 000	41 582	43 496	45 420
	Registered Independent Schools provided with targeted support	NSOI 303 Percentage of registered independent schools visited for monitoring and support	32%	0%	8.4%	60%	60%	60%	60%

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2023 PLANNED ACTIVITIES

- Conducting monitoring and support visits to Independent schools

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PROGRAMME 4: PUBLIC SPECIAL SCHOOL EDUCATION

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PROGRAMME 4: PUBLIC SPECIAL SCHOOL EDUCATION

Purpose:

To provide compulsory public education in Special Schools in accordance with the South African Schools Act No. 84 of 1996 (as amended) and the White Paper 6 (2001) on special education. To build an Inclusive Education and Training System.

Overview:

The Programme provides:

- Specific public Special Schools with resources to allow them to respond to the high-level support needs of learners placed within these institutions.
- Departmental services for the development of professional support staff, educators and non-educators in public Special Schools.
- Departmentally managed sport, cultural and reading activities in public Special Schools.
- Specific interventions such as the Learners with Severe to Profound Intellectually Disabilities in Special School and Care Centres funded by the LSPID Conditional Grant.

Schools

To provide specific public special schools with resources (including E-learning and Inclusive Education).

Professional Services

To provide Departmental services for the development of educators and non-educators in public special schools (including Inclusive education).

School Sport, Culture and Media Services

To provide for Departmentally managed sporting, cultural and media activities in public special schools (including inclusive education) and required additional staff.

Conditional Grants

To provide for interventions under Programme 4 specified by the Department of Basic Education and funded by the Learners with Severe to Profound Intellectual Disabilities conditional grant in Inclusive Education.

TARGETS

Standardised Targets

Outcome	Output	Output Indicator	Audited performance 2019/20	2020/21	2021/22	Estimated performance 2022/23	MTEF PERIOD 2023/24	2024/25	2025/26
A well-defined holistic integrated inclusive education support system	Access to education and support for learners with special needs	SOL 401 Number of learners in Public special schools	10 035	9 878	9 865	10 100	10 100	10 200	10 200
	Capacitated teachers with provision to provide support to learners with special needs	SOL 402 Number of therapists/specialist staff in public special schools	50	48	48	74	48	49	50

Non – Standardised Targets

Outcome	Output	Output Indicator	Audited performance 2019/20	2020/21	2021/22	Estimated performance 2022/23	MTEF PERIOD 2023/24	2024/25	2025/26
A well-defined holistic integrated inclusive education support system	Public special schools serving as resource centers	NSOL 403 Percentage of public special schools serving as Resource Centers	52%	52%	53%	52%	53%	53%	53%

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Conditional Grant: Learners with Profound Intellectual Disabilities

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
Learners with Profound Intellectual Disabilities	To ensure that learners with severe to profound intellectual disabilities access quality publicly funded education and psychosocial and therapeutic support	Provide necessary support, resources and equipment to identified care centers and schools for the provision of education to children with severe to profound intellectual disabilities Number of Children/Learners with Severe to Profound Intellectual Disability (CASPD) who utilize the Learning Programme for CASPD	R 29 070	2023/24

2023 PLANNED ACTIVITIES

- Audit of full service schools
- Mobile eye clinic for learners in mainstream schools
- Provision of assistive devices
- Wheelchair clinic
- Transportation for learners in Special Schools
- Employment of 20 specialists
- Employee vetting at Special Schools and Full Service Schools

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PROGRAMME 5: EARLY CHILDHOOD DEVELOPMENT

PROGRAMME 5: EARLY CHILDHOOD DEVELOPMENT

Purpose

To provide Early Childhood Education (ECD) at the Grade R and pre-grade R in accordance with White Paper 5. (E-learning is also included).

Overview

- Provides specific public ordinary schools with resources required for Grade R and encourages more schools to establish Grade R classes where space exists.
- Supports particular community centres at the Pre-Grade R level by providing training and payment of stipends to Pre-Grade R practitioners undergoing training.

Grade R in Public Schools	Pre-Grade R in Community Centres	Pre-Grade R Training	Human Resource Development	Conditional Grants
To provide specific public ordinary schools with resources required for Grade R.	To support Grade R at early childhood development centres.	To support Pre-Grade R at early childhood development centres	To provide departmental services for the professional and other development of educators and non-educators in ECD centres.	To provide for projects under programme 5 specified by the Department of Basic Education and funded by conditional grants

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TARGETS

Outcome	Output	Output indicator	Audited Performance			Estimated Performance	MTEF PERIOD		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Learning and skills and foundational literacy and numeracy	Grade R learners accessing public, community and private sites	SOI 501 Number of public schools that offer Grade R	1 200	1 152	1 107	3 500	4 000	3 500	3 500
	Children accessing registered ECD services	SOI 502 Number of children accessing registered ECD services	New	New	New	New	140 000	150 000	170 000
	Registration of ECD centres	SOI 503 Number of registered ECD centres		New	New	New	555	607	665
	Professionalisation of ECD practitioners	SOI 504 Number of Grade R educators/ practitioners with NQF level 4 and above qualification	1 472	1 415	1 432	2 200	1 404	1 500	1 600

2023 PLANNED ACTIVITIES

- Finalise institutional and policy framework to facilitate the integration and implementation of ECD as a continuum from Birth to age 9.
- Mobilise and upscale access for 0-6-year-old children to early stimulation, meaningful and effective education, enough nourishment, quality health care, and safety.
- Audit ECD Practitioner qualifications and develop a credible ECD practitioner database
- Upgrade Grade R Practitioners to at least Diploma in Grade R Teaching (NQF Level 6)
- Train all Pre-Grade R practitioners on accredited ECD NQF Level 4 qualification
- Train all practitioners on Revised Workbooks, Emergent Literacy and Emergent Numeracy.
- Mediate Annual Teaching Plans and baseline/ diagnostic assessments;
- Mediation of the Revised Section 4 of CAPS (Assessment Guidelines)
- Strengthen public-private and international partnerships that support the integration, expansion, and sustainability of ECD interventions

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PROGRAMME 6: INFRASTRUCTURE DEVELOPMENT

PROGRAMME 6: INFRASTRUCTURE DEVELOPMENT

Purpose:
To provide and maintain infrastructure facilities for schools and non-schools.

Overview:
- The Programme provides and maintains infrastructure facilities for Public Ordinary Schools and Public Special Schools.
- The Programme further provides and maintains facilities for ECD centres.

Administration	[illegible]	Special Schools	Early Childhood Development
To provide and maintain infrastructure facilities for administration.	To provide and maintain infrastructure facilities for public ordinary schools.	To provide and maintain infrastructure facilities for public special schools.	To provide and maintain infrastructure facilities for early childhood development.

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STANDARDISED TARGETS

Outcome	Output	Output Indicator	Audited performance			Estimated performance	MTEF PERIOD		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
School physical infrastructure and environment that inspires learners to learn and teachers to teach	Provision of water infrastructure	SOL 601 Number of public schools provided with water infrastructure	33	18	26	32	230	87	46
	Provision of electricity infrastructure	SOL 602 Number of public schools provided with electricity infrastructure	20	11	22	32	20	13	18
	Provision of sanitation facilities	SOL 603 Number of public schools supplied with sanitation facilities	33	18	22	31	60	29	26
	Provision of Boarding facilities	SOL 604 Number of schools provided with new or additional boarding facilities	0	0	0	1	1	2	3
All schools meet the statutory safety standards resulting in safer schools	School maintenance projects completed	SOL 605 Number of schools where scheduled maintenance projects were completed	4	6	10	34	60	82	87

NON-STANDARDISED TARGETS

Outcome	Output	Output Indicator	Audited performance			Estimated performance	MTEF PERIOD		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
School physical infrastructure and environment that inspires learners to learn and teachers to teach	Increase the proportion of schools which reach minimum physical infrastructure norms and standards	NSOL 606 Number of new schools that have reached completion (includes replacement schools)	6	6	10	10	17	13	18
		NSOL 607 Number of new schools under construction (includes replacement schools)	52	45	35	32	45	17	12
		NSOL 608 Number of new Grade R classrooms built or provided (includes those in new, existing and replacement schools)	32	6	42	41	31	45	42
School physical infrastructure and environment that inspires learners to learn and teachers to teach	Provision of additional classrooms	NSOL 609 Number of additional classrooms built in, or provided for, existing public schools (includes new and replacement schools)	251	200	384	233	325	260	271
All schools meet the statutory safety standards resulting in safer schools	Specialist room built in Public Schools	NSOL 610 Number of additional specialist rooms built in public schools (includes specialist rooms built in new and replacement schools)	16	21	41	50	45	25	30

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Education Infrastructure Grant

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
Education Infrastructure Grant	• To provide goods and services required for Public Ordinary schools (mainstream and full service), Special School and ECD infrastructure development and maintenance • Provide adequate basic services such as water, sanitation and electricity • Systematically eliminate the backlog in classroom accommodation • Development of infrastructure for the re-alignment and rationalization of public ordinary schools • Intensify efforts towards providing infrastructure facilities that ensure all schools have safe environments for all children. • Intensify efforts towards eradication of inappropriate schools	• Number of public ordinary schools to be provided with water supply. • Number of public ordinary schools to be provided with electricity supply. • Number of public ordinary schools to be supplied with sanitation facilities. • Number of classrooms to be built in public ordinary schools. • Number of specialist rooms to be built in public ordinary schools (laboratories, stock rooms, sick bay, kitchen, etc).	R 1 829 305	2023/24

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2023 PLANNED ACTIVITIES

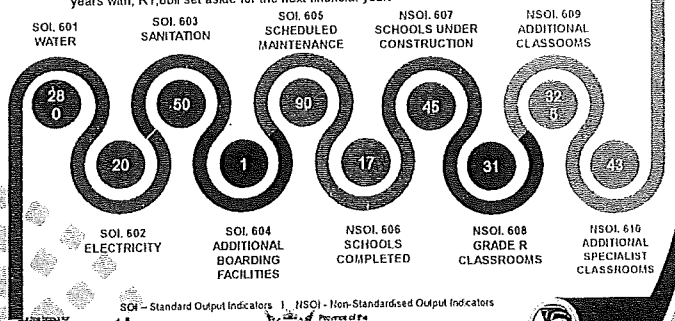
- To replace schools constructed of inappropriate materials
- Provide schools that do not have basic services, or which do not meet basic safety requirements, with the necessary water supply, electricity, sanitation and fencing.
- Progressively provide appropriate Grade R classrooms at primary schools in line with the Norms and Standards for Grade R.
- provision of effective infrastructure to rationalised schools.
- Provide and upgrade existing infrastructure to facilitate universal access for disabled children and youth.
- Improve the management of data, systems and planning processes.

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2023-24 TARGETS (APP)

The infrastructure programme has been allocated an amount of R5,5bil over the next three years with, R1,8bil set aside for the next financial year.



SOI – Standard Output Indicators | NSOI - Non-Standardised Output Indicators

PLANS FOR 2023/24 FINANCIAL YEAR

The majority of these projects related to work on existing schools, as evidenced by the allocation of the majority of the budget for upgrades and additions. Typically, upgrades and additions may include some level of maintenance.

Natures of Investment	Sum of Indicative Budget 2023/24	Sum of Indicative Budget 2024/25	Sum of Indicative Budget 2025/26
Maintenance and repair	388 039 172	108 692 027	377 680 746
New infrastructure Assets	44 241 201	103 766 308	61 817 409
Solar Infrastructure	314 229 670	220 495 723	173 360 873
Rehabilitation, renovations and refurbishment	125 510 371	146 720 859	102 248 582
Upgrades and additions	973 353 586	1 210 093 083	1 154 610 391
Grand Total	1 845 374 000	1 789 77[illegible]	1 869 718 000

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PROGRAMME 7 :EXAMINATION AND EDUCATION RELATED SERVICES

PROGRAMME 7: EXAMINATION AND EDUCATION RELATED SERVICES

Purpose:

To provide the education institutions as a whole with examination and education related services.

Overview:

This programme is responsible for the planning, monitoring, implementation and support of teaching, learning and assessment policies and programmes in schools.

The roll-out of these policy imperatives is mainly funded with the number of key constitutionally entrenched priorities as outlined in the NDP, the ruling party's resolutions, the ruling party's priorities of the 2014 Manifesto, the Medium-Term Strategic Framework (MTSF) 2015 – 2019 and the Action Plan 2019: Towards the Realisation of Schooling 2030.

Payments to SETA

To provide employee HRD in accordance with the Skills Development Act.

[illegible] Support Services

To provide educators and learners in schools with Departmentally managed support services

Special Projects

To provide for special Departmentally managed intervention projects in the education system as a whole.

External Examinations

To provide for Departmentally managed Examination services and Assessment Services

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TARGETS

Outcome	Output	Output Indicator	Audited Performance			Estimated Performance	MTEF PERIOD		
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Youths leaving the schooling system more prepared to contribute towards a prosperous and equitable South Africa	Grade 12 learners passing the National Senior Certificate	SOI 701 Percentage of learners who passed the National Senior Certificate (NSC) examination	78.5%	63.1%	73%	77%	80%	82%	84%
	Improve Grade 12 learner Bachelor Pass level passes	SOI 702 Percentage of Grade 12 learners passing at the bachelor's pass level	32.3%	30%	34.3%	39%	41%	45%	47%
	Improve Grade 12 learner Performance in Mathematics	SOI 703 Percentage of Grade 12 learners achieving 60% and above Mathematics	12.7%	13.7%	16%	20%	23%	26%	29%
	Improve Grade 12 learner performance in Physical Sciences	SOI 704 Percentage of Grade 12 learners achieving 60% or more in Physical Sciences	28.05%	18.2%	21.2%	25%	28%	31%	34%
	Improve Secondary School NSC pass rate	SOI 705 Number of secondary schools with National Senior Certificate (NSC) pass rate of 60% and above	650	591	715	750	800	850	900

Conditional Grant: Mathematics, Science and Technology (MST)

Name of Grant	Purpose	Outputs	Current Annual Budget (R'000)	Period of Grant
Conditional Grant 1: Mathematics, Science and Technology (MST) Conditional Grant	To provide support to schools, teachers and learners in line with CAPS for the improvement of MST teaching and learning at selected public schools	• Provision of Laboratory equipment, apparatus, workshop equipment, tools, machinery and consumables • Support schools in Mathematics, Science and Technology subjects from grades R-12 • Support the Department of Basic Education (DBE)-Cuba Mathematics, Science and Technology Subjects Support Programme • Supports the training of all end-users in the utilization of ICT resources provided to a school • Provision of Laboratories, workshop equipment, apparatus and consumables • Teacher training or development in teaching methodologies and subject content either for mathematics, physical, life natural and agricultural sciences, technology, computer applications technology, information technology, agricultural management and technology subjects • Strengthen support to Agricultural schools, technical schools including pilot schools for vocationally oriented curriculum • Teacher support for schools piloting coding and robotics curriculum • Ensure compliance with reporting requirements in line with the provisions of the Division of Revenue Act (DoRA) • Monitoring and provision of support to districts and schools Provide human resource capacity at all relevant level including the appointment or identification of a qualified and experie	R 53 793	2023/24

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PROGRAMME- EXAMS

KEY PROGRAMMES	TIMEFRAME	RESPONSIBILITY
Analysis of Grade 12 results – Per district, per school , per subject	03 Feb 2023	Exams
Printing and Distribution of Chief Markers report	10 Feb 2023	Exams
Printing and Distribution of Mind the Gap	30 March 2023	Curriculum/Exams
Printing and distribution of Past Examination question papers and memoranda	28 Feb 2023	Exams
NSC/SC May/June Examinations	May/June 2023	Exams
Grade 12 June Provincial Common Exam	June 2023	Exams
Phase 1-Grade 12 SBA Provincial Moderation	July 2023	Exams

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PROGRAMME- EXAMS

KEY PROGRAMMES	TIME - FRAME	RESPONSIBILITY
Grade 12 Preparatory Examinations	September 2023	Exams
Phase 2-Grade 12 SBA Provincial Moderation	October 2023	Curriculum/Exams
Grade 10 Provincial Common final Exam	November 2023	Exams
Grade 11 Provincial Common final Exam	November 2023	Exams
Grade 12 NSC Final Examinations	November 2023	Exams

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LAIS – PROGRAMME- EXAMS

KEY PROGRAMMES	TIMEFRAME	RESPONSIBILITY
Grade 12 SBA verification and quality assurance	April-October 2023	Exams/Curriculum
Grade 12 SBA advocacy campaign	April-October 2023	Exams/Curriculum
Grade 9 GEC Pilot Project	Sept- Nov 2023	Curriculum/Exams
Assessment Instructions – Policy implementation and monitoring	January – November 2023	Exams

ROADSHOWS

- ❑Examination Roadshow will focus on the following:
- ❑Accurate registration
- ❑School Based Assessment
- ❑Concessions
- ❑Subject Changes
- ❑Administration of Examinations
- ❑Monitoring
- ❑Irregularities and its implications
- ❑Script control
- ❑Appointment of markers and marking
- ❑Resulting and certification

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CHALLENGES WHICH COULD HAMPER IMPLEMENTATION AND ACHIEVEMENT OF TARGETS

- Budgetary Constraints
- Non-availability of transversal systems to optimally perform within the legislated office hours, exacerbated by the power challenges the country is currently faced with
- High Vacancy Rate due to budget constraints
- Budget constraints to sustain ICT initiatives and other operational activities linked to the various projects.

Thank you

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TANTYI PUBLIC SCHOOL-200100770

The Principal

District SARAH BAARTMAN

School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770

Circuit Management Centre Makhanda CM **Circuit** SB Makana 2 **Specialisation** Ordinary

Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

B: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM Textbooks	R30,278	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R34,819	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R33,608	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R30,278	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,472	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R20,135	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R200,590	**100%**	**100%**	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as **189**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21

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TANTYI PUBLIC SCHOOL-200100770

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9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********4757
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

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Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

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HOëRSKOOL P J OLIVIER-200100612

The Principal

District SARAH BAARTMAN

School and EMIS Nr **HOëRSKOOL P J OLIVIER-200100612**

Circuit Management Centre Makhanda CM **Circuit** SB Makana 2 **Specialisation** Ordinary

Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

B: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM Textbooks	R34,226	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R39,360	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R48,259	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R0	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R68,452	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R36,451	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R226,748	**100%**	**100%**	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as **426**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21

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9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********8627
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant Module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

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Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

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PBO No. 930003292
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Our Ref: C van Schalkwyk

16 May 2023

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Acting Head of Department
Eastern Cape Department of Education
Per email: chantel.mclean@ecdoe.gov.za

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Mr Fundile Gade
The MEC Eastern Cape Department of Education
c/o Tanduxolo Dabi
Per email: nombuyekezo.nkwenkwezi@ecdoe.gov.za / mbuz@webmail.co.za

Ms Angelina Motshekga
The Minister of Basic Education
Pretoria
Per email: mabua.s@dbe.gov.za

Dear Sir/Madam,

LETTER OF DEMAND: REDUCTION OF PAPER BUDGETS IN THE EASTERN CAPE FOR 2023/2024 FINANCIAL YEAR

The above matter and our letters dated 31 May 2022, 8 December 2022, and 12 April 2023 refer.

1. We act on behalf of the school governing bodies (SGBs) of Ntsika Secondary School, Tantyi Primary School, and Hoërskool PJ Olivier. We also act on behalf of the Makana Circle of Unity.

2. The LRC would like to note that to date, we have not received any response to the letters about this issue.

National Office:
Cape Town:
N Govender (National Director)
S Dass (Director) L Mgedezi Z Mhlahlo AL Payne A Turpin D Turner W Wicomb

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3. In these letters, the LRC raised the fact that the public schools in the Eastern Cape province were being underfunded for the 2023/2024 financial year. This was based on the paper budgets that schools received in November 2022.

4. We are instructed that on Monday, 9 May 2023, the Eastern Cape Department of Education issues revised paper budgets to the schools for the 2023/2024 financial year. Attached hereto as **AN1** are the paper budgets for Tantyi Primary School, Hoërskool PJ Olivier, and Ntsika Secondary School.

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5. At paragraph 3 of the paper budgets, the ECDOE informs the schools that:

> *"[t]he department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools."*

6. However, it then proceeds to set out how the budgets will be divided. It states the following:

> *"PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.*
>
> *PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools."*

7. The result of this breakdown in the budget, is that the quintile 1 to 3 no-fee paying schools will only receive about 66% of the per-learner target,

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amounting to R1061.30 per learner. Quintile 4 schools such as Hoërskool PJ Olivier will only be receiving R532.

Legislative framework: school allocations

8. Section 35 of the South African Schools Act makes provision for the Norms and Standards for School Funding. Section 35(1) states that *"[s]ubject to the Constitution and this Act, the Minister must determine national quintiles for public schools and national norms and standards for school funding after consultation with the Council of Education Ministers and the Minister of Finance."*

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9. Section 35(2)(a) of the Schools Act states that *"[t]he norms and standards for school funding contemplated in subsection (1) must set out criteria for the distribution of state funding to all public schools in a fair and equitable manner."*

10. It is important to note that section 35(2)(a) makes it clear that the Norms and Standards must prescribe criteria for the distribution of state funding *to* all public schools.

11. The principle that the Norms and Standards address the allocation of money to schools is emphasised in the Norms and Standards itself. "School allocation" is defined in paragraph 87 of the Norms and Standards as *"[a]n amount allocated by the state to each public ordinary school in the country on an annual basis in order to finance non-personnel non capital expenditure items."*

12. It is clear from the Schools Act as well as the Norms and Standards that the school allocation is an amount that is due to public ordinary schools and that is allocated to the schools themselves in order to finance certain expenses.

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13. Paragraphs 94 to 97 of the Norms and Standards set out what inputs may be covered by the school allocation. This is the per-learner amount that is allocated to schools. It states as follows:

"94. This sub-section describes which items may be covered by the school allocation. The description is not intended to be unnecessarily restrictive or prescriptive. Nor does the description exclude the use of state funds other than the school allocation for the items mentioned. Instead, this description should guide the state in determining the level and distribution of the school allocation, and schools in determining the utilisation of the allocation. This sub-section does not in any way place the state under the obligation of ensuring that the cost of all the items listed here should be fully covered by the school allocation, given that the list covers the range of possibilities, and not a set of core items.

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95. In general, the school allocations are intended to cover non-personnel recurrent items and small capital items required by the school as well as normal repairs and maintenance to all the physical infrastructure of the school. Moreover, the school allocation is primarily and exclusively intended for the promotion of efficient and quality education in public ordinary schools.

96. The following list provides examples of items that the school allocation may cover, and a categorisation of these items. It should be noted that the items are mentioned serve as examples, and do not constitute all the possible items. The definition of a capital item is as per Treasury regulations (currently, any item exceeding a value of R5,000 per item is defined as a capital item).

(i) Learning support materials (L5Ms), including textbooks, library

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books, charts, models, computer hardware and software, televisions, video recorders, video tapes, home economics equipment, science laboratory equipment, musical instruments, learner desks, chairs. (These items, and the ones under (ii) to (iv) below, would typically support the SASA Section 21(c) function.) This category is subdivided into capital items and non-capital items.

(ii) Non-LSM equipment, including furniture other than learner desks and chairs, paper copier machines, telephone sets, fax machines, intercom systems, equipment for connectivity within the school and to the Internet, hardware tools, cleaning equipment, first aid kits, overalls for cleaners and ground staff, sporting equipment, electrical accessories. This category is subdivided into capital items and non-capital items.

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(iii) Consumable items of an educational nature, including stationery for learners.

(iv) Consumable items of a non-educational nature, including stationery for office use, paper, cleaning materials, petrol, lubricants, food.

(v) Services relating to repairs and maintenance, including building repair work, equipment repairs and maintenance, light bulbs. (These items would typically support the SASA Section 21(a) function.)

(vi) Other services, including workshop fees, TV licences, Internet service providers, school membership of educational associations, postage, telephone calls, electricity, water, rates and taxes, rental of equipment, audit fees, bank charges, legal services,

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advertising, security services, public or scholar transport, vehicle hire, insurance, copying services. (These items would typically support the SASA Section 21(d) function.)"

14. The Norms and Standards are clear that the school allocation is meant to cover expenses incurred by the schools. No mention is made in the Norms and Standards of "Provincial NNSSF Budget" that must also be funded by the school allocation. In addition, no mention is made in the Norms and Standards that the school allocation may be used for the "resourcing of curriculum" or "other teaching and learning related needs for all schools".

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EASTERN CAPE DIVISION, MAKHANDA

15. In addition to the Norms and Standards not mentioning these as items that are funded by the school allocation, it is completely unclear to our clients what is meant by the "Provincial NNSSF Budget", "resourcing of curriculum" or "other teaching and learning related needs for all schools."

<u>The purported "Part A" retention of the school allocation is unlawful</u>

16. In light of the foregoing, the money that forms part of the school allocation is intended allocated to schools and utilised by schools to cover their running expenses. We have already pointed out in our previous correspondence how damaging the impact has been of schools being funded below the per-learner target. This decision to simply retain 33% of the budget to cover unexplained expenses leave the schools in a debilitating position where they will only be receiving 66% of the budget they are entitled to receive, without any clarity on what the remainder of the money will be used for.

17. In addition, the decision to retain 33% of the budget was taken without any input by the schools that are affected by the decision. It has been taken completely unilaterally, without any consideration as to the impact it will

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have on schools, and without any clarity on how the money will be utilised to benefit the schools. None of our client schools were consulted by the ECDOE and only found out about the decision when they received their revised paper budgets on 9 May 2023.

18. The decision is plainly unlawful and unconstitutional as it violates the learners' rights to education, equality, and human dignity. It is also procedurally unfair.

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EASTERN CAPE DIVISION, MAKHANDA

19. In light of this, we demand that, **within 10 days of the date of this letter**, you provide our client schools and all other public ordinary schools in the Eastern Cape with revised paper budgets that makes clear that:

    a. the school allocation for each school will be calculated on the basis of the full per learner target;

    b. no percentage of the school allocation will be withheld, and 100% will be paid to each school; and

    c. the previous notification, which asserted that schools would only be directly allocation 66.25% of the total school allocation, was erroneous and is withdrawn.

All our clients' rights are reserved.

Kind regards,

LEGAL RESOURCES CENTRE
Per: CECILE VAN SCHALKWYK

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Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

The Principal
District SARAH BAARTMAN
School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM				
LTSM Textbooks	R30,278	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R34,819	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R33,608	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R30,278	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,472	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R20,135	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R200,590	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as 189

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

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EDUCATION

TANTYI PUBLIC SCHOOL-200100770

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********4757
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the per budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager

05 May 2023

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
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EASTERN CAPE DIVISION, MAKHANDA

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2023

Province of the EASTERN CAPE EDUCATION

HOëRSKOOL P J OLIVIER-200100612

The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM				
LTSM Textbooks	R34,226	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R39,360	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R48,259	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districts.
Cash Payment Q 1,2,3 Schools	R0	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R68,452	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R36,451	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R226,748	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as 426

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

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Province of the EASTERN CAPE EDUCATION

HOëRSKOOL P J OLIVIER-200100612

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********8627
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

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EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager

05 May 2023

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Province of the EASTERN CAPE EDUCATION

NTSIKA SENIOR SECONDARY SCHOOL-20010

The Principal
District SARAH BAARTMAN
School and EMIS Nr NTSIKA SENIOR SECONDARY SCHOOL-200100597
Circuit Management Centre Makhanda CM Circuit SB Makana 1 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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EASTERN CAPE DIVISION, MAKHANDA

3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. \ll under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM				
LTSM Textbooks	R136,330	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R156,780	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R151,327	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R136,330	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R231,761	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R90,660	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R903,188	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as **851**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. \ memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

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EASTERN CAPE
EDUCATION

NTSIKA SENIOR SECONDARY SCHOOL-20010

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********1154
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

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EASTERN CAPE DIVISION, MAKHANDA

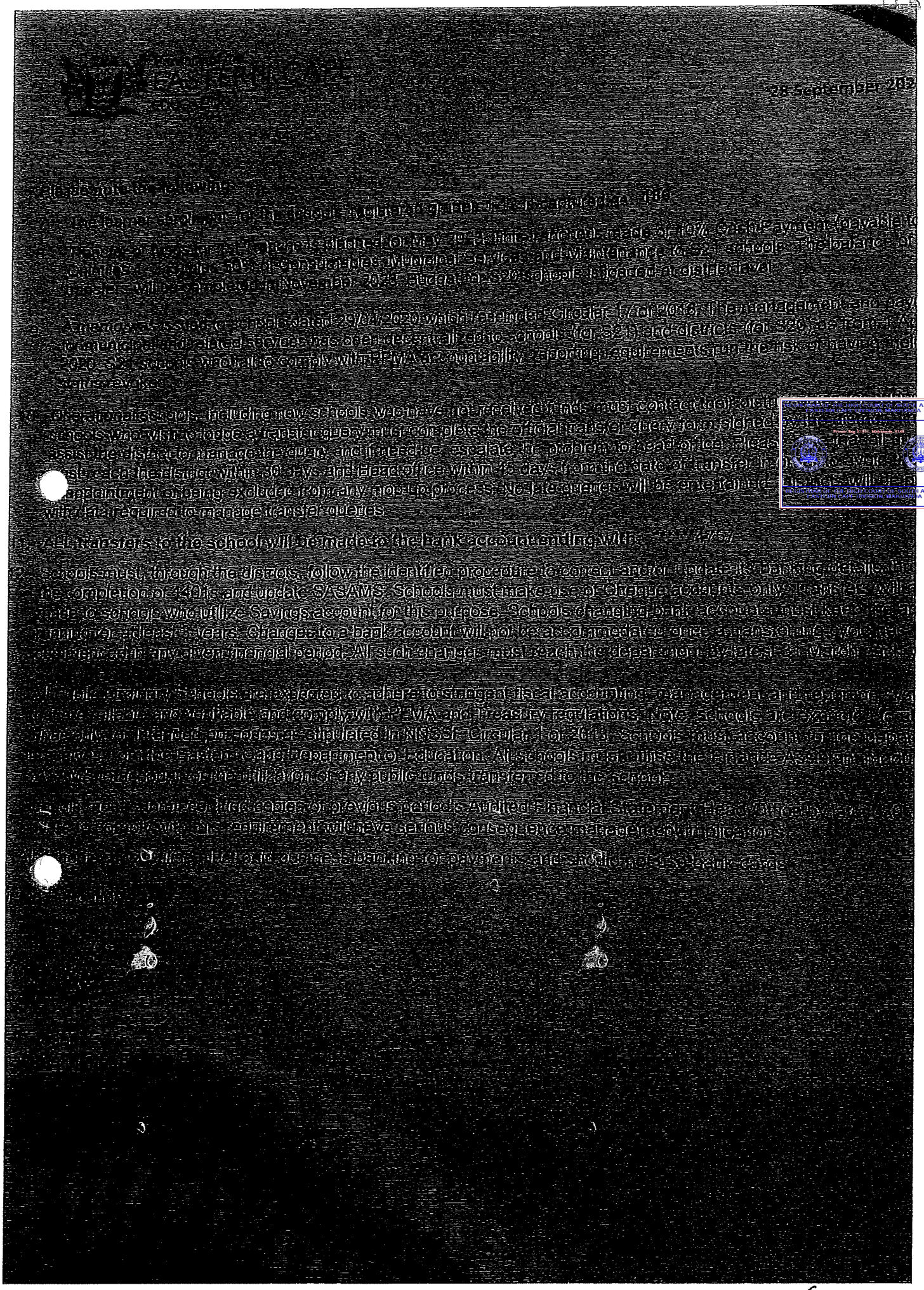
Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

TVM





Province of the
EASTERN CAPE
EDUCATION

28 September 2023

The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER(200100612)
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2024 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 Due to a reduction in the 2024/25 MTEF budget baseline, the department is funding at less than the National per learner norm. The department can afford to fund at R1,231 per learner for quintiles 1-3 schools, R617 for quintile 4 and R213 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R28,530.

PART A: R636.587 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 29 August 2023. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2024 as was the case in 2023/24. There'll be no opting-in for this function.

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget Allocation for 2024/25 for NNSSF balance:

		NSF %		
NNSSF Item	Allocation	Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R25,797	15%	15%	The ECDoE is reviewing its mode of provisioning for this item.
Stationery	R29,667	17%	17%	
Educational Consumables and Curriculum Support	R36,374	17%	21%	Transfer to Qs 1-3,
Cash Payment Qs 1-3 Schools	R0	15%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,595	26%	30%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R27,474	10%	16%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R170,907	100%	100%	

Province of the
EASTERN CAPE
EDUCATION

28 September 2023

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 418

8. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

10. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

11. **ALL transfers to the school will be made to the bank account ending with: ******8627**

12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.

13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.

14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.

15.. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in Education,

FNS/2023/25
Planning & Budget

Mr V.A. Joseph
Programme Manager

3/11/2026-4:54:27 PM

LG10

IN THE HIGH COURT OF SOUTH AFRICA

EASTERN CAPE DIVISION: MAKHANDA

Case No: 3830/2023

In the matter between:

MAKHANDA CIRCLE OF UNITY — First Applicant

THE SCHOOL GOVERNING BODY OF NTSIKA SECONDARY SCHOOL — Second Applicant

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

THE SCHOOL GOVERNING BODY OF HOËRSKOO PJ OLIVIER — Third Applicant

THE SCHOOL GOVERNING BODY OF TYANTYI PRIMARY SCHOOL — Fourth Applicant

CIVIL 3
IN THE HIGH COURT OF SOUTH AFRICA
28 MAY 2024
ECD - MAKHANDA - 007
EASTERN CAPE DIVISION
MAKHANDA

and

THE HEAD OF DEPARTMENT
EASTERN CAPE DEPARTMENT OF BASIC EDUCATION — First Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL
EASTERN CAPE DEPARTMENT OF BASIC EDUCATION — Second Respondent

THE GOVERNMENT OF THE EASTERN CAPE PROVINCE — Third Respondent

THE MINISTER OF BASIC EDUCATION — Fourth Respondent

THE MEMBER OF THE EXECUTIVE COUNCIL
FOR FINANCE, ECONOMIC DEVELOPMENT
AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE — Fifth Respondent

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THE MINISTER OF FINANCE — Sixth Respondent

GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA — Seventh Respondent

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AMENDED NOTICE OF MOTION

TAKE NOTICE THAT the applicants intend to apply to this Honourable Court for an order in the following terms:

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

1. Reviewing and setting aside, and declaring unconstitutional, unlawful and invalid, the decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in May 2023, to withhold 33.75% of each school's funding allocation for 2023/2024.

1A. Reviewing and setting aside, and declaring unconstitutional, unlawful and invalid, the decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in December 2023, to withhold 33.75% of each school's funding allocation for 2024/2025.

2. Substituting the decision referred to in paragraph 1 above with a decision that schools will be provided with their full school allocations for 2023/2024, calculated as the prevailing minimum per-learner target amount applicable to that school's quintile, multiplied by the total enrolment numbers of that school.

2A. Substituting the decision referred to in paragraph 1A above with a decision that schools will be provided with their full school allocations for 2024/2025, calculated as the prevailing minimum per-learner target amount applicable to that school's quintile, multiplied by the total enrolment numbers of that school.

3. Directing the first, second and third respondents within 10 days of the date of this order:

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
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EASTERN CAPE DIVISION, MAKHANDA

3.1. to issue a revised 2023/2024 paper budget to each ordinary public school in the Eastern Cape, in terms of which each school is allocated no less than the prevailing minimum per-learner target amount applicable to that school's quintile, multiplied by the total enrolment numbers of that school in the 2023/2024 financial year; and

3.2. to pay to each ordinary public school in the Eastern Cape 100% of such school's allocation for 2023/2024, as calculated in accordance with paragraph 3.1 above.

3A. Directing the first, second and third respondents within 10 days of the date of this order:

3A.1. to issue a revised 2024/2025 paper budget to each ordinary public school in the Eastern Cape, in terms of which each school is allocated no less than the prevailing minimum per-learner target amount applicable to that school's quintile, multiplied by

the total enrolment numbers of that school in the 2024/2025 financial year; and

3A.2. to pay to each ordinary public school in the Eastern Cape 100% of such school's allocation for 2024/2025, as calculated in accordance with paragraph 3A.1 above.

4. Declaring that the decision taken by the first, second and third respondents between 20 November and 2020 and November 2022, to reduce the per-learner funding allocations for public ordinary schools in the Eastern Cape to an amount less than the targets determined by the fourth respondent from time to time, are unconstitutional, unlawful, and invalid.

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EASTERN CAPE DIVISION, MAKHANDA

5. Declaring that paragraph 114(b) of the Amended National Norms and Standards for Public School Funding (published in Government Notice 869 of the Government Gazette 29179, 31 August 2006) ("the Norms and Standards"):

5.1. sets out the prerequisites with which a provincial education department must comply before it may unlawfully provide less than the target per learner allocations to schools in the province. In the absence of a joint plan for attaining the per-learner targets that complies with paragraph 114(b), a provincial education department is required to provide allocations in accordance with (or that exceed) the targets;

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5.2. requires that, in the joint plan contemplated in paragraph 114(b), the provincial education department is required to demonstrate, in the first instance, that it is not financially possible to provide schools with at least the target per learner allocations in that financial year. In the event that it is possible to attain the targets later in the same financial year, then the joint plan must include the steps that will be taken, to the extent possible, to make up any shortfall at the earliest possible stage;

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5.3. requires that, if the joint plan demonstrates that it is not financially possible to provide schools with at least the target per learner allocations in that financial year, then that joint plan must determine whether it is financially possible to meet the target in any subsequent year(s). The joint plan must in these circumstances include the steps that will be taken, to the extent possible, to make up any shortfall in prior years at the earliest possible stage;

5.4. requires that, if a provincial education department publishes a school allocation, whether provisional or final, where the target school allocation exceeds the actual school allocation, it must, simultaneously with the publication of the school allocation, provide every public school with access to the joint plan contemplated in paragraph 114(b).

5.5. creates an ordering of priorities, such that in any years when it is not possible for the provincial education department to fund at

least in accordance with the target, the provincial education department must prioritise quintile 1 and 2 schools and learners from grades 1 to 9.

6. *In the alternative* to prayer 5 above:

6.1. to the extent necessary, in terms of section 9(1) of PAJA, extending the time period referred to in section 7 of PAJA for the institution of proceedings to review the Norms and Standards, *alternatively* condoning the late institution of such review proceedings;

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EASTERN CAPE DIVISION, MAKHANDA

6.2. reviewing and setting aside, and declaring unconstitutional, unlawful and invalid, paragraphs 113 and 114(b) of the Norms and Standards, to the extent that they permit provincial departments of education to allocate amounts lower than the minimum per-learner target amount without limitation;

6.3. suspending the declaration of invalidity in prayer 6.2 for a period of 24 months from the date of this Court's order;

6.4. during the period of suspension set out in prayer 6.3, reading the following underlined words into paragraph 114(b) of the Norms and Standards:

"If the target amount exceeds the actual amount, the PED and the DoE, in collaboration with the National and Provincial Treasuries, must jointly devise a plan for attaining the targets in the earliest possible year, <u>including, if possible, the year in which</u>

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the plan is issued. In the absence of such a plan, the target amount may not exceed the actual amount in any particular year. This plan must include details on how, in the interim, the actual budget will be distributed across the national quintiles, and must include the steps that will be taken, to the extent possible, to make up any shortfall at the earliest possible stage. Such a plan must prioritise the attainment of targets in quintiles 1 and 2, and for learners in grades 1 to 9. Simultaneously with the publication of the school allocation, the PED must provide every school with access to the joint plan."

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6.5. directing that, in the event that the unconstitutionality of paragraphs 113 and 114 is not remedied within the 24 month period in prayer 6.3 above, the interim reading-in order in prayer 6.4 above shall become final.

7. Directing:

7.1. the first to fourth respondents to deliver written reports to this Court relating to compliance with its order, on affidavit, and once per 90 calendar period for a period of 360 calendar days following the date of this Court's order.

