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REPUBLIC OF SOUTH AFRICA
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PART 1 OF 4

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For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the gazette numbers in the righthand column:

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IMPORTANT NOTICE:

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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Closing times for **ORDINARY WEEKLY** *GOVERNMENT GAZETTE* 2018

*The closing time is **15:00** sharp on the following days:*

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- **05 January,** Friday for the issue of Friday **12 January 2018**
- **12 January,** Friday for the issue of Friday **19 January 2018**
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- **26 January,** Friday for the issue of Friday **02 February 2018**
- **02 February,** Friday for the issue of Friday **09 February 2018**
- **09 February,** Friday for the issue of Friday **16 February 2018**
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- **02 March,** Friday for the issue of Friday **09 March 2018**
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- **19 December,** Wednesday for the issue of Friday **28 December 2018**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	**Page Space**	**New Price (R)**
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R**3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works** (**GPW**) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

Closing Times for Acceptance of Notices

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

   All re-submissions will be subject to the standard cut-off times.
   All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	*Before 10h00 on publication date*	*Before 10h00 on publication date*
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days **after** submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

EXTRAORDINARY GAZETTES

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

NOTICE SUBMISSION PROCESS

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.

5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat* / *Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.

6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.

7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.

8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.

   8.1. Each of the following documents must be attached to the email as a separate attachment:

      8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.

         8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form

         8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.

      8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*

      8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order**. Non-Government Printing Works** account customer needs to submit the proof of payment for the notice

      8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications)*.

      8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.

10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE.**

11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.

12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.

    13.1. ***Take note:*** **GPW**'s annual tariff increase takes place on ***1 April*** therefore any quotations issued, accepted and submitted for publication up to ***31 March*** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.

14. Each quotation has a unique number.

15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.

    15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.

    15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS**:

    16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.

    16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.

        16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. **APPLICABLE ONLY TO CASH CUSTOMERS:**

    17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.

18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).

19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

    19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

COPY (SEPARATE NOTICE CONTENT DOCUMENT)

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

CANCELLATIONS

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

AMENDMENTS TO NOTICES

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

REJECTIONS

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Approval of notices

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

Government Printer Indemnified Against Liability

27. The Government Printer will assume no liability in respect of—

27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

Liability of advertiser

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

Customer inquiries

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.
GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.
Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.

30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Payment of cost

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.

32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.

33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.

34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.

35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.

36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.

37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

Proof of publication

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.

39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	**Postal Address:**	**GPW Banking Details:**
Government Printing Works	Private Bag X85	**Bank:** ABSA Bosman Street
149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
Pretoria	0001	**Branch Code:** 632-005

For Gazette and Notice submissions: Gazette Submissions:	**E-mail:** submit.egazette@gpw.gov.za
For queries and quotations, contact: Gazette Contact Centre:	**E-mail:** info.egazette@gpw.gov.za
	Tel: 012-748 6200
Contact person for subscribers: Mrs M. Toka:	**E-mail:** subscriptions@gpw.gov.za
	Tel: 012-748-6066 / 6060 / 6058
	Fax: 012-323-9574

DEPARTMENT OF ARTS AND CULTURE

NO. 958 **21 SEPTEMBER 2018**

SOUTH AFRICAN HERITAGE RESOURCES AGENCY

AMENDMENT OF PROCLAMATION NO 34 OF 2016 PUBLISHED IN GOVERNMENT GAZETTE 40013 ON 25TH MAY 2016

THE AFORESAID PROCLAMATION IS AMENDED AS FOLLOWS:

SERIAL DECLARATION OF HISTORIC SITES ASSOCIATED TO THE UNIVERSITY OF FORT HARE; ALICE; EASTERN CAPE AS NATIONAL HERITAGE SITES

By virtue of the powers vested in the South African Heritage Resources Agency, in terms of section 27 (5) of the National Heritage Resources Act (No. 25 of 1999) SAHRA hereby declares the Grave of Chief Tyali; Portion 1 of Farm Berg Place; Alice; Eastern Cape; and ZK Matthews House; remainder Erf 161 Victoria East Rd; Alice; and the Old Fort; Christian Union Hall; HMS Building (The old Dining Hall); Stuart Hall, Freedom Square at The University of Fort Hare; Alice Campus; Farm 412; Victoria East; Alice; Eastern Cape

Statement of Significance

The granting of land by Chief Tyali for establishing a place of learning for Africans as early as the 1800s was unprecedented on the sub-continent. During this period South Africa was still in the throes of colonial expansion and British annexation of parts of the Eastern Cape during the Frontier Wars. Chief Tyali's donation of land to Scottish missionaries came between these Frontier Wars, the primary purpose of which was land dispossession. Given the prevailing circumstances, this would have been unpopular with many African chiefs at the time. Yet it is precisely this unconventionality that made Chief Tyali a visionary leader. In addition to education, part of the reasoning in granting the land was an attempt to gain knowledge into the workings of the colonial system.

The establishment of Lovedale and later the University of Fort Hare on land granted by Chief Tyali in turn produced some of South Africa's and Africa's leading stalwarts in the struggle against colonial rule and apartheid. Therefore, the legacy of Chief Tyali and the history of these two institutions and their contribution to South Africa are intertwined. The grave site of Chief Tyali is a tangible representation of the contribution he has made to the education of Africans and great African leaders through his own insightful and visionary leadership

The University of Fort Hare was South Africa's first multi-racial, multi-cultural institution, fulfilling Chief Tyali's desire of educating African people, and became the epitome of ideas, freedom of speech and creative thinking during the oppressive systems of both the colonial and apartheid governments; and from which the very first generation of African leadership and intelligentsia emerged. The sites declared here include the buildings where liberation leaders attended class, meetings, intellectual debates and represents the confluence of ideas from several walks of life that inspired leader who spearheaded the liberation of many African countries.

The University is the custodian of the Liberation Movement Archives (incorporating the African National Congress Archives, Pan African Congress Archives, Black Consciousness Movement archives as well as personal collections, such as Govan Mbeki and Donald Woods) and Africa's largest collection of contemporary African Art works.

Professor ZK Matthews inspired by the Atlantic Charter, proposed at the ANC's annual congress the idea of a Congress of the People to draft and adopt a Freedom Charter. With the approval of his proposal, a National Action Council was established with thousands of volunteers collecting inputs from ordinary South Africans across the country. The process of drafting and adopting the Freedom Charter at the Congress of the People in Kliptown in 1955 was, at the time, the most democratic in South Africa's history. The Freedom Charter formed the basis of the liberation movements and the Constitution of the post-apartheid democratic South Africa.

Schedule
The demarcation of the sites are as follows:

Grave of Chief Tyali:

Site Name	**Erf No / Farm**	**Province**	**Nearest Town**	**Municipality**		**Survey Diagram**	**Deed**
				Local	**District**		
Gravesite of Chief Tyali	Portion 1 of Berg Place	Eastern Cape	Woburn near Alice	Nkonkobe Local Municipality	Amatole District Municipality	8371/1967	DT24912 /68

	Latitude	**Longitude**
Central Point	32°41'28.4532"S	26°53'23.8776"E

ZK Matthews House:

Site Name	**Erf No / Farm**	**Province**	**Nearest Town**	**Municipality**		**Deed**
				Local	**District**	
ZK Matthews House	Remainder Erf 161; Victoria East RD	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	T11362/1999

	Latitude	Longitude
Central Point	32°46'54.45"S	26°49'57.44"E

University of Fort Hare:

Site Name	Erf No / Farm	Province	Nearest Town	Municipality		Survey Diagram
				Local	District	
The Old Fort	Farm 412; Victoria East	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	C21/1995
Stuart Hall	Farm 412; Victoria East	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	C21/1995
Freedom Square	Farm 412; Victoria East	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	C21/1995
Christian Union Hall	Farm 412; Victoria East	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	C21/1995
HMS Building (the Old Dining Hall)	Farm 412; Victoria East	Eastern Cape	Alice	Nkonkobe Local Municipality	Amatole District Municipality	C21/1995

Site Name		Latitude	Longitude
The Old Fort	**Central Point**		
Stuart Hall	**Central Point**	32°47'9.31"S	26°50'44.71"E
Freedom Square	**Central Point**	32°47'9.31"S	26°50'44.71"E
Christian Union Hall	**Central Point**	32°47'10.28"S	26°50'50.13"E
HMS Building (the Old Dining Hall)	**Central Point**	32°47'14.32"S	26°50'52.49"E

DEPARTMENT OF BASIC EDUCATION

NO. 959 **21 SEPTEMBER 2018**

NATIONAL EDUCATION POLICY ACT, 1996 (ACT NO. 27 OF 1996)

CALL FOR SUBMISSIONS FROM STAKEHOLDER BODIES AND MEMBERS OF THE PUBLIC ON THE DRAFT CURRICULUM AND ASSESSMENT POLICY STATEMENT (CAPS) FOR TWENTY SIX TECHNICAL OCCUPATIONAL SUBJECTS TO BE LISTED IN THE NATIONAL CURRICULUM STATEMENT GRADES R-12

1. I, Angeline Matsie Motshekga, Minister of Basic Education, hereby, in terms of *section 3(4)(l)* of the *National Education Policy Act, 1996 (Act No. 27 of 1996)*, and after consultation with the Council of Education Ministers publishes a call for comments to amend Section four (4) of the Curriculum and Assessment Policy Statement for Grades R-12 and Section 3 of certain subjects as set out in the Schedule.

AVAILABILITY OF THE POLICY DOCUMENT

2. The Schedule referred in paragraph 1 is available on the following Departmental website: www.education.gov.za. Under: **Resources, Policies, Curriculum and Assessment,** and is arranged per Phase and Subject.

SUBMISSION

3. It will greatly assist the department if all submissions could be made under the specific Subject and heading as in the CAPS. The schedule is arranged per subject.

ADDRESS FOR SUBMISSIONS

4. All submissions must be sent as per instruction below:
   i. **Dr MT Simelane for attention of:** Ms Florence Modipa
      Tel. No: 012 357 4101
      Email: Modipa.F@dbe.gov.za

OR

Hand-deliver for the attention of the above at:

Department of Basic Education
222 Struben Street
Pretoria, 0001

OR

Post for the attention of the above:

Department of Basic Education
Private Bag X895
Pretoria, 0001

CLOSING DATE

5. The due date for submission of comments is set as 21 days after the publication of this notice.

MRS AM MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION
DATE:

DELEGATIONS BY THE MINISTER: CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED
DEPARTMENT OF CORRECTIONAL SERVICES

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(1) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, **ADVOCATE MICHAEL MASUTHA, MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY,

WITH REFERENCE TO THE FOLLOWING LEGISLATION:-

1) Correctional Services Act, 1998 (Act no 111 of 1998).

PROVIDED THAT:

a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;

b) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;

c) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and;

Michael Masutha (Advocate) MP
Minister of Justice and Correctional Services
Date: 29/08/2018

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DELEGATIONS BY THE MINISTER: CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED
DEPARTMENT OF CORRECTIONAL SERVICES

ACT	SECTION IN ACT	SUBJECT OF DELEGATION	Responsible functionary the power or duty delegated to
Act 111 of 1998 as amended	Section 5 (1) (a)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (a) the detention and treatment of inmates;	National Commissioner
	Section 5 (1) (b)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (b) particular purposes in relation to inmates; or	National Commissioner
	Section 5 (1) (c)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (c) particular categories of inmates.	National Commissioner
	Section 74 (2) read with section 74 (7) (a)	Approve committee for shortlisting of candidates and approve candidates to be shortlisted for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner
	Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	National Commissioner

Michael Masutha (Advocate) MP
Minister of Justice and Correctional Services

Date: 29/08/2018

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(2) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, ARTHUR FRASER, NATIONAL COMMISSIONER OF THE DEPARTMENT OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY WITH EFFECT FROM THE DATE OF PUBLICATION IN THE GOVERNMENT GAZETTE.

WITH REFERENCE TO THE FOLLOWING LEGISLATION AND PRESCRIPTS:-

1) Correctional Services Act, 1998 (Act no 111 of 1998). (The Act)
2) Correctional Services Regulations, 2004 as amended. (The regulations)
3) Collective Agreement DBC Resolution 1/2006. (Res 1 of 2006)

PROVIDED THAT:

a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
b) Any line-functionary with an equal or higher rank is also authorized to exercise the same power.
c) Regions all report to the National Head Office and therefore does not have jurisdiction over each other. Any delegated power that cannot be exercised for whatever reason in a region must be referred to National Head Office for a decision;
d) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
e) Any delegation does not prohibit the National Commissioner from exercising the power concerned or performing the duty concerned himself or herself (*Qui custodit originale potestate delegat*) who also may withdraw any delegation to any post (and therefore the incumbent in that post) at any time;
f) A person who have been delegated an authority cannot delegate such authority. (*Delegatus delegare non potest*)
g) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and;
h) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
i) The following abbreviations may be applicable:

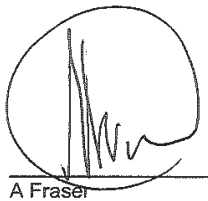
NC	=	National Commissioner
COC	=	Chief Operations Commissioner (Reference in any other delegated authority to COO implies the COC)
CDC	=	Chief Deputy Commissioner
DC	=	Deputy Commissioner
DIR	=	Director
DD	=	Deputy Director

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

ASD	=	Assistant Director
DCS	=	Department of Correctional Services
DRC	=	Deputy Regional Commissioner
RC	=	Regional Commissioner
DIU:	=	Departmental Investigation Unit
CE	=	Code Enforcement Unit
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer
HCC	=	Head Correctional Centre / Head Remand Detention Centre
ACC	=	Area Coordinator Corrections
ACCS	=	Area Coordinator Corporate Services
AC	=	Area Commissioner
AC DC	=	Area Coordinator Development and CARE
HCC CC	=	Head Community Corrections
SMS	=	Senior Management Service
Official	=	Official of DCS as contemplated in section 1 of the Act.

j) Any reference made to salary levels 1-12 is applicable to the equivalent salary grade for the Correctional Services OSD for Centre Based and Non Centre Based officials and any other OSD of closed occupational groups within DCS.

k) Where the term "in consultation" is used it implies consensus and where the term "after consultation" is used it implies the delegated authority takes a decision considering inputs during the consultation but are not bound by it.



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Date: 28/08/2018

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

A. CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
1.	Section 3 (5) and 3 (5) (C)	Control over operational matters in the Department of Correctional Services	NC	COC over all regions in the Department of Correctional Services as well as core business branches in Head Office.	Regional Commissioner	Area Commissioner	Head of Correctional Centres/Remand Detention Centres/Community Corrections reports to the appointed Area Commissioner. Area Commissioners in a specific Region/Province reports to the appointed Regional Commissioner. Regional Commissioners reports to the appointed COC. Branch Heads: Core Business reports to the COC.
2.	Section 3 (5) (c) and (g)	Approval of trips away from place of work and use of accommodation, use of public transport, **excluding** trips with Air Transport, the use of hired vehicle and shuttles.	NC	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	The person who provides the authorisation must **always be one level higher** than the person who needs to travel. Logistical and Financial policies, procedures and directives must be adhered to. This delegation does not include operational trips officials must undertake to escort inmates to court/ outside hospital/medical appointment or other place such inmate is legally required to be, including transfers from one correctional centre to another. The Head of Correctional Centre/ Community Corrections Office approve such trips in line with the stipulations in the B-Order. The use of Conference Facilities must be handled according to the relevant directives and is not included in this delegation.
3.	Section 3 (5) (c) and (g)	Approval of S&T claims.	NC	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	Person who approves must always be on level higher that the claimant. Compliance to all relevant policies and procedures and rates determined by DPSA. Compliance to DPSA financial manual
4.	Section 3 (5) (c) and (g)	Approval of KM claims.	NC	Director and higher	Director and higher	Director and higher	Person who approves must always be on level higher that the claimant. Compliance to all relevant policies and

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
							procedures and rates determined by DPSA and Dept of Transport Compliance to MMS and SMS directives, SMS handbook
5.	Section 3 (5) (c) and (g)	Approval of Air Transport, use of hired vehicles and shuttles. (Domestic travelling only)	NC	Relevant Director and higher according to post level.	Relevant Regional Head (Director) and higher according to post level.	Area Commissioner after consultation with the DRC (Area Commissioner approved by DRC or if on level of DC by the RC)	Regional Commissioners and CDC's approved by the National Commissioner. The person who provides the authorisation must **always be one level higher** than the person who needs to travel. The procedures and directives on domestic travelling must be adhered to, especially with regard to the class of flight and class of hired vehicle as well as use of travelling agencies and logistical and financial procedures. Officials who receive a car allowance may not use shuttles at their local station. The delegated authority must at all times ensure that funds are available before taking a decision
6.	Section 3 (5) (c) and (g)	Provide cash equivalent of benefits received by permanent employees to employees on fixed-term contracts.	NC	CDC Human Resources	No Delegation	No Delegation	Read with PSR
7.	Section 3 (5) (c) and (g)	Night visits call out	NC	Dir Security Standards	No delegation	Head Correctional Centre/ Head of Remand Detention Centre	DPSA Financial Manual must be adhered to
8.	Section 3 (5) (c) and (g)	Approval of state guarantee applications	NC	DD Service Benefits	Not delegated	Not delegated	Compliance to DPSA directives
9.	Section 3 (5) (c) and (g)	Approval for an official to utilise private vehicle when it is more cost effective to the state or a Departmental vehicle is not available.	NC	Director and higher	Director and higher	Director and higher	Approval must be in compliance with LAPM directives
10.	Section 3 (5) (c) and (g)	Approval of transport for school children, transport between residence and place of work	NC	CDC HR	Regional Commissioner	Not delegated	Compliance to DPSA financial manual
11.	Section 3 (5)(e)	Grant approval for the payment of monetary rewards to any person who is or was a correctional official.	NC	CDC Human Resources	No Delegation	No Delegation	

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
12.	Section 3 (5) (e)	Grant approval for payment of death grants	NC	CDC Human Resources	No Delegation	No Delegation	Compliance to policy on death grants
13.	Section 3 (5) (f)	Grant approval for the payment of monetary rewards to private persons.	NC	**COC**	No Delegation	No Delegation	
14.	Section 3 (5) (**g**) read with section 96(3)	Appoint correctional officials (including interdepartmental transfers **from** other departments/institutions **to** DCS) (read with delegations in terms of the Public Service regulations)	NC	Level 2-10 (Comply with requirements) DC of relevant Chief Directorate Level 11-12 (Comply with requirements) Chief Deputy Commissioner of relevant branch. Any Deviation: **COC**	Level 2-10 (Comply with requirements) Deputy Regional Commissioner Level 11-12 (Comply with requirements) Regional Commissioner Any deviation: **COC**	None	1. All appointments and interdepartmental transfers must comply with DCS and relevant OSD appointment criteria as well as the PSA and PSR, requirements and DPSA directives. 2. Any deviation must be submitted to the **COC** for approval **via the CDC HR**. 3. The CDC HR shall decide on the audit (by Head Office HR staff) of all appointments, promotions and transfers, as deemed necessary. 4. Levels 13-15 is not delegated and must be handled as prescribed in section 96(3)(a) of the Act read with the PSA and PSR.
15.	Section 3 (5) (**g**) read with Section 96 (3) (d) and	Approve all placements and transfers/temporary transfers **on state costs.**	NC	Levels 2-7 Director HR Administration & Utilization Levels 8-10 DC HR Management Levels 11-12 CDC Human Resources	No delegation	No delegation	Subject to the Policy on transfers and prescripts on finances and logistics. Note: Transfers and placement of all SMS members: Levels 13-15 not delegated. (Decision maker: National Commissioner)
16.	Section 3 (5) (**g**) read with Section 96 (3) (d)	Approve transfers/temporary transfers of SMS on own time and cost **or** on state costs including interdepartmental transfers to and from DCS, of the SMS.	NC	No Delegation	No Delegation	No Delegation	National Commissioner to approve after consultation with the CDC HR.
17.	Section 3 (5) (**g**) read with Section 96 (3) (d)	Approve transfers/temporary transfers and placements of officials on own time and cost from level 2 (SCO or equivalent) to level 12 (DD or equivalent), including interdepartmental transfer **from** DCS **to** other departments/institutions.	NC	Head Office Level 2-7: Relevant director after consultation with Dir HRA & U Level 8-10: Relevant DC after consultation with Dir HRA &	Levels 2 to 7: Within RC Office: Relevant Regional Head Corporate Services after consultation with RH Corporate Services. Across Management Areas: Deputy Regional	Levels 2 to 7 Within Management Area only: Area Commissioner: (including interdepartmental transfer from DCS)	Compliance to transfer policy and procedures. To be processed/managed by HR. In regional offices and Head Office the application for transfer must be submitted to the Personnel office that will process the application to the relevant directorates.

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	Section	Topic Description		Head Office	Region	Management Area	
				U. Level 11-12 Relevant CDC after consultation with the HRA &U	Commissioner after consultation with RH Corporate Services. Levels 8-10: Deputy Regional Commissioner (Excluding Heads of centres and community corrections offices) Levels 11-12: Regional Commissioner		
18.	Section 3 (5) (g) read with Section 96(3)(d)	Approval of Interim Accommodation, Resettlement Claims, Removal of Furniture and Storage, Buying of Property and Pre-visits after approval of transfer on state cost was granted	NC	Maximum 3 months interim accommodation. Director: HR Administration and Utilization More than 3 months: DC HRM	Maximum 3 months interim accommodation: RH Human Resources. More than 3 months: No delegation	No delegation	Compliance to financial and logistical prescripts, special leave policy and transfer policy. Approval must always be by a person one level higher than the person requesting the approval.
19.	Section 3 (5) (g) read with Section 96(3)(d) and Public Service Regulations 2016, regulation 63	Appoint employees in acting capacity: (read with delegations in terms of the Public Service regulations)	NC	Level 2-12 Relevant Director Level 13 Relevant DC Levels 14 Relevant CDC	Level 2-12 Director Level 13 DRC Levels 14 RC	Levels 2 to 12 Area Commissioner: Level 13 RC Levels 14 RC	1. Compliance to relevant policy and Public Service regulation 63 at all times. 2. The appointment in acting capacity of SMS members for longer than 6 months must be submitted to the Minister for approval in terms of DPSA policy via the CDC HR and the National Commissioner. 3. The delegation to approve any level in acting capacity must comply with the prescripts on acting and the National Commissioner may at any time revoke such acting appointment. 4. HR Head Office will provide templates letters to be used for appointment of officials who must act. 5. HR must certify that a post is vacant before any acting appointment. 6. All acting appointments of SMS shall

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							be done in consultation with the CDC HR. (Appointment memorandum to be directed via the CDC HR) (E.g. appointment of acting DRC is done by the RC after the memorandum is received back from the CDC HR). 7. CDC HR to issue a directive on the administrative conditions for acting appointments.
20.	Section 3 (5) (g) read with Section 96(3)(d)	Appoint temporary employees: (Periodical contract employees: Professionals)	NC	No Delegation	No delegation	No delegation	Appointment of officials on contract (except periodical employees: professionals are not delegated and must be submitted to the National Commissioner for approval
21.	Section 4 (2) (c)	Restrict, suspend or revise amenities for offenders of different categories.	NC	COC	No delegation	No delegation	
22.	Section 6 (1) (b)	Authorisation to detain a person at any correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts
23.	Section 6 (6)	Make a preliminary security classification of an inmate on admission.	NC	No delegation	No delegation	Divisional Head: Case Management Administration	
24.	Section 7 (2) (d)	Detain inmates of specific age, health or security risk categories separately.	NC	No delegation	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts
25.	Section 7 (2) (e)	Accommodate offenders in single or communal cells depending on the availability of accommodation.	NC	No delegation	No delegation	Head of Correctional Centre	Compliance to all relevant prescripts
26.	Section 7 (2) (f)	Detain inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentenced, that they will defeat the ends of justice by	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand	Compliance to all relevant prescripts

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	Section	Topic Description		Head Office	Region	Management Area	
		their association with other inmates.				Detention Centre	
27.	Section 7 (2) (f)	Extension of period of detention of inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentenced, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Area Commissioner	Compliance to all relevant prescripts
28.	Section 13 (6) (b)	Enable an offender to notify next-of-kin of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Divisional Head: Case Management Administration/ Corresponding post in Remand Detention Centre	Compliance to all relevant prescripts
29.	Section 13 (6) (c)	In the case of an offender who is a child, notify the parents and state authorities who have statutory responsibility for the education and welfare of children of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
30.	Section 16 (2)	If the Department does not provide the services referred to in section 16 (1) inform inmates of services available from other sources and put inmates who request such services in touch with appropriate agencies.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
31.	Section 19 (2)	The National Commissioner must provide every inmate who is a child with social work services, religious care, recreational programmes and psychological services	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
32.	Section 19 (3)	The National Commissioner must , if practicable, ensure that inmates who are children remain in contact with their families through additional visits	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
33.	Section 20 (1)	Permit a mother to have her child with her until such a child is 2 years of age, or until such time that the child can be appropriately places taking into consideration the best interest of the child.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand	Compliance to all relevant prescripts

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	Section	Topic Description		Head Office	Region	Management Area	
						Detention Centre	
34.	Section 21 (3) read with section 21(4)	If an inmate is not satisfied with the response to his or her complaint or request, the inmate may indicate this together with the reasons with dissatisfaction to the Head of the Correctional Centre, who must refer the matter to the National Commissioner.	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	Compliance to all relevant prescripts
35.	Section 21 (4)	The response of the National Commissioner must be conveyed to the inmate.	NC	No delegation	No delegation	Head of the Correctional Centre / Head of Remand Detention Centre	
36.	Section 24 (1) (read together with section 1)	Appoint authorized official/disciplinary in writing. (read with the definition of disciplinary official and authorized official)	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	Area Commissioner (to respond to the complaint/request)
37.	Section 24 (7) (a) and (b)	At the request of the inmate proceedings resulting in any penalty other than the penalty contemplating in subsection 5(d) must be referred for review to the National Commissioner	NC	No delegation	No delegation	Area Coordinator: Corrections on a level higher than the chairperson of the disciplinary hearing.	
38.	Section 26 (3)	In order to achieve the objectives outlined in subsection (1) and subject to the limitations outlined in sections 27 to 35, the National Commissioner may classify and allocate accommodation to inmates.	NC	**COC** CDC Incarceration and Corrections may intervene in cases of overcrowding to transfer inmates across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/ Head of Remand Detention Centre	
39.	Section 30 (1)	Segregation for a period of time, which may be for part of or the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in section 7 (2) (e).	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	
40.	Section 30 (5)	Extend the period of segregation for a period more than seven days for a period not exceeding 30 days if the Head of the Correctional Centre believes it necessary to do so in terms of subsection (1) (c) to (f) and if the medical officer or the psychologist certifies that such an extension would not be harmful to the health of the offender, he or she may, with the permission of the National Commissioner, extend the period of segregation for	NC	No delegation	No delegation	Area Commissioner	

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	Section	Topic Description		Head Office	Region	Management Area	
		a period not exceeding 30 days					
41.	Section 30 (6)	All instances of segregation and extended segregation must be reported immediately by the Head of the Correctional Centre to the National Commissioner and Inspecting Judge	NC	No delegation	No delegation	Head Correctional Centre report to the Regional Commissioner and the Inspecting Judge via the Area Commissioner.	
42.	Section 31 (3) (c)	Extend the minimum period necessary for the restraint of an offender by mechanical restraints for a maximum period not exceeding 30 days after consideration of a report by a medical officer or psychologist.	NC	No delegation	No delegation	Area Commissioner	
43.	Section 39 (2) (a)	The National Commissioner may determine, unless the court directs otherwise or unless the court directs that such sentences shall run concurrently, how sentences of imprisonment: commencement, computation and termination of sentences must be served.	NC	No delegation	No delegation	Head Correctional Centre	
44.	Section 39 (5) (a)	Determine the order in which a sentence of correctional supervision must be served other than the one after the expiration, setting aside or remission of the other unless the Court specifically directs otherwise or unless the Court directs that such sentences shall run concurrently.	NC	No delegation	No delegation	Head of Community Corrections	
45.	Section 39 (6) (a)	Issue a warrant for the arrest of an offender, if the offender had been released from a correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	NC	No delegation	No delegation	Area Commissioner	
46.	Section 40 (4) (b)	Determine the amount of gratuity that sentenced offenders receive for their labour must be determined by the National Commissioner with the concurrence of the Minister of Finance	NC	Chief Financial Officer in consultation with the COO	No delegation	No delegation	
47.	Section 41 (6)	Compel sentenced offenders to participate in programmes and use services offered in terms of sub sections (1), (3) and (4) where of the opinion that their participation is necessary having regard to the nature of their previous criminal conduct and	NC	No delegation	No delegation	Head of Correctional Centre	

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	Section	Topic Description		Head Office	Region	Management Area	
		the risk they pose to the community.					
48.	Section 43 (4)	Transfer a sentenced child to a child and youth care centre as contemplated in section 191(2)(j) of the Children's Act 2005 (Act no. 32 of 2005), in consultation with the Director General of the Department of Social Development and from which date the provision of section 76 of the Child Justice act of 2008 will apply	NC	No delegation	No delegation	Head of the Correctional Centre/Remand Detention Centre	
49.	Section 44 (1)	Permit in writing on such conditions and for such periods, as specified, a sentenced offender to leave correctional centre temporarily for the purpose of: (a) Compassionate leave; (b) Treatment, development or support programmes; (c) Preparation for release; or (d) Any other reason related to the successful integration of the offender into the community.	NC	No delegation	Application for deviation: RC	Head of the Correctional Centre (minimum level DD) after consultation with the Area Commissioner. Heads Correctional Centre on lower levels: Area Coordinator Corrections after consultation with the Area Commissioner	All approvals must be communicated to the RC on the same day as approval (in high profile cases)
50.	Section 44 (3) (a) and (b)	Withdrawal of permission for temporary leave	NC	No delegation	No delegation	Head of the Correctional Centre (minimum level DD) Heads Correctional Centre on lower levels: Area Coordinator Corrections	
51.	Section 49A	Provision of a Unit for Pregnant Remand Detainees	NC	No delegation	No delegation	Area Commissioner	
52.	Section 49B	Detain disabled remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/ Head of the Remand Detention Centre	
53.	Section 49C	Detain aged remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/	

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	Section	Topic Description		Head Office	Region	Management Area	
						Head of the Remand Detention Centre	
54.	Section 49D	Detain mentally ill remand detainees in single cell or correctional health facility	NC	No delegation	No delegation	Head of the Correctional Centre / Head of the Remand Detention Centre	
55.	Section 49F(1)	Release of remand detainee under the supervision of the SAPS to a maximum period of 7 days	NC	**No delegation**	From more than 3 days to 7 days **Deputy Regional Commissioner** Request for the second time by the same detective, for the same case **Regional Commissioner**	Less than 1 day (return same day/not overnight) **Head of RDF or Head of the Correctional Centre** From a full day (overnight) to 3 days **Area Commissioner**	If the RD is not brought back at the agreed upon time, it must be followed up immediately with the SAPS, and immediately inform both DCS and SAPS management that gave approval and inform the clerk/registrar of the court. Ensure total compliance to the protocol signed on 04/09/2014 between DCS and the SAPS.
56.	Section 52 (1) read together with section 42 (2) (e) and section 75 (1)	May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (a) to (q) of this section, subject to the limitations in sub-section (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act.	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
57.	Section 54 (2)	Determine the duration of placement on day parole except in cases of life imprisonment and dangerous criminals where the court will have to decide.	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional	

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	Section	Topic Description		Head Office	Region	Management Area	
						Supervision and Parole Board	
58.	Section 58(6) (b) read together with section 52 (1)	Submission of report by supervision committee to National Commissioner	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
59.	Section 61(2)	The National Commissioner must assist in the attempt to find employment.	NC	No delegation	No delegation	Before placement Head Correctional Centre After placement Head Community Corrections	
60.	Section 62 (a)	Permit a person subject to community corrections who is required in terms of section 52 (1) (d) to take up and remain in employment, to change his or her employment may not change his or her employment without the permission of the National Commissioner	NC	No delegation	No delegation	Head Community Corrections	
61.	Section 62 (c)	Permit a person to leave the place of employment during working hours for purposes unrelated to the employment when a person subject to Community Corrections is required in terms of section 52 (1)(d) to take up and remain in employment.	NC	No delegation	No delegation	Head Community Corrections	
62.	Section 63 (a)	Demand that a probationer or parolee submit a statement of income and expenditure, as often as may be deemed necessary in order to ascertain the financial ability of a probationer or parolee.	NC	No delegation	No delegation	Head of Community Corrections	
63.	Section 63 (b)	Demand proof as specified of payment of compensation as ordered by the court of a person subject to community corrections who is required to	NC	No delegation	No delegation	Head of Community Corrections	

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		pay compensation.					
64.	Section 64 (4)	Grant leave of absence from a session where a person must attend programmes in terms of Section 52 (1) (f).	NC	No delegation	No delegation	Head Community Corrections	
65.	Section 65(1)	Provide the National Commissioner with a statement of income and expenditure if required to make a contribution on costs	NC	No delegation	No delegation	Head Community Corrections	
66.	Section 65 (2)	The National Commissioner may, within the means of such person, determine the contribution to costs which that person must make and may adjust the period of supervision and day parole	NC	No delegation	No delegation	**Probationers and Parolees:** Head of Community Corrections Office **Day Parolees:** Head of Correctional Centre	
67.	Section 66 (1)	Authority to be consulted with when the court, Correctional Supervision and Parole Board or other body which has the authority to impose community corrections, requires a person to live at a fixed address in terms of section 52 (1) (j), determine such address.	NC	No delegation	No delegation	Head of Community Corrections	
68.	Section 66 (2) (a) and (b)	Declare a fixed address in terms of Section 52 (1) (j) to be unsuitable and refer the matter back to the Court, Correctional Supervision and Parole Board or other body, to stipulate another address.	NC	No delegation	No delegation	Head of Community Corrections	
69.	Section 68(4)	Appoint persons in terms of section 96(4) to assist correctional officials in monitoring	NC	No delegation	No delegation	Area Commissioner	
70.	Section 69(2)	Where any child is subject to supervision in terms of this Chapter, the National Commissioner must, in addition to any programmes which the child in terms of section 52(1)(f) may be required to take part in, ensure that if the child requires support he or she has access to adequate social work services, religious care, recreational programmes and psychological services.	NC	No delegation	No delegation	Head Community Corrections	
71.	Section 70 (1) (a) and (b)	(a) When a person subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her or any duty	NC	No delegation	No delegation	(a) (i) Less serious: Supervision Official	

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		placed on him or her in terms of any section of Chapter 6 (Community Corrections) depending on the nature and seriousness of the non-compliance as stipulated in the Order– (i) Reprimand the person. (ii) Instruct the person to appear before the Correctional Supervision and Parole Board that is situated closest to the place of residence of such person or the Board which has jurisdiction within the area where the non-compliance took place or other body which imposed the Community Corrections; (iii) Issue a warrant for the arrest of such person. (b) Instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person if satisfied that the person has a valid excuse for not complying with any such condition or duty.				under whose supervision offender is. Serious: Supervision Committee under whose supervision offender is. (ii) Head of Community Corrections Office (iii) Heads of Community Corrections Office or Correctional Centre (b) Head of Community Corrections Office	
72.	Section 70 (3)	Instruct a person to appear before the court, Correctional Supervision and Parole Board or other body which imposed the community corrections if a person subject to community corrections has failed to meet the conditions imposed on him or her but that such failure is due to a change in circumstances beyond the control of the person concerned.	NC	No delegation	No delegation	Head of Community Corrections	
73.	Section 70 (4)	Issue a warrant in terms of subsection (1) (c) and act in terms of subsection (2) if a person subject to community corrections fails to obey an instruction issued in terms of subsections (1) (b) or (3).	NC	No delegation	No delegation	Head of Community Corrections	
74.	Section 71 (1) read together with section 276 A (4) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977).	Apply to the court, Correctional Supervision and Parole Board or other body which ordered the imposition of community corrections, to amend the conditions which make up the community corrections in a particular case if it is the opinion that a change of circumstances calls for a change in the conditions.	NC	No delegation	No delegation	Head of Community Corrections	

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75.	Section 71 (3)	Issue a warrant in terms of section 70 (1)(c) for arrest if a person fails to appear when instructed to do so before a court, Correctional Supervision and Parole Board or other body in terms of subsection (2).	NC	No delegation	No delegation	Head of Community Corrections	
76.	Section 72(4)	If a person is not satisfied with the response on his or her complaint or request from the Head Community corrections, he or she may refer the matter to the National Commissioner whose response must be communicate to the person concerned	NC	No delegation	No delegation	Area Commissioner	
77.	Section 73(7)(b)	A person sentenced to incarceration for a period not exceeding five years as an alternative to a fine under section 287(4)(a) of the Criminal Procedure Act, may be considered for placement under correctional supervision by the National Commissioner or the Correctional Supervision and Parole Board as soon as possible after admission to a correctional centre subject to the conformation of a suitable support system,, unless the court has directed otherwise	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
78.	Section 74 (2) (e)	The National Commissioner must nominate one official of the Department to form part of the Correctional Supervision and Parole Board appointed by the Minister.	NC	No delegation	Regional Commissioner only with regard to section 74(2) (e).	No delegation	The vice chairperson and 2 community member are not nominated by the National Commissioner and therefore not delegated
79.	Section 74 (3)	The National Commissioner must designate the correctional official to act as secretary to the Parole Board	NC	No delegation	DRC	No delegation	
80.	Section 74 (8)	Determine on recommendation of the Department of Public Service and Administration the remuneration and allowances of a member of a Board who is not in the fulltime service of the State may receive.	NC	DC: Human Resource Management	No delegation	No delegation	
81.	Section 75 (1B) (a)	Identify offences for purposes of subsection (1A) with the concurrence of the National Commissioner of the South African Police Service, the Director-General of the Department of Justice and the National Director of Public Prosecutions.	NC	CDC Incarceration and Corrections	No delegation	No delegation	

