

## **CALL FOR NOMINATIONS TO SERVE AS MEMBERS OF THE PSETA ACCOUNTING AUTHORITY**

The PSETA on behalf of the Minister of Higher Education and Training (MHET) Dr. BE Nzimande, calls for the nominations within the Public Sector to serve on the PSETA Accounting Authority (AA and /or Board) effective 1 April 2020 – 31 March 2025.

The term of office for all AAs and /or Board of the Public Sector Education and Training Authorities (PSETA) will expire on 31 March 2020.

**Section 11(5) of the Skills Development Act (Act No. 97 of 1998)** as amended provides that: “The Minister must, at least three months before the end of the period contemplated in Section 9 (1) (a), request the Chief Executive Officer of the relevant SETA contemplated in Section 13(b) to invite nominations from Organised Labour, Organised Employers, Government Departments, Professional Bodies, Bargaining Councils and Organisations contemplated in Subsection (2) and listed in the PSETA Constitution”.

The primary purpose of the AA and / or Board is to provide strategic guidance to PSETA and an assurance to all stakeholders that PSETA is fulfilling its obligations in terms of the Constitution and the Act.

The nominees should ideally have experience in broad strategic and governance matters as well as a commitment to Skills Development and promoting the best interests of the PSETA.

In terms of the Constitution:

- The overall composition of the AA and / or Board should be sufficiently representative of designated groups and in this regard preference will be given to Black applicants.
- Nominee representatives are subject to approval and appointment by the MHET.

### **Accounting Authority Composition**

Subject to paragraph (b), of the SDA the Minister must appoint the Chairperson of the AA and / or Board of a SETA after consultation with the National Skills Authority (NSA). The Minister must by notice in the *Gazette* invite nominations for the position of Chairperson of the AA and / or Board from interested parties in the relevant sector.

Subject to paragraph (b) and section 13(2), of the SDA the Minister must appoint 14 persons as members of the AA and / or Board of a SETA.

The members referred to in paragraph (a) of the Constitution may not include more than—

- six persons who must be nominated by organised labour;
- six persons who must be nominated by organised employers; and
- two persons who must be nominated by—
  - any government department that has an interest in the relevant sector and that is not an organised employer;
  - any interested professional body;
  - any bargaining council with jurisdiction in the sector in question; or
  - any organisation in a community that has an identifiable interest in skills development in the public sector

#### **Eligibility Criteria:**

In terms of the PSETA Constitution, the eligibility criterion for the AA and / or Board members is as follows:

- unless he or she is a citizen of and is permanently residing in the Republic;
- if he or she is subject to an order of a competent court declaring such person to be mentally ill or disordered;
- if he or she is an employee of the PSETA;
- if he or she is convicted, after the commencement of the Skills Development Amendment Act, 2011, whether in the Republic or elsewhere, of any offence for which such person is sentenced to imprisonment without the option of a fine;
- if he or she, at any time prior to the commencement of the Skills Development Amendment Act, 2011, was convicted, or at any time after such commencement, is convicted—
  - in the Republic, of theft, fraud, forgery and uttering a forged document, perjury, or an offence in terms of the Prevention of Corruption Act, 1958 (Act No. 6 of 1958), the Corruption Act, 1992 (Act No. 94 of 1992), or Part 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004);

- elsewhere, of any offence corresponding materially with any offence contemplated in subparagraph (I); and
- whether in the Republic or elsewhere, of any other offence involving dishonesty; or
- If he or she has been convicted of an offence under this Act.

### **Disqualifying Criteria:**

A person is disqualified from serving as a member of the AA and / or Board if that person:

- Is not a citizen and is not permanently resident in the Republic;
- Is under a legal disability;
- Is an rehabilitated insolvent;
- Has been removed from an office of trust on account of misconduct;
- Has at any time been convicted in the Republic or elsewhere, of any offence for which such person is sentenced imprisonment without the option of a fine;
- Has at any time been convicted in the Republic or elsewhere of theft, fraud, corruption, forgery or any other act involving dishonesty;
- Is a member of the AA and / or Board of another SETA

### **Selection Criteria:**

Constituencies should use the following criteria as guidelines when nominating their representatives to ensure that the representatives have the competence to make constructive contributions to the PSETA AA and / or Board. Representatives should have **knowledge, skills and expertise** in the following areas:

- The functioning of the AA and / or Board in terms of the requirements relating to Corporate Governance and Ethics;
- Skills Development Legislation and the National Skills Development Plan(NSDP);
- The PSETA responsibility in respect of Service Delivery;
- The Public Finance Management Act (PFMA) and Financial Insight;
- The Sector and/or the Constituency represented by the Member;
- The Strategic and Performance Leadership and integrated reporting;
- Education, Training, Skills Development and Human Resource Development
- Quality Assurance of Learning provision;
- General Management and Business skills;
- Communication and Marketing role of an entity in relation to its Stakeholders;

Other Areas of Expertise Relevant to the Sector.

In ensuring that Principle 7 of the King IV report is also adhered to in balancing the composition of the governing body ( AA and/or Board) Independence the following expertise will be considered:

- Risk and Compliance;
- ICT governance;
- Legal;
- Human Resource; and
- BoardRoom Theory in Practice.

### **Remuneration**

Members of the AA and / or Board remuneration shall be determined by National Treasury (NT) in line with the remuneration guideline.

Employees of National, Provincial and Local Government or Institutions, Agencies and Entities of Governments serving as office – bearers on Public Entities and/or Institutions are not entitled to additional remuneration.

### **Nomination Process:**

If you would like to nominate a person to serve on the PSETA AA and / or Board, you can either submit your nomination directly to your Constituent body (as contained within the PSETA Constitution) and Nomination forms may be found on the PSETA website [www.pseta.org.za](http://www.pseta.org.za). Nominations close strictly at 16:30 on **Wednesday 4 September 2019** Nominations received after the deadline will not be eligible for consideration.

**Email: [boardnominations@pseta.org.za](mailto:boardnominations@pseta.org.za)**

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**PSETA Chief Executive Officer**