7.2. that such written reports must:

7.2.1. detail the first to third respondent's compliance with the orders sought in prayer 3, and

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7.2.2. detail the first to third respondents' steps to ensure that every school is provided a school allocation for 2024/2025 calculated on the basis of at least the prevailing minimum per-learner target amount contemplated in paragraph 109 of the Norms and Standards as applicable to that school's quintile, multiplied by the total enrolment numbers of that school;

7.3. that any applicant and any *amicus curiae* shall be entitled to deliver affidavits in response to any affidavit delivered by a respondent pursuant to prayer 7.1, within 20 days of service of the respondent's affidavit, and shall be entitled thereafter to re-enrol the matter for such further just and equitable relief as may be necessary.

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8. Directing any respondent that opposes the application to pay costs of this application, jointly and severally, including the costs of two counsel.

9. Further and/or alternative relief.

TAKE NOTICE FURTHER that the founding affidavits of **SAKHE NTLABEZO**, together with the supporting affidavits from, **XOLISILE TYOTHA, EZRA SCHOOMBEE**, and **ZONGEZILE MANYATI** will be used in support of this application.

TAKE NOTICE FURTHER that the applicants have appointed the offices of the **LEGAL RESOURCES CENTRE,** 116 High Street, Makhanda, 6139 as the

address at which the applicants will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that in terms of Uniform Rule of Court 53(1)(a):

a. the first, second and third respondents are hereby called upon to show cause why the decision referred to in prayers 1 should not be reviewed, set aside and corrected;

b. the fourth respondent is hereby called upon to show cause why the decision referred to in prayer 6.2 should not be reviewed, set aside and corrected.

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TAKE NOTICE FURTHER that in terms of Uniform Rule of Court 53(1)(b):

a. The first, second and third respondents are hereby called upon to dispatch within 15 days of receipt of this notice of motion, to the Registrar, the record of all documents and all electronic records (including any correspondence, contracts, memoranda, advices, recommendations, considerations, policies, evaluations and the like) that related to the making of the decision referred to in prayers 1, together with such reasons as those respondents are by law required or desire to give or make, and to notify the applicants' attorneys that they have done so;

b. the fourth respondent is hereby called upon to dispatch, within 15 days of receipt of this notice of motion, to the Registrar, the record of all documents and all electronic records (including correspondence, contracts, memoranda, advices, recommendations, considerations, policies, evaluations and the like) related to the making of the decision referred to

TVM

in prayer 6.2, together with such reasons as the fourth respondent is by law required or desires to give or make, and to notify the applicants' attorneys that it has done so.

TAKE NOTICE FURTHER that within 10 days of receipt of the records from the Registrar, the applicants may, by delivery of a notice and accompanying affidavit, amend, add to or vary the terms of their notice of motion and supplement their founding affidavit in accordance with Uniform Rule of Court 53(4).

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EASTERN CAPE DIVISION, MAKHANDA

TAKE NOTICE FURTHER that if any respondent intends to oppose application, it is required to:

a. notify the applicants' attorney in writing, within 15 days after service of this notice, or any amendment thereto as contemplated in Uniform Rule of Court 53(4), of its intention to oppose, and in such notice appoint an address within 15 kilometres of the office of the Registrar of this Honourable Court at which it will accept notice and service of all process in these proceeding;

b. within 30 days of the expiry of the time referred to in Uniform Rule of Court 53(4), deliver its answering affidavit.

TAKE NOTICE FURTHER that if no notice to oppose is delivered, this application will be set down on an unopposed basis and proceed on a date to be determined by the Registrar of the above Honourable Court.

Dated at Makhanda on 28th **MAY 2024**

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LEGAL RESOURCES CENTRE

Attorneys for the Applicants

116 High Street

Makhanda

Ref: C van Schalkwyk

cecile@lrc.org.za

046 622 9230

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

TO: THE REGISTRAR OF THE

ABOVE HONORABLE COURT

AND TO: FIRST AND SECOND RESPONDENTS

Steve Vukile Tshwete Education Complex

Zone 6, Zwelitsha.

C/O STATE ATTORNEY,

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email: MSisilana@justice.gov.za / PDyonase@justice.gov.za

AND TO: THE THIRD RESPONDENT

Office of the Premier Building,

Independence Avenue,

Bisho

C/O STATE ATTORNERY

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email:SMnyande@justice.gov.za / PDyonase@justice.gov.za

AND TO: THE FOURTH RESPONDENT



Sol Plaatjie House

222 Struben Street

Pretoria

C/O STATE ATTORNERY

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email:SMnyande@justice.gov.za / PDyonase@justice.gov.za

AND TO: FIFTH RESPONDENT

Beacon Hill

Hockley Close

King William's Town

C/O STATE ATTORNERY

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email:SMnyande@justice.gov.za

AND TO: SIXTH RESPONDENT

40 Church Square

Old Reserve Bank Building

2nd Floor

Pretoria

C/O STATE ATTORNERY

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email:SMnyande@justice.gov.za

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

AND TO: SEVENTH RESPONDENT

Office of the Presidency

Union Buildings

Government Avenue

Pretoria

C/O STATE ATTORNERY

29 Western Road, Central,

Gqeberha, 6001.

Tel: 041 585 7921

Email:SMnyande@justice.gov.za

AND TO: SECTION 27

Amicus curiae

1st Floor, South Point Corner

87 De Korte Street

Braamfontein

Email: petherbridge@section27.org.za

C/O RHODES UNIVERSITY LAW CLINIC

41 New Street

Grahamstown, 6139

Email: s.bergover@ru.ac.za



Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

The Principal
District SARAH BAARTMAN
School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM				
LTSM Textbooks	R30,278	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R34,819	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R33,608	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districts.
Cash Payment Q 1,2,3 Schools	R30,278	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,472	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R20,135	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R200,590	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as **189**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********4757
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

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3/11/2026 4:54:50 PM

Province of the
EASTERN CAPE
EDUCATION

08 October 2024

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	**HOëRSKOOL P J OLIVIER-200100612**
Circuit Management Centre	Makhanda CM Circuit SB Makana 2
Financial Management:	Section 21

Specialisation Ordinary School

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 3The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,754 per learner for quintiles 1-3 schools, R879 for quintile 4 and R301 per learner for quintile 5 schools.

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EASTERN CAPE DIVISION, MAKHANDA

4 Small schools are funded at a minimum level of R40,662.

PART A: 65.15% of the NSF budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools. Below is an indication of what a qualifying school can expect to receive for both transfers tranches and for Textbooks and Stationery.

PART B: R931.9 million or 34.85% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting schools on a need's basis. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools. Part B is in relation to PAR 116 of NNSSF declaring that, in addition to the S21 functions referred to in the NNSSF paragraph 115, and apart from the financial directions issued in terms of Section 37 of SASA, PEDs may determine other conditions governing the use of the school allocation where this is deemed necessary for the promotion of better school management. The central projects funded are, amongst others, provision of graded readers, occupational skills, new curriculum, workbooks top-ups, MTBBE workbooks, E-Learning, School Furniture, LAIS, ICT schools and Vocational schools (Agricultural, Technical Maritime schools).

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 20 August 2024. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2025 as was the case in 2024/25. There'll be no opting-in for this function.

6 6All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

08 October 2024

Part A: Budget Allocation for 2025/26 for NNSSF Transfers Textbooks, Stationery

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R36 489	10.25 %		The ECDoE is reviewing its mode of provisioning for this item. A circular to be issued to provide further clarity.
Stationery	R40 227	11.3%		
Educational Consumables and Curriculum Support	R49 839	11%	14%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	10%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R67 639	16%	19%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R37 735	6.6%	10.6%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R231 931	65.15%		

Specialised Item (Additional)	Allocation
Technical Schools	R0
Agricultural Schools	R0

Specialised Item (Additional)	Allocation
Maritime Schools	R0

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EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**
8. Transfer of funds for 1st Tranche is planned for May 2025. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2025. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** ******8627
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FMS 2025/26
Planning Budget

Mr V.A. Joseph
Programme Manager

TVM

IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE HIGH DIVISION, MAKHANDA

CASE NO: 3830/2023

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

BEFORE THE HONOURABLE MR. JUSTICE MALUSI
On the 18th day of August 2026

IN THE MATTER BETWEEN:

MAKHANDA CIRCLE OF UNITY	**First Applicant**
THE SCHOOL GOVERNING BODY OF NTSIKA SECONDARY SCHOOL	**Second Applicant**
THE SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLVIER	**Third Applicant**
THE SCHOOL GOVERNING BODY OF TYANTYI LOWER PRIMARY SCHOOL	**Fourth Applicant**

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION
MAKHANDA
Private Bag X1011, Makhanda 6140
2026 -08- 18
ECD-MAKHANDA-005
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION
MAKHANDA

1

AND

THE HEAD OF DEPARTMENT
EASTERN CAPE DEPARTMENT OF BASIC EDUCATION **First Respondent**

THE MEMBER OF THE EXECUTIVE COUNCIL
EASTERN CAPE DEPARTMENT OF BASIC EDUCATION **Second Respondent**

THE GOVERNMENT OF THE EASTERN CAPE PROVINCE **Third Respondent**

THE MINISTER OF BASIC EDUCATION **Fourth Respondent**

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Private Bag X1011, Makhanda, 6140
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EASTERN CAPE DIVISION, MAKHANDA

THE MEMBER OF THE EXECUTIVE COUNCIL
FOR FINANCE, ECONOMIC DEVELOPMENT
AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE **Fifth Respondent**

THE MINISTER OF FINANCE **Sixth Respondent**

GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA **Seventh Respondent**

AND

SECTION 27 ***Amicus curiae***

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION
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EASTERN CAPE DIVISION
MAKHANDA

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ORDER

Having heard Adv. Mbikiwa and Adv. Linde, Counsel for the Applicants and Adv. Arendse (SC) and Adv. Kunju (SC), Counsel for the Respondents and Adv. Ramogale and Adv. Soekoe, for *Amicus Curiae* and having read the documents filed of record

IT IS ORDERED (BY AGREEMENT BETWEEN THE PARTIES) **THAT:**

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
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EASTERN CAPE DIVISION, MAKHANDA

1. The decision of the First, Second and Third Respondents, communicated to public schools in the Eastern Cape in May 2023, to withhold 33.75% of each school's funding allocation for 2023/2024, be and is hereby declared unconstitutional, unlawful and invalid.

2. The decision of the First, Second and Third Respondents, communicated to public schools in the Eastern Cape in December 2023, to withhold 33.75% of each school's funding allocation for 2024/2025, be and is hereby declared unconstitutional, unlawful and invalid.

3. The decisions taken by the First, Second and Third Respondents between 20 November 2020 and November 2022, to reduce the per-learner funding allocations

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for public ordinary schools in the Eastern Cape to an amount less than the targets determined by the Fourth Respondent from time to time, be and are hereby declared unconstitutional, unlawful and invalid.

4. It is declared that paragraph 114(b) of the Amended National Norms and Standards for Public School Funding (published in Government Notice 869 of the Government Gazette 29179, 31 August 2006) (**"the Norms and Standards"**):

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4.1. sets out the prerequisites with which a provincial education department must comply before it may lawfully provide less than the target per learner allocations to schools in the province. Therefore, in the absence of a joint plan for attaining the per-learner targets that complies with paragraph 114(b), a provincial education department is required to provide allocations in accordance with (or that exceed) the targets;

4.2. requires that, in the joint plan contemplated in paragraph 114(b), the provincial education department is required to demonstrate, in the first instance, that it is not financially possible to provide schools with at least the target per learner allocations in that financial year. In the event that it is

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EASTERN CAPE DIVISION
MAKHANDA

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possible to attain the targets later in the same financial year, then the joint plan must include the steps that will be taken, to the extent possible, to make up any shortfall at the earliest possible stage;

4.3. requires that, if the joint plan demonstrates that it is not financially possible to provide schools with at least the target per learner allocations in that financial year, then that joint plan must determine whether it is financially possible to meet the target in any subsequent year(s). The joint plan must in these circumstances include the steps that will be taken, to the extent possible, to make up any shortfall in prior years at the earliest possible stage;

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EASTERN CAPE DIVISION, MAKHANDA

4.4. requires that, if a provincial education department publishes a school allocation, whether provisional or final, where the target school allocation exceeds the actual school allocation, it must, simultaneously with the publication of the school allocation, provide every public school with access to the joint plan contemplated in paragraph 114(b) and

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MAKHANDA

4.5. creates an ordering of priorities, such that in any years when it is not possible for the provincial education department to fund at least in accordance with the target, the provincial education department must prioritise quintile 1 and 2 schools and learners from grades 1 to 9.

5. The First to Fourth Respondents be and are hereby directed:

5.1. to deliver written reports to this Court relating to compliance with its order, on affidavit, and once per three month period, commencing on 1 September 2026, for a period of 360 calendar days following the date of this Court's order, meaning that each report must be delivered no later than:



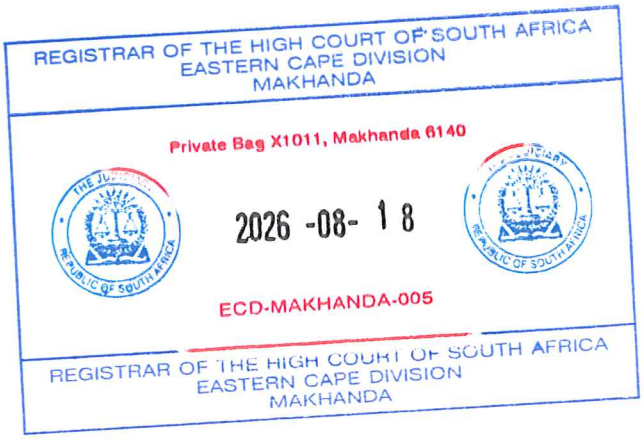
5.1.1. 30 November 2026;

5.1.2. 28 February 2027;

5.1.3. 30 June 2027; and

5.1.4. 30 September 2027; and

5.2. to ensure that such written reports detail the First to Third Respondents' steps to ensure that every school is provided a school allocation for



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2027/2028 calculated on the basis of at least the prevailing minimum per-learner target amount contemplated in paragraph 109 of the Norms and Standards as applicable to that school's Quintile, multiplied by the total enrolment numbers of that school.

6. Any Applicant and the *amicus curiae* shall be entitled to deliver affidavits in response to any affidavit delivered by a Respondent pursuant to paragraph 5 of this order, within 20 days of service of the Respondent's affidavit, and shall be entitled thereafter to re-enrol the matter for such further just and equitable relief as may be necessary.



7. The First to Fourth Respondents shall pay the costs of this application, jointly and severally, including the costs of two counsel on the C scale.

BY ORDER THE COURT

Y. DUDUMISA

REGISTRAR

LEGAL RESOURCES CENTRE



7

TVM

TANTYI PUBLIC SCHOOL-200100770

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal
District SARAH BAARTMAN
School and EMIS Nr **TANTYI PUBLIC SCHOOL-200100770**
Circuit Management Centre Makhanda CM Circuit SB Makana 2
Financial Management: Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,035 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

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Private Bag X1011, Makhanda, 6140

Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

22 May 2026

Balance of NNSSF Budget to following items:		NSF %		
NNSSF Item	Allocation	Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R30 158	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R33 333	17.3%		
Educational Consumables and Curriculum Support	R31 746	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R31 746	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R47 618	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R15 873	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R190 473	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 173
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FNS/2026-27
Planning Budget

Mr V.A. Joseph

TVM

HOëRSKOOL P J OLIVIER-200100612

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre	Makhanda CM Circuit SB Makana 2
Financial Management:	Section 21 Specialisation Ordinary School

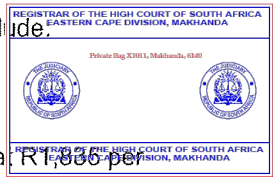
SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.



3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,080 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TvM

HOëRSKOOL P J OLIVIER-200100612

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R35 359	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R39 080	17.3%		
Educational Consumables and Curriculum Support	R37 220	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R74 439	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R37 220	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R223 317	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
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EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

NSNP 2026-27
Planning Support
Mr V A Joseph

TVM

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District SARAH BAARTMAN

School and EMIS Nr **VICTORIA PRIMARY SCHOOL-200100821**

Circuit Management Centre Makhanda CM **Circuit** SB Makana 2

Financial Management: Section 21 **Specialisation** Ordinary School

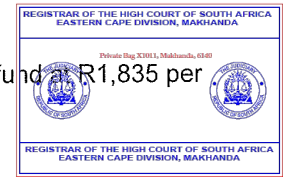
SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **5** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.



3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R11 461	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R12 668	17.3%		
Educational Consumables and Curriculum Support	R12 065	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R24 129	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R12 065	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R72 387	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **383**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS/2026-27
Planning Budget

Mr V.A. Joseph
Programme Manager

TVM

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District SARAH BAARTMAN

School and EMIS Nr **VICTORIA GIRLS HIGH SCHOOL-200100820**

Circuit Management Centre Makhanda CM **Circuit** SB Makana 1

Financial Management: Section 21 **Specialisation** Ordinary School

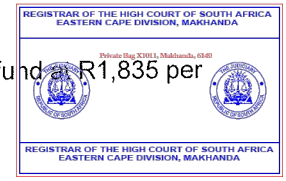
SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **5** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.



3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R12 658	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R13 991	17.3%		
Educational Consumables and Curriculum Support	R13 325	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R26 649	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R13 325	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R79 947	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X3011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **423**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS/2026-27
Planning Project

Mr V.A. Joseph
Programme Manager

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal
District SARAH BAARTMAN
School and EMIS Nr GRAHAMSTOWN PRIMARY SCHOOL-200100271
Circuit Management Centre Makhanda CM Circuit SB Makana 2
Financial Management: Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R40 792	15,7 %	15,8 %	The budget for textbooks is centralised.
Stationery	R45 086	17.3%		The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Educational Consumables and Curriculum Support	R42 939	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R42 939	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R64 409	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R21 470	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R257 634	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X3011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 234
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (special basic Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

NNSF 2026/27
Planning Manager

Mr V.A. Joseph
Programme Manager

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District NELSON MANDELA

School and EMIS Nr **DF MALHERBE HIGH SCHOOL-200100165**

Circuit Management Centre Central CMC **Circuit** NM CENTRAL-3

Financial Management: Section 21 **Specialisation** Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R74 733	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R82 600	17.3%		
Educational Consumables and Curriculum Support	R78 666	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R157 333	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R78 666	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R471 998	100%		

Specialised Item (Additional)	Allocation
Technical Schools	
Agricultural Schools	

Specialised Item (Additional)	Allocation
Maritime Schools	

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X1011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **856**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS/2026-27
Planning Budget

Mr V.A. Joseph
Programme Manager

TVM

Province of the EASTERN CAPE EDUCATION

LAER VOLKSKOOL GRAAFF-REINET-200100429

22 May 2026

The Principal
District SARAH BAARTMAN
School and EMIS Nr **LAER VOLKSKOOL GRAAFF-REINET-200100429**
Circuit Management Centre Graaff_Reinet_ Circuit SB Camdeboo
Financial Management: Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 5 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund a R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

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Province of the EASTERN CAPE EDUCATION

LAER VOLKSKOOL GRAAFF-REINET-200100429

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R10 953	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R12 105	17.3%		
Educational Consumables and Curriculum Support	R11 529	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R23 058	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R11 529	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R69 174	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X1011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **366**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with: ***********
12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS 2026/27
Planning Support

Mr V.A. Joseph
Programme Manager

TVM

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Province of the EASTERN CAPE EDUCATION

10 November 2025

The Principal

District SARAH BAARTMAN

School and EMIS Nr **GRAEME COLLEGE BOYS HIGH SCHOOL (200100270)**

Circuit Management Centre Makhanda CM **Circuit** SB Makana 2 **Specialisation** Ordinary School

Financial Management: Section 21

SCHOOLS PRELIMINARY PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **5** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X1011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" 10-Day Snap Survey figures (Grades 1 to 12), taken from SASAMS on 11 August 2025. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

10 November 2025

Balance of NNSSF Budget to following items:		NSF %		
NNSSF Item	**Allocation**	**Qs 1-3**	**Qs 4-5**	**Mode of Provisioning**
LTSM Textbooks	R18 823	15,7 %	15,8 %	The ECDoE is reviewing its mode of provisioning for this item. A circular to be issued to provide further clarity.
Stationery	R20 804	17.3%		
Educational Consumables and Curriculum Support	R19 814	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R41 608	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R17 832	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R118 881	100%		

Specialised Item (Additional)	Allocation
Technical Schools	R0
Agricultural Schools	R0

Specialised Item (Additional)	Allocation
Maritime Schools	R0

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **629**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FNS/2026/27
Planning Budget

Mr V.A. Joseph
Programme Manager

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District NELSON MANDELA

School and EMIS Nr **LINKSIDE HIGH SCHOOL-200100133**

Circuit Management Centre Algoa CMC **Circuit** NM Algoa-5

Financial Management: Section 21 **Specialisation** Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1 035 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

LINKSIDE HIGH SCHOOL-200100133

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R62 248	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R68 801	17.3%		
Educational Consumables and Curriculum Support	R65 525	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R131 049	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R65 525	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R393 148	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Private Bag X1011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **713**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS/2026-27
Planning Budget

Mr V.A. Joseph
Programme Manager

TVM

STUTTERHEIM HIGH SCHOOL-200200824

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District	AMATHOLE WEST
School and EMIS Nr	STUTTERHEIM HIGH SCHOOL-200200824
Circuit Management Centre	Stutterheim CM Circuit AW Circuit 10
Financial Management:	Section 21

Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA Private Bag X3011, Makhanda, 6140 REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

STUTTERHEIM HIGH SCHOOL-200200824

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R65 217	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R72 082	17.3%		
Educational Consumables and Curriculum Support	R68 649	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R137 299	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R68 649	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R411 896	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 747
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** ********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS/2026/27
Planning Support

Mr V.A. Joseph
Programme Manager

TVM

OATLANDS PREPARATORY SCHOOL-200100602

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	OATLANDS PREPARATORY SCHOOL-200100602
Circuit Management Centre	Makhanda CM Circuit SB Makana 2
Financial Management:	Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

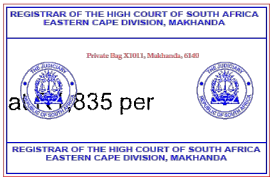
Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.



4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

OATLANDS PREPARATORY SCHOOL-200100602

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R25 318	15,7 %	15,8 %	The budget for textbooks is centralised.
Stationery	R27 984	17.3%		The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Educational Consumables and Curriculum Support	R26 651	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R53 302	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R26 651	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R159 906	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3051, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

ase note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **290**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS 2026/27
Planning Support

Mr V.A. Joseph
Programme Manager

Province of the
EASTERN CAPE
EDUCATION

MEDIA STATEMENT

EASTERN CAPE DEPARTMENT OF EDUCATION CLARIFIES MAKHANDA CIRCLE OF UNITY COURT ORDER IN RELATION TO NORMS AND STANDARDS FUNDING FOR PUBLIC SCHOOLS

24 August 2026

The Eastern Cape Department of Education wishes to provide clarity on the Makhanda Circle of Unity Court Order, administration, allocation and utilisation of Norms and Standards Funding (NSF) for public ordinary schools across all quintiles in the province, particularly for the 2024/25, 2025/26 and 2026/27 financial years.

The Department notes the recent public interest and commentary regarding school funding and considers it important that the broader funding model be properly understood, including the distinction between funding transferred directly to schools and the portion of the Norms and Standards Funding that is retained and administered centrally by the Department for the direct benefit of schools and learners.

Norms and Standards Funding Across All Quintiles

Norms and Standards Funding is allocated to public ordinary schools in accordance with the applicable national policy framework and the annual per-learner allocation determined for the respective school quintiles.

The funding arrangements apply to schools across Quintiles 1, 2, 3, 4 and 5, with allocations determined according to the approved funding framework and learner enrolment.

For each financial year, the total NSF allocation comprises:

- a portion transferred directly into school bank accounts for expenditure by schools in accordance with approved school budgets and applicable financial prescripts; and
- a centralised portion administered by the Eastern Cape Department of Education for the procurement and provision of essential goods, services and strategic educational interventions on behalf of schools.

For the three financial years under consideration, the funding position is as follows:

Financial Year	Total NSF Allocation	Centralised Portion	LTSM Centralised	Portion Transferred Directly to Schools
2024/25	R2 565 154 156	R875 106 021	R552 603 692	R1 137 384 443
2025/26	R3 208 688 474	R1 247 186 132	R694 448 068	R1 365 044 274
2026/27	R2 756 026 407	R1 084 717 661	R543 392 250	R1 127 916 496

The Department emphasises that the centralised portion remains part of the Norms and Standards Funding envelope and is spent directly for the benefit of schools and learners. It should therefore not be interpreted as funding that has been removed from the education system or diverted away from schools.

Per learner allocation

Financial Year	Per Learner Allocation	Centralised Portion	Portion Transferred Directly to Schools
2024/25- Q 1-3	R1 672	R 502	R1 170
Q 4	R838	R 168	R670
Q 5	R289	R 58	R231
2026/26 Q 1-3	R1754	R692	R1 162
Q 4	R879	R 200	R679
Q 5	R301	R 68	R233
2026/27 Q 1-3	R1 835	R734	R1 101
Q 4	R919	R 276	R643
Q 5	R315	R 95	R221

Payment of NSF to Schools

The portion of the NSF allocation that is transferred directly to schools is paid annually in two tranches:

First tranche: May
Second tranche: November

This payment arrangement enables schools to receive funding during the course of the financial year while the Department simultaneously provides centrally procured goods, services and educational support.

What the Centralised NSF Budget Funds

The centralised component of the Norms and Standards Funding is utilised to ensure that essential resources and specialised interventions are available across the Province, while achieving economies of scale and promoting equitable access to resources.

The centralised budget is used, amongst others, for the following:

1. Provision of textbooks to all public schools
The Department centrally procures textbooks to ensure that learners across all quintiles have access to the prescribed learning and teaching materials required for curriculum delivery.

2. Provision of scholastic stationery to Quintile 1, 2 and 3 schools
As part of its support to no-fee and disadvantaged schools, the Department centrally procures scholastic stationery for learners attending Quintile 1, 2 and

11. ICT and E-learning support to schools
The Department funds Information and Communication Technology support, infrastructure and related services to strengthen teaching, learning and school administration.

Centralised Funding Is Expenditure on Behalf of Schools

It is important to distinguish between a cash transfer to a school's bank account and the total value of resources made available to that school.

A school may receive a specified amount directly into its bank account while simultaneously benefiting from textbooks, stationery, furniture, digital devices, academic support programmes, municipal assistance and other services procured centrally by the Department.

Accordingly, an assessment of school funding based only on the amount reflected as a cash transfer into the school's bank account does not necessarily represent the full value of Norms and Standards resources directed to that school and its learners.

The centralised portion of the NSF budget therefore represents expenditure undertaken on behalf of and for the benefit of public schools, rather than a reduction in the province's commitment to funding education.

Makhanda Circle of Unity case the court order

The Department is fully aware of the Makhanda Circle of Unity case and the department has to prepare the schools for the decentralised procurement processes in 2027 for the implementation in 2028 Academic Year.

In the Makhanda Circle of Unity case the court ordered that the Department acted unlawfully by withholding 33.75% of public schools funding allocation from 2022. With immediate effect the Department must ensure that every school is provided a school allocation calculated on the basis of the at least the prevailing minimum per learner target amount contemplated in the Norms and Standards for School Funding as applicable to that school's quintile.

The order did not state that the Department must pay back any monies to schools for the previous years and for the current year.
The department is in the process of consulting all schools, through the Circular 10 of 2026, for the schools wishes to opt out from the centralised procurement shall make a representation by providing the evidence of pricing is cheaper than the centralised procurement for them to be considered for decentralisation of the LTSM procurement.

Supporting Equity Across the Province

The Eastern Cape operates one of the country's largest public education systems, with schools located across urban, rural and deeply rural communities. Many schools face significant socio-economic and infrastructure challenges.

Centralised procurement enables the Department to respond strategically to these challenges, particularly where bulk procurement can secure better value for money, promote standardisation, strengthen accountability and ensure that schools with limited procurement capacity are not disadvantaged.

It also enables the Department to direct additional support towards vulnerable schools and specialised institutions whose needs cannot always be adequately addressed through ordinary cash transfers alone.

Commitment to Transparent and Sustainable School Funding

The Eastern Cape Department of Education remains committed to ensuring that available education resources are used responsibly, equitably and in the best interests of learners.

The Department will continue to engage with schools, School Governing Bodies, organised stakeholders, National Treasury, the Department of Basic Education and other relevant institutions to strengthen the school funding model and ensure that schools receive the resources required to provide quality teaching and learning.

The Department further reiterates that the Norms and Standards Funding model must be understood as comprising both direct transfers to schools and centrally administered expenditure undertaken for schools.

The Department has noted with concern attempts by some opposition parties and other commentators to use the recent court order to advance a narrative that does not fully reflect either the contents of the order or the broader funding arrangements applicable to public schools in the Eastern Cape.

The Department is particularly concerned by statements which, in its view, misrepresent, distort or selectively present aspects of the court order in a manner that may create the impression that funds intended for schools were simply removed from the education system. As explained above, centrally administered Norms and Standards Funding has continued to be utilised for the direct benefit of schools and learners through the provision of textbooks, stationery, furniture, learner attainment programmes, ICT resources, municipal support and other critical educational interventions.

The Department rejects any deliberate attempt to mislead the public, fabricate an inaccurate picture of the funding position, or twist the facts for political purposes. Such conduct risks unnecessarily undermining public confidence in the education system and nullifying the considerable progress that the Department, together with its social partners and stakeholders, has begun implementing across the Province.

The Department respects the courts and remains committed to implementing lawful court orders. At the same time, the Department believes that court judgments and orders must be communicated to the public accurately, responsibly and in their proper context. The interests of learners and the stability of the education system should not be compromised through misinformation or political contestation.

The Eastern Cape Department of Education wishes to express its sincere appreciation to its social partners, organised labour unions, School Governing

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

3 schools.

3. Learner Attainment Improvement Strategy
Funding is provided for targeted academic interventions aimed at improving learner performance. This includes support provided to all schools through different support programmes such as additional tuition, extra lessons, weekend classes /camps and other learner attainment initiatives.

4. Support to Agricultural Schools
Specialised agricultural schools require specialised resources, equipment and programme-specific support beyond the ordinary operational requirements of schools. These interventions are supported from the centralised budget.

5. Support to Maritime Schools
The Department provides targeted resources and programme support to schools offering maritime-related education and skills development.

6. Support to Technical Schools
Technical schools require specialised machinery, equipment, consumables and learning resources. The centralised funding mechanism assists the Department in providing these resources in a coordinated manner.

7. Support to the Aviation School
Specialised aviation education and training requirements are also supported through the centrally administered budget.

8. Provision of school furniture
The Department procures and supplies furniture for both learners and educators, including desks, chairs and other essential classroom furniture, based on assessed school needs.

9. Municipal account support and bailouts
Where schools experience serious financial difficulty in meeting municipal obligations and there is a risk of disruption to schooling through the interruption of essential services, the Department provides targeted financial interventions and bailouts to address outstanding municipal payments.

10. Provision of tablets to Grade 12 learners
The centralised allocation supports the provision of digital learning devices, including tablets for Grade 12 learners, as part of the Department's efforts to expand access to digital educational resources and strengthen learner preparation for the National Senior Certificate examinations.

appreciation to its social partners, organised labour unions, School Governing Bodies, education stakeholders, implementing partners, development partners, donors and communities who continue to work alongside the Department in strengthening education in the province.

The Department values the commitment and continued support demonstrated by these partners in building a strong, relevant, responsive and sustainable education system that places the interests of learners at its centre.

The progress being made in education cannot be achieved by government acting alone. It requires a collective effort involving educators, organised labour, parents, communities, civil society, the private sector, donors and all other stakeholders who share the responsibility of improving educational outcomes for every learner in the Eastern Cape.

This partnership approach is firmly aligned with the vision of the Eastern Cape Department of Education:

"All learners provided with opportunities to become productive, responsible, and competitive citizens through an inclusive quality basic education system."

The Department's mission similarly emphasises the mobilisation of community and stakeholder support through participation and the institutionalisation of a culture of accountability throughout the Department.

The Department therefore calls upon all stakeholders to continue working together constructively and responsibly, focusing their collective efforts on improving teaching and learning, strengthening school governance, ensuring responsible utilisation of public resources and delivering the quality education that the children of the Eastern Cape deserve.

The Department remains committed to transparency, accountability and constructive engagement with all stakeholders as it continues implementing programmes aimed at strengthening the provincial education system.

ISSUED BY:
EASTERN CAPE DEPARTMENT OF EDUCATION

2030 NDP — A NATION THAT WORKS FOR ALL

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Your Ref:
Our Ref: EDU/MCOU/VAN SCHALKWYK/RANKIN

28 August 2026

TO: Ms Sharon Maasdorp
Head of Department: Eastern Cape Department of Education
Per email: Sharon.maasdorp@ecdoe.gov.za /
noncedo.goduka@ecdoe.gov.za



AND TO: Mr Fundile Gade
MEC: Eastern Cape Department of Education
Per email: nombuyekezo.nkwenkwezi@ecdoe.gov.za

AND TO: Ms Siviwe Gwarube
Minister of Basic Education
Per email: Minister@dbe.gov.za

LETTER OF DEMAND: REPAYMENT OF UNLAWFULLY RETAINED CONTRIBUTION TO PROVINCIAL NNSSF BUDGET TO SCHOOLS IN THE EASTERN CAPE FOR THE 2026/27 FINANCIAL YEAR

1. We act on behalf of the school governing bodies ("SGBs") of Hoërskool PJ Olivier,Tyantyi Primary School], and the Makhanda Circle of Unity.

Factual Background

2. We are instructed that on or around 22 May 2026, the Eastern Cape Department of Education ("ECDOE") issued paper budgets to schools in the

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province for the 2026/27 financial year. Copies of the paper budgets for Hoërskool PJ Olivier and Tyanti Primary School are attached hereto as **AN1**.

3. In these paper budgets, the ECDOE elected to retain 40% of each schools' budget to fund so-called "Provincial NNSSF resourcing". In the paper budgets the ECDOE explained that "*this allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.*"

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4. The ECDOE goes on to explain that "*the balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.*" This means that schools are, in effect, only paid 60% of the total budget allocated to their school.

5. The ECDOE's retention decision results in schools receiving significantly less than the National Per-Learner Target set each year by the Minister of Basic Education in terms of paragraph 110 of the Amended National Norms and Standards for School Funding ("Amended Norms and Standards"), despite the ECDOE purporting to fund learners at 100% of the National Per-Learner Target.

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6. The reduction in what schools receive across quintiles can be summarized as follows:

Quintile	National Target (R)	Amount Received Per Learner (R)
1 - 3	1 835	1 101
4	919	551.4
5	315	189

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Figure 1: Difference between Per-Learner Target and amounts paid to Eastern Cape schools in 2026/27 financial year

7. Schools in the Eastern Cape are thus effectively receiving just over half of what schools in other provinces funded at the National Per-Learner Target receive.

8. Significantly, this retention differs from the retention of any funds from schools' allocated towards LTSM Textbooks and Stationery in instances where schools have opted into the ECDOE's centralized procurement of these goods on behalf of participating schools.

9. This retention continues the ECDOE's trend of retaining a portion of schools' budgets to fund Provincial NNSSF resourcing which schools were first

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informed of in or around May 2023 regarding the 2023/2024 financial year. Since then, the ECDOE has retained a percentage of all schools' budget in each preceding financial year. Copies of our clients' paper budgets for the 2023/24, 2024/25 and 2025/26 financial years demonstrating this pattern are attached hereto as **AN2**.

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Legal Background

10. The Amended Norms and Standards make it very clear that school allocations must be distributed *to* schools. Paragraph 87 defines a "*school allocation*" as:

"*[a]n amount allocated by the state to each public ordinary school in the country on an annual basis in order to finance non-personnel non capital expenditure items.*"

11. At paragraph 95 the Amended Norms and Standards elaborate further that:

"*In general, the school allocations are intended to cover non-personnel recurrent items and small capital items required by the school as well as normal repairs and maintenance to all the physical infrastructure of the school, Moreover, the school allocation is primarily and exclusively intended for the promotion of efficient and quality education in public ordinary schools.*"

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12. The Amended Norms and Standards clearly articulates that school allocations must be used by schools themselves to cover their ordinary running expenses. No mention is made of provincial education departments' ("PEDs") ability to centralise these funds for "Provincial NNSSF resourcing" to fund other projects rolled out in qualifying schools.

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13. This was confirmed in the order granted by Malusi J on 19 August 2026 in the Eastern Cape High Court, Makhanda Division. At the time of writing, the court is yet to provide finalized copy of the order, however a copy of the final draft order endorsed by Malusi J is attached hereto as **AN3**.

14. There, Malusi J declared the ECDOE's previous retention decisions in respect of the 2023/24 and 2024/25 financial years, in terms of which 33.75% of each school's funding allocation for the respective financial year was withheld, unconstitutional, unlawful, and invalid.

15. The ECDOE's retention of 33.75% of schools' budgets in the 2023/24 financial years differs from the ECDOE's use of schools' budgets to centrally procure textbooks, LTSM and stationery in accordance with section 21(3A) of the South African Schools Act 84 of 1996. Section 21(3A) allows provincial education departments to procure *specific and identified items* on behalf of

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schools who opt into centralized procurement, upon consultation with those schools. The ECDOE's retention decisions here related to the retention of a percentage of schools' allocations to fund undisclosed projects, to the benefit of specific unnamed qualifying schools and reduced the amount allocated to schools that could be used to contribute by schools towards the centralized procurement of textbook, LTSM and stationery.

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16. Malusi J also held that if a PED wishes to lawfully provide schools with less than the National Per-Learner Target, they must first comply with the prerequisites set out in paragraph 114(b) of the Amended Norms and Standards and develop a joint plan for attaining the National Per-Learner Target.

17. This requires the relevant PED to:

17.1. Demonstrate that it is not financially possible to fund learners at the Per-Learner Target in that financial year;

17.2. Create an ordering of priorities which ensures the prioritization of quintiles 1 and 2 schools and learners from grades 1 to 9; and

17.3. Include:

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17.3.1. What steps will be taken to make up any shortfall to schools at the earliest possible stage during that financial year if it becomes possible to attain the target later in the same financial year; or

17.3.2. An indication of when it will be financially possible to meet the target in subsequent financial years and what steps will be taken subsequently to make up the shortfall to schools at the earliest possible stage.

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18. Malusi J also held that PEDs must provide schools with access to this joint plan simultaneously when publishing their school allocations.

19. The ECDOE's decision to retain 40% of all schools' allocations for the 2026/27 replicates the unconstitutional, unlawful and invalid decisions taken by the ECDOE in respect of the 2023/24 and 2024/25 financial years. These decisions, taken without a legal basis, deprive schools of funds the Amended Norms and Standards clearly require to be paid *to* schools. Moreover, the retention has the effect of providing schools with allocations below the National Per-Learner Target without complying with the requirements of paragraph 114(b) of the Amended Norms and Standards.

20. The ECDOE's retention of 40% of schools' allocations for the 2026/27 financial year is therefore similarly unconstitutional, unlawful and invalid.

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21. Importantly, you agreed to the grating of Malusi J's order and accepted that the retention of a percentage of the allocation for provincial NNSSF is unlawful, unconstitutional, and invalid.

22. In light of this, we have been instructed to demand, as we hereby do, that **within 20 days of the date of this letter**, you:

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22.1. Issue a circular informing schools that:

22.1.1. The paper budgets for the 2026/27 financial year erroneously asserted that schools would only receive 60% of their total school allocation and are withdrawn; and

22.1.2. Schools will be issued with revised paper budgets indicating that:

22.1.2.1. The school allocation for each school will be calculated at 100% of the National Per-Learner Target; and

22.1.2.2. No percentage of the school allocation will be withheld and 100% will be paid to each school.

22.2. Issue schools with revised paper budgets for the 2026/27 financial year **by no later than 17 September 2026** reflecting that:

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22.2.1. The school allocation for each school will be calculated at 100% of the National Per-Learner Target; and

22.2.2. No percentage of the school allocation will be withheld and 100% will be paid to each school.

22.3. Process the payment of the 40% of schools' allocation that was erroneously withheld during the second tranche payment paid to schools in the Eastern Cape during November 2026.