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82.	Section 75(2)(a) read together with 75(2) (C)	Referral by the National Commissioner of recommendations for cancellation for correctional supervision or day parole in the cases of sentenced inmates serving sentences of 24 months or more except life incarceration.	NC	No delegation	No delegation	Area Commissioner	
83.	Section 75 (7) (a) and (b)	Despite subsections (1) to (6), authorizes: (a) Placement under correctional supervision or day parole or grant parole to an offender serving a sentence of up to 24 months imprisonment and prescribe conditions in terms of sections 52; (b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.	NC	No delegation	No delegation	Head of Correctional Centre	
84.	Section 75 (8)	Refer a decision to the Correctional Supervision and Parole Review Board in so far as it relates to the National Commissioner for reconsideration.	NC	CDC Incarceration and Corrections	No delegation	No delegation	
85.	Section 79 read with regulation 29A(7)	Consideration for placement on medical parole by the National Commissioner the Correctional Supervision and Parole Board or the Minister" in so far as it relates to the National Commissioner	NC	No delegation	No delegation	Up to 24 months incarceration: Head of the Correctional Centre after receiving a report from the medical advisory board as referred to in section 79(3)(a)	Other categories provided for in the Act and not delegated
86.	Section 80(1)	Recommend to the Correctional Supervision and Parole Board that an offender be granted special remission of sentence not exceeding two years either unconditionally or subject to such conditions as the Board may determine when such an offender has acted highly meritoriously excluding offenders serving life sentences or declared as dangerous criminals.	NC	No delegation	No delegation	Head of Correctional Centre Head Community Corrections (for offenders under Community Corrections)	
87.	Section 81 (3)	Community Corrections granted in terms of subsection (2) is subject to such conditions as	NC	No delegation	No delegation	Head of Correctional Centre	

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		may be imposed by the Correctional Supervision and Parole Board under whose jurisdiction the sentenced offenders may fall or the National Commissioner in terms of section 75(7)					
88.	Section 84(3)	The National Commissioner must provide the necessary information and resources to enable the National Council to perform its functions	NC	COC CDC Incarceration and Corrections	No delegation	No delegation	
89.	Section 90(2)	The Inspecting Judge may only receive and deal with the complaints submitted by the National Council and, the Minister, the National Commissioner and, in cases of urgency, an Independent Correctional Centre visitor" in as far as it relates to the National Commissioner.	NC	COC CDC Incarceration and Corrections CDC Community Corrections	Regional Commissioner	None	
90.	Section 95 (1) and (2)	The National Commissioner must monitor compliance with relevant prescriptions by means of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.	NC	**Internal Auditing** Chief Audit Executive **Inspections: Head Office Component** COC **Investigations: Departmental Investigation Unit** Director Departmental Investigation Unit	**Inspections: Regional Inspectorate** DRC	No delegation	The approval to carry out the functions must be read with regulation 30(2) and (3). The approval to carry out the function is sufficient and no further approval is required to have access to any departmental premises, and have access to or search and seize any Departmental record or document. The same principle is also applicable to Code Enforcement initiators when initiating in a matter emanating from a DIU investigation.
91.	Section 95 (1) and (3)	Approve the institution of investigations other than investigations referred to in section 95A as well as the approval of the recommendations in the investigation report.	NC	Relevant Director and higher according to line functions. The COC may institute any investigation into any matter, apart from section 95A, that relates to the functions under the control of the COC.	Relevant Director and higher according to line functions	1. Director and higher according to line functions. 2. The Head of the Centre/Community Corrections office in relation to investigations in relation to inmates/parolees /probationers excluding escapes that must be	The National Commissioner may institute investigations into any matter. No matter referred to in section 95A can be investigated in regions/head office without the approval in writing by the Director DIU or the National Commissioner. In Regional Offices and Head Office, in relation to employees based at the regional office or head office, all decisions to take disciplinary action as well the outcome of any disciplinary processes must be communicated to the

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	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
						appointed by the Area Commissioner	personnel office in writing.
92.	Section 95 (1) and (3)	Approve the appointment of investigator/s other than investigations referred to in section 95A	NC	Relevant Director and higher according to line functions The COC may appoint investigators into any investigation instituted under delegation 91	Relevant Director and higher according to line functions RH: Human Resources	1. Director and higher according to line functions. 2. The Head of the Centre / Community Corrections in relation to inmates / parolees / probationers excluding escapes that must be appointed by the Area Commissioner	The National Commissioner may intervene in any matter and appoint investigators.
93.	Section 95A	Authorize investigators to investigate matters in terms of Section 95A of the act.	NC	Director Departmental Investigation Unit	No delegation	No delegation	All matters referred to in section 95A must be referred to the Dir. DIU. The Dir DIU may decide that a region investigate if the DIU lacks capacity or for reason of urgency. Such approval shall be in writing. Officials appointed in the DIU are *ex-officio* appointed as investigators in terms of section 95A and does not require written appointment for a specific case and will a certificate of appointment in terms of regulation 30(1)(c) be issued.
94.	Section 95B	Authorize initiators to initiate in disciplinary proceedings resulting from any investigation in terms of section 95A and which has been submitted to the Director Code Enforcement to conduct a disciplinary hearing.	NC	Levels 2-10 Deputy Director Code Enforcement Levels 11-15 Director Code Enforcement	No delegation	No delegation	1. The Director Code Enforcement may appoint in writing any initiator (not on the establishment of the Directorate Code Enforcement) in terms of section 95B from a region/head office to initiate if CE lacks capacity or for reason of urgency. 2. Officials appointed in the Directorate Code Enforcement are *ex-officio* appointed as initiators in terms of section 95B and does not require

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	Section	Topic Description		Head Office	Region	Management Area	
							written appointment to initiate in disciplinary hearings.
95.	Section 95B	Approve formal or informal disciplinary hearing and charges emanating from section 95A investigations	NC	Levels 2-10 Deputy Director Code Enforcement Levels 11-12 Director Code Enforcement Levels 13 DC Legal Services Level 14-15 National Commissioner	No delegation	No delegation	
96.	Section 95B read together with res 1 of 2006 and chapter 7 of the SMS manual	Approve the appointment of chairperson in disciplinary hearings	NC	Levels 2-12 DC Legal Services Levels 13 DC Legal Services Level 14-15 National Commissioner	No delegation	No delegation	
97.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006	Decisions regarding appeals against dismissals and disciplinary action as alternative to dismissal emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A	NC	Levels 2-12 DC Legal Services	No delegation	No delegation	
98.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006	Decisions regarding appeals on disciplinary action up to final written warning emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A.	NC	Levels 2-12 Director Code Enforcement	No delegation	No delegation	Where the Dir CE has signed the sanction the appeal must be submitted to the DC LS
99.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act, 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Management of Grievances submitted in terms of the departmental grievance procedure.	NC	Line management via direct supervisor up to DC Human Resource Management	Line management via direct supervisor up to Deputy Regional Commissioner	Line management via direct supervisor up to Deputy Regional Commissioner	Compliance to time frames as prescribed in the grievance procedure
100.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as	Dispute Resolution Approval of Mandate to defend / settle (**no financial implication**) disputes in conciliation/arbitrations	NC	Disciplinary matters: Director Employee	Regional Head Corporate Services in Regions on matters excluding section	No delegation	Representatives of CE are *ex officio* and need not be appointed in writing in cases allocated by the Director CE.

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	Section	Topic Description		Head Office	Region	Management Area	
	amended read together with PSCBC Resolution 5/2005	hearings and to appoint Departmental Representatives		Relations. HR Matters: DC HRM Director Code Enforcement in section 95B matters.	95B matters		
101.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of Mandate to defend / settle disputes in arbitration hearings and to appoint Departmental Representatives (financial implications)	NC	1. To defend in arbitrations concerning interpretation and application of resolutions and policy. **DC HRM** 2. To settle in arbitrations concerning interpretation and application of resolutions and policy **CDC HR** 3. Unfair labour practice/dismissal/ discrimination disputes. *(Excluding section 95B matters)* Levels 2-12 **Director Employee Relations** Level 13: **DC HRM** Level 14: **CDC HR** (Level 15 not delegated) **Code Enforcement Section 95B cases** Appoint representative Levels 2-15 Representatives of CE are *ex officio*.	1. To defend in arbitration concerning interpretation and application of resolutions and policy. No delegation 2. To settle in arbitrations concerning interpretation and application of resolutions and policy No delegation 3. Unfair labour practice/dismissal/ discrimination disputes. (Excluding section 95B matters) Levels 2-12 RH Corporate Services Level 13: DRC Level 14: RC (Level 15 not delegated)	No delegation	All matters concerning interpretation and application of resolutions and policy to be consulted with the Directorate responsible for arbitrations in Head Office.

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	Section	Topic Description		Head Office	Region	Management Area	
				Mandate to settle/defend Level 2-12 **Dir CE** Level 13 **DC Legal Services** Levels 14 and 15 not delegated			
102.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute resolution Approval of Mandate to defend / settle disputes in arbitration hearings (involving substantial financial risk for more than one individual or an implication on national policy application) and to appoint Departmental Representatives	NC	**Dir ER to appoint representative in all cases except section 95B matters.** **To defend:** DC HRM **To settle:** CDC Human Resources **Sections 95B matters:** Representatives of CE are *ex officio.* **To defend all levels:** Dir CE **To settle:** **Levels 2-12** Dir CE **L13:** DC Legal Services **L14-15:** Not delegated	No delegation	No Delegation	**Settlements with substantial financial implications must be consulted with finances**
103.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to review all arbitration awards (Section 145 of the LRA) or to withdraw such review.	NC	Levels 2-12 DC LS Levels 13 -15 Not Delegated.	No delegation	No delegation	If the award is not referred for review there is no requirement for a mandate to implement and must be implemented, since there is an award already that is enforceable i.t.o section 143 of the LRA. Failure to implement may lead to contempt proceedings in the Labour Court. The Director Employee Relations, Director Code Enforcement (latter in section 95B cases only) and the Regional Head Human Resources are responsible to ensure implementation.

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	Section	Topic Description		Head Office	Region	Management Area	
104.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to request rescission or variation of arbitration awards (Section 144 of the LRA)	NC	Director Employee Relations in Head Office Director Code Enforcement for section 95B cases	Regional Head Human Resources in Regions **No delegation for section 95B matters**	No delegation	
105.	Section 96 (4)	Appoint unpaid voluntary workers who are not employees of the Department, and determine the extent of the powers they may exercise.	NC	Director Human Resource Administration and	Regional Head Human Resources	Area Commissioner	
106.	Section 96 (5) of Act 111 of 1998.	Early retirement of officials from levels 2-12 employed under the Correctional Services Act from the age of 55. (Early retirement between the age of 50 and 55 is not delegated.)	NC	Deputy Commissioner Human Resource Management	No delegation	No delegation	Compliance to all relevant policies and prescripts. No delegation for SMS members, National Commissioner to decide.
107.	Section 99 (5)	Permit any person other than those mentioned in subsections (1) to (4) in terms of this section to visit an inmate, a correctional centre or any specific section of a correctional centre for any special or general purpose.	NC	- International Committee of the Red Cross: **COC** - Visitors from other countries : **COC** - Media: Dir. Communication Services	Media: RC Politicians: Regional Commissioner	- Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections - Other functional visits with whom the DCS liaises, representatives of other organizations or state	-

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	Section	Topic Description		Head Office	Region	Management Area	
						departments: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections - Media: Area Commissioner	
108.	Section 101 (2) (a)	Authorise a correctional official to search another correctional official or seize his or her property without his or her consent.	NC	DD Physical Security: Directorate Security Standards	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level: Area Coordinator: Corrections	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level: Area Coordinator: Corrections	**Compliance at all times to relevant prescripts**
109.	Section 101 (4) (a)	Sell any property seized in terms of this Act or the property of a deceased or escaped offender which is in the care of the Department, by public auction, if it is not lawfully claimed within six months after being seized or after the death or escape.	NC	No delegation	No Delegation	Area Coordinator Finances	
110.	Section 101 (4) (c)	Pay over the balance of the proceeds of a sale in terms of subsection 101 (4) (a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	NC	No delegation	No Delegation	Area Coordinator Finances	

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	Section	Topic Description		Head Office	Region	Management Area	
111.	Section 109 (2)	Certify the appointment of custody officials.	NC	DC HRD	No delegation	No delegation	
112.	Section 109 (4)	Keep a register containing the particulars of each certified custody official.	NC	DC HRD	No delegation	No delegation	
113.	Section 109 (6)	Revoke suspension or certification of custody official, after a custody official has been suspended.	NC	DC HRD	No delegation	No delegation	
114.	Section 111 (1) (b)	Authorize an employee of the Contractor or an employee of a sub-contractor to disclose information regarding the functioning of a joint venture correctional centre or any information related thereto.	NC	CFO in consultation with the DC Legal Services and COC	No delegation	No delegation	
115.	Section 123 (2) (a) read with section 123(2)(b)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	NC	Dir. Public Education, Stakeholder Relations and Media Services	No delegation	No delegation	
116.	Section 132 (1) read with regulation 39(1)	Grant approval of the establishment of canteens for the exclusive use or benefit of correctional officials, the families of such officials and other persons or categories of persons prescribed by regulation.	NC	DC Integrated Employee Health & Wellness	No delegation	No delegation	
117.	Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	NC	DC Integrated Employee Health & Wellness	No delegation	No delegation	
118.	Section 133 (2)	Authorise specific services necessary or expedient and in the public interest or in the interest of any deserving charity to be rendered gratuitously.	NC	No delegation	No delegation	HCC on DD level. Area Coordinator Corrections where HCC is lower than a DD	

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B. CORRECTIONAL SERVICES REGULATIONS 2012, AS AMENDED

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
1.	Regulation 5 (1)	Permit a sentenced offender to wear other clothes than clothing issued to him or her on admission to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre	
2.	Regulation 7 (7) (b)	Grant approval that an offender may participate in clinical trials on application made by the offender.	NC	No delegation	Regional Commissioner	No delegation	
3.	Regulation 7 (8) (a)	Grant approval on request of an offender to donate or receive an organ or tissue by donation, in accordance with the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983).	NC	No delegation	Regional Commissioner	No delegation	
4.	Regulation 7 (8) (b)	Grant approval on request from a person to receive any form of artificial fertilization in terms of the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983) from an offender.	NC	No delegation	Regional Commissioner	No delegation	
5.	Regulation 7 (9) (a)	Grant approval that an offender may be sterilized at State expense when the procedure is required for medical reasons as certified by the medical officer.	NC	No delegation	Regional Commissioner	No delegation	
6.	Regulation 7(9)(b)	The National Commissioner may approve an abortion at State expense only in the circumstances contemplated in Sections 2(1)(b)(i), (ii) or (iii) and 2(1)(c) of the Termination of Pregnancy Act, 1996 (Act No. 92 of 1996).	NC	No delegation	No delegation	Area Commissioner	
7.	Regulation 9 (1) (b)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to remove and bury the deceased at their own expense.	NC	No delegation	No delegation	Head of Correctional Centre	
8.	Regulation 9 (1) (c)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to transport the deceased offender at State expense to another magisterial district, the cost of the burial to be borne by the person requesting the transportation.	NC	No delegation	No delegation	Area Commissioner	
9.	Regulation 10 (2) (e) read with section 3 (5) (g)	Appoint a temporary educator with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC	No delegation	Regional Head Corporate Services in consultation with the Regional Head Development and Care	No delegation	

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	Section	Topic Description		Head Office	Region	Management Area	
10.	Regulation 10 (2) (e)	Appoint a voluntary worker with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC	No delegation	No delegation	Area Commissioner	
11.	Regulation 12 (1)	Permit an offender to consult with his or her legal practitioner in connection with legal matters subject to certain conditions.	NC	No delegation	No delegation	Head of Correctional Centre	
12.	Regulation 14 (1) (b)	Appoint a Case Presenter in writing in a disciplinary hearing for offenders.	NC	No delegation	No delegation	Head of Correctional Centre	
13.	Regulation 15 (2) (b)	Grant approval that when an inmate temporarily removed from a correctional centre is to appear before Court or for the purposes of a criminal investigation, that such an inmate may be placed in the safe custody of a member of the South African Police Services instead.	NC	No delegation	From more than 3 days to 7 days **Deputy Regional Commissioner** Request for the second time by the same detective, for the same case **Regional Commissioner**	Less than 1 day (return same day/not overnight) **Head of RDF or Head of the Correctional Centre** From a full day (overnight) to 3 days **Area Commissioner**	**The same protocol as referred to in the delegation for section 49F must be adhered to.**
14.	Regulation 21 (5) (a)	Appointing correctional officials as members of Emergency Support Teams.	NC	No delegation	No delegation	Area Commissioner	
15.	Regulation 22 (2)	Classification of sentenced offenders.	NC	No delegation	No delegation	Unit Manager: Case Management Committee	
16.	Regulation 23 (2) (a)	Enter into a contract with any institution or person for the utilization of the labour or service of correctional centres upon such terms and conditions as may be agreed between the parties.	NC	No delegation	No delegation	Head of Correctional Centre	
17.	Regulation 23 (2)(b)	Sell the products of the labour or service in a correctional centre to any person on such conditions as may be determined.	NC	No delegation	No delegation	Area Commissioner	
18.	Regulation 23 (4)	Order that a sentenced offender may be exempted from work on any day during any period in terms of a classification scheme or course of treatment or otherwise.	NC	No delegation	No delegation	Head of Correctional Centre	
19.	Regulation 23 (5)	Grant approval that an offender may perform work for another offender, correctional official or a private person	NC	No delegation	No delegation	Head of Correctional Centre	

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	Section	Topic Description		Head Office	Region	Management Area	
		or body.					
20.	Regulation 24(1)(a)	A Case Management Committee consists of at least three correctional officials, one of whom is designated by the National Commissioner as chairperson of that Committee	NC	No delegation	No delegation	Area Commissioner	
21.	Regulation 24(2)	The chairperson must, as often as the National Commissioner may determine, convene a meeting of the Committee.	NC	No delegation	No delegation	Area Commissioner	
22.	Regulation 25A(1)	Provide particulars as required in terms of Section 49 of the Criminal Law (Sexual Offences and Related matters) Amendment Act 2007, (Act no. 32 of 2007) to the registrar of the National Register for Sex offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
23.	Regulation 25A(2)	To inform sex offenders of the implications of being registered in the National Register for Sex Offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
24.	Regulation 26H	In the event of failure to return a remand detainee within such period, the Head of the Remand Detention Facility or the Correctional Centre, as the case may be, must inform the National Commissioner in order to take appropriate steps to ensure the appearance of the remand detainee at court.	NC	No delegation	No delegation	Area Commissioner must be informed and must take appropriate steps to ensure the appearance of the remand detainee at court	The Protocol as referred to in section 49F must be adhered to.
25.	Regulation 30 (1) (a) read together with regulation 30(1)(c) and section 95A	Appoint investigators to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections)	NC	Director Departmental Investigation Unit	No delegation	No delegation	The certificate of appointment to be signed by the Director DIU for investigators and for officials appointed to initiate in terms of section 95B by the Director Code Enforcement.
26.	Regulation 30 (1) (a) read together with section 95 (1)	Appoint internal auditors to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC Chief Audit Executive	No delegation	No delegation	The certificate of appointment to be signed by the relevant Director in the Chief Directorate Chief Audit Executive for internal auditors.
27.	Regulation 30 (1) (a) read together with read together with regulation 30(1)(c) and section 95 (1)	Appoint inspectors to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC ICC	DRC for regional inspectors	No delegation	The certificate of appointment to be signed by the Director Inspectorate for inspectors, including regional inspectors
28.	Regulation 31	Allocate official residential accommodation to a	NC	No delegation	No delegation	Area Coordinator Human	1. Officials who work at Regional

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	Section	Topic Description		Head Office	Region	Management Area	
		correctional official for occupation for such period and under such conditions as may be determined.				Resources on Director Level/ Area Commissioner on recommendation of the Housing Committee	Offices and National head Office are subjected to this delegation and must apply to the relevant Area Commissioner for housing. 2. Accommodation reserved for a specific post need not be advised on by the Housing Committee if the house is occupied by the person in such post. 3. The allocation of reserved accommodation may only be allocated to other officials after approval with recorded reasons by the Area Commissioner.
29.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clause 4 - Decision to institute disciplinary proceedings **(except in cases handled in terms of section 95B)**	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
30.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clauses 5.1 to 5.3 Imposing the sanctions of Corrective Counseling, Verbal and Written Warning **(except in cases handled in terms of section 95B)**	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
31.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clause 5.4 Imposing the sanction of Final Written Warning **(except in cases handled in terms of section 95B)**	NC	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
32.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 4 - Decision to institute disciplinary proceedings **(except in cases handled in terms of section 95B)**	NC	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.

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	Section	Topic Description		Head Office	Region	Management Area	
33.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 7.3.3 Appointment of Chairperson (**except in cases handled in terms of section 95B**)	NC	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	
34.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 7.3.4 Appointment of Initiator (**except in cases handled in terms of section 95B**)	NC	Assistant Director or higher	Assistant Director or higher	Assistant Director or higher	
35.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 7.3.5 Employer agree with the employee that the hearing may be chaired by a panelist (Commissioner) from a dispute resolution agency (GPSSBC / PSCBC / CCMA) and approval of prescribed fees to the relevant council.	NC	— Director Employee Relations — Director Code Enforcement in cases handled in terms of section 95B	RH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Dir CE
36.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clauses 7.4.1.1 to 7.4.1.7 Imposing the sanctions of Corrective Counseling, Verbal Warning, Written Warning, Final Written Warning, Dismissal or the alternative sanctions to dismissal namely demotion or suspensions without remuneration for a period of one (1), two (2) or three (3) months.	NC	ASD or higher	ASD or higher	ASD or higher	Compliance with res 1 of 2006
37.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 8.4 Appeal in non-dismissal cases	NC	A manager on higher level that the supervisor / manager of first instance.	A manager on higher level that the supervisor / manager of first instance.	A manager on higher level that the supervisor / manager of first instance.	Section 95B cases. Appeal for non-dismissible cases. Next level manager refers to the next level manager of the official who gave the sanction.
38.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 8.5 Appeal in dismissal cases and appeals against the alternatives to dismissal. (**except in cases handled in terms of section 95B**)	NC	DC Employee Relations or CDC Human Resources if the DC ER cannot make a decision	Deputy Regional Commissioner or RC if the DRC cannot make a decision	No Delegation	The appeal submission must be referred to National Head Office for a decision by the DC Employee Relations in cases where the DRC or the RC (who is the line function decision maker above the DRC) cannot make a decision.

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
39.	Regulation **33 (1)** read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) **levels 2-12**	Serious Misconduct Clause 7.2 Precautionary suspension; suspension pending the outcome of appeal and review of suspensions.	NC	— Director or higher — In cases handled by the DIU in terms of section 95A: Director DIU. — If case was investigated in terms of Section 95A and handed over to Code Enforcement in terms of Section 95B the Director CE to decide on further suspension for levels 2-12.	Director or higher	Director or higher	The decision must always be taken by official at least one level higher than the official suspended. The review of suspensions shall be handled in terms of the relevant prescripts and no deviation allowed.
40.	Regulation **33 (2)** read with Chapter 7 of the SMS manual in relation to **SMS members**.	Precautionary suspension and review of suspension	NC	Level 13 COC DC Legal Services in section 95A and B cases Level 14 and 15 Not delegated	Level 13 COC No delegation in section 95A and B cases. Level 14 and 15 Not delegated	No delegation	1. In section 95A and B cases levels 14 and 15 to be decided by NC 2. In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on further suspension once the disciplinary hearing commenced. 3. All suspension decisions of SMS members shall be done in consultation with the CDC HR.
41.	Regulation 33 (2) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) and read with Chapter 7 of the SMS manual in relation to SMS members.	Disciplinary matters in relation to SMS	NC	Level 13 COC DC Legal Services in section 95B cases Level 14-15 Not delegated	Level 13 COC No delegation in section 95 and B cases. Level 14-15 No delegation	No Delegation	1. In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on the sanction and therefore no delegation required on sanctions. 2. All disciplinary decisions of SMS members shall be done in consultation with the CDC HR.

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	Section	Topic Description		Head Office	Region	Management Area	
							3. Disciplinary decisions in relation to section 95A and B must be done after consultation with the CDC HR.
42.	Regulation 35 and 36	An executing authority may on the basis of medical evidence, consider the discharge of an employee in terms of Section 17(2)(a) of the Act on account of ill health. To this end, an executing authority may require an employee to undergo a medical examination by a registered Physician	NC	**Levels 2-10** DD Retention and Terminations **Levels 11-12** Director Human Resource & Administration **SMS** No delegation: National Commissioner to decide.	No delegation	No delegation	Compliance to relevant prescripts
43.	Regulation 37(2)	Abscondment of correctional official. Reg 37 (2) (b) Establish whereabouts of the official that is absent. Reg 37 2 (a) Dismissal of the official Reg 37 (2) (c) and (d) Decision on representation by official who was summarily dismissed for being absent for 30 consecutive calendar days to be re-instated or re-employed	NC	1. Establish whereabouts of the official that absconded: **Relevant Deputy Director** 2. Dismissal of the official Levels 2-12 **Director and higher.** 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: **Relevant DC**	1. Establish whereabouts of the official that absconded: **Relevant Deputy Director** 2. Dismissal of the official Levels 2-12 **Director and higher.** 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: **DRC**	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed: No delegation	The provisions of reg 37 (2) must be adhered to at all times. All decisions on SMS remains with the NC and are not delegated

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	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
44.	Regulation 39 (2) (b)	Determine how and when any profits, assets or any proceeds from the liquidation of a departmental canteen may be distributed by the committee for any purposes contemplated in section 132 of the Act, or for the common benefit or welfare of correctional officials, pensioners, civilian employees and their dependents.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
45.	Regulation 39 (2) (c)	Authorise any expenditure for accommodation or other necessities provided by the State in consultation with National Treasury relating to a departmental canteens.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

ASSIGNMENTS: THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

By virtue of the authority vested in me in terms of section 16(2) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended, I **Arthur Fraser, National Commissioner of Correctional Services**, hereby assign the duties imposed on me in terms of the Occupational Health and Safety Act 1993 (Act No. 85 of 1993), as amended to the person serving in the posts as indicated below. The assignment is to the person occupying the relevant post and will include a person serving in that post in an acting capacity:

Please note:

(a) **The following abbreviations are used:**

DRC = Deputy Regional Commissioner
DC = Deputy Commissioner
CDC = Chief Deputy Commissioner
DIR = Director
DD = Deputy Director
CO = Correctional Officer
SCO = Senior Correctional Officer
ASD = Assistant Director
HO = Head Office

	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Head Office	Region	Management Area	
46.	8.(1)	Provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees: A Draft & review policy and ensure implementation thereof. B Functional provision and maintenance of working environment that is safe and without risk.	A. Policy: CDC Human Resources B. Functional: DD Auxiliary services	B. Functional. Regional Head Human Resources	B. Functional Area Commissioner Head Correctional Centre/Remand Detention Centre/Community Correctional Office	Officials appointed in these posts must complete training presented by HRD within one (1) year of assumption of duty in the post. (Applicable to all assignments under the OHS Act.)

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

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	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Head Office	Region	Management Area	
47.	8 (2) (a)	Provisioning and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health	DD Auxiliary services	Regional Coordinator Safety and Security	Area Coordinators	
48.	8.(2) (b)	Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
49.	8.(2) (c)	Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
50.	8.(2) (d)	Establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery, which is used in the Department, and as far as is reasonably practicable further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and to provide the necessary means to apply such precautionary measures.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
51.	8.2 (e)	Providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety of employees at work.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
52.	8.(2) (f)	As far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in items prescribed, have been taken.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
53.	8.(2) (g)	Taking all necessary measures to ensure that the requirements of the Occupational Health and Safety Act are complied with, by every person in the employment of the Department or on premises under departmental control where plant or machinery is used.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
54.	8.(2) (h)	Enforcing such measures as may be necessary in the interest of health and safety.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
55.	8.(2) (i)	Ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the Department are implemented.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
56.	8.(2)(j)	Causing all employees to be informed regarding the scope of their authority as contemplated in section 37(1) (b) of the Occupational Health and Safety Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
57.	9.(1)	Conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who is directly affected by his activities are not thereby expose to hazards to their health or safety.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	

A Fraser
National Commissioner: Correctional Services
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	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Head Office	Region	Management Area	
58.	12(1)(a)	**Identify** the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employees, and the steps to be taken to comply with the provisions of the Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
59.	12(1)(b)	As far as is reasonably practicable, **prevent** the exposure of such employees to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
60.	12(1)(c)	Carry out an Occupational Hygiene **Programme** and biological monitoring and subject such employees to medical surveillance.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
61.	13 (a)	Duty to inform: Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
62.	13 (b)	Inform the health and safety representatives concerned beforehand of inspections, investigations or formal enquiries of which he has been notified by an inspector.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
63.	13 (c)	Inform a health and safety representatives as soon as reasonably practicable of the occurrence of an incident in the work place or section in the work place for which such representative has been designated.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000)

DELEGATED IN TERMS OF SECTION 17 (3) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000), I **ARTHUR FRASER NATIONAL COMMISSIONER OF CORRECTIONAL SERVICES**, APPOINTED AS INFORMATION OFFICER IN TERMS OF THE ACT HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

l) The Information Officer (the National Commissioner) has direction and control over every Deputy Information Officer.
m) Any delegation does not prohibit the Information officer (National Commissioner) from exercising the power concerned or performing the duty concerned himself of herself.
n) Any delegation may at any time be withdrawn or amended in writing by the Information Officer.
o) Any right or privilege acquired, or any obligation or liability incurred, as a result of a decision in terms of a delegation of this Act is not affected by any subsequent withdrawal or amendment of that decision.
p) The delegation indicated hereunder, remains in force should a section of the Promotion of Access Act be renumbered in terms of an amendment, precluding any amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
q) The exercise of a delegated authority is at all times subject to the provisions of the Correctional Services Act and Regulations, the Departmental Orders and any directives issued in this regard; and;
r) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.

	POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
1.	Section 17	Appointment as Deputy Information Officers with all authority and competencies provided for in terms of the Promotion of Access to Information Act 2 of 2000	NC	CDC of Branch	RC	No delegation	All decisions must be submitted to the Dir IM quarterly. Appeals against decisions must be forwarded to the Dir IM to present to the appeal board.

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

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PART A: EXECUTIVE AUTHORITY DELEGATIONS TO THE NATIONAL COMMISSIONER FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by -

(a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and

(b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, **Michael Masutha**, **Minister of Justice and Correctional Services**, delegate the powers and duties vested in me to the National Commissioner (NC): Department of Correctional Services as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

Executive Authority and Head of Department to sign and date all pages.

SIGNED AT CAPE TOWN ON THIS 29TH DAY OF AUGUST 2018

NAME OF EXECUTIVE AUTHORITY: **ADVOCATE MICHAEL MASUTHA:** _____

NAME OF EXECUTIVE AUTHORITY PORTFOLIO: **JUSTICE AND CORRECTIONAL SERVICES:**

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **Arthur Fraser:** _____ 28/08/2018

NAME OF DEPARTMENT: **DEPARTMENT OF CORRECTIONAL SERVICES**

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PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Function ary	DESIGNATION / POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
1.	3 (7)	An executive authority has all those powers and duties necessary for- *(a)* the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA				No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner.
2.		*(b)* the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act.	EA				No delegation required. Already provided for in sections 3 and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
3.	3 (8)	(a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. ((d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the	EA	NC 1-15	NC 1-15	NC 1-15	EA approves L16

Executive Authority: _____
Advocate M Masutha (MP)
Date: 29/08/2018

National Commissioner: _____
A Fraser
Date: 28/08/2018

	POWER OR DUTY BEING DELEGATED		Principal Function ary	DESIGNATION / POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		period of three years with such period as the Minister considers appropriate.					
4.	5(8)	*(b)* If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-15	NC 1-15	NC 1-15	EA (NC) NC other performer levels
5.	9	**Appointments in Public Service**					
6.	9	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed.	EA				No delegation required. Already provided for in sections 3(5)(g) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegations in terms of Correctional Services Act.
7.	13	**Appointment on probation**					
8.	13 (1)	If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16.All appointments to be made on probation.
9.	13 (2)	After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16 HR to facilitate in consultation with relevant functionaries All appointments to be made on probation.

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		appointment was subject.					
10.	13 (3)	If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L15-16. HR to facilitate submission and consult with responsible line manager. Confirmation should be based in compliance with all stipulated conditions, work performance of an employee.
11.	14	**Transfers within public service**					
12.	14 (1)	Subject to subsections (2), (3) and (4), any employee of a department may be transferred— (a) within the department, by its executive authority; (b) to another department by the executive authorities of the two relevant departments.	EA				No delegation required. Already provided for in sections 3(5)(g) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
13.	15	**Transfer and secondment from and to public service**					
14.	15 (2)	If it is in the public interest and if the prescribed conditions (if any) have been complied with, the executive authority of a department may, with the approval of the employer concerned, approve the secondment of a person in the service of an organ of state, another government or any other body to the department— (a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15 HR and Legal Services to facilitate

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
15.	15 (3)	(a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16 Refer to subsection 15(3)(b) and (c) HR to facilitate
16.	**16**	**Retirement and retention of services**					
17.	16(2	(b)An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	NC L1-14	NC L1-14	NC L1-14	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA
18.	16 (4)	An officer, **other than a member of the services** or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	NC L1-14	NC L1-14	NC L1-14	Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.)

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA
19.	16 (6)	(a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement.	EA	NC L1-14	NC L1-14	NC L1-14	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA
20.	16 (7)	If it is in the public interest to retain an officer, **other than a member of the services** or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by resolution, exceed in the aggregate two years.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L15-16 The employee concerned must agree to his/her retention in writing. DDG or CFO to be consulted. Extension of service refer to Section 16(7)
21.	16A (4)	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder—	EA	Not delegated	Not delegated	Not delegated	HR facilitates

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PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION / POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		(a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (8).					
22.	16B(6)	If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee.	EA	NC L1-14	NC L1-14	NC L1-14	HR facilitates
23.	**17**	**Termination of employment**					
24.	17 (1)	(a) Subject to paragraph *(b)*, the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act.	EA	NC L1-14	NC L1-14	NC L1-14	Only applicable to officials appointed under the PSA. Officials appointed under CSA refer to delegations under CSA Compliance with Disciplinary Code and GPSSBC resolution 1 of 2006 and Chapter 7 of SMS Handbook. **Refer to S17(1)(b) for misconduct**
25.	**30**	**Other remunerative work by employees**					
26.	30 (1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves NC and DDG HR to Facilitate written motivation from employee and recommendation from Line Manager
27.	30 (3)	(a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	NC L1-14	NC L1-14	NC L1-14	Relevant supervisors to advice HR HR to facilitate CDC (L15) to submit via NC.
28.	**31**	**Unauthorized remuneration**					
29.	31(2)	(b) In circumstances regarded by the relevant executive authority as exceptional, the said authority	EA	NC L1-14	NC L1-14	NC L1-14	Relevant supervisors to advice HR HR to facilitate

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		may approve of paying out of revenue an amount equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned.					
30.	**32**	**Direction to perform other functions or to act in another post**					
31.	32 (2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made— (i) in the case of the post of head of department, by the relevant executive authority;	EA	Not delegated	Not delegated	Not delegated	(Acting appointments for levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act)
32.	35	**Grievances of employees**					
33.	35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	NC L1-14	NC L1-14	NC L1-14	Refer to the grievance procedure.
34.	35(2)	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances of the case, the Commission considers it appropriate to make such a recommendation.	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
35.	37	**Remuneration of employees**					
36.	37 (2)	An executive authority may, only if it is allowed by regulation and to the extent prescribed— *(a)* grant employees or classes of employees of the relevant department on appointment or transfer salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; *(b)* grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and *(c)* grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.	EA	NC L1-14	NC L1-14	NC L1-14	Grants to be made in accordance with the Departmental Retention Policy NC not to delegate further HR to facilitate in consultation with CDC and CFO In respect of sub-paragraph (c) it must be read with section 3(5)(e) of the CSA and the delegations thereof.
37.	38	**Wrongly granted remuneration**					
38.	38 (1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced.	EA	NC L1-15	NC L1-15	NC L1-15	Head of HR to inform the relevant employee of the overpayment in consultation with CFO determine possible steps to be taken to ensure recovery in writing.

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
1	CHAPTER 1	GENERAL PROVISIONS			
2	5.(a) and (b)	Draft legislation affecting Public Service Act and Regulations An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches
3	7.(1) and (2)	Decision-making in cases of conflict of interest (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.
4	8.(2)	Record-keeping of delegations and correction of acts and omissions (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	EA	NC	
5	9.(1)	Reporting, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.	EA	Not delegated	Original power of EA to submit information or data to the Minister
6	10.(3)	Prescribed forms for human resource management and related practices (3) An executive authority may, in consultation with the Minister, add any other areas to any "Z" form to address departmental specific requirements.	EA	Not delegated	C D C HR coordinate inputs from Branches and Regions

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
7	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT			
8	18.(2)	Disclosure of designated employees' interests (2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	EA	Not delegated	EA ensures disclosure by NC Members of the SMS shall disclose to the NC in terms of PSR 18.(1)
9	18.(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	EA	Not delegated	EA ensures disclosure by NC NC ensures disclosure by all members of the SMS MMS, SCM Officials and Closed Occupational Classes that earns a salary equivalent to that of MMS Members
10	18.(6)	(6) An executive authority shall submit to the Commission a copy of the form submitted to the executive authority in terms of - (a) subregulation (2) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a head of department, not later than 30 days after it has been so submitted.	EA	Not delegated	

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11	21.(1)	Conflict of interest (1) In so far as conflict of interest relates to members of the SMS: (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest (d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee. (e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and (ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.	EA	(1)(c) NC L13 to L15 (1)(d) NC L13 to L15 (1)(e) NC L1 3 to L15	This regulation deals with interests If the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, (1)(c) EA retains consultation in respect of the NC (1)(d) EA retains disciplinary action in respect of the NC (1)(e) EA retains reporting action in respect of the NC
12	23(1)	Designation of ethics officers (1) An executive authority shall designate such number of ethics officers as may be appropriate, for the department.	EA	NC	
13	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY			
14	25.(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	NC	EA approve the strategic plan and monitor the progress made towards achieving those targets and core objectives;

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15	25.(2)(a)	Organisational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and	EA		No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
16	25.(2)(b) and (c)	Define and create posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d)	EA		No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
17	26.(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	NC	NC approve after consultation with the NATMANCO and the EA. This section must be read with section 3 (5) of the CSA NC monitor the implementation of the plan and inform the EA

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
18	27.	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	NC	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19	28.(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	NC	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20	29.	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with the departmental EXCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21	31.(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	NC	NC submits report to the EA after consultation with NATMANCO EA tables report in the legislature
22	34.(3)	Business case and Inter-departmental assessment committee for the establishment of government components and specialise service delivery units (3) The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organisational forms Note the requirements set out in Regulation 34(2) for EAs or Premiers to designate members of the committee, on a case by case basis

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
23	35.	Organisational functionality assessment An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
24	36.	Operations management framework An executive authority shall establish and maintain an operations management framework which shall include - (a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in regulation 37; and (g) a service delivery improvement plan referred to in regulation 38.	EA	NC	NC approve the framework after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
25	37.(1)	Service delivery charter (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	NC	NC approve charter after consultation with NATMANCO and the EA NC monitor the implementation of the charter and inform the EA
26	38.	Service delivery improvement plan An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department	EA	NC	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
27	CHAPTER 4	EMPLOYMENT MATTERS			
28	39.(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSDs 39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised	EA	NC	NC may delegate further
29	40.	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall - (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilised; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and (d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.	EA	NC L1-12	EA approves L13 to 15

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
30	41.(3)	Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1-12	EA approves L13 to 15
31	43.(2)(a)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1-12	EA approves L13 to 15
32	43.(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44	EA	NC L1 -L14	EA approves for L15 & L16 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)
33	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	NC L1 -L14	EA approves L15 & 16

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34	43.(4)	(4) If an executive authority intends to evaluate jobs or implement job evaluation results that will affect the grade of an occupation or the salary level within an occupation where such occupation is utilised by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance.	EA	Not delegated	
35	44.(1)	Setting of higher salary (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	NC L1-L14	EA approves L15-L16 NC approves L 13-L14 in consultation with EA HR to facilitate
36	45.(1)	Undergraded posts (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1-L14	NC approves L 13-L14 in consultation with EA Continued employment of incumbent is set out in Regulation 45.(2)
37	45.(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-L14	NC approves L 13-L14 in consultation with EA

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38	46.(1)	Overgraded posts (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-L14	NC approves L 13-L14 in consultation with EA
39	49.(1)	Overtime (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	NC	
40	49.(2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC	NC approves overtime policy after consultation with NATMANCO

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41	50.(b)	Suggestions, improvements and innovations 50. If an employee makes a suggestion, improvement or innovation of exceptional value to the department or the public service as a whole or has exceptional ability, a special qualification or has rendered meritorious service, other than the service recognised in terms of the department's performance incentive scheme, to the department or the public service as a whole - (b) the executive authority may, only as provided for in a directive issued by the Minister, reward the employee through - (i) a non-monetary reward; (ii) a non-pensionable cash award not exceeding 20 per cent of the employee's pensionable annual salary; or (iii) such a non-monetary reward and a cash award.	EA		No delegation required, already provided for in section 3(5)(e) of the CSA. Refer to CSA delegations
42	57.(1)	General conditions for appointment 57. (1) An executive authority - (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.	EA	NC L1-L14	EA approves L15 and L16. Also refer to section 96(3) if to CSA in terms of SMS appointments.

