



UNIVERSITIES
SOUTH AFRICA

NATIONAL RESEARCH FOUNDATION AMENDMENT BILL, 2015

UNIVERSITIES SOUTH AFRICA'S (USAf) INITIAL INPUT

AUGUST 2016

USAf would like to thank the Department of Science and Technology (DST) for the opportunity to comment on the 2015 National Research Foundation (NRF) Amendment Bill as published in the Government Gazette, Notice 475 of 2016, dated 5 August 2016.

This document provides initial input and comments as part of the consultation process, whereby USAf will request all South African Universities to provide further input and comments to the proposed Amendment Bill. All input from the university community will be consolidated as part of the formal feedback to the DST.

1. Introductory remarks

The Amendment Bill is welcomed and timely since the amendments were directed to enhance clarity and to ensure alignment with the relevant policies and related Acts.

As stated in the document, the NRF Amendment Bill (2015) sought to effect the following:

- to extend the functions of the NRF;
- to provide for the Minister to determine policies and issue policy guidelines to the NRF;
- to empower the Minister to determine the process for and the establishment of a national research facility, its functions, governance, funding and access to national research facilities;
- to provide for the withdrawal of the determination or transfer a national research facility;
- to make textual alterations and to delete and insert specific provisions.

The amendments are acceptable in general, with a few specific suggestions for change that are included in this document.

2. General and specific comments

2.1 Specific additions in relation to science engagement and science advancement related initiatives have been included as additions.

- 2.2 The Minister is being given more power regarding the National Research Facilities, virtually taking the decision on what should a National Research Facility be away from the NRF and its Board.
- 2.3 The new section 3A seems to take away the NRF Board's powers on NRF policies and give them to the Minister:
- "3A. Powers of Minister to issue policy guidelines –
- (1) The Minister may from time to time, after consultation with the Foundation and any other Minister, determine relevant policies for research and funding at a national level to be implemented by the Foundation.
- (2) In pursuit of the Government's objectives and those of the Foundation, the Minister may, after consultation with the Foundation, from time to time, issue policy guidelines in respect of the Foundation's objectives."
- 2.4 There seems to be a trend that Ministers have more power over the state owned enterprises and it is suggested that the NRF Board should have these powers.
- 2.5 It is notable that the Amendment Bill is at pains in Sections 3 and 13, to point out that science includes the humanities, social sciences and indigenous knowledge, but, in the definition Section 1 (d) this is not made clear. Furthermore, the definition of 'research' in Section 1 of the principal Act makes specific reference to the 'field of science and technology' and has not been amended in the Bill. The inclusion of the humanities, social sciences and indigenous knowledge should be more explicit throughout.
- 2.6 The term 'indigenous technology' as referenced in Sections 1(f) and 4(b) has not been defined and it would be useful to have a definition included.
- 2.7 Reference is only made to 'multi-disciplinary' research in the amendment of Section 4 subsection 1(d) and consideration should be given to include inter- and trans-disciplinary research.
- 2.8 In Section 4(l), subsection 2 (a), the word 'person' is amended to 'individual or juristic persons', and 'research institutions' to '... declared research institutions as may be declared by the Minister from time to time by notice in the Gazette'. This was not done for Section 4, subsection 1 (e) in the principal Act: '.....bursaries to persons or research institutions'. It is proposed that 'research institutions' be defined as part of the definitions in Section 1 and not as part of section 5A and that the words 'or declared' be removed.

END

Submitted by Universities South Africa (USAf)

Contact person at the USAf Office is Ms Janet van Rhyn, Project Manager: Sector Support and her details are as follows, telephone: 012 481 2758 and email: janet@usaf.ac.za

04 October 2016