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23. Our clients' rights are reserved.

Kind regards

LEGAL RESOURCES CENTRE

PER: CECILE VAN SCHALKWYK

HOëRSKOOL P J OLIVIER-200100612

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre	Makhanda CM Circuit SB Makana 2
Financial Management:	Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,035 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

TVM

Province of the EASTERN CAPE EDUCATION

HOëRSKOOL P J OLIVIER-200100612

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R35 359	15,7 %	15,8 %	The budget for textbooks is centralised.
Stationery	R39 080	17.3%		The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Educational Consumables and Curriculum Support	R37 220	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R74 439	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R37 220	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R223 317	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**

8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.

9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.

11. **ALL transfers to the school will be made to the bank account ending with:** *********

12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.

13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.

14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.

15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS 2026/27
Planning Budget

Mr V A Joseph

TvM

TANTYI PUBLIC SCHOOL-200100770

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal
District SARAH BAARTMAN
School and EMIS Nr **TANTYI PUBLIC SCHOOL-200100770**
Circuit Management Centre Makhanda CM Circuit SB Makana 2
Financial Management: Section 21 Specialisation Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **3** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,035 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R30 158	15,7 %	15,8 %	The budget for textbooks is centralised.
Stationery	R33 333	17.3%		The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Educational Consumables and Curriculum Support	R31 746	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R31 746	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R47 618	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R15 873	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R190 473	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 173

8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.

9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.

11. **ALL transfers to the school will be made to the bank account ending with:** *********

12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.

13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.

14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.

15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FNS2026-27
Planning Support

Mr V.A. Joseph

TVM

Province of the
EASTERN CAPE
EDUCATION

HOëRSKOOL P J OLIVIER-200100612

The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

B: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. \ll under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM Textbooks	R34,226	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R39,360	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R48,259	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districts.
Cash Payment Q 1,2,3 Schools	R0	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R68,452	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R36,451	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R226,748	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as **426**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. \ memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

TVM

Province of the
EASTERN CAPE
EDUCATION

HOëRSKOOL P J OLIVIER-200100612

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********8627
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

The Principal
District SARAH BAARTMAN
School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

B: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. \ll under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
LTSM Textbooks	R30,278	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R34,819	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R33,608	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R30,278	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,472	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R20,135	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R200,590	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as 189

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. \ memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

TVM

Province of the
EASTERN CAPE
EDUCATION

TANTYI PUBLIC SCHOOL-200100770

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********4757
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

Province of the EASTERN CAPE EDUCATION

28 September 2023

The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER(200100612)
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2024 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 Due to a reduction in the 2024/25 MTEF budget baseline, the department is funding at less than the National per learner norm. The department can afford to fund at R1,231 per learner for quintiles 1-3 schools, R617 for quintile 4 and R213 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R28,530.

PART A: R636.587 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 29 August 2023. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2024 as was the case in 2023/24. There'll be no opting-in for this function.

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget Allocation for 2024/25 for NNSSF balance:

		NSF %		
NNSSF Item	Allocation	Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R25,797	15%	15%	The ECDoE is reviewing its mode of provisioning for this item.
Stationery	R29,667	17%	17%	
Educational Consumables and Curriculum Support	R36,374	17%	21%	Transfer to Qs 1-3,
Cash Payment Qs 1-3 Schools	R0	15%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,595	26%	30%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R27,474	10%	16%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R170,907	100%	100%	

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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Province of the
EASTERN CAPE
EDUCATION

28 September 2023

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: 418

8. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

10. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.

11. **ALL transfers to the school will be made to the bank account ending with: ******8627**

12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.

13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.

14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.

15.. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in Education,

VNS/2024/25
Planning & Budget

Mr V.A. Joseph
Programme Manager

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Province of the EASTERN CAPE EDUCATION

25 September 2023

The Principal
District: SARAH BAARTMAN
School and EMIS No: TANTYI PUBLIC SCHOOL (200100770)
Circuit Management Centre: Makhanda CM Circuit SE Makana 2 Specification: Ordinary
Financial Management: Section 21

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir/ Madam

1. The school is placed into Quintile 3 of the 2024 Resource Targeting Table (RTT) Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty rate index at ward level. It is calculated by Statistics South Africa.
2. Factors used in the calculation of the index of deprivation of the community that surrounds the school include 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.
3. NB: The physical condition of your school is not considered for the calculation of this purpose.
4. Due to a reduction in the 2024/25 MTEF budget baseline, the department is funding at less than the National Norm. The department can afford to fund at R1,231 per learner for quintiles 1-3 schools, R617 for quintile 4 and R[illegible] per learner for quintile 5 schools.
5. Small schools are funded at a minimum level of R28,580.

PART A: R638,587 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget benefitting all schools, this allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

6. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12) taken from SASAMS as at 29 August 2023. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note: the Municipal Services Faith will be transferred to all S21 schools in 2024 as was the case in 2023/24. There'll be no opting in for this function.
7. All under/over payments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during the transfer as required by AG.

Budget Allocation for 2024/25 for NNSSF balance:		NSF %		
NNSSF Item	Allocation	Qs 1-3	Qs 4-5	Mode of Provisioning
LTSM Textbooks	R22,889	15%	15%	The school is reviewing its mode of provisioning for this item
Stationery	R26,322	17%	17%	
Tranche 1 and 2 Payments	R25,497	17%	21%	Transfer to Qs 1-3
Curriculum Provision				
Total NNSSF Allocation to School	R22,889	15%	0%	Transfers to Qs 1 to 3 15% and 3%
Municipal Services	R38,944	26%	30%	Transfers to Qs 1 to 5 30% under or over
Maintenance	R15,274	10%	16%	Transfers to Qs 1 to 5 16% under or over
Total	R151,648	100%	100%	

Province of the EASTERN CAPE EDUCATION

28 September 202

Please note the following:

7. The learner enrolment for the schools registered grades 1-12 is captured as 1185

8. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintile 1, 2, 3 plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

9. A memo was issued to schools dated 29/04/2020 which rescinded circular 17 of 2016. The management and pay for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 Ap 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their status revoked.

10. Operational schools, including new schools who have not received funds must contact their distric Schools who wish to lodge a transfer query must complete the official transfer query form signed b assist the district to manage the query and if need be, escalate the problem to head office. Please must reach the district within 30 days and Head office within 45 days from the date of transfer in o appointment of being excluded from any mop-up process. No late queries will be entertained. E with data required to manage transfer queries.

11. ALL transfers to the school will be made to the bank account ending with: ******4757

12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details thro the completion of 1401's and update SASAMS. Schools must make use of Cheque accounts only. Transfers will made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the ac running for at least 3 years. Changes to a bank account will not be accommodated once a transfer/payment cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each y

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14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 Failure to comply with this requirement will have serious consequence management implications.

15. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in education

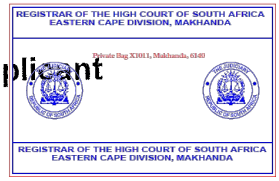
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IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE HIGH DIVISION: MAKHANDA

Case No: 3830/2023

BEFORE HIS LORDSHIP THE HONOURABLE JUSTICE MALUSI ON 19 AUGUST 2026

In the matter between:



MAKHANDA CIRCLE OF UNITY	First Applicant
THE SCHOOL GOVERNING BODY OF NTSIKA SECONDARY SCHOOL	Second Applicant
THE SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLVIER	Third Applicant
THE SCHOOL GOVERNING BODY OF TYANTYI LOWER PRIMARY SCHOOL	Fourth Applicant

and

THE HEAD OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	First Respondent
THE MEMBER OF THE EXECUTIVE COUNCIL EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	Second Respondent
THE GOVERNMENT OF THE EASTERN CAPE PROVINCE	Third Respondent
THE MINISTER OF BASIC EDUCATION	Fourth Respondent
THE MEMBER OF THE EXECUTIVE COUNCIL	

1

FOR FINANCE, ECONOMIC DEVELOPMENT
AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE — **Fifth Respondent**

THE MINISTER OF FINANCE — **Sixth Respondent**

GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA — **Seventh Respondent**

and

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

SECTION 27 — ***Amicus curiae***

DRAFT ORDER

Having read the papers and by agreement between the parties:

1. The decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in May 2023, to withhold 33.75% of each school's funding allocation for 2023/2024, is declared unconstitutional, unlawful and invalid,.

2. The decision of the first, second and third respondents, communicated to public schools in the Eastern Cape in December 2023, to withhold 33.75% of each school's funding allocation for 2024/2025, is declared unconstitutional, unlawful and invalid.

3. The decisions taken by the first, second and third respondents between 20 November 2020 and November 2022, to reduce the per-learner funding allocations for public ordinary schools in the Eastern Cape to an amount less than the targets

2

determined by the fourth respondent from time to time, are declared unconstitutional, unlawful and invalid.

4. It is declared that paragraph 114(b) of the Amended National Norms and Standards for Public School Funding (published in Government Notice 869 of the Government Gazette 29179, 31 August 2006) (**"the Norms and Standards"**):

4.1. sets out the prerequisites with which a provincial education department must comply before it may lawfully provide less than the target per learner allocations to schools in the province. Therefore, in the absence of a joint plan for attaining the per-learner targets that complies with paragraph 114(b), a provincial education department is required to provide allocations in accordance with (or that exceed) the targets;

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EASTERN CAPE DIVISION, MAKHANDA

4.2. requires that, in the joint plan contemplated in paragraph 114(b), the provincial education department is required to demonstrate, in the first instance, that it is not financially possible to provide schools with at least the target per learner allocations in that financial year. In the event that it is possible to attain the targets later in the same financial year, then the joint plan must include the steps that will be taken, to the extent possible, to make up any shortfall at the earliest possible stage;

4.3. requires that, if the joint plan demonstrates that it is not financially possible to provide schools with at least the target per learner allocations in that financial year, then that joint plan must determine whether it is financially possible to meet the target in any subsequent year(s). The joint plan must in these circumstances include the steps that will be taken, to the extent

3

possible, to make up any shortfall in prior years at the earliest possible stage;

4.4. requires that, if a provincial education department publishes a school allocation, whether provisional or final, where the target school allocation exceeds the actual school allocation, it must, simultaneously with the publication of the school allocation, provide every public school with access to the joint plan contemplated in paragraph 114(b) and

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EASTERN CAPE DIVISION, MAKHANDA

4.5. creates an ordering of priorities, such that in any years when it is not possible for the provincial education department to fund at least in accordance with the target, the provincial education department must prioritise quintile 1 and 2 schools and learners from grades 1 to 9.

5. The first to fourth respondents are directed:

5.1. to deliver written reports to this Court relating to compliance with its order, on affidavit, and once per three month period, commencing on 1 September 2026, for a period of 360 calendar days following the date of this Court's order, meaning that each report must be delivered no later than:

5.1.1. 30 November 2026;

5.1.2. 28 February 2027;

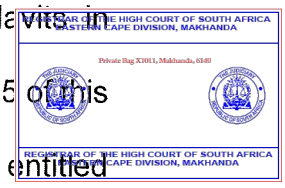
5.1.3. 30 June 2027; and

5.1.4. 30 September 2027; and

4

5.2. to ensure that such written reports detail the first to third respondents' steps to ensure that every school is provided a school allocation for 2027/2028 calculated on the basis of at least the prevailing minimum per-learner target amount contemplated in paragraph 109 of the Norms and Standards as applicable to that school's Quintile, multiplied by the total enrolment numbers of that school.

6. Any applicant and the *amicus curiae* shall be entitled to deliver affidavits in response to any affidavit delivered by a respondent pursuant to paragraph 5 of this order, within 20 days of service of the respondent's affidavit, and shall be entitled thereafter to re-enrol the matter for such further just and equitable relief as may be necessary.



7. The first to fourth respondents shall pay the costs of this application, jointly and severally, including the costs of two counsel on the C scale.

BY THE COURT

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REGISTRAR

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Province of the
EASTERN CAPE
EDUCATION

Iphondo leMpuma Kapa: Isebe leMfundo
Provinsie van Oos Kaap: Department van Onderwys
Provense ya Kapa Botjhabela: Letapha la Thuto

OFFICE OF THE HEAD OF DEPARTMENT
Steve Vukile Tshwete Complex, Zone 6 Zwelitsha, 5608, Private Bag X0032, Bhisho, 5605 REPUBLIC OF SOUTH AFRICA
Enquiries: MR.V.JOSEPH. Email: varkeychan.jospeh@ecdoe.gov.za **Website:** www.ecdoe.gov.za

CIRCULAR 10 OF 2026

TO : **PRINCIPALS OF ALL SCHOOLS**
SCHOOL GOVERNING BODIES
SGB ASSOCIATIONS

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

FROM : **HEAD OF DEPARTMENT**

SUBJECT : **CENTRALISATION OF LTSM PROCUREMENT – INVITATION TO MAKE REPRESENTATIONS IN TERMS OF S21 OF THE SOUTH AFRICAN SCHOOLS ACT 84 OF 1996**

DATE : **19 AUGUST 2026**

1. The above matter refers.

2. Over recent years, the Department of Education has utilised a centralised procurement system within public schools to ensure that public funds are accounted for. The decision was taken after the Auditor General made negative findings against the Department where the funds transferred to schools for Learner Teacher Support Material (LTSM) could either not effectively be accounted for in terms of quantities and quality of LTSM which effected learning and teaching negatively.

3. This system entails the transfer of the purchasing function / authority from individual schools to the Department, with the primary objectives of leveraging bulk purchasing power, reducing costs and improving procurement efficiency. Centralised procurement typically involves the use of negotiated and centrally compiled catalogues, the standardisation of suppliers through departmental and Transversal contracts, and enhanced accountability in the management of Learning and Teaching Support Materials (LTSM).

4. Under this system, schools no longer procure LTSM directly from suppliers. Instead, schools select required items from approved centralised catalogues compiled by the Department of Education and submit their orders through the Department. These orders are consolidated into large-volume procurements, enabling the Department to negotiate favourable contractual terms with suppliers on behalf of schools. Distribution is then coordinated through centralised logistics systems, replacing uncoordinated individual school deliveries.

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Provense ya Kapa Botjhabela: Letapha la Thuto

5. This approach results in reduced costs through economies of scale and increased bargaining power, promotes uniformity and quality in educational materials, and strengthens accountability and resource management. Importantly, the centralisation of procurement shifts financial responsibility to central authorities, thereby improving audit readiness, minimising wasteful and irregular expenditure and ensuring compliance with applicable procurement legislation and regulations.

6. The Basic Education Laws Amendment Act (BELA) introduces important provisions relating to the allocation of procurement functions to school governing bodies. In terms of Section 21(3A) the HOD may, in consultation with the governing body, centrally procure identified LTSM for public schools on the basis of effective and economical utilisation of public funds or to ensure compliance with uniform norms and standards, provided that the governing body:

(a) may, subject to paragraph (b), procure identified learning and teaching support material from a supplier where such procurement will be more cost effective than the central procurement of such material by the Head of Department; and

(b) must provide the Head of Department with documentary proof that the procurement of the identified learning and teaching support material from the supplier referred to in paragraph (a) will be more cost effective than the central procurement thereof by the Head of Department.

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7. In line with these legislative provisions, the Department invites schools that wish to undertake independent procurement processes to submit formal representations. Such representations must be supported by credible documentary evidence demonstrating that the proposed procurement processes are more cost-effective than the centralised procurement conducted by the HOD.

8. Schools intending to undertake independent procurement processes must send email their representations by close of business 26 August 2026 to Mr Joseph at email address Varkeychan.Joseph@ecdoe.gov.za

Yours in quality education,

MS S. A. MAASDORP
HEAD OF DEPARTMENT

19.08.26
DATE

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INSTITUTIONAL DEVELEOPMENT AND GOVERNANCE Steve Vukile Tshwete Complex • Zone 6 • Zwelitsha • Eastern Cape Private Bag X0032 • Bisho • 5605 • REPUBLIC OF SOUTH AFRICA Tel: +27 (0)40 608 4044 • Website: www.ecdoe.gov.za

Enquiries: Ms T. Futshane Office No: 040 608 4243 Email: Thembisa.Futshane@ecdoe.gov.za

CIRCULAR NO 3 OF 2019

TO : CLUSTER CHIEF DIRECTOR
DISTRICT DIRECTORS
ASSOCIATION OF SGBs
SCHOOL GOVERNING BODIES
SCHOOL PRINCIPALS

FROM : THE SUPERINTENDENT GENERAL

SUBJECT : RESOURCE ALLOCATIONS FOR PUBLIC ORDINRY SCHOOLS,INCLUDING "NO FEE SCHOOLS", FOR 2018/2019

DATE : 23 JANUARY 2019

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1. PURPOSE

1.1 To provide schools and their governing bodies (SGBs) with the financial resource allocation (based on their reviewed/revised category ranking) for the financial year, 01 April 2019 to 31 March 2020.

1.2 To provide guidelines on the utilization of the Resource Target Table (RTT) allocation.

1.3 To inform school governing bodies (SGB), Principals, and Department officials about the process and procedure involved in declaring schools as 'No Fee' schools.

2. POLICY AND LEGISLATIVE FRAMEWORK

2.1 The South African Schools Act, 1996(Act No. 84 of 1996) as amended by the various Education Laws Amended Acts.

2.2 Amended National Norms and standards for School Funding Gazette no. 31496 of 2008, (amended NNSSF)

2.3 The National Education Policy Act (Act no. 27 of 1996).

2.4 Public Finance Management Act (Act No.1 of 1999)

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3. BACKGROUND

3.1 The Education Law Amendment Act 24 of 2005 made amendment to section 35 of the South African Schools Act of 1996, whereby provision is made for some schools serving the poorest communities in the country to be declared 'No Fee Schools' as from 2006. The declaration of 'No Fee Schools' is an integral part of the government strategy to alleviate the effects of poverty and redress the imbalance of the past. In addition, this strategy is aimed at ensuring that all learners in the country exercise their right to basic education as determined by the Constitution of the Republic of South Africa (Act no. 108 of 1996)

3.2 The resource allocation to schools is based on learner enrolment figures (Grade 1 to 12 only) whilst transfer of funds is based on learners with valid identity documents as contained in SA-SAMS March 2019.

3.3 In terms of the South African Schools Act of 1996 as amended, schools are expected to keep detailed accounts of what they spend their money on, and must account to school communities and the Eastern Cape Department of Education on an annual basis.

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4. 'NO FEE SCHOOLS'

4.1 Implementation began in 2006, with all quintile 1 schools being declared as 'No Fee' Schools and subsequent to that quintile 2 were declared as 'No Fee schools in 2007. In Eastern Cape this meant that a total of 56.44% of its leaners were no longer required to pay school fees. The department has taken a decision to extend the 'No Fee' status to schools within the quintile 3 ranking. Eastern Cape has currently declared 96% No Fee Schools.

4.2 The initiative is an extension of the process outline in paragraph 1 and 2 above, whereby all Eastern Cape public ordinary schools in quintile 3 were declared 'No Fee' schools as of January 2009. In 2018/19 financial year 1 484 819 learners are exempted from paying compulsory fees.

4.3 Parents of learners at 'No Fee schools' are exempted from the payment of compulsory school fees, but are not precluded for making voluntary contribution to the school.

4.4 School Governing Bodies are reminded of their responsibility to raise funds even though their schools were declared' No Fee School'.

4.5 Schools that are declared as 'No Fee' schools are still required to prepare budgets in accordance with section 38(2) of SASA, and keep records of funds received and spent in accordance with section 42 of SASA.

4.6 Schools that are declared "No Fee" schools must note that the Cash Payment budget must be spread over a period of 12 months (i.e. from April 2019 to March 2020).

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5. UTILISATION OF FEE/DONATIONS COLLECTED AND THE SCHOOL ALLOCATION AS PER THE RESOURCE TARGET TABLE (RTT)

5.1 The use of school fees and donations collected from parents should be guided by the provision of SASA to augment the state allocation particularly for services and maintenance.

5.2 In general, the school allocations are intended to cover non-personnel recurrent items and small capital that is required by the school, as well as ***minor*** repairs and maintenance of the physical infrastructure of the school. Moreover, the school allocations are primarily and exclusively intended for the promotion of quality education in public ordinary school.

5.3 35% of the school allocation is ring-fenced for LTSM and may be used for the purchasing of textbooks to ensure movement progressively to a ratio of one textbook per learner, per Learning Area/subject (Refer to Annexure A), 10% for Educational and Non-Educational Consumables respectively in support of the curriculum. (Refer to Annexure A). Quintile 1-3 LTSM have been centralized as per Circular No: 9 of 2013.

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5.4 25% for No Fee School and 30% for Fee Charging School is ring-fenced for maintenance and must be used for minor repairs, e.g. the replacement of broken windows, minor plumbing repairs, etc. (Refer to Annexure C)

5.5 20% for No Fee School and 25% for Fee Charging School is ring-fenced for services and must be used for the payment of municipal services and other related services. (Refer to Annexure B). Quintile 1-3 municipal services have been centralized as per Circular No: 7 of 2016.

(These percentages may be reviewed as the Department deems necessary)

NOTEWELL: Where the SGB considers that there is a need to deviate from the prescribed manner in which funds are to be utilized in terms of SASA, a submission must be presented to the District Director, with justifiable reasons for so doing, and should only be for under-budget for the educational items relating to the recommended breakdown after consultation.

5.6 SGBs are reminded that it is crucial to align the school budget with the School Improvement Plans to ensure effective quality curriculum delivery.

5.7 Allocations to schools should be transferred on or before 15 May for 1st tranche. The second transfer payment will be made on or before 15 November annually as articulated by Norms and Standards for School Funding gazette number 31574, after the department has considered audited financial statements of the previous financial year as contemplated in section 43(5) of SASA.

5.8 Schools that have received transfers erroneously are expected to sign a cheque to the Eastern Cape department of education within 7 (seven) working days of receiving such payment.

6. REPORTING

6.1 Schools where SASA Section 21 Functions have been allocated are required to adhere to stringent financial management and reporting systems that are

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reliable, efficient, and verifiable. Transfers to schools are efficiently utilized only if they are used for the purpose for which they are intended.

6.2 The Public Finance Management Act of 1999 also addresses the issue of transparency. This implies that the entity that will be receiving the funds must disclose to all stakeholders its plans that show where the funds come from, what they were intended for, what they will be used for and when and how they will be used. The entity must also disclose who benefited from such utilization.

7. REPORTING FRAMEWORK

REPORT TO BE SUBMITTED	PERIOD REPORT MUST COVER	DATE TO SUBMIT TO DISTRICT OFFICE
Quarterly expenditure reports should be done by all public schools and compliance forms should be signed by all schools receiving transfer payments.	1 Jan 2019 – March 2019	18 April 2019
	1 April 2019 – 30 June 19	19 July 2019
	1 July 2019 – 30 Sept 19	18 Oct 2019
	1 Oct 2019 – 31 Dec 19	13 Dec 2019
Audited Annual Financial Statements should be done by Section 21 schools	01 Jan – 31 Dec 2018	**Date of submission not later than 30 June 2019**

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Schools should note that only after the submission of Audited Financial Statements will funds be transferred. Therefore, the sooner the school submit its AFS, the sooner it receives its allocation.

8. THE DETERMINATION OF NATIONALLY PROGRESSIVE SCHOOL ALLOCATIONS

8.1 To determine the school allocation for each school, the Eastern Cape Department of education utilizes the resource targeting list and the table of targets for the school allocation. (the target table)

8.2 The following table of targets for school allocation establishes per learner amounts for 3 consecutive years.

QUINTILE	2018	2019	2020
Q1	R 1 316	R 1 390	R 1 468
Q2	R 1 316	R 1 390	R 1 468
Q3 (No Fee threshold)	R 1 316	R 1 390	R 1 468
Q4	R 660	R 697	R 736
Q5	R 228	R 241	R 254

8.3 In order to calculate the allocation for each individual school for the following year, the ECDoE multiplies the relevant per learner target from the target table by the enrolment of the school in the current year.

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NOTE WELL: *Audited financial statements of Public Ordinary Schools in compliance with section 43(5) of SASA, - each school should submit a copy of Audited Financial Statements for the period 1 January 2018 to 31 December 2018 to the Head of Department by June 2019.*

Failure to meet this compliance requirement could result in subsequent transfer payments to the school being withheld. In addition, for the purpose of ongoing monitoring in respect of financial management, schools are required to maintain monthly cash-flow projections and actual expenditure statements.

CONCLUSION

This circular rescinds Circular 57 of 2009 and must be read in conjunction with Amended Norms and Standards for School Funding Gazette No. 29179 of 31 August 2006.

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MR T. KOJANA
SUPERINTENDENT GENERAL

building blocks for growth

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Tel No.: 040 608 4741* Cell No: 083 252 6314 ** Fax No.: 086 667 6156 Enquiries: Thembani Mtyida

MEMORANDUM

TO : CFO
: DIRECTOR: RESOURCE TARGETING & SYSTEMS PLANNING (RTSP)
FROM : DIRECTOR:SCHOOL RESOURCE PLANNING
DATE : 22 SEPTEMBER 2022
SUBJECT : REQUEST FOR CFO APPROVAL OF PER LEARNER ALLOCATION TO PUBLIC ORDINARY AND ECD SCHOOLS AND FOR RTSP TO PREPARE PRELIMINARY 2023/24 RESOURCE TARGETING LIST (RTL) AND SCHOOL PAPER BUDGETS FOR PROGRAMME MANAGER APPROVAL

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PURPOSE

1. This submission seeks to request CFO approval to commence the budget NSF budget process required to inform the compilation of the 2023/24 RTT. Furthermore, for CFO, through the Directorate: Resourcing and School Administration to give authority to the Resource Targeting and Systems Planning (RTSP) to provide the required information to assist the unit in preparing the final 2023/24 Resource Targeting Table and Lists (RTT&L) and prepare the paper budgets for Public Ordinary and ECD schools.
2. Secondly for the programme manager to support the equitable share funding for Norms and Standards including the endorsing of the preliminary paper budget allocations to these schools.

BACKGROUND

3. The State must, on an annual basis, provide sufficient information (indicative figures or final school paper budgets) to public schools regarding its funding to enable public schools to prepare their annual budgets as required by section 34(2) of South African Schools Act (SASA).
4. Paragraph 121 of National Norms and Standard for School Funding (NNSSF) states that the final school allocation for the current year must be communicated to schools during the two weeks following the finalization of the Provincial Education Department (PED) budget by the Provincial Legislature.

DELIBERATIONS

PUBLIC ORDINARY SCHOOLS (POS)

5. Due to Treasury budget cuts, the Eastern Cape Provincial Education Department (ECPED) is unable to fund schools at the minimum national target in line with Government gazette No. 45878 dated 07 February 2022. It must be noted that the NSF per learner was improved after the department received additional budget from provincial treasury as part of the 2022 MTEF main

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budget allocation. Despite this we are only funding at 67% of the NNSSF, which is an improvement of 3% on previous financial year. The table below indicates the per learner allocations for quintiles 1 to 5 budgeted for, given the available funding:

Table 1: Per Learner Allocation for 2023/24 – Public Ordinary Schools (POS)

Quintile 1 - 3	R	1,602
Quintile 4	R	803
Quintile 5	R	278
No Fee Treshold	R	1,602

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NORMS AND STANDARDS SPLIT

6. Table 2 below indicates the percentage allocations for No-fee schools and Fee Charging schools for the chosen norms and standards categories.

Table 2: NORMS & STANDARDS SPLIT FOR NO FEE AND FEE CHARGING SCHOOLS FOR 2022/23

NNSSF CATEGORY	NO-FEE SCHOOLS	FEE PAYING SCHOOLS	MODE OF PROVISIONING (PROVISIONAL)
Agriculture	0.9%	0.9%	Central procurement / Transfers for identified items
Technical	1.1%	1.1%	Transfers to all Technical schools
Maritime	0.4%	0.4%	Centralised, with transfers for textbooks
Full-Service	0.1%	0.1%	Transfers to all Full Service schools
Textbooks	15.3%	15.3%	Centralised textbooks procurement for all schools
MTBBE Textbooks	0.5%	0.5%	Central procurement
Library	0.3%	0.3%	Transfers to S21 schools
Workbooks	0.1%	0.1%	Central procurement
Stationery	11.0%	11.0%	Central procurement for Qs 1-3 / All Q4&5 schools excluded from centralised Stationery procurement
ICT Laptops & Data	12.0%	15.0%	Central procurement
E-Learning & devices	3.5%	3.5%	Central procurement
Centralised LTSM Project	5.0%	3.4%	Central procurement
School Furniture	4.5%	4.5%	Central procurement
Municipal Services	20.9%	32.5%	Central payment according to RTT limits / Transfers to qualifying schools
LAIS	8.0%	0.0%	Central procurement
Educational & Workshop Consumables	5.1%	10.1%	Transfers to S21 schools
Cash Payment	10.0%	0.0%	Transfers to all Qs 1-3 schools
Maintenance	1.0%	1.0%	Transfers to S21 schools
SGB School Affiliation fees	0.3%	0.3%	Transfers to qualifying SGB Associations
	100%	100%	

PROGRAMME 5:

Table 3: Per Learner Allocation for 2023/24 - ECD

Quintile 1 - 3	R	1,121
Quintile 4	R	562
Quintile 5	R	195
No Fee Treshold	R	1,121

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Table 4: NORMS & STANDARDS SPLIT FOR 2023/24 - ECD

RTT SPLIT ECD			
20%	40%	30%	10%
~~LTSM~~ TEXTBOOKS (TPN)	Stationery	Educational Consumables	Operations

LINKS TO UNITS' STRATEGIC PRIORITIES:

7. This links with strategic goals 1, 2 & 6.

PERSONNEL IMPLICATIONS:

8. No extra personnel needed for the signing of this submission.

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FINANCIAL IMPLICATIONS:

9. No financial implications other than the budget set aside for funding NNSSF. It is requested that the RTSP unit utilizes the 10 August 2022 verified data used for the 2023 Post Provisioning Norm (PPN) to prepare the required documents and to ensure that only operational schools form part of these calculations. The verification must be in line with AG requirements and include all functional and compliant schools.

LEGAL IMPLICATION

10. The PED is legally obliged to comply with NNSSF in distributing funds to schools in a fair and equitable manner.

COMMUNICATION IMPLICATIONS

11. The 2023/24 paper budgets will be distributed to schools in order for schools to compile its individual school budgets for approval by SGBs.
12. HoD has an obligation to resource Public Ordinary schools and report to Legislature.

CONSULTATIONS

13. Consultations were made between the Director Budget section, Chief Director RSA, CFO, and Resource Targeting and Systems Planning. The data is used mainly for planning. The funding is in accordance with the HoDs funding submission to DBE on the NNSSF.

CONFIRMATION OF CONSULTED UNITS

14. The signed copy of this submission will serve as confirmation that all relevant sections and managers has appended signatures to acknowledge consultation. It must be noted that the RTT used for paper budgets takes into account changes in learner numbers caused by

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changes in school functional status and could differ from the original RTT used for first and second budget submissions.

15. The unit reserves the right to amend this data depending on the outcome of the 2023 learner data.

REQUESTED

16. The following is requested:

a) The RTSP unit to affirm the preparation of the 2023/24 RTT as outlined,

b) The RTSP unit prepares and distributes the 2022/23 School Paper budgets to schools and districts and

c) The CFO and programme manager approves the NNSSF budget and endorse school paper budgets for 2023/24 for Public Ordinary & ECD schools as outlined.

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Yours Sincerely,

MR S. LUKHOZI
DIRECTOR: SRP

14/10/2022.
DATE

SUPPORTED /~~NOT SUPPORTED~~
This is necessary for the smooth Communication to schools in readiness for 2023 Academic year.

REV. A. FETSHA
CD: RSA (ACTING)

14/10/2022
DATE

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RECOMMENDED /NOT RECOMMENDED

MR TJZ MTYIDA
DDG: EDC & IOM

25-11-2022
DATE

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APPROVED / NOT APPROVED

MS. N.D. NGCINGWANA
CFO

DEPARTMENT OF EDUCATION
Office of the CFO-Chief financial Officer
DATE
2022 -11- 25
SIGNED: Received 12h00 pm
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LG19 "O"
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MEMORANDUM

TO	:	**THE HEAD OF DEPARTMENT**
	:	**CFO**
FROM	:	**DDG: EDC & IOM**
SUBJECT	:	**APPROVAL OF TRANSFER PAYMENTS FOR PUBLIC ORDINARY SCHOOLS (POS) FOR 2023/24**
DATE	:	**04 MAY 2023**

PURPOSE

1. The purpose of this submission is to seek HODs approval and CFO support for the relevant management to facilitate the successful implementation and payment of the 1st Tranche Norms and Standards Funding (NSF) for 2023/24 to Public Ordinary schools (POS). This is required as legislated in the **Division of Revenue Act (DORA)** and in response to the requirements to fund schools as determined by the **National Norms and Standards for School Funding (NNSSF)**, Gazette no. 31496 of 2008, (amended NNSSF).
2. Secondly to provide details on the utilization of the total NSF as gazetted.

BACKGROUND AND MOTIVATION

3. The **Bill of Rights in the Constitution of the Republic of South Africa**, 1996 (No. 108 of 1996) establishes the right to education in these terms:

   "Everyone has the right-
   (a) to a basic education, including adult basic education; and
   (b) to further education, which the state, through reasonable measures must make progressively available and accessible" (Section 29(1)).

4. The **South African Schools Act (SASA)**, 1996 came into effect on 1 January 1997, has as its principal objective, "to provide for a uniform system for the organisation, governance and funding of schools". Any mention to schools in this memo, unless specifically stated will be deemed to be referenced to Public Ordinary Schools.

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5. SASA imposes other important responsibilities on the state with respect to the funding of public schools. The basic principles of state funding of public schools derive from the constitutional guarantee of equality and recognition of the right of redress. The Act provides that:

   "The State must fund public schools from public revenue on an equitable basis in order to ensure the proper exercise of the rights of learners to education and the redress of past inequalities in educational provision" (Section 34(1)).

6. These principles therefore underlie the National Norms and Standards for Public School funding which the Minister determines (Section 35).

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DISCUSSIONS

NATIONAL NORMS & STANDARDS FOR SCHOOL FUNDING (NSF) 2023/24

7. Due to an injection of funding to the indicative funding baselines Provincial Treasury, the Programme is able to fund at the gazetted per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

8. The table below represents the breakdown allocation of NNSSF to Public Ordinary Schools. PART A is the top-sliced Provincial Allocation funding various projects at schools with the main purpose of improving teaching & learning and improving pass rates at school level. These projects services the specialized needs of individual schools based the curriculum requirements and the provincial priorities. It must be noted that not all schools will benefit in each year from this funding as this depends on the schools identified in the project roll-outs. An amount of R843.177 million or 33.75% is set aside for this purpose.

9. PART B shows the amounts allocated to individual schools based on its learner numbers. This breakdown resources Textbooks, R246.992 million or 10% of NSF, Stationery, R284.041 million or 11.5% of NSF and Transfers to schools, R1,101 billion or 44.75% in respect of 1st and 2nd Tranche transfers. Table 1 below shows details in respect of these items.

10. Therefore, in summary, a total of R2.467 billion is allocated to NSF, R834.177 million or 33.73% of which is top-sliced for Provincial programme 2 projects, R531.034 million or 21.5% for Textbooks and Stationery combined and R1.101 billion for Transfers to schools.

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Table 1 Breakdown of NNSSF budget for Provincial Projects and Transfers

PART A: TOP-SLICED NSF PROVINCIAL ALLOCATION

NSF Top-Sliced Items	PRIMARY	SECONDARY	TOTAL NSF (Top-Sliced)	Top-sliced % Allocation for Qs1-5
Vocational	1,660,777	41,562,953	43,223,731	1.75%
Occupational Skills	-	24,983,918	24,983,918	1.00%
Graded Readers	20,586,239	4,405,277	24,991,516	1.00%
Workbooks	1,199,723	1,270,204	2,469,927	0.10%
E-Learning	37,791,276	40,011,440	77,802,715	3.15%
LTSM Project	33,592,245	35,565,724	69,157,969	2.80%
LTSM School Furniture	50,988,229	53,983,688	104,971,917	4.25%
Municipal Services (Centralised)	17,995,846	19,053,066	37,048,912	1.50%
LAIS	95,977,843	101,616,355	197,594,197	8.00%
ICT Schools	119,972,303	127,020,443	246,992,747	10.00%
SGB Capacitation & Affiliation Fees	2,399,446	2,540,409	4,939,855	0.20%
Total top-sliced NSF	382,163,927	452,013,478	834,177,405	33.75%

PART B: TEXTBOOKS, STATIONERY & TRANSFERS TO SCHOOLS

LTSM Textbooks, Stationery & Transfers to Schools	PRIMARY	SECONDARY	TOTAL LTSM Textbooks, Stationery & Transfers	% Allocation Qs1-3	% Allocation Qs 4&5
Textbooks	119,972,303	127,020,443	246,992,747	10.00%	10.00%
Stationery	137,968,149	146,073,510	284,041,659	11.50%	11.50%
TOTAL TRANSFERS (of Which)	534,948,925	566,988,883	1,101,937,808	44.75%	44.75%
Educational Consumables & Curriculum Support	133,418,476	141,502,310	274,920,787	11.10%	14.10%
Cash Payment to Qs 1-3	117,092,022	123,806,405	240,898,426	10.00%	0.00%
Municipal Services	203,881,132	216,214,374	420,095,505	17.00%	20.00%
Maintenance	80,557,295	85,465,795	166,023,090	6.65%	10.65%
TOTAL LTSM Textbooks, Stationery & Transfers	792,889,377	840,082,836	1,632,972,213	66.25%	66.25%
TOTAL NATIONAL NORMS & STANDARDS FUNDING	1,175,053,304	1,292,096,314	2,467,149,618	100%	100%

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TRANCHES FOR 2023/24

11. Table 2 below represent the breakdown per district for each of the NSF Items for 1st and 2nd tranche payments to schools. It is noted that 4,992 schools with 1,626,159 learners across all quintiles will benefit from these transfers. As explained above, a total of R1.101 billion is set aside for both tranche payments to schools, of which R274.920 million is for Educational Consumables & Curriculum Support, R420.095 million for Municipal Services, R240.898 million for Cash Payment and R166.023 million for Maintenance.

Table 2 Total allocation for items funded in both tranches per district

DISTRICTS	NO. OF SCHOOLS	LEARNERS @ 24 April 2023	Educational Cons & Curriculum Support	Municipal Services	10% Cash Payment	Maintenance	Total T1&T2 Planned Tranches
ALFRED NZO EAST	214	99,264	17,577,349	26,920,264	15,902,093	10,530,574	70,930,280
ALFRED NZO WEST	535	149,311	26,413,538	40,433,974	23,684,590	15,850,837	106,382,939
AMATHOLE EAST	697	127,020	22,636,752	34,668,900	20,393,471	13,561,658	91,260,781
AMATHOLE WEST	376	70,229	12,255,403	18,729,410	10,721,254	7,397,630	49,103,697
BUFFALO CITY	390	178,552	27,816,767	42,379,876	23,288,651	16,972,186	110,457,480
CHRIS HANI EAST	448	93,255	16,574,668	25,379,156	14,888,555	9,937,425	66,779,804
CHRIS HANI WEST	354	103,645	17,476,737	26,685,435	15,101,640	10,581,825	69,845,637
JOE GQABI	288	86,080	14,944,093	22,851,020	13,242,151	9,003,176	60,040,440
NELSON MANDELA	289	217,436	32,208,056	48,950,677	26,321,180	19,816,584	127,296,508
OR TAMBO COASTAL	634	236,708	41,837,237	64,047,298	37,578,764	25,102,983	168,566,283
OR TAMBO INLAND	572	173,352	30,315,017	46,358,202	26,751,591	18,258,673	121,683,482
SARAH BAARTMAN	195	91,307	14,865,160	22,691,292	13,024,486	9,009,539	59,590,478
Grand Total	4,992	1,626,159	274,920,787	420,095,505	240,898,426	166,023,090	1,101,937,808

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12. Table 3 below provides the same data at a school sub-programme and quintile level for both tranches. It also provides details of how much is planned to be transferred during the 1st and 2nd tranches in May and November 2023 respectively. Note that R671.418 million is earmarked for May 2023 and R430.519 million for November 2023. The reason for the lower amount is that the 10% Cash Payment is only made to quintiles 1-3 schools during 1st tranche i.e., 1st tranche transfers is 55% (10% cash +45% of remaining transfers) whilst 2nd tranche payments is only the remaining 45%.