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PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
43	57.(2)	Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department; (c) an employee's post has been abolished and he or she cannot be transferred into another post; or (d) an employee is part of a development programme as contemplated in regulation 58.	EA	NC L1-L12	EA approves L13-15 CFO to approve funding See general conditions for appointment is set out in PSR 57.(1), (2), (3), (4) (5) and (6)
44	57.(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall - (a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.	EA	NC L1-L12	EA approves L13- L15 level
45	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	NC L1-L14	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 9, 12, 12A, 13. EA approves L 15 and L16 See general conditions for appointment set out in PSR 57.(1), and (6), an 58., 60., 61. See also PSR 67.(8) and (9) and PSR 68.
46	59.	Utilisation of unpaid voluntary workers An executive authority may utilise unpaid voluntary workers under the following	EA	NC	

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration; (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.			

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
47	60.(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation.	EA	NC L1-L14	EA approves L 15 and L16
48	62.(3)	Secondments (3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.	EA	NC L1-L14	EA approves L 15 and L16

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
49	64.(1) and (2)	Determination of requirements for employment (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	NC	
50	65.(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	NC	
51	65.(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	NC	

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
52	66.(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers 66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years; (b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1); (3) and (4).	EA	NC	NC approves after consultation with the EA
53	67.(1)	Selection (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	NC L1 to L14	EA chair selection committee for NC and DDG See the conditions set out in PSR 67.(2) to (9)

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
54	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	NC L1 to L12	EA approves head-hunting for L13 to L16
55	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing	EA	NC L1 to L14	EA for L15 to L16
56	67.(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy herself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	NC L1 to L14	EA for L15 to L16
57	68.(2)	Probation (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	NC L1 to L14	EA for L15 to L16
58	69.(2)	Resignation (2) Subject to section 16B(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	NC L1 to L14	EA for L15 to L16
59	69.(3)	Resignation (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	NC	
60	69.(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	NC L1 to L14	EA L15 and L16
61	69.(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	NC L1 to L14	EA L15 and L16

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
62	69.(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	NC L1 to L14	EA L15 and L16
63	71.(1)	Systems for performance management and development (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
64	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA
65	71.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC	NC approve the systems after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA
66	71.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
67	72.(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	NC L1 to L15	
68	72.(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	NC	EA for NC assessment
69	72.(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	NC L1 to L15	EA manage poor performance of NC
70	73.(1)	Rewarding performance (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in subregulation (3).	EA	NC	NC approve the scheme after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA
71	76.	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	NC	NC approve the training required after consultation with the departmental EXCO and the EA

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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
72	78.(2)	Mandating and management of negotiations (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority— (a) is responsible for managing collective bargaining on behalf of the State as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in regulation 79.	EA	NC	NC enters into a collective agreement after consultation with NATMANCO and the EA The conditions for matters with financial implications is set out in PSR 79.

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PART B: HEADS OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by:-

(a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and

(b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, **Arthur Fraser**, National Commissioner (NC) of the Department of Correctional Services, delegate the powers and duties vested in me to the incumbents of posts as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

Head of Department to sign and date all pages.

SIGNED AT PRETORIA ON THIS 28th DAY OF AUGUST 2018

A Fraser
National Commissioner
Date: 28/08/2018

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
1.	3 (7)	An executive authority has all those powers and duties necessary for- *(a)* the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA				No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner.
2.		*(b)* the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act.	EA				No delegation required. Already provided for in sections 3 (5) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
3.	3 (8)	(a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. ((d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the period of three years with such period as the Minister considers appropriate.	EA	Not delegated	Not delegated	Not delegated	EA approves L16

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
4.	5(8)	*(b)* If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-15	NC 1-15	NC 1-15	EA (NC) NC other performer levels
5.	9	**Appointments in Public Service**					
6.	9	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed, read with section 3(5)(g) and 96(3) of the Correctional Services Act, 111 of 1998 as amended	EA	DDG L11-12 CD L9-10 D L1-8	CD L9-10 D L1-8	CD L9-10 D L1-8	No delegation required. Already provided for in sections 3 (5) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
7.	13	**Appointment on probation**					
8.	13 (1)	If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA				All appointments to be made on probation. Levels to approve appointment on probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations.
9.	13 (2)	After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her appointment was subject.	EA				Levels to approve confirmation of appointment after completion of probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations. HR to facilitate in consultation with relevant functionaries All appointments to be made on probation.

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
10.	13 (3)	If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	CDC L11-12 DC L9-10 Dir L1-8	RC: L11-12 DRC L9-10 Dir L1-8	No delegation	EA approves L15-16 with the concurrence from Cabinet L13-14: NC and not delegated HR to facilitate submission and consult with responsible line manager Confirmation should be based in compliance with all stipulated conditions, work performance of an employee. Note: Prescribed procedures for incapacity to be followed.
11.	14	**Transfers within public service**					
12.	14 (1)	Subject to subsections (2), (3) and (4), any employee of a department may be transferred— (a) within the department, by its executive authority; (b) to another department by the executive authorities of the two relevant departments.	EA				No delegation required. Already provided for in sections 3(5)(g) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
13.	15	**Transfer and secondment from and to public service**					
14.	15 (2)	If it is in the public interest and if the prescribed conditions (if any) have been complied with, the executive authority of a department may, with the approval of the employer concerned, approve the secondment of a person in the service of an organ of state, another government or any other body to the department—	EA	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	EA approves L 15 NC approves L1-14 HR and Legal Services to facilitate

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		(a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority.					
15.	15 (3)	(a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	Not delegated	Not delegated	Not delegated	EA approves L 15-16 HR and Legal Services to facilitate Refer to 15(3)(b) and (c)
16.	16	**Retirement and retention of services**					
17.	16(2)	(b)An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	L1-12 DC HR	Not delegated	Not delegated	EA approves L 15 NC approves L13-14 This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998)

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA.
18.	16 (4)	An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	L1-12 DC HR	Not delegated	Not delegated	EA approves L 15-16 NC approves L13-14 HR to facilitate in consultation with DDG. Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation is only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegation (no 105) in terms of the CSA for early retirement for officials appointed under the CSA
19.	16 (6)	(a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement.	EA	L1-12 DC HR	Not delegated	Not delegated	EA approves L 15-16 NC approves L13-14 HR to facilitate in consultation with DDG. Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation only applicable to DCS officials

A Fraser
National Commissioner
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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA
20.	16 (7)	If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by resolution, exceed in the aggregate two years.	EA	Not delegated	Not delegated	Not delegated	EA approves L 15-16 NC approves L1-14 HR to facilitate in consultation with CDC HR. Employee to be given three (3) calendar months' notice from date of approval. Refer to condition in Section 16
21.	**16A**	**Failure to comply with Act**					
22.	16A (2)	A head of a department shall— (a) immediately take appropriate disciplinary steps against an employee of the department who does not comply with a provision of this Act or a regulation, determination or directive made thereunder; (b) immediately report to the Director-General: Public Service and Administration the particulars of such non-compliance; and (c) as soon as possible report to that Director-General the particulars of the disciplinary steps taken.	NC				Delegations to be the same as in terms of regulation 33 read together with resolution 1 of 2006 and section 95B of the CSA.

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
23.	16A (4)	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder— (a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (8).	EA	Not delegated	Not delegated	Not delegated	EA reports for L1-16 HR facilitates
24.	**16B**	**Discipline**					
25.	16B (1)	Subject to subsection (2), when a chairperson of a disciplinary hearing pronounces a sanction in respect of an employee found guilty of misconduct, the following persons shall give effect to the sanction: (b) in the case of any other employee, the relevant head of department.	NC	DD Auxiliary Services	RH: HR	AC: Corporate Services	Procedures for service terminations to be followed as well the relevant prescripts in respect of level 2-12 that service will only be terminated after finalisation of appeal if the official lodged an appeal within the time frame provided for in resolution 1 of 2006. SMS do not have appeal recourse in terms of chapter 7 of the SMS handbook
26.	16B (4)	If an employee of a department (in this subsection referred to as 'the new department'), is alleged to have committed misconduct in a department by whom he or she was employed previously (in paragraph *(b)* referred to as 'the former department'), the head of the new department— (b) shall institute or continue such steps if so requested— (iii) by the head of the former department, in the case of any other employee.	NC	CDC L 11-12 DC L 9-10 Dir L1-8	RC L11-12 DRC L9-10 RH L1-8	DC L9-10 Dir L1-8	NC L13-15 Refer to delegation 25 above to effect sanctions

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
27.	16B(6)	If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee.	EA	CDC L 11-12 DC L 9 -10 Dir L 1-8	CDC L 11-12 DC L 9 -10 Dir L 1-8	DC 9 -10 Dir L 1-8	HR facilitates EA L 15 NC L 13-14
28.	17	**Termination of employment**					
29.	17 (1)	(a) Subject to paragraph *(b)*, the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act.	EA	Not delegated	Not delegated	Not delegated	Not applicable to Correctional Services. The dismissal of officials of the Department of Correctional Services is done in terms of the Correctional Services Act read with the Disciplinary Code and GPSSBC resolution 1 of 2006 (regulation 33) and Chapter 7 of SMS Handbook.
30.	30	**Other remunerative work by employees**					
31.	30 (1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	CDC HR	RC	Not delegated	EA approves NC and CDC HR to Facilitate written motivation from employee and recommendation from Line Manager
32.	30 (3)	(a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	CDC HR	RC	Not delegated	EA approves NC and CDC HR to Facilitate written motivation from employee and recommendation from Line Manager
33.	31	**Unauthorized remuneration**					
34.	31 (1)	(a)(ii) If the employee fails to so pay into revenue the amount or value, the said head of department shall recover it from him or her by way of legal	NC	Not delegated	Not delegated	Not delegated	Relevant supervisors to advice HR HR to facilitate with CFO and DC LS

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		proceedings and pay it into revenue. (iv) The accounting officer of the relevant department may approve that the employee concerned retains the whole or a portion of the said remuneration, allowance or reward. (b) if— (i) in the opinion of the head of department mentioned in paragraph *(a)* an employee has received any remuneration, allowance or other reward contemplated in that paragraph; and (ii) it is still in his or her possession or under his or her control or in the possession or under the control of any other person on his or her behalf, or, if it is money, has been deposited in any bank as defined in section 1(1) of the Banks Act, 1990 (Act 94 of 1990), or a mutual bank as defined in section 1(1) of the Mutual Banks Act, 1993 (Act 124 of 1993), in his or her name or in the name of any other person on his or her behalf, that head of department may in writing require that employee or that other person or that financial institution not to dispose thereof, or, if it is money, not to dispose of a corresponding sum of money, as the case may be, pending the outcome of any legal steps for the recovery of that remuneration, allowance or reward or the value thereof.					
35.	31(2)	(b) In circumstances regarded by the relevant executive authority as exceptional, the said authority may approve of paying out of revenue an amount	EA	NC L1-14	NC L1-14	NC L1-14	EA approves 15 and 16 Relevant supervisors to advice HR HR to facilitate via DC LS

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Function ary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned.					
36.	32	**Direction to perform other functions or to act in another post**					
37.	32 (2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made— (ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department.	NC				EA to approve NC acting appointment. Acting appointments for levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act
38.	35	**Grievances of employees**					
39.	35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	Not delegated	Not delegated	Not delegated	EA considers L15 and 16 NC considers L1-14 Refer to the grievance procedures.
40.	35(2)	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA on recommendations for all levels.

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		of the case, the Commission considers it appropriate to make such a recommendation.					
41.	37	**Remuneration of employees**					
42.	37 (2)	An executive authority may, only if it is allowed by regulation and to the extent prescribed— *(a)* grant employees or classes of employees of the relevant department on appointment or transfer salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; *(b)* grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and *(c)* grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.	EA	Not delegated	Not delegated	Not delegated	Only NC to decide HR to facilitate in consultation with relevant RC/CDC and CFO In respect of sub-paragraph (c) it must be read with section 3(5)(e) of the CSA and the delegations thereof.
43.	38	**Wrongly granted remuneration**					
44.	38 (1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced.	EA	L13-15 CDC HR L 2-12 DD Auxiliary Support	L 2-12 Regional Coordinator Human Resources 13-14 RC L 15 CDC HR in	L 2-12 Area Coordinator Human Resources	EA approves L16 Head of HR to inform the relevant employee of the overpayment in consultation with financial prescripts determine possible steps to be taken to ensure recovery in writing.

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Date: 28/08/2018

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
					HO		
45.	38 (2)	If an employee contemplated in subsection (1) has in respect of his or her salary, including any portion of any allowance or other remuneration or any other benefit calculated on his or her basic salary or salary scale or awarded to him or her by reason of his or her basic salary— (b) been overpaid or received any such other benefit not due to him or her— i. an amount equal to the amount of the overpayment shall be recovered from him or her by way of the deduction from his or her salary of such instalments as the relevant accounting officer may determine if he or she is in the service of the State, or, if he or she is not so in service, by way of deduction from any moneys owing to him or her by the State, or by way of legal proceedings, or partly in the former manner and partly in the latter manner;	NC	L13-15 CDC HR L 2-12 DD Auxiliary Support	L 2-12 Regional Coordinator Human Resources 13-14 RC L 15 CDC HR in HO	L 2-12 Area Coordinator Human Resources	EA approves L16 Head of HR to inform the relevant employee of the overpayment in consultation with finances (minimum level of DD) to determine possible steps to be taken to ensure recovery in writing.
46.	38(3)	The accounting officer of the relevant department may remit the amount of an overpayment to be recovered in terms of subsection (2)*(b)* in whole or in part.	NC	CDC HR in consultation with DC LS: L2-12 NC: L13-15	CDC HR in consultation with DC LS: L2-12 NC: L13-15	No delegation	EA L16 CFO to be consulted

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PART B, APPENDIX B: DELEGATIONS REGISTER- NATIONAL COMMISSIONER (HEAD OF DEPARTMENT) DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
	CHAPTER 1	GENERAL PROVISIONS					
1.	6.(1), (3) and (4)	Communication with Minister and media (1) If a head of department wishes to communicate with the Minister on a matter that falls within the Minister's powers and duties, he or she shall communicate through the Director-General: Public Service and Administration, except in respect of any career incidents of that head of department which fall within the Minister's functions or delegated functions. (3) An employee, in his or her official capacity, may not communicate with the media unless so authorised by the head of department. (4) A head of department shall establish a policy regulating communication by its employees with the media.	NC	(1) NC Not delegated (3) DC: Communications (4) DC: Communications	(1) Not delegated (3) RC (4) Not delegated	(1) Not delegated (3) Not delegated (4) Not delegated	Policy to be approved by EA
2.	8.(1) and (2)	Record-keeping of delegations and correction of acts and omissions (1) A head of a department shall keep a register of all delegations made in terms of section 42A of the Act in the format directed by the Minister (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	(1) NC (2) EA	(1) DC Legal Services (2) CDC Corporate Services	(1) Not delegated (2) Not delegated	(1)Not delegated (2) Not delegated	Refer to the Directive on Public Administration and Management Delegations, 2014
3.	9.(1), (2) and (4)	Reporting, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister. (2) A head of department shall introduce mechanisms to monitor and evaluate any provision of the Act for reporting to the Minister as contemplated in subregulation (1). (4) A head of department may not require or permit any employee to perform, or not to perform, any act in breach of these Regulations	NC	(1) CDC HR (2) CDC HR	Not delegated	Not delegated	Original power of NC to submit information or data to the DPSA

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National Commissioner
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PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT					
4.	17.(2)	Register of designated employees' interests (2) A head of department shall keep a register of any other designated employees' interests not contemplated in subregulation (1).	NC	CDC Corporate Services	Not delegated	Not delegated	
5.	18. (1)	Disclosure of designated employees' interests (1) SMS members, except for a head of department shall, not later than 30 April of each year, disclose to the relevant head of department, in a form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	NC	Not delegated	Not delegated	Not delegated	NC ensure disclosure by all members of the SMS HR facilitates
6.	18.(2)	(2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	NC	Not delegated	Not delegated	Not delegated	
7.	18.(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	NC	Not delegated	Not delegated	Not delegated	EA ensures disclosure by NC NC ensures disclosure by SMS members and other designated employees
8.	18.(7)	(7) A head of department shall submit to the Commission a copy of the form submitted to the head of department by a member of the SMS in terms of - (a) subregulation (1) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a member of the SMS, excluding a head of department, not later than 30 days after it has been so submitted.	NC	CDC HR	Not delegated	Not delegated	
9.	21.(1)	Conflict of interest (1) In so far as conflict of interest relates to members of the SMS: (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest	EA	NC	Not delegated	Not delegated	This regulation deals with interests If the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function ary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		(d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee. (e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and (ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.					employee, (1)(c) NC retains consultation in respect of SMS L13 to 15 (1)(d) NC retains disciplinary action in respect of the SMS L13 to 15 (1)(e) NC retains reporting action in respect of the SMS L13 to 15 NC informs EA on delegated decisions in respect of this regulation
10.	21.(2)	(2) In so far as conflict of interest relates to designated employees who are <u>not members of the SMS</u>: (a) The head of department shall verify the interests disclosed. (b) If the head of department is of the opinion that an interest of such designated employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, he or she shall consult the employee concerned and, where possible, take appropriate steps to remove the conflict of interest (c) If the employee, after the consultation referred to in subregulation (2)(b), fails to take the appropriate steps to remove the conflict of interest, the head of department shall take disciplinary action against the employee. (d) A head of department shall no later than 31 August of each year report to the Minister on— (i) the number of cases identified in terms of subregulation (2)(b); (ii) whether any steps were taken; (iii) if steps were taken, a description of those steps; and (iv) if no steps were taken, reasons thereof.	NC	<u>(2)(a),(b) and (c)</u> CDC HR: L-11/12 DC: L1-9/10 <u>(2)(d)</u> CDC HR	DRC: L1-9/10	Not delegated	
11.	22.(a) to (e)	<u>Anti-corruption and ethics functions</u> A head of department shall - (a) analyse ethics and corruption risks as part of the department's system of risk	NC	22 (a) (b) and (c) Dir DIU. 22 C (i) and (ii).	Not delegated	Not delegated	This regulation must be read in conjunction with section 95 A and B of the CSA and CSR 30.

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		management; (b) develop and implement an ethics management strategy that prevents and deters unethical conduct and acts of corruption; (c) establish a system that encourages and allows employees and citizens to report allegations of corruption and other unethical conduct, and such system shall provide for— (i) confidentiality of reporting; and (ii) the recording of all allegations of corruption and unethical conduct received through the system or systems; (d) establish an information system that - (i) records all allegations of corruption and unethical conduct; (ii) monitors the management of the allegations of corruption and unethical conduct; (iii) identifies any systemic weaknesses and recurring risks; and (iv) maintains records of the outcomes of the allegations of corruption and unethical conduct; and (e) refer allegations of corruption to the relevant law enforcement agency and investigate whether disciplinary steps must be taken against any employee of the department and if so, institute such disciplinary action.		Dir DIU 22 (d) (i), (ii),(iii) Dir DIU 22 (d) (iv) Dir DIU on investigations and Dir CE on Disciplinary Action 22 (e) Dir Diu on referral to law enforcement and investigation. Dir CE on decision to take disciplinary action			
12. 14	23.(2)	Designation of ethics officers (2) The head of department shall establish an ethics committee or designate an existing committee, chaired by a Deputy Director-General, to provide oversight on ethics management in the department.	NC	NC Not delegated	Not delegated	Not delegated	

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HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
13.	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY					
14.	25.(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	CDC Strategic Management	Not Delegated	Not Delegated	Strategic plan must conform to the aspects set out in Regulation 25.(1)(a) to (f) All managers to be consulted in the development of the strategic plan and aligned to the departmental mandates EA approve the strategic plan on the recommendation NATMANCO NC and EA monitor the progress made towards achieving those targets and core objectives Note the duty of the NC to implement the strategic plan set out in Regulation 25.(3)
15.	25.(2)(a)	Organisational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and (ii) in the case of a provincial department or provincial government component, after consultation with the relevant Premier, the Minister and the relevant provincial treasury;	EA				No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
16.	25.(2)(b) and (c)	Define and create the posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the posts necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and	EA	NC L1-L12 Not Delegated	Not Delegated	Not Delegated	No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner

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HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		(iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d)					
17.	26.(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	CDC HR	Not Delegated	Not Delegated	HR plan must conform to the aspects set out in Regulation 26.(2) All managers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
18.	27.	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	CDC HR	Not Delegated	Not Delegated	All mangers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19.	28.(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	CDC HR	Not Delegated	Not Delegated	All mangers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20.	29.	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment	EA	CDC SM	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister

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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.					NC monitor the implementation of improvement plans and inform the EA
21.	30.(1) and (2)	Information and communication technology plan 30. (1) A head of department shall establish and maintain an information and communication technology plan for the department that - (a) supports the planning process and objectives contemplated in regulations 25 and 38; (b) utilises an appropriate enterprise architecture methodology; and (c) complies with Chapter 6. (2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through - (a) an implementation plan linked to the Medium-Term Expenditure Framework budget; and (b) an annual operational plan.	NC	30 (1) CDC GITO 30 (2) CDC Strategic Management	Not Delegated	Not Delegated	All mangers to be consulted in the development of the plan NC approve after consultation with NATMANCO NC monitor the implementation of the plan and inform the EA
22.	31.(1)	Annual report (1) The head of department shall include in the department's annual report, referred to in section 40(1)(d) of the Public Finance Management Act, such information pertaining to the public service as the Minister may direct, and in the format that the Minister may direct.	NC	CDC Strategic Management	Not Delegated	Not Delegated	
23.	31.(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA tables report in the legislature
24.	35.	Organisational functionality assessment An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister

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		format as directed by the Minister.					NC monitor the implementation of improvement plans and inform the EA
25.	36.	Operations management framework An executive authority shall establish and maintain an operations management framework which shall include - (a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in regulation 37; and (g) a service delivery improvement plan referred to in regulation 38.	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC approve the framework after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
26.	37.(1)	Service delivery charter (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC approve charter after consultation with NATMANCO and the EA NC monitor the implementation of the charter and inform the EA
27.	38.	Service delivery improvement plan An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA

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28.	CHAPTER 4	EMPLOYMENT MATTERS					
29.	39.(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSDs 39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised	EA	Dir HR Planning	Regional Head HR	A/C Corporate Services	HR to facilitate
30.	40.	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall - (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilised; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and (d) ensure that sufficient budgeted funds, including funds for the remaining period of	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12

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		the medium-term expenditure framework, are available for filling the post.					
31.	41.(3)	Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
32.	43.(2)(a)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
33.	43.(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves for-L 15 and 16 NC approves L1-14 HR to facilitate In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)
34.	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	CDC HR L1 to L14	Not Delegated	Not Delegated	EA approves for L15-16
35.	44.(1)	Setting of higher salary (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight -	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L 15-16 NC approves L1-14 HR to facilitate

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		(a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.					
36.	45.(1)	Undergraded posts (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14 Continued employment of incumbent is set out in Regulation 45.(2)
37.	45.(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14
38.	46.(1)	Overgraded posts (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall- (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14
39.	47.(3)	Information on remuneration (3) In the week before an employee's salary pay day, a head of department shall provide him or her with the following information in writing -	NC	CDC HR	Not Delegated	Not Delegated	Information is specifies in regulation 47.(3)(a) to (h)

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40.	48	Leave A head of department shall - (a) encourage an employee to fully utilise his or her annual leave entitlement in the leave cycle; (b) ensure that all leave taken by an employee is recorded accurately and in full; and (c) ensure that an employee does not abuse sick leave.	NC	**Application for all types of leave 1-30 days (except leave without pay and incapacity leave):** Supervisor (minimum level 7) and next level manager, **31- 60 Days** Minimum level DD **61 – 89 Days** Relevant Director **Leave without pay** **1-7 Days** Relevant Director **8-29 Days** Director HR Administration & Utilization **30-89 Days** DC HR Management **90 Days+ (All types of Leave except Incapacity**	**Application for all types of leave 1-30 days (except leave without pay and incapacity leave):** Supervisor (minimum level 7) and next level manager, **31- 60 Days** Minimum level DD **61 – 89 Days** RH Corporate Services **Leave without pay** **1-7 Days** Relevant Director **8-29 Days** RH Corporate Services **30-89 Days** Deputy Regional Commissioner **90 Days+ (All types of Leave except Incapacity**	**Application for all types of leave 1-30 days (except leave without pay and incapacity leave):** Supervisor (minimum level 7) and next level manager, **31- 60 Days** Minimum level DD **61 – 89 Days** Area Commissioner **Leave without pay** **1-7 Days** Head Correctional / Remand Centre / Community Corrections (Minimum level DD) **8-29 Days** Area Commissioner **30-89 Days** Deputy Regional Commissioner or Area Commissioner on DC Level **90 Days+ (All**	DPSA determination on leave must be adhered to. In Management Areas where the AC is on the level of a Director the leave forms of DD's must be recommended by the Area Coordinator Corporate Services to verify correctness and availability of leave. Leave forms for Area Commissioner (including on DC level) in regions must be recommended by the DRC. Leave forms of DRC's must be recommended by the RH HR to verify correctness and availability of leave. Leave forms of CDC's and RC's must be recommended by the CDC HR to verify correctness and availability of leave

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				Leave) Relevant Branch Head in Head Office **More than 184 calendar days of unpaid Leave in a period of 18 months** DC HR Management **Incapacity Leave (including 'conditional' approval)** DD: Auxiliary Support Services **Permanent Incapacity Leave** DD Retention & Termination **Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Retirement** Dir HRA & U in consultation with the relevant Director	**Leave)** Regional Commissioner **More than 184 calendar days of unpaid Leave in a period of 18 months** DC HR Management **Incapacity Leave (including 'conditional' approval)** Regional Coordinator: HR **Permanent Incapacity Leave** DD Retention & Termination **Deviation from the Recommendation of the Health Risk Manager on Temporaty Incapacity Leave and ILL Health Retirement** Dir HRA & U in consultation with the RH HR **Approval of**	**types of Leave except Incapacity Leave)** Regional Commissioner **More than 184 calendar days of unpaid Leave in a period of 18 months** DC HR Management **Incapacity Leave (including 'conditional' approval)** Area Coordinator: Corporate Services **Permanent Incapacity Leave** DD Retention & Termination **Deviation from the Recommendation of the Health Risk Manager on Temporaty Incapacity Leave and ILL Health Retirement** Dir HRA & U in consultation with the RG HR	Policy and Procedure on Incapacity Leave and ILL- Health Retirement (PILIR) and DPSA determination on leave must be adhered to.

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				Approval of special leave not specified in the Special Leave Policy: DC HRM	**special leave not specified in the Special Leave Policy:** No delegation	**Approval of special leave not specified in the Special Leave Policy:** No delegation	
41.	49.(1)	Overtime (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	Dir HR Admin & Utilization	Regional Head Human Resources	No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine roles and responsibilities of role players
42.	49.(2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approves overtime policy after consultation with NATMANCO
43.	51.	Working hours Subject to any collective agreements and the Code of Good Practice on Arrangement of Working Time issued in terms of section 87 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), a head of department shall determine	NC	NC Not Delegated	Not Delegated	Not Delegated	Read with CSR 32

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		- (a) the work week and daily hours of work for employees; and (b) the opening and closing times of places of work of the department, taking into account - (i) the needs of the public with due regard to the department's service delivery improvement plan; and (ii) the needs and circumstances of employees, including family obligations and transport arrangements.					
44.	52.	Emergency work A head of department may require an employee to perform work outside normal working hours if the work is required to be performed without delay owing to circumstances which are beyond the control of the head of department and for which he or she could not reasonably have been expected to make provision.	NC	Director	Director	Area Commissioner	Read with CSR 34. DC's/DRC's/CDC and RC's have the same delegated prerogative. The BCEA must be adhered to. Emergency work does not include day to day administrative tasks. The overtime policy must be adhered to
45.	53.	Health and safety A head of department shall establish and maintain a safe and healthy work environment for employees of the department and a safe and healthy service delivery environment for members of the public.	NC	CDC HR	RC	AC HCC	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players
46.	54.	Employee health and wellness Every department shall have a policy that promotes the health and well-being of employees	NC	CDC HR	No delegation	No delegation	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players
47.	55.(1)	HIV and AIDS and other diseases (1) A head of department shall, as far as it is reasonable, ensure that the management of HIV and AIDS is mainstreamed for employees and the public to access appropriate services in line with the department's mandate and manage other diseases, injuries, and conditions of employees to ensure efficient, effective and sustainable delivery of services.	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players

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48.	56.	Workplace environment management A head of department shall introduce appropriate measures for the institutionalisation of the Public Service Charter in his or her department.	NC	CDC HR	RC	AC	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players
49.	57.(1)	General conditions for appointment (1) An executive authority - (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.	EA	NC L13 and L14 Not delegated CDC of branch: L1-11/12 DC of CD: L1 1-10	RC L11-12 DRC 1-10	No delegation	EA approves L 15 and L16 NC: approves L13-14 See general conditions for appointment set out in PSR 57.6), and 58., 60., 61. See under the topic selection PSR 67.(8) and (9) See under the topic probation PSR 68.
50.	57.(2)	General conditions for appointment Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department; (c) an employee's post has been abolished and he or she cannot be transferred into	EA	Not delegated	Not delegated	Not delegated	EA approves 13-15 level NC approves L1-12 CFO to approve funding See general conditions for appointment is set out in PSR 57.(1), (2), (3), (4) (5) and (6)

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		another post; or (d) an employee is part of a development programme as contemplated in regulation 58.					
51.	57.(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall - (a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12
52.	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	NC L13 and L14 Not delegated DDG: L1-11/12 CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 9, 12, 12A, 13. EA approves L 15 and L16 NC: approves L13-14 See general conditions for appointment set out in PSR 57.(1), and (6), an 58., 60., 61. See under the topic selection PSR 67.(8) and (9) See under the topic probation PSR 68.
53.	59.	Utilisation of unpaid voluntary workers An executive authority may utilise unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the	EA	Dir HR A & U	RH HR	AC	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players

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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration; (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.					
54.	60.(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation	EA	CDC of branch: L1-11/12 DC of CD: L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L 15 and L16 NC L13 and L14

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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
55.	62.(3)	Secondments (3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.	EA	CDC of branch: L1-11/12 DC of CD: L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L 15 and L16 NC L13 and L14
56.	64.(1) and (2)	Determination of requirements for employment (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	DC HRM	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches and Regions
57.	65.(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches and Regions Note conditions set out in PSR 65.(2) to (9)
58.	65.(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches, Regions and Districts Note conditions set out in PSR 65.(2) to (9)
59.	66.(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers 66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which	EA	Not delegated	Not delegated	Not delegated	NC approves after consultation with the EA

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		will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years; (b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1); (3) and (4).					
60.	67.(1)	Selection (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC approved L13-14 EA approved L 15 The employee who approves the appointment of an employee to a post L1 to L14 may not be the chairperson or a member of the selection committee of that post. Department operational policy to specify the composition of the selection committee for L1 to L14. See the conditions set out in PSR 67.(2) to (9)
61.	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	Not delegated	Not delegated	Not delegated	NC approves head-hunting for L1 to L14
62.	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing.	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC approved L13-14 EA approved L 15 Read with section 3(5)(g) and 96(3) of the

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							CSA
63.	67.(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy herself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC approved L13-14 EA approved L 15 Read with section 3(5)(g) and 96(3) of the CSA
64.	68.(2)	Probation (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC L13-14 EA for L 15 and L16
65.	69.(2)	Resignation (2) Subject to section 16B(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	L1-8 Dir L9-10 DC L11-12 CDC	L1-8 Dir L9-10 DRC L11-12 RC	L1-8 Dir L9-10 DC	NC L13-14 EA for L 15 and L16
66.	69.(3)	Resignation (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	CDC HR	Not delegated	Not delegated	Department operational policy to specify the manner in which an employee submits his or her resignation
67.	69.(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	CDC 13-14 DC: L11-12 Dir: L1-10	RC 13-14 DRC: L11-12 Dir: L1-10	DC/DRC: L11-12 Dir: L1-10	HR facilitate all exit interviews and compile a report for NC at the end of each financial year
68.	69.(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	NC for L13-14
69.	69.(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents,	EA	CDC: L11-12	RC: L11-12	DC: L9-10	NC for L13-14

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		vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.		DC: L9-10 Dir: L1-8	DRC: L9-10 Dir: L1-8	Dir: L1-8	
70.	70.	Employee records A head of department shall keep a record of each employee and of each post on the establishment in accordance with the information requirements as issued by the Minister.	EA	CDC HR	Not delegated	Not delegated	
71.	71.(1)	Systems for performance management and development (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with the NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
72.	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
73.	71.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
74.	71.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after

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							consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
75.	71.(7)	(7) Heads of department shall ensure that accurate records of all performance assessments and the outcomes thereof are kept.	NC	CDC HR	Not Delegated	Not Delegated	
76.	72.(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	NC for L13-15
77.	72.(9)	(9) The head of department shall ensure that the outcomes of the annual performance assessments are implemented by 31 December of the financial year following the year of the assessment.	NC	CDC HR	Not Delegated	Not Delegated	
78.	72.(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	CDC HRL13-14 DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	The Chairperson of Moderation committee must provide the feedback L15 NC
79.	72.(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	CDC - L14 DC L13 Dir 1-12	RC - L14 DRC/DC L13 Dir 1-12	DC L13 Dir 1-12	NC for L15 HR facilitate with the co-operation of supervisors
80.	73.(1)	Rewarding performance (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the	EA	CDC HR	Not Delegated	Not Delegated	NC approve scheme after consultation with the NATMANCO and the EA NC monitor the implementation of the

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		Minister as contemplated in subregulation (3).					system and inform the EA
81.	73.(2)	(2) A head of department shall establish a written departmental performance incentive scheme - (a) determining the nature, rules and control measures of the scheme; (b) communicating the nature and rules of the performance incentive scheme to all employees; (c) ensuring that employees who implement the quality and quantity control measures of the scheme are not entrusted with the implementation of that scheme in relation to themselves; and (d) including provisions for the introduction of non-financial incentives, if deemed appropriate.	NC	CDC HR	Not Delegated	Not Delegated	NC approve scheme after consultation with the NATMANCO and the EA NC monitor the implementation of the system and inform the EA
82.	74.(2)	Institutional arrangements regarding education, training and development (2) A head of department shall ensure that sufficient budgeted funds are available for the training and development of employees and shall provide training and development opportunities for employees in his or her department.	NC	CFO in consultation with CDC HR	Not Delegated	Not Delegated	Departmental operational policy to specify the system and roles and responsibilities of providing training and development NC approve system after consultation with NATMANCO The conditions for training assistance are set out in PSR 77.
83.	76.	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC approve the training required after consultation with NATMANCO and the EA NC monitor the implementation of the training and inform EA The conditions for training assistance is set out in PSR 77
84.	77.(1) to (4)	Training assistance 77. (1) For purposes of enhancing the performance of the work of the department, a head of department may grant financial or other assistance for any study, training or research where - (a) an employee undertakes the study, training or research on the initiative of the	NC	CDC HR	RC's Regional Head Corporate Service	AC's Area Coordinator Corporate Services	National Learning Committee endorses the workplace skills plan for a financial year and monitors the implementation thereof.

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		department; or (b) the employee has requested any such assistance and the study, training or research is related to the employer's skills requirements. (2) A head of department may grant financial or other assistance to employees for part-time or full-time activities at either local or international institutions. The head of department may also grant assistance for studies and training through training interventions such as short courses, congresses, symposia, seminars, conferences, workshops, lectures and study tours. (3) A head of department may - (a) grant bursaries for higher education to employees or other persons in terms of a human resources development plan contemplated in regulation 28; (b) allocate bursaries for general education and continuing education and training to employees; and (c) require contractual service in recompense for assistance received in respect of general education or continuing education and training. (4) A head of department may defray any reasonable actual expenses associated with study, research or training. Note: - A head of the department may enroll unemployed youth graduates into the public service internship programme in line with the determination by the Minister of Public Service & Administration as incepted from 1 April 2010. - A head of component may approve the placement of students to undergo experiential learning as part of their respective curricular to fulfill the requirements of their qualification.		DC HRD L13-15 DIR Policy and External Training L 1-12 CDC HR DCHRD DC's	Not delegated Not delegated DRC Regional Head Corporate Services	Not delegated Not delegated Not delegated Area Coordinator Corporate Services	International study – not delegated. HoD approves recruitment for programme
85.	77.(6)	(6) Subject to the Treasury Regulations, a head of department may waive the whole or any part of any study debts.	NC	Not Delegated	Not Delegated	Not Delegated	After consultation with the CFO
86.	77.(9)	(9) In the case of an employee who studies or undergoes training for short periods, a head of department may, as a precondition for providing assistance, require the employee to enter into a contract with the department in terms of which he or she	NC	DC HRD	Not Delegated	Not Delegated	Operational policy for training assistance to provide specifics

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		shall serve the department for a commensurate period.					
87.	78.(2)	Mandating and management of negotiations (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority— (a) is responsible for managing collective bargaining on behalf of the State as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in regulation 79.	EA	NC to provide written mandate Minimum level Dir ER to sign agreement on behalf of employer.	Not delegated	Not delegated	NC gives mandate on matter of mutual interest after consultation with NATMANCO and the EA NC to indicate who must sign the collective agreement on behalf of the employer. The conditions for matters with financial implications are set out in PSR 79.

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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
88.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
89.	93	Acquisition, management and use of information and communication technology resources The head of department shall ensure that the acquisition, management and use of information and communication technologies by the department - (a) enhances direct or indirect service delivery to the public, including, but not limited to, equal access by the public to services delivered by the department; (b) improves the productivity of the department; (c) promotes an environmentally friendly public service; and (d) ensures cost-efficiency for the department.	NC	CDC GITO in consultation with CDC's of branches	Not delegated	Not delegated	GITO facilitates
90.	95.(1)	Information security vigilance (1) A head of department shall ensure the maintenance of information security vigilance at all times in the department	NC	CDC GITO	Not delegated	Not delegated	
91.	96.	Incident reports A head of department shall regularly, on the basis of the threat posed by an incident, submit to the Director-General: State Security Agency, the Auditor-General and such other authorities as the head considers appropriate - (a) an incident report of every instance of non-compliance with the information security standards referred to in regulation 94(1); and (b) a plan on how incidents of non-compliance will be corrected and how to prevent similar incidents in future.	NC	Not delegated	Not delegated	Not delegated	Director Security Standards to facilitates incident reports and plans and submit to NC
92.	97.(4)	Minimum interoperability standards (4) A head of department shall - (a) include compliance with the MIOS in the project approval procedure; and (b) ensure compliance to the MIOS in the acquisition or use of information and communication technology.	NC	CDC GITO	Not delegated	Not delegated	

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FINANCIAL DELEGATION OF POWERS, ACTIVITIES AND DUTIES IN RESPECT OF THE FINANCE MANAGEMENT ACT, ACT 1 OF 1999

(AS AMENDED BY ACT 29 OF 1999)

Issued in terms of Section 44 of the Public Finance Management Act, Act 1 of 1999 (PFMA)

DEPARTMENT OF CORRECTIONAL SERVICES

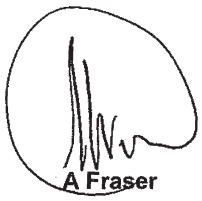
In accordance with the powers vested in me by -

(a) the Public Finance Management Act, Act 1 of 1999, as amended by Act 29 of 1999 ; and

(b) the Treasury Regulations, 2005, promulgated in terms of Section 76 of the said Act.

I, **Arthur Fraser**, National Commissioner and accounting officer of the Department of Correctional Services, delegate the powers and duties vested in me to a holder of a post or specific post in the Department of Correctional Services as set out in the PFMA and Treasury Regulations, read in conjunction with the general conditions set out herein under.

SIGNED AT PRETORIA ON THIS 28th DAY OF AUGUST 2018



NAME OF ACCOUNTING OFFICER: **A Fraser**

NAME OF ACCOUNTING OFFICER`S PORTFOLIO: **National Commissioner**

NAME OF THE DEPARTMENT: **Department of Correctional Services**

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

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1. **General definitions, application and date of commencement**

1.1 **General definitions**

1.1.1 In these financial delegations, unless the context indicates otherwise, a word or expression to which a meaning has been given, has the same meaning, and –

"*Accounting Officer*" means the National Commissioner: Department of Correctional Services.

"*Act*" means the Public Finance Management Act, Act 1 of 1999 (as amended) which regulate financial management in the national government and provincial governments; to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively; to provide the responsibilities of persons entrusted with financial management in those governments; and provide for matters connected therewith.

"CDC" means Chief Deputy Commissioner

"*CFO*" means the employee designated as a Chief Financial Officer in terms of Treasury Regulation 2.1.1

"Concession Contract' means public procurement signed agreement where the consideration for the works or services to be carried out consists either solely in the right to exploit the work or services, or this right to exploit together with payment.

"*Contract*" means a signed agreement entered into between two or more persons within the limits of their contractual capacity.

"Controller" means the person or persons appointed by the Accounting Officer to oversee Public Private Partnerships Correctional Centre.

"DC" means Deputy Commissioner

"Delegated Authority" means the transferring of power vested in a person by virtue of a statute to another person, so that this other person may exercise the power on his/her behalf all forms of delegation are aimed at achieving proper distribution of work.

"*Department*" means the Department of Correctional Services

"DRC" means Deputy Regional Commissioner.

"*National Bid Adjudication Committee*" (NBAC) means a committee appointed by the Accounting Officer to adjudicate and award bids.

"Public Private Partnerships' means contractual agreement between the public and private sectors which includes a variety of activities.

"RC" means Regional Commissioner.

"Schedule" means a list or plan of intended events, time etc.

"*SCM*" means Supply Chain Management

"Steering Committee" means an advisory committee usually made up of high level stakeholders and /or experts who provide guidance on key issues such as company policy and objectives, budgetary control, marketing strategy, resource allocation and decisions involving large expenditure.

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NATIONAL COMMISSIONER
DATE: 28/08/2018

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"*Sub-Bid Adjudication Committee*" (SBAC) means a committee appointed by the Accounting Officer to adjudicate and award bids

"Supervisory Committee" means an independent regulatory body which regulate PPP Correctional centres and comprised of one DCS representative, one Department of Public Works or National Treasury representative and one Independent expert.

1.2 Application

1.2.1 These financial delegations apply to all employees of the Department, unless indicated otherwise.

1.3 Date of commencement

1.3.1 These financial delegations take effect from the date approved by the Accounting Officer.

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Item (1)	Section (2)	*Topic Description* (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations and Conditions limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
A	**FINANCIAL AND MANAGEMENT ACCOUNTING**						
1.	PFMA s7(2) Treasury Regulations 15.2.4, 15.10.1.1, 15.11.2	Open a bank account in terms of the prescribed framework and ensure efficient and effective banking and cash management	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated	
2.	PFMA s13(1) Treasury Regulation 15.5.1	Ensure that all money received by the department is paid over to National Revenue Fund	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated	All revenue received must be paid daily into the commercial bank accounts. Where a bank deposit does not exceed the amount of R500-00, depositing must be held over until the amount is R500-00 or more, on condition that the amount may not be kept for more than four working days
3.	PFMA s27(3) Treasury Regulation 6.1.1	Comply with any budget circulars issued by National Treasury	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional	**Head office** Directorate Management Accounting to comply with any budget circular and guidelines relating to MTEF/AENE/ENE issued by National Treasury Management Accounting directorate to coordinate and

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				Head Office (5)	Region (6)	Management Area (7)	
						Centre Centre Coordinator Head of Community Corrections)	consolidate MTEF/ENE inputs from regions rolled up from centre level and head office rolled up from directorate level. Programme and sub programme managers to provide all required supporting information and national spending proposals (bids) Final ENE to be signed off by Programme Managers **Region** Regions and Head office to comply with any internal budget circular and guidelines relating to MTEF/AENE/ENE issued by head office Management Accounting Regions and Head office to coordinate and consolidate MTEF/ENE inputs from Management areas rolled up from centre level and head office rolled up from directorate level.
4.	PFMA s30(2)(g) Treasury Regulation	Comply with prescripts regarding the roll-over of unspent funds from the preceding financial year	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting	Not Delegated	Not Delegated	Comply with Treasury Regulation 6.4.1 Funds appropriated but not spent in a particular financial year may be roll over to the next financial year on the

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				Head Office (5)	Region (6)	Management Area (7)	
	6.4			Director Management Accounting			following conditions and limitations: **Capital Expenditure:** Unspent funds on capital expenditure may only be rolled over to finalize projects still in progress or for other capital purposes. **Transfer Payment:** Savings on transfer payments may not be rolled over for purposes other those originally voted for **Current Expenditure:** Departments may roll over a maximum of 5% of their voted funds in the main estimates of expenditure for that specific year, excluding capital expenditure and transfer payments. Once the Accounting Officer has signed off, Director Management Accounting to submit request for rollover of funds to Treasury on or before the 30 April annually in the prescribed format
5.	PFMA s 38 (1)(a)(i) Treasury Regulation	Develop, implement and maintain effective, efficient and transparent systems of financial and risk management and internal control.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Financial and Management Accounting, Internal Control and Compliance and Supply Chain Management Chief Directorates shall develop and maintain the required

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	3.2						systems of financial management and internal control within their respective fields: The implementation of such systems is subject to the approval of the Accounting Officer
6.	PFMA s 38(1)(a)(iv)	Develop and implement a system for properly evaluating all major capital projects prior to a final decision on the project.	Accounting Officer	CDC: Incarceration and Corrections Chief Financial Officer	Not Delegated	Not Delegated	CDC: Incarceration and Corrections in consultation with the Chief Financial Officer
7.	PFMA s 38(1)(b)	Develop processes to ensure the effective, efficient, economical and transparent use of the resources of the Department.	Accounting Officer	Chief Financial Officer Programme Managers Sub - programme Managers	Not Delegated	Not Delegated	**Chief Financial Officer** to develop effective and efficient internal controls and processes regarding procurement, asset management and budget utilisation **CDC: Human Resource** to develop effective and efficient internal controls and processes regarding human resource planning and utilisation **CDC: Incarceration and Corrections** to develop effective and efficient internal controls and processes regarding capital works infrastructure programme

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							Programme and sub-programme managers to develop effective and efficient internal controls and processes within relevant areas of responsibility
8.	PFMA s 38(1)(b)	Implement and monitor processes to ensure the effective, efficient, economical and transparent use of the resources of the Department.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	
9.	PFMA s 38(1)(c)(i) Treasury Regulation 11.2.1	Ensure that effective and appropriate steps are taken to collect all money due to the Department.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner	Responsibility Managers (Area Commissioner Area Coordinator Head of	

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				Managers	Regional Heads)	Correctional Centre Centre Coordinator Head of Community Corrections)	
10.	PFMA s 38(1)(c)(i) Treasury Regulation 11.3.1	Recovery of debts by instalments Within twelve months Exceeding twelve months	Accounting Officer	Director Financial Accounting Chief Financial Officer	Regional Head: Finance and Supply Chain Management Not Delegated	Area Commissioner Not delegated	Applications for instalments exceeding twelve months must be accompanied by the income and expenditure statement of account together with the necessary valid supporting documents
11.	PFMA s 76(1)(e) Treasury Regulation 11.4.1	The Accounting Officer must ensure that all debts are written off in accordance with debt write off policy Up to a maximum amount of **R10 000** per case Amounts exceeding **R10 000** up to R50 000 per case	Accounting Officer	Chief Financial Officer Chief Financial Officer	Regional Commissioner Not Delegated	Area Commissioner Not Delegated	

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		Amount exceeding R50 000 per case		Accounting Officer	Not Delegated	Not Delegated	
12.	PFMA s 76(1)(e) Treasury Regulation 11.4.3	Disclosure of all debts written off in the annual financial statements	Accounting Officer	DC: Financial Management and Accounting	Not Delegated	Not Delegated	
13.	PFMA s 76(1)(e) Treasury Regulation 11.5	Interest charged on debts at the interest rate determined by the Minister of Finance	Accounting Officer	Director Financial Accounting	Regional Head: Finance and Supply chain Management	Area Coordinator Finance and Supply Chain Management	
14.	38(1)(c)(i) Treasury Regulation 9.1	Ensure that effective and appropriate steps are taken to prevent unauthorised, irregular and fruitless and wasteful expenditure and losses resulting from criminal conduct.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Unit Head Head of Community	In terms of section 45 of the PFMA, all officials must implement appropriate mechanisms to prevent unauthorised expenditure Do not commit the department when funds are not available Manage PERSAL interfaces and monitoring of compensation of employees expenditure against the budget Do not authorise over expenditure where there is no guarantee of funds to be shifted

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				Head Office (5)	Region (6)	Management Area (7)	
						Corrections)	**Head Office:** Director: Management Accounting must keep and maintain unauthorised Expenditure register Director: Procurement must keep and maintain Irregular Expenditure register Director Logistics must keep and maintain Fruitless and Wasteful expenditure register **Region:** Regional Head: Finance and Supply Chain Management must keep and maintain separate unauthorised, Irregular, fruitless and wasteful expenditure registers **Management Area:** Area Coordinator: Finance and Supply Chain must keep and maintain separate registers for unauthorised, Irregular, fruitless and wasteful expenditure
15.	PFMA s 38(1)(c)(iii) Treasury Regulation	Manage available working capital efficiently and economically.	Accounting Officer	Programme Managers Sub - programme Managers	Responsibility Managers (Regional	Responsibility Managers (Area	Spend according to the approved spending plans and procurement plans. Expenditure thresholds to be in line

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	10.1.1(b)			Activity Managers Responsibility Managers	Commissioner Deputy Regional Commissioner Regional Heads)	Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	with **Annexure A** DC: Supply Chain Management to develop inventory management policy, norms and standards
16.	PFMA s 38(1)(d) Treasury Regulations 10, 11, 12 ,13 and 14	Management, including the safeguarding and the maintenance of assets, and the management of liabilities of the Department	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	In terms of section 45 of the PFMA, all officials must manage including the safeguarding of assets and the management of the liabilities within the officials area of responsibilities

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17.	PFMA s 38(1)(e)	Comply with any tax, levy, duty, pension and audit commitments as may be required by legislation.	Accounting Officer	DC: Financial Management and Accounting Director: Financial Accounting CDC: Human Resources DC: Human Recourse Management Director: Human Recourses, Administration and Utilisation	Not Delegated	Not Delegated	
18.	PFMA s 38(1)(f) Treasury Regulations 8.2.3	Settle all contractual obligations and pay all money owing, including intergovernmental claims, within the prescribed or agreed period.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	All payments due to the creditors must be settled within 30 days from the date of receipt of an invoice or as per relevant contracts

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19.	PFMA s 38(1)(g) Treasury Regulation 9.1.2	Immediately on discovery report to National Treasury any unauthorised, irregular or fruitless and wasteful expenditure.	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	**Head Office:** The official must immediately report to the Head Office: Financial Control Office Directors Management Accounting, Procurement and Logistics must report the unauthorised, irregular, fruitless and wasteful expenditure in the monthly IYM submission IYM to National Treasury according to Treasury Regulation 9.1.2. and as required in terms of section 40(4)(b) of the PFMA At year end, the Accounting Officer must appoint an investigator to investigate the alleged unauthorised expenditure to determine whether such meets with the definition of unauthorised expenditure **Region:** The unauthorised, fruitless and wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless,

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							and wasteful expenditure must still be reported to Head office together with the monthly IYM submission **Management area** The unauthorised, irregular, fruitless and wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless and wasteful expenditure must still be reported to Regional office together with the monthly IYM submission
20.	PFMA s 38(1)(h) Treasury Regulations 4.1.1	Take effective and appropriate steps against any employee in service of the Department who contravenes or fails to comply with a provision of this Act, commits an act which undermines the financial management and internal control system, and makes or permits an unauthorised expenditure, irregular expenditure or fruitless and wasteful expenditure.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of	According to T.R.4.1.1 The Accounting Officer to ensure that the investigation is conducted if it is alleged that the official committed financial misconduct. If it is determined that the official permitted unauthorised expenditure, the Accounting Officer, must take effective and appropriate disciplinary steps against the official in terms of PFMA sec 38 (1)(h)(iii). Cases related to Correctional Service Act section 95(A) shall be

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						Community Corrections)	investigated by Departmental Investigation Unit. All other cases shall be investigated by different Managers
21.	PFMA s 38(1)(i) Treasury Regulations 8.5.1	Comply with the provisions of the annual Division of Revenue Act when funds are transferred.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Not applicable
22.	PFMA s 38(1)(j) Treasury Regulation 8.5.1	Before funds are transferred, obtain written assurance that the entity (implemented effective, efficient and transparent financial management and internal control systems.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Obtain written assurance from the entity that the entity implements effective, efficient and transparent financial management and a system of internal control
23.	PFMA s 38(1)(l)	Take into account all relevant financial consideration, including issues of propriety, regularity and value for money, when policy proposals are considered[1].	Accounting Officer	Programme and sub-programme managers	Not Delegated	Not Delegated	All submissions must via the Chief Financial Officer

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24.	PFMA s 38(1)(k)	Comply with any prescribed conditions if the department gives financial assistance to any entity or person.	Accounting Officer	Chief Financial Officer CDC: Human Resource	Not Delegated	Not Delegated	Comply with the conditions attached to the financial assistance (Bursaries, State guarantees and subsidised vehicles) Agreed objectives to be attained
25.	PFMA s 38(1)(m)	Promptly consult and seek prior written consent of the National Treasury on any new entity, which the Department intends to establish or in the establishment of which it took the initiative.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
26.	PFMA s 38(2) Treasury Regulation 8.2.1	May not commit the Department to any liability for which money has not been appropriated.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Before any payment is approved/authorised by delegated official , budget availability must be confirmed by attaching BAS report or certification from CFO or Head Finance confirming the availability of funds

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27.	PFMA s 39(1)(a) Treasury Regulation 8	Ensure that expenditure is in accordance with the vote and the main divisions within the vote.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	
28.	PFMA s 39(1)(b) Treasury Regulation 9.1.1	Take effective and appropriate steps to prevent unauthorised expenditure.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator	Do not commit the department when funds are not available Do not authorise over expenditure where there is no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management

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						Head of Community Corrections)	
29.	PFMA s 39(2)(a) Treasury Regulation 9.1.1	Take effective and appropriate steps to prevent the overspending of a main division within the vote. Take effective and appropriate steps to prevent the overspending of the vote.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Do not commit the department when funds are not available Do not authorise over expenditure where there is no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management
30.	PFMA s 39(2)(b) Treasury Regulation 9.1, 18.1.1	Report to the Executive Authority and National Treasury any impending under collection of revenue, shortfalls in budgeted revenue, and overspending of the vote or a main division within the vote.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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31.	PFMA s 39(2)(c) Treasury Regulation 9.1	Comply with any remedial measures imposed by National Treasury in terms of the Public Finance Management Act to prevent overspending of the vote or a main division within the vote.	Accounting Officer	Chief Financial Officer Programme managers sub- programme mangers	Not Delegated	Not Delegated	Depending on affected main division or economic classification, CFO via the Accounting Officer may determine branch/regional/management area specific interventions
32.	PFMA s 40(1)(a) Treasury Regulation 17.1.1, 17.1.2	Keep full and proper records of the financial affairs of the Department in accordance with any prescribed norms and standards.	Accounting Officer	Chief Financial Officer CDC: Human Resource	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)Corporate Services Head of Correctional Centre Head: Support	In line with the instruction note issued annually by National Treasury

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						Staff Head of Community Correction	
33.	PFMA s 40(1)(b) Treasury Regulation 18.2	Prepare financial statements for each financial year in accordance with generally recognised accounting practice.	Accounting Officer	Chief Financial Officer	Regional Head: Finance and Supply Chain	Not Delegated	**Head office** Chief Deputy Commissioner must prepare and submit to Director Financial Accounting branch specific financial statements inputs DC: Financial and Management Accounting reviews consolidated monthly, quarterly and annual financial statements **Regions** Regional Head: Finance and Supply Chain Management must prepare and submit to Director Financial Accounting regional monthly , quarterly and annual financial statements after sign off by Regional Commissioner
34.	PFMA s 40(1)(c)	Submit financial statements within two months after the end of the financial year to National Treasury and the	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to provide quarterly and annually Chief Audit Executive with unaudited financial statements after reviewal by Chief Financial Officer to audit before

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		Auditor-General for auditing.					presentation to Audit Committee
35.	PFMA s 40(1)(d)(ii)	Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the financial statements for that financial year after the statements have been audited.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	On receipt of Auditor General's sign off of audited annual financial statements DC: Financial and Management Accounting to prepare audited financial statements for sign off by Accounting Officer
36.	PFMA s 40(1)(d)(iii)	Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the Auditor-General's report on the financial statements.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to prepare submission of audited financial statements and audit report for the Executive Authority
37.	PFMA s 40(4)(a) Treasury Regulation 15.10.2.1	Provide each year before the beginning of a financial year to National Treasury in the prescribed format a breakdown per month of the anticipated revenue and expenditure for the financial year.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	**Head Office:** Chief Financial Officer to provide internal request for spending plans from regions rolled up from centre level and head office rolled up from directorate level. Provide template for regions and head office to ensure breakdown of budget allocations to the lowest item level per activity, sub-programme and programme as per the approved ENE

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							Activity and Responsibility managers to prepare and sign off their respective spending plans **Regions:** Regional Head: Finance and Supply Chain Management to consolidate regional spending plans for sign off by Regional Commissioners **Management Area:** Area Coordinator: Finance and Supply Chain Management to consolidate management area spending plan for sign off by Area Commissioner
38.	PFMA s 40(4)(b)	Submit to National Treasury each month's information in the prescribed format on actual revenue and expenditure for the preceding month and the amounts anticipated for that month in terms of section 40(4)(a) of the Public Finance Management Act.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	**Head office** Monthly signed off IYM report to be submitted to National Treasury on or before 15th of every month
39.	PFMA s 40(4)(c)	Submit within 15 days of the end of each month to National Treasury and the Executive	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	**Head Office**: By the 7th of each month Activity and

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		Authority the information for that month, a projection of expected expenditure and revenue collection for the remainder of the current financial year and when necessary, an explanation of any material variances and a summary of the steps that are taken to ensure that the projected expenditure and revenue remain within budget.					Responsibility Managers must submit their monthly IYM with reasons for variances Director Management Accounting to consolidate IYM for sign off by the Chief Financial Officer Chief Financial Officer, to submit to the Accounting Officer the signed IYM for information **Region:** By the 10th of each month regions must submit their regional consolidated monthly IYM with reasons for variances signed off by the Regional Commissioner and Regional Head: Finance and Supply Chain Management **Management Area**: By the 7th of each month management area must submit their management area monthly IYM with reasons for variances signed off by the Area Coordinator: Finance and Supply Chain Management, a copy to be forwarded to the Accounting Officer for information

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							and noting time lines
40.	PFMA s 42(1)(a)	Draw up an inventory of assets and liabilities when assets or liabilities of the Department are transferred to another department or other institution in terms of legislation or following a reorganisation of functions.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
41.	PFMA s 42(1)(b)	Provide the accounting officer of the receiving department or other institution with substantiating records, including personnel records of staff to be transferred.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
42.	PFMA s 42(2)	Sign the inventory when assets are transferred or received.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
43.	PFMA s 42(3)	File a copy of the signed inventory with National Treasury and the Auditor-General within 14 days of the transfer when transferring assets.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
44.	PFMA s 43(1) Treasury Regulation	Utilise a saving in the amount appropriated under a main division within the vote towards the defrayment of excess expenditure under another	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Virements to be implemented in line with sec 43 of the PFMA and TR 6.3.1 Funds earmarked for direct inmates costs from Core programmes cannot

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	6.3	main division within the same vote, unless National Treasury directs otherwise					be shifted Funds earmarked for accommodation charges, leases, municipal services, repair and maintenance of correctional centres and capital works infrastructure are specifically and exclusively appropriated and cannot be shifted Compensation of Employees is specifically and exclusively appropriated and cannot be shifted without an act of parliament Virements is allowed within Goods and Services sub items or to payment for capital assets No shifting of funds from/to Transfer and Subsidies is allowed Virements from one programme to another will be implemented only after endorsement by Budget Committee and approval by the Accounting Officer in consultation with the Executive Authority If it is determined that Programmes, Sub programmes or items are over spending at a national level, funds

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							cannot be shifted at all. The amount of a savings under a main division of a vote that may be utilised may not exceed 8% of the amount appropriated under that main division of the vote Shifting of funds from one region to another will be implemented only after endorsement by the Chief Financial Officer and shall be limited to unavoidable and unforeseeable expenditure Shifting of funds between management areas within the region shall be limited to unavoidable and unforeseeable expenditure
45.	PFMA s 43(3)	Submit a report within seven days to the Executive Authority and to National Treasury containing the prescribed particulars concerning the application of Virement between main divisions within the vote.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Once the Accounting Officer has approved the virement, Director Management Accounting to ensure that the report is submitted to National Treasury and Executive Authority within seven (7) days.
46.	PFMA s 76(1)(j)	Implement relevant prescripts regarding granting of approval for payments and remissions as	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	All submissions to Accounting Officer to be routed via the Chief Financial Officer

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	Treasury Regulation 22.1	an act of grace					
47.	PFMA s 76(1)(l) Treasury Regulation 21.1.1	Approve the granting of gifts, donations and sponsorships by the Department. granting of gifts, donations and sponsorships amount up to **R50 000** granting of gifts, donations and sponsorships amount up to and including **R100 000**	Accounting Officer	**Up to R50 000** Chief Financial Officer **Up to R100 000** Accounting Officer	Not Delegated	Not Delegated	
48.	PFMA s 76.1(l) Treasury Regulation 21.3.1	Obtain approval from National Treasury before the Department offers or accepts any gift of immovable property.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	CDC: Incarceration and Corrections in consultation with the Chief Financial Officer and the Accounting Officer
49.	PFMA s 76.1(l) Treasury Regulation 21.1.2	Approve the acceptance of any gift, donation or sponsorship to the Department, whether such gifts, donations or sponsorships are in cash or kind. up to a maximum amount of **R20 000** per case	Accounting Officer	Director Financial Accounting (cash donation) Director: Logistics:	Regional Head: Finance and Supply Chain Management(cas	Not Delegated	All applications and proposals for gifts, donations and sponsorships received in cash by the Department and the office of the Minister on behalf of the Department should be referred to the Directorate Management Accounting via the Chief Financial Officer or relevant Regional Commissioner

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					h donation and donations in kind)		All cash received in terms of gifts, donations and sponsorships to the Department, must be paid into the Revenue Fund of the Department.
		up to a maximum amount of **R40 000** per case		DC: Financial and Management Accounting (cash donation) DC: Supply Chain Management (donations in kind)	Deputy Regional Commissioner (cash donation and donations in kind)		A copy of the written approval (memorandum/letter) must also be made available to the Directorate Management Accounting together with:
		up to a maximum amount of **R60 000** per case		Chief Financial Officer	Not Delegated		(a) a copy of the agreement between the Department and the donor which stipulates the terms of the agreement for the Auditor General to audit the terms and conditions thereof; and
		exceeding the amount of **R60 000** per case		Accounting Officer	Not Delegated		(b) The receipt for the gift, donation and sponsorships received.
							Directorate Management Accounting will request these funds during the Adjustment Estimate Budget process each financial year.
							The budget of the Department will then be adjusted with the amounts that were paid into the Revenue fund
							The Accounting Officer may approve such up to R100 000 as stipulated in

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							Treasury Regulations,
50.						Head of Correctional Centre	

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B	**LOGISTICS**						
51.	Treasury Regulations, paragraph 6.5.3	**FREE TRANSFERS** Approve transfer/ acceptance of assets to/ from another State Institution as a result of government's decision to recognize certain functions by transferring them to another	Accounting Officer	Chief Financial Officer - Unlimited	No delegation	No delegation	• No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized.

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		State Institution (existing or new).					Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury Instruction.
52.	Treasury Regulation, paragraph 16A7.2	Approve transfer/ acceptance of state property free of charge to/ from other State Institutions as a disposal process	Accounting Officer	Up to R100 000-00 – Director : Logistics Up to R500 000-00 – DC : SCM and DC : Finance and Management Accounting Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 - Accounting Officer	Up to R100 000-00 – Regional Commissioner Not delegated	Not delegated	• No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury Instruction.
53.		**DISPOSALS**		Up to R100 000-00 –	Up to R100 000-00 –	Not delegated	• Disposal of movable

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	Treasury Regulations paragraphs 16A7	Disposal authority (all items)	Accounting Officer	Director : Logistics Up to R500 000-00 – DC : SCM and DC : Finance and Management Accounting Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 - Accounting Officer	Regional Commissioner Not delegated		assets must be at market related value or by way of price quotations, competitive bids or auction, whichever is most advantageous to the state, unless otherwise determined by the relevant treasury. • When assets are disposed of other than in the ordinary course of the business of the trading entity, the relevant treasury must approve the transaction. • Comply with relevant Treasury Instruction.
54.	Treasury Regulation paragraph 16a7.6	Disposal authority (Firearms)	Accounting Officer	Unlimited – CFO	No delegation	No delegation	• The Accounting Officer or Accounting Authority must, when disposing of firearms, obtain the approval of the National Conventional Arms Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury Instruction.
55.	Treasury	**DONATIONS**					

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	Regulation paragraph 21.1	Approve donations involving perishable provisions by the state	Accounting Officer	Up to and including R50 000-00 per case- DC: SCM Up to and including R100 000-00 per case- Chief Financial Officer Exceeding R100 000-00 per case- Accounting Officer	Up to and including R50 000-00 per case- Regional Commissioner	No delegation	• Comply with relevant Treasury Instruction.
56.	Treasury Regulation paragraph 21.1	Approve donations involving state property (cash amounts excluded)	Accounting Officer	Up to R50 000-00 – Director : Logistics Up to R500 000-00 – DC: SCM. Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 – CFO	Up to R50 000-00 – Regional Head : Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Up to R50 000-00 – Area Commissioner	• When such donations involve cash of the amount exceeding R100 000-00 per case the approval of parliament must be sought before such donations are made. • No donation of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to donate the item(s). Perishable surplus products internally produced by the

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							department are exempted from this provision. • The assigned official must, when disposing of firearms, obtain the approval of the National Conventional Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury Instruction.
57.	Treasury Regulation paragraph 21.2	Approval of acceptance of donations	Accounting Officer	Up to R50 000-00 – Director : Logistics (For Logistical losses) Up to R500 000-00 – DC : SCM/ DC : Financial and Management Accounting Up to R1 000 000-00 – CFO	Up to R50 000-00 – Regional Head : Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Up to R50 000-00 – Area Commissioner	• When a donor or sponsor requests to remain anonymous all documentation must be classified as "secret". The donor/sponsor must be informed that he/she must disclose all particulars including the description and estimated value of the donation to the Public Protector and the Auditor-General in accordance with Treasury Regulation 21.4. The Department must submit

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				Exceeding R1 000 000-00 – Accounting Officer			a certificate from both the Public Protector and the Auditor-General to the National Treasury which states that the identity of the donor or sponsor has been revealed to them that they have noted it and have no objection. • The acceptance of donations may not be to the d3etriment of the State. • Comply with relevant Treasury Instruction.

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C	**PROCUREMENT**						
58.	Treasury Regulations	Develop and implement an effective and efficient supply	Accounting	Chief Financial Officer	Not Delegated	Not Delegated	Comply with relevant Treasury

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	16A3.1 and 16A3.2	chain management system for acquiring goods and services that is fair, equitable, transparent, competitive and cost-effective.	Officer	DC: Supply Chain Management Director: Procurement Director: Logistics Director Financial			instructions
59.	Treasury Regulations 16A4.1	Establish a separate supply chain management unit within the Office of the Chief Financial Officer, to implement the Department's supply chain management system.	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
60.	Treasury Regulations 16A5.1	Ensure that the employees responsible for implementing the supply chain management system are trained and deployed in accordance with the requirements of the Framework for Minimum Training and Deployment issued by National Treasury	Accounting Officer	Director : Procurement Director : Logistics Director : Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
61.	Treasury Regulations 16A6.1	Ensure that the procurement of goods and services, either by way of price quotations or through a bidding process, must be within the threshold values as determined by	Accounting Officer	DC : Supply Chain Management Director : Procurement Director : Logistics Director : Contract	Not Delegated	Not Delegated	Comply with relevant Treasury instructions

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		National Treasury		Management			
62.	Treasury Regulations 16A6.2(c)	Appointment of Bid Adjudication Committee members	Accounting Officer	Not delegated	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
63.	Treasury Regulations 16A6.2(d)	Grant approval for bidding and supply chain procedures	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
64.	Treasury Regulation 16A6.5	Ensure that where there is a period contract in place, no bids are solicited for the same or similar product or service during the tenure of the period contract.	Accounting Officer	DC : Supply Chain Management Director : Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
65.	Treasury Regulation 16A9.1(a)	Take all reasonable steps to prevent abuse of the supply chain management system	Accounting Officer	DC : Supply Chain Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
66.	Treasury Regulation 16A9.1(b)	Investigate, when justified, any allegations against an employee or other role players of corruption, improper conduct, or failure to comply with the supply chain management system.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	• CFO to refer all such cases to the Departmental Investigation Unit in terms of sections 95A of the Correctional Services Act.
67.	Treasury Regulation 16A11.1	Submission of Supply Chain Management information to National Treasury in the format	Accounting Officer	Director : Procurement	Not Delegated	Not Delegated	• Capturing and verification of information of all procured goods, services and works from R30 000-00 (all applicable taxes

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		and intervals as may be required.					included) on the National Treasury System (Procurement Contract Information System). • Proper record-keeping of supportive/ source documents for all captured information.
68.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the annual Demand Management Plan for the Department	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	• Demand plan covers all the departmental procurement needs above and below R500 000.00
69.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the Commodity Sourcing Strategy	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	• Department's sourcing strategy reflects an assessment of which procurement options are appropriate for its spend
70.	National Treasury Instruction Note 32 of	Approval of Annual Department Procurement Plan for the Department	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	• Must be aligned with the department's strategic objectives and priorities. • Must be aligned with the

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	2011. SCM Instruction 2 of 2016/17.						department's budget and annual performance plan • Must include all expenditure on goods, works and services in excess of R500 000.00 • Must be submitted to National Treasury by 31 March of each year.
71.	National Treasury Instruction Note 32 of 2011 SCM Instruction 2 of 2016/17	Approval of quarterly reports on the Procurement Plans to National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Quarterly reports must contain : (a) All acquisitions concluded over the quarter. (b) All acquisitions concluded through the deviation procurement method. (c) All acquisitions concluded through the extension or variation of a contract. Quarterly reports must be submitted to National Treasury by the 15th of the Month following the end of the quarter.
72.	Procurement Manual, Paragraphs 1.3 and 1.4	Granting functional approval/ approval of business case and appointment of Bid Specification and Bid Evaluation Committees	Accounting Officer	**Above R500,000-00 to R10 million:** Chief Financial Officer	**Above R500,000-00 to R10 million:** Regional Commissioner	Not delegated	• Requirement must be in line with Strategic Plan of Department. • Requirement must appear on Procurement Plan. • Bid Specification and Bid Evaluation Committees must be cross-functional of which one must be a SCM Official.

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				Above R10 million: National Commissioner			• Bid Specification and Bid Evaluation Committees must be appointed in writing. • At Regional level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the Regional Head Finance and Supply Chain Management. • At Head Office level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the relevant Chief Deputy Commissioner and the DC Supply Chain Management. • All requests for approval to invite bids and appointment of both the bid specification and bid evaluation committees for requirements exceeding R10 000 000 -00 must be routed via the office the relevant Chief Deputy Commissioner/Regional Commissioner , DC Supply Chain Management and Chief Financial Officer

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73.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Compilation of bid specifications/task directive/Terms of Reference	Accounting Officer	**Unlimited:** Bid Specification Committee	**Up to R10 million:** Bid Specification Committee	Not delegated	• Adherence to the stipulations of Chapter 4 of the Procurement Manual • Compilation of bid specifications/ task directive/ Terms of Reference must involve all role-players of which one must be a supply chain practitioner.
74.	National Treasury Circular dated 29 July 2011. Procurement Manual, Paragraph 4.1.1.1.3	Approval of bid specifications/task directive/Terms of Reference and Special Conditions of Contract	Accounting Officer	**Up to R10 million:** Sub-Bid Adjudication Committee **Above R10 million:** National Bid Adjudication Committee	**Up to R10 million:** Sub-Bid Adjudication Committee	Not delegated	• Adherence to the stipulations of Chapter 4 of the Procurement Manual
75.	Treasury Regulations 16A6.5 National Treasury Circular 3 of 2016	Approval to participate in transversal term contracts facilitated by National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contracts. • The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract

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76.	Treasury Regulations 16A6.5 National Treasury Circular 3 of 2016	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Officials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.
77.	National Treasury Practice Note 5 of 2009/2010	Approval to participate in transversal term contracts facilitated by SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• In consultation with the Chief Deputy Commissioner GITO • Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contracts. • The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
78.	National Treasury Practice Note 5 of 2009/2010	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• In consultation with GITO • Officials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.