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Table 3 Breakdown of Tranches for Primary & Secondary levels across all quintiles

DISTRICTS	NO. OF SCHOOLS	LEARNERS @ 24 April 2023	PER LEARNER FUNDED	Educational Cons & Curriculum Support	10% Cash Payment	Municipal Services	Maintenance	Total T1&T2 Planned Tranches	Tranche 1 - MAY 2023	Tranche 2 - NOV 2023
PRIMARY	3,552	792,557		133,418,476	117,092,022	201,891,132	80,957,295	534,948,915	326,020,473	208,928,442
1-3	3,445	723,869	1,602	129,408,710	117,092,022	198,193,519	77,528,641	522,222,891	319,657,456	202,565,435
4	40	21,672	603	2,404,805	-	3,411,870	1,816,395	7,633,270	3,816,135	3,816,135
5	67	40,997	278	1,604,962	-	2,275,542	1,212,259	5,093,763	2,546,882	2,546,882
SECONDARY	1,440	833,602		141,502,310	123,606,405	216,214,374	85,465,795	566,788,883	345,397,644	221,391,239
1-3	1,355	772,824	1,602	137,073,377	123,606,405	209,972,200	82,120,537	552,772,519	338,369,462	214,563,057
4	43	23,034	603	3,186,210	-	4,519,446	2,406,606	10,112,261	5,056,130	5,056,130
5	42	31,744	278	1,242,723	-	1,722,728	938,653	3,944,104	1,972,052	1,972,052
Grand Total	4,992	1,626,159		274,920,787	240,698,426	420,095,505	166,023,090	1,101,737,808	671,418,117	430,319,691

FIRST TRANCHE 2023/24

13. Table 4 below indicates that R671.418 million is allocated for 1st Tranche payments to Section 20 and Section 21 schools at Primary and Secondary level across all quintiles. The 1st Tranche payments list will reflect this data per school.

Table 4 Planned Tranche 1 totals to schools across the relevant NSF items

			1st TRANCHE 2023/24 - MAY 2023				
DISTRICTS	NO. OF SCHOOLS	LEARNERS @ 24 April 2023	Educational Cons & Curriculum Support	Municipal Services	10% Cash Payment	Maintenance	Total T1
PRIMARY	3,552	792,557	66,709,238	101,940,566	117,092,022	40,278,648	326,020,473
Section 20	19	3,609	-	-	507,599	-	507,599
1-3	18	3,151	-	-	507,599	-	507,599
4	1	454	-	-	-	-	-
Section 21	3,533	788,952	66,709,238	101,940,566	116,584,423	40,278,648	325,512,875
1-3	3,427	726,737	64,704,355	99,096,760	116,584,423	38,764,321	319,149,858
4	39	21,218	1,202,402	1,705,535	-	908,198	3,816,135
5	67	40,997	802,481	1,138,271	-	606,129	2,546,882
SECONDARY	1,440	833,602	70,751,155	108,107,187	123,806,405	42,732,897	345,397,644
Section 20	9	2,886	-	-	316,876	-	316,876
1-3	8	1,978	-	-	316,876	-	316,876
4	1	908	-	-	-	-	-
Section 21	1,431	830,716	70,751,155	108,107,187	123,489,529	42,732,897	345,080,768
1-3	1,347	770,846	68,536,689	104,966,100	123,489,529	41,060,268	338,052,586
4	42	28,126	1,593,105	2,259,723	-	1,203,303	5,056,130
5	42	31,744	621,362	881,364	-	469,326	1,972,052
Grand Total	4,992	1,626,159	137,460,393	210,047,753	240,898,426	83,011,545	671,418,117

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14. Of this R671.418 million total for Tranche 1, R137.460 million is for Educational Consumables & Curriculum Support, R210.047 million for Municipal Services, R240.898 million for Cash Payment and R83.011 million for Maintenance.

15. Transfer of funds to Public Ordinary Schools are made in two transfers (May & November). The data used for the implementation of transfers to schools is based on the 25th April 2023 SASAMS SNAP SURVEY data.

16. The implementation of the 2023/24 transfers to schools include changes in learner numbers since original planning data which was gazetted. This includes factoring in of deceased learners, opening and closure of schools, school rationalisation & realignment, sectional and quintile contestations and other dynamics that impact on the final allocations to schools. This data as received from EMIS was factored into the final Resource Targeting Tables (RTTs), Final School Paper budgets and tranches for implementation. These changes will be included and factored into the 2023/24 Adjusted Estimates process as prescribed in PFMA and Treasury Regulations. At this point, most of the changes have been corrected using the 24 March 2023 EMIS data.

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17. In addition, the department also transfers funds to 2 Art Centres which fall under Public Ordinary Schools. The totals earmarked to these centres for tranche 1 is R971.7 thousands of which R485.8 thousand is for tranche 1 and the same amount for tranche 2. See table 5 below.

Table 5: Art Centre transfers

NatEmis	Official_Institution_Name	EIRegion	EIDistrict	Phase Final	Specialisation	Fin Man Status	Total Allocation (Affordable)	Tranche 1	Tranche 2
200201060	BELGRAVIA ART CENTRE	CLUSTER B	BUFFALO CITY	SECONDARY	Ordinary	Section 21	334,804	167,402	167,402
200100354	JOHAN CARINUS ART CENTRE	CLUSTER B	SARAH BAARTMAN	SECONDARY	Ordinary	Section 21	636,981	318,491	318,491
Total Art Centres							971,785	485,893	485,893

PERSONNEL IMPLICATIONS

18. In compliance with the PFMA regulations, POS are expected to submit Compliance Certificates and Quarterly Financial Statements before their first tranche is transferred to them, as well as their 2021/22 Audited Financials before end June 2022.

FINANCIAL IMPLICATIONS

19. At this point the total amount for the 2023/24 Financial Year (FY) required for total transfers to POS under Equitable Share funding is R1,101,937,808. The amount requiring approval in compliance with the Division of Revenue Act (DORA) for the

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transfer of funds to the 4,992 schools is R671,418,117 for the first tranche and R430,519,691 for the second tranche. The totals earmarked for transfers to Art Centres is R963 thousands of which R481.6 thousand is for tranche 1 and likewise for tranche 2.

20. All public schools are expected to adhere to stringent fiscal management and reporting systems that are reliable and verifiable. These schools are also expected to utilize funds only for purposes for which they are intended for as stipulated in NNSSF Circular 1 of 2013 issued by DBE and addressed to School Principals, SGBs, and Parents. The circular deals with the guidelines with the purpose and use of school allocations.

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21. The programme is also mindful of challenges that will influence the ability of schools to utilize its funds to accommodate additional pathways to teaching and learning which will include increased funding required at schools for, amongst other, ICT, E-Learning, including use of on-line platforms and other digital resources.

22. To assist the schools to comply with the PFMA regulations and to utilize funds accordingly, the Programme will, with the aid of the districts intensify the implementation of norms and standards funding and monitoring of expenditure and also encourage the utilization of the SASAMS Financial module for transacting. All schools must complete monthly financial expenditure reports in consultation with districts. Districts in turn report and account at its monthly FINCOM sessions.

LEGAL IMPLICATIONS

23. In terms Section 29 (1) of the Constitution of South Africa, all children have a right to access education. The Legislative Framework was outlined in the background and motivation, paragraphs 1 to 7 above. Furthermore, the need to make payments to schools by 15 May 2021 (1st Tranche) and 15 November 2021 (2nd Tranche) is gazetted and approved by Legislature in terms of the department's legislated 2023/24 Medium Term Expenditure Framework (MTEF) Estimates of Provincial Revenue and Expenditure (EPRE).

24. The Programme leadership is aware that any changes to the final 2023/24 RTTs and School Paper Budgets, including the factoring the latest learner numbers before transfers will be managed accordingly in line with PFMA and Treasury Regulations.

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COMMUNICATION IMPLICATIONS

25. Transfers to Public Ordinary Schools are implemented in terms of NNSSF and it is noted that all schools have received its 2023/24 preliminary paper budgets and will also have received the final paper budgets by 05 May 2023.

26. School and districts have been be notified in writing that the payment for Municipal related services is no longer managed at Head Office. As of 1 April 2020, this function, including the funded norms and standards allocation in respect of this item was transferred to districts for S20 schools and to schools for S21 schools.

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27. Principals and SBGs at Section 21 schools will henceforth expected to take responsibility for the maintenance and management of all its required municipal and/or alternate equivalent services such as rates, electricity, water and sewage, waste collection, fire protection etc.

28. Districts are aware that the budget for Municipal Services has been loaded for individual Section 20 schools at a district responsibility level. Districts will henceforth assume the responsibility for the management and payment of Municipal related services for these schools.

POLITICAL IMPLICATIONS

29. Our Constitution (Act 108 of 1996) founded our democratic state and common citizenship on the values of human dignity, achievement of quality and the advancement of human rights and freedoms (Section1(a)). These values summon all of us to take up the responsibility and challenge of building a humane and caring society, not for the few, but for all South Africans.

CONSULTATIONS WITH OTHER UNITS

30. Transfers to Public Ordinary schools are prepared by the School Resource Planning (SRP) Unit and verified by EMIS: Resource Targeting and Systems planning. This process is supported by the Programme Manager's Chief Directorate as well as the office of the DDG: EDC & IOM.

31. For this exercise, the funds utilized are in respect of the Transfer RTT using 24 April 2023 EMIS data.

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32. The Directorate SRP consulted with the Payments Office, CFOs Budgets, Resource Targeting and Systems Planning, relevant district officials and Internal Audit in order to facilitate the process of payments to schools.

33. Consultation with CFO and Budget office to seek approval for any changes and amendments to the funding norms and standards and budgets depending on needs, is also ongoing.

REQUIRED

34. This submission serves to request the Head of Department to support the contents of this memorandum and approve the total first tranche payments of R671,904,010 to all operational Public Ordinary schools. R671,418,117 of which is for schools and R485,893is for Art Centres.

35. A comprehensive list of all qualifying schools and centres for tranche 1, providing details of the respective transfer items supported as well as the total transfers for each school, is attached as Annexure A.

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Kind Regards,

MR G. MACKAY
DD: EDC & IOM

04/05/2023
DATE

MR S.B LUKHOZI
DIR: SCHOOL RESOURCE PLANNING

04/05/2023
DATE

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RECOMMENDED /NOT RECOMMENDED

Recommended is highly granted for the payment of the first tranche to avoid the interest of the 1st May 2023. This should be and urgently expected to be effected in the next run

TZSP

REV A. FETSHA
(ACTING) CD: RSA

04/05/2023
DATE

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RECOMMENDED /NOT RECOMMENDED

First Tranche of R671 904 000 and Second Tranche of R450 599 is recommended. Urgency of processing the 1st Tranche is also noted.

MR TJZ MTYIDA
DDG: EDC & IOM

05.05.2023
DATE

RECOMMENDED /NOT RECOMMENDED

Reconciliation of funds transferred to schools for municipal services must be performed to ensure that funds paid centrally by the Department are recovered in the next tranche

MS N.D. NGCINGWANA
CFO

05/05/2023
DATE

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APPROVED / NOT APPROVED

05 | May | 2023

(ACTING) HEAD OF DEPARTMENT
DR. S. NUKU

DATE

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TVM

PUBLIC ORDINARY SCHOOLS
FINAL BUDGET SUBMISSION 2024/25

DEXCO
08 MARCH 2023

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FUNDING AT THE NATIONAL PER LEARNER RATE

Quintile	Per Learner Allocation National Norm	Total Learners 29 Aug 2023	Total Norms	Per Learner Allocation Affordable	Reduction per learner
1	1 672	491 725	822 164 200	1 672	-
2	1 672	294 113	491 756 936	1 672	-
3	1 672	708 718	1 184 976 496	1 672	-
4	838	51 248	42 945 824	838	-
5	289	72 410	20 926 490	289	-
	29 Aug 2023	1 618 214	2 562 769 946		
Small schools top-up			1 577 578		
		Total NSF	2 564 347 524		
		Funding at	100%	*of gazetted per learner*	

SMALL SCHOOLS FUNDING	FUNDED AT
Per Cent per learner funded vs Gazette	100%
Gazetted max funding small schools	38,763
Affordable minimum funding small schools	38,763

- The department is funding at 100% of the current National per learner norm for 2024/25. Table above indicates the per learner rate and the total school allocation to fund 1,618,214 learners across the respective quintiles. The learner data extracted is as of 29 August 2023.

- The department is funding at the National per learner rate of R1,672 for Quintiles 1-3; R838 for Quintile 4 & R289 for Quintile 5 learners;
- Legislated policy dictates that no school must be funded at less than R38,763.
- The department is funding at the legislated minimum norm allocated to fund R38,763 per school at an additional total cost of R1.577 million;
- 134 small schools are being funded.

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PER LEARNER FUNDING RATE – CENTRALISED VS DECENTRALISED BREAKDOWN

- Table below is a breakdown of the Per Learner funding Transferred to quintiles 1-5 Schools vs Centralised funding;
- It is this breakdown that informs the department's year on year top-slicing for centralized projects;
- The calculation considers the S21 functions constituting transfers and its policy implications. We therefore note that for quintiles 1-3, R1,106 of the R1,672 or 66% of the per learner allocation is used for transfers, leaving 34% for centralized projects as explained above.
- The same methodology applies to quintiles 4 & 5 schools, noting 66% of funds transferred and 34% of NSF centralized.

	Centralised Transfers S21 SASA			Transfers to Schools S21 SASA						NSF TRANSFERS SUMMARY				
Transferred to school	Textbooks, Readers, Workbooks Qs 1-5	Stationery Qs 1-3	Total	Stationery Qs 4&5	Edu Cons & Curr Support	Services	Cash Payment	Maintenance	Total	Total SASA Transfers	Centralised NSF	Transfers %	Centralised %	TOTAL
Quintiles 1-3	188	189	377	-	184	268	167	110	729	1 106	566	66%	34%	100%
Quintiles 4	94	-	94	95	117	159	-	89	460	554	284	66%	34%	100%
Quintiles 5	33	-	33	33	40	55	-	31	159	191	98	65%	34%	100%
SASA Section 21	S21 (c)	S21 (c)		S21 (c)	S21 (b)	S21 (d)		S21 (a)						

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CENTRALISED NSF FUNDING

NSF Centralised Projects Funded	2024/25		2023/24		2022/23	
	TOTAL NSF (Centralised)	Centralised % for Qs1-5	TOTAL NSF (Centralised)	Centralised % for Qs1-5	TOTAL NSF (Centralised)	Centralised % for Qs1-5
Vocational (Agricultural, Tchnical Maritime & Full-Service)	38 465 213	1.50%	43 223 731	1.75%	43 716 258	2.90%
Occupational Skills	15 992 485	0.60%	24 983 918	1.00%	-	0.00%
Graded Readers (Library)	19 220 775	0.75%	24 991 516	1.00%	3 469 544	0.20%
Workbooks	6 410 869	0.25%	2 469 927	0.10%	3 469 544	0.90%
E-Learning	164 118 242	6.40%	77 802 715	3.15%	97 147 240	6.40%
LTSM Project	101 291 727	3.95%	69 157 969	2.80%	69 390 886	4.50%
LTSM School Furniture	110 266 944	4.30%	104 971 917	4.25%	69 390 886	4.50%
Municipal Services (Centralised)	102 573 901	4.00%	37 048 912	1.50%	67 727 904	4.50%
LAIS	230 791 277	9.00%	197 594 197	8.00%	140 369 625	9.40%
ICT Schools Connectivity	102 573 901	4.00%	246 992 747	10.00%	-	0.00%
SGB Associations	2 564 348	0.10%	4 939 855	0.20%	3 469 544	0.20%
Total NSF for Centralised Projects	**894 269 682**	**34.85%**	**834 177 405**	**33.8%**	**498 151 432**	**34%**

- The total NSF Utilized for 2024/25 centralized projects is R894.2 million or 34.8% of the NSF budget. This is mainly due to the increase in the national per learner funding in 2024/25. Details on the need for funding will be explain further.
- Note that the top-sliced NSF amount is consistent over the past few years at +- 33%;
- The main reasons for top-slicing is as follows:
  a) Vocational Specialized schools, by nature of the curriculum have unique teaching and learning requirements;
  b) Each similar specialized schools, has different needs depending on the area of focus e.g. some agricultural schools might focus on animal farming whilst others on crop farming. Even here you find variation in crop farming focus areas. Same with Technical and Maritime schools;
  c) Practical assessment equipment & tools also differ
  d) Occupational Skills are earmarked for Music, Arts & Drama only at Secondary level grades;
  e) Graded Readers are only for Foundation phase learners;
  f) School Furniture, LAIS, E-Learning & ICT depends on the needs and project roll-out plans;
  g) Funds are also kept for the LTSM Agency fee for implementation of LTSM project;
  h) Funds are kept to bail out schools who default on paying it Services accounts.

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NSF FUNDING TRANSFERS TO SCHOOLS

TEXTBOOKS, STATIONERY & TRANSFERS TO SCHOOLS	2024/25			2023/24			2022/23		
	Textbooks, Stationery & Transfers	% Qs1-3	% Qs4&5	Textbooks, Stationery & Transfers	% Qs1-3	% Qs4&5	Textbooks, Stationery & Transfers	% Qs1-3	% Qs4&5
TOTAL TEXTBOOKS & STATIONERY	**552 616 891**	**22%**	**22%**	**531 034 405**	**22%**	**22%**	**398 162 974**	**25%**	**25%**
Textbooks	262 845 621	10.25%	10.25%	246 992 747	10.00%	10.00%	225 520 379	13.80%	13.80%
Stationery	289 771 270	11.30%	11.30%	284 041 659	11.50%	11.50%	172 642 594	11.30%	11.30%
TOTAL TRANSFERS (of Which)	**1 118 055 520**	**43.60%**	**43.60%**	**1 101 937 808**	**44.75%**	**44.75%**	**636 314 546**	**41.10%**	**41.10%**
Educational Consumables & Curriculum Support	283 995 114	11.00%	14.00%	274 920 787	11.10%	14.10%	34 695 443	2.30%	2.30%
Cash Payment to Qs 1-3	250 045 132	10.00%	0.00%	240 898 426	10.00%	0.00%	149 510 073	10.00%	0.00%
Municipal Services	412 212 490	16.00%	19.00%	420 095 505	17.00%	20.00%	393 956 400	25.30%	21.40%
Maintenance	171 802 785	6.60%	10.60%	166 023 090	6.65%	10.65%	58 152 629	3.50%	17.40%
TOTAL TEXTBOOKS & STATIONERY & TRANSFERS	**1 670 672 412**	**65%**	**65%**	**1 632 972 213**	**66%**	**66%**	**1 034 477 519**	**66%**	**66%**
PLUS CENTRALISED PROJECTS FUNDED	**894 269 682**	**35%**	**35%**	**834 177 405**	**34%**	**34%**	**434 490 662**	**34%**	**34%**
TOTAL NATIONAL NORMS & STANDARDS FUNDING	**2 564 942 094**	**100%**	**100%**	**2 467 149 618**	**100%**	**100%**	**1 532 628 951**	**100%**	**100%**

- The Total NSF allocated for 2024/25 S21 Transfers to schools is R1.670 billion; This is up on 2023/24 allocation of R1.63 billion due to increase in the national per learner funding rate;
- Of this
- R1.670 billion, R552.616 million is centralized for Textbooks and Stationery and R1.118 billion as planned transfers to schools;
- This total NSF Textbooks, Stationery & Transfers to schools of R1.670 billion plus the centralized NSF of R894.269 million brings the total NSF (Centralised and Decentralised) to R2.564 billion; This is also an increase on the 2023/24 total budget allocation of R2.467 billion;
- The table above provides a breakdown of the transfer categories to schools since 2022/23;

The following must however be noted:

- Currently section 21 quintile 1-3 schools have Sec 21 a) (Maintenance), b) Educational Consumables) and d) (Services) functions.
- Sec 21 c) (Textbooks & Stationery) function is technically "withdrawn". All quintiles 1-3 are involved in central procurement.
- It was only Section 21 quintiles 4 &5 schools that were given an option to OPT IN or OUT. Qs 4 & 5 Schools OPTED IN when they saw that the department had made good on timeous delivery of textbooks and scholastic stationery. Ordinarily, this would have been treated as transfers.
- The department has however stopped the procurement of Stationery packs to quintile 4 & 5 schools as this was not cost effective and lead to overspending;

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"It would be advisable for Provincial Education Departments to re-prioritise from within their budgets to ensure that learners in Quintiles 1 – 3 (no-fee paying schools) are not disadvantaged".

THE PROVINCIAL EDUCATION DEPARTMENT'S FINAL BUDGET SUBMISSION FOR 2024/25

66. A copy of the Presentation dated **8 March 2023** is annexed marked annexure **"PJO10"**.

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66.1 The Presentation indicates that the Department is funding at 100% of the current National per-learner norm for 2024/25. The Department is funding at the National per-learner rate of R1 672.00 for Quintiles 1 – 3 and R838.00 for Quintile 4 and R289.00 for Quintile 5 learners. This accords with the legislated policy that dictates that no school must be funded at less than R38 763.00.

66.2 That Presentation also distinguishes between the per-learner funding rate and centralised versus decentralised breakdown as indicated on page 3 of the Presentation. The breakdown informs the Departments year-on-year top-slicing for centralised projects. The calculation considers the s 21 functions constituting transfers and its policy implications. From this one notes that for Quintiles 1 – 3, R1 106.00 of the R1 672.00 or 66% of the per-learner allocation is used for transfers leaving 34% for centralised projects. The same methodology applies to Quintiles 4 and 5 noting 66% of funds transferred and 30% of NSF centralised. The so-called *"top-slicing"* has been consistent over the past few years at +- 33%. The main reasons for *"top-slicing"* are as follows:

(a) vocational specialised schools by nature of the curriculum of unique teaching and learning requirements;

(b) each similar specialised school has different needs depending on the area of focus, eg agricultural schools;

(c) practical assessment equipment and pools also differs;

(d) occupational skills are earmarked for music, arts and drama only at secondary level grades;

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(e) graded readers are only for foundation phase learners;

(f) school furniture, LIS, E-learning and ICT depends on the needs and project roll-out plans;

(g) funds are also kept for the LTS Agency Fee for Implementation of LTSM projects; and

(h) funds are kept to bail out schools who default on paying its service accounts.

66.3 The Presentation also provides a breakdown of NSF funding transfers to schools against the amounts of money that goes towards centralisation in relation to text books and stationery. It is noted in the Presentation that:

(i) currently s 21(a) Quintile 1 – 3 schools have maintenance; s 21(b) educational consumer bills; and s 21(1)(d) services functions;

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ANZ

LEGAL RESOURCES CENTRE

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Info@lrc.org.za

Our Ref: EDU/MCOU/VAN SCHALKWYK/RANKIN

3 September 2026

TO: Ms Sharon Maasdorp
Head of Department: Eastern Cape Department of Education
Per email: Sharon.maasdorp@ecdoe.gov.za / noncedo.goduka@ecdoe.gov.za

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AND TO: Mr Fundile Gade
MEC: Eastern Cape Department of Education
Per email: nombuyekezo.nkwenkwezi@ecdoe.gov.za

AND TO: Ms Siviwe Gwarube
Minister of Basic Education
Per email: Minister@dbe.gov.za

MAKHANDA CIRCLE OF UNITY AND OTHERS V MEC FOR EDUCATION IN THE EASTERN CAPE AND OTHERS

1. We act on behalf of the applicants in the above matter in which the Makhanda High Court granted an order by agreement on 19 August 2026. The draft order is attached as **AN1**. We note that the court has not yet released the endorsed

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final order, but that this is the draft that was agreed to between the parties and made an order of court.

2. We note with concern a media statement by the Eastern Cape Department of Education (ECDOE) in *The Herald* newspaper of 28 August 2026, portions of which entirely misconstrue the order that was granted. While the statement purports to clarify and dispel misconceptions, in some respects it does the exact opposite. The statement is attached as **AN2**.

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3. In the media statement the ECDOE makes the following statement:

"The Department is fully aware of the Makhanda Circle of Unity case, and the Department has to prepare the schools for the decentralization of procurement processes in 2027 for implementation in 2028 Academic Year

...

The Department is in the process of consulting all schools, through the Circular 10 of 2026, for the schools wishes (sic) to opt out from the centralized procurement shall make a representation by providing the evidence of cheaper than the centralized procurement for them to be considered for decentralization of the LTSM procurement."

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4. It appears from this statement that the ECDOE is of the view that the order requires you to prepare schools to decentralize their LTSM procurement for 2028. This case has nothing to do with the centralized procurement of LTSM. Our clients never took issue with the centralization of LTSM and if the ECDOE understands the case to deal with centralized procurement, then the department is misinformed.

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5. The ECDOE's retention of 33.75% of schools' budgets in the 2023/24 financial years differs from the ECDOE's use of schools' budgets to centrally procure textbooks, LTSM and stationery in accordance with section 21(3A) of the South African Schools Act 84 of 1996. Section 21(3A) allows provincial education departments to procure specific and identified items on behalf of schools who opt into centralized procurement, upon consultation with those schools.
6. The ECDOE's retention decisions that were declare unlawful by the court in this matter related to the retention of a percentage of schools' allocations, ostensibly, to fund undisclosed projects, for the benefit of unnamed qualifying schools. The retentions reduced the amount allocated to schools that could be used by schools for, inter alia, ordering and procuring textbooks, LTSM and stationery through centralised procurement processes. In your media statement, this amount is referred to as the "Centralised Portion".

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7. The respondents' answering papers in this case, as well as the media statement, confuses and conflates the issue of centralized procurement of LTSM with the decision to retain 33.75% of the school allocation that was due to the school. This mistaken understanding of the matter was also held by your counsel during settlement negotiations.

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8. During settlement discussions, we raised this concern with your counsel, who also repeatedly referred to centralised procurement as the crux of this case. We do not believe that your counsel fully understood that this matter did not deal with centralised procurement, and this subsequent media statement makes it clear that he was acting upon an instruction from the ECDOE which also did not fully understand that this matter had nothing to do with the centralised procurement of LTSM.

9. To be clear, the order means the following:

   The ECDOE is prevented from retaining the "Centralised Portion" of the school allocation and this amount must be paid to schools in the 2027/2028 financial year.

10. Centralised procurement of LTSM is lawful and constitutional and must be managed in accordance with section 21(3A) of the South African Schools Act. There is nothing in the court order that obliges the ECDOE to prepare schools for

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the decentralisation of LTSM in 2028. Any decision to offer schools the opportunity to opt out of centralized procurement will be based on section 21(3A) of the BELA, not on anything ordered by the court in this matter.

11. If there remains any uncertainty on the side of the ECDOE as to the meaning of this order, we encourage you to please meet with the LRC so that we can clarify any misunderstanding.

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Our clients' rights are reserved.

Kind regards

LEGAL RESOURCES CENTRE

PER: CECILE VAN SCHALKWYK

LG23

Kantoor van die Staatsprokureur
Office of the State Attorney
I Ofisi yoMmeli woMbuso

Private Bag X 6046
29 Western Road
Central
GQEBERHA
6001

☎ 041- 585 7964

Mobile : 083 541 3053

MSisilana@justice.govza

Our Ref: 05/229/2024 Your Ref: Cameron Mcconnachie Date: 17 September 2026

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TO: LEGAL RESOURCES CENTRE

116 High Street

MAKHANDE OFFICE

Email:

Dear Ms Claire Rankin,

KHULA COMMUNITY DEVELOPMENT PROJECT AND OTHERS / MEC FOREDUCATION EC & OTHERS: CASE NO. 873/2024.

1. We refer to your letter dated 28 August 2026 and have taken instructions from the clients who informed us that these issues raised in the aforesaid letter are complex in nature and reducing a response in writing might not correctly capture the intended message and in an effort to avoid the misinterpretation of same they propose a physical meeting between both parties concerned.

2. Consequently, we request the LRC to give at least 3 tentative dates for a physical meeting to properly ventilate all the issues raised.

TVM

3. Our client Department remains committed to resolve this matter out of Court and endeavour to find a lasting solution in these issues.

4. We shall await your responses.

Yours faithfully,

Signed Electronically.

STATE ATTORNEY: GQEBERHA



TVM

LG24

From: Cecile van Schalkwyk <cecile@lrc.org.za>
Sent: Wednesday, 23 September 2026 15:47
To: Sisilana Mzubanzi <MSisilana@justice.gov.za>
Cc: Claire Rankin <Claire@lrc.org.za>
Subject: Makhanda Circle of Unity and others // MEC for Education and others

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Dear Mr Sisilana,

Your letter dated 17 September 2026 refers.

In the letter you requested that we provide you with three possible dates for a physical meeting with your clients in respect of this matter.

We propose the following dates:

- 8 or 9 October
- 27 or 28 October

These are the dates on which our counsel will also be available to attend the meeting.

Please let us know if this works, and if so, where the meeting will be held. Our offices can also be used for the meeting if that would work better for your clients.

Kind regards,

Cecile van Schalkwyk
Attorney

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+27 46 622 9230
cecile@lrc.org.za
www.lrc.org.za
116 High Street, Makhanda 6139

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LG25

From: Cecile van Schalkwyk <cecile@lrc.org.za>
Sent: Thursday, October 1, 2026 09:38
To: Sisilana Mzubanzi <MSisilana@justice.gov.za>
Cc: Claire Rankin <Claire@lrc.org.za>
Subject: Re: Makhanda Circle of Unity and others // MEC for Education and others

Dear Mr Sisilana,

I just wanted to follow up on whether your clients have been able to indicate when they could meet?

We just want to confirm the dates for our counsel.

Kind regards,

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LG26

From: Cecile van Schalkwyk <cecile@lrc.org.za>
Sent: Monday, 05 October 2026 11:37
To: Sisilana Mzubanzi <MSisilana@justice.gov.za>
Cc: Claire Rankin <Claire@lrc.org.za>
Subject: Re: Makhanda Circle of Unity and others // MEC for Education and others

Dear Mr Sisilana,

I hope that you are well.

I just wanted to follow up on this. Our counsel is no longer available on the 9th of October.

Could you kindly advise if you have instructions on the date of the meeting.

Thank you.

Kind regards,

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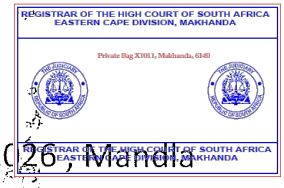
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LG27

From: Sisilana Mzubanzi <MSisilana@justice.gov.za>
Sent: Wednesday, October 14, 2026 21:21
To: Cecile van Schalkwyk <cecile@lrc.org.za>
Cc: Claire Rankin <Claire@lrc.org.za>; Cameron McConnachie <cameron@lrc.org.za>
Subject: RE: Makhanda Circle of Unity and others // MEC for Education and others



Good Evening Ms Van Schalkwyk,

1. Client confirmed their availability to meet on Tuesday 27th October 2026, Mandla Makupula Educational InstituteStirling, KuGompo at 09h30.
2. We profusely apologise on behalf of the client department for delayed response in the matter.
3. We trust the above is inorder.

Kind Regards,

Mr M. Sisilana
Senior Assistant State Attorney : Gqeberha
29 Western Road, Central
GQEBERHA
Tel No: 041-5857964
Cell No:083 541 3053

Email:MSisilana@justice.gov.za
Secretary : Ms Sandy Masimla
Email: SMasimla@justice.gov.za
Tel :041-5857924
Cell No: 075 240 5097

All invoices must be submitted to stateattorneyinvoices@gmail.com

the doj & cd
Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

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Province of the
EASTERN CAPE
EDUCATION

Iphondo leMpuma Kapa: Isebe leMfundo
Provinsie van die Oos Kaap: Department van Onderwys
Porafensie Ya Kapa Botjahabela: Lefapha la Thuto

DEVIATION ON NSF

PRESENTATION

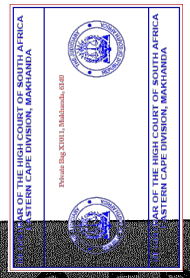
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Implications of the budget cuts

FINAL ALLOCATION LETTERS	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL BUDGET BASELINE REDUTIONS
2011/12																	0
2012/13																	0
2013/14	-707 019	-607 080	-1 454 759														-2 768 858
2014/15		-516 793	-541 734	-560 605													-1 619 132
2015/16			-448 985	-473 418	-496 826												-1 419 229
2016/17				-153 160	-385 441	-399 725											-938 326
2017/18					-305 286	-342 526	-250 319										-898 131
2018/19						-362 729	-790 795	-912 578									-2 066 102
2019/20							-699 820	-1 035 222	-1 684 968								-3 420 010
2020/21								-1 767 080	-2 196 254	-2 685 360							-6 648 694
2021/22									-4 216 192	-6 083 995							-10 300 187
2022/23										0	0						0
2023/24											0	0	0				0
2024/25												-1 217 224	-1 276 329	-1 339 168			-3 832 721
2025/26														-204 587	-504 332	-723 900	-1 432 819
																	0
Total	-707 019	-1 123 873	-2 445 478	-1 187 183	-1 187 553	-1 104 980	-1 740 934	-3 714 880	-8 097 414	-8 769 355	0	-1 217 224	-1 276 329	-1 543 755	-504 332	-723 900	-35 344 209
	CoE and Norms were Protected	CoE and Norms were Protected	CoE and Norms were Protected	CoE and Norms were Protected	CoE and Norms were Protected	CoE and Norms were Protected	CoE and Norms were Protected	No item was immune for cuts as per PT allocation letters	No item was immune for cuts as per PT allocation letters	No item was immune for cuts as per PT allocation letters	No item was immune for cuts as per PT allocation letters	CoE and Non CoE Cuts	CoE and Non CoE Cuts	CoE and Non CoE Cuts	CoE and Non CoE Cuts	CoE and Non CoE Cuts	
	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex	Cuts we effected in goods and Capex										

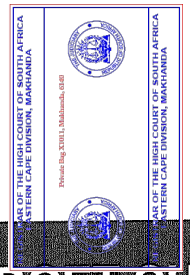


Impact of cuts on CoE Budget Allocations MTEF from 2019/20

ANALYSIS OF COMPENSATION OF EMPLOYEES BUDGET CUTS						
CoE Reductions	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL CUT
2019/20	-372 143	-604 560				-976 703
2020/21		-552 741	-380 990	-348 638		-1 282 369
2021/22			-3 662 570	-5 283 604	-5 205 027	-14 151 201
2022/23				-55 088		-55 088
TOTAL CUT	**-372 143**	**-1 157 301**	**-4 043 560**	**-5 687 330**	**-5 205 027**	**-16 465 361**

- From 2019/20 the CoE budget couldn't afford the strength in staff and vacant posts (1756 +238) supporting staff. Leave gratuity unaffordable costs.
- This budget cut in 2020/21 financial year compensation of employee's budget was R1.157 billion
- The 2021/22 financial year budget reduction on compensation of employees was R4 043 billion
- This was the indication of a very serious matter of potential overspending of the CoE budget on Compensation of Employees which might speel over to the 2022/23 financial year and outer years if additional funding was not provided by PT

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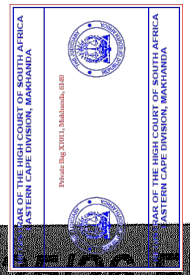
BUDGET CUTS OVER THE 2026 MTEF PERIOD

The Department experienced **budget cuts** that were implemented **over the 2026 MTEF** period which **totals R1.433 billion** as depicted below:

Baseline Reductions (R'000)	2026/27	2027/28	2028/29
Data Updates Reductions	(139 150)	(370 199)	(585 061)
Inflation Adjustment Reductions	(65 437)	(134 133)	(138 839)
Total Reductions	**(204 587)**	**(504 332)**	**(723 900)**

- The reductions had a **negative impact** on the **departmental plans** and **funding COE** related costs such as the **Cost-of-Living Adjustment (COLA)** and **fully funding the PPN inclusive of Grade R.**
- **Other non-COE related** costs that have been affected are **Norms & Standards for Grade R, implementation of the MTBBE**, and **reduction of accruals** which includes payment of Municipal Accounts.

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2025/26 FINANCIAL PERFORMANCE

Final budget
R45.706bn

Actual expenditure
R45.960bn
1% above budget

Net overspending
R253.870m

The Department spent approximately 101% of its final appropriation. Although the variance is relatively small as a percentage of the total Vote, the R253.870 million overspending remains material in the context of the Department's existing financial obligations and constrained fiscal resources.

PER PROGRAMME	Final Budget	Actual Expenditure	Variance	% Spending	Variance as a % of Final Budget
	R'000	R'000	R'000	%	%
ADMINISTRATION	3 126 826	3 126 826	-	100%	0%
PUBLIC ORDINARY SCHOOL EDUCATION	36 604 973	36 860 115	(255 142)	101%	-1%
INDEPENDENT SCHOOL SUBSIDIES	118 464	118 464	-	100%	0%
PUBLIC SPECIAL SCHOOL EDUCATION	1 235 718	1 235 718	-	100%	0%
EARLY CHILDHOOD DEVELOPMENT	1 483 278	1 482 006	1 272	100%	0%
INFRASTRUCTURE DEVELOPMENT	2 098 458	2 098 458	-	100%	0%
EXAMINATION AND EDUCATION RELATED SERVICES	1 038 327	1 038 327	-	100%	0%
TOTAL	**45 706 044**	**45 959 914**	**(253 870)**	**101%**	**-1%**

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2025/26 FINANCIAL PERFORMANCE

Total overspending
R253.870 million
1% of final budget

Goods & Services overspending
R375.992 million
8% above allocation

Capital overspending
R117.994 million
9.3% above allocation

- For the 2027 MTEF, the Department had to embark on the assessment to identify whether this pressure relates to existing contractual obligations, school operating requirements, prior-year commitments and recurring expenditure that must be funded to sustain current services.
- Equally, it identified expenditure that can be reduced through improved procurement, contract management, spending reviews and reprioritisation.

Per economic classification:	Final Budget	Actual Expenditure	Variance	% Spending	Variance as a % of Final Budget
	R'000	R'000	R'000	%	%
Current expenditure	**39 708 858**	**40 084 333**	**(375 475)**	**101%**	**-1%**
Compensation of employees	34 849 165	34 848 648	517	100%	0%
Goods and services	4 859 693	5 235 685	(375 992)	108%	-8%
Interest and rent on land			-		
Transfers and subsidies	**4 723 497**	**4 483 898**	**239 599**	**95%**	**5%**
Departmental agencies and accounts	77 910	77 910	-	100%	0%
Higher education institutions	16 855	16 855	-	100%	0%
Non-profit institutions	4 089 432	4 088 684	748	100%	0%
Households	539 300	300 449	238 851	56%	44%
Payments for capital assets	**1 273 689**	**1 391 683**	**(117 994)**	**109%**	**-9%**
Buildings and other fixed structures	1 161 981	1 282 590	(120 609)	110%	-10%
Machinery and equipment	109 176	109 093	83	100%	0%
Software and other intangible assets	2 532	-	2 532	0%	100%
Payments for financial assets					
Total	**45 706 044**	**45 959 914**	**(253 870)**	**101%**	**-1%**

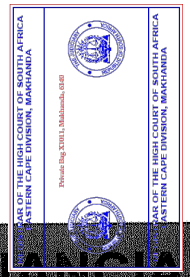
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UNAUTHORISED EXPENDITURE

- The department closed the financial year with **unauthorised expenditure** of R255.219 million with additional **bank overdraft** of R569.9 million and must be repaid in the current financial year
- These are factors that place significant pressures on the **Department's financial sustainability** and its ability to fully fund and implement all planned service delivery priorities within the available fiscal resources.
- The Department also entered 2025/26 with approximately R1.6 billion in accruals and payables and prioritised the progressive clearance of these historical obligations of which, R865.247 million was for accruals and R742.702 million was payables, reflecting the continued impact of prior and current-year obligations on available cash resources.
- **Persistent liquidity pressures** resulted in the Department requesting R569.9 million in Provincial Treasury assistance through the bank overdraft/excess facility, creating a corresponding repayment obligation and further constraining the 2026/27 cash position.