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79.	Treasury Regulations 16A6.6	Approval to participate in period contracts arranged by other Departments	Accounting Officer	**Unlimited:** National Bid Adjudication Committee	Not delegated	Not delegated	• Such a contract should have been arranged through a competitive bidding process by the other organ of the state, subject to the written approval of such organ of the state and the relevant contractors
80.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	Approval of acquisition of requirements up to the transaction value of **R2 000-00 (All applicable taxes** included) by means of petty cash voucher, without inviting competitive bids/ price quotations.	Accounting Officer	Activity manager Director level.	Regional Heads at Director Level.	Area coordinators on Director level.	• Sufficient control measures must be implemented to ensure sound financial management of funds and logistical requirements must be adhered to. • Procurement of assets is excluded from this delegation
81.	Treasury Regulations 16A6.1 National Treasury	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of anything, above the transaction value of R2 000-00 to R30 000-00 per case (All applicable taxes included)	Accounting Officer	**Above R2 000-00 to R30 000-00:** PAO	**Above R2 000-00 to R30 000-00:** PAO	**Above R2 000-00 to R30 000-00:** PAO	• Price quotations must only be invited from companies registered on the National Treasury Central Supplier Database(CSD) • If for a specific commodity, there is not enough pool of prospective suppliers

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	Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	• Grant approval to reject a proposal for the award of a quotation if the recommended bidder has committed a corrupt or fraudulent act in competing for the particular contract. • Grant approval to disregard any quotation, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract.					registered on the Central Suppliers Database, market analysis should be conducted to obtain other prospective suppliers and this suppliers must be encourage to register on CSD before they are invited to provide quotations. • At least three price quotations must be obtained. Where it is not possible to obtain three price quotations, valid reasons must be recorded and approved by the delegate. • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract or Purchase order
82.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated	Approval of price quotations for sale of goods above the transaction value of R2 000-00 to R30 000-00 per case (All applicable taxes included) • Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract.	Accounting Officer	**Above R2 000-00 to R30 000-00:** PAO	**Above R2 000-00 to R30 000-00:** PAO	**Above R2 000-00 to R30 000-00:** PAO	• Invitation to sell must be widely advertised e.g. pamphlets, billboards, etc. with minimal cost that will not outweigh the benefit to the state. • TAX matters of bidders must be in order. • Means of payment must be bank guaranteed cheque or cash • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly

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	2007/11/29 Procurement manual chapter 5	• Grant approval to disregard the quotation of any supplier, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract.					checked prior to awarding any contract.
83.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of anything, above the transaction value of R30 000-00 to R500,000-00 per case (All applicable taxes included) • Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract. • Grant approval to disregard the quotation of any supplier, if a supplier or any of its directors have abused the	Accounting Officer	**Above R30 000-00 to R100 000-00:** ASD Procurement **Above R100 000-00 to R300,000-00:** DD Tender Management **Above R300 000-00 to R500,000-00:** Director Procurement	**Above R30 000-00 to R100 000-00:** ASD Procurement **Above R100 000-00 to R300,000-00:** Regional Coordinator SCM (DD Level) **Above R300 000-00 to R500,000-00:** Area Coordinator: Finance and SCM (Director Level)	**Above R30 000-00 to R100 000-00:** Manager: SCM (ASD Level) **Above R100 000-00 to R300,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level) **Above R300 000-00 to R500,000-00:** Area Coordinator: Finance and SCM (Director Level)	• The PPPFA and its Regulations must be applicable. • Functional approval of the requisition must be endorsed by the relevant Head: Correctional Centre/Area Commissioner/ relevant Director at Regional/ Head Office. • BD 28-form must be completed as proof of availability of funds and BAS report must be attached • Price quotations may as far as practicable be invited from possible suppliers registered on the data base. • The person responsible for compiling the invitation may not sign the covering letter of the price quotation document.

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		Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract. • Grant approval to reject any quotation from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations.					• At least three price quotations must be obtained. • Where it is not possible to obtain three price quotations, valid reasons must be recorded and approved by the delegate. • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract.
84.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29	Approval of price quotations for sale of goods above the transaction value of R30 000-00 to R500,000-00 per case (All applicable taxes included) • Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract. • Grant approval to disregard	Accounting Officer	**Up to R500 000-00:** Director Procurement/ Director Logistics	**Up to R500 000-00:** Regional Head Finance and SCM.	**Up to R500 000-00:**Area Commissioner	• A disposal certificate issued by the disposal committee must be provided to SCM/Procurement before the selling of disposed items can commenced. • Only bank guaranteed cheque or cash • The person responsible for compiling the invitation may not sign the covering letter of the price quotation document. • At least three price quotations must be obtained. Where it is not possible to obtain three

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	Procurement manual chapter 5	the quotation of any supplier, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract. • Grant approval to reject any quotation from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations.					price quotations, valid reasons must be recorded and approved by the delegate. • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract.
85.	Treasury Regulations 16A6.3 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29	Invitation of bids (Advertising) (Exceeding R500,000-00 per case (All applicable taxes included)	Accounting Officer	Unlimited NBAC	Above R500,000-00 to R10 million Regional SBAC	No delegation	• Invitation of bids is subject to prior functional approval • Proof of availability of funds in the form of BD 28-form/ BAS report must be attached • Duration of the contract must be negotiated with the end-user prior invitation.

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	Procurement manual chapter 6						
86.	Treasury Regulations 16A6.3 (a) and (b), and 16A10.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapters 3 and 6	Approval of bid documentation by way of signing the covering letter, to check its compliance with National Treasury Regulations and other related prescripts. • Ensure that contracts relating to information technology are prepared in accordance with the State Information Technology Act (SITA) and any other regulations made in terms of that Act. • Ensure that instructions issued by National Treasury in respect of the appointment of consultants are complied with.	Accounting Officer	DD: Procurement DD: Tender Administration	Regional Coordinator: SCM	No delegation.	• Covering letter can only be signed on receipt of a feedback memorandum regarding the decision of the relevant bid adjudication committee from the bid committee secretariat. • Bid document must be checked against Annexure K included in the Procurement Manual for the completeness of the bid documents according to the nature of goods, works or services needed.
87.	Treasury Regulations 16A6.3 (c)	Approving the advertisement of the invitation to bid in the Government Tender bulletin, on the eTender Publication	Accounting Officer	DD: Tender Administration	Regional Coordinator: SCM		• Prescribed forms must be utilized. • Ensure that correct category is selected.

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	Procurement manual chapter 6	Portal and on Department's website (Internet) for at least 21 days					
88.	Treasury Regulations 16A6.2 Procurement manual chapter 7,paragraphs 7.5 and 7.8	Written communication with bidders from the date of advertisements including request for extension of the validity period of the bid. (Up to the date of signing the contract).	Accounting Officer	DD: Tender Administration	RH Finance and SCM	No delegation	• All written communications between the Department and bidders should be available on the administration file of that particular bid. • Request for extension must be in consultation with the chairperson of the Bid Evaluation Committee
89.	Treasury Regulations 16A6.2 and 16A9.1 (d) and (e), 16A9.2 and 16A10.1 Procurement manual chapters 7 and 8	Consideration of bids through a Bid Adjudication Committee, including the following : • Final award of bid • Reject a proposal for the award of a contract if the recommended bidder has committed a corrupt or fraudulent act in competing for the particular contract. • Disregard the bid of any bidder, if a bidder or any of its directors have abused the Department's supply chain	Accounting Officer	**Above R500,000-00 to R10 million**: Sub-Bid Adjudication Committee **Above R10 million to unlimited**:-National Bid Adjudication Committee	**Above R500,000-00 to R10 million**: Sub-Bid Adjudication Committee	No delegation	• All members must be appointed in writing by the Accounting Officer • Members of the relevant BEC must diligently prepare for the Adjudication Committee Meeting by thoroughly study the submissions for compliance before the meeting. • Committee must form a quorum • The meeting must be properly constituted and include the secretariat in all sittings. • Committee must declare interest and confirm by signing the declaration of interest

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	National Treasury Circular on code of conduct for Bid Adjudication Committee dated 24 March 2006	management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract. • Reject any bid from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations.					form. • Should the relevant sub bid adjudication committee be of the opinion that the bid should be awarded to a bidder other than the recommended bidder ,the recommendations of the relevant sub bid adjudication Committee must be forwarded to the Directorate Procurement for consideration and adjudication by the National Bid Adjudication Committee. • Should the National Bid Adjudication Committee be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations must be forwarded to the National Commissioner for approval.
90.	SCM Circular 16 of 2016/17	Negotiation of bid price with successful bidders prior to signing of agreement/ contract in line with the conditions of the bid.	Accounting Officer	Negotiation team:	Negotiation team		• Contracts can only be entered into after negotiations of prices. • Minutes of negotiations must be kept. • Bidder need to confirm new prices in writing. • Conditions of the contract

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							must not be compromised.
91.	SCM Circular 16 of 2016/17	Approval of negotiated bid price	Accounting Officer	**Up to R10 million:** Chief Financial Officer **Above R10 million:** National Commissioner	**Up to R10 million:** Deputy Commissioner responsible for SCM		• Only market related, reasonable and cost effective prices may be accepted
92.	Treasury Regulation 16A6.10.1 National Treasury Instruction Note dated 31 May 2011 Procurement Manual Chapters 3 and 10	Signing of contracts and SLA's	Accounting Officer	**Up to R3 million:** DD: Demand Management **Above R3 million:** Director: Contract Management	**Up to R3 million:** Regional Head: Finance and SCM **Above R3 million:** No delegation		• Contracts that include service level agreements must be vetted by legal services prior signing of the contract • Head Office: Officials from Contract Management and End User must witness during the signing of contracts. • Regions: Regional Head Supply Chain and Finance and Coordinator must sign as witnesses • If in excess of R10 million and the product is of imported nature/content, ensure that details of bid are reported to DTI
93.	Treasury Regulations 16A6.3(d) National	Approval of publishing of bids awarded in the Government Tender bulletin, on the eTender Publication Portal, Department's website (Internet) and any other media	Accounting Officer	Director: Procurement/ DD: Tender Administration	Regional Head: Finance and SCM/ Regional Coordinator: SCM		• Following information must appear in the advertisement : - Contract number and description - Names of successful bidder(s) and B-BBEE Status - Contract price(s); and

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	Treasury Instruction Note dated 31 May 2011	in which the bid invitation was advertised.					- if possible brand names and dates for completion of contracts.
94.	National Treasury Circular dated 1 December 2011 Preferential Procurement Regulations, 2017	Cancellation of price quotations above the transaction value of R2000-00 to R500,000-00 per case (All applicable taxes included)	Accounting Officer	**Above R2 000-00 to R30 000-00:** ASD Procurement **Above R30 000-00 to R100 000-00:** DD: Tender Management (DD Level **Above R100 000-00 to R500,000-00:** Director Procurement	**Above R2 000-00 to R30 000-00:** ASD Procurement **Above R30 000-00 to R100 000-00:** Regional Coordinator: SCM (DD Level) **Above R100 000-00 to R500,000-00:** Regional Head Finance and SCM. (Director Level)	**Above R2 000-00 to R30 000-00:** Manager: SCM (ASD Level) **Above R30 000-00 to R100 000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level) **Above R100 000-00 to R500,000-00:** Area Coordinator: Finance and SCM. (Director Level)	• Price quotations may be cancelled due to, amongst others, the following reasons : - changed circumstances where there is no longer a need for the goods, works or services that were quoted for; - Funds are no longer available to cover the total envisaged expenditure; - No acceptable price quotations have been received; - Errors in the price quotation invitation; - Price is certified as being exorbitant; and - When price quotations have expired.
95.	Procurement manual chapter 8 par 8.5	Cancellation of bids received.	Accounting Officer	**Above R500,000-00:** National Commissioner	**Above R500,000-00:** National Commissioner		• Bids or items thereof may be cancelled due to amongst the following reasons : - changed circumstances

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	Preferential Procurement Regulations, 2017						where there is no longer a need for the goods, works or services that were bided for; - Funds are no longer available to cover the total envisaged expenditure; - No acceptable bids have been received; and - Due to material irregularities in the bid process. If there are material irregularities that are committed during the bid process such that it renders the entire process unfair, the National Commissioner may cancel the bid process and start afresh. • **In the instance where the bid is cancelled for the second time, only National Treasury can grant approval for the cancellation of the bid.** • Cancellation need to be advertised in the Government Tender Bulletin and on the Departmental Website on Internet.
96.	Treasury Regulations 16A6.3(d) National	Approval of publishing of cancellation of bids in the Government Tender bulletin, on the eTender Publication Portal, Department's website	Accounting Officer	DD : Tender Administration	Regional Coordinator: Supply Chain Management		• Following information must appear in the advertisement : - Contract number and description - Names of successful bidder(s)

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	Treasury Instruction Note dated 31 May 2011	(Internet) and any other media in which the bid invitation was advertised.					and B-BBEE Status - Contract price(s); and - if possible brand names and dates for completion of contracts.
97.	Treasury Regulations 16A6.3 (c) Procurement manual chapter 6 par 6.11.2	Approval for the shortening of the closing date due to the urgent nature of the requirement (Deviation from 21 days)	Accounting Officer	Chief Financial Officer			• Advertised in the Government Tender Bulletin • Reasons and motivations for the requests of shortened closing period must be available on record for audit purpose
98.	Treasury Regulations 16A6.4 National Treasury Instruction Note 3 of 2016/17	**Deviations from Procurement Process (including emergency and urgent cases)** Goods, works or services may be procured deviating in cases where its impractical to follow procurement process of obtaining 3 or more quotations.	Accounting Officer	**Above R2 000-00 to R100 000.00:** Director Procurement/ Director Logistics **Above R100 000.00 to R250 000.00** DC:SCM : **Above R250 000.00 to R500 000.00** CFO **Above R500 000.00 National Treasury in consultation with Accounting Officer**	**Above R2 000-00 to R100 000.00:** Regional Head Finance Above **R 100 000.00 to R250 000.00** **DRC**	**Above R2 000-00 to R30 000-00:** Area Coordinator: Finance and SCM. (Director Level) Not delegated	• In these cases it is permissible to deviate from the bid process and to invite price quotations subject to approvals. The relevant parties must confirm their offers in writing as soon as possible. • The **reasons for deviation must be in writing**, and placed on record for audit purposes. • The reasons for deviation with price quotations/bids should not be due to poor planning. • The BD 25-form must be used for this purpose. • After acceptance attempts should be made to obtain the status level verification

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							certificate (B-BBEE). • All transactions with a value exceeding R30 000.00 should be captured on the National Treasury website • National Commissioner must provide prior functional approval as per item 72 • All deviation cases above R500 000.00must be approved by via Accounting Officer and reported to Auditor-General. Management Areas and Regional Offices need to report such cases to Director Procurement for this purpose.
99.	Treasury Regulations 16A6.4	Repair and maintenance of technical equipment of which the defect is unknown by obtaining price quotations from the manufacturer) sole supplier, his agent or a qualified supplier on the National Treasury Central Suppliers Database	National Commissioner	**Above R30 000-00 to R100 000-00:** ASD: Procurement **Above R100 000-00 to R300,000-00:** DD: Tender Management	**Above R30 000-00 to R100 000-00:** ASD Procurement **Above R100 000-00 to R300,000-00:** Regional Coordinator: SCM (DD Level)	**Above R30 000-00 to R100 000-00:** Manager: SCM (ASD Level) **Above R100 000-00 to R300,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level)	• If the machinery is still under guarantee, repair should take place in accordance with the stipulations of the guarantee. • Should the manufacturer or his agent not be available, rotation of qualified suppliers should take place. • Evidence must be kept for audit purposes • The GCC must be applied to cases exceeding R30 000-00 (all applicable taxes included) • It should be determined whether it is economic to

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							repair the equipment. • A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. • All quotation above R30 000-00 should be captured on National Treasury website. •
100.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock up to a financial limit of R200 000-00 per case at Production Auctions	Accounting Officer			**Above R30 000-00 to R100 000-00:** Manager: SCM (ASD Level) **Above R100 000-00 to R200,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level)	• The Departmental Agriculturist should make preliminary surveys of the available breeding animals that comply with the established requirements with a view to purchase. Recommendation must be made to the Director: Agriculture and Production Workshops, for a final decision. A departmental agriculturist (irrespective of rank), should at least be authorised in writing by the Area Commissioner to bid at the auction on the identified breeding animals, on behalf of the Department. • The transaction must be formalized by means of a price quotation, in which the breeder commits himself/ herself to the conditions as

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							contained in the GCC. • A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. • All quotations above R30 000-00 should be captured on National Treasury website. • All animals procured, must be inspected by a veterinary for acceptability.
101.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock that are not available at production auctions and are procured directly from breeders up to a financial limit of R200 000-00 per case	Accounting Officer			**Above R30 000-00 to R100 000-00:** Manager: SCM (ASD Level) **Above R100 000-00 to R200,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level)	• Departmental Agriculturists, in cooperation with the state veterinarian, should make preliminary surveys of available breeding animals that comply with the stated requirements with a view to purchase. Recommendations are made to the Director: Agriculture and Production Workshops for a final decision. A departmental agriculturist (irrespective of rank) should at least be authorised in writing by the Area Commissioner to negotiate with the breeders, on behalf of the Department, for the purchase of the identified breeding animals, with reference to confidential

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							guidelines regarding the estimated value of livestock. • The transaction must be formalized by means of a price quotation, in which the breeder commits himself/ herself to the conditions as contained in the GCC. • A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00 for all price quotations. • All quotation above R30 000-00 should be captured on National Treasury website. • All animals procured, must be inspected by a veterinary for acceptability.
102.	Treasury Regulations 16A6.4	Purchasing of Pharmaceutical Medicines to replenish stock levels where it is not possible to utilise transversal contracts.	Accounting Officer		**Up to the level of** **R10 000 000-00:** Sub-Bid Adjudication Committee.		• All pharmaceutical medicines must be procured from the Transversal Contract. • Any deviation on the procurement model must be adjudicated by the relevant bid committee
103.	Treasury Regulations 16A6.4	Purchasing of medicament for Departmental Pharmacies above R30 000-00 to R500, 000-00 per month (each month	Accounting Officer			**Above R30 000-00 to R100 000-00:** Manager: SCM	• Only applicable where no accessible departmental pharmacy is available. • Motivation must be prepared

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		must be viewed as a case) from **wholesalers/distributors registered on the list of prospective suppliers** without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.				(ASD Level) **Above R100 000-00 to R300,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level_ **Above R300 000-00 to R500,000-00:** Area Coordinator: Finance and SCM (Director Level)	and approved by delegated official • Only the quantities required to satisfy the immediate need (and not to maintain warehouse or ward stock levels), must be procured. • Such requests must be recommended by the Pharmacist. • Purchases must take place on a rotation basis, per month, by rotating all medical wholesalers/distributors registered on the list of prospective suppliers. • Motivation must be prepared and approved by delegated official • A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. • All quotation above R30 000-00 should be captured on National Treasury website.
104.	Treasury Regulations 16A6.4	Purchasing of medicament for Departmental Pharmacies above R30 000-00 to R500, 000-00 per month (each month	Accounting Officer			**Above R30 000-00 to R100 000-00:** Manager: SCM	• Only applicable where no accessible departmental pharmacy is available. • Only the quantities required to

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		must be viewed as a case) from **wholesalers/distributors registered on the list of prospective suppliers** without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.				(ASD Level) **Above R100 000-00 to R300,000-00:** Area Coordinator: Finance and SCM and Manager SCM (DD Level) **Above R300 000-00 to R500,000-00:** Area Coordinator: Finance and SCM (Director Level)	satisfy the immediate need (and not to maintain warehouse or ward stock levels), must be procured. • Such requests must be recommended by the Pharmacist. • Motivation must be prepared and approved by delegated official • Purchases must take place on a rotation basis, per month, by rotating all medical wholesalers/distributors registered on the list of prospective suppliers. • A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. • All quotation above R30 000-00 should be captured on the National Treasury website.
105.	Treasury Regulation 16.4.2	Irregular expenditure incurred as a result of non-compliance with a Treasury Regulation where prior written approval was required from a relevant treasury.	National Treasury	Not delegated			• The function is not delegated to Departments and motivation must be provided to National Treasury for condoning.

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106.	Treasury Regulation 16A6.1	Irregular expenditure incurred as a result of non-compliance with a Treasury Regulation which required cognisance to be taken of a National Treasury determination	National Treasury	Not delegated			• The function is not delegated to Departments and motivation must be provided to National Treasury for condoning.
107.	Treasury Regulation 16A6.4	Irregular expenditure incurred as a result of institutions procuring goods or services by means other than through competitive bids and where reasons for deviating from inviting competitive bids have not been recorded and approved by the functionary to whom the power has been delegated by the accounting officer or accounting authority	Accounting Officer	No delegated			
108.		Irregular expenditure incurred as a result of non-compliance with a requirement of the institution's delegations of authority issued in terms of the PFMA.	Accounting Officer	Not delegated			
109.		Irregular expenditure incurred as a result of non-compliance with a provision contained in any applicable legislation, i.e. transgressing of the Public	Department responsible for the legislation concerned.	Not delegated			

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		Service Regulations, transgressing of the SITA Act,					

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C	**INTERNAL CONTROL AND COMPLIANCE: MANAGEMENT OF LOSSES**						
110.	TR 12.1.2.	Notwithstanding paragraph 12.1.1, the accounting officer of an institution may (if deemed economical and based on a risk assessment) insure motor vehicles, including hired vehicles, or such other movable assets determined by the relevant treasury, but the insurance premium cost may not exceed R250 000 a year on that vote, unless otherwise approved by the relevant treasury.	Accounting Officer	Chief Financial Officer	None	None	
111.	TR 12.2	**Claims against the state through acts or omissions** If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law on the implementation of paragraph 12.2.1.	Accounting Officer	DC Legal Services	Legal Administrator	None	Refer all cases to the applicable Loss Control Officer. The Loss Control Officer to register the matter and refer to relevant legal Service official at Head Office or regional office The loss Control to register and refer to relevant legal service official at Head Office or Regional Office.

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112.	TR 12.2.4	**The State Attorney may only obligate the funds of an institution with the prior written approval of the accounting officer:** a) Amount up to and including R20 000 per case b) Amount up to and including R50 000 per settlement case c) Amount exceeding R50 000 per settlement case	Accounting Officer	DC: Financial and Management Accounting Chief Financial Officer. No delegation	Regional Commissioner No delegation No delegation	No delegation	Contact with the State Attorney regarding legal matters must be handled through relevant Legal Services. In all instances, a written presentation must be made to the Chief Financial Officer who will provide further recommendations on the matter.
113.	TR 12.3.1	**Claims by the state against other persons** If the state suffers a loss or damage and the other person denies liability, the accounting officer must, if deemed economical, refer the matter to the State Attorney for legal action, including the recovery of the value of the loss or damage.	Accounting Officer	DC Legal Services	Legal Administrator	None	The loss Controller must register and refer the matter to the relevant legal services as assigned herein.
114.	TR 12.4.1	**Claims by officials against the state** If an official sustains a loss or	Accounting Officer				When the claim is settled the assigned official gives approval to write off the

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		damage in the execution of official duties and is not compensated, the accounting officer may make good the loss or damage provided that the official can prove such loss or damage. a) Amount up to and including R20 000 per settlement case. b) Amount up to and including R40 000 per settlement case. c) Amount exceeding R50 000 per settlement case		Chief Financial Officer. Not delegated	No delegation	No delegation	amount in accordance with the State Attorney's recommendation. Written presentation must be made to the Accounting Officer who will make a decision as advised by the Chief Financial Officer.
115.	TR 12.5.1	When it appears that the state has suffered losses or damages through criminal acts or Possible criminal acts or omissions, the matter must be reported, in writing, to the accounting officer and the South African Police Service. If liability can be determined, the accounting officer must recover the value of the loss	Accounting Officer	Accounting Officer	None	None	

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		or damage from the person responsible.					
116.	TR 12.5.2	The accounting officer may write off losses or damages arising from criminal acts or omissions if, after a thorough investigation, it is found that the loss or damage is irrecoverable. a) Amount up to and including R20 000 per case b)Amount up to and including R40 000 per case c) Amount up to and including R50 000 per case d) Amount exceeding R50 000	Accounting Officer	DC FMA(only Head offices Chief Financial Officer (Only Losses from Head Office) Chief Financial Officer Not delegated	Regional head Finance Regional Commissioner No delegation No delegation	None	When the Legal Officer is in doubt he/she must consult with the State Attorney on questions of law and make final recommendations on the submission of the writing off of the amount. The delegated officials may write off losses and damages that result from vis major and other unavoidable causes The Legal Services at Regional Office and Director Legal Services (head Office) must provide written recommendations to the Head Finance.
117.	TR 12.5.3	When movable assets are written off, this must be noted in the asset register.	Accounting Officer	Loss Control Officer (Head Office)	Loss Control Officer	Loss Control Officer	As per prescripts.
118.	[Section 76(1)(e) of the PFMA] TR 12.6.1	**Losses and damages through *vis major* and other unavoidable causes** **The accounting officer may write off losses and damages**	Accounting Officer				All Losses of these nature must be investigated by the Loss Control Officer subsequent o recording on the register.

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		that result from *vis major* and other unavoidable causes. a) Amount up to and including R20 000 per case. b) Amount up to and including R40 000 per case. c) Amount up to and including R50 000 per case d) Amount exceeding R50 000		DC FMA(only Head offices losses) Chief Financial Officer (Only Losses from Head Office) Chief Financial Officer. Not delegated.	Regional head Finance Regional Commissioner Not delegated. Not delegated.	No delegation	
119.	[Sections 76(1)(b) and 76(4)(a) of the PFMA] **TR 12.7**	**<u>Losses or damages through acts committed or omitted by officials</u>** 12.7.1 Losses or damages suffered by an institution because of an act committed or omitted by an official, must be recovered from such an official if that official is liable in law.	Accounting Officer	DC FMA(only Head offices losses)	Regional Head Finance	No delegation	
120.	TR 12.7.2	The accounting officer must determine the amount of the loss or damage and, in writing, request that official to pay the amount within 30	Accounting Officer	DC FMA(only Head offices losses)	Regional head Finance	No delegation	

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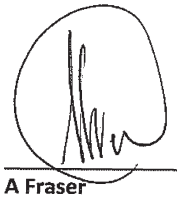
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		days or in reasonable instalments. If the official fails to comply with the request, the matter must be handed to the State Attorney for the recovery of the loss or damage.					
121.	TR 12.7.3.	A claim against an official must be waived if the conditions in paragraph 12.2.1(a) to (g) are not applicable. a) Amount up to and including R20 000 per case b) Amount up to and including R40 000 per case c) Amount up to and including R50 000 per case. d) Amount exceeding R50 000 per case.	Accounting Officer	DC FMA(only Head offices losses) Chief Financial Officer Chief Financial Officer (Only Losses from Head Office) Not delegated	Regional head Finance and SCM Regional Commissioner Not delegated	No delegation	The incumbent from the same post who initially instructed recovery must do this. If the official is still not satisfied with the second decision he/she may request submission to the CFO as a final departmental option to solve the dispute. The Regional Commissioner must provide written recommendation to the Accounting Officer. The Accounting Officer must consider written submissions on the basis of comments/inputs received from the CFO The Chief Financial Officer must provide written recommendation to the

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							Accounting Officer
122.	TR 12.7.4	If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law in the implementation of paragraphs 12.7.1 and 12.7.3.	Accounting Officer	Director in CD Legal Services	Regional Head Legal Services	No delegation	All cases to be referred to applicable Loss Control Officer. The Loss Control Officer at Regions or head Office to refer the matter to the relevant DC Legal Services(Head Office) or Legal Administrator at regional office. The assigned Legal Service will negotiate with the State Attorney and report on the matter.



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D.	**RISK MANAGEMENT DELEGATIONS**						
123.	Sections 38(1)(a)(i) and 51(1)(a)(i) of the PFMA,	The Accounting Officers/Authorities to ensure that their Institutions have and maintain effective, efficient and transparent systems of risk management.	Accounting Officer	Chief Risk Officer	Regional Risk Champions /DRC	Area Coordinator Finance/Risk Champions	The CRO must develop a system of risk management for the department and communicate such to the Risk Management Committee prior for approval by Accounting Officer.
124.	TR 3.2.1	The accounting officer must ensure that a risk assessment is conducted regularly to identify emerging risks of the institution. A risk management strategy, which must include a fraud prevention plan, must be used to direct internal audit effort and priority, and to determine the skills required of managers and staff to improve controls and to manage these risks. The strategy must be clearly communicated to all officials to ensure that the risk management strategy is incorporated into the language and culture of the Institution.	Accounting Officer	Chief Risk Officer	Regional Risk Champions /DRC	Area Coordinator Finance/Risk Champions	

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E.	**CONTRACT MANAGEMENT**						
125.	National Treasury: Contract Management Framework	**Identification and classification of contracts** Maintain and manage a contract inventory register	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• The register should be maintained on a daily basis and should enclosed the following information: o Contract Type o Contract value o Contract duration o Contract complexity • All contract information should be reported to Directorate Contract Management on a monthly basis • All contract registers on Head Office, Regions and Management Area levels should correspond
126.	National Treasury: Contract Management Framework	**Oversight of Contract Management** Oversee Contract Management performance	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• Ongoing Contract Management
127.	National Treasury:	Provide Contract Management	Accounting Officer	Director Contract	Regional Head Finance	Area Coordinator	• Ongoing Contract Management training is

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	Contract Management Framework	Training		Management	and SCM	Finance	provided during induction as well as regular refresher training
128.	National Treasury: Contract Management Framework	Reviewing and adjustment of contract management policies, procedures and guidelines.	Accounting Officer	Director Contract Management	No delegation	No delegation	• Policies, procedures and guidelines needs to be reviewed and amended, if required, annually to improve contract management performance
129.	National Treasury: Contract Management Framework	Assessment and evaluation of contract Management activities	Accounting Officer	Chief Financial Officer	Regional Commissioner	Area Commissioner	• Ongoing assessment and evaluation of the effectiveness and efficiency of contract Management activities
130.	Treasury: Contract Management Framework	Implementation of Policies, procedures and guidelines	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• Roles of contract owners, contract managers are clearly defined • Appropriate delegations are in place to allow role players to carry out their responsibilities • Clear procedure for handover from contract award to contract management • The policies and procedures are aligned with organisation wide governance and risk

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							management processes and performance is reported
131.	Treasury: Contract Management Framework	**Resourcing contract management activities** Identification of appropriate resources for the contracts to be management in line with their classification	Accounting Officer	DC: Supply Chain Management DC: Human Resource Management Directorate Contract Management	Regional Commissioner	Area Commissioner	• Appropriate systems (manual of computerised) in place for management control and monitoring • Contract owners and managers have skills and qualifications to carry out contract management activities • Skills and qualifications are accurately detailed in job descriptions • Salaries are commensurate with duties • Contract managers are involved during the tendering/ contract award process • Staff managing the bid and award process understand contract management requirements and the implications that awarding the contract will have on managing the contract during its life

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132.	Treasury: Contract Management Framework	**Document and information management** Management of contract documentation and associated terms and conditions, milestones and deliverables	Accounting Officer	Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Record management systems (physical and or electronic) in place to ensure secure storage of, and easy access to contract documentation • Written procedures set out strict processes for: o Records management o Reporting o Changes to contracts o Contract closure • Contract management system (computerised or manual) used to record and report on key information and trigger points • Regular and ad-hoc reporting highlights satisfactory contract progress, issues by exception, and the need for contract updating due to changed circumstances • Reporting feeds information useful for demand management back into the planning and budgeting process (assessment of quality, quantity, timing, price and supplier) • Reporting feeds information into the inventory, asset, and

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							liability management systems • All role players have a clear understanding of the procedures for: o Extensions o Varying of conditions o Price escalation o Any other potential contract changes o Contract closure
133.	Treasury: Contract Management Framework	**Relationship management** Maintaining relationships with: - external suppliers and buyers - internal service providers and receivers - all other relevant stakeholders	Accounting Officer	DC: Supply Chain management Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Stakeholder relationships classified according to a framework to determine the level of inter action between the institution and stakeholder • Consideration given to continuity of supplier and buyer staff for appropriate categories of contracts • Regula contract management reviews consider existing and potential strategic relationship with a view to deliver benefits for all relevant parties • Roles and responsibilities of the contract manager, contract owner and supplier

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							of buyer are clearly defined and differentiated in the contract documentation and well understood by all parties • Policies, procedures, contract clauses and practices promote and demonstrate actual formal and informal communication channels where appropriate • Policies, procedures, contract clauses and practices promote and demonstrate clear problem and conflict resolution mechanisms including well defined and known escalation routes
134.	Treasury: Contract Management Framework	**Performance Management** Management of the performance of suppliers, buyers, other stakeholders and individual contracts	Accounting Officer	Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Policies and procedures to assess the performance of the supplier, buyer or other stakeholders in meeting the requirements of the contract are clear, well documented and communicated to all parties before sighing of the contract, and prior to commencement of delivery under the contract • Baseline, measurements metrics, methods, data sources, and collection

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							responsibilities are agreed with the supplier before contract signing and commencement of deliver • Performance measurement metrics are linked to service delivery agreements which are consistent with the strategic objective of the institution • Ad-hoc performance reviews are conducted where non-performance is identified outside of the regular review process • Non-performance is addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames • Good performance is recognised and communicated through established channels • All parties participate in joint performance reviews where appropriate, and seek continuous improvement opportunities • Reporting is streamlined, focusing as much as possible

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							on self-measurement, with independent checking mechanisms and exception reporting • The general market is monitored for market trends and compared to performance of current suppliers and buyers
135.	Treasury: Contract Management Framework	**Payment, collection, incentives and penalties** Management of payments, collections, incentives and penalties	Accounting Officer	Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Payment and collection procedures, conditions and time frames are clearly documented and communicated to suppliers and buyers (milestones, documentation required, documentation submission channels, incentives, penalties) • Payments are always (100 % of the rime) made in accordance with the contract and commercial terms • Receipt of monies due is actively monitored and where monies are not received within terms, immediate action is initiated to recover outstanding amounts

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							• Incentive and penalty mechanisms are clearly linked to desired outcomes and specifically to the strategic objectives of the organisation
136.	Treasury: Contract Management Framework	**Risk Management** Manage contracts risks	Accounting Officer	Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• All contracts set out risk identification, monitoring and escalation procedures and mechanisms which are in line with the institutions enterprise risk management plan • All contracts identify contingency plans for supplier or buyer failure • For key suppliers and buyers, the contract manager monitors the financial health, tax compliance and overall performance of the supplier or buyer • Contract terms and potential ramifications around key issues including, termination, warranty, indemnity, security, confidentiality and dispute resolution are understood by the contract manager
137.	National Treasury circular: Guidelines on the	**Contract Administration** Increase/decrease in quantities/scope of contracts	Accounting Officer	Chief Financial Officer Up to 5% - Director :	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	• The contract must be valid • The commodity/service must be available on the contract • In the case of an increase in quantities, the contractor

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	implementation of Demand management Circular: Postponing implementation of sub-paragraph 3.9.4 in instruction note number 32 dated 31 May 2011			Contract Management Up to 15% - DC : SCM			must be approached to reduce or maintain the initial contract price. • The increase/decrease must be reasonable and in the best interest of the Department •
138.	National Treasury Instruction note 32 of 2011	Approval of Price adjustment requests – Contractual, the price adjustment must not exceed the 15% of the original contractual price for all goods and service and 20%for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	• Subject to the conditions of a contract, contractual price adjustments may, with the exception of transversal contracts or contracts not arranged at the relevant office, be approved in accordance with the contract conditions. • Any exceeding of 15% and or 20 % of the original contract value must be approve by NT

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Item (1)	Section (2)	*Topic Description* (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
139.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTIO N 2 OF 2016/17	Approval of Price adjustment requests –non contractual the price adjustment must not exceed the 15% of the original contractual price for all goods and service and 20%for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	• Non contractual – consideration of requests for price adjustments which are not according to contract conditions. • Any exceeding of 15% and or 20 % of the original contract value must be approve by NT
140.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTIO N 2 OF 2016/17	Approval of Extension of contracts; The value/price of extension must not exceed the 15% of the original contractual price for all goods and service and 20%for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Up to R 500 000-00 unlimited	No delegation	• Subject to the approval of the relevant Bid Adjudication Committee • The price must remain unchanged • Any exceeding of 15% and or 20 % of the original contract value must be approve by NT
141.	National Treasury circular: Guidelines on the implementa tion of Demand	Approval of Extension of delivery period	Accounting Officer	• Period not exceeding thirty(30) days – below R3 000 000-00 - Director Contract management • Exceeding 30 days - Up to R3 000 000-00 – Sub-Bid Adjudication	Regional Head Finance and SCM	No delegation	• Subject to the approval of the Director Contract Management • Subject to the approval of the National Bid Adjudication Committee • Subject to the approval of the sub-bid Adjudication Committee

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	management			Committee • Exceeding R10 000 000-00 – National Bid Adjudication Committee			
142.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	• The application for transfer must be signed by both the transferor and transferee. • The contract has been arranged by the relevant Bid Adjudication Committee • The transfer is not to the detriment of the state • If a contract was approved as a result of the application of the point preference system for B-BBEE, the transferee should also similarly qualify under the same principle to obtain such a contract. (This is to prevent fronting) • The transferee must be capable of executing the contract and has complied with all initial conditions of the contract, including the provisioning of an original and valid Tax Clearance Certificate.
143.	Procurement manual	Transfer of contract payments	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication	Up to R3 000 000-00 – Sub-Bid Adjudication	No delegation	• The contractor must make an application in an official

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	paragraphs 1.3 and 1.4			Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Committee Legal services to advise		letter signed by the Managing Director , or any other authorised person • The contractor must be advised that any receipt issued by the transferee will serve as proof of payment of the amount concerned to the contractor.
144.	National treasury circular dated 29 July 2011 Procurement manual , paragraph 4.1.1.1.3	Cancellation of contracts	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	• Transversal contracts arranged by National Treasury and contracts arranged by other institutions are specifically excluded from these Delegated Powers • Prior to the submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services'/ Regional Head: Legal Services' must be consulted. • In the event of the Department requesting the cancellation, the contractor or supplier must certify in writing his willingness to cancel the contract without any cost to the state. • In the event of the contractor or supplier requesting the cancellation :

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							- Be without any cost to the State; - Be accepted in writing by the contractor or supplier that responsibility is accepted to reimburse the department for any additional cost, in the event that re-bidding to satisfy the requirement should bring about additional cost; and - Not be a case of repeated requests of such nature by the said contractor or supplier. • The reasons for cancellation and the losses or consequences that will follow if the contract is not cancelled must be certified and placed on record for audit purposes • In all cases, the cancellation must not be to the detriment of the State • The case refers to the total value of the contract and not only the part of the contract to be cancelled • All cancellations should be reported to the Director: Contract Management for verification purposes and in

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							order to identify possible cases where bidders should be restricted.
145.	GCC Paragraph 18	Amendment of specification where a contract has been concluded, an amendment of the specification, whether initiated by the contractor or the Department, can be made but only after negotiation between the contractor and the Department and at no additional cost.	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	• Such an amendment may not be to the detriment of the state. • Subject to the approval of • Up to R3 000 000-00 – Sub-Bid Adjudication Committee • Up to R10 000 000-00 – National Bid Adjudication Committee
146.	GCC Paragraph 23.5	Initiate restriction of suppliers and the upliftment of such restrictions	Accounting Officer	Accounting Officer	No delegation	No delegation	Subject to the approval of the Accounting Officer
147.	GCC Paragraph 21	Impose penalty/penalties of contract when the supplier fails to perform any other obligation under the contract	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer
148.	GCC Paragraph 23 GCC Paragraph 26	Cancellation/termination of contract when the supplier fails to delivery as agreed	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer • Refer cancellation/termination to National Treasury for possibly Blacklisting of contractor

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149.	GCC Paragraph 23	Restriction of a contractor may be considered if such a contractor claimed preferences fraudulently or such a supplier failed to perform according to contract conditions and specifications	Accounting Officer	Up to R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	• Prior to submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services/ Regional Head: Legal Services must be consulted. • A supplier may be restricted from doing business with any organ of the state for a period not exceeding ten (10) years. • National Treasury must be informed within five (5) working days of such imposition of the name of the restricted supplier and/or any person, the reason for restriction, the period of restriction and the date of commencement of restriction. • Contract Management must record all restriction in the Register.
150.	GCC Paragraph 23	The amendment/upliftment of *restrictions imposed*	Accounting Officer	National Bid Adjudication Committee	No delegation	No delegation	• National Treasury must be informed within five (5) working days of such amendments/upliftments of the restrictions. • All recommendations for upliftment must be forwarded to the Director : Contract

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							Management • The matter must serve before the Bid Adjudication Committee to evaluate the reasons • Directorate: Contract Management must keep database for all upliftments.
151.	GCC Paragraph 21	Delays in Supplier's performance	Accounting Officer	DC: Supply Chain Management Director Contract Management End user/contract owner	Regional Head Finance & SCM	Area Coordinator Finance	Subject to the approval of Contract Management/ DC: Supply Chain Management
152.		Considering of products in line with specifications (minor deviations)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee
153.	Treasury Regulation 16A6.3 GCC Paragraph 21.6	Approval to procure outside contract (small quantities emergency)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee
154.	GCC Paragraph 21.6	Approval to procure outside the contract (buy out transaction)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee

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155.	GCC Paragraph 22.1	Approval to impose penalties	Accounting Officer	Accounting Officer	Director Contract Management	No delegation	Subject to the approval of Accounting Officer
156.	GCC Paragraph 23	Termination for default	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Exceeding R3 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Prior to submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services/ Regional Head: Legal Services must be consulted.
157.	GCC Paragraph 27	Settlement of disputes	Accounting Officer	DC: Supply Chain Management Director Contract Management DC Legal services End user / contract owner	No delegation	No delegation	30 days after the parties failed to resolve their dispute or differences by mutual consultation then either of the parties shall notify the other party of his/her intention to commence with mediation.
158.		**Steering Committee** Nomination of Steering Committee members	Accounting Officer	Accounting Officer	RC	No delegation	Dependent on the nature of the contract entered into
159.		Approval of Steering Committee members	Accounting Officer	Accounting Officer	RC	No delegation	Dependent on the nature of the contract entered into

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160.	Concession Contract, paragraph 3.1	**Contract Management : Public Private Partnership Systems** Approval of any amendment of the Financing Agreement which increases or may increase the Lender Liabilities	Accounting Officer	CFO	No delegation	No delegation	Prior written consent from the department must be obtained
161.	Concession Contract, paragraph 4.10(c)	Approval for settlement of any claim by a third party not exceeding R50 000-00 to which the Department is not likely to become a party.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
162.	Concession Contract, paragraph 5.2	Approval in terms of Insurances taken by the Contractor with Insurers.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
163.	Concession Contract, paragraph 5.7	Approval of any insurance claim above R50 000-00 or any insurance claim whatsoever relating to the infringement of an offender's rights.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
164.	Concession Contract, paragraph 7.1	Granting approval for any of the Contractor's obligations under the Contract to be performed or undertaken by any other person.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
165.	Concession Contract, paragraph	Granting approval for the appointment of a replacement Construction Sub-contractor or Operating Sub-contractor	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained

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	7.4						
166.	Concession Contract, paragraph 8.1	Granting approval in the case of the Contractor Change, or where the Independent Engineer reasonably determines that an application by the Contractor for Design Development under Part 3 of Schedule A constitutes a Contractor Change	Accounting Officer	CFO	No delegation	No delegation	Prior written consent from the department must be obtained
167.	Concession Contract, paragraph 9	Granting of- and subsequent approval of Contractual changes	Accounting Officer	CFO CDC: Facilities Management DC: Supply Chain Management	No delegation	No delegation	The Department together with department of public works shall give written notice to the contractor.
168.	Concession Contract, paragraph 9.9	Acceptance / approval of estimates of the increase or decrease in the Contract fee which occurs as a result of the changes set out in the Notice to Change	Accounting Officer	National Bid Adjudication Committee	No delegation	No delegation	The department may accept the estimates in writing to the contractor
169.	Concession Contract, paragraph 12	Assisting the Contractor in connection with the obtaining of all requisite planning permissions.	Accounting Officer	DC : Facilities	No delegation	No delegation	Prior written consent from the department must be obtained
170.	Concession Contract, paragraph 16.2	Effecting variation in accordance with Clause 62 (Variations).	Accounting Officer	Departmental and Contractor's Named Representatives	No delegation	No delegation	Prior written consent from the department must be obtained

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171.	Concession Contract, paragraph 19.1	A dilapidation survey for the purpose of determining the physical condition and state of maintenance of the Correctional Centre Assets and the road.	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	DC Facilities shall conduct the dilapidation survey after every two years and the costs incurred shall be borne by the department
172.	Concession Contract, paragraph 19.2	Notifying the Contractor of the work the Department reasonable believes is required to be done consequent to the survey referred to in Clause 19.1 or Clause 52.1	Accounting Officer	Named Representative/ Director : Contract Management	No delegation	No delegation	Prior written consent from the department must be obtained and Contractor to bear all costs
173.	Concession Contract, paragraph 19.3	Carrying out such unremedied repairs and/or maintenance itself, or to procure same, at the Contractor's reasonable cost, where the latter has failed to effect any and all repairs and/or maintenance required pursuant to Clause 19.2	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	In case the department incur costs in terms of maintenance and repairs the amount will be set off from the contractor's invoice
174.	Concession Contract, paragraph 20.2	Approval of such part of the Operation Proposals as do not comply with the Contract	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department
175.	Concession Contract, paragraphs 20.3 and 20.6	Approval of the operation proposals	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department

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176.	Concession Contract, paragraph 20.5	Approval of the Operation Proposals subject to satisfactory completion of the tests in accordance with Clause 20.6	Accounting Officer	Relevant Director	No delegation	No delegation	A certificate to be provide by the department
177.	Concession Contract, paragraph 22.1(b)	Electing, at his discretion to utilize available offender places made available by the Contractor.	Accounting Officer	CDC Incarceration and Corrections	No delegation	No delegation	The discretion lies with the department
178.	Correctiona l Services Act, Act 111 of 1998, Section 107 Concession Contract, paragraph 31.3	Approval of any change to the person occupying the position of a Director NB : Appointment of a Director is regulated by Section 107 of the Correctional Services Act, Act No 111 of 1998	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
179.	Correctiona l Services Act, Act 111 of 1998, Section 105	Approval of any change to the person occupying the position of the Controller NB: Appointment of a Controller is regulated by Correctional Services Act, Act 111 of 1998, Section 105	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
180.	Concession Contract, paragraph	Approval of uniforms or standard of dress to be used by the Contractor or the Operating Sub-contractor	Accounting Officer	Director : Human Resource Administration and Utilisation in	No delegation	No delegation	Prior approval to be granted by the department

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	33.3			consultation with CDC: Human Resource			
181.	Correctiona l Services Act, Act 111 of 1998, Section 109 Concession Contract, paragraph 33.4	Approval of the appointment of staff that are not required to be certified as custody officials.	Accounting Officer	Director : Human Resource Administration and Utilisation in consultation with CDC: Human Resource	No delegation	No delegation	Prior written consent from the department must be obtained
182.	Concession Contract, paragraph 33.6(b) and (c)	Consent to the varying of the numbers of Staff as referred to in the table headed "Staffing Summary" in Schedule D (the "Staffing Summary Table") and the table headed "Minimum Staffing Levels" in Schedule D.	Accounting Officer	Accounting Officer DC: SCM Director: Contract Management	No delegation	No delegation	Prior written consent from the department must be obtained
183.	Concession Contract, paragraph 33.8	Granting approval to the Contractor to engage a new member of staff who has not been subject to prior approval or certification in accordance with Clauses 31 and 32	Accounting Officer	Director: Human Resource Administration and Utilisation in consultation with CDC: Human Resource	No delegation	No delegation	The department to be provided with the information and approve the requisite approval or certification.
184.	Concession Contract, paragraph	Approval of the Contractor's strategic development plan to operate the Prison	Accounting Officer	CDC: Strategic Management	No delegation	No delegation	The contractor shall provide a strategic development plan to operate the prison for the first five years from the actual

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	41						opening date at least six months prior to the actual opening date. At least six (6) months prior to the end of the first 5 year plan, and every five years thereafter, the contractor shall consult with the department and submit such further strategic development plans to the department for its approval as the department may reasonably require. The plans will be in accordance with the policies and vision statements adopted from time to time by the department, provided(and without prejudice to the provisions of clause 9 (Departmental Changes) that the contractor shall only be obliged to implement such plans to the extent they would not increase the cost and risk to the contractor of providing the custodial services, provided that such changes will not, in the reasonable opinion of the contractor jeopardise the

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							security and/or operation of the prison. The contractor shall operate systems to ensure the continuing quality of the services at the same levels as those indicated in Part V of the concession contract. The contractor shall have no recourse to clause 39 (variation of price) as a result of any obligation imposed by this clause. Without prejudice to the department's rights under clause 44 9 default) and 45 (termination for contractor default), the amount payable by the department for the services of the contractor under the concession contract shall be reduced by any penalties which may be imposed in accordance with schedule M (compliance monitoring) and which shall be payable in accordance with clause 43 (recovery of sums due and right set off)

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							The contractor shall under a duty inform the department promptly of any failure to meet any of the standards set out in schedule C (Maintenance requirements) or schedule D (Operational requirements) as soon as practicable and, in any event, within 24 hours of its occurrence. The contractor shall notify the department of any escaped prisoner (as detailed in schedule M) or death at the prison immediately upon the contractor becoming aware of the same.
185.	Concession Contract, paragraph 45.1	Granting of Rectification Notice	Accounting Officer	0-30 days – DC : Facilities 31-90 days – CDC: Incarceration and Corrections 90 days and more – Accounting Officer	No delegation	No delegation	The department shall give notice to the contractor in writing to rectify the breach. If the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed

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							to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 46(step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice.
186.	Concession Contract, paragraph 45.1	Granting of a Termination Notice.	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall give notice to the contractor in writing to rectify the breach. If the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the

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							breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 46(step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice.

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187.	Concession Contract, paragraph 49.1 and Schedule F	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 45 (Termination for Contractor Default).	Accounting Officer	Accounting Officer	No delegation	No delegation	Without prejudice to the right of either party to payment and/or set off of amounts owing under this contract prior to termination, where the contract prior to termination, where the contract terminates by virtue of clause 45 (Termination for contractor default). The department shall pay to the contractor the amounts set out in Schedule F, less; and the contractor will remain liable to the department for any losses which should have been incurred by the contractor pursuant to this contract whenever arising, but no other losses.
188.	Concession Contract, paragraph 49.2	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 47 (Termination of Department Default) of Clause 44.2 (Material Adverse Governmental Action).	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as set out in schedule G (Payments of department event of default/Material Governmental Action Termination)
189.	Concession Contract,	Determination of payment	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as

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	paragraph 49.3 Schedule H	and/or set-off amounts owing under the Contract prior to termination in the event of a termination under Clause 48 (Force Majeure) or Clause 5.13 (A) and (b) (Insurance)					set out in schedule H (Payments on Department Event of Default/Material Adverse Governmental Action Termination).
190.	Concession Contract, paragraph 49.5	Granting consent to an agreement, acceptance or settlement of any claim or issue or dispute relating to any liability for Taxation.	Accounting Officer	Accounting Officer	No delegation	No delegation	All sums payable by the department under clause 49 (payment for termination) shall be increased in the event that the contractor shall incur any liability for taxation in respect of any termination payment, so as to ensure that the net amount received by the contractor (after account is taken of the taxation consequences of the increased payment) is equal to the full amount which would have been received by it had no such liability to taxation been incurred.
191.	Concession Contract, paragraph 50	Change in the beneficial ownership of the Contractor. Approval of such change of control or exercising the right to terminate the Contract at its election, if such approval is not obtained.	Accounting Officer	Accounting Officer	No delegation	No delegation	The contractor shall inform the department immediately of any change in the beneficial ownership of the contractor. The contractor shall at all times obtain the approval of the department

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				Head Office (5)	Region (6)	Management Area (7)	
192.	Concession Contract, paragraph 57.2	Approval of communication with representatives of the press, television, radio or other communication media on any matter concerning the Contract by the Contractor.	Accounting Officer	DC : Communication Services with prior consent by Director : Contract Management	No delegation	No delegation	The contractor shall not by itself communicate with any media on any matter concerning the contract without the prior approval of the department.
193.	Concession Contract, paragraph 57.3	Approval for photographing or taking film of the Correctional Centre	Accounting Officer	DC : Communications	No delegation	No delegation	No facilities to photograph or film in or upon the land or the prison or any part of the road shall be given or permitted by the contractor unless the department has given prior written approval.
194.	Concession Contract, paragraph 62	Any appointment/ replacement of the named Representative of the Department.	Accounting Officer	Accounting Officer	No delegation	No delegation	A written notice of the change shall be given by the department to the contractor. A change in the Named representative shall not constitute a variation of the contract.
195.	Concession Contract, paragraph 62.2.2 (Paragraph 62.2 in respect of Authama-	Approval of any amendment to the Contract which is to the financial detriment of the State. (This will also require Treasury approval under Section 76(1)g of the Public Finance Management Act (Act 1 of 1999) read with Treasury Regulation 8.7.1 and 16.10	Accounting Officer	Accounting Officer	No delegation	No delegation	Any amendment to the contract which is to the financial detriment of the State will require Treasury Authority under section 31(1)(f) of the Exchequer Act No. 66 of 1975 as amended, and Treasury instruction k.2.2.14

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	Sinthumule)						
196.	Concession Contract, paragraph 64.3	Review whether the Contractor has complied with the provisions of Schedule N, and, where appropriate impose penalties on the Contractor as set out in Part II of Schedule M.	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Committee shall review whether the contractor has complied with the provisions of schedule N and where appropriate, may , subject to paragraph 2.8 of schedule M, impose penalties on the contractor as set out in Part II of schedule M
197.	Concession Contract, Part 2 Schedule B	Approval of the Data Collection and Reporting Plan	Accounting Officer	Relevant CDC	No delegation	No delegation	All the information details of the all the prisoners will be required by the department as part of the Correctional Services Data Model for Prisoner records.
198.	Concession Contract, Schedule C Paragraph C.1	Approval of Maintenance Programme	Accounting Officer	Director: Facilities Management	No delegation	No delegation	The contractor will compile a maintenance management manual according to the department guideline " Maintenance Management Strategy Plans" (MMSP) document as well as other relevant date according to Schedule C containing a well prepared "Maintenance Programme". The Maintenance

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							Management Manual will be the hub document for all maintenance related policies, procedures, schedules, inspections and tests etc. Copies of the Maintenance Manual must be handed over to the Independent Engineer for distribution as follows: 1x hard copy and 1X electronic copy of maintenance manual to: DC: Facilities and Department of Public Works Updates and changes should be formally done to the authorities involved according to the distribution list showing on the revision list the update/change, page/s affected revision numbers and dates etc. The contractor shall be responsible for all routine inspection, testing, maintenance, repair, refurbishment and replacement services in relation to the prison and the site including the roads, fences,

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							walls, buildings, and all other plant, fixtures, fittings, chattels and other associated equipment including transport and mobile equipment and apparatus.
199.	Concession Contract, Schedule D Goal 1	Approval of the security manual and contingency planning manual	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	The Director of the Prison will bear the overall responsibility for security. This will receive his close personal attention in respect of but not limited to: Standard security arrangements Incident and emergency orders Contingency plans Liaison with local emergency services and command arrangements. Policy reviewed annually.
200.	Concession Contract, Schedule D Goal 1.3	Approval of system of monthly review of offenders, to include categorization and further allocation.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	The contractor will establish a system of monthly review of prisoners, which has been approved by the department, to include categorisation and further allocation, meet the Prisoner's needs and fit with his

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				Head Office (5)	Region (6)	Management Area (7)	
							sentence plan. This system will comply with department policy The categorisation system will include but not limited to: Provisional classification (under no circumstances will Prisoners classification be delayed for a period longer than 72 hours Admissions and induction process Internal allocation assignment and sentence plan. Policy reviewed annually
201.	Concession Contract, Schedule D Goal 1.4.1	Approval of Emergency Services	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	The contractor will provide emergency services approved by the department. Policy reviewed annually
202.	Concession Contract, Schedule D Goal 1.8.5	Approval of a full movement control policy to be included in the general operational instructions	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	A full movement control policy will be included in the general Operational Instructions submitted to the department for approval three months from effective date. Policy reviewed annually

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203.	Concession Contract, Schedule D Goal 1.14.1	Approval of a detailed policy or arrangement of patrols	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	The Contractor will supply a detailed policy for approval by the department on arrangements for patrols.
204.	Concession Contract, Schedule D Goal 1.15	Approval of proceedings for emergencies situations as part of contingency planning	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The Contractor will introduce a comprehensive policy on perimeter security. Policy reviewed annually
205.	Concession Contract, Schedule D Goal 2.1	Approval of a system of incentives and earned privileges based on the minimum standards of the DCS programme	Accounting Officer	DC : Personal Corrections	No delegation	No delegation	The contractor will provide a system of incentives and earned privileges based on the minimum standards of the department programme. The system will be published for the information of staff and prisoners and will be agreed with the department six (6) months prior to contractual opening date. Policy reviewed annually
206.	Concession Contract, Schedule D Goal 2.5.1	Approval of remedy of deficiencies.	Accounting Officer	11-60 days – DD : Contract Compliance 61 and more days – Director: Contract Management		0-10 days – Controller	All equipment deficiencies will be rectified within 24 hours of being reported. The contractor will introduce procedure to the department for approval, which specifies when and what action is to be taken as a result of any loss or

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							damage. Policy reviewed annually
207.	Concession Contract, Schedule D Goal 2.5.2	Approval of a procedure, which specifies when and what action is to be taken as a result of any loss or damage.	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Loss or damage to items that might infringe upon security will be investigated immediately and whatever security precaution deemed necessary, will be taken.
208.	Concession Contract, Schedule D Goal 2.8.2	Approval of a policy which covers the following aspects:	Accounting Officer		No delegation	No delegation	The contractor will have a department approved policy to cover: Staff training in conflict resolution techniques. The role of correctional services Controller concerning disciplinary action policies, and procedures as they relate to prisoners. Under what circumstances a prisoner can be housed in the segregation unit. Policy reviewed annually
209.	Concession Contract, Schedule D Goal 2.8.2	Staff training in conflict resolution techniques	Accounting Officer	Director: Core Curriculum in consultation with CDC: Human Resource Development	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.

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210.	Concession Contract, Schedule D Goal 2.8.2	The role of Correctional Services Controller ("CSC") concerning disciplinary action policies, and procedures as they relate to offenders	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
211.	Concession Contract, Schedule D Goal 2.8.2	Under what circumstances an offender can be housed in the segregation unit.	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
212.	Concession Contract, Schedule D Goal 2.9.1 (Schedule D Goal 2.10 in respect of Kutama-Sinthumule)	Approval of anti-bullying policy and procedure	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The contractor will develop and anti-bullying policy and procedure, to be agreed with the department three months prior to the contractual opening. Policy reviewed annually
213.	Concession Contract, Schedule D Goal 2.10.1 (Schedule D Goal 2.11 in respect of Kutama-Sinthumule)	Approval of the control and restraint techniques.	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Physical force may be used only when it is essential to prevent injury, damage to property, to prevent escape or to re-establish control. The minimum force necessary for such purposes should be used. Only those control and restraint ("C &R") techniques approved by the department will be

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							used. Policy reviewed annually
214.	Concession Contract, Schedule D Goal 3.1.4	Approval of a system of screening those at risk of self-harm or suicide.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	The contractor will have in place at reception a system of screening those at risk of self-harm or suicide which will be agreed with the department 30 days from the effective date. Policy reviewed annually
215.	Concession Contract, Schedule D Goal 3.1.7	Approval of a means of communication for offenders to contact a relative or friend on admission.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Prisoners will be given opportunity to contact a relative or friend on admission, telephonically or by other means as approved by the department. This means of communication must be provided to the department three (3) months from the effective date. Policy reviewed annually.
216.	Concession Contract, Schedule D Goal 3.16.2	Approval of the induction programme.	Accounting Officer	Director: Correctional Programmes	No delegation	No delegation	The induction process will occur during the first two weeks after arrival at the Prison. Special exceptions to this timeframe must be approved by the Controller. Policy reviewed annually

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217.	Concession Contract, Schedule D Goal 3.16.7	Approval of provision (for maintaining ties with family, etc.) for those offenders who cannot read or write.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Provision will be made for those Prisoners who cannot read or write. These provisions will be submitted to the department for approval nine (9) months from the effective date. Policy reviewed annually
218.	Concession Contract, Schedule D Goal 3.18	Approval of comprehensive programmes for pest control	Accounting Officer	DC: Health Care Services	No delegation	No delegation	the contractor shall develop a cost effective plan for beautifying the prison site, and conserving all natural resources in flora and fauna but not limited to the following: Maintenance of these areas removal and disposal of garden refuse. Control of obnoxious weeds and bush/alien encroachment. The contractor will design and implement comprehensive programme for pest control. A copy of this program will be submitted to the department for approval twelve (12) months prior to the Contractual opening date. Policy reviewed annually

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219.	Concession Contract, Schedule D Goal 3.30.11 (Schedule D Goal 3.30.13 in respect of Kutama-Sinthumule)	Approval of a comprehensive programme for management of acute mental disorders	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will provide qualified physician to attend the prison daily to examine prisoners within 24 hours after reception and those due for release. The physician will attend to prisoners who have requested consultation or who have been referred, prisoners under punishment or segregation, examine prisoners prior to adjudication, prescribe medications and medical treatment and deal with complains about health or medical treatment. Policy reviewed annually
220.	Concession Contract, Schedule D Goal 3.30.29 (Schedule D Goal 3.30.31 in respect of Kutama-Sinthumule)	Approval of the deaths (natural and unnatural) policies and procedures.	Accounting Officer	DC: Health Care Services	No delegation	No delegation	Deaths (natural and unnatural) will be managed according to approved policies and procedures. These policies and procedures will be Policy reviewed annually submitted to the department thirty (30) days from the effective date.
221.	Concession Contract,	Approval of system for security risk assessment	Accounting Officer	DC: Personal	No delegation	No delegation	Security risk and needs assessment should be

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	Schedule D Goal 4.1			Corrections			submitted to the department nine (9) months prior to the contractual opening date. Policy reviewed annually.
222.	Concession Contract, Schedule D Goal 4.8	Approval of the policy for Religious Care Services	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will appoint a chaplain in accordance with the department appointment procedures for chaplains. Policy reviewed annually. The contractor will enter into a contract with the church or faith.
223.	Concession Contract, Schedule D Goal 4.15	Approval of a full schedule of fostered attendance at the library as part of the development programme.	Accounting Officer	DC: Personal Development	No delegation	No delegation	There will be a library, stocked with a number of books which is sufficient for the prisoner population which will comply with the minimum guidelines from the National, Provincial and Municipal Library Services.
224.	Concession Contract, Schedule D Goal 6.4.3	Approval of the Equal Opportunities Policy and Affirmative Action Policy	Accounting Officer	DC: Employee Relations	No delegation	No delegation	The contractor will submit its equal opportunities policy and affirmative action policy to the department for approval within sixty (60) days from the effective date.
225.	Concession Contract, Schedule D	Approval of the Contractors policy statement on drug and alcohol free workplace.	Accounting Officer	Director: Human Resource Administration and	No delegation	No delegation	The contractor policy statement on drug and alcohol free workplace for its entire

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	Goal 6.5.2			Utilization in consultation with CDC: Human Resource			staff will be made available to the department for approval within sixty (60) days from the effective date.
226.	Concession Contract, Schedule D Goal 6.7.1	Approval of the policy on uniform and dress code for custodial and non-custodial staff	Accounting Officer	Director : Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	The contractor will submit his policy on uniform and dress code for custodial and non-custodial staff to the department for approval within six (60) days from the effective date.
227.	Concession Contract, Schedule D Goal 6.7.2	Approval of samples of all uniforms to be worn by the staff of the Correctional Centre	Accounting Officer	Director: Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	As a minimum the uniform will include: company logo/badge, employee's name and job title, photographic ID issued by Contractor. Sample of ID worn by Sub-contractor's employees to be identifiable.
228.	Concession Contract, Schedule D Goal 6.8.12	Approval of media statements relating to personnel issues	Accounting Officer	Director : Human Resource Administration and Utilization in consultation with CDC: Human Resource	No delegation	No delegation	Media statements relating to personnel issues must be submitted to the CSC for approval before it is provided to the media.
229.	Concession Contract, Schedule D	Approval of all training curricula	Accounting Officer	Director: Core Curriculum in consultation with HR	No delegation	No delegation	The Contractor will submit all training curricula for approval to the DCS not later than 5 months from the Effective

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	Goal 6.9			Human Resource			Date.
230.	Concession Contract, Schedule D Goal 6.9	Approval of all Control and Restraint trainers	Accounting Officer	Director: Core Curriculum in consultation with HR Human Resource	No delegation	No delegation	All Control and Restraint trainers will be approved by DCS on an annual basis.
231.	Concession Contract, Schedule D Goal 7	Approval of all community involved Activities	Accounting Officer	DC: Social Reintegration in consultation with Director: Community Liaison	No delegation	No delegation	All community involvement activities must be submitted to the DCS Controller prior to any community involvement at the facility to ensure that they meet the agreement of the Contractor and that it is not in conflict with any DCS's policies and procedures.
232.	Concession Contract, Schedule M Goal 1.1	Ruling on whether; and to what extent, penalties should be imposed for breaches of the Contract by the Contractor.	Accounting Officer	Supervisory Committee	No delegation	No delegation	A Supervisory Committee ("Committee) is hereby established to: (a) rule on whether, and to what extent, Penalties should be imposed for breaches of Contract by the Contractor, and (b) undertake the Annual Review.
233.	Concession Contract, Schedule M Clause 2.8	Supervisory Committee (fixed penalties)	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Supervisory Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties, which the Parties agree reflects the prejudice to

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							the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss.
234.	Concession Contract, Schedule M Clause 2.8	Decision to sue the Contractor for breach of contract	Accounting Officer	Director Contract Management (Supervisory Committee)	No delegation	No delegation	The Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties, which the Parties agree reflects the prejudice to the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss.

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DEPARTMENT OF CORRECTIONAL SERVICES
DELEGATIONS RELATED TO EXPENDITURE CONTROL

Note: All general abbreviations and conditions applicable to the principle delegations is applicable to this Annexure A

NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
1	Appoint in writing Programme Managers, Sub programme managers and Regional Commissioners (managing the vote at Regional level) to execute financial responsibility and management of the budget and control according to PFMA section 44 (1) (a)	• No delegation National Commissioner appoint Programme managers, Sub programme managers and Regional Commissioners			• Limited to the allocated budget
2	Appoint in writing Responsibility and Activity Managers to execute financial responsibility and management of budgets within their units	• Programme Managers (CDCs) in Head Office appoint Sub programme managers	• Regional Commissioners appoint Deputy Regional Commissioners	• Area Commissioners appoint Area Coordinators, Heads of Centres and Community Corrections Offices	• Limited to the allocated budget. • On budgetary and finance matters all Area Commissioners report directly to the Deputy Regional Commissioners

Approved by: **A Fraser:** _____
National Commissioner
Date: 28/08/2018

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Annexure A

DEPARTMENT OF CORRECTIONAL SERVICES
DELEGATIONS RELATED TO EXPENDITURE CONTROL

NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
		• Sub programme managers in Head Office appoint Activity managers	• Deputy Regional Commissioners appoint Regional Heads, Area Commissioners	• Heads of Centres appoint Centre Coordinators • Heads of Community Corrections appoint Re-Integration Case officers, Social Workers and Court officials	
		• Activity managers in Head Office appoint responsibility managers	• Activity managers in Regions appoint responsibility managers		

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National Commissioner
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DEPARTMENT OF CORRECTIONAL SERVICES
DELEGATIONS RELATED TO EXPENDITURE CONTROL

NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
3	**Approval of Petty Cash** • Request of petty cash	Maximum R2000 • Director or higher	Maximum R2000 • Cost Center manager	Maximum R2000 • Cost Center manager	All action in relation to petty cash, approval, request and issuing as well as receiving of proof of purchase must comply with the FAP on petty cash and any relevant directives
	• Issuing of petty cash	• Cashier	• Cashier	• Cashier	
	• Approval of Expenditure incurred in line with request for petty cash approved	• Director or higher	• Cost Center & Responsibility Manager	• Cost Center & Responsibility Manager	
4	Authorization to proceed with the price quotation process.	R2 000 to R30 000 Director upwards	R2 000 to R30 000 Director upwards	R2 000 to R30 000 Director upwards (Large MA's) Area Commissioner	• Compliance to FAP and LAP and all relevant prescripts
5	Authorization to proceed with the invitation of formal price quotation process	R30 000 to R199 999 • Director	R30 000 to R199 999 • Director	R30 000 to R199 999 • Director upwards	• Compliance to FAP and LAP and all relevant prescripts
		R200 000 to R499 999 • DC upwards	R200 000 to R499 999 • DC upwards	R200 000 to R499 999 • DC upwards	• Compliance to FAP and LAP and all relevant prescripts

Approved by: **A Fraser**: _____
National Commissioner
Date: 28/08/2018

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Annexure A

DEPARTMENT OF CORRECTIONAL SERVICES
DELEGATIONS RELATED TO EXPENDITURE CONTROL

NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
8	Approval and signing of purchase order	• Order Clerk	• Order Clerk	• Order Clerk	• Unlimited Compliance to relevant prescripts and with all relevant approval documentation to be correct and available.
9	**Approval of payments or sundry payments** • Functional approval, contracts to be available • Officials to be appointed in writing by delegated authority.				
	(a) **Authorizing payments on BAS**	R7 million and above • DD: FCO	R7 million and above • RHF & SCM	No delegation	
		R4 million up to R6,9 million • ASD:FCO	R3 million to R6,9 million • Manager SCM & Finances	R3 million to R6,9 million • Area Coordinator Finance	
		R2 million up to R3,9 million	Up to R2,9 million SSA/SPOA	Up to R2,9 million • SSA/SPOA	

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		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
		• Up to R1,9 million SSA			
	(b) Authorizing Payments on Logis	Unlimited • Provision Admin Officer	Unlimited • Provision Admin Officer	Unlimited • Provision Admin Officer	• After verification that the necessary approval documents are signed by the Responsibility Manager and ensuring that correct approval delegations were followed.
	(c) Approval of payments made on Persal (payment of allowances & promotions)	Unlimited & allocated to a persal function • SCO and higher	Unlimited & allocated to a persal function • SCO and higher	Unlimited & allocated to a persal function • SCO and higher	• All material once-off payments such as performance bonus and projects should first be recommended by Compensation Committee under chairmanship of the CDC HR before final approval by the National Commissioner.
	(d) Payments for capital works and Infrastructure projects	DC: Facilities	• Not delegated	• Not delegated	• DC Facilities can approve up to R10 million and any amount above R10 million to be routed via CDC Incarceration and Corrections and

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		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
					CFO • Project should form part of the initial infrastructure approved project plan included in the ENE and APP • Sub programme manager Facilities to endorse the invoice • Director Management Accounting to confirm the availability of budget and issue budget confirmatory note to Director Financial Accounting in consultation with the CFO and DC FMA
10	Approve shifting of funds within an item of a programme	• Programme manager (CDCs)	• Regional Commissioner • Deputy Regional Commissioner	• Area Commissioner, Area Co coordinator	(a) In line with the DCS FAP chapter 3. (b) If above R2 million must be served before Budget Committee (In consultation with the CFO)

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		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
		• Sub programme manager (CDCs & DCs)	• All Regional Coordinators	• All managers	
		• Activity manager (Director)	• Activity manager (Regional Co coordinator)	• Activity manager (sectional Heads)	
		• Responsibility manager (Directors)	• Responsibility manager (RC, DRC, Regional Heads)	• Responsibility manager (Community Corrections offices)	
11	Approve Virements between Programmes of the vote	• Not delegated and authority remains with National Commissioner	• Not delegated	• Not delegated	• In line with PFMA sec 43, TR 6.3.1 and DCS FAP chapter • National Commissioner to approve in consultation with the Executive Authority.
12	Approve shifting of funds from Compensation of Employees	• Not delegated	• Not delegated	• Not delegated	• Specifically and exclusively appropriated

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		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
13	Approve shifting of funds to/from Transfer Payments	• Not delegated	• Not delegated	• Not delegated	• In line with FAP chapter 3 paragraph 3.4.2 Director Management Accounting in consultation with the CFO and DC FMA to seek prior Budget Committee endorsement and via the National Commissioner National Treasury's approval.
14	Shifting of funds from Capital budget	• Not delegated	• Not delegated	• Not delegated	• In line with FAP chapter 3 paragraph 3.4.3 Director Management Accounting in consultation with the CFO and DC: FMA to seek prior Budget Committee endorsement and via the National Commissioner National Treasury's approval.
15	Virement, shifting of funds from one region to another	• CFO	• Not delegated	• Not delegated	• In line with the FAP chapter 3, the Director Management in consultation with the CFO and DC FMA will have to obtain a formal mandate from the

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NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
					Budget Committee for the finalisation of the budget shifts/transfer
16	Approval of arbitration awards for further processing and payments on PERSAL and BAS in Head Office	• DC: ER • DC: HRM • DC: FMA	• Not delegated	• Not delegated	• Regional Coordinators Employee Relations in the regions and Head Office must facilitate and consolidate all arbitration awards and submit under the signature of RC and relevant CDC to Head Office: DC Employee Relations for validation and confirmation. • DC Employee Relations must register and validate all the awards and certify in writing to DC HRM and DC FMA for calculations and processing of the payments.
17	Approval of court orders and out of court settlement agreements for processing and payments on Persal and BAS in Head Office	• DC: Legal Services • DC: HRM • DC:FMA	• Not delegated	• Not delegated	• Regional Coordinators Legal Services in the regions and Head Office must facilitate and consolidate all court orders (including out of court settlement

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		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
					agreements) and submit under the signature of RC and relevant CDC to DC Legal Services: Head Office for validation and confirmation. • DC Legal Services must register and validate all the court orders and certify in writing to DC HRM and DC FMA for calculations and implementation thereof.
18	Payment from revenue with regard to fines and incorrect deposits	• DC: FMA	• Regional Commissioners in consultation with Regional Heads Finance and SCM	• Not delegated	
19	Payroll certification	• **Payroll:** Relevant pay point manager to certify to personnel office on the date of payment that all persons listed on the payroll report are entitled to payment. • **Payroll:** CDC Human Resources must return the entire payroll to CFO within 10 days after certification.			

Approved by: **A Fraser:** _____
National Commissioner
Date: 28/08/2018

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 961 **21 SEPTEMBER 2018**

NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY ACT, 2004 (ACT NO. 10 OF 2004)

NORMS AND STANDARDS FOR THE MARKING OF RHINOCEROS AND RHINOCEROS HORN, AND FOR THE HUNTING OF RHINOCEROS FOR TROPHY HUNTING PURPOSES

I, Bomo Edna Edith Molewa, Minister of Environmental Affairs, hereby withdraw Government Notice No. 304 published in *Gazette* No. 35248 on 10 April 2012, and hereby issue norms and standards for the marking of rhinoceros and rhinoceros horn and for the hunting of rhinoceros for trophy hunting purposes, in terms of section 9 of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004), set out in the Schedule hereto.

BOMO EDNA EDITH MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS

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Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

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PART 3 OF 4

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SCHEDULE

1. DEFINITIONS

In this Schedule, unless the context indicates otherwise, a word or expression defined in the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) has the same meaning, and—

"applicable biodiversity legislation" means legislation in terms of which biodiversity matters are regulated, either at a provincial level in a province or at a national level;

"Biodiversity Act" means the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

"CAS number" means the number allocated to a case docket when a criminal investigation is registered in terms of the Case Administration System of the South African Police Service;

"dart" means the chemical immobilization of a live rhinoceros by any means, method or device, using a tranquillizing, narcotic, immobilizing, or similar agent, for the purpose of restraining or anaesthetizing such live rhinoceros;

"duly authorized person" means a person authorized by means of a permit issued in terms of the Biodiversity Act, but excludes the hunting client;

"genetic profiling" means the use of biotechnology to identify the unique characteristics of a live rhinoceros or rhinoceros horn for forensic or diagnostic purposes;

"hunting client" means a person who is not a citizen of the Republic or a permanent resident within the Republic, and who pays or rewards any other person for, or in connection with, the hunting of a rhinoceros;

"hunting outfitter" means a person who is authorized in terms of applicable biodiversity legislation to operate as a hunting outfitter, and assigns a similar meaning to a hunting contractor referred to in terms of provincial biodiversity legislation;

"hunting trophy" means a horn, tooth, hide, skin, hair, or any readily recognizable part or derivative of a rhinoceros, whether processed or not, and which is kept as a memento of the hunt;

"local hunter" means a hunter who is a citizen of the Republic or a permanent resident within the Republic;

"management purposes" means the carrying out of a restricted activity directed towards the management of a rhinoceros, and includes, but is not limited to, the—

(a) conveyance, movement or otherwise translocation of a rhinoceros;
(b) marking of a rhinoceros or rhinoceros horn;
(c) collection of a DNA sample; or
(d) dehorning of a rhinoceros;

"microchip" means a device that assigns a unique identification code to the rhinoceros or rhinoceros horn;

"national database" means a database developed by the Department and used by an issuing authority for the recording of information relating to rhinoceros horn stock piles;

"professional hunter" means a person who is authorized in terms of applicable biodiversity legislation to operate as a professional hunter;

"Republic" means the Republic of South Africa;

"rhinoceros horn" means the whole horn, or any part or cut piece of the horn of a rhinoceros, whether polished or unpolished, in any form whatsoever or howsoever changed from its original form, and includes rhinoceros horn in its powdered form or shavings of rhinoceros horn;

"SABS" means the South African Bureau of Standards;

"taxidermy" means a facility where a skin, horn or any other derivative of a rhinoceros is treated, prepared or mounted, or where such skin, horn or other derivative is transformed or processed into a curio;

"TOPS Regulations" mean the regulations pertaining to listed threatened or protected species and promulgated in terms of section 97 of the Biodiversity Act;

"veterinarian" means a person registered with the South African Veterinary Council to operate as such.

2. APPLICATION OF THESE NORMS AND STANDARDS

(1) These norms and standards apply to species of rhinoceros that are listed as threatened or protected in terms of section 56 of the Biodiversity Act.

(2) The provisions of these norms and standards must be read alongside the provisions of the TOPS Regulations.

(3) The provisions of these norms and standards as far as it relates to the marking of live rhinoceros and rhinoceros horn, apply to all live rhinoceros contemplated in paragraph 3(1), and all individual detached rhinoceros horns, whether in private or state possession.