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FINANCIAL PERFORMANCE ON NSF

GOODS AND SERVICES		Funded in 2026/27			
NSF CENTRALISED PROJECTS		Original Budget	Current Budget	Expenditure	% Split
Textbooks (Q1-5)		260 423 000	242 840 954	23 758 523	16.2%
Stationary (Q1-3)		284 569 000	202 151 046	-	17.7%
Agricultural (40%)		8 427 000	7 657 955	1 037 601	0.5%
Technical Occupational Studies (40%)		6 173 000	3 600 000	-	0.4%
Maritime School (40%)		2 315 000	1 941 886	718 875	0.1%
Curriculum Occupational Skills, Robotics		12 127 000	12 127 000	9 260 255	0.8%
Graded Readers (Grade 1-3)		19 292 000	19 292 000	9 504 534	1.2%
Curr Ext. Tbooks, Workbooks shortfall & MTBBE		-	33 000 000	6 521 874	0.0%
E-Learning		56 431 000	55 729 502	53 119 027	3.5%
LTSM Project		106 658 000	106 658 000	90 298 743	6.6%
LTSM School Furniture		138 737 000	151 377 000	151 377 000	8.6%
Municipal Services (Centralised)		129 801 000	129 801 000	118 613 501	8.1%
Section 20 Schools		5 503 000	5 503 000	652 446	0.3%
LAIS		454 322 000	427 982 333	342 235 452	28.2%
Aviation School		17 000 000	35 578 000	32 444 494	1.1%
ICT Schools		107 834 000	119 828 083	166 809 236	6.7%
SUB TOTAL		**1 609 612 000**	**1 555 067 759**	**1 006 351 563**	**59%**

TOTAL TRANSFERS - (of which)		Original Budget	Current Budget	Expenditure	% Split
Stationary (Q4&5)		7 813 000	7 813 000	7 594 003	0.7%
Agricultural (60%)		8 268 000	8 268 000	8 261 960	0.7%
Technical Occupational Studies (60%)		9 260 000	9 260 000	-	0.8%
Maritime School (60%)		3 473 000	3 473 000	3 473 000	0.3%
Educatinal Consumables & Curriculum Support		274 519 000	274 519 000	417 192 120	24.3%
Cash Payment to Qs 1-3 (Section 21 schools)		274 537 000	274 537 000	128 864	24.3%
Cash Payment to Qs 1-3 (Section 20 schools)		3 200 000	3 200 000	5 566 616	0.3%
Municiplal Services		411 695 545	411 695 545	227 077 002	36.4%
Maintainance		137 204 455	137 204 455	70 390 600	12.1%
SUB TOTAL		**1 129 970 000**	**1 129 970 000**	**739 684 165**	**41%**
GRAND TOTAL		**2 739 582 000**	**2 685 037 759**	**1 746 035 728**	

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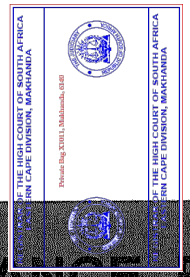
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FINANCIAL PERFORMANCE OTHER POLICY IMPERATIVES

Other Policy Imperatives of the Programme					
Available for OTHER PROJECTS - NON NSF					
OTHER PROJECTS FUNDED IN 2.1 PL & 2.2 SL - (NON NSF)		Original Budget	Current Budget	Expenditure	% Split
Compensation For Fee Exemption		11 000 000	11 000 000	10 999 936	2.4%
Hostel Catering		264 000 000	237 521 873	176 420 296	57.5%
Hostel Running Costs		15 100 000	15 100 000	11 084 783	3.3%
MTBBE		5 405 000	1 451 911	1 116 295	1.2%
ICT Devices		126 654 000	250 262 968	225 268 885	27.6%
PSOPP		35 400 000	35 400 000	13 999 493	7.7%
S21 Norms - Art Centres		1 800 000	1 800 000	-	0.4%
Total OTHER PROJECTS NON-NSF		**459 359 000**	**552 536 752**	**438 889 689**	**100%**

Gazetted Allocation per learner for 2026/27		No. of Learners	Total Allocation
Quintile 1	**1 835**	488 985	**897 287 475**
Quintile 2	1 835	277 929	**509 999 715**
Quintile 3	1 835	693 558	**1 272 678 930**
Quintile 4	919	58 669	**53 916 811**
Quintile 5	315	65 013	**20 479 095**
		1 584 154	**2 754 362 026**

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2026/27 PERFORMANCE, RISKS AND MITIGATION MEASURES

2027 MTEF PROCESS

The Department has completed a detailed review of the Programme 2 baseline and its key cost drivers as part of the 2027 MTEF process. The review assessed the existing expenditure base, historical spending trends, personnel and operational commitments including contractual obligations, opportunities for reprioritisation and expenditure efficiencies, and the minimum resource requirements necessary to sustain the existing public ordinary school service-delivery priorities.

The review has informed specific expenditure containment, reprioritisation and commitment-control measures that are being implemented within the Programme. **Notwithstanding these interventions, the assessment indicates that residual expenditure pressures remain within the core service-delivery baseline that cannot be sustainably accommodated through further internal reprioritisation without potential consequences for compromising education service delivery.**

The Department therefore proposes that the residual affordability gap identified through the baseline review be considered as part of the 2027 MTEC process in assessing the adequacy and sustainability of the Programme 2 baseline. The department see this as necessary to avoid addressing a recurring structural pressure through overcommitment, accumulation of accruals and payables, and unauthorised expenditure.

Funding pressures for 2027 MTEF

1. Core Programme 2 Service-Delivery and policy pressures for 2027/28 financial year
   - Norms and Standards for Funding at 100%: **R1.681 billion**
   - Post Provisioning Norm: **377 million**
   - Educator Furniture: **R250 million**
   - Hostel Catering: **R267 Million**
   - Broadband: **R135 Million**
   - Municipal Services bailouts: **R155 million**

These are not discretionary additions to Programme 2. They represent the cost of maintaining and enabling the existing public ordinary school service-delivery p.

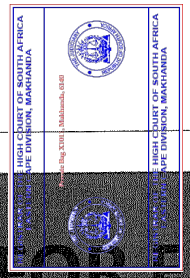
2. Policy Dependencies affecting Programme 2 for 2027/28 financial year
   - Scholar Transport: **R496 million**
   - Grade-R related appointment and training: **R462 million**

These matters to the functioning of ordinary schools, that is, Programme 2 BUT belong to **another programme and another department**

3. Legacy Financial Pressures for 2027/28 financial year
   - Historic Accruals and Payables: **R1.3 billion**
   - Leave Gratuity: **R294 million**
   - Legal Costs: **R50 Million**
   - Unauthorised Expenditure: **R255 million**

These legacy fiscal pressures are separately identified from the underlying Programme 2 baseline requirement, as they do not represent the recurring cost of maintaining the current schooling priorities. Their progressive resolution is, however,

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BUDGET NEEDS FOR E-LEARNING 2026/27 AND BEYOND

Total budget allocation = R56 421 000 for 2026/27

- Out of the total budget, **R49 727 000** has been allocated for eTechnology provisioning i.e. inventory cost driver: this could cover only 60 schools

Total budgetary needs = for the MTEF – 3 years – For E-Technology provisioning at least to cover between 150-200 school per annum = R592 490 000.00 for the 3 year period – translating to R179 million year 1 (2026/27; R196,9 million year 2 – 2027/28 and R216, 5 Million year 3 – 2028/29

Other budgetary need estimated at (R5 million per annual) – Studio management and maintenance for WhatsApp bot – for interactive session – ask questions from tutors .

	A	B	C	D	E	F	G
1	**Department: Education**	**2026/27**	**2027/28**	**2028/29**	**TOTAL 2026 MTEF**	**TOTAL 2026 MTEF**	
2		**Bid**	**Bid**	**Bid**	**Bid**	**Recommendation**	**Departmental motivation on requested fund**
3	EDUCATION	R 260 229 000,00	R 196 900 000,00	R 216 590 000,00	R 673 719 000,00		
4	Court order - ICT contract (Sizwe IT Group	R 81 229 000,00			R 81 229 000,00		This is the amount of money that needs to be paid to the lawyers as the court have ordered.
5	eLearning Schools Projects	R 179 000 000,00	R 196 900 000,00	R 216 590 000,00	R 592 490 000,00		The **eLearning Directorate** urgently requests the prioritization of funding for a provincial **eLibrary solution, curriculum-aligned eContent, and a comprehensive teacher capacity-building program** to bridge the gap between hardware access and measurable learning impact. While the **Eastern Cape Department of Education** has successfully deployed foundational infrastructure like Chromebooks and C3 servers, these investments risk becoming "sunk costs" without the necessary digital resources and pedagogical training required to drive **Grade 12 performance and literacy**. By shifting from a hardware-centric model to a holistic instructional strategy, the Department can move beyond "digital shells" to ensure that every learner—regardless of their district—has access to high-quality interactive content. This strategic allocation is a vital investment in the province's **human capital**, transforming underutilized technology into a powerful engine for academic excellence and long-term economic growth.
6	**Grand total**	**R 260 229 000,00**	**R 196 900 000,00**	**R 216 590 000,00**	**R 673 719 000,00**		
7							

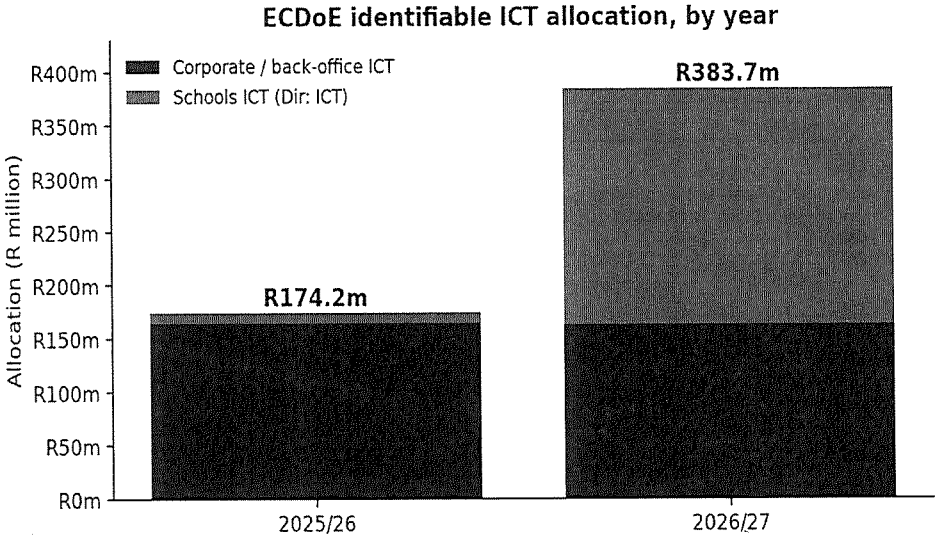
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8.1 ICT ALLOCATION — 2025/26 AND 2026/27

8.1 Please share the 2025/26 and 2026/27 expenditure report

ICT stream	2025/26	2026/27
Corporate / back-office (Prog 1)	R164.2m	R162.2m
Schools — Directorate: ICT (Prog 2)	R10.0m	R221.5m
Total identifiable ICT (floor)	**R174.2m**	**R383.7m**



+120% YoY — but almost all is the school's stream.

R113.7m new one-off capital devices (first appeared 26/27).

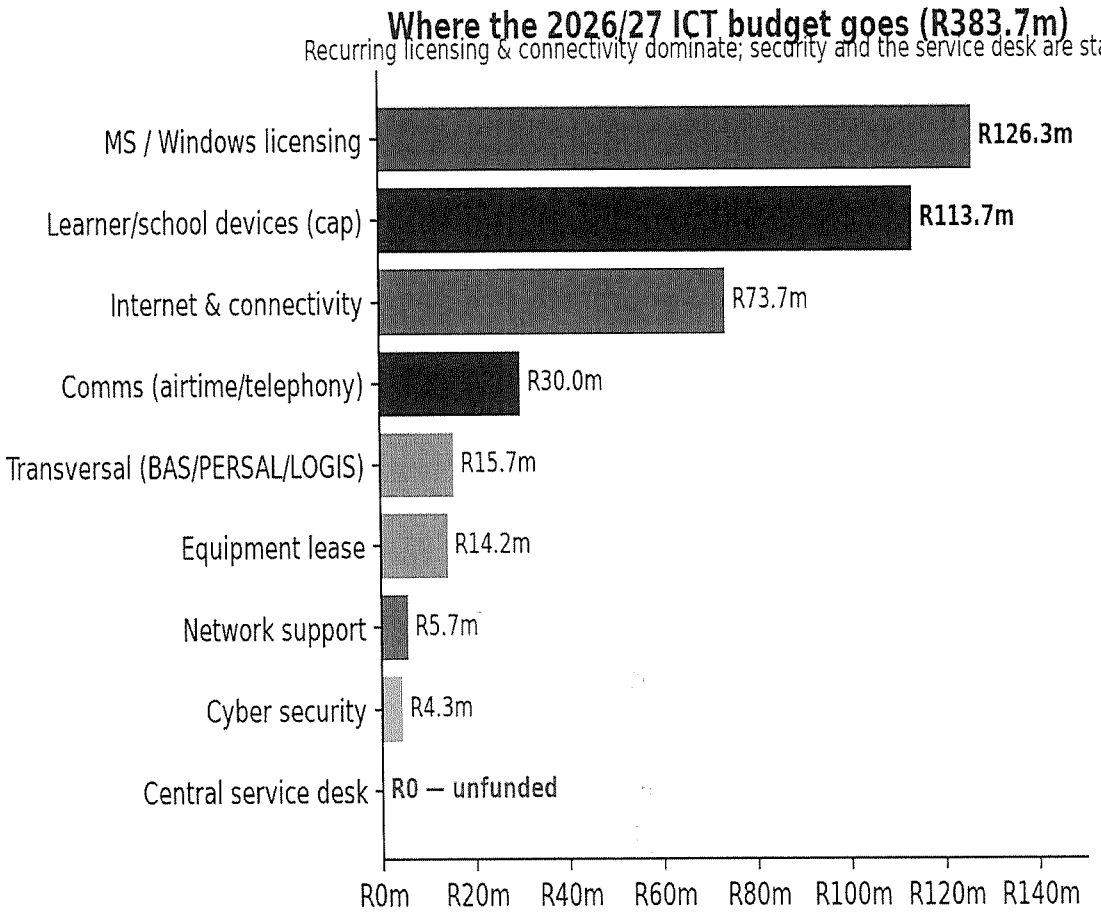
Floor only: excludes ICT under EMIS / other centers (SASAMS, Azure, district support).

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THE SHAPE OF THE BUDGET — RECURRING COST DOMINATES



MS licensing ≈R125m/yr mandatory bill —continuity risk).

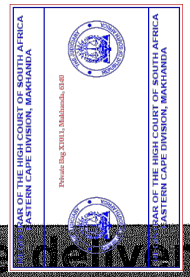
Cyber = R4.34m vs a R30m minimum — still unfunded.

Hardware 6+ years old — whole estate needs replacement.

Service desk built in-house (cost saving); technician capacity is the gap.

The R209.5m rise = one-off devices + licensing, not new run-rate.

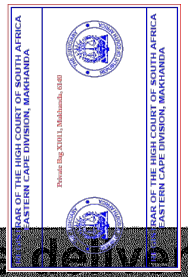
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High-level service delivery risks alongside corresponding remedial actions.

Funding Pressure	2026/27 R'000	2027/28 R'000	2028/29 R'000	2029/30 R'000	Motivation - Legislation /instruction from national depart / or other - why is the depart doing this	Underlying cost driver
Norms and Standards for Funding at 100%	1 681 217	1 756 645	1 835 694	1 918 300	Funding below the nationally determined adequacy level creates a structural gap between the resources schools are expected to have and the resources the Department can afford to provide, directly affecting the capacity of schools to meet essential operational requirements.	learner numbers × applicable nationally determined per-learner funding level.
Post Provisioning Norms					The key affordability challenge is therefore not simply the number of educator posts, but the alignment between the minimum educator establishment required to sustain curriculum delivery and the CoE baseline available to fund that establishment.	approved/required posts × projected average educator cost, compared with the **funded CoE baseline, and therefore the** difference becomes the funding pressure.
Educator Furniture	250 739	261 250	273 006		Adequate classroom furniture is a basic requirement for a functional teaching and learning environment, with provision driven by learner enrolment, replacement needs, new classrooms and existing backlogs rather than discretionary programme expansion.	Staff Room and School Principal Office backlog + replacement programme × estimated unit cost.
Hostel Catering	267 512	279 015	29 151	304 692	Hostel catering is an essential recurring cost of providing learner accommodation and access to education, particularly for learners whose geographic circumstances make daily access to schooling impractical.	number of accommodated learners × feeding days × approved/actual cost per learner.
Broadband / Connectivity	135 960	141 075	147 423	154 057	School connectivity supports the national SA Connect objective of extending broadband access to public schools and enabling digital teaching, learning and administration. As SA Connect envisages shared implementation and funding responsibilities, including Universal Service Obligations on mobile network operators, the residual connectivity requirement should be addressed through an aligned intergovernmental funding model rather than being absorbed solely within the provincial education baseline.	number of schools/connections × contractual connectivity cost
Municipal Services – Affordability & Continuity of Essential Services	155 761	161 975	169 264	176 881	Adequate classroom furniture is a basic requirement for a functional teaching and learning environment, with provision driven by learner enrolment, replacement needs, new classrooms and existing backlogs rather than discretionary programme expansion.	actual consumption/tariff trajectory (invoice trends received from municipalities) less the amount realistically affordable from school allocations/current baseline.
Leave Gratuity	345 950	361 518	377 786	394 786	Leave gratuities arise from approved conditions of service and constitute employee-benefit obligations that become payable upon qualifying exits; they are therefore not discretionary expenditure and must be adequately provided for within the personnel funding framework.	projected exits/retirements × estimated gratuity liability. This is especially important as there is the Early Retirement Programme that changes the leave gratuity pyment profile.
					Legal costs arise from the Department's obligation to defend the State's interests, respond to litigation and comply with legal and court processes; while avoidable litigation must be reduced, legitimate legal obligations	existing matters + contractual/legal panel commitments + reasonable provision for litigation,

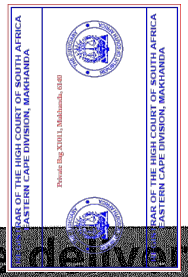
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High-level service delivery risks alongside corresponding remedial actions.

Department	2026_27 R'000	2027_28 R'000	2028_29 R'000	2029_30 R'000	Motivation - Legislation/instruction from national dept / or other - why is the dept doing this
Vote 6: Educ	**2 187 895**	**2 278 363**	**2 370 870**	**2 443 902**	
Absoption of qualified ECD practitioners	444 118	461 883	480 358	494 769	150 Grade R Posts that have been converted into PL 1 posts, effective from April 2025, amounting to R24 million a a required R84 million for the proffessionalisation of 870 ECD practitioners who have obtained the NQF qualifications into teacher notches as from November 2025 has been received during the 2025/26 budget adjustment estimates with no carry through costs for the 2026 MTEF.
CAPS (Characters, Aim, Problem, Solution) (Reading)	56 336	58 702	61 343	63 183	Reading is a core component embedded within language learning. Teaching reading strategies is important becau it helps learners to understand and think deeply about what they read. Rather than simply decoding words, lea are taught to predict, question, summarise, and clarify meaning, which improves comprehension. These strate develop independent and confident readers who are able to engage with challenging texts. Reading strategies support critical thinking and can be applied across all subjects and in everyday life, making them essential skills lifelong learning.This knowledge assists learners across all phases of learning and is especially valuable during examinations, as it helps them read, interpret, and respond to questions with understanding.
CAPS (Characters, Aim, Problem, Solution) (Coding & Robotics)	69 357	72 270	75 522	77 788	This subject is a non-funded mandate from the DBE and needs full scale implementation. Teaching Coding and Robotics equips learners with essential skills for a technology-driven world by developing problem-solving, logical thinking, and creativity. It promotes critical thinking and collaboration, supports learning across subjects such as Mathematics and Science, and prepares learners for future STEM careers, empowering learners to become creators of technology rather than merely users.
Improvement of Reading (Graded Readers, Teacher Training)	624 840	651 083	680 382	700 793	Training teachers in reading methodologies is essential for effective reading instruction. It enables teachers to develop learners' comprehension and critical thinking skills, identify reading difficulties early, and support learnin across all subjects. Strong reading instruction supports learning across all subjects, making teacher training in reading methodologies a critical priority. Age-appropriate readers are essential resources that enable the sector to achieve its goals, making their availability indispensable. Levelled, graded readers for all languages are important and require attention. Printing open-source materials also benefits the province, as it is a more cost-effective option.

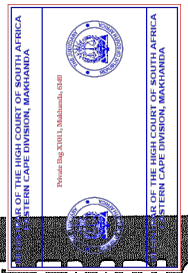
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High-level service delivery risks alongside corresponding remedial actions.

Department	2026_27 R'000	2027_28 R'000	2028_29 R'000	2029_30 R'000	Motivation - Legislation/instruction from national dept / or other - why is the dept doing this
Full Implementation of compulsoy Grade R (BELA) (Bursaries, Training, Facilities, Norms and Standards and Scholar Transport)	781,244	807,025	832,043	857,004	The Act proposes making Grade R (the reception year before Grade 1) compulsory. This means that ECD centres offering Grade R will need to align with the Schools Act and the Children's Act to meet all requirements. The passing of the BELA Act involves the Department implementing the provisions of the act with the following implications: Funding of Grade R learners at Grade 1 funding level as part of Norms and Stand-ards for the funding of schools, provision of School Nutrition to all Grade R learners, provision of LTSM at prescribed funding levels, provision of appropriate Frade R facilities and amenities.
Provisioning of Mother Tongue Based Bilingual Education (MTBBE) material for the printing of Grade 4, 5 and 6 Mathematics Worksheets and Natural sciences &Technology Workbooks	27,000	30,000	33,000	33,990	The Mother Tongue Based Bilingual Education (MTBBE) is a National policy that must be implemented but had no accompanying relevant funding. The policy involves provisioning of Grade 12 Bilingual Preparatory Examination Question Papers and Marking Guides for Six Subjects (Accounting, Agricultural Sciences, History, Life Sciences, Mathematics and Physical Sciences. Printing of Grade 4 and 5 Mathematics Worksheets and Natural Sciences & Technology Workbooks for MTBBE implementation and Grade 6 rollout trainings and Advocacy. Printing of question papers and marking guides for MTBBE Grade 4 and 5 National Assessment.
Printing of Grade12 Bilingual Preparatory Examinations Question Papers and Marking Guides for six Subjects,	10,000	13,000	16,000	16,480	
Printing of Grade 4 & 5 Question Papers for 2026 MTBBE National Assessment.	15,000	18,000	19,000	19,570	
Rollout of the Online learner admissions system	25,000	26,000	27,066	28,176	DBE Mandate and as per HEDCOM resolutions which needs to be piloted in four districts, BCM, JG, NMB and ORTI districts and the programme is behind the Project Plan
Installation of Broadband Wide Area Network (WAN) in schools for e-Education implementation.	135,000	140,400	146,156	152,149	The project is very critical insuring that the ECDOE utilizes the Broadband WAN connectivity installed by the ECOTP in the province. The project will also ensure that the mandate to implement e-Education as per the Digital Transformation Plan and NDP 2030 is achieved by connecting all classrooms as the current connectivity within schools is limitted to admin blocks.

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COMPENSATION OF EMPLOYEES ANALYSIS – AUG. 2026

PROGRAMMES (R'000)	ORIGINAL BUDGET	EXPENDITURE 31-Aug-26	AVAILABLE BUDGET	ANNUALISED PROJ. SPENDING	SURPLUS/ SHORTFALL
Administration	2 576 833	1 028 448	1 535 385	1 439 827	**95 558**
Public Ordinary School Education	31 546 105	13 136 351	18 409 754	18 390 891	**18 863**
Public Special School Education	1 044 211	437 964	606 247	613 149	**(6 902)**
Early Childhood Development	626 561	300 072	326 489	420 100	**(93 611)**
Infrastructure Development	39 263	15 411	23 852	21 575	**2 277**
Examination And Education Related Services	435 700	51 794	383 906	437 351	**(53 445)**
TOTAL	**36 268 673**	**14 970 040**	**21 285 633**	**21 322 893**	**(37 260)**
Of Which:					
EQUITABLE SHARE	***36 120 855***	***14 916 858***	***21 203 997***	***21 248 440***	***(44 443)***
CONDITIONAL GRANT	***134 818***	***53 182***	***81 636***	***74 453***	***7 183***

- The Department has a **COE budget** of **R36.3 billion** and has spent **R14.97 billion (41.3%)** as at end August 2026.
- The **annualized projected spending** amounts to **R21.3 billion**, indicating a **projected shortfall of R37.26 million** comprising of projected shortfall of **R44.4 million on Equitable Share** and underspending **R7.2 million for Conditional Grants.**

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EQUITABLE SHARE COE ANALYSIS – AUGUST 2026

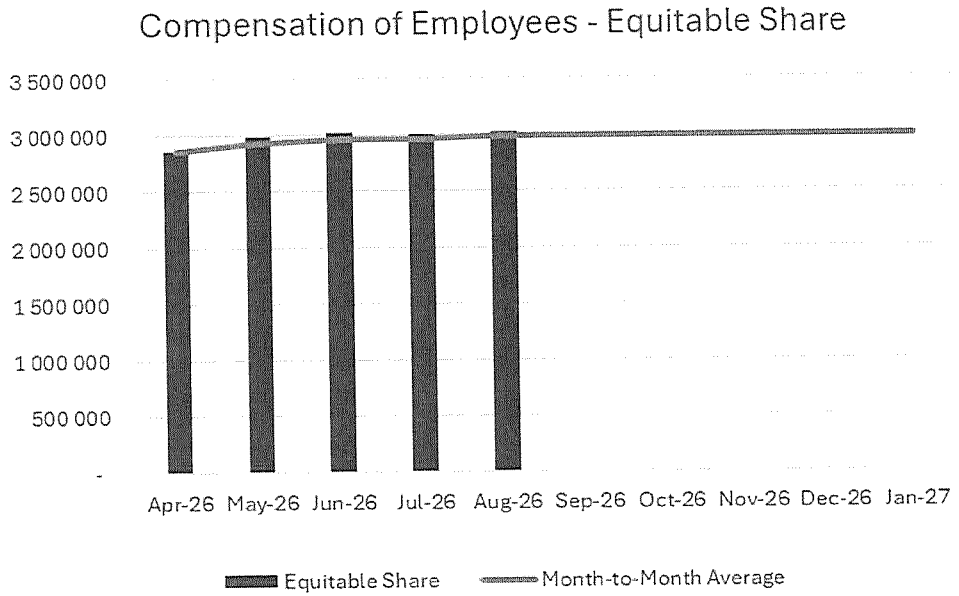
EQUITABLE SHARE PROGRAMMES (R'000)	ORIGINAL BUDGET	EXPENDITURE 31-Aug-26	AVAILABLE BUDGET	ANNUALISED PROJ. SPENDING	SURPLUS/ SHORTFALL
Administration	2 563 833	1 028 448	1 535 385	1 439 827	**95 558**
Public Ordinary School Education	31 516 132	13 123 700	18 392 432	18 373 180	**19 252**
Public Special School Education	1 022 046	428 631	593 415	600 083	**(6 668)**
Early Childhood Development	616 561	298 636	317 925	418 090	**(100 165)**
Examination And Education Related Services	402 283	37 443	364 840	417 260	**(52 420)**
TOTAL	**36 120 855**	**14 916 858**	**21 203 997**	**21 248 440**	**(44 443)**

- The **equitable share COE budget** is **R36.1 billion** and **R14.9 billion (41.3%) has been spent** thus far.
- When considering an annualized projected spending of R21.248 billion, the **anticipated shortfall amounts to R44.4 million** with Programmes 4, 5 and 7 contributing to the anticipated shortfall.

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EQUITABLE SHARE COE ANALYSIS – AUGUST 2026

EQUITABLE SHARE COE ANALYSIS - SEP. TO MAR. 2027	R'000
ORIGINAL BUDGET	36 120 855
LESS: EXPENDITURE 31-Aug-26	(14 916 858)
AVAILABLE BUDGET	**21 203 997**
LESS: ANNUALISED PROJ. SPENDING	(20 883 600)
LESS: EXAMS RELATED COSTS	(364 840)
ANTICIPATED SHORTFALL	**(44 443)**
LESS: NEW APPOINTMENTS ON SUSPENSE FILE (April to August)	(13 411)
LESS: INCREASE IN MEDICAL AID SUBSIDY	(25 898)
LESS: PAYMENT OF OUTSTANDING 2025/26 ACCRUALS	(15 703)
ANTICIPATED SHORTFALL	**(99 455)**



- The **projected spending excludes** other COE outstanding payments which relates to **New Appointment on suspense file, 2025/26 accruals and an increase in medical subsidy;** these payments increases the **anticipated shortfall to R99.5 million**.
- The Department **continues to spend above the Month-to-Month average**, which indicates a cost pressure within COE.

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THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA
THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MTHATHA

PPN 2026 SUMMARY : HEADS vs POSTS AS AT 29 MAY 2026 (INCL SUSPENSE FILE)

DISTRICT PPN 2026 (FINAL) VS FILLED POSTS AS REFLECTED ON PERSAL AS 29 MAY 2026

NEW DISTRICT	PRINC (PPN)	DEP PRINC (PPN)	HOD (PPN)	PL1 (PPN)	TOTAL PPN POSTS	PRINC (PERSAL)	DEP PRINC (PERSAL)	DEPT HEAD (PERSAL)	PL1 (PERSAL)	TOTAL PERSAL FILLED	NETT VACANT PRINC	NETT VACANT DEP PRINC	NETT VACANT DEPT HEAD	NETT VACANT PL1	NETT VACANT TOTAL (INCL. SUSPENSE FILE)	TOTAL NON TEACHING	BREAKDOWN OF PL1		SUBSTITUTES BY DISTRICTS
																	PERMANENT PL1	TEMP PL1	
ALFRED NZO EAST	220	103	421	2,355	**3,099**	210	102	369	2,291	**2,972**	10	1	52	64	**127**	370	2234	57	19
ALFRED NZO WEST	526	117	609	3,559	**4,811**	501	105	546	3,557	**4,709**	25	12	63	2	**102**	547	3478	79	65
AMATHOLE EAST	690	71	467	3,116	**4,344**	659	83	471	3,226	**4,439**	31	-12	-4	-110	**-95**	448	3173	53	64
AMATHOLE WEST	365	43	266	1,811	**2,485**	335	42	233	1,844	**2,454**	30	1	33	-33	**31**	344	1813	31	30
BUFFALO CITY MUNICIPALITY	396	208	751	4,356	**5,711**	357	191	672	4,325	**5,545**	39	17	79	31	**166**	728	4121	204	88
CHRIS HANI EAST	443	58	351	2,265	**3,117**	425	65	334	2,418	**3,242**	18	-7	17	-153	**-125**	408	2317	101	35
CHRIS HANI WEST	337	92	411	2,428	**3,268**	312	82	361	2,550	**3,305**	25	10	50	-122	**-37**	502	2397	153	60
JOE GQABI	269	83	340	2,052	**2,744**	221	75	301	2,067	**2,664**	48	8	39	-15	**80**	328	1959	108	14
NELSON MANDELA BAY	307	320	924	5,239	**6,790**	277	287	794	5,295	**6,653**	30	33	130	-56	**137**	677	5221	74	1
O R TAMBO COASTAL	629	206	973	5,445	**7,253**	591	215	896	5,562	**7,264**	38	-9	77	-117	**-11**	611	5488	74	67
O R TAMBO INLAND	575	148	727	4,238	**5,688**	527	138	685	4,330	**5,680**	48	10	42	-92	**8**	785	4167	163	43
SARAH BAARTMAN	192	113	376	2,149	**2,830**	168	93	324	2,196	**2,781**	24	20	52	-47	**49**	437	2168	28	60
GRAND TOTAL	**4,949**	**1,562**	**6,616**	**39,013**	**52,140**	**4,583**	**1,478**	**5,986**	**39,661**	**51,708**	**366**	**84**	**630**	**-648**	**432**	**6,185**	**38536**	**1125**	**546**

Note: (-) indicates excess warm bodies vs posts

TOP SLICED SUBSTITUTES	677
PPN 2026 FINAL	52,817
PERSAL FILLED	52,254
NETT VACANT	563

NOTE: THE TOTAL NETT VACANT INCLUDING TOPSLICED POOL MINUS SUBSTITUTES	563
SUBSTITUTES	546

NOTE: 528 APPOINTMENTS ON SUSPENSE FILE IN HEADCOUNT ABOVE (A) 2 X PUB SERV (B) 347 X PL 1 AND 1 X DEPT HEAD AND 1 X PRINC (C) 177 X SUBSTITUTES ON SUSPENSE FILE

PPN NON TEACHING	6,711
VACANT PPN NON-TEACHING POSTS	526

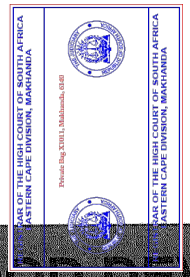
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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

MTEF PROJECTED PPN COST

2025 - 2027 Proposed PPN Multi-Year Agreement - Maintaining the Status Quo				2025/26	2026/27	2027/28
POST CATEGORY (BIULT FROM 2024 NOTCHES)	AVERAGE NOTCH (WITHOUT ANY BENEFIT)	AVERAGE NOTCH (NOTCH + COE BENEFITS)	KEEP 2024 (STATUS QUO) POSTS	AVERAGE NOTCH (NOTCH + EMPLOYEE BENEFITS@ 4.61%)	AVERAGE NOTCH (NOTCH + EMPLOYEE BENEFITS@ 4.55%)	AVERAGE NOTCH (NOTCH + EMPLOYEE BENEFITS@ 4.52%)
Principal	567 557	777 553	5 043	804 437	831 888	860 089
Dep Principal	524 734	718 886	1 552	743 741	769 121	795 195
HOD	455 114	623 506	6 615	645 063	667 076	689 690
PL 1	366 002	501 423	39 607	518 760	536 463	554 649
EDUCATOR AVERAGE	**399 892**	**547 853**	**52 817**	**566 795**	**586 136**	**606 006**
GRAND TOTAL - HEADCOUNT				**52 817**	**52 817**	**52 817**
2025 MTEF COST IMPLICATION: PPN				29 936 386	31 302 832	32 719 990
2025 PPN MTEF BUDGET BASELINE AVAILABLE (FIRST DRAFT SUBMISSION)				29 410 504	30 753 302	32 079 343
SURPLUS / SHORFALL				(525 882)	(549 530)	(640 647)
DOE POTENTIAL SAVINGS (TERMINATIONS)				328 382	343 323	358 842
NET SURPLUS / SHORFALL				**(197 500)**	**(206 207)**	**(281 805)**

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5. EARLY CHILDHOOD DEVELOPMENT PROGRAMME (ECD)

During the 2025/27 financial year, the Department committed to convert 870 Grade R practitioners of which 836 were converted into Post Level 1 (PL1) in 2025/26 financial year and 34 qualified practitioners are to be converted in 2026/27.

The required funding for the professionalization of the 870 ECD practitioners by conversion to PL1 Educators and replacement of the practitioners is R1.167 billion over the 2026 MTEF period.

Conversion of ECD Practitioners to PL1 Post (R'000)	2026/27	2027/28	2028/29
Shortfall	**377 092**	**353 193**	**364 142**

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Province of the
EASTERN CAPE
DEPARTMENT OF EDUCATION

PEOPLE | LEARNING | OPPORTUNITIES | GROWTH

BUDGET ALLOCATION PER PROGRAMME
2025/26 – 2029/30 (R'000)

Investing in People. Building a Brighter Eastern Cape.



Programme	2025/26 Audited AFS R'000	2026/27 Current Year R'000	% Increase 2025/26 – 2026/27	2027/28 MTEF R'000	% Increase 2026/27 – 2027/28	2028/29 R'000	% Increase 2027/28 – 2028/29	2029/30 R'000	% Increase 2028/29 – 2029/30
Administration	3 126 826	3 240 287	3.6% ▲	3 381 183	4.3% ▲	3 470 555	2.6% ▲	3 574 670	3.0% ▲
Public Ordinary School Education	36 860 115	37 582 563	2.0% ▲	38 983 394	3.7% ▲	40 002 568	2.6% ▲	41 202 645	3.0% ▲
Independent School Subsidies	118 464	123 410	4.2% ▲	127 516	3.3% ▲	129 658	1.7% ▲	133 548	3.0% ▲
Public Special School Education	1 235 718	1 313 708	6.3% ▲	1 370 545	4.3% ▲	1 403 617	2.4% ▲	1 445 725	3.0% ▲
Early Childhood Development	1 482 006	1 741 516	17.5% ▲	2 111 346	21.2% ▲	2 161 497	2.4% ▲	2 226 341	3.0% ▲
Infrastructure Development	2 098 458	2 319 271	10.5% ▲	2 009 997	-13.3% ▼	2 100 246	4.5% ▲	2 163 253	3.0% ▲
Examination and Education Related Services	1 038 327	912 334	-12.1% ▼	798 090	-12.5% ▼	821 590	2.9% ▲	846 241	3.0% ▲
TOTAL	**45 959 914**	**47 233 089**	**2.8% ▲**	**48 782 071**	**3.3% ▲**	**50 089 731**	**2.7% ▲**	**51 592 423**	**3.0% ▲**

KEY HIGHLIGHTS

- Total budget grows from **R45.960 billion** in 2025/26 to **R51.592 billion** in 2029/30 (average annual growth of **2.9%**).
- Public Ordinary School Education remains the largest allocation at **79.9%** in 2026/27.
- Early Childhood Development records **the highest** growth in 2026/27 (17.5%) and 2027/28 (**21.2%**).
- Infrastructure Development decreases by **13.3%** in 2027/28 after a 10.5% increase in 2026/27.

STRATEGIC TAKEAWAYS

1. **Sustained investment** in core education services, with moderate growth across most programmes.
2. Increased focus on Early Childhood Development in line with policy priorities.
3. Reduction in Examination and EERS allocation requires careful planning to protect key services.
4. Maintain affordability, efficiency and alignment to service delivery priorities across the MTEF.

People Skilled and capable | **Learning** Quality and inclusive | **Opportunities** Thriving communities | **Growth** A prosperous Eastern Cape

Together we build a brighter Eastern Cape

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BUDGET ALLOCATION BY ECONOMIC CLASSIFICATION

2025/26 – 2029/30 (R'000)

Allocating resources for quality education and a brighter Eastern Cape.

A brighter future through quality education

ECONOMIC CLASSIFICATION	2025/26 Audited AFS R'000	2026/27 Current Year R'000	% Increase 2025/26 – 2026/27	2027/28 MTEF R'000	% Increase 2026/27 – 2027/28	2028/29 R'000	% Increase 2027/28 – 2028/29	2029/30 R'000	% Increase 2028/29 – 2029/30
Compensation of employees	34 848 648	36 268 673	4.1% ▲	37 536 618	3.5% ▲	38 471 679	2.5% ▲	39 625 828	3.0% ▲
Goods and services	5 235 685	4 582 127	-12.5% ▼	4 256 808	-7.1% ▼	4 241 894	-0.4% ▼	4 673 019	10.2% ▲
Transfers and subsidies	4 483 898	4 625 450	3.2% ▲	5 060 848	9.4% ▲	5 220 732	3.2% ▲	5 377 353	3.0% ▲
Departmental agencies and accounts	77 910	81 416	4.5% ▲	84 103	3.3% ▲	86 710	3.1% ▲	89 311	3.0% ▲
Non-profit institutions	4 088 684	4 286 754	4.8% ▲	4 710 976	9.9% ▲	4 860 015	3.2% ▲	5 005 816	3.0% ▲
Households	300 449	239 276	-20.4% ▼	247 171	3.3% ▲	254 832	3.1% ▲	262 476	3.0% ▲
Payments for capital assets	1 391 683	1 376 839	-1.1% ▼	1 437 797	4.4% ▲	1 665 426	15.8% ▲	1 411 523	-15.2% ▼
Buildings and other fixed structures	1 282 590	1 299 215	1.3% ▲	1 357 764	4.5% ▲	1 582 820	16.6% ▲	1 326 438	-16.2% ▼
Machinery and equipment	109 093	76 338	-30.0% ▼	79 310	3.9% ▲	81 861	3.2% ▲	84 318	3.0% ▲
Software and other intangible assets	-	1 286	-	723	-43.8% ▼	745	3.0% ▲	767	3.0% ▲
Payments for financial assets	-	380 000	-	490 000	28.9% ▲	490 000	0.0% –	504 700	3.0% ▲
Total economic classification	**45 959 914**	**47 233 089**	**2.8% ▲**	**48 782 071**	**3.3% ▲**	**50 089 731**	**2.7% ▲**	**51 592 423**	**3.0% ▲**

KEY INSIGHTS

- **Compensation of employees** remains the largest allocation at **76.8%** in 2026/27, increasing by 4.1%.
- Goods and services decrease by **12.5%** in 2026/27, with further reductions in 2027/28, before increasing in 2029/30.
- **Transfers and subsidies** increase by **3.2%** in 2026/27 and **9.4%** in 2027/28.
- Capital expenditure decreases by **1.1%** in 2026/27, increases by **15.8%** in 2028/29 and moderates in 2029/30.

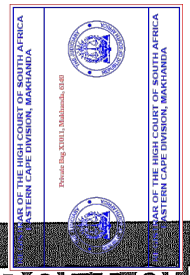
STRATEGIC TAKEAWAYS

1. Manage the wage bill and protect core education services within a constrained fiscal environment.
2. Exercise cost containment on goods and services while supporting service delivery priorities.
3. Ensure efficient and effective use of transfers, subsidies and capital funding.
4. Maintain a sustainable budget trajectory over the 2027 MTEF.

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BUDGET CUTS OVER THE 2026 MTEF PERIOD

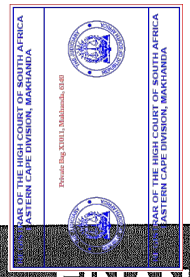
The Department experienced **budget cuts** that were implemented **over the 2026 MTEF** period which **totals R1.433 billion** as depicted below:

Description	2023/2024 R'000	2024/2025 R'000	2025/2026 R'000
Opening balance	1 808 068	1 808 068	1 777 914
Add: unauthorised expenditure confirmed	-	-	255 219
Less: unauthorised expenditure recoverable	-	(30 154)	-
Closing balance	**1 808 068**	**1 777 914**	**2 033 133**

Accruals carried over from the 2025/26 financial year

Economic Classification	Accruals R'000	Paid R'000	Outstanding R'000	% Paid
Compensation of Employees	104 151	74 054	30 097	**71.1**
Goods & Services	877 621	877 532	89	**100**
Transfers & Subsidies	481 708	400 775	80 933	**83.2**
Payments for Capital Assets	144 875	144 875	-	**100**
Total	**1 608 355**	**1 497 236**	**111 119**	**93.1**

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FINANCIAL CONSTRAINTS (CONT.)

FULL IMPLEMENTATION OF COMPULSORY GRADE-R

Despite approval and implementation of BELA Act on the compulsory schooling of Grade R, benefiting 118 000 Grade R learners which excludes the Compensation of Employees. The department requires R2.420 Billion to achieve full implementation of compulsory Grade R over the 2027 MTEF.

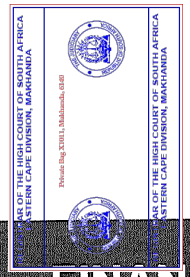
Grade-R Norms & Standards (R'000)	2027/28	2028/29	2029/30
Full Implementation of compulsory Grade R (BELA) (Bursaries, Training, Facilities, Norms and Standards and Scholar Transport)	807 025	832 043	857 004

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A NATION THAT WORKS FOR ALL

2030 NDP

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FINANCIAL CONSTRAINTS (CONT.)

LTSM - MTBBE

- The **Mother Tongue Based Bilingual Education** (MTBBE) is **a National policy** that must be implemented but had **no accompanying relevant funding.**
- The Department **requires R199 million to fully implement MTBBE** over the **MTEF period.**

MTBBE (R'000)	2027/28	2028/29	2029/30
Provisioning of Mother Tongue Based Bilingual Education (MTBBE) material for the printing of Grade 4, 5 and 6 Mathematics Worksheets and Natural sciences &Technology Workbooks	30 000	33 000	34 000
Printing of Grade12 Bilingual Preparatory Examinations Question Papers and Marking Guides for six Subjects,	13 000	16 000	16 000
Printing of Grade 4 & 5 Question Papers for 2026 MTBBE National Assessment.	18 000	19 000	20 000
TOTAL	**61 000**	**68 000**	**70 000**

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2030 NDP

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IN THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA
IN THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MTHATHA

FOLLOW UP MADE ON DEBTS

Municipality – R'R'000	NT Alleged Debt	Proof of current debt by EC DOE	DOE communication letter/s with Municipalities	Comment/s
Amahlathi	R2 152	12	Yes	Letter dated 23/07/2026
Amathole	R85 770	R12 282	Yes	Letter dated 07/07/2026
Alfred Ndzo	R0	R946	Yes	Letter dated 31/08/2026
DR A.B Xuma	R8 951		No (awaited from DOE)	Not yet received
Elundini	R0	R1 741	Yes	Bal. as of 31/08/26 - accumulative debt.
Emalahleni (EC)	R7 772	R0	Yes	Letter dated 04/09/2026 (confirmed NIL)
Inxuba Yethemba	R3 036	R53	Yes	Letter dated 27/07/2026
Joe Gqabi	R3 372	R35	Yes	Bal at 14/07/06 minimal owed (R35K) for service to schools
Konga	R15	R647	Yes	Letter dated 15/09/2026 (for Sep 26)
Great Kei	R0	R46	Yes	Letter dated 24/07/26
Kou-Kamma	R223	R1 430	Yes	Letter dated 20/08/26 (Account for 31 Jul 26)
Kumkani Mhlontlo	R2 307		No (awaited from DOE)	Not yet received
Amahlathi	R0	R0	Yes	Letter dated 23/07/26
Makana	R422	R2 815	Yes	Balance as of 31/08/26
Matatiele	R236	R76	Yes	Letter dated 11/09/26 (for 31 August 26)
Mbhashe	R22 572		No (awaited from DOE)	Not yet received
Mnquma	R7 110		No (awaited from DOE)	Not yet received
Ndlambe	R813	R163	Yes	Letter dated 19/08/26 (for 31 July 26)
OR Tambo Distr.	R0	R22 510	Yes	Letter dated 23/07/26
Nelson Mandela Bay	R33 164	R15 454	Yes	Balance as of 07 July 2026 (accumulative)
Nggushwa	R264	R16	Yes	Letter dated 31/08/26 (for 31 August 26)
Ngquza Hill	R22	R2	Yes	Letter dated 14/09/26
Nyandeni	R0	R2	Yes	Confirmed letter received
Port St Johns	R1 648		No (awaited from DOE)	Not yet received
Raymond Mhlaba	R318		No (awaited from DOE)	Not yet received
Sakhisizwe	R9 778	R21	Yes	Bal. as of 30/06/26 – debt of R20.1 thousand for services
Senqu	R65	R1 645	Yes	Bal. as of 30/06/26 - accumulative exp. Schools & Hostels
Sundays River Valley	R7 505	R1.307	Yes	Bal. as of 04/09/26 - accumulative exp.
Walter Sisulu	R58	R1 240	Yes	Letter dated 22/07/26 (for 30 June 26)
Mzimvubu	R0	R2	Yes	Bal at 30/06/06 minimal owed (R2.2K) for refuse removal
BCM	R0	R7 638	Yes	Letter of 18/06/2026 with substantial accumulated debt
TOTAL	**R197 834**	R70 081	**More letters awaited**	**Disputed figures are not specified in letters**

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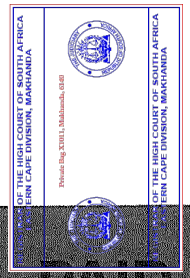
IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Case No. 2300/21, Makhanda, 0140
IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

TVM

5 MUNICIPALITIES FAILED TO SUBMIT CONFIRMATION OF DEBT

MUNICIPALITIES	AMOUNTS (R'000)
Kumkani Mhlontlo	R 2 307
Mbhashe	R 22 572
Mquma	R 7 110
Port st Johns	R 1 648
Raymond mhlaba	R 318
AB Xuma	R 8 951
TOTAL	**R42 902**

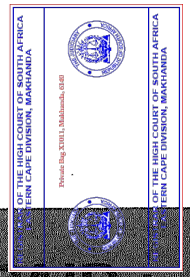
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PAID : ACCRUALS 2026

Municipalities	Sum of Paid Special schools (Pro.4)	Sum of Paid School Hostels (Pro. 2)	Sum of Paid Quintile 1-3 (Pro.2)	Sum of Paid Offices (Pro.1)
Alfred Nzo District Municipality	R -	R -	R 1 271 044,27	R 386 622,19
Amahlathi Local Municipality	R -	R -	R 48 488,65	R -
Amathole District Municipality	R -	R -	R 8 577 564,52	R 33 059,18
Buffalo City Metropolitan Municipality	R 1 073 095,51	R -	R 10 196 674,60	R 2 123 716,13
Dr AB Xuma Local Municipality	R -	R -	R 55 183,08	R 83 361,45
Dr Beyers Naude Local Municipality	R -	R 2 174 321,85	R 1 814 903,74	R -
Enoch Mgijima Local Municipality	R -	R 3 321 620,31	R 547 865,23	R -
Eskom Holdings	R -	R -	R 1 933 950,94	R 28 436,33
Great Kei Local Municipality	R -	R -	R 113 024,66	R -
Ingquza Hill Local Municipality	R -	R -	R 113 075,10	R 8 748,44
Intsika Yethu Municipality	R -	R -	R 4 351,72	R 10 512,98
Inxuba Yethemba Municipality	R -	R -	R 267 623,97	R 112 621,78
Joe Gqabi District Municipality	R -	R -	R 1 793 889,34	R 209,68
King Sabata Dalindyebo Municipality	R 1 062 046,08	R -	R 1 541 352,81	R 847 086,92
Kouga Local Municipality	R -	R 2 000 066,05	R 531 098,82	R -
Koukamma Local Muniicipality	R -	R 1 486 555,90	R 336 335,45	R -
Matatiele Local Municipality	R -	R -	R 63 348,91	R -
Nelson Mandela Bay Metropolitan	R -	R -	R -	R 2 365 663,57
Nyandeni Local Municipality	R -	R -	R 1 920,00	R -
OR Tambo District Municipality	R -	R -	R 4 832 708,47	R -
Sakhisizwe Local Municipality	R -	R -	R 771 315,11	R -
Senqu Local Municipality	R -	R 721 858,40	R 322 935,16	R 24 921,36
Umzimvubu Local Municipality	R -	R -	R 62 242,83	R -
Walter Sisulu Local Municipality	R -	R 449 920,04	R 584 832,69	R -
Grand Total	**R 2 135 141,59**	**R 10 154 342,55**	**R 35 785 730,07**	**R 6 024 960,01**
		R 58 020 174,22		

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PAID : APRIL TO DATE 2026

Municipalities	Sum of Paid Quintile 1-3 (Pro.2)	Sum of Paid Offices (Pro.1)	Sum of Paid Special schools (Pro.4)	Sum of Paid Quintile 4& 5 (Pro.2)	Sum of Paid School Hostels (Pro. 2)
Alfred Nzo Distrcit Municipality	R -	R -	R -	R -	R -
Amahlathi Local Municipality	R 72 801,91	R -	R -	R -	R -
Amathole District Municipality	R 1 452 209,27	R -	R -	R -	R -
Blue Crane Route Local Muncipality	R -	R -	R -	R -	R 2 243 536,67
Buffalo City Metropolitan Municipality	R 13 148 503,56	R 473 473,98	R -	R 1 380 625,86	R -
Chris Hani District Municiaplity	R -	R -	R -	R -	R -
Dr. AB Xuma Local Municipality	R 33 624,43	R 31 352,64	R -	R -	R -
Dr Beyers Naude Local Municipality	R 570 439,72	R 40 082,39	R -	R -	R 2 100 526,24
Elundini Local Municipality	R -	R -	R -	R -	R -
Emalahleni Local Municipality	R 53 700,78	R -	R -	R -	R -
Eskom Holdings	R 2 550 105,36	R 44 279,70	R -	R -	R -
Great Kei Local Municipality	R 88 970,61	R -	R -	R -	R -
Ingquza Hill Local Municipality	R 1 343,42	R -	R -	R -	R -
Inxuba Yethemba Local Municipality	R 643 146,03	R 233 708,37	R -	R -	R -
Joe Ggabi District Municipality	R 1 244 692,25	R 12 323,59	R -	R -	R -
King Sabata Dalindyebo Local Municipality	R 2 508 280,24	R 631 280,83	R 474 313,18	R -	R 143 376,25
Kouga Local Municipality	R 830 238,18	R -	R -	R -	R -
Kou-kamma Local Municipality	R 816 561,41	R -	R -	R -	R -
Kumkani Mhlontlo Local Municipality	R 4 479,30	R -	R -	R -	R -
Makana Local Municipality	R 217 584,14	R -	R -	R -	R -
Matatiele Local Municipality	R 1 920,72	R -	R -	R -	R -
Ndlambe Local Municipality	R -	R -	R -	R -	R -
Nelson Mandela Bay Metropolitan Municipality	R 10 056 736,41	R 729 951,22	R -	R -	R -
Ngqushwa Local Municipality	R -	R -	R -	R -	R -
Nyandeni Local Municipality	R 2 389,96	R -	R -	R -	R -
OR Tambo District Municipality	R 5 029 823,78	R 922 482,04	R -	R -	R -
Port St Johns Local Municipality	R 15 561,90	R -	R -	R -	R -
Sakhisizwe Local Municipality	R 133 395,07	R -	R -	R -	R -
Senqu Local Municipality	R 309 771,34	R -	R -	R -	R -
Sundays River Valley Local Municipality	R 2 411 201,47	R -	R -	R -	R 4 154 541,73
Umzimvubu Local Municipality	R 137 030,48	R -	R -	R -	R -
Vuyisile Mini Local Municipality	R 6 308,04	R 3 765,86	R -	R -	R -
Walter Sisulu Local Municipality	R -	R -	R -	R -	R -
Grand Total	**R 42 340 819,78**	**R 3 122 700,62**	**R 474 313,18**	**R 1 380 625,86**	**R 8 641 980,89**

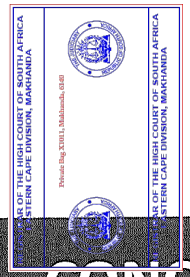
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Current bills

Municipalities	Sum of AWPQuintile 1-3(Pro.2)	Sum of AWPOffice(Pro.1)	Sum of AWPQuintile 4 &5(Pro.2)
Alfred Nzo Distrcit Municipality	R 470 090,86	R 441 040,33	R -
Buffalo City Metropolitan Municipality	R -	R -	R 2 395 812,23
Dr Beyers Naude Local Municipality	R -	R 40 214,00	R -
Eskom Holdings	R 1 172 314,05	R 218 642,18	R -
Ingquza Hill Local Municipality	R 5 858,34	R 1 800,44	R -
Joe Gqabi District Municipality	R 123 633,71	R -	R -
King Sabata Dalindyebo Local Municipality	R 316 738,57	R 106 053,51	R -
Kou-kamma Local Municipality	R 7 254,64	R -	R -
Kumkani Mhlontlo Local Municipality	R 461,16	R -	R -
Nelson Mandela Bay Metropolitan Municipality	R -	R 332 212,42	R -
OR Tambo District Municipality	R 1 939 989,69	R 292 644,82	R -
Sakhisizwe Local Municipality	R 43 639,14	R -	R -
Senqu Local Municipality	R 127 170,44	R -	R -
Walter Sisulu Local Municipality	R 164 452,27	R -	R -
Grand Total	**R 4 371 602,87**	**R 1 432 607,70**	**R 2 395 812,23**
	R 8 200 022,80		

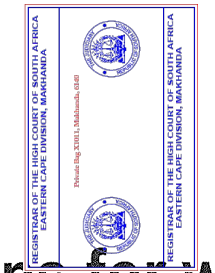
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CONCLUSION

- The Department has presented its funding pressures at the **2027 MTEC Hearings**, but the Education 10×10 Forum has not yet convened for the current planning cycle.
- The 10×10 is a joint intergovernmental forum for education financing, budgeting, planning and fiscal coordination.
- For the current 2027 MTEF budget planning cycle, the Department has already presented its f**inancial position** and **funding pressures** during the MTEC Hearings. These submissions included the financial challenges affecting the Department's ability to fully implement certain education policy mandates, particularly the funding of public ordinary schools in accordance with the National Norms and Standards for School Funding.
- The Education 10×10 Forum has not yet taken place for the current planning cycle. Consequently, the Department has not yet had the opportunity to raise these matters through that particular intergovernmental platform.
- The Department intends to utilise the forum, when convened, **to further highlight** the structural funding challenges facing the province and advocate for coordinated and sustainable funding solutions.
- The Department **is not seeking to avoid its legislative obligations**. Rather, it is actively engaging through the available government budget processes to address the gap between the cost of implementing national education policies and the financial resources allocated to the province.

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Reasons for withholding 40% allocation

GOODS AND SERVICES	Funded in 2026/27	
NSF CENTRALISED PROJECTS	TOTAL NSF (CENTRALISED)	% Split
Textbooks (Q1-5)	268,822,698	16.5%
Stationary (Q1-3)	284,569,552	17.5%
Agricultural (40%)	8,010,523	0.5%
Technical Occupational Studies (40%)	6,173,504	0.4%
Maritime School (40%)	2,315,064	0.1%
Curriculum Occupational Skills, Robotics	12,126,525	0.7%
Graded Readers (Grade 1-3)	19,592,199	1.2%
Curr Ext. Tbooks, Workbooks shortfall & MTBBE	33,472,341	2.1%
E-Learning	56,638,246	3.5%
LTSM Project	106,658,299	6.6%
LTSM School Furniture	151,077,475	9.3%
Municipal Services (Centralised)	129,101,420	7.9%
Section 20 Schools	3,390,892	0.2%
LAIS (JENN, MSI, AVIATION)	469,076,035	28.8%
ICT Schools	77,168,795	4.7%
SUB TOTAL	1,628,193,568	100%

Centralised funding is used to fund the following projects

Focus schools: Agricultural Schools (8 M), Maritime schools (2.3 M) and Technical schools (6.1 M).

Procurement of Readers (19M), Coding and Robotics (12M)

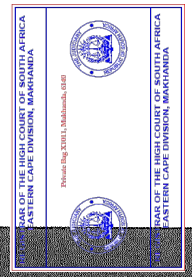
Purchase Workbooks, shortfall, and Printing for MTBBE (33 m)

Learner Attainment Improvement Strategy (LAIS) programmes Jenn, MSI and Aviation(469 M),

Procurement of school furniture (151M), payment municipal accounts for defaulting schools (129M), tablets for Grade 12 learners, and ICT (77 M), School enrichment programme R55M and e-learning support (56M)PSOPP R35M. This was communicated to all schools on the paper budget issued to all schools in preliminary paper budget as well as in final paper budget.

In essence this centralised budget is used for the benefit of schools through centralisation

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ENKOSI

THANK YOU

BAIE DANKIE

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building blocks for growth
department of education

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LEGAL RESOURCES CENTRE

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Our Ref: EDU/MCOU/VAN SCHALKWYK/RANKIN

30 October 2026

Mr M Sisilana

Senior State Attorney: Gqeberha

29 Western Road

Gqeberha

Per email: MSisilana@justice.gov.za

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Dear Mr Sisilana,

MAKHANDA CIRCLE OF UNITY AND OTHERS V MEC FOR EDUCATION IN THE EASTERN CAPE AND OTHERS

We act on behalf of the applicants in the above matter, as well as additional school governing bodies. The meeting between the Legal Resources Centre, representing our clients, and your clients, on 27 October 2026 refers.

1. We confirm that at the conclusion of the meeting it was agreed that we would take instructions on the following matters:

   1.1. Our clients' willingness to further consult with your clients in respect of the future prioritizing of certain education items. Those are items which your clients asserted, at the meeting, are purportedly funded by the ECDOE by virtue of the retention of 40% of each school's Norms and Standards school allocation; and

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1.2. Our clients' willingness to withdraw their instruction to pursue further legal proceedings, on an urgent basis, to ensure that the 40% retained amount of each school's Norms and Standards for School Funding allocation for the 2026/2027 financial year be fully allocated to each school directly.

2. We have taken instructions. Whilst our clients remain open to further discussions on education funding priorities, our clients' position is as follows:

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2.1. The prioritization of education project funding and the decision as to what projects should be funded remain within the purview of the ECDOE.

2.1.1. While our clients can be consulted on projects that may benefit schools, they cannot direct policy or budgeting decisions of the ECDOE.

2.1.2. The ECDOE's obligation is to consult all schools as to which educational projects and programmes must be undertaken.

2.2. Most importantly however, in light of the Constitution, the Schools Act and the Norms and Standards themselves, the purported withholding of a percentage of the school allocations required under the Norms and Standards is unlawful, unconstitutional, and invalid.

3. The position set out in paragraph 2.2 above was made clear in the order of Malusi J, handed down by the Makhanda High Court on 19 August 2026, The ECDOE agreed to this order; it cannot continue to withhold from schools significant portions of school allocations, to which every school is entitled under the Norms and

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Standards. If it has other projects it wishes to prioritise, it must find mechanisms of doing so that fall outside the prescribed minimum per learner funding which the Norms and Standards require be allocated to each school.

4. It was of significant concern to us and our clients that, with the academic year nearing its end, your clients did not appear to appreciate the legal obligations imposed by the Constitution, Schools Act and Norms and Standards, and endorsed by the order of Malusi J.

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5. Accordingly, our instructions remain to pursue urgent legal proceedings to recover the 40% of the school allocation that has been withheld during the 2026/2027 financial year.

6. Our clients have taken note of the strained financial position in which the ECDOE purportedly finds itself and will accordingly join the relevant treasury departments to ensure cooperation toward ECDOE complying with the obligations to provide schools with the minimum funding required under the Norms and Standards. funding obligations.

Our clients' rights are reserved.

Kind regards

LEGAL RESOURCES CENTRE

PER: CECILE VAN SCHALKWYK

IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CASE NO. _____

In the matter between:

MAKHANDA CIRCLE OF UNITY	First Applicant
SCHOOL GOVERNING BODY OF TYANTYI PRIMARY SCHOOL	Second Applicant
SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLIVIER	Third applicant
SCHOOL GOVERNING BODY OF VICTORIA PRIMARY SCHOOL	Fourth applicant
SCHOOL GOVERNING BODY OF VICTORIA GIRLS HIGH SCHOOL	Fifth applicant
SCHOOL GOVERNING BODY OF GRAHAMSTOWN PRIMARY SCHOOL	Sixth applicant
SCHOOL GOVERNING BODY OF DF MALHERBE HIGH SCHOOL	Seventh applicant
SCHOOL GOVERNING BODY OF GRAEME COLLEGE	Eight Applicant
SCHOOL GOVERNING BODY OF LAER VOLKSKOOL GRAAFF-REINET	Nineth applicant

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SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL	Tenth applicant
SCHOOL GOVERNING BODY OF STUTTERHEIM HIGH SCHOOL	Eleventh applicant
SCHOOL GOVERNING BODY OF OATLANDS PREPARATORY SCHOOL	Twelfth applicant

and

HEAD OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	First Respondent
MEMBER OF THE EXECUTIVE COUNCIL EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	Second Respondent
GOVERNMENT OF THE EASTERN CAPE PROVINCE	Third Respondent
MINISTER OF BASIC EDUCATION	Fourth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE	Fifth Respondent
MINISTER OF FINANCE	Sixth Respondent
GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	Seventh Respondent

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EASTERN CAPE DIVISION, MAKHANDA

SUPPLEMENTARY AFFIDAVIT

I, the undersigned,

ZIMASA THAME

25
Z.T SNB TvM

state under oath the following:

1. I am an adult female and currently reside at 83 Zolani Location, Makhanda. I am the current treasurer of the school governing body (SGB) of Tantyi Primary School, the fourth applicant in this case.

2. I am duly authorised to depose to this affidavit on behalf of the fourth applicant. applicant. A resolution of the SGB is attached hereto as **ZM1**.

3. The contents of this affidavit fall within my personal knowledge, except where otherwise indicated by the context, and are to the best of my belief both true and correct. Where I make legal submissions, I do so on the advice of the fourth applicant's legal representatives.

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4. I have read the founding affidavit of Leon Grove and confirm the correctness thereof in as much as it relates to the fourth applicant's school.

5. The purpose of this affidavit is to provide the court with more information on the impact that the Eastern Cape Department of Education's ("**ECDOE**") unlawful retention of 40% of our school's budget during the 2026/27 financial year has had on our school

6. This decision follows a serious of decisions resulting in the underfunding of our school over the last six years. The effects of the ECDOE's previous years of underfunding have compounded each year. The current financial year is no different, with our school forced, yet again, to delay vital improvements to the school.

7. Tantyi Primary School has 187 learners at the moment and provides education from grades R to 7. The school is located in Tantyi Location on the outskirts of Makhanda. The community is really poor and the learners who attend this school come from homes that almost exclusively rely on child care grants for an income.

Z.T SNB ZS TM

Most of the parents and caregivers are unemployed and struggle to feed their families. As a result, the school is a no-fee paying school.

8. The school is completely reliant on the Eastern Cape Department of Education (ECDOE) to give us money to pay for all the expenses at the school. Before 2020, we were already struggling to pay for all the expenses related to the learners. However, in 2020, after the Covid pandemic started, things really became difficult at the school from a financial perspective. In 2020, the school simply did not receive all the money it was promised in terms of its paper budget, after the then-HOD advised the schools that the budgets would be cut.

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9. This reduction set in motion a trend of underfunding. I enclose herewith as **ZM2**, the school's paper budgets between 2020/2021 till 2026/2027. The table below demonstrates the real term reduction in the amount of money that the school receives from the ECDOE. As with the other schools that form part of this application, the amount of money has reduced compared to the number of learners at the school. The table below illustrates this reduction.

Z.T TVM SNR

Financial Year	Number of learners	Per-learner allocation on the paper budget	Total allocation in paper budget
2020/2021	159	R1466	R233 094 (schools only received 78% of this allocation)
2021/2022	173	R766.32	R132 573
2022/2023	174	R815	R158 052
2023/2024	189	R1602 **(only R1061.30 to be paid to schools)**	R200 [illegible] **(school is entitled to R302 778, but R102 188 of the budget is retained by the ECDOE)**
2024/2025	186	R1231 **(only R815,54 to be paid to schools)**	R151 690 **(school is entitled to R228 966, but R77 276 is retained by the school)**
2025/2026	166	R1754 **(only R1142.73 to be paid to schools)**	R189 693 **(school is entitled to R291 164, but R101 471 is retained by the ECDOE)**
2026/2027	173	R1835 **(only R1101 to be paid to schools)**	R190 473 **(school is entitled to R317 455, but R126 982 is retained by the ECDOE)**

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EASTERN CAPE DIVISION, MAHANDA

Z.T SNB 25
TVM

10. The school is located in a very poor area of Makhanda, and the community are mostly dependent on social grants for their income. Around 80% of the parents of learners at the school are unemployed. The school does try to fundraise to supplement its income from the state, but in general the fundraising efforts only generate about R10 000 per year.

11. Despite the school being no-fee paying, the school relies on parents to buy copying paper and toilet paper for the learners as it cannot afford to buy these items. Given the financial situation of our parents at the school, the reality is that many of the parents cannot afford even this small financial contribution. We try not to overburden the parents, but where the majority of the parents rely on social grants for survival, the reality is that even this small amount has a big impact on the ability of parents to care for their children.

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12. At present, the school's municipal bill is in arrears with R57 079.64. The latest account is enclosed as **ZM3**. The school does not have any more money to pay this account. It can only pay what is allocated to it. For the current 2026/27 financial year, the school's entire municipal allocation is only R47 618, paid to the school over two tranche payments. Had the ECDOE not retained 40% of our school's budget, we would have had R78 093,93 allocated to it for municipal services, which would have enabled it to clear its account in full, with R21 014.29 remaining for municipal charges for the remainder of the financial year. Without these additional funds, the school remains in arrears and we are not sure how this will affect the provisioning of services to our school.

13. The school does not have enough money to pay for basic maintenance such as the replacement of door locks, window handles, the cutting of the grass on the school premises, as well as the fixing of toilets, leaking roofs, and the classroom floors. The leaking toilets and taps have a knock-on effect on our water consumption; however we simply do not have the funds to fix the bathrooms. Not all the classrooms have electricity as the school cannot afford to have it installed.

Z.T SNB TVM

14. Four classrooms and a set of toilets have been vandalised at our school and rendered unusable. The windows in the classrooms were broken and the ceilings destroyed by vandals who stole all cabling from the classrooms. We have not had the money to fix these classrooms, and they remain unutilised.A large portion of the top story of the school cannot be used at all, as the roof has partially collapsed. This makes it unsafe for the learners and the school has had to cordon off the area in order to avoid the children being injured. The school simply does not have the maintenance money to afford any repairs to the school.

15. In addition to this, the school is expected to cover costs associated with the financial management of the school, including the banking and auditing costs, which amounts to around R7000 per year. No provision is made on the school's paper budget for these specific expenses. The reduction in the budget for 2023/2024 will have an impact on the SGBs ability to fulfil its fiduciary duties as it is not able to pay for the auditing costs of the financial statements of the school.

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16. The school relies on donations for certain critical maintenance expenses and have received water tanks from Rotary International, while other NGOs have assisted with some of the renovations of the classrooms. The school does try to fundraise to supplement its income, but in general the fundraising efforts only generate about R10 000 per year, as the parent community is simply not financially able to assist with the financial needs of the school.

17. Our school struggles with low post provisioning. Ordinarily, we would like to use what little funds the SGB is able to fundraise to pay stipends to compensate additional teachers or volunteers. Instead, as we have to use what little we can collect to supplement other expenses, we cannot do this.

18. We were alarmed by the ECDOE's decision to retain 40% of our school's budget for the 2026/2027 financial year. Our school has been subject to significant budget cuts since 2020 and has not received the correct amount of money allocated to the ECDOE since the 2023/2024 financial year. To date, our school has never received any additional benefit from the ECDOE, nor heard that it qualified for any

Z.T TWM SNB

additional benefit currently provided by the ECDOE as funded through the ECDOE's so-called "Provincial NNSSF".

19. Despite the ECDOE's previous underfunding and retention of portions of our school's budgets being recently declared invalid, unlawful, and unconstitutional, we have received no indication from the ECDOE regarding how they intend on remedying their unconstitutional underfunding of our school or how they intend to repay the money they unlawfully withheld from our school.

20. This is disgraceful and places our school, who provide education to the most vulnerable and marginalised in a very difficult position.

21. In light of the above, I ask for an order in terms of the Notice of Motion.

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~~ZONGEZILE MANYATI~~
Zimasa Thane.

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at MAKHANDA on this the 3rd day of NOVEMBER 2026, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.

COMMISSIONER OF OATHS
Full names: SHAUN NEIL BERGOVER
Address: 41 NEW STREET, MAKHANDA
Capacity: ATTORNEY

Shaun Neil Bergover
PRACTISING ATTORNEY
Commissioner of Oaths
Rhodes University Law Clinic
41 New Street
Grahamstown 6139
Tel: 046 603 7656

RESOLUTION OF THE SCHOOL GOVERNING BODY OF TANTYI PRIMARY SCHOOL

The school governing body of Tantyi Primary School resolved at a meeting held on 9th of September to instruct the Legal Resources Centre, Makhanda (Grahamstown) to make an application against the MEC for Education, Eastern Cape and the Acting Head of Department, Department of Education, Eastern Cape, as well as the Minister of Basic Education, the relevant departments of Treasury, and the Government of the Republic of South Africa.



The legal action arises out of the Eastern Cape Department of Education's decision to retain a portion of the school allocation in terms of the Norms and Standards for School Funding during the 2026/2027 financial year.

The purpose of the legal action is to seek relief on behalf of the school governing body of Tantyi Primary School, as well as the learners in the school, and all other affected learners in the province, and to ensure that the money that has been retained by the Eastern Cape Department of Education for the 2026/2027 financial year, be paid back to the school.

The meeting further resolved that Zimasa Thame (SGB treasure) is authorised to sign all necessary legal documents to institute this legal action in furtherance of this legal action.

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PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF EDUCATION
ISEBE LEZEMFUNDO
DEPARTEMENT VAN ONDERWYS

Private Bag X0032, Bhisho, South Africa

The Principal

ANTYI PUBLIC SCHOOL

District: SARAH BAARTMAN

NatEMIS 200100770
Circuit: SB Makana 2
Section: Section 21

20 FEBRUARY 2020

ear Sir or Madam

(PRE-FINAL PAPER BUDGET 2020/21 (AS PER NORMS AND STANDARDS FOR SCHOOL FUNDING)

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Your school is placed in Quintile 3 of the Resource Targeting Table 2020. Schools in quintile 1,2 and 3 are declared as "No Fee" hools.

.ie q ile allocation of schools is determined by the poverty data index at ward level, as calculated by Statistics South Africa. Various factors are included in the calculation of the Index of deprivation of the community that rrounds your school. The factors that are used include:

ncome and material deprivation
2. Employment deprivation
3. Health deprivation
Education deprivation
.iving environment deprivation

It is very important to note that the physical condition of your school is not considered for the calculation of the Index of deprivation. For certain schools the Quintile is further amended after successful contestations. This is an indicative dget and figures are subject to change.

Pre-final Budget for 2020-21 is as follows:

Item	Allocation	Percentage
LTSM	R 81 582.90	35% of Total
Consumables	R 11 654.70	5% of Total
Cash Payment for Quintile 1, 2 and 3 Schools	R 23 309.40	10% of Total
Municipal Services (30% for Quintile 4 & 5 Schools)	R 46 618.80	20% of Total
Maintenance	R 46 618.80	20% of Total
LAIS Support (Centralised)	**R 23 309.40**	10% of Total
Total	**R 233 094.00**	

.ease note the following 1. Only Quintile 1,2 and 3 Schools qualify for a cash payment of 10%

2. The budget calculation is based on the verified enrolment figures (Grade 1 to 12 only), taken from SA-SAMS ! August 2019 / or the previous latest SA-SAMS submission in 2019.

3. The learner enrolment for the school is captured as: 159 (Excluding Gr R and Pre-Grade R)

4. LAIS Support allocation of 10% benefits teaching and learning improvement strategies for all schools and is centralised.

ours in Education

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Chief Financial Officer

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Province of the
EASTERN CAPE
EDUCATION

30 MARCH 2021

The Principal
TANTYI PUBLIC SCHOOL NatEMIS: 200100770 Circuit: SB Makana 2
District: SARAH BAARTMAN Section: Section 21

PAPER BUDGET 2021/22 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1. The school is placed in Quintile 3 of the 2021Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.
2. Factors used in the calculation of the index of deprivation of the community that surrounds the school include:
   1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.
   NB: The physical condition of your school is not considered for the calculation of this purpose.

Budget allocation for 2021-22 is as follows:

Item	Percentage of Total	Allocation
LTSM	40%	R 6034
Education Consumables	3%	R 451
Cash Payment for Quintile 1,2 and 3 Schools only	10%	R 1504
Municipal Services (30% for Quintile 4 & 5 Schools)	25%	R 37620
Maintenance (15% for Quintile 4&5 Schools)	10%	R 15048
Total (Norms & Standards)		R 132573

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

2.1 The learner enrolment for the school for Grades 1-12 is captured as: 173
2.2 Transfer of funds for Tranche 1 is planned for May 2021. This tranche is made of Cash Payment (payable to Quintiles 1, 2 & 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. Budget for S20 schools is loaded at district level.
2.3 10% of the budget has been centralized to fund LAIS for thew improvement of learner pass rates at schools. A small portion of this budget is also used to transfer funds to SGB associations for school affiliation fees and SGB capacitation.
2.4 **Any transfers to the school will be made to the bank account ending with: ******4757.**
2.5 The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at August 2020. The department reserves the right to revise the final paper budgets to consider possible changes due to 2021 learner enrolment data and in response to Covid-19 pandemic teaching & learning requirements, amongst others.

3. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability & reporting requirements run the risk of having their S21 status revoked. See bullet 9.
4. LTSM textbook procurement and distribution centralised for all schools. Only S21, Qs 4 & 5 have a choice to opt out of centralized Stationery procurement process. Such schools will receive transfers only for the portion relating to the equivalent provision on the RTT for stationery.
5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche.
6. Operational schools, including new schools who have not received funds must contact their district office for support.
7. Included here are the banking details provided and used for all tranche payments to your school in 2021. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts. Transfers will not be made to schools who utilize Savings account for this purpose.
8. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS from 1 April 2021.

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Building blocks for growth education

Customer care line: 086 063 8636
Website: www.ecdoe.gov.za

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EASTERN CAPE
EDUCATION

10. Schools must submit certified copies of 2020 Audited Financial Statement Head Office by latest 30 June 2021. Failure to comply with this requirement will have serious consequence management implications.
11. All applications by schools for changes in sectional and quintile status for 2021 have been finalized.
12. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in Education,

Electronic Copy

X KOSE
ACTING CHIEF FINANCIAL OFFICER

30 March 2021

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Province of the
EASTERN CAPE
EDUCATION

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The Principal
District SARAH BAARTMAN
School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770
Circuit Management Centre Grahamstown Circuit SB Makana 2 Specialisation Ordinary
Financial Management:

FINAL PAPER BUDGET 2022/23 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1) The school is placed in Quintile 3 of the 2022 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.
2) Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

IB: The physical condition of your school is not considered for the calculation of this purpose.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Item	Allocation	Mode of Provisioning
LTSM	R72,325	Centralised Textbooks all /All Q4 and 5 Opt out of Stationery
Specialised NSF(Ordinary)	R0	Centralised
Educational Consumables	R3,098	Transfer Qs 1-5, S21, S20 @ Districts
Cash Payment Q 1,2,3 Schools	R17,107	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R43,554	Transfer S21 Qs 1-5, S20 @ Districts
Learner Attainment Strategy (LAIS)	R16,061	Centralised @ Districts
Maintenance (15% for Quintile 4 and 5)	R5,907	Transfers Qs 1-5, All S20 @ Districts

Please note the following:

2.1) The learner enrolment for the school for Grades 1-12 is captured as: 174

2.2) Transfer of funds for Tranche 1 is planned for May 2022. This tranche is made of Cash Payment (payable to Quintiles 1, 2 and 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. Budget for S20 schools is loaded at district level.

2.3) 95% of the budget has been decentralized to districts to fund LAIS and 5% for Municipal Services is centralized at Head Office for quintiles 1-3 schools. A small portion of this budget is also used to transfer funds to SGB associations for school affiliation fees and SGB capacitation.