(4) The provisions of these norms and standards as far as it relates to the hunting of rhinoceros, apply whether a hunt takes place on privately owned land or state land.

3. MARKING OF LIVE RHINOCEROS AND ANY RHINOCEROS HORN

(1) When a live rhinoceros is required to be darted after the commencement of these norms and standards, irrespective of the purpose of the darting, and such rhinoceros has not been marked by means of a microchip before, or where an inserted microchip is no longer detectable, such darted rhinoceros must be marked by means of a microchip by the relevant issuing authority or

a veterinarian, with one microchip behind the ear, close to the base of the ear, and one microchip in each of the horns that is 5cm or more in length, or by any other means of identification as approved by the Director-General.

(2) Any rhinoceros mortality, irrespective of the cause of such mortality, or theft of a rhinoceros horn, must be reported to the issuing authority within 5 working days of discovering the death of such rhinoceros or the theft of such rhinoceros horn.

(3) If a person obtains a rhinoceros horn from a rhinoceros of which he or she is the owner, in any of the manners contemplated below, such owner must apply to the relevant issuing authority, within 5 working days of acquiring such rhinoceros horn, to have such rhinoceros horn marked if it is 5cm or more in length—

(a) mortality of such rhinoceros, irrespective of the cause of such mortality;
(b) dehorning of such rhinoceros; or
(c) where such rhinoceros has lost its horn in any other manner.

(4) A person, other than a person contemplated in subparagraph (3), who is in possession of rhinoceros horn that is 5cm or more in length, irrespective of the weight of such rhinoceros horn, must apply to the relevant issuing authority to have such horn marked in accordance with subparagraph (8).

(5) When an application for the possession and marking of a detached rhinoceros horn, or for the marking of a detached rhinoceros horn, as the case may be, contemplated in subparagraph (3) or (4), is submitted to the relevant issuing authority, the measurements contemplated below, of each of the rhinoceros horn, must be provided by the applicant—

(a) base circumference;
(b) length, measured along the inner curve;
(c) length, measured along the outer curve; and
(d) weight.

(6) In addition to information on the measurements contemplated in subparagraph (5), the applicant must also submit photographs of suitable quality that allows for easy identification, of each rhinoceros horn.

(7) Prior to the issuance of a possession permit by the relevant issuing authority, an official of such issuing authority must conduct an inspection of the rhinoceros horn contemplated in subparagraph (3) or (4), and verify the measurements contemplated in subparagraph (5), as supplied by the applicant.

(8) An official of the relevant issuing authority must mark the rhinoceros horn contemplated in subparagraph (3) or (4)—

(a) by means of a microchip, or by any other means of identification as approved by the Director-General; and
(b) with indelible ink or by means of punch die, using the formula ZA/serial number/year/weight/RH, if the rhinoceros horn or part thereof is 5cm or more in length (the year referred to in the ZA number must reflect the year of recovery or acquisition of the rhinoceros horn from the wild).

(9) The rhinoceros horn contemplated in subparagraph (3) or (4) does not need to be marked by means of a microchip, if such rhinoceros horn has been marked before by means of a microchip and such microchip is still detectable.

(10) In the case of a rhinoceros horn that has been seized from a person who obtained such rhinoceros horn unlawfully, or is reasonably suspected to have been obtained unlawfully, such rhinoceros horn must, in addition to the means contemplated in subparagraph (8), also be marked in indelible ink to indicate the CAS number.

(11) The owner of a rhinoceros or rhinoceros horn is responsible for the actual costs incurred by the issuing authority to purchase microchips for the purpose of marking such rhinoceros or rhinoceros horn.

(12) A microchip may not be re-used and must be destroyed when it is no longer in use for identification of the original recipient.

(13) The microchip numbers with which a rhinoceros or rhinoceros horn have been marked must be recorded on the possession permit, if such possession permit is required in terms of applicable biodiversity legislation.

(14) In the case of the marking of a rhinoceros or rhinoceros horn by means of a microchip, only a 10-digit microchip may be used.

(15) Unless specified otherwise by the Minister, the owner of a rhinoceros horn must keep such rhinoceros horn in an unmovable safe that is compliant to SANS 953-1 and 953-2 to prevent or minimize the risk of theft of such horn.

(16) Issuing authorities must ensure that the information relating to the marking of all rhinoceros horn contemplated in subparagraph (9), as well as any changes in respect of such markings, is recorded on the national database.

4. MANAGEMENT OF THE HUNTING OF RHINOCEROS

(1) Any application in connection with the hunting of a rhinoceros by a hunting client must be referred to the Department by the relevant issuing authority, in order for the Department to make a recommendation in respect of the requirement contemplated in subparagraph (8) below, and for the Department to verify the information contemplated in subparagraph (3) below.

(2) Any application for the hunting of black rhinoceros must be considered in accordance with the provisions of the Biodiversity Management Plan for black rhinoceros, published in terms of section 43 of the Biodiversity Act.

(3) In addition to the application for a rhinoceros hunting permit, the following supporting information in respect of the hunting client to which the application relates, must be submitted to the issuing authority—

(a) proof of membership of a hunting association in the country of usual residence of the hunting client (if applicable). The hunting association must be recognised by the government of the country of residence of the hunting client;

(b) a *Curriculum vitae*, indicating his or her hunting experience in his or her country of usual residence; and proof of previous experience in the hunting of any mammalian game species indigenous to Africa;
(c) a certified copy of the hunting client's passport; and
(d) any additional relevant information that may be required by such issuing authority.

(4) The Department must verify the information contemplated in subparagraph (3) with the Management Authority of the country of usual residence of the hunting client, and make a recommendation on the application within 15 working days after receipt of the information from the relevant issuing authority.

(5) In the event that the Department has not received a response from the Management Authority of the country of usual residence of the hunting client, within the time frame contemplated in subparagraph (4), it is the responsibility of the hunting client to obtain such response and to submit it to the Department, prior to the Department making a recommendation on the application to the relevant issuing authority.

(6) When considering an application for the hunting of rhinoceros, the issuing authority must take into account whether the country of usual residence of the hunting client, where the rhinoceros horn and the rest of the hunting trophy will be imported to, has adequate legislation to ensure that such rhinoceros horn and the rest of the hunting trophy will be used for the purpose as indicated on the CITES export permit.

(7) The hunting of rhinoceros must be strictly regulated by means of an individual hunting permit and may not be authorized in terms of a game farm hunting permit, to the extent applicable, or a provincial exemption permit. The relevant issuing authority may issue the hunting permit as an integrated hunting permit, the content of which must include the name of the hunting client and a clear description of the property where the hunt will take place.

(8) A hunting client may hunt only one white rhinoceros for trophy purposes within a 12-month period.

(9) The permit authorizing the hunt must be signed by the hunter, whether such hunter is a hunting client or a local hunter, before commencement of the hunt.

(10) A rhinoceros hunt must take place in the presence of an environmental management inspector from the issuing authority of the province concerned. All reasonable expenses incurred by such environmental management inspector to enable him or her to attend the hunt are at the cost of the issuing authority.

(11) The environmental management inspector contemplated in subparagraph (10), whose contact details must be provided by the issuing authority, must be informed in writing by the hunting outfitter who organized the hunt, or the local hunter, as the case may be, of the date and place of the hunt, at least 48 hours before it takes place.

(12) If the horns of the hunted rhinoceros have not already been marked by means of a microchip, the environmental management inspector contemplated in subparagraph (10) must mark the rhinoceros horns in accordance with the provisions of Paragraph 3(8).

(13) The owner or the manager of the game farm where the hunt has taken place, as well as the environmental management inspector contemplated in subparagraph (10), must sign off the hunting permit immediately after completion of the hunt, to confirm the success of the hunt.

(14) The environmental management inspector contemplated in subparagraph (10) must record the markings with which he or she has marked the horns of the hunted rhinoceros, on the hunting permit.

(15) The environmental management inspector contemplated in subparagraph (10) must within 5 working days after completion of the hunt, report to the Department, on the template provided by the Department, information relating to the hunt, the relevant markings contemplated in subparagraph (12), as well as proof that the sample(s) contemplated in Paragraph 5(1) have been sent to the facility contemplated in Paragraph 5(5).

(16) The professional hunting register must be completed by the professional hunter who accompanied the hunting client during the hunt, immediately after completion of the hunt. The environmental management inspector contemplated in subparagraph (10) must indicate the markings contemplated in subparagraph (12) on the professional hunting register.

(17) The horns of the hunted rhinoceros, together with the rest of the hunting trophy, must be transported by a duly authorized person from the address where the hunt took place, directly to the taxidermy or similar facility to be processed and prepared for exportation. The transport of the horns as part of the hunting trophy may only be authorised in terms of an individual transport permit issued by the relevant issuing authority, and may not be authorised in terms of—

(a) a standing permit; or
(b) in combination with the hunting permit, except in the case of a local hunter.

(18) The permit authorizing the hunt of the rhinoceros, the permit authorizing the transport of the horns and the rest of the trophy, and a copy of the professional hunting register must accompany the rhinoceros hunting trophy, including the horns, when being transported between destinations.

(19) The owner of a taxidermy must, within 24 hours of receipt of the rhinoceros horns, report the following information to the Department—

(a) date of receipt of the rhinoceros horns;
(b) weight of the rhinoceros horns;
(c) markings contemplated in Paragraph 3(8), of the rhinoceros horns; and
(d) numbers of the hunting permit, transport permit and professional hunting register.

(20) The owner of a taxidermy must keep a register that contains as a minimum the information contemplated in subparagraph (19). The register must be kept on site and must, upon request, be made available to the issuing authority or an environmental management inspector for inspection.

(21) The relevant provincial issuing authority must record information in respect of the hunting of a rhinoceros on a database developed by the Department for this purpose.

(22) The horns of a rhinoceros that was hunted as a trophy may not be exported in hand or personal baggage.

(23) The relevant provincial issuing authority must refer an application for the export of a rhinoceros hunting trophy to the Department in terms of General Notice No. 431, published on 13 June 2014 in the *Gazette*, No. 37736, in order for the Department to consider the application and make a recommendation in respect thereof.

(24) In support of an application contemplated in subparagraph (23) above, the relevant issuing authority must submit a copy of the signed-off hunting permit contemplated in subparagraph (13) above, and a copy of the report contemplated in subparagraph (15) above, to the Department.

(25) If rhinoceros horns are exported as a hunting trophy, such horns may only be exported if accompanied by the necessary export permits, or an integrated export permit, as the case may be, relating to threatened or protected species and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), issued in terms of Chapter 7 of the Biodiversity Act.

(26) The CITES export permit, or the integrated export permit, as the case may be, for the rhinoceros hunting trophy must be presented to an environmental management inspector, for inspection prior to the export of the trophy. The export permit must be endorsed by the environmental management inspector, or by an official from any other border law enforcement agency mandated to perform this function.

5. PROCEDURE FOR THE COLLECTION OF DNA SAMPLES

(1) Samples for the purpose of genetic profiling must be collected in any of the following circumstances—
- (a) for treatment, translocation or any other management purpose, in which case a horn and a cellular sample, such as a blood or a skin sample, must be collected;
- (b) of detached horns contemplated in paragraphs 3(3) or 3(4), or obtained through the hunting of a rhinoceros; or
- (c) an unlawfully killed rhinoceros, in which case, to the extent possible, a horn and a cellular sample must be collected.

(2) Subparagraph (1) does not apply if the genetic profiling in respect of a particular rhinoceros or rhinoceros horn has already been performed.

(3) The samples contemplated in subparagraph (1) must be collected by using the DNA kits as approved by the Forensic Services Division of the South African Police Service.

(4) The samples contemplated in subparagraph (1) above must be collected by the following persons—
- (a) in the case of samples contemplated in subparagraph (1)(a), a—
  - (i) cellular sample by a veterinarian; and
  - (ii) horn sample by a veterinarian, or an environmental management inspector who has been adequately trained and certified in the collection of DNA samples;
- (b) in the case of horn samples contemplated in subparagraph (1)(b), by the relevant environmental management inspector, who has been adequately trained and certified in the collection of DNA samples; or

(c) in the case of samples contemplated in subparagraph (1)(c), the relevant environmental management inspector or a member of the South African Police Service, who has been adequately trained and certified in the collection of DNA samples.

(5) The samples contemplated in subparagraph (1) must be sent for genetic profiling, to—
(a) a facility registered as a scientific institution in terms of the TOPS Regulations and approved by the Director-General, in the case that such genetic profiling relates to diagnostic purposes; or
(b) the Forensic Science Laboratory of the South African Police Service, in the case that such genetic profiling relates to forensic purposes;
as soon as possible after it has been collected.

(6) The facility contemplated in subparagraph (5) must record the information relating to the genetic profiling and make such information available to the Department.

(7) The costs for the genetic profiling contemplated in subparagraphs (1)(a) and (b) are the responsibility of the Department.

(8) The facility contemplated in subparagraph (5) must provide the Department with a copy of the genetic profiling report.

6. DISPOSAL OF RHINOCEROS HORN

If a rhinoceros horn is destroyed, it may not be destroyed unless—
(a) a permit has been issued in terms of the Biodiversity Act by the relevant issuing authority, for its destruction; and
(b) it is done in the presence of an environmental management inspector from both the Department and the relevant issuing authority, who must video-record the event, the recording of which must be of good quality.

7. TRANSITIONAL PROVISION

Anything done in terms of the withdrawn norms and standards for the marking of rhinoceros horn and hunting of white rhinoceros for trophy hunting purpose published in Government Notice No. 756, *Gazette* No. 32426 of 20 July 2009, or in terms of the withdrawn norms and standards for the marking of rhinoceros horn and hunting of rhinoceros for trophy hunting purpose published in Government Notice No. 304, *Gazette* No. 35248 of 10 April 2012, and which can be done in terms of these norms and standards, must be regarded as having been done under these norms and standards.

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 962 **21 SEPTEMBER 2018**

HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)

AMENDED INSTITUTIONAL STATUTE

UNIVERSITY OF PRETORIA

I, Mrs GNM Pandor, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended), hereby publish the amended Institutional Statute of the University of Pretoria set out in the Schedule hereto.

G.N.M. Pandor

Mrs GNM Pandor, MP

Minister of Higher Education and Training

Date: 29-8-2018

MINISTRY OF HIGHER EDUCATION AND TRAINING

HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)

PROPOSED AMENDMENTS TO THE INSTITUTIONAL STATUTE OF THE UNIVERSITY OF PRETORIA

The Council of the University of Pretoria has made amendments to the Statute, set out in the Schedule to this Notice in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997) as amended, which is, in terms of the provisions of section 33 of the said Act, hereby published with the approval of the Minister of Higher Education and Training and which comes into operation on the date of its publication.

SCHEDULE

The aim is to introduce a new Statute for the University of Pretoria to give effect to any law or guidelines relating to the University of Pretoria and to promote the effective and responsible management and governance of the University in respect of matters not expressly prescribed by any law.

INSTITUTIONAL STATUTE OF THE UNIVERSITY OF PRETORIA

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CHAPTER 12	Students
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CHAPTER 1

DEFINITIONS

1. Definitions.– In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997) as amended, has the meaning so assigned to it, and unless the context otherwise indicates:

"academic activity" includes distance education, but is not limited thereto;

"academic employee" means any lecturer appointed to teach or to do research at the University and any other employee designated as such by the Council of the University;

"Act" means the Higher Education Act, 1997 (Act No. 101 of 1997) as amended;

"appoint" also means nominate;

"Chancellor" means the person as contemplated in Chapter 3;

"Convocation" means the Convocation as contemplated in Chapter 9;

"Council" means the governing body of the University as contemplated in Chapter 5;

"days" includes Saturdays, Sundays and public holidays;

"Dean" means the head of a faculty of the University;

"donor" means a person, body or entity who has made a donation, which, in the opinion of the Council, warrants that person, body or entity being recognised as a donor as contemplated in Chapter 13;

"employee" means an academic or a non-academic employee of the University;

"Executive" means the Principal, Vice-Principals and other senior employees designated by the Principal;

"Executive Director" means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12;

"functions" include powers and duties and *vice versa*;

"good standing" means a person who is regarded as having complied with all his or her financial obligations, while not being subject to any form of sanction, suspension or disciplinary censure;

"Institutional Forum" means the Institutional Forum as contemplated in Chapter 8;

"Institutional Rules" mean rules made by the University as contemplated in section 32 of the Act and include all the regulations and policy documents of the University;

"Minister" means the Minister responsible for tertiary education;

"non-academic employee" means any employee who is not an academic employee;

"office bearer" means a functionary provided for in the Act or determined by the Council;

"professor" means an academic employee or any other person who has been given the title of professor by the University and includes an associate, adjunct, honorary and extraordinary professor;

"qualification" means a certificate, diploma or degree as approved by the Senate and Council;

"relative" means a person as defined in the Higher Education Act 101 of 1997, as amended;

"representative employees' organisation" means an organisation which consists of employees organised in a staff association or trade union for the purpose of regulating relations between themselves and the University and which is recognised by the Executive on such conditions as have been negotiated between the Executive and the employee organisation, and which recognition and conditions have been reduced to writing in a collective or recognition agreement;

"seat of the University" means the seat as contemplated in paragraph 2 of this Statute and section 65A of the Act;

"Senate" means the body responsible for academic matters as contemplated in Chapter 6;

"senior management" means the Executive plus the Deans of all faculties as well as heads/directors of support services so designated by the Principal: Provided that for purposes of paragraph 37(1)(c) it means the Executive only;

"spouse" means a person as defined in the Higher Education Act 101 of 1997, as amended;

"SRC" means the Student Representative Council as contemplated in paragraph 59;

"Statute" means the statute framed and in force as contemplated in section 32 of the Act;

"student" means a person registered for a qualification at the University;

"the University" means the University of Pretoria;

"Vice-Principal" means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12;

"written notice" means any notice in writing and includes any notice sent as contemplated by the Electronic Communications and Transactions Act (Act No. 25 of 2002), or any act that amends or replaces it.

CHAPTER 2

INSTITUTION

2. Name, seat and powers.– (1) The name of the University is the "University of Pretoria".

(2) The official street address of the University is: University of Pretoria, c/o Roper Street and Lynnwood Road, Hillcrest, Pretoria, South Africa. The official postal address of the University is: University of Pretoria, Private Bag X20, Hatfield, Pretoria 0028, South Africa.

(3) The seat of the University is in the metropolitan area of Tshwane.

(4) The University also conducts its academic activities within the area of jurisdiction of the Tshwane Local Authority, at its Business School in Illovo, Johannesburg, Gauteng and at eMalahleni (Witbank) and Mbombela (Nelspruit) in Mpumalanga.

(5) The University of Pretoria is a university established in terms of the Act and is a juristic person as contemplated in section 20(4) of the Act.

(6) The University functions in accordance with the Act, the Statute and the Institutional Rules of the University.

(7) The University may confer degrees and honorary degrees.

(8) The University, and entities entirely under its control, may award diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act and Chapter 10 of this Statute.

(9) The University, and entities entirely under its control may withdraw and revoke a degree, diploma and certificate as contemplated in section 65BA of the Act and Chapter 10 of this Statute.

3. Language policy.– The language policy of the University shall be determined by Council with the concurrence of Senate as provided for in section 27(2) of the Act.

4. Composition of the University.– (1) The University shall consist of –

(a) a Chancellor;
(b) a Principal;
(c) Vice-Principals;
(d) Executive Directors;
(e) a Council;
(f) a Senate;
(g) a Registrar;
(h) a Convocation;
(i) an Institutional Forum;
(j) the faculties, departments, schools and such other academic structures of the University as may be determined by the Council;
(k) the academic employees of the University;
(l) the non-academic employees of the University;
(m) the Student Representative Council;
(n) the students of the University;
(o) the various support services and such other offices, bodies or structures as may be established by the Council; and
(p) all the University's property and assets.

(2) No vacancy in any of the offices as contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures as contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function, rights or privileges conferred by the Act or this Statute upon the University or the Council or the Senate: Provided that no resolution of the Council or of the Senate shall be valid unless passed at a meeting at which a quorum was present and the rules relating to any such meeting has materially been complied with.

CHAPTER 3

CHANCELLOR

5. Functions of Chancellor.– (1) The Chancellor shall be the titular head of the University with no executive powers.

(2) The Chancellor shall confer all degrees and award all diplomas and certificates in the name of the University.

(3) In the absence of the Chancellor, degrees shall be conferred by the Principal or by one of the Vice-Principals; and diplomas and certificates shall be awarded by officials designated to do so by the Council.

(4) The Chancellor performs such other functions as assigned to him or her by the Council, subject to the provisions of paragraph 5(1).

6. Election and appointment of Chancellor.– (1) The Chancellor shall be elected by an electoral college consisting of the members of Council and Senate and the President of the Convocation.

(2) If the office of Chancellor becomes vacant, the Registrar acting as Secretary to the Convocation shall give notice thereof to the members of the electoral college and call for nominations for a successor.

(3) No person shall be elected unless he or she has been nominated in writing, with his or her written consent, by at least two members of the electoral college, and such nomination reaches the Registrar at least sixteen days before the meeting referred to in paragraph 6(5).

(4) After the closing date for nominations, a special meeting of the Institutional Forum must be held before the meeting as contemplated in paragraph 6(5) for purposes of considering the nominations and advising the electoral college on the appointment of a candidate to the office of Chancellor.

(5) The Registrar shall convene a meeting of the electoral college by sending a written notice to each member of the electoral college stating the time, date, place and purpose of the meeting at least two weeks before the date fixed for the meeting.

(6) The nominations shall be submitted to the electoral college by the Registrar for a final decision at the meeting referred to in paragraph 6(5).

(7) Thirty members of the electoral college shall form a quorum.

(8) The Principal shall be the Chairperson of the meeting of the electoral college, but should he or she be absent, the members present shall elect one of the Vice-Principals to act as Chairperson of that meeting.

(9) The election shall be by secret ballot and a majority of the members present at the meeting as contemplated in paragraph 6(5) must vote for the successful candidate and every member has one vote, except for the Chairperson who also has a casting vote.

(10) If no candidate receives a majority of votes, successive rounds of voting are held.

(11) In each successive round of voting the candidate receiving the least number of votes is eliminated as a candidate.

(12) After the electoral college has elected a Chancellor, the name of the Chancellor is announced by the Chairperson of the electoral college as soon as possible at an appropriate time.

7. Term of office.– (1) The Chancellor shall be elected for a period to be determined by the Council, but not exceeding five years, unless his or her term of office is terminated as contemplated in paragraphs 7(4) and 7(5).

(2) A person may be elected for more than one term of office.

(3) If the Chancellor is unable, for any reason, to perform the functions of his or her office, or if the office of Chancellor becomes vacant, the Principal performs the functions of the Chancellor.

(4) The term of office of the Chancellor terminates in the event of –

(a) death or incapacity;

(b) resignation; or

(c) removal from office by the electoral college as contemplated in paragraph 7(5).

(5) The Chancellor may only be removed from office by means of a resolution passed by a majority of the members of the electoral college as contemplated in paragraph 6(1), and then only after the Chancellor has been given the opportunity to answer to the reasons provided by the electoral college for such removal.

CHAPTER 4

VICE-CHANCELLOR AND PRINCIPAL, VICE-PRINCIPALS EXECUTIVE DIRECTORS AND REGISTRAR

VICE-CHANCELLOR AND PRINCIPAL

8. Status.– The Principal is the Vice-Chancellor of the University *ex officio* and its chief executive and accounting officer.

9. Functions of Principal.– (1) The Principal is responsible for the management and administration of the University and has all the powers necessary to perform these functions.

(2) The Principal is the University's chief executive officer and is ultimately responsible for the discipline at the University.

(3) The Council shall delegate to the Principal all the powers necessary to perform his or her duties.

(4) The Principal may in turn delegate duties to other employees or the chairperson of any committee.

(5) The Principal reports to the Council.

(6) The Principal is *ex officio* a member of all the committees of the Council and the Senate, excluding the Human Resources Committee of Council and the Audit, IT (Information Technology) and Risk Management Committee of Council: Provided that the Principal may attend the meetings of the latter two committees.

(7) The Council may assign additional functions, and grant additional powers and privileges to the Principal as contemplated in section 68(2) of the Act.

(8) When the Principal is absent or unable to carry out his or her duties, he or she may delegate all his or her powers and duties to a member of the Executive as contemplated in section 68(3) of the Act.

10. Appointment of Principal.– (1) Subject to section 31(1) of the Act, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are in the manner determined by the Council and the Institutional Rules of the University.

(2) The Council shall, after consultation with the Senate and the Institutional Forum, appoint the Principal: Provided that when the first term of a Principal has expired, and he or she is reappointed for a period which, together with any previous period(s) of office as Principal, does not exceed ten years, consultation with the Senate and the Institutional Forum is not compulsory.

11. Term of office of Principal.– The Principal is appointed by the Council for such period as agreed upon in his or her contract: Provided that the Principal shall not be appointed for a period exceeding ten years at a time.

VICE-PRINCIPALS, EXECUTIVE DIRECTORS AND REGISTRAR

12. Duties.– The Vice-Principals, Executive Directors and Registrar are responsible for assisting the Principal in the management and administration of the University and have the powers and duties conferred upon them by the Council, this Statute, the Institutional Rules and delegated to them by the Principal.

13. Appointment and terms of office.– The Vice-Principals, Executive Directors and Registrar are appointed in such manner and for such periods as determined by the Council and the Institutional Rules.

CHAPTER 5

COUNCIL

14. Functions.– (1) The Council governs the University subject to the provisions of the Act and this Statute.

(2) The Council shall perform all the duties imposed on it by this Statute.

(3) The Council is responsible for governance and policy-making at the University, as well as to monitor compliance therewith and, particularly, to lay down guidelines relating to –

(a) strategic governance;

(b) financial governance;

(c) staff matters;

(d) fostering a positive academic atmosphere;

(e) disciplinary matters regarding staff and students; and

(f) the admission and language policies of the University: Provided that the language policy and aspects of the admission policy are determined with the concurrence of the Senate, as required by sections 27 and 37 of the Act.

(4) The Council may appoint committees to assist it in carrying out its duties.

(5) The Institutional Forum shall advise the Council on the issues as contemplated in section 31(1)(a) of the Act in writing. In instances where the Council does not accept the advice given, written reasons must be provided.

(6) Subject to section 34 of the Act, the Council shall appoint people whom the Council considers necessary to manage the University effectively in line with the human resource policies contained in the Institutional Rules: Provided that no person shall be appointed as an academic employee except after consultation with the Senate or a committee of the Senate.

(7) The Council may delegate the function as set out in subparagraph (6) above to the Principal, with the right to further delegate, in accordance with the University's policy in this regard.

(8) The Council shall –

(a) ensure that an external audit is conducted on an annual basis in accordance with accepted audit principles and standards and that the recommendations are implemented;

(b) keep comprehensive records of all its proceedings;

(c) keep complete accounting records of all assets, liabilities, income, expenditure and other financial transactions as required by section 41(1) of the Act; and

(d) shall report to the Minister as contemplated in section 41(2) of the Act.

(9) The Council, after consultation with the SRC, shall make provision for and establish in accordance with the Institutional Rules of the University, a structure or structures for advising the Council on the rendering of student services at the University.

15. Composition.– (1) Council is constituted as follows –

(a) the Principal;

(b) the Vice-Principals;

(c) three members of Senate;

(d) six persons appointed by Council on the basis of their expertise and experience, inter alia in the fields of education, general management, financial management, human resources, technology and investment;

(e) four members of the Convocation of the University, elected/appointed by the Convocation in ~~terms of~~ accordance with the applicable institutional rules as provided for in paragraph 48(2);

(f) two student members as set out in paragraph 17(3);

(g) five persons appointed by the Minister in accordance with section 27(4)(c) of the Act;

(h) one person appointed by a local authority in whose area the University has its seat, to represent the communities served by the University;

(i) two persons elected from the ranks of the donors of the University as provided for in paragraph 63;

(j) one employee elected from the ranks of the academic employees; and

(k) one employee elected from the ranks of the non-academic employees.

(2) Council members are elected or appointed in accordance with the provisions of paragraph 17 of this Statute.

16. Term of office.– (1) The Principal and the Vice-Principals are members of Council for as long as they remain in their posts.

(2) The term of office of representatives of the SRC is the same as that of the SRC that appointed them.

(3) The term of office of all other members is four years: Provided that a member's term of office that has expired may be extended for a maximum period of six months by the Council if, according to the Council, special circumstances so demand.

(4) Members, whose terms of office have expired, may be re-elected or reappointed.

(5) A Council member's membership is terminated –

(a) if the Council member fails to attend three consecutive ordinary meetings of the Council without Council's consent;

(b) if the Council member is sequestrated;

(c) if the Council member is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that the member's continued membership of Council is not desirable;

(d) if the Council member is elected or appointed by a particular interest group and the Council member's membership of, or association with the interest group is terminated;

(e) if the Council member reaches the age of 75 years;

(f) if the Council rules that a conflict of interest has arisen or that it may arise, such as being a council member or student of another higher education institution in South Africa; or

(g) if the Council member has transgressed Council's rules of conduct.

(6) Apart from the Principal, Vice-Principals, representatives of the Senate and employee representatives and students appointed in terms of paragraph 17(3) to serve on Council, no other Council member shall be a permanent or temporary staff member or student of the University, and should this happen, such Council member's membership of the Council terminates immediately.

(7) Any person who has been a member of a council of a public higher education institution against whom an independent assessor has made an adverse finding, or has been implicated in a matter that will be to the detriment of the University's name, shall not be eligible for appointment, election, reappointment or re-election as a member of the Council of the University.

(8) Any person who is not in good standing with the University shall not be eligible for appointment, election, reappointment or re-election as a member of the Council of the University.

(9) A Council member is entitled at any time to submit his or her resignation in writing to the Chairperson of Council.

17. Election and nomination procedures.– (1) The Senate members who serve on Council shall be elected in accordance with the procedure prescribed in Chapter 6.

(2) Employee representatives on the Council shall be elected from the ranks of the academic and non-academic employees in accordance with a process controlled by the Registrar consisting of the following –

(a) Within a reasonable period of time before a specific election date, the Registrar shall offer
   (i) every permanent academic employee the opportunity to nominate a permanent academic employee to represent the permanent academic staff on the Council; and
   (ii) every permanent non-academic employee the opportunity to nominate a permanent non-academic employee to represent the permanent non-academic staff on the Council.

(b) Each nominated candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the case of a non-academic nominee they must be non-academic employees) and the nominee shall indicate in writing to the Registrar that he or she accepts the nomination.

(c) On the closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.

(d) Permanent academic employees shall vote in respect of the vacancy to be filled by a permanent academic employee and permanent non-academic employees shall vote in respect of the vacancy to be filled by a permanent non-academic employee.

(e) An election shall be valid only if at least 15 per cent of the permanent academic employees or permanent non-academic employees, as the case may be, participated in the election.

(f) The Registrar shall announce the results of the election as soon as possible after conclusion of the election.

(g) The Registrar shall determine, after consultation with the Director of Human Resources, whether an employee of the University, or an employee of the University jointly appointed by the University and another body, qualifies as an academic or a non-academic employee.

(h) If an employee performs academic and non-academic tasks in accordance with his or her job description, that particular employee is considered to be an academic employee.

(3) Student members on the Council shall be appointed at an ordinary or a special meeting of the SRC from the ranks of the SRC in accordance with an appointment procedure of the SRC.

(4) The election of Council members from the ranks of the University's donors shall take place in accordance with Chapter 13 of this Statute.

(5) The members of Council who are appointed to the Council on the basis of their expertise and experience shall be appointed by means of a process controlled and supervised by the Registrar:

(a) The Registrar shall place an advertisement in two national papers and on the University's website, inviting organisations, interest groups and individuals to nominate persons with expertise and experience as determined by the Council to serve on the Council: Provided that if, in the opinion of the Council, the advertisements fail to elicit a satisfactory response, the Council may request organisations or individuals to nominate additional persons.

(b) The Standing Committee of Council, after consultation with the Registrar, may draw up a list of the most suitable nominees for recommendation to the Council: Provided that the names of all nominees will be tabled at the Council meeting.

(c) The members of Council shall be elected at an ordinary or an extraordinary meeting of the Council from the ranks of the nominees, after taking into consideration the recommendations made by the Standing Committee of Council.

(6) In electing members of Council as contemplated in subparagraph (5), the Council shall take into account that, apart from the required expertise and experience of the individual candidates, it is also desirable to have a broad and balanced representation on the Council as far as gender and racial composition are concerned.

(7) The process for the appointment of Council members as contemplated in paragraphs 15(1)(g) and 15(1)(h), shall be facilitated by the Registrar: Provided that the local authority referred to in paragraph 15(1)(h) shall be designated by the Council.

(8) The process to be followed in the event of an incidental vacancy arising on the Council shall, with the necessary changes, be the same as described above.

(9) A new Council member who is elected or appointed to fill a vacancy that arose before the expiry of the previous incumbent's term of office, shall be elected for the full four-year term of the particular office.

18. Chairperson, Deputy Chairperson and Secretary.– (1) The Council shall elect a Chairperson from the ranks of Council members who are not employees or students of the University, and he or she shall hold the office for a term of two years.

(2) If the office of Chairperson falls vacant for any reason other than the expiry of the term of office, the Council shall elect a successor for the unexpired part of the term of office of his or her predecessor.

(3) The Council shall elect a Deputy Chairperson from the ranks of Council members who are not employees or students of the University and he or she shall hold the office for a term of two years.

(4) The Deputy Chairperson of the Council shall act as the Chairperson in the absence of the Chairperson: Provided that if the Chairperson and the Deputy Chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(5) The Registrar is the Secretary to the Council in terms of section 26(4)(b) of the Act.

19. Meetings and meeting procedures.– (1) The Council shall meet at least once a semester at a time and place determined by the Council.

(2) The Council shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(3) Sixteen members present shall constitute a quorum.

(4) At least seven days before an ordinary meeting and at least three days before an extraordinary meeting of Council, the Registrar shall give each member written notice of the date, time and place of the meeting, as well as an agenda with supporting documents, if any.

(5) Members wishing to place additional matters for discussion on the agenda shall send a written request in this regard to the Registrar a reasonable time before the date of the meeting.

(6) With the approval of a majority of the members present, urgent matters may be placed on the agenda during a meeting.

(7) The Registrar shall keep comprehensive minutes of each Council meeting.

(8) The Council shall take decisions by a majority vote of the members who are present.

(9) The Chairperson of the meeting shall have an ordinary vote and a casting vote in the event of a tie of votes.

(10) Subject to the provisions of subparagraph (4), the Chairperson may convene an extraordinary meeting at any time, stating the matter or matters for discussion.

(11) At the request of the Principal or at the request of at least five Council members, the Chairperson shall convene an extraordinary meeting: Provided that reasons for the request are in writing and a brief description of the matters for discussion is provided.

(12) The Council may generally, or in a specific case, grant observer status to a person or office bearer that allows such a person to attend a Council meeting or meetings.

(13) With the permission of the Council a person with observer status may take part in the debates of the Council, but may not vote.

(14) All members of Council must participate in the deliberations of Council or any committee of Council, or exercise any delegated function, in the best interests of the University.

(15) A Council member must, before he or she assumes office, and annually for as long as he or she continues to hold such office, declare any business, commercial or financial activities undertaken for financial gain that may give rise to a conflict or a possible conflict of interest with the University.

(a) No Council member may have a direct or indirect financial, economic, personal or other interest in any matter to be discussed at a meeting, or in regard to which he or she is to make a decision in terms of a delegated function and which entails or may entail a conflict or possible conflict of interest with the University.

(b) A Council member must, before the meeting of the Council or a committee of Council, in writing inform the Chairperson of that meeting of the existence of a conflict or possible conflict of interest that he or she may be aware of.

(c) Any person may, in writing, inform the Chairperson of a meeting of Council or a committee of Council, before that meeting, of a conflict or possible conflict of interest of a member of Council or a committee of Council of which such person may be aware.

(d) Where applicable, the Council member must recuse himself or herself from any decision-making process where an actual or deemed conflict of interest is present.

(e) In the event that any member of a committee of Council with delegated functions has a conflict or possible conflict of interest in respect of a matter to be considered, the committee may not consider or take a decision on the matter but must refer it to Council for a decision, having noted the member's interest in the matter.

20. Standing Committee of Council.– (1) The Standing Committee of Council is constituted as follows –

(a) the Chairperson of the Council;

(b) the Deputy Chairperson of the Council;

(c) the Principal;

(d) two Council members appointed from the ranks of Council members who are employees of the University: Provided that at least one of the members who is appointed in this manner is a member of the Senate; and

(e) two Council members appointed by the Council from the ranks of the Council members who are not employees of the University.

(2) The term of office of members of the Standing Committee of Council as contemplated in subparagraphs (1)(d) and (e) shall be two years.

(3) Members, whose terms of office have expired, may be re-elected.

(4) At the request of the person acting as the Chairperson of the Standing Committee of Council at a meeting, any member of the Council may serve as a substitute member for an absent member of the Standing Committee: Provided that employees may only substitute for employees and non-employees for non-employees; and provided further that student members of Council may not substitute for absent members.

21. Chairperson, Deputy Chairperson, Secretary of Standing Committee and meeting procedures.–

(1) The Deputy Chairperson of Council shall *ex officio* be the Chairperson of the Standing Committee of Council and the Chairperson of the Council shall *ex officio* be the Deputy Chairperson of the Standing Committee of Council.

(2) In the absence of the Chairperson of the Standing Committee of Council, the Deputy Chairperson of the Standing Committee of Council shall act as the Chairperson of the Standing Committee of Council: Provided that if the Chairperson and the Deputy Chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(3) Four members of the Standing Committee of Council shall constitute a quorum.

(4) The Standing Committee of Council shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(5) The Registrar shall act as Secretary of the Standing Committee of Council.

22. Powers and functions of Standing Committee.– (1) When the Council is not in session, the Standing Committee of Council, as the representative of the Council, may assume the authority of Council and may act on behalf of the Council in urgent matters, except with regard to matters as referred to in section 68(2) of the Act.

(2) The Standing Committee of Council shall report to the Council on the actions of the Standing Committee in accordance with subparagraph (1), which actions shall be considered at the next Council meeting.

(3) The Council may, generally and specifically, grant the Standing Committee of Council the authority to finalise matters on behalf of the Council, in which case the Standing Committee merely reports to Council.

(4) Where the Council grants the Standing Committee of Council the authority to finalise matters as envisaged in subparagraph (3), the Council shall ratify or review the delegations framework at least every four years.

(5) The Registrar shall maintain a detailed consolidated record of all powers delegated in terms of the delegations framework as contemplated in subparagraph (3).