2.4) **ALL transfers to the school will be made to the bank account ending with:** ******4757

2.5) The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 27 September 2021. The department reserves the right to revise the final paper budgets to consider possible changes due to 2022 learner enrolment data and in response to Covid-19 pandemic teaching learning requirements, amongst others.

3) A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked. See bullet 9.

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Province of the
EASTERN CAPE
EDUCATION

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4) LTSM textbook procurement and distribution centralised for all schools. Stationery budget will be transferred to all S21, Q 4 and 5 schools. Such schools will receive transfers for the portion relating to the equivalent provision on the RTL for stationery.
5) All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche.
6) Operational schools, including new schools who have not received funds must contact their district office for support.
7) ncluded here are the banking details provided and used for all tranche payments to your school in 2022. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts. Transfers will not be made to schools who utilize Savings account for this purpose.
8) All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school from in 2022.
9) Schools must submit certified copies of 2021 Audited Financial Statement Head Office by latest 30 June 2022. Failure to comply with this requirement will have serious consequence management implications.
10) All applications by schools for changes in sectional and quintile status for 2022 have been finalized.
11) All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2022-23

TJZ Mtyida
Programme Manager

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Province of the EASTERN CAPE EDUCATION

TANTYI PUBLIC SCHOOL-200100770

The Principal

District SARAH BAARTMAN

School and EMIS Nr TANTYI PUBLIC SCHOOL-200100770

Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary

Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 3 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
M LTSM Textbooks	R30,278	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R34,819	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R33,608	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districs.
Cash Payment Q 1,2,3 Schools	R30,278	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R51,472	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R20,135	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R200,590	100%	100%	

Please note the following:

6. The learner enrolment for the school for grades 1-12 is captured as 189

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

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EASTERN CAPE
EDUCATION

TANTYI PUBLIC SCHOOL-200100770

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9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********4757
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

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TANTYI PUBLIC SCHOOL-200100770

Province of the EASTERN CAPE EDUCATION

08 October 2024

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	**TANTYI PUBLIC SCHOOL-200100770**
Circuit Management Centre	Makhanda CM **Circuit** SB Makana 2 **Specialisation** Ordinary School
Financial Management:	Section 21

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile **3** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 3.The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,754 per learner for quintiles 1-3 schools, R879 for quintile 4 and R301 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R40,662.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

PART A: 65.15% of the NSF budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools. Below is an indication of what a qualifying school can expect to receive for both transfers tranches and for Textbooks and Stationery.

PART B: R931.9 million or 34.85% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting schools on a need's basis. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools. Part B is in relation to PAR 116 of NNSSF declaring that, in addition to the S21 functions referred to in the NNSSF paragraph 115, and apart from the financial directions issued in terms of Section 37 of SASA, PEDs may determine other conditions governing the use of the school allocation where this is deemed necessary for the promotion of better school management. The central projects funded are, amongst others, provision of graded readers, occupational skills, new curriculum, workbooks top-ups, MTBBE workbooks, E-Learning, School Furniture, LAIS, ICT schools and Vocational schools (Agricultural, Technical Maritime schools).

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 20 August 2024. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2025 as was the case in 2024/25. There'll be no opting-in for this function.

6 6.All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

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TANTYI PUBLIC SCHOOL-200100770

Province of the EASTERN CAPE EDUCATION

08 October 2024

Part A: Budget Allocation for 2025/26 for NNSSF Transfers Textbooks, Stationery

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R29 844	10.25 %		The ECDoE is reviewing its mode of provisioning for this item. A circular to be issued to provide further clarity.
Stationery	R32 902	11.3%		
Educational Consumables and Curriculum Support	R32 028	11%	14%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R29 116	10%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R46 586	16%	19%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R19 217	6.6%	10.6%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R189 693	65.15%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools	R0	Maritime Schools	R0
Agricultural Schools	R0		

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **166**
8. Transfer of funds for 1st Tranche is planned for May 2025. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2025. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** ******4757
12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FMS 2025/26
Planning Budget

Mr V.A. Joseph
Programme Manager

2-7 SNB
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Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District SARAH BAARTMAN

School and EMIS Nr **TANTYI PUBLIC SCHOOL-200100770**

Circuit Management Centre Makhanda CM **Circuit** SB Makana 2

Financial Management: Section 21 **Specialisation** Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **3** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

25 TMM
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Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R30 158	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R33 333	17.3%		
Educational Consumables and Curriculum Support	R31 746	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R31 746	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R47 618	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R15 873	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R190 473	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **173**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
12.. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13.. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14.. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15.. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS 2026-27
Planning Budget

Mr V.A. Joseph
Programme Manager

Z.T TVM SNB

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FAX: 046 636 2472
VAT No.:4330193873
Dedicated Fraud hotline numbers :
046 001 0012 and 087 809 4100

TAX INVOICE/STATEMENT OF ACCOUNT

Account Number: 0005001836
Consumer Name: TANTYI LOWER PRIMARY SCHOOL
Postal Address: DEPT OF EDUCATION
PRIVATE BAG X 1001
GRAHAMSTOWN

Postal Code: 6140

Internet PIN: 731921156

Account Date: 30 SEP 2026
Tax Invoice No.: 0005001836202609
Vat Registration No.:
ERF Description: 0100A 000001378 000000 0001
Suburb: GRAHAMSTOWN EAST
Market Value: 0.00
Street: 1378 XOLANI, RINI, 6139 GRAHAMSTOWN
Land Area: .0000
Deposit: 0.00

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METER READINGS

METER NO.	METER TYPE	OLD READING	NEW READING	READING DATE	READING TYPE	CONSUMPTION
00000000PPF0179	WATER	.000	587.000	15/09/2026	I	587.000
000000016782973	WATER	22700.000	23030.000	14/09/2026	E	330.000

ACCOUNT DETAILS

DATE	CODE	DESCRIPTION	UNITS	TARIFF	VALUE
		Opening Balance			23,843.28
30/09/2026	000530	REFUSE REMOVAL MNTHLY: DO*	1.000	161.56000000	161.56
30/09/2026	000323	WATER USAGE 0 - 10KL/PM*	10.000	16.40000000	164.00
30/09/2026	000323	WATER USAGE 11 - 20KL/PM*	10.000	21.90000000	219.00
30/09/2026	000323	WATER USAGE 21 - 30KL/PM*	10.000	24.10000000	241.00
30/09/2026	000323	WATER USAGE 31 - 40KL/PM*	10.000	26.51000000	265.10
30/09/2026	000323	WATER USAGE 41 - 50KL/PM*	10.000	29.15000000	291.50
30/09/2026	000323	WATER USAGE 51 - 9999999999*	537.000	32.09000000	17,232.33
30/09/2026	000323	WATER USAGE 0 - 10KL/PM*	10.000	16.40000000	164.00
30/09/2026	000323	WATER USAGE 11 - 20KL/PM*	10.000	21.90000000	219.00
30/09/2026	000323	WATER USAGE 21 - 30KL/PM*	10.000	24.10000000	241.00
30/09/2026	000323	WATER USAGE 31 - 40KL/PM*	10.000	26.51000000	265.10
30/09/2026	000323	WATER USAGE 41 - 50KL/PM*	10.000	29.15000000	291.50
30/09/2026	000323	WATER USAGE 51 - 9999999999*	280.000	32.09000000	8,985.20
	009008	VAT			4,311.04
	009009	INTEREST			185.03

120+ DAYS	90 DAYS	60 DAYS	30 DAYS	CURRENT	TOTAL DUE THIS MONTH
0.00	0.00	11,876.46	11,966.82	33,236.36	57,079.64

IMPORTANT NOTICE TO ALL CUSTOMERS - To ensure accurate and timely allocation of your payments, please send your proof of payment to:
proofofpayment@makana.gov.za

DEBT COLLECTION

The supply of services may be discontinued if any amount is unpaid after the due date and the deposit may be reviewed simultaneously. Please note that the due date does not apply to overdue balances.

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C.T SNB
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REMITTANCE ADVICE		BANKING DETAILS	
ACCOUNT NUMBER:	0005001836	BANK NAME:	FIRST NATIONAL BANK
CONSUMER NAME:	TANTYI LOWER PRIMARY SCHOOL	ACCOUNT NAME:	MAKANA MUNICIPALITY
TOTAL DUE:	57,079.64	ACCOUNT NUMBER:	62031232531
TOTAL DUE ON OR BEFORE:	30/10/2026	BRANCH CODE	210717
EasyPay	91 6210 0050 0183 67		

CLICK TO PAY OPTIONS

Click on the bank's logo below to go to their internet banking page and settle your accounts.

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IN THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CASE NO. _____

In the matter between:

MAKHANDA CIRCLE OF UNITY	First Applicant
SCHOOL GOVERNING BODY OF TYANTYI PRIMARY SCHOOL	Second Applicant
SCHOOL GOVERNING BODY OF HOËRSKOOL PJ OLIVIER	Third applicant
SCHOOL GOVERNING BODY OF VICTORIA PRIMARY SCHOOL	Fourth applicant
SCHOOL GOVERNING BODY OF VICTORIA GIRLS HIGH SCHOOL	Fifth applicant
SCHOOL GOVERNING BODY OF GRAHAMSTOWN PRIMARY SCHOOL	Sixth applicant
SCHOOL GOVERNING BODY OF DF MALHERBE HIGH SCHOOL	Seventh applicant
SCHOOL GOVERNING BODY OF GRAEME COLLEGE	Eight Applicant
SCHOOL GOVERNING BODY OF LAER VOLKSKOOL GRAAFF-REINET	Nineth applicant

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SCHOOL GOVERNING BODY OF LINKSIDE HIGH SCHOOL	Tenth applicant
SCHOOL GOVERNING BODY OF STUTTERHEIM HIGH SCHOOL	Eleventh applicant
SCHOOL GOVERNING BODY OF OATLANDS PREPARATORY SCHOOL	Twelfth applicant

and

HEAD OF DEPARTMENT EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	First Respondent
MEMBER OF THE EXECUTIVE COUNCIL EASTERN CAPE DEPARTMENT OF BASIC EDUCATION	Second Respondent
GOVERNMENT OF THE EASTERN CAPE PROVINCE	Third Respondent
MINISTER OF BASIC EDUCATION	Fourth Respondent
MEMBER OF THE EXECUTIVE COUNCIL FOR FINANCE, ECONOMIC DEVELOPMENT AND ENVIRONMENTAL AFFAIRS: EASTERN CAPE	Fifth Respondent
MINISTER OF FINANCE	Sixth Respondent
GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA	Seventh Respondent

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SUPPLEMENTARY AFFIDAVIT

I, the undersigned,

MICHELLE NEL

state under oath the following:

1. I am an adult male, currently residing at 15 Hillsview Road, Makhanda. I am the secretary of the school governing body (SGB) of Hoërskool PJ Olivier, the third applicant in this case.

2. I am duly authorised to depose to this affidavit on behalf of the third applicant. A resolution of the SGB is attached hereto as **ES1**.

3. The contents of this affidavit fall within my personal knowledge, except where otherwise indicated by the context, and are to the best of my belief both true and correct. Where I make legal submissions, I do so on the advice of the third applicant's legal representatives.

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4. I have read the founding affidavit of Mr Leon Grové and confirm the correctness thereof in as much as it relates to the third applicant's school.

5. The purpose of this affidavit is to provide the court with more information on the impact that the reduction in the budget has had on the school since 2020 and has continued to have during the 2026/2027 financial year. I will also provide information on how the retention of 40% of the budget for the 2026/2027 financial year has affected the school.

6. The school's paper budget allocation between 2018/2019 till 2026/2027 is set out below. I also enclose the school's paper budgets for these years as **ES2.** It only shows the income of the school since it became a quintile 4 school in 2018.

3/11/2026-5:09:00 PM

Financial Year	Number of learners	Per-learner allocation on the paper budget	Total allocation in paper budget
2018/2019	382	R660	R252 120
2019/2020	376	R697	R262 072
2020/2021	388	R630.81	R244 754.50 (schools only received 78% of this allocation) = R190 908.51
2021/2022	386	R384,20	R148 303
2022/2023	398	R431	R171 607
2023/2024	426	R531,99	R226 748
2024/2025	405	R546,80	R221 113
2025/2026	405	R572,67	R231 931
2026/2027	405	R551,40	R223 317

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7. The school used to be a quintile 5 fee-paying school, but the changing financial situation of the parents of the school, meant that less and less parents were able to pay any school fees. By 2017, the school was really struggling financially, as we received only a small financial allocation from the department, and many parents were no longer able to pay the school fees for the learners to attend the school.

8. The financial difficulties were especially pronounced in relation to the school's municipal account. The school has always taken the stance that we are being overcharged for municipal services, but we have not been able to resolve this difficulty with the Makana Municipality. In 2017, the school only received R23 847.60 from the department for municipal services, but by September 2017, the school had already paid an amount of R195 977.79 to the municipality for services and were unable to continue paying for that year. A letter to the municipality dated 11 October 2017 gives some insight into these financial problems. The letter is annexed as **ES3**.

9. By January 2018, the school was in arrears on its municipal account by R297 166.09 and the municipality was threatening to cut the school's municipal services. The principal of the school directed a letter to the district manager of the Sarah Baartman District, Mr De Bruyn to ask for assistance from the department in paying this account. The letter dated 23 January 2018 is enclosed as **ES4**. We received no positive response to this letter and on 27 February 2018, we directed another email to department advising that we were struggling to pay the municipal account and asking for assistance from the department. The email is enclosed as **ES5**.

10. We ultimately applied, and was granted, quintile 4 status in 2018, which increased the financial allocation to the school. The school started receiving the quintile 4 allocation during the 2018/2019 financial year.

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11. The change in quintile classification made an impact on the school's financial situation. We were able to better attend to some of the school's mounting financial problems and our allocation for municipal services increased which meant that we were able to pay more towards the arrear services account.

12. We still had ongoing issues with the municipal account and sought assistance from the department during 2019. The municipality did a new property valuation for the school which resulted in a 25% increase in the school's valuation. This had an impact on the rates and taxes the school had to pay. In addition, while we received R88 242 from the department for municipal services in 2019, we knew from our experience in 2018, that the municipal services will be much higher than this allocation and that we would struggle to pay it. A letter to the Director of Finance (SES Finance) and Mr Betela, the Education Development Officer for Sarah Baartman dated 1 March 2019, sets out some of these challenges. The letter is enclosed as **ES6**.

13. On 6 June 2019, the school again wrote to Mr Betela asking for intervention and assistance with the municipal account as the account was much more than the

actual budget allocation. This letter is attached as **ES7**. We did not receive a response to this letter.

14. Unfortunately, during the 2020/2021 financial year, the SGB was alarmed when informed that the funding we received would be cut. While we were initially allocated R244 754.50 for that financial year, we were informed during the year that we will not be receiving this full allocation due to the Covid-19 pandemic. We therefore only received 78% of the budget allocation for that year, amounting to R190 908.51. This was a difficult time as the school had to take measures to combat the Covid-19 pandemic and we spent a lot of money on cleaning and sanitation products to ensure that the school was safe when the learners returned. An initial delivery of these products was not sufficient to cover the whole year and we had to buy more. We also saw an increase in parents who lost their jobs and their incomes and became unable to pay the school fees for the financial year. This further impacted on the school's income.

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15. As the SGB, we were however hopeful that the 2021/2022 financial year will see a recovery in the school funding. The announcement of the 2021/2022 paper budget was therefore a shock for the school. Instead of receiving the per-learner target of R735 per learner, the department only allocated our school R384,29 per learner. This is about 52% of what the school should have received for each of its learners. Based on our learner numbers for the 2021/2022 financial year, we were meant to receive R283 710, but was ultimately allocated R148 303, which is R135 407 less than the per-learner target. This is an enormous budget reduction and had an incredible impact on the school's ability to meet its financial obligations. We were advised that all other quintile 4 schools in the Eastern Cape were similarly underfunded.

16. By March 2022, our municipal account had increased to R1 353 053.51. The school sent emails to the department as well as the municipality to try and find a solution to this. Emails from February 2022 and March 2022 show attempts to address the problem and are enclosed as **ES8**. The SGB applied for relief under a debt incentive scheme and by March 2022, we were advised that we could pay

a settlement amount of R654 603.35, but we could not afford this and sought to pay it off in instalments. The municipality did not respond to this request and our municipal account remained in arrears.

17. In September 2022, the department finally stepped in to assist and paid R1 485 023.08 to the municipality to settle the arrear account. We were incredibly grateful for this as this significantly reduced the amount we owed around R58 006.80 to the municipality.

18. In November 2022, the school received its paper budget for the 2023/2024 financial year. The SGB was devastated by the budget. We were advised that the school would only be receiving R378,42 per learner despite being entitled to R803 per learner as per the Norms and Standards. In total, the school was advised it would be receiving R149 474 for the year from the department, despite being entitled to R317 185, based on the learner numbers of 385. Only R2 111 was allocated for maintenance and R68 615 for municipal services. This amount did not even cover a monthly repayment of the municipal account.

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19. In addition to this meagre allocation, 53% of the parents of the school applied for fee alleviation for 2023. All of them received fee alleviation. The school fees were R22 726 per learner per year at the time. The school was meant to receive a rebate from the department for the fee alleviation it provides these learners, but at the time, we were not receiving any of the rebate.

20. The SGB tried to put together a budget for the 2023/2024 financial year based on this allocation, but it was clear that we would never meet our financial obligations and that any thought of critical maintenance at the school was not possible. We were therefore overjoyed when in April 2023, we heard that at a principals' meeting in Gqeberha, the department had announced that revised budgets would be sent to the schools in the Eastern Cape, based on the correct target amount.

21. However, when the school received its revised budget for 2023/2024, we saw that the department had decided to only pay 66.25% of the budget to our school, while retaining 33.75% of the budget for something called "Provincial NNSSF budget". This budget is already enclosed herewith as **ES2**.

22. Effectively, the school only received R531,99 per learner for 2023/2024, while the rest is retained by the department to benefit all schools. Our school got R68 452 for municipal services, and R36 451 for maintenance. By August 2023, out municipal account was in arrears by R137 322.43 again and the allocation for municipal services had a very small impact on the financial needs of the school in respect of municipal services.

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23. In response to this, we joined the litigation under case number 3830/2023. This was our last attempt at trying to get the ECDOE to stop underfunding our school and provide us with the money that we so desperately need.

24. The litigation was instituted in October 2023, but despite this, the funding reductions continued. We really thought that if the respondents saw that we were challenging the reductions in funding, that they would respond positively and stop doing so.

25. However, on 24 May 2024, we received our budgets for the 2024/2025 financial year. As a quintile 4 school, we were meant to receive R838 per learner for the year. However, again 34.75% of the budget was retained by the ECDOE to fund "Provincial NNSSF resourcing". As a result, we only received R546,80 per learner. In total, R117 936.00 was retained by the ECDOE in that financial year. This is an extraordinary amount of money for our school that could have been used to assist us in covering some of the mounting expenses at the school. We consequently instructed our attorneys at the Legal Resources Centre to amend the Notice of Motion to also include a review of the 2024/2025 school allocation decision.

S.M

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26. In 2025/2026 the decision was again repeated. In terms of the budget, 34.85% of our school allocation was retained for "Provincial NNSSF resourcing". We were meant to receive R879 per learner for the year, but we only received R572,67 per learner. We were underpaid by R124 063.65 during the 2025/2026 financial year.

27. We really thought that the pending litigation under case number 3830/2023 that was set down for 18 August 2026, would prevent the ECDOE from repeating a decision to withhold a portion of our school allocation. However, in May 2026, we received the school allocation budgets for the 2026/2027 financial year.

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28. We were supposed to receive R919 per learner for the year, but again, 40% of the budget was being retained for "Provincial NNSSF resourcing". This meant that we would only be receiving R551,40 per learner. In total, the school will be underpaid by R148 878.00 during the 2026/2027 financial year. we are now receiving less money per learner than we were receiving in the previous financial year. Off the total amount that is due to us, we have only received two payments of R80 870,75 (the first tranche) and R39 080.48 (stationary payment). Both of these payments were made towards the end of May 2026.

29. I should mention that this withholding of 40% of the budget for the 2026/2027 financial year, comes on the back of six years of underfunding as detailed above. We cannot do this anymore. The school is holding on by a thread.

30. In the current financial year, 70% of the learner are not paying the school fees. We only receive a 1% rebate from the ECDOE, which means that only 1% of the school fees that are not being paid is rebated to us by the ECDOE. This means that we are effectively operating like a no-fee school, but not getting the funding to match this. And we are only getting 60% of the funding we should be receiving.

31. Our school has not benefitted from any additional funding that could possibly formed part of any "Provincial NNSSF resourcing".

32. On 30 September 2026, the school's municipal account indicated that it was in arrears to the amount of R1 065 896.61. The account is attached as **ES9**. The total allocation for municipal services for this year is R74 439. I have no idea how we will ever cover the outstanding municipal services.

33. The school is in dire need of a school fence to replace the old fence that was damaged due to veld fires. Multiple requests for a new fence to the department have gone unanswered and the school continues to be targeted by thieves, causing further damage to the school that the SGB needs to pay to repair. This includes multiple break-ins and the theft of copper piping at the hostel, as well as the theft of the water pump that pumps water to the school when the municipal water supply fails. The school has tried to erect a fence ourselves, but we simply do not have the money to pay for this expense.

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34. The roofs at the school are also leaking. In the past, we only had issues with the roof of the hall, but due to an inability to do any maintenance, the other roofs have also started giving problems. We have constant leaks that are causing further structural damage to the school. We obtained a quote in in 2015 for the replacement of the hostel roof, which was at that time already over R300 000. We recentl asked a company to come and look at the roofs, but they have indicated that they are unwilling to do the work as it is too big of a job for them to complete. We have been told by them that they estimate the cost of fixing the roofs to be around R3 000 000. In 2026/2027 we will only be receiving R37 220 for maintenance in terms of the school allocation.

35. We also must replace the boiler in the hostel as it keeps giving problems. We receive no additional subsidy for the hostel and must carry those costs from our school allocation and the school fees.

36. In addition, the school has also converted to a double-medium school to accommodate more English-speaking learners in Makhanda. We have had to

buy additional English textbooks for the learners, but we have received no additional support from the ECDOE for this change. In 2026/2027 we will only receive R35 359 for LTSM textbooks.

37. We are also not able to afford to pay for any educator development and training. We can no longer buy stationery for our educators, and the educators must buy it themselves. We can also not subsidise the stationery shortages of the learners and are unable to afford any educator material for the classrooms such as maps for Geography, or material for our biology classes. The school also needs to purchase materials for a reading programme at the school, but we cannot afford it. The school also has nine school vacant non-teaching staff posts that have not been filled by the department whose salaries we have to pay. These posts should be filled, and the salaries paid by the department, but it is not and we carry the cost. We have 9 vacancies for non-teaching staff.

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38. Most importantly however, is that the school has absolutely no idea what "Provincial NNSSF Budget" means or what this will cover. We have not been provided with any communication by the department to explain this retention of the money, how it will benefit our school specifically, and we were also not consulted before the decision to retain this money was made. This decision was taken without any transparency, and since it was taken, we have not been advised of any costs that will allegedly be covered by this retained amount.

39. The retention of this money must also be viewed against the previous six years of underfunding by the department. Since 2020/2021, the school has been receiving only part of what it is entitled to receive per learner. While we are a school that can charge school fees, our income from this is not guaranteed and the parents of our school are increasingly less able to afford to pay fees.

40. As the SGB, we are expected to ensure that our learners receive a quality education and that we can provide for their educational needs. We cannot do this. We are being overwhelmed with municipal accounts we cannot pay, maintenance needs that we cannot afford, and chronic underfunding by the

department. When we finally think that there may be some relief and we could actually receive our full allocation, the department unilaterally decides to retain 40% of our paper budget without consultation, or explanation as to how this money will be used to benefit us.

41. Given the facts set out above, we ask for an order in terms of the Notice of Motion.

MICHELLE NEL

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I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at Makhanda on this the 02nd day of November 2026, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.

COMMISSIONER OF OATHS
Full names:
Address:
Capacity:

COMMISSIONER OF OATHS
Sinesipho Mbaza
Practising Attorney
Nolte Smit Attorneys, 51A Hill Street
Makhanda, Eastern Cape, RSA

ES1

HOËRSKOOL P.J. OLIVIER

Posbus 273, Grahamstad, 6140.
Tel: 046-6223322
Faks: 046-6223474

Skoolhoof: J.C. Retief
E-pos: admin@hspjolivier.co.za
Web: www.hspjolivier.co.za

RESOLUTION OF THE SCHOOL GOVERNING BODY OF

HOËRSKOOL P.J. OLIVIER

The school governing body of **Hoërskool P.J. Olivier** esolved at a special meeting held on 07 September 2026 to instruct the Legal Resources Centre, Makhanda (Grahamstown) to make an application against the MEC for Education, Eastern Cape and the Acting Head of Department, Department of Education, Eastern Cape, as well as the Minister of Basic Education, the relevant departments of Treasury, and the Government of the Republic of South Africa.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

The legal action arises out of the Eastern Cape Department of Education's decision to retain a portion of the school allocation in terms of the Norms and Standards for School Funding during the 2026/2027 financial year.

The purpose of the legal action is to seek relief on behalf of the school governing body of Hoërskool P.J. Olivier, as well as the learners in the school, and all other affected learners in the province, and to ensure that the money that has been retained by the Eastern Cape Department of Education for the 2026/2027 financial year, be paid back to the school.

The meeting further resolved that Michelle Nell is authorised to sign all necessary legal documents to institute this legal action in furtherance of this legal action.

M. Nell
Secretary

S.M TM

HS PJ Olivier

SPECIAL SGB MEETING 09 SEPTEMBER 2026

ATTENDANCE

Name & Surname	Component	Office	Signature
Burger, Andries	Parent	Grounds and maintenance	
Daniels, Chesley	Parent	Deputy	
Daniels, Luvane	Parent	Traesurer	
Henning, Christo	Parent	Chairperson	
Jackson, Ruwayda	Parent	Fundraising	
Jewell, Danwyn	Parent	Sport and culture	
Nell, Michelle	Parent	Secretary	
Schoonbee, Ezra	Additional Member	Grounds and maintenance	
Korf, Braam	Educator	Academic/ Discipline	
Van Wyk, Elzaan	Educator	Hostel/Fundraising	
Nelson, Sheldon	NTS	Grounds and maintenance	
Mazimba, Onako	Learner		
Mdilitwana, Athule	Learner		
Schoonbee, Johlene	Financial Manager Additional		
Stevens, Melissa	Debitor Clerk Additional		
J.C. Retief	Principal		

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

HOËRSKOOL P.J. OLIVIER
80 ROBINSONSTRAAT
GRAHAMSTAD

ES2

PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF EDUCATION
ISEBE LEZEMFUNDO
DEPARTEMENT VAN ONDERWYS

Private Bag X0032, Bhisho, South Africa

The Principal
HOëRSKOOL P J OLIVIER
Current District: GRAHAMSTOWN
New_District: SARAH BAARTMAN

NatEMIS 200100612
Circuit: Circuit 1
Section: Section 21

24 APRIL 2018

Dear Sir or Madam

(PAPER BUDGET 2018/19 (AS PER NORMS AND STANDARDS FOR SCHOOL FUNDING)

Your school is placed in Quintile 4 of the Resource Targeting Table - 2018. Schools in quintile 1, 2 and 3 are declared as "No Fee" schools.

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REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

The quintile allocation of schools is determined by the poverty data index at ward level, as calculated by Statistics South Africa. Various factors are included in the calculation of the Index of deprivation of the community that surrounds your school. The factors that are used include:
2.Income and material deprivation
3.Employment deprivation
3.Health deprivation
4.Education deprivation
5.Living environment deprivation
It is very important to note that the physical condition of your school is not considered for the calculation of the Index of deprivation. For certain schools the quintile is further amended after successful contestations.

Budget for 2018-19 is as follows:

Item	Allocation	Percentage
LTSM	R 50 424.00	20% of Total
Education Consumables	R 25 212.00	10% of Total
Cash Payment for Quintile 1, 2 and 3 Schools	R 0.00	10% of Total
Municipal Services (35% for Quintile 4 & 5 Schools)	R 88 242.00	30% of Total
Maintenance (35% for Quintile 4 & 5 Schools)	R 88 242.00	30% of Total
Total (Norms & Standards)	R 252 120.00	

Please note the following:

1.Only quintile 1, 2 and 3 schools qualify for a cash payment of 10%.

2. The budget calculation is based on the valid learner enrolment figures (Grade 1 to 12 only) with no ID issues, taken from SA-SAMS 26 March 2018 / or the previous latest SA- SAMS submission in 2017.

3. The learner enrolment for the school is captured as: 382 (Excluding Grade R & Pre Grade R)

Yours in Education

Chief Financial Officer

SNB S.M TVM

Enquiries regarding NSF funding shall be directed to Mrs Pula Mtila or Mrs Mniki (IDS and G Directorate) Tel: 040-6084002.

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PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF EDUCATION
ISEBE LEZEMFUNDO
DEPARTEMENT VAN ONDERWYS

Private Bag X0032, Bhisho, South Africa

The Principal

HOëRSKOOL P J OLIVIER

District: SARAH BAARTMAN

NatEMIS 200100612
Circuit: SB Makana 2
Section: Section 21

19 MARCH 2019

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Dear Sir or Madam

(PAPER BUDGET 2019/20 (AS PER NORMS AND STANDARDS FOR SCHOOL FUNDING)

Your school is placed in Quintile 4 of the Resource Targeting Table 2019. Schools in quintile 1,2 and 3 are declared as "No Fee" schools.

The quintile allocation of schools is determined by the poverty data index at ward level, as calculated by Statistics South Africa. Various factors are included in the calculation of the Index of deprivation of the community that surrounds your school. The factors that are used include:

1.Income and material deprivation
2.Employment deprivation
3.Health deprivation
4.Education deprivation
5.Living environment deprivation

It is very important to note that the physical condition of your school is not considered for the calculation of the Index of deprivation. For certain schools the quintile is further amended after successful contestations.

Budget for 2019-20 is as follows:

Item	Allocation	Percentage
LTSM	R 91 725.20	35% of Total
Education Consumables	R 26 207.20	10% of Total
Cash Payment for Quintile 1, 2 and 3 Schools	R 0.00	10% of Total
Municipal Services (25% for Quintile 4 & 5 Schools)	R 65 518.00	20% of Total
Maintenance (30% for Quintile 4 & 5 Schools)	R 78 621.60	25% of Total
Total (Norms & Standards)	**R 262 072.00**	

Please note the following

1. Only Quintile 1,2 and 3 Schools qualify for a cash payment of 10%

2. The budget calculation is based on the "Reported enrolment" figures (Grade 1 to 12 only), taken from SA-SAMS 26 November 2018 / or the previous latest SA-SAMS submission in 2018.

3. The learner enrolment for the school is captured as: 376 (Excluding Gr R and Pre-Grade R)

Yours in Education

Chief Financial Officer

SWB

Enquiries regarding NSF funding shall be directed to Ms Pula Mtila (DDS and G Directorate) Tel: 040 608 4207

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PROVINCE OF THE EASTERN CAPE

DEPARTMENT OF EDUCATION
ISEBE LEZEMFUNDO
DEPARTEMENT VAN ONDERWYS

Private Bag X0032, Bhisho, South Africa

The Principal
HOËRSKOOL P J OLIVIER
District: SARAH BAARTMAN

NatEMIS 200100612
Circuit: SB Makana 2

21 MAY 2020
Financial Mangament Status: Section 21

(PAPER BUDGET 2020/21 (AS PER NORMS AND STANDARDS FOR SCHOOL FUNDING)

Your school is placed in Quintile 4 of the Resource Targeting Table 2020. Schools in quintile 1,2 and 3 are declared as "No Fee" Schools.

The quintile allocation of schools is determined by the poverty data Index at ward level, as calculated by Statistics South Africa. Various factors are included in the calculation of the Index of deprivation of the community that surrounds your school. The factors that are used include:1. Income and material deprivation;2. Employment deprivation;3. Health deprivation; 4. Education deprivation and 5. Living environment deprivation.
It is very important to note that the physical condition of your school is not considered for the calculation of the Index of deprivation.
For certain schools the quintile is further amended after successful contestations.

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EASTERN CAPE DIVISION, MAKHANDA

Budget for 2020-21 is as follows:

Item	Percentage of Total	Total Allocation
LTSM	35%	R95 182.00
Education Consumables	5%	R13 597.50
Cash Payment for Quintile 1,2 & 3 Schools only	10%	R0.00
Municipal Services (30% for Quintiles 4&5 Schools)	20%	R81 585.00
Maintenance	20%	R54 390.00
Total (Norms & Standards)		**R244 754.50**

3. Please note the following:
3.1 The learner enrolment for the school for Grades 1-12 is captured as: 388
3.2 Transfer of funds for Tranche 1 completed on 14 May 2020. This tranche is made of Cash Payment (payable to Quintiles 1, 2 & 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools.
3.3 The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 18 August 2019. The department reserves the right to revise the final paper budgets to consider possible changes due to 2020 learner enrolment data and in response to Covid-19 pandemic teaching & learning requirements, amongst others.
4. A memo was issued to schools dated 29/04/202 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020.
5. LTSM textbook procurement and distribution centralised for all schools. Qs 4 & 5 have choice to opt out. Stationery centralised procurement for Qs 1-3. Qs 4&5 to receive transfers.
6. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche.
7. Operational schools who have not received its tranche 1 funds must contact the district office. New schools have not been included in 1st tranche due to non-availability of data required for finalizing this process.
8. Included are banking details provided and used for all tranche payments to your school. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details and update SASAMS.
9. All Public Ordinary Schools are expected to adhere to stringent fiscal management and reporting systems that are reliable and verifiable and also comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013.
10. Schools must submit certified copies of 2019 Audited Financial Statement Head Office by latest 30 June 2020. Failure to comply with this requirement will have serious consequence management implications.
11. 10% of the budget has been centralised for the Learner Attainment Intervention Strategy (LAIS), to improve learner outcome across all grades.
12. All applications by schools for changes in sectional and quintile status for 2020 are have not been finalized due to technical glitches in our SASAMS and will be considered for 2021.

Banking details used for tranche payments:		
Branch Code	Account Type	Account Number
250655	Current	*******8627

Yours in Education,

Chief Financial Officer

Enquiries regarding NSF funding can be directed to Mr. S Lukhozi (School Resourcing) E-MAIL: sibusiso.lukhozi@ecdoe.gov.za

SNB S.M TM

Province of the
EASTERN CAPE
EDUCATION

30 MARCH 2021

The Principal
HOëRSKOOL P J OLIVIER NatEMIS: 200100612 Circuit: SB Makana 2
District: SARAH BAARTMAN Section: Section 21

PAPER BUDGET 2021/22 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1. The school is placed in **Quintile 4** of the 2021Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.
2. Factors used in the calculation of the index of deprivation of the community that surrounds the school include:
   1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.
   NB: The physical condition of your school is not considered for the calculation of this purpose.

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EASTERN CAPE DIVISION, MAKHANDA
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EASTERN CAPE DIVISION, MAKHANDA

Budget allocation for 2021-22 is as follows:

Item	Percentage of Total	Allocation
LTSM	40%	R 67502
Education Consumables	3%	R 5050
Cash Payment for Quintile 1,2 and 3 Schools only	10%	R
Municipal Services (30% for Quintile 4 & 5 Schools)	25%	R 50500
Maintenance (15% for Quintile 4&5 Schools)	10%	R 25250
Total (Norms & Standards)		R 148303

Please note the following:

2.1 The learner enrolment for the school for Grades 1-12 is captured as: 386
2.2 Transfer of funds for Tranche 1 is planned for May 2021. This tranche is made of Cash Payment (payable to Quintiles 1, 2 & 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. Budget for S20 schools is loaded at district level.
2.3 10% of the budget has been centralized to fund LAIS for thew improvement of learner pass rates at schools. A small portion of this budget is also used to transfer funds to SGB associations for school affiliation fees and SGB capacitation.
2.4 Any transfers to the school will be made to the bank account ending with: ******8627.
2.5 The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at August 2020. The department reserves the right to revise the final paper budgets to consider possible changes due to 2021 learner enrolment data and in response to Covid-19 pandemic teaching & learning requirements, amongst others.

3. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability & reporting requirements run the risk of having their S21 status revoked. See bullet 9.
4. LTSM textbook procurement and distribution centralised for all schools. Only S21, Qs 4 & 5 have a choice to opt out of centralized Stationery procurement process. Such schools will receive transfers only for the portion relating to the equivalent provision on the RTT for stationery.
5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche.
6. Operational schools, including new schools who have not received funds must contact their district office for support.
7. Included here are the banking details provided and used for all tranche payments to your school in 2021. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts. Transfers will not be made to schools who utilize Savings account for this purpose.
8. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS from 1 April 2021.

Province of the
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The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre Grahamstown Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2022/23 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1) The school is placed in Quintile 4 of the 2022 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.
2) Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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EASTERN CAPE DIVISION, MAKHANDA

Item	Allocation	Mode of Provisioning
LTSM	R76,832	Centralised Textbooks all /All Q4 and 5 Opt out of Stationery
Specialised NSF(Ordinary)	R0	Centralised
Educational Consumables	R3,553	Transfer Qs 1-5, S21, S20 @ Districts
Cash Payment Q 1,2,3 Schools	R0	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R64,486	Transfer S21 Qs 1-5, S20 @ Districts
Learner Attainment Strategy (LAIS)	R0	Centralised @ Districts
Maintenance (15% for Quintile 4 and 5)	R26,736	Transfers Qs 1-5, All S20 @ Districts

Please note the following:

2.1) The learner enrolment for the school for Grades 1-12 is captured as: 398

2.2) Transfer of funds for Tranche 1 is planned for May 2022. This tranche is made of Cash Payment (payable to Quintiles 1, 2 and 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. Budget for S20 schools is loaded at district level.

3) 5% of the budget has been decentralized to districts to fund LAIS and 5% for Municipal Services is centralized at Head Office for quintiles 1-3 schools. A small portion of this budget is also used to transfer funds to SGB associations for school affiliation fees and SGB capacitation.

2.4) ALL transfers to the school will be made to the bank account ending with: ******8627

2.5) The budget calculation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 27 September 2021. The department reserves the right to revise the final paper budgets to consider possible changes due to 2022 learner enrolment data and in response to Covid-19 pandemic teaching learning requirements, amongst others.

3) A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked. See bullet 9.

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Province of the
EASTERN CAPE
EDUCATION

HOëRSKOOL P J OLIVIER-200100612

The Principal
District SARAH BAARTMAN
School and EMIS Nr HOëRSKOOL P J OLIVIER-200100612
Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary
Financial Management: Section 21

PAPER BUDGET 2023/24 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile 4 of the 2023 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

B: The physical condition of your school is not considered for the calculation of this purpose.

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3 The department is funding at the National per learner norm of R1,602 per learner for quintiles 1-3 schools, R803 for quintile 4 and R278 per learner for quintile 5 schools.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

PART A: R834.177 million or 33.75% of the budget is utilised to fund Provincial NNSSF Budget, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

4. This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 24 April 2023. The department reserves the right to revise the paper budgets to consider possible changes due to 2023 learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2023. There'll be no opting-in as originally planned.

5. All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG.

Budget allocation for 2023-24 for NNSSF balance:

NNSSF Item	Allocation	% NSF Qs 1-3	% NSF Qs 4-5	Mode of Provisioning
L 1				
LTSM Textbooks	R34,226	15.09%	15.09%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
LTSM Stationery	R39,360	17.36%	17.36%	The mode of provisioning is under review. A circular to be issued to provide further clarity.
Educ. Consumables and Curr.Support	R48,259	16.75%	21.28%	Transfer to Q 1-5, S21 schools, S20 @ districts.
Cash Payment Q 1,2,3 Schools	R0	15.09%	0.00%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R68,452	25.66%	30.19%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Maintenance	R36,451	10.04%	16.08%	Transfer to S21 Qs 1-5, S20 budget @ Districts
Total	R226,748	**100%**	**100%**	

Please note the following:

SNB

6. The learner enrolment for the school for grades 1-12 is captured as **426**

7. Transfer of funds for 1st Tranche is planned for May 2023. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2023. Budget for S20 schools is loaded at district level.

8. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.

Province of the
EASTERN CAPE
EDUCATION

HOëRSKOOL P J OLIVIER-200100612

9. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
10. **ALL transfers to the school will be made to the bank account ending with:** ********8627
11. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
12. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
13. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
14. All schools must utilise electronic business banking for payments and should not use bank cards.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Yours in Education,

FNS 2023-24

TJZ Mtyida
Programme Manager
05 May 2023

Province of the
EASTERN CAPE
EDUCATION

24 May 2024

The Principal

District	SARAH BAARTMAN		
School and EMIS Nr	**HOëRSKOOL P J OLIVIER**		**200100612**
Circuit Management Centre	Makhanda CM **Circuit** SB Makana 2	**Specialisation**	Ordinary
Financial Management:	Section 21		

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING (Final)

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2024/25 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

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EASTERN CAPE DIVISION, MAKHANDA

3 Due to additional funding received from Treasury, the department is funding at 100% of the National per learner norm. The department can afford to fund at R1,672 per learner for quintiles 1-3 schools, R838 for quintile 4 and R289 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R38,763.

PART A: R894.2 million or 34.75% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" 10-Day Snap Survey figures (Grades 1 to 12), taken from SASAMS at 21 April 2024. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2024 as was the case in 2023/24. There'll be no opting-in for this function.

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Budget Allocation for 2024/25 for NNSSF balance:

		NSF %		
NNSSF Item	**Allocation**	**Qs 1-3**	**Qs 4-5**	**Mode of Provisioning**
LTSM Textbooks	R34,787	15.73%	15.73%	The process remains the same as for 2023/24.
Stationery	R38,351	17.34%	17.34%	
Educational Consumables and Curriculum Support	R47,515	19.88%	21.49%	Transfer to Qs 1-5, S21 schools; S20 budget loaded at districts.
Cash Payment Qs 1-3 Schools	R0	10%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R64,484	24.56%	29.16%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R35,975	12.48%	16.27%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R221,113	100%	100%	

Province of the
EASTERN CAPE
EDUCATION

24 May 2024

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**
8. Transfer of funds for 1st Tranche is planned for May 2024. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2024. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received funds must contact their district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer in order to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** ******8627
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings account for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest 31 March each year.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking for payments and should not use bank cards.

Yours in Education,

FNS/2024/25
Planning Budget

Mr V.A. Joseph
Programme Manager

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

3/11/2026-5:09:00 PM
HOëRSKOOL P J OLIVIER-200100612

Province of the EASTERN CAPE EDUCATION

08 October 2024

The Principal

District SARAH BAARTMAN

School and EMIS Nr **HOëRSKOOL P J OLIVIER-200100612**

Circuit Management Centre Makhanda CM Circuit SB Makana 2 Specialisation Ordinary School

Financial Management: Section 21

PAPER BUDGET 2024/25 FOR NORMS AND STANDARDS FOR SCHOOL FUNDING

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1, 2 and 3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA
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3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,754 per learner for quintiles 1-3 schools, R879 for quintile 4 and R301 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R40,662.

PART A: 65.15% of the NSF budget is allocated directly to Textbooks, Stationery and Tranche Payments to schools. Below is an indication of what a qualifying school can expect to receive for both transfers tranches and for Textbooks and Stationery.

PART B: R931.9 million or 34.85% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting schools on a need's basis. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools. Part B is in relation to PAR 116 of NNSSF declaring that, in addition to the S21 functions referred to in the NNSSF paragraph 115, and apart from the financial directions issued in terms of Section 37 of SASA, PEDs may determine other conditions governing the use of the school allocation where this is deemed necessary for the promotion of better school management. The central projects funded are, amongst others, provision of graded readers, occupational skills, new curriculum, workbooks top-ups, MTBBE workbooks, E-Learning, School Furniture, LAIS, ICT schools and Vocational schools (Agricultural, Technical Maritime schools).

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from SASAMS as at 20 August 2024. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2025 as was the case in 2024/25. There'll be no opting-in for this function.

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

08 October 2024

Part A: Budget Allocation for 2025/26 for NNSSF Transfers Textbooks, Stationery

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R36 489	10.25 %		The ECDoE is reviewing its mode of provisioning for this item. A circular to be issued to provide further clarity.
Stationery	R40 227	11.3%		
Educational Consumables and Curriculum Support	R49 839	11%	14%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	10%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R67 639	16%	19%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R37 735	6.6%	10.6%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R231 931	65.15%		

Specialised Item (Additional)	Allocation
Technical Schools	R0
Agricultural Schools	R0

Specialised Item (Additional)	Allocation
Maritime Schools	R0

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Private Bag X3011, Makhanda, 6140
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Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**
8. Transfer of funds for 1st Tranche is planned for May 2025. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2025. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** ******8627
12. Schools must, through the districts, follow the identified procedure to correct and/or update its banking details through the completion of 1401s and update SASAMS. Schools must make use of Cheque accounts only. Transfers will not be made to schools who utilize Savings accounts for this purpose. Schools changing bank accounts must keep the account running for at least 3 years. Changes to a bank account will not be accommodated once a transferring cycle has commenced in any given financial period. All such changes must reach the department by latest end January each year for the upcoming financial period.
13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

FNS 2025/26
Planning Budget

Mr V.A. Joseph
Programme Manager

Province of the EASTERN CAPE EDUCATION

22 May 2026

The Principal

District	SARAH BAARTMAN
School and EMIS Nr	**HOëRSKOOL P J OLIVIER-200100612**
Circuit Management Centre	Makhanda CM **Circuit** SB Makana 2
Financial Management:	Section 21 **Specialisation** Ordinary School

SCHOOLS FINAL PAPER BUDGET 2026/27 FOR NATIONAL NORMS AND STANDARDS FOR SCHOOL FUNDING (NNSSF)

Dear Sir / Madam,

1 The school is placed in Quintile **4** of the 2025/26 Resource Targeting Table (RTT). Schools in quintiles 1-3 are declared "No Fee" Schools. The quintile allocation of schools is determined by the poverty data index at ward level as calculated by Statistics South Africa.

2 Factors used in the calculation of the index of deprivation of the community that surrounds the school include: 1) Income and material, 2) Employment, 3) Health, 4) Education and 5) Living environment deprivation.

NB: The physical condition of your school is not considered for the calculation of this purpose.

3 The department is funding at 100% of the National per learner norm. The department can afford to fund at R1,835 per learner for quintiles 1-3 schools, R919 for quintile 4 and R315 per learner for quintile 5 schools.

4 Small schools are funded at a minimum level of R42,532,.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

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PART A: 40% of the budget is utilised to fund Provincial NNSSF resourcing, benefitting all schools. This allocation makes provision for the resourcing of curriculum and other teaching and learning related needs for all qualifying schools.

PART B: The balance of the budget of is allocated directly to Textbooks, Stationery and Tranche Payments to schools.

5 This issue of the paper budget allocation is based on the "reported enrolment" figures (Grades 1 to 12), taken from the provincial SASAMS warehouse on 04 May 2026. The department reserves the right to revise the paper budgets to consider possible changes due to learner enrolment data and in response to any changes affecting the teaching learning environment. This includes withholding the Municipal Services transfers for those schools who do not pay Municipal accounts. Note, the Municipal Services item will be transferred to all S21 schools in 2026 as was the case in the past few years. .

6 All under-/overpayments and payments made on behalf of schools in respect of any of the above, will be reconciled and corrected during 2nd tranche as required by AG. Any requests for payments bailouts by schools, must be directed to the relevant District Director. Such schools will not be allowed to be assisted for more that the school allocation on the RTT.

Province of the EASTERN CAPE EDUCATION

22 May 2026

Balance of NNSSF Budget to following items:

NNSSF Item	Allocation	NSF % Qs 1-3	NSF % Qs 4-5	Mode of Provisioning
LTSM Textbooks	R35 359	15,7 %	15,8 %	The budget for textbooks is centralised. The budget for stationery is centralised for quintiles 1-3 and transferred for quintiles 4-5.
Stationery	R39 080	17.3%		
Educational Consumables and Curriculum Support	R37 220	16,9%	21,5%	Transfers to S21 Qs 1-5, S20 budget @ districts
Cash Payment Qs 1-3 Schools	R0	15,4%	0%	Transfers Qs 1 to 3, S20 and S21
Municipal Services	R74 439	24,6%	29,2%	Transfers to S21 Qs 1-5, S20 budget @ districts
Maintenance	R37 220	10,1%	16,3%	Transfers to S21 Qs 1-5, S20 budget @ districts
Total	R223 317	100%		

Specialised Item (Additional)	Allocation	Specialised Item (Additional)	Allocation
Technical Schools		Maritime Schools	
Agricultural Schools			

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Private Bag X3011, Makhanda, 6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA EASTERN CAPE DIVISION, MAKHANDA

Please note the following:

7. The learner enrolment for the schools' registered grades 1-12 is captured as: **405**
8. Transfer of funds for 1st Tranche is planned for May 2026. This tranche is made of 10% Cash Payment (payable to Quintiles 1, 2 3) plus 50% of Consumables, Municipal Services and Maintenance to S21 schools. The balance of the transfers will be completed in November 2026. Budget for S20 schools is loaded at district level.
9. A memo was issued to schools dated 29/04/2020 which rescinded Circular 17 of 2016. The management and payment for municipal and related services has been decentralized to schools (for S21) and districts (for S20) as from 1 April 2020. S21 schools who fail to comply with PFMA accountability reporting requirements run the risk of having their S21 status revoked.
10. Operational schools, including new schools who have not received tranche funds must contact their circuits and district office for support. All schools who wish to lodge a transfer query must complete the official transfer query form signed by the district. This will assist the district to manage the query and if need be, escalate the problem to head office. Please note that all queries must reach the district within 30 days and Head office within 45 days from the date of transfer to avoid the disappointment of being excluded from any mop-up process. No late queries will be entertained. Districts will be provided with data required to manage transfer queries.
11. **ALL transfers to the school will be made to the bank account ending with:** *********
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13. All Public Ordinary Schools are expected to adhere to stringent fiscal accounting, management and reporting systems that are reliable and verifiable and comply with PFMA and Treasury regulations. Note, schools are expected to utilize funds only for intended purposes as stipulated in NNSSF Circular 1 of 2013. Schools must account for the paper budget it receives from the Eastern Cape Department of Education. All schools must utilise the Finance Assistant module on SASAMS to account for the utilization of any public funds transferred to the school.
14. Schools must submit certified copies of previous period's Audited Financial Statement Head Office by latest 30 June. Failure to comply with this requirement will have serious consequence management implications.
15. All schools must utilise electronic business banking systems for all payments.

Yours in Education,

PNS 2026-27
Planning Budget

Mr V.A. Joseph
Programme Manager

ES3 335

HOËRSKOOL P.J. OLIVIER

Posbus 273, Grahamstad, 6140.
Tel: 046+-6223322
Faks: 046-6223474

Skoolhoof: J.C. Retief
E-pos: admin@hspjolivier.co.za
Web: www.hspjolivier.co.za

11 October 2017

Ms Diane May
Makana Local Municipality
P.O. Box 176
Grahamstown
6140

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Dear madame

Outstanding Account 0001003454 Hoërskool P.J. Olivier

Hoërskool P.J. Olivier has an current amount of R 179426.88 outstanding as indicated on our statement of 29 September 2017.

Our account per month for the year up to the end of September 2017 were as follow:

Month	2016	2017
January	R 30 864.05	R 105 894.49
February	R 33 210.52	R 31 954.68
March	R 34 850.06	R 0
April	R 34 775.17	R 72 050.54
May	R 34 799.79	R 32 989.41
June	R 34 808.00	R 47 448.13
Julie	R 37 510.68	R 58 410.89
Augustus	R 37 510.68	R 20 132.67
September	R 35 509.86	R 100 883.32
October	R 4520.44	
November	R 2444.67	
December	R 16 144.93	

SVB

The average account for the year 2016 was R 28 079.07 and this year it increased to R 52 196.00. We cannot afford this increase.

The school has already paid over an amount of R 195 977.79 to the municipality. The school only received R 23 847.60 from the department of education for municipal services. Our budget cannot absorb this increase and we are forced to default on our account.

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EASTERN CAPE DIVISION, MAKHANDA
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EASTERN CAPE DIVISION, MAKHANDA

The school therefore would like to make an urgent appeal to the Makana Municipality to investigate the reason why our account has increased by 87% from 2016.

Our school has 375 learners and our hostel 50 residents. We use water from Grey dam for all irrigation and the hostel is closed over the weekends for boarders. There are only 15 teachers over weekends on the premises.

The school gets municipal water from the high-level dam and we have been without water numerus times over the year.

We urge the municipality to help us in this urgent matter by taking our account into review.

Regards

J.C. Retief
Principal

Cecile van Schalkwyk

From: Joubert Retief <jcretief@hspjolivier.co.za>
Sent: Tuesday, 23 January 2018 16:31
To: 'cokisa.biko@gmail.com'; 'nrwdebruyn@gmail.com'; 'Mluleki Raymond Ndabeni'; 'Sizwe Betela'; 'nrwdebruyn@gmail.com'
Cc: Christo Henning; Ezra; 'edrimyburgh@gmail.com'
Subject: Hoërskool PJ Olivier Municipal Account
Attachments: MakanaAccount'HSPJOLIVIER.pdf; MunicipalAccount1'18.docx; MunicipalAccount1'18.docx; FW: H/S PJ Olivier Makana Account

The District Manager
Sarah Baartman
Graaff-Reinet

23 January 2018

Dear Mr. De Bruyn

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

We would like to make an urgent request for financial assistance regarding our municipal account.

Please find a letter of explanation to this effect attached as well as the letter of demand from Makana and the latest account.

I'm sending this to Mrs. Biko who will take it to the CFO and Mr. Betela (EDO) and CMC Manager Mr. Ndabeni.

The Makana response is attached.

Thank you

Regards

Joubert Retief
Principal

ESH

HOËRSKOOL P.J. OLIVIER

Posbus 273, Grahamstad, 6140.
Tel: 046+-6223322
Faks: 046-6223474

Skoolhoof: J.C. Retief
E-pos: admin@hspjolivier.co.za
Web: www.hspjolivier.co.za

23 January 2018

SES Finance and District Manager
Sarah Baartman District
Graaff-Reinet

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Dear Mr. de Bruyn

Outstanding municipal account 0001003454 Hoërskool P.J. Olivier Grahamstown

Hoërskool P.J. Olivier's municipal account is erratic and we are being overcharged by the Makhanda Municipality.
received a letter of demand on our municipal account for the amount of R 297 166.09. They would like to cut our services on the 26 January 2018 if we do not pay this amount.

Our account per month for the year up to the end of October 2018 in comparison with the same period in 2016/

Month	2016	2017
January	R 30 864.05	R 105 894.49
February	R 33 210.52	R 31 954.68
March	R 34 850.06	R 0
April	R 34 775.17	R 72 050.54
May	R 34 799.79	R 32 989.41
June	R 34 808.00	R 47 448.13
Julie	R 37 510.68	R 58 410.89
Augustus	R 37 510.68	R 20 132.67
September	R 35 509.86	R 100 883.32
October	R 4520.44	R47 826.18
November	R 2444.67	R29 036.25

S.M

December	R 16 144.93	R43 521.74
TOTAL	R336 948.85	R590 148.30

Hoërskool P.J. Olivier is a quintile 5 school and paid the Makana Municipality R 245 977.79 (For the year up to 23 January 2018) which includes the allocation of R 23 847.60 from the department.

The school wrote to the Municipality in October 2017 to contest our account since the monthly billing were unreliable. We received no word from them only the final demand on Monday.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

In 2017 our school had 375 learners and our hostel 50 residents. We use water from Grey dam (we pay separately for this water) for all irrigation and the hostel is closed over the weekends for boarders. There are only 15 teachers over weekends on the premises.

In October the school applied to become a Quintile 4 school so that we will receive more assistance from the department. Although this might help I'm afraid the Makana Municipality is misusing the school's finances to support their own budget shortfall.

The school cannot pay the R 297 166.09 amount still outstanding for 2017 and I request the department to help us in this regard.

Regards

J.C. Retief
Principal

Cecile van Schalkwyk

From: Joubert Retief <jcretief@hspjolivier.co.za>
Sent: Tuesday, 27 February 2018 16:50
To: 'cokisa.biko@gmail.com'; 'Mluleki Raymond Ndabeni'
Subject: FW: Your MAKANA LOCAL MUNICIPALITY Account for HOERSKOOL P J OLIVIER
Attachments: NOTICES DEBT PAYMENT INCENTIVE SCHEME - JANUARY 2018.pdf; Statement for Account 0001003454.pdf

Dear Mrs. Biko

Please find attached our latest account from Makana Municipality.

We've managed to pay R 50 000.00 in January but will struggle to repay all the money. The municipality attached an Debt payment incentive scheme which could help the repayment.

We wrote to the municipality and asked them to check our account, they promised to get back to us by the 09 February 2018. We did not hear from them in this regard.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Please advise what the school should do to get help from the Department in this regard.

Thank you for your support in this matter.

Regards

J.C. Retief
Principal

From: Gerrie Warren
Sent: 27 February 2018 11:07
To: Joubert Retief <jcretief@hspjolivier.co.za>
Subject: FW: Your MAKANA LOCAL MUNICIPALITY Account for HOERSKOOL P J OLIVIER

Gerrie Warren
Sekretaresse
Hoërskool P.J. Olivier
Bo Robinson Straat, Grahamstad, 6139
Posbus 273, Grahamstad, 6140
Tel: 046 622 3322
Faks: 046 622 3474
admin@hspjolivier.co.za
www.hspjolivier.co.za

Die inhoud van hierdie e-pos, insluitend aanhegsels, is streng vertroulik en is uitsluitlik bedoel vir die geadresseerde persoon(e). As u hierdie e-pos per abuis ontvang het, verwittig asseblief die sender hiervan en verwyder dit vanaf u rekenaar.
Die Inligtingstegnologie- en Eposbeleid van Hoërskool P.J. Olivier stipuleer dat die Inligtingstegnologiestelsel nie gebruik mag word vir die kyk, stoor en stuur van ongepaste en diskriminerende materiaal nie. Die skool behou die reg om enige verkeer tussen personeel en derde partye te monitor en filtreer om sodoende die skool se informasie, belange en reputasie te beskerm. Indien hierdie boodskap sulke informasie bevat, stel dadelik die skool in kennis by administrator@hspjolivier.co.za .

Die opinies wat in hierdie epos gereflekteer word is nie noodwendig dié van Hoërskool P.J. Olivier nie.

341

From: Makana Municipality [mailto:statement@mystatement.co.za]
Sent: 06 February 2018 03:42 PM
To: Gerrie Warren
Subject: Your MAKANA LOCAL MUNICIPALITY Account for HOERSKOOL P J OLIVIER

MAKANA
MUNICIPALITY | EASTERN CAPE
MASIPALA WASEMPUMAKOLONI
MUNISIPALITEIT | OOS-KAAP
...a great place to be

MAKANA LOCAL MUNICIPALITY
P.O Box 176 Grahamstown 6140
TEL: 046 603 6111
FAX: 046 636 2472
VAT No.:4330193873

Your MAKANA LOCAL MUNICIPALITY Statement

Attached to this e-mail is your account statement. Your statement is encrypted in order to comply with SARS requirements that invoices and sta electronically should be tamperproof.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA

H to open your statement?

In order to open your statement you will need Adobe Reader installed on your computer. If you don't have Adobe Reader installed on your comp click here or on the button below:

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ES6 342

HOËRSKOOL P.J. OLIVIER

Posbus 273, Grahamstad, 6140.
Tel: 046+-6223322
Faks: 046-6223474

Skoolhoof: J.C. Retief
E-pos: admin@hspjolivier.co.za
Web: www.hspjolivier.co.za

1 March 2019

SES Finance and EDO
Sarah Baartman District
Graaff-Reinet

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Dear Mr. Betela

Outstanding municipal account and new property valuations 0001003454 Hoërskool P.J. Olivier Makhanda (former Grahamstown)

1. **Hoërskool P.J. Olivier's municipal account is erratic, and we are being overcharged by the Makhanda Municipality.**

Our account per month for the year up to the end of February 2019 in comparison with the same period in 2016/ 2017/2018/ 2019

Month	2016	2017	2018	2019
January	R 30 864.05	R 105 894.49	R 24 722.34	R 41 125.07
February	R 33 210.52	R 31 954.68	R 35 879.01	R 40 968.63
March	R 34 850.06	R 0	R 30 238.59	
April	R 34 775.17	R 72 050.54	R 38 799.03	
May	R 34 799.79	R 32 989.41	R 11 487.07	
June	R 34 808.00	R 47 448.13	R 38 126.78	
Julie	R 37 510.68	R 58 410.89	R 21 766.39	
Augustus	R 37 510.68	R 20 132.67	R 67 092.72	
September	R 35 509.86	R 100 883.32	R 61 751.17	
October	R 4520.44	R47 826.18	R 40 038.00	
November	R 2444.67	R29 036.25	R 33 765.22	
December	R 16 144.93	R43 521.74	R 34 922.41	
TOTAL	**R336 948.85**	**R590 148.30**	**R246 345.54**	

S.M SNB TVM 25

Hoërskool P.J. Olivier moved to a quintile 4 school and paid the Makhanda Municipality R 291 417.18 (For the year up to 30 October 2018) which is far more than the allocation of R 88 242.00 from the department as indicated on our Paper Budget. Our paper budget for 2019 is R 86 394.00 for Municipal accounts.

Since November the Makhanda Municipality throttles the water usage due to the ongoing drought in the area, but our account still indicates the same water usage. Since January we very seldom have had municipal water and the school must make use of a recreational dam for water at our own cost but still the account shows the same water usage. Electricity usage in December is higher than when the school are operational. The municipal workers are on strike for more than 5 weeks and still we are charged for refuge removal.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

2. Increase in valuations

The new property valuations haves increased the school's value with 25%.

We ask the department please to assist us with the municipal account since we cannot afford to pay anymore and to engage with the municipality regarding the new property valuations as the department are the land owner and not the school.

Regards

J.C. Retief

J.C. Retief
Principal

FS7 344

HOËRSKOOL P.J. OLIVIER

Posbus 273, Grahamstad, 6140.
Tel: 046+-6223322
Faks: 046-6223474

Skoolhoof: J.C. Retief
E-pos: admin@hspjolivier.co.za
Web: www.hspjolivier.co.za

06 June 2019

SES Finance and EDO
Sarah Baartman District
Graaff-Reinet

Dear Mr. Betela

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

Outstanding municipal account 0001003454 Hoërskool P.J. Olivier Makhanda (former Grahamstown)

1. **Hoërskool P.J. Olivier's municipal account is erratic, and we are being overcharged by the Makhanda Municipality.**

Our account per month for the year up to the end of May 2019 in comparison with the same period in 2016/ 2017/2018/ 2019

Month	2016	2017	2018	2019
January	R 30 864.05	R 105 894.49	R 24 722.34	R 41 125.07
February	R 33 210.52	R 31 954.68	R 35 879.01	R 40 968.63
March	R 34 850.06	R 0	R 30 238.59	R 29 778.40
April	R 34 775.17	R 72 050.54	R 38 799.03	R 36 339.52
May	R 34 799.79	R 32 989.41	R 11 487.07	
June	R 34 808.00	R 47 448.13	R 38 126.78	
Julie	R 37 510.68	R 58 410.89	R 21 766.39	
Augustus	R 37 510.68	R 20 132.67	R 67 092.72	
September	R 35 509.86	R 100 883.32	R 61 751.17	
October	R 4520.44	R47 826.18	R 40 038.00	
November	R 2444.67	R29 036.25	R 33 765.22	
December	R 16 144.93	R43 521.74	R 34 922.41	
TOTAL	**R336 948.85**	**R590 148.30**	**R246 345.54**	**R148 211.62**

345

Hoërskool P.J. Olivier moved to a quintile 4 school and paid the Makhanda Municipality R 291 417.18 (For the year up to 30 October 2018) which is far more than the allocation of R 88 242.00 from the department as indicated on our Paper Budget. Our paper budget for 2019 is R 86 394.00 for Municipal accounts of which we payed Makhanda R 50 000.00 in May.

Since November the Makhanda Municipality throttles the water usage due to the ongoing drought in the area, but our account still indicates the same water usage. Since January we very seldom have had municipal water and the school must make use of a recreational dam for water at our own cost but still the account shows the same water usage. Electricity usage in December is higher than when the school are operational. The municipal workers are on strike for more than 5 weeks and still we are charged for refuge removal.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X1011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

We ask the department please to assist us with the municipal account since we cannot afford to pay more than what we receive from the department.

Regards

J.C. Retief

J.C. Retief
Principal

GNB
TVM

ES 346

Cecile van Schalkwyk

From: Joubert Retief <jcretief@hspjolivier.co.za>
Sent: Thursday, 10 February 2022 12:51
To: colleenmani@makana.cov.za; Marius Crouse (mariuscrouse@makana.gov.za)
Cc: SS Betela
Subject: FW: Hoërskool P.J. Olivier Municipal Account
Attachments: joubert_2022-01-20_12-19-54.pdf

Good afternoon Ms Mani,

Municipal account of Hoërskool P.J. Olivier

Our municipal account is of a grave concern to the School Governing Body (SGB).

The account could not be settled in full during the last three years and the outstanding amount is becoming impossible to settle.

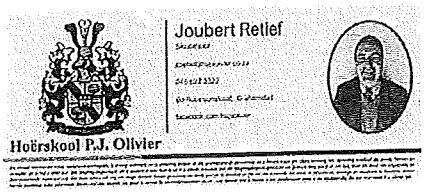
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

The SGB would like to meet with Makana Municipality to devise a strategy so that the school can have an opportunity to settle the account.

We've tried last year to meet with the CFO but our request were not answered.

Regards

J.C. Retief
Principal



From: Joubert Retief
Sent: 2021 April 14 17:27
To: 'GerardG@makana.gov.za' <GerardG@makana.gov.za>; 'Zovuyo' <zdyaloyi@makana.gov.za>; 'Marius Crouse (mariuscrouse@makana.gov.za)' <MariusCrouse@makana.gov.za>
Cc: ezraschoonbee@gmail.com; 'hansieslabbert@gmail.com' <hansieslabbert@gmail.com>; 'Christo Henning' <Christo.Henning@ecdoe.gov.za>; 'Madelein Heinen' <madnessheinen@gmail.com>
Subject: FW: Hoërskool P.J. Olivier Municipal Account

Good afternoon Mr Goliath,

Municipal account of Hoërskool P.J. Olivier

As previously requested on the 08 March 2021, we would like to engage with the municipality regarding our outstanding municipal account.

Please let us know when it would be a convenient time for a meeting.

Regards

347

Joubert Retief
Principal
Hoërskool P.J. Olivier

From: Joubert Retief
Sent: 2021 March 08 09:26
To: GerardG@makana.gov.za
Subject: Hoërskool P.J. Olivier Account

Good morning Mr Goliath,

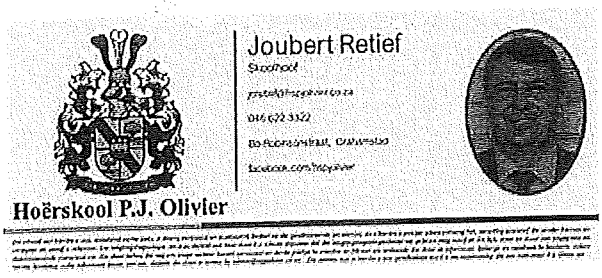
Municipal account of Hoërskool P.J. Oliver

I and a member of our SGB would like to make an appointment to meet with you regarding the schools municipal account.

Please let me know when it will be convenient.

Regards

Joubert Retief
Principal



REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

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MAKANA LOCAL MUNICIPALITY

P.O Box 176 Grahamstown 6140
TEL: 046 603 6111
FAX: 046 636 2472
VAT No.:4330193873
Dedicated Fraud hotline numbers :
046 001 0012 and 087 809 4100

TAX INVOICE/STATEMENT OF ACCOUNT

Account Number: 0001003454
Consumer Name: HOERSKOOL P J OLIVIER
Postal Address: HOERSKOOL P.J.OLIVIER
P.O.BOX 273
GRAHAMSTOWN

Postal Code: 6140

Meter PIN: 275884702

Account Date: 31 DEC 2021
Tax Invoice No.: 0001003454202112
Vat Registration No.:
ERF Description: 01040 000000054 000000 0001
Suburb: HILLSVIEW
Market Value: 0.00
Street: ROBINSON STREET, 6139 GRAHAMSTOWN
Land Area: .0000
Deposit: 0.00

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3013, Makhanda, 6140

METER READINGS

METER NO.	METER TYPE	OLD READING	NEW READING	READING DATE	READING TYPE	CONSUMPTION
000000000000211	WATER	28757.000	28119.000	31/12/2021	S	638.000-
96088562	ELECTRICITY	.000	.000	26/09/2018	A	.000
000000096893376	TIME OF USE	49.000	49.000	31/12/2021	A	.000
96088562	TIME OF USE	.000	.000	09/11/2021	E	.000
000000096893376	TIME OF USE	171661.000	174601.000	29/12/2021	E	2940.000
000000096893376	TIME OF USE	344129.000	349862.000	29/12/2021	E	5733.000
000000096893376	TIME OF USE	392729.000	399388.000	29/12/2021	E	6659.000
000000096893376	TIME OF USE	259614.000	259953.000	29/12/2021	E	339.000
96088562	TIME OF USE	.000	.000	09/11/2021	E	.000
96088562	TIME OF USE	.000	.000	30/04/1800	E	.000

ACCOUNT DETAILS

DATE	CODE	DESCRIPTION	UNITS	TARIFF	VALUE
		Opening Balance			1,260,552.54
07/01/2022	000540	REFUSE REMOVAL MNTHLY: BU*	1.000	215.000000	215.00
07/01/2022	000323	WATER USAGE 0 - 10KL/PM*	10.000-	12.030000	120.30-
07/01/2022	000323	WATER USAGE 11 - 20KL/PM*	10.000-	16.070000	160.70-
07/01/2022	000323	WATER USAGE 21 - 30KL/PM*	10.000-	17.680000	176.80-
07/01/2022	000323	WATER USAGE 31 - 40KL/PM*	10.000-	19.450000	194.50-
07/01/2022	000323	WATER USAGE 41 - 50KL/PM*	10.000-	21.390000	213.90-
07/01/2022	000323	WATER USAGE 51 - 9999999999*	588.000-	23.540000	13,841.52-
07/01/2022	000491	REACTIVE ENERGY CHA*	339.000	.050000	16.95
07/01/2022	000484	LV - TOU - OFF PEAK*	5733.000	1.020000	5,847.66
07/01/2022	000482	LV - TOU - PEAK*	2940.000	1.790000	5,262.60
07/01/2022	000483	LV - TOU - STANDARD*	6659.000	1.420000	9,455.78
07/01/2022	000481	LV - BULK TOU - DEMAND BASIC CHARGE*	1.000	1498.050000	1,498.05
	009008	VAT			1,138.25
	009009	INTEREST			6,086.96

120+ DAYS	90 DAYS	60 DAYS	30 DAYS	CURRENT	TOTAL DUE THIS MONTH
1,135,255.67	51,356.81	36,446.83	37,493.23	14,813.53	1,275,366.07

DEBT COLLECTION

The supply of services may be discontinued if any amount is unpaid after the due date and the deposit may be reviewed simultaneously. Please note that the due date does not apply to overdue balances.

REMITTANCE ADVICE

ACCOUNT NUMBER:	0001003454
CONSUMER NAME:	HOERSKOOL P J OLIVIER
TOTAL DUE:	1,275,366.07
TOTAL DUE ON OR BEFORE:	31/01/2022
	91 6210 0010 0345 46

BANKING DETAILS

BANK NAME:	FIRST NATIONAL BANK
ACCOUNT NAME:	MAKANA MUNICIPALITY
ACCOUNT NUMBER:	62031232531
BRANCH CODE	210717

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

CLICK TO PAY OPTIONS

Click on the bank's logo below to go to their internet banking page and settle your accounts.

Postbank

350

Cecile van Schalkwyk

From: Joubert Retief <jcretief@hspjolivier.co.za>
Sent: Thursday, 17 March 2022 13:42
To: colleenmani@makana.cov.za
Cc: PUMLAMRAJI@MAKANA.GOV.ZA; npini@makana.gov.za; Marius Crouse (mariuscrouse@makana.gov.za)
Subject: FW: Hoërskool P.J. Olivier Municipal Account
Attachments: joubert_2022-01-20_12-19-54.pdf; PJ Olivier.PDF; S.Grobbelaar_2022-03-17_11-01-58.pdf

Dear Ms Mani,

We have not had an reply from your office regarding a meeting to discuss the schools municipal account. The total outstanding amount on the latest statement of account is R 1 353 053.51.
The statement is attached.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

We applied under the Debt incentive scheme advertised and received the settlement amount of R 654 603.35 wh[illegible] is a very generous offer, thank you.

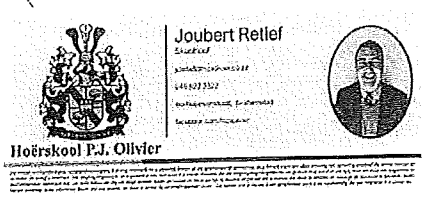
We do not have the funds to pay the R 654 603.35. Is it possible to pay the amount over a period of time like 60 months without interest? Of if the municipality would consider a quid pro quo payment we get discounted for the same amount we pay more than our current bill? But we will need support for the interest?

Our School Governing body is meeting on Thursday the 23 March and I would appreciate if we could come to an arrangement by then so that I can discuss the options on the table.

We are open to discuss other option as well.

Regards

J.C. Retief
Principal
HS PJ Olivier



From: Joubert Retief
Sent: 2022 February 22 12:32
To: colleenmani@makana.cov.za; Marius Crouse (mariuscrouse@makana.gov.za) <MariusCrouse@makana.gov.za>
Cc: SS Betela <s.betela@yahoo.com>
Subject: FW: Hoërskool P.J. Olivier Municipal Account

Good afternoon Ms Mani,

Municipal account of Hoërskool P.J. Olivier

Our municipal account is of a grave concern to the School Governing Body (SGB).

SNB S.M TVM

351

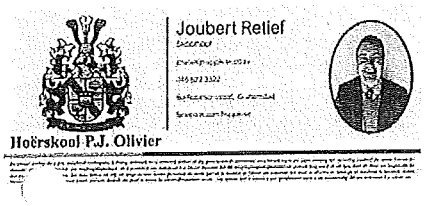
The account could not be settled in full during the last three years and the outstanding amount is becoming impossible to settle.

The SGB would like to meet with Makana Municipality to devise a strategy so that the school can have an opportunity to settle the account.

We've tried last year to meet with the CFO but our request were not answered.

Regards

J.C. Retief
Principal





From: Joubert Retief
Sent: 2021 April 14 17:27
To: 'GerardG@makana.gov.za' <GerardG@makana.gov.za>; 'Zovuyo' <zdyaloyi@makana.gov.za>; 'Marius Crouse (mariuscrouse@makana.gov.za)' <MariusCrouse@makana.gov.za>
Cc: ezraschoonbee@gmail.com; 'hansieslabbert@gmail.com' <hansieslabbert@gmail.com>; 'Christo Henning' <Christo.Henning@ecdoe.gov.za>; 'Madelein Heinen' <madnessheinen@gmail.com>
Subject: FW: Hoërskool P.J. Olivier Municipal Account

Good afternoon Mr Goliath,

Municipal account of Hoërskool P.J. Olivier

As previously requested on the 08 March 2021, we would like to engage with the municipality regarding our outstanding municipal account.

Pl[illegible]e let us know when it would be a convenient time for a meeting.

Regards

Joubert Retief
Principal
Hoërskool P.J. Olivier

From: Joubert Retief
Sent: 2021 March 08 09:26
To: GerardG@makana.gov.za
Subject: Hoërskool P.J. Olivier Account

Good morning Mr Goliath,

SNB J.M TVM

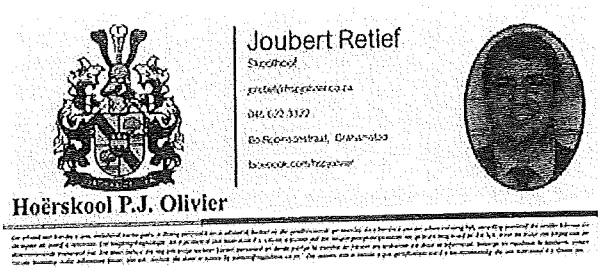
Municipal account of Hoërskool P.J. Oliver

I and a member of our SGB would like to make an appointment to meet with you regarding the schools municipal account.

Please let me know when it will be convenient.

Regards

Joubert Retief
Principal





ES 9.

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FAX: 046 636 2472
VAT No.:4330193873
Dedicated Fraud hotline numbers :
046 001 0012 and 087 809 4100

TAX INVOICE/STATEMENT OF ACCOUNT

Account Number: 0001029835
Consumer Name: HOERSKOOL P J OLIVIER
Postal Address: ROBENSON STREET
GRAHAMSTOWN

Postal Code: 6139

Internet PIN: 8842959000

Account Date: 30 SEP 2026
Tax Invoice No.: 0001029835202609
Vat Registration No.:
ERF Description: 01040 000009537 000000 0000
Suburb:
Market Value: 0.00
Street: ROBENSON STREET GRAHAMSTOWN
Land Area: .0000
Deposit: 0.00

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA
Private Bag X3011, Makhanda, 6140
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
EASTERN CAPE DIVISION, MAKHANDA

METER READINGS

METER NO.	METER TYPE	OLD READING	NEW READING	READING DATE	READING TYPE	CONSUMPTION
000000087315363	TIME OF USE	32434.960	35798.820	30/09/2026	I	3363.860
000000087315363	KVA	.000	53.950	30/09/2026	I	53.950
000000087315363	TIME OF USE	73169.580	80079.970	30/09/2026	I	6910.390
00000000PPF0177	WATER	.000	.000	21/07/2026	E	.000
000000087315363	TIME OF USE	81311.170	89350.710	30/09/2026	I	8039.540
000000087315363	TIME OF USE	29432.630	32104.660	30/09/2026	I	2672.030
000000000000211	WATER	33913.000	33913.000	15/09/2026	E	.000

ACCOUNT DETAILS

DATE	CODE	DESCRIPTION	UNITS	TARIFF	VALUE
		Opening Balance			964,618.83
30/09/2026	000540	REFUSE REMOVAL MNTHLY: BU*	1.000	779.79000000	779.79
30/09/2026	000481	LV - BULK TOU - DEMAND*	53.950	213.02000000	11,492.43
30/09/2026	000491	REACTIVE ENERGY CHA*	2672.030	0.08000000	213.76
30/09/2026	000484	LV - TOU - OFF PEAK*	6910.390	1.95000000	13,475.26
30/09/2026	000482	LV - TOU - PEAK*	3363.860	8.41000000	28,290.06
30/09/2026	000483	LV - TOU - STANDARD*	8039.540	3.13000000	25,163.76
30/09/2026	000481	LV - BULK TOU - DEMAND BASIC CHARGE*	1.000	2,587.12000000	2,587.12
	009008	VAT			12,300.32
	009009	INTEREST			6,975.28

120+ DAYS	90 DAYS	60 DAYS	30 DAYS	CURRENT	TOTAL DUE THIS MONTH
705,198.43	62,372.48	92,025.25	105,022.67	101,277.78	1,065,896.61

IMPORTANT NOTICE TO ALL CUSTOMERS - To ensure accurate and timely allocation of your payments, please send your proof of payment to:
proofofpayment@makana.gov.za

DEBT COLLECTION

The supply of services may be discontinued if any amount is unpaid after the due date and the deposit may be reviewed simultaneously. Please note that the due date does not apply to overdue balances.