(6) The Standing Committee of Council may further delegate the authority granted to it by the Council, this Statute and the Institutional Rules, including the authority granted in accordance with subparagraph (3), to a committee, or an individual as set out in the Institutional Rules, except in cases where the Council has explicitly specified to the contrary.

(7) In circumstances where the Minister has given the Council, in accordance with section 42 of the Act, notice of his or her intention to issue a directive, the Standing Committee of Council shall respond, should time be of the essence or other circumstances so dictate, to the Minister's notice in a suitable manner. If time is not of the essence, Council shall respond to the Minister's notice.

23. Committees.– (1) Apart from the Standing Committee of Council, the Council shall establish an Audit, IT (Information Technology) and Risk Management Committee, a Human Resources Committee and an Investment Committee and shall determine their functions and authority.

(2) The Council may establish any other committee as well as joint Council and Senate committees.

(3) The Council shall determine the constitution, election, term of service and functions of committees.

(4) The Council may appoint persons who are not Council members to the committees.

(5) In line with the governance principles as set out in the King IV Report on Corporate Governance for South Africa, 2016, the Chairperson of Council may not serve on the Audit, IT and Risk Management Committee of Council.

CHAPTER 6

SENATE

24. Functions.– (1) The Senate conducts its business under the management of the Council and is accountable to the Council for academic, research and community engagement matters as contemplated in section 28(1) of the Act.

(2) The functions of the Senate are as follows –

(a) academic planning and development;

(b) the regulation of all academic activities of the University in respect of teaching, learning and research, including –

(i) guidelines for the appointment and promotion of academic staff;

(ii) guidelines for the organisation, structures and administration of teaching, learning, research and community engagement at the University;

(iii) management and supervision of student evaluation; and

(iv) quality assurance in respect of teaching, learning and research;

(c) to make recommendations to the Council on *inter alia* the following matters –

(i) the establishment, amalgamation or closure of faculties, departments, institutes, bureaus, research units and centres;

(ii) the introduction or discontinuation of degrees, diplomas, programmes, curricula, subjects and courses;

(iii) curricula for degrees, diplomas and programmes and the content of subjects and courses: Provided that in case of certificates for short courses the Senate may delegate its authority to the faculty boards;

(iv) the general admission policy of the University;

(v) the management, operation and development of the library;

(vi) the conferring of honorary degrees;

(vii) academic dress, graduation and diploma ceremonies;

(viii) organised student life, including student services and student discipline;

(ix) the selection of candidates for the position of Chancellor, Principal, and Vice-Principals; and

(x) the appointment and promotion of the academic staff of the University;

(d) together with the Council, as required by section 37(4) of the Act, to approve the following –

(i) the language policy of the University;

(ii) admission requirements for specific academic programmes;

(iii) the number of students who may be admitted to a specific programme as well as the method of selection;

(iv) the minimum admission requirements for readmission to the University and the refusal of students who do not comply with the minimum requirements; and

(e) the execution of any other function that the Council may assign or delegate to the Senate.

(3) A Senate member must, before the meeting of the Senate or a committee of Senate, in writing inform the Chairperson of that meeting of the existence of a conflict or possible conflict of interest that he or she may be aware of.

25. Composition.– (1) The Senate is constituted as follows:

(a) *Ex officio* members of the Senate, namely the –

(i) Chairperson of Council;

(ii) Deputy Chairperson of the Council;

(iii) Principal;

(iv) Vice-Principals;

(v) Executive Directors;

(vi) Deans and Deputy Deans as well as any academic staff members who have similar status and who have specifically been declared members by the Senate;

(vii) Heads of academic departments;

(viii) Academic staff who have similar status as the Heads of academic departments and who have specifically been declared members by the Senate;

(ix) Registrar;

(x) Chairpersons of schools;

(xi) Chairperson of the Institutional Forum.

(b) Members who are nominated or elected, namely –

(i) four members nominated by the SRC;

(ii) two employees, who are not already members of the Senate, elected from the ranks of the permanent academic employees;

(iii) two employees, who are not already members of the Senate, elected from the ranks of the permanent non-academic employees.

(c) The Directors of support service divisions, and any other person invited by the Chairperson, may attend the meetings of Senate on invitation.

(2) Incidental vacancies in the category of members who are nominated or elected are to be filled as set out in subparagraph (1)(b) for the remainder of the previous incumbent's term of office.

26. Terms of office.– (1) The persons referred to in paragraph 25(1)(a) are members of the Senate for as long as they remain in the posts concerned.

(2) The term of office of representatives of the SRC shall be the same as that of the SRC that appointed them.

(3) The term of office of all other members shall be four years: Provided that members may be re-elected or renominated when their terms of office expire.

(4) If a student representative is re-elected to the SRC, he or she may be nominated as a student representative for another term: Provided that a student representative's membership lapses automatically when he or she is no longer a registered student or is found guilty of a transgression by a disciplinary body of the University.

(5) The membership of a Senate member shall be terminated in cases where the member was elected or nominated by a specific interest group to represent it and the association of the Senate member with the interest group concerned ceases.

27. Election and nomination procedures.– (1) The Registrar shall make the arrangements for the nomination and election of members.

(2) Student members of the Senate are elected at an ordinary or special meeting of the SRC in accordance with the election procedures of the SRC.

(3) Two members from the ranks of the permanent academic employees and two members from the ranks of the permanent non-academic employees shall be elected in accordance with the process set out in subparagraph (4).

(4) The Registrar shall arrange and administer an election of members from the ranks of the employees to the Senate in the following manner:

(a) Within a reasonable period before a particular election date, the Registrar shall afford –

(i) every permanent academic employee the opportunity to nominate a representative or representatives to represent the permanent academic employees on the Senate; and

(ii) every permanent non-academic employee the opportunity to nominate a representative or representatives to represent the permanent non-academic employees on the Senate.

(b) Each nominated candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the case of a non-academic nominee they must be non-academic employees), not be a Senate member already and inform the Registrar in writing whether he or she accepts the nomination.

(c) On the closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.

(d) Permanent academic employees shall vote in respect of vacancies to be filled by permanent academic employees and permanent non-academic employees shall vote in respect of vacancies to be filled by permanent non-academic employees.

(e) An election shall be valid only if at least 15 per cent of the permanent academic employees or permanent non-academic employees, as the case may be, participated in the election.

(f) If an employee performs academic and non-academic tasks in accordance with his or her job description, that particular employee is considered to be an academic employee. Should a dispute arise in this regard, the Registrar has the discretion to decide whether an employee is an academic or non-academic employee.

(g) The Registrar shall announce, as soon as possible at an appropriate time, the names of the members duly elected.

28. Chairperson and Secretary.– (1) In terms of section 26(4)(a) of the Act, the Principal is the Chairperson of Senate.

(2) In the absence of the Chairperson, the acting Vice-Chancellor and Principal shall act as the Chairperson of Senate.

(3) The Registrar is the Secretary of the Senate.

29. Scheduling of meetings and meeting procedures.– (1) The Senate shall meet at least once a semester.

(2) The Senate shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(3) Seventy-five members of the Senate shall constitute a quorum.

(4) The Registrar shall notify each member in writing of the date, time and venue of a meeting at least seven days before the meeting and the agenda for the meeting shall accompany the notice. The dates of Senate meetings are determined annually in advance.

(5) Members who wish to place additional matters for discussion on the agenda shall submit such matters in writing to the Secretary at least nine days before the date of the meeting.

(6) The Registrar shall keep minutes of every meeting.

(7) Urgent matters may be placed on the agenda for discussion or for discussion and finalisation during a meeting by agreement between the Chairperson and the majority of members present at the meeting.

(8) In the absence of a Senate resolution to the contrary, the Senate shall reach its decisions through a majority vote by the members present.

(9) Normally, members shall vote by a show of hands, but the Senate may decide on a different procedure in a particular case.

(10) Secret ballot papers shall be used when members of the Senate vote to elect an individual, but the Senate may decide on a different procedure in a particular case.

(11) The Chairperson of the meeting shall have an ordinary vote and a casting vote in the event of a tie of votes.

(12) The Chairperson may at any time convene an extraordinary meeting: Provided that the matters for discussion are stated and a brief description thereof is provided.

(13) The Chairperson shall convene an extraordinary meeting at a date determined by him or her, if requested to do so by at least 25 members: Provided that the request is in writing and the matters for discussion are stated and a brief description thereof is provided.

(14) The Chairperson shall decide whether or not observers may attend or speak at meetings.

30. Composition of Senate Executive.– (1) The Senate Executive is constituted as follows –

(a) the Principal;

(b) the Vice-Principals;

(c) the Executive Directors;

(d) the Deans of faculties;

(e) the Chairpersons of the committees of the Senate who are not already members of the Senate Executive;

(f) the members of the Senate on the Council, elected in accordance with paragraph 35(1), who are not already members of the Senate Executive; and

(g) the Registrar.

(2) The Directors of support service divisions, and any other person invited by the Chairperson, may attend the meetings of the Senate Executive on invitation.

(3) Those bodies that are entitled to nominate or elect members, nominate or elect members in terms of their internal nomination or election procedures.

(4) The Senate Executive is entitled to co-opt members to the Senate Executive.

(5) The Registrar shall be the Secretary of the Senate Executive.

(6) The Chairperson as contemplated in paragraph 31(1) shall decide whether or not observers may attend or speak at meetings.

31. Chairperson of Senate Executive and meeting procedures.– (1) The Principal shall be the Chairperson of the Senate Executive: Provided that in the absence of the Principal, a Vice-Principal present shall act as the Chairperson.

(2) If neither the Principal nor any of the Vice-Principals are available, the Senate Executive shall elect a Chairperson for the particular meeting from its own ranks.

(3) One half of all the members of the Senate Executive plus one shall constitute a quorum.

(4) The Senate Executive shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

32. Powers and functions of Senate Executive.– (1) When Senate is not in session, the Senate Executive, as a representative of the Senate, may assume the authority of Senate and may execute the functions of Senate, particularly with regard to academic planning.

(2) The Senate Executive shall report to Senate on its actions in terms of subparagraph (1): Provided that all actions taken by the Senate Executive on behalf of Senate shall be ratified or reviewed at the next meeting of Senate.

(3) The Senate is entitled to give the Senate Executive a general or specific authority to finalise matters on behalf of the Senate, in which event the Senate Executive merely reports to the Senate and the action is neither ratified nor reviewed by the Senate.

(4) Where the Senate authorises the Senate Executive to finalise matters, as envisaged in subparagraph (3), the Senate shall ratify or review the delegated in terms of the delegations framework at least every four years.

(5) The Registrar shall keep a detailed consolidated record of all powers delegated in terms of the delegations framework, as contemplated subparagraph (3).

(6) The Senate Executive shall meet before each meeting of Senate, except in case of an extraordinary meeting of Senate.

33. Committees of Senate.– (1) In addition to the Senate Executive, the Senate shall establish a number of committees to enable the Senate Executive to execute its functions, namely the –

(a) Selection Committees for the purpose of advising the Council on the appointment of academic employees;
(b) Timetable Committee;
(c) Appeals Committee of Senate (Student Discipline);
(d) Faculty boards;
(e) Academic Planning Committee;
(f) and Senate Committees dealing with Research, Research Ethics and Postgraduate Education; Teaching and Learning; Student Affairs; Academic Admission; Admission Status, GIBS et cetera.

(2) The Senate may appoint any other committee, including joint Council and Senate committees: Provided that the latter shall be appointed in consultation with the Council.

(3) The activities of all committees of the Senate are co-ordinated by and executed under the control and supervision of the Senate Executive.

(4) The Senate Executive may further delegate the authority granted to it by the Senate, this Statute and the Institutional Rules, including the authority entrusted to it in terms of paragraph 32(3), to a committee of the Senate or to an individual, as set out in the Institutional Rules, except in cases where the Senate has specified to the contrary.

(5) The reporting by the Senate Executive to the Senate shall include the activities of the committees of the Senate.

(6) The Senate shall nominate and elect members and chairpersons of committees. A non-member of Senate may be elected as a member of a Senate committee.

(7) Matters concerning the constitution, election, terms, functions and procedures of committees not regulated in terms of the above shall be regulated by means of the Institutional Rules.

34. Faculties.– (1) At the University there shall be such faculties, schools and departments (whether subdivisions of faculties or not) as the Council, after consultation with the Senate, may from time to time establish.

(2) The faculty board of each faculty is a committee of the Senate.

(3) The following matters concerning the faculty boards are defined in the Institutional Rules –

(a) the constitution of such boards: Provided that only academic employees of the University may serve on faculty boards;
(b) their powers and functions;
(c) their procedures;
(d) the selection of candidates for the position of Dean, Deputy Dean or persons of similar status;
(e) the appointment of committees of the faculty as well as the manner in which their functions are determined; and
(f) their authority to delegate.

(4) The Dean of the faculty concerned is *ex officio* the Chairperson of the faculty board meeting.

(5) In the absence of the Dean, the acting Dean or the Deputy Dean shall act as the Chairperson: Provided that if the Dean and the Deputy Dean or the acting Dean are absent, the members present at the faculty board meeting shall elect a Chairperson for the particular meeting from their own ranks.

(6) Each faculty may have an advisory committee operating in terms of the Institutional Rules.

35. Members of Senate on Council.– (1) The Senate shall elect three members from its ranks to serve as Council members for a term of four years: Provided that at least one of the said members is elected from the ranks of the Senate members in the faculties of natural sciences (including the health sciences and veterinary science) and at least one is elected from the ranks of the Senate members in the faculties for the humanities.

(2) Members who are already *ex officio* members of the Council shall not be considered as candidates.

(3) The Registrar shall notify all members of the Senate in writing of the election of a member or members of the Senate to serve on Council at least seven days before a Senate meeting.

(4) A person shall be a candidate if he or she is nominated during a Senate meeting by at least two persons, and indicates verbally or in writing that he or she accepts the nomination.

(5) Members, whose terms of office have expired, may be re-elected or renominated.

(6) The election shall be by secret ballot and a majority of the members present at the meeting of the Senate must vote for the successful candidate.

(7) If no candidate receives a majority of votes, successive rounds of voting are held.

(8) In each successive round of voting the candidate receiving the least number of votes is eliminated as a candidate.

(9) After Senate has elected the members to serve on Council, their names are announced by the Chairperson.

(10) Incidental vacancies shall be filled, with the necessary changes, as set out above.

CHAPTER 7

FACULTIES AND FACULTY BOARDS

36. Functions, compositions and procedures.– These matters are provided for in paragraph 34 and in the Institutional Rules of the University.

CHAPTER 8

INSTITUTIONAL FORUM

37. Functions.– (1) The Institutional Forum shall advise the Council and the Executive on the following matters affecting the University –

(a) the implementation of the Act and national policy on higher education;
(b) the formulation of race and gender equity policies;
(c) the selection of candidates for senior management positions;
(d) codes of conduct;
(e) mediation and dispute resolution procedures;
(f) the formulation of policy for fostering an institutional culture characterised by tolerance, respect for fundamental human rights and a positive academic climate; and
(g) the management of cultural diversity on the University's campuses.

(2) The advice given by the Institutional Forum to the Council shall be submitted in written form by the Chairperson of the Institutional Forum. In instances where Council does not accept the advice given, written reasons must be provided.

(3) The Institutional Forum shall perform such additional functions as are determined by the Council or the Executive.

(4) The Council may, after consultation with the Institutional Forum, amend or revoke the mandate of the Institutional Forum referred to in subparagraph (3).

38. Composition.– The Institutional Forum is constituted as follows –

(a) two representatives of the Executive of the University appointed by the Principal;
(b) two representatives of the Council elected by the Council;
(c) two representatives of the Senate elected by the Senate;
(d) a maximum of five representatives elected from the ranks of the trade unions and staff associations recognised as such by the University as set out in paragraph 40(3);
(e) one member appointed by the President of the Convocation;
(f) one disabled person (either a member of staff or a student) appointed by the Council;
(g) not more than ten student representatives in accordance with an appointment procedure of the SRC set out in the Institutional Rules; and
(h) a maximum of three employee or student members, appointed by the Council after consultation with the Institutional Forum –
    (i) on the basis of their expertise and experience; or
    (ii) in order to represent a specific interest group or groups on campus not already represented in the Institutional Forum: Provided that a student or an employee who had been found guilty of misconduct by a disciplinary committee of the University may not be a member of the Institutional Forum.

39. Term of office.– (1) The term of office of all members of the Institutional Forum is four years, with the exception of members appointed by the SRC and student members co-opted in accordance with paragraph 38(h).

(2) The term of office of student members shall correspond with the term of office of the SRC that appointed them.

(3) The term of office of student members co-opted in accordance with paragraph 38(h) shall be one year.

(4) A member may be re-elected, reappointed or co-opted again for another term when his or her term expires.

(5) A student member's membership of the Institutional Forum shall be terminated if the member is no longer a registered student.

(6) The membership of a member of the Institutional Forum shall be terminated if the said member is elected or appointed by a specific interest group to represent the particular group and the member's membership of, or association with the interest group is terminated or the member is suspended by the interest group.

40. Election procedure.– (1) The Registrar shall facilitate the process in terms of which members are appointed, elected or co-opted.

(2) When members are elected or appointed by a particular body that is entitled to do so, the body shall elect or appoint such members in accordance with its own internal appointment or election procedures but with a sensitivity for gender and race.

(3) Each trade union and staff association recognised as such by the University shall be entitled to one representative: Provided that the representative shall be elected from the ranks of the employees of the University by members of the trade union or staff association and provided further that where there are more than five trade unions and staff associations that qualify in this way, only the five trade unions and staff associations with the largest University employee membership, shall be entitled to appoint representatives.

(4) Only members of the SRC may be appointed as student representatives on the Institutional Forum.

41. Chairperson and Deputy Chairperson.– (1) The Institutional Forum shall elect a Chairperson and a Deputy Chairperson from the members of the Institutional Forum.

(2) The term of office of the Chairperson and the Deputy Chairperson shall correspond with their terms of office as members of the Institutional Forum.

(3) If the office of the Chairperson or the Deputy Chairperson becomes vacant, the Institutional Forum shall elect a successor at its next meeting.

(4) The Chairperson of the Institutional Forum reports back to the Institutional Forum on the Council's acceptance, partial acceptance or rejection of the advice of the Institutional Forum.

(5) The Institutional Forum shall elect a Secretary: Provided that the Registrar, or a staff member designated by him or her, shall assist the Secretary or act in his or her place.

42. Executive Committee, task and work groups.– (1) The Institutional Forum shall be empowered to make use of task and work groups in order to facilitate and expedite the activities of the Institutional Forum.

(2) The Institutional Forum shall appoint an Executive Committee to control, manage and administer the Institutional Forum on a day-to-day basis.

(3) The Executive Committee of the Institutional Forum is constituted as follows –

(a) the Chairperson of the Institutional Forum;

(b) the Deputy Chairperson of the Institutional Forum; and

(c) three members appointed by the Institutional Forum, of which one, but not more than two, is a student or are students.

(4) The Executive Committee of the Institutional Forum shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(5) The quorum for a meeting of the Executive Committee of the Institutional Forum shall be three members.

(6) The term of office of the three members referred to in subparagraph (3)(c) shall correspond with their respective terms of office as members of the Institutional Forum.

(7) The Registrar, or a staff member designated by him or her, shall be responsible for the administrative services that the Executive Committee may require.

43. Meeting procedures.– (1) The Institutional Forum shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(2) Eight members of the Institutional Forum shall constitute a quorum.

(3) Resolutions of the task and work groups shall not be binding on the Institutional Forum and consequently there shall be no quorum requirement for the meetings of these bodies.

(4) The Secretary shall keep comprehensive minutes of all meetings of the Institutional Forum, including meetings of the task and work groups.

(5) At least four days before a meeting the Secretary of the Institutional Forum shall send each member, by written notice, an agenda indicating inter alia the date, venue and time of the meeting as well as the matters for discussion.

(6) Members wishing to place additional matters for discussion on the agenda shall send a written request in this regard to the Secretary at least two days before the date of the meeting.

(7) The Chairperson may convene an extraordinary meeting at any time on four days' notice, stating the matter or matters for discussion.

(8) When requested by at least eight members of the Institutional Forum, the Chairperson shall convene an extraordinary meeting: Provided that the request is in writing and the matters for discussion are stated and a brief description of each such matter is provided.

44. Decision-making.– (1) If at least 75 per cent of the members present at a meeting vote either in favour of or against a specific proposal, the Institutional Forum has taken a decision: Provided that where the decision is to be taken on the suitability of a person to be appointed to a position, a decision by the majority of members present shall be the decision of the Institutional Forum.

(2) If the Council requests the Institutional Forum to advise the Council on a specific matter and no proposal put before the Institutional Forum enjoys the support of 75 per cent of the members present, the Chairperson shall be obliged to call a follow-up meeting within two weeks.

(3) If at the follow-up meeting the Institutional Forum does not take an advisory decision, the Executive Committee of the Institutional Forum in conjunction with the other members of the Institutional Forum shall compile a summary of the various opinions expressed at the Institutional Forum and shall submit the summary to the Council.

(4) Where the Institutional Forum has taken an advisory decision that is submitted to the Council, a member or members with a minority viewpoint shall be entitled to formulate the minority viewpoint or viewpoints in writing and to submit such viewpoint or viewpoints to the Executive Committee of the Institutional Forum that, in turn, will submit it to Council.

CHAPTER 9

CONVOCATION

45. Membership.– The Convocation shall consist of –

(1) all the persons, other than persons referred to in subparagraph (2), who immediately before the commencement of this Statute were members of the Convocation of the University;

(2) the Principal, the Vice-Principals, the Executive Directors, Registrar, the Deans of faculties, the academic employees on the permanent staff of the University, professors emeriti, other retired academic employees and such other persons as the Council may determine; and

(3) all persons who have obtained a qualification, as approved by the Senate and the Council, from the University ("Alumni"): Provided that if any person who, by virtue of the provisions of subparagraph (1) or (3), is or is about to become a member of the Convocation, notifies the Council in writing that he or she does not wish to continue to be or to become such a member, he or she shall, upon the receipt of such notice by the Council, cease to be such a member or not become such a member, as the case may be.

46. President.– (1) There shall be a President of the Convocation who shall be elected by the Convocation from among its number for a period of five years: Provided that the retiring President shall be eligible for re-election.

(2) The President's term of office is terminated –

(a) if he or she is sequestrated;

(b) if he or she is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that his or her continued membership of the Convocation is not desirable;

(c) if he or she reaches the age of 75 years;

(3) If the office of President becomes vacant, the Principal shall act as President until the Convocation elects a successor.

47. Election of President.– (1) The election of the President of the Convocation shall take place in accordance with the procedure provided for in the Institutional Rules.

48. Meetings.– (1) The recording of Convocation members' details, the convening of meetings and meeting procedures shall take place in accordance with the Institutional Rules.

(2) The election/appointment of members of the Convocation to serve on Council shall take place in accordance with the procedure provided for in the Institutional Rules.

49. Submission of resolutions to Council.– A copy of any resolution of the Convocation taken at a meeting of the Convocation, duly signed as a true reflection of the meeting by the Chairperson and the Registrar, shall be submitted to the Council by the Registrar: Provided that the Convocation may discuss any

matter that relates to the University or is referred to it by Council, and may convey its views thereon to Council.

CHAPTER 10

DEGREES, DIPLOMAS AND CERTIFICATES

50. Capacity.– (1) The University may, subject to the provisions of this Statute and the Act, confer ~~such~~ degrees and award diplomas and certificates.

(2) Save as is provided by paragraph 51, no degree may be conferred upon and no diploma or certificate may be awarded by the University to any person who has not –

(a) been registered as a student of the University for the period prescribed by the Senate; and

(b) completed the work and attained the prescribed standard of proficiency determined through assessment as required by the Senate.

(3) The University may grant a certificate to any person who has pursued a course of study approved by Senate or an entity under the control of the University.

(4) The Council may, in consultation with Senate, withdraw and revoke any degree, diploma, certificate or other qualification that was awarded –

(a) on the basis of a material error on the part of the University: Provided that such withdrawal and revocation may only take place within a period not exceeding two years after the conferment concerned; or

(b) as a result of a fraudulent or dishonest act in connection with the obtaining of such degree, diploma, certificate or other qualification.

(5) Prior to the Council withdrawing and revoking the conferment of a degree, diploma, certificate or other qualification, Council must –

(a) notify the recipient of the qualification concerned that a revocation and withdrawal is being considered;

(b) provide the recipient with relevant information justifying the intended action;

(c) provide the recipient with an opportunity to obtain assistance and to present his or her case; and

(d) consider the submissions and representations of the recipient.

(6) In the event that the withdrawal and revocation relates to circumstances contemplated in subparagraph (5)(b), the University must report the matter for criminal investigation as contemplated in section 66(2) of the Act.

(7) The power of Council as contemplated in subparagraph 50(4), may be delegated to Principal who, in turn, may further delegate such power to any other employee of the University in terms of section 68(3) of the Act.

51. Honorary degrees and Chancellor's medal.– (1) Subject to the provisions of this paragraph, the University may, on the resolution of Council and of Senate, and without examination, confer an honorary doctorate it deems appropriate upon any person whom the University may deem worthy of such a degree: Provided that the holder of such a degree which has been conferred *honoris causa*, shall not, by the fact that he or she has been admitted thereto, be entitled to practise any profession.

(2) A candidate for the award of an honorary degree or Chancellor's medal shall be selected by a selection committee consisting of the Senate Executive with the addition of the Chairperson and the Deputy Chairperson of Council: Provided that the Chairperson and the Deputy Chairperson of Council may each nominate a member of Council as his or her representative on the selection committee.

(3) The name of the candidate recommended by the selection committee shall be submitted to Senate.

(4) Senate shall vote by secret ballot and without preliminary discussion on the candidate recommended by the selection committee: Provided that Senate shall not discuss or deal with any proposal not recommended by the selection committee.

(5) The name of the candidate who has obtained an ordinary majority of the votes of the members of Senate present at the meeting shall be submitted to the Council.

(6) Council shall vote by secret ballot and without preliminary discussion on the candidate recommended by Senate: Provided that Council shall not discuss or deal with any proposal not recommended by the selection committee and Senate.

(7) The honorary degree or Chancellor's medal shall be awarded to the candidate who has obtained a majority vote of the members of Council present at the meeting, at the time and place determined by the Principal: Provided that no honorary degree shall be conferred posthumously.

(8) In the event that Council is of the opinion that a recipient of an honorary degree or Chancellor's medal from the University of Pretoria has brought the University's name into disrepute and is no longer deemed to be worthy of the award, Council may revoke such honorary degree or medal after consultation with Senate.

(9) Prior to the Council revoking the honorary degree or medal, Council must –

(a) notify the recipient of the qualification concerned that a revocation is being considered;

(b) provide the recipient with relevant information justifying the intended action;

(c) provide the recipient with an opportunity to present his or her case; and

(d) consider the submissions and representations of the recipient.

52. Congregation and conferring of degrees.– (1) A meeting of the members of the University called a Congregation shall be held for the purpose of conferring degrees.

(2) The Chancellor, or in his or her absence the Principal or a Vice-Principal, shall preside at a Congregation.

(3) A Congregation of the University shall be held at least once a year on a date to be announced at the beginning of every academic year.

(4) The procedure as to the presentation of graduates, the conferring of degrees *in absentia*, academic dress and all other matters in connection with Congregations not provided for in this Chapter shall be determined by the Senate Executive, taking into account the advice of the Senate.

CHAPTER 11

EMPLOYEES

53. Appointment.– Subject to section 34 of the Act, Council appoints employees according to the human resource policies of the University as determined in the Institutional Rules.

54. Conditions of employment and conflict of interest. – (1) The conditions of employment, including the determination and review of salaries and all other forms of remuneration, disciplinary provisions, privileges and functions of employees, are approved by Council and may be amended from time to time by Council, and are furthermore subject to the applicable labour laws. The power contemplated in paragraph 54 may be delegated to the Human Resources Committee of Council that may make arrangements with the Principal regarding the implementation or determination of any of these conditions of employment.

(2) With regard to conflict of interest the following shall apply:

(a) An employee must in writing before he or she assumes office and whenever a new interest arises, declare any business, commercial or financial activities undertaken for financial or other gain that may give rise to a conflict or possible conflict of interest with the University.

(b) An employee may not conduct business directly or indirectly with the University that entails or may entail a conflict of interest with the University, unless the Council is of the opinion, and takes a decision, that –

(i) the goods, product or service are unique;

(ii) the supplier is a sole provider; and

(iii) it is in the best interest of the University.

(c) An employee may not on behalf of the University contract with himself or herself or his or her relative or any entity in which the employee or any relative has a direct or indirect financial, personal, fiduciary or other interest.

55. Evaluation.– All employees of the University are subject to continuous evaluation in the performance of their duties and the outcome of such evaluation may have an impact on an employee's remuneration and/or employment status.

56. Staff discipline.– Subject to applicable labour laws, all staff members of the University shall be subject to a disciplinary code, a disciplinary procedure and a grievance procedure as approved by Council or the Human Resources Committee of Council. These codes and procedures shall deemed to be Institutional Rules.

57. Representative employees' organisations.– Agreements with representative employees' organisations may, with reference to conditions of employment and according to the relevant labour legislation, be entered into by Council or by the Principal acting on the delegated authority of Council.

CHAPTER 12

STUDENTS

58. Admission and registration of students.– (1) As contemplated in section 37 of the Act, a person may be permitted by the Council to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at the University and, further, satisfies any other requirements for admission that may be determined by the Council and the Senate and laid down in the Institutional Rules.

(2) Upon registration, whether for a degree, diploma, certificate or one or more subjects or modules, the student subjects himself or herself to the Institutional Rules of the University, as set out in the various publications of the University.

(3) The requirements for admission of a student to the various faculties or other academic entities are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate: Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(4) A student is registered for one year at a time or for such shorter period as the Council may determine in general or in a particular case.

(5) In order for a student to renew his or her registration after the expiry of the period as contemplated in subparagraph (4), the student is required to comply with any conditions set by the Senate: Provided that the Senate may delegate its authority in this respect to the various faculty boards.

(6) The Council may refuse to allow the renewal of registration if a student fails to meet the conditions as contemplated in subparagraph (5): Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(7) The conditions as contemplated in subparagraph (5) may include the payment of outstanding fees as well as non-performance academically or disciplinary matters.

59. SRC.– (1) In matters that may affect them, the students of the University are represented by the SRC acting in accordance with the provisions of the SRC's Constitution which is subordinate to the Institutional Rules of the University.

(2) Only students registered for a degree or diploma at the University shall be elected as members of the SRC.

(3) No student who has been found guilty of transgressing the University's disciplinary code by a disciplinary committee of the University shall be eligible to serve on the SRC and a standing member of the SRC thus found guilty shall immediately vacate his or her position.

(4) The SRC, as contemplated in section 35 of the Act, must be representative of the student body.

(5) The election of SRC members must be democratic and transparent.

(6) The term of office of the members of the SRC is one year.

(7) The privileges of members of the SRC are determined by the Council and can be revoked by the Council.

(8) The SRC is composed and functions in terms of a Constitution as well as the provisions of this Statute and the Institutional Rules.

(9) The SRC Constitution or any amendment thereof must be approved by the Council, after consultation with the SRC.

(10) If the Council is of the opinion that the SRC is inoperative or unable to function properly, the Council may:

(a) revoke the SRC Constitution;

(b) make interim arrangements for the functioning of the SRC; or

(c) initiate a process to have a new SRC Constitution drafted.

60. Student discipline.– The disciplinary measures and provisions applicable to students are set out in the Institutional Rules as contemplated in section 36 of the Act, and may be changed by the Council after consultation with the Senate and the SRC as provided for in section 32(2)(d) of the Act.

CHAPTER 13

DONORS

61. Donors.– The University may receive monies, equipment or services of any sort from donors to assist the University in providing quality education and support services or to otherwise benefit the University in whatever manner.

62. Qualification as donor.– (1) Any person or entity, who is not an organ of state and who has made a particular donation to the University, shall be deemed to be a donor: Provided that if a donation is made by a juristic person, a nominated representative of such juristic person shall be eligible for election to Council and provided further that only donors who have donated more than the minimum amount as contemplated in subparagraph (2) shall for a period of five years be entitled to elect two members of the Council as mentioned in paragraph 15(1).

(2) The donation referred to in subparagraph (1), whether in the form of money, either in one sum or in a number of lesser sums, or as property, either in one asset or a number of assets, or as money and property together, shall be not less than an amount or valued at not less than an amount fixed from time to time by the Council.

(3) The period a person shall be deemed to be a donor is five years, calculated from the time when the donation satisfies the requirements set in subparagraph (2).

(4) In the case of a donor who, having satisfied the requirements of subparagraph (2), makes further donations, the period of five years shall be calculated from the last date on which the requirements of subparagraph (2) were satisfied.

63. Election by donors.– (1) The Registrar shall call for written nominations for candidates in the press and in any other appropriate way.

(2) Each nomination shall be signed by at least two donors, shall be countersigned by the nominee as accepting the nomination and shall be lodged with the Registrar at least four weeks before the election.

(3) If the number of persons nominated does not exceed the number to be elected, the Registrar shall forthwith declare such person or persons to be duly elected.

(4) If more persons are nominated than are to be elected, the Registrar shall submit the nominations to a meeting of the donors for a final ruling.

(5) The Principal shall preside at any meeting of the donors and in his or her absence the donors present shall elect a Chairperson for the particular meeting from its own ranks.

(6) Five donors shall constitute a quorum. If less than five donors are present, the Registrar shall reconstitute the meeting. The number of donors present at such a meeting shall then be deemed to be a quorum.

CHAPTER 14

REPEAL OF PREVIOUS STATUTE

64. Repeal of previous Statute.– The Statute applicable to the University of Pretoria published in *Government Gazette* No. 35195 in Government Notice No. 262 of 30 March 2012 (as amended), is hereby repealed with effect from the date on which this Statute comes into operation.

CHAPTER 15

TRANSITIONAL PROVISIONS

65. Transitional provisions.– (1) With the publication of this Statute, the existing Council, Council Committees, Senate, Senate Committees and Faculty Boards shall be deemed to be composed in terms of this Statute and shall continue to perform its activities.

(2) Any decision of the Council, Council Committees, Senate, Senate Committees and Faculty Boards made before the publication of this Statute shall be regarded as having been made in terms of this Statute.

(3) There shall be no interruption in the legal personality of the University as it existed before and after the coming into operation of this Statute.

(4) This Statute has no effect on the rights and duties that the University had against any legal subject or which any legal subject had against the University prior to the coming into operation of this Statute, except as specifically provided for herein.

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 963 **21 SEPTEMBER 2018**

AMENDMENT OF GAZETTE NOTICE NUMBER 946 OF 2002

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED

Notice is hereby given in terms of Section 11A (4) of the Restitution of Land Rights Act, Act No. 22 of 1994 as amended that an amendment is hereby made to the Gazette Notice 946 of 2002, Government Gazette No. 23495. The amendment of this gazette is made to include the following 03 individual claimants who lodged land claims for restitution of land rights on portions of land that is located within the farm Pusela 555 LT in Tzaneen Municipality, Mopani District of the Limpopo. These land claims were lodged before the cutoff date of 31st December 1998. The claimants are outlined in the table below:

No:	KRP NUMBER	SURNAME	NAMES	ID NUMBER
1	11139	Raphala	Mapula Maria	4710020349080
2	8169	Baloyi	Mvesha Efric	2003075137085
3	7854	Maake	Mmakoma Martina	2607120135082

Preliminary investigations that were done by the Office of the Regional Land Claims Commissioner: Limpopo indicates that the claimants were dispossessed of land rights from areas such as portion 0 (remaining extent), Portion 1 and Portion 10 of ERF 2290 of Tzaneen extension 11, Tzaneen extension 4, and Portion 4 of Erf 3366 of Tzaneen extension 22 These areas are located within the farm Pusela 555 LT.

Detailed information of these farm is as indicated in the below table.

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT (HECTARES)	ENDORSEMENTS /ENCUMBRANCES	HOLDER

Tzaneen Extension 04					
Tzaneen Extension 4	Plaaslike Oorgangsraad Van Tzaneen	T7237/1953 T152053/2000	102.2516 HA	I-11951/2000C I-11770/2012C I-241/1987LG I-25976/1998LG	No Details
Erf 2290 of Tzaneen Extension 11					
Portion 0 (Remaining Extent)	4 Werk Sentrum CC	T86362/2014	4099.0000 SQM	B51066/2014	FIRST RAND BANK LTD
Portion 1	Tzaneen Staal Industriee PTY LTD	T38532/2015	4912.0000 SQM	B37330/1998	LAND EN LANDBOU BANK VAN SA
Portion 10	Manisons PROP CC	T92194/2015	2557.0000 SQM	B51066/2014	No Details
Erf 3366 of Tzaneen Extension 22					
Portion 4	Josh Britz Familie Trust	T24394/2007	9132.0000 SQM	B21622/2014 B31530/2007 K4847/2006S	ABSA BANK LTD

All interested parties should take note that the Officer of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned properties is hereby invited to

This gazette is also available free online at www.gpwonline.co.za

submit in writing within **14** days of publication of this notice, any comments, objections or information under KRP number quoted on the table outlining the claimants as the reference number to:

The office of the Regional Land Claims Commissioner: Limpopo
Private Bag x9552
POLOKWANE
0700

Submission may also be delivered to:
First Floor, 96 Kagiso House
Corner Rissik & Schoeman Streets
POLOKWANE
0700

L H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2018/09/10

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DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 964 **21 SEPTEMBER 2018**

NOTICE OF AMENDMENT IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED

Notice is hereby given in terms of section 11 A (4) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended, that an amendment is hereby made to gazette No: 26540 notice No: 1275 of 2004 to separate Rammalo family land claim and Mushwana family land claim . The land claims have been lodged separately as family claims and should be separated and gazetted as such. Mr Nicasane James Mushwana lodged a land claim on the 05 June 1996 on behalf of Mushwana family and Mr. Evens Mankweni Rammalo lodged a land claim on the 31 December 1998 on behalf of Rammalo family. The amendment also includes the correct extent claimed by each family since survey was conducted for each family. The claimants/ property information are outlined in the table below:

CLAIMANT	FARM NAME	TITTLE DEED	EXTENT	PORTION	OWNERS
Mr. Nicasane James Mushwana	Tours 17 KT	T13566/1940	7830 square meters	R/E of portion 2	Government of Lebowa
Mr. Evens Mankweni Rammalo	Tours 17 KT	T13566/1940	247.9523 Ha	R/E of portion 2	Government of Lebowa

Preliminary investigations that were done by the office of the Regional Land Claims Commissioner: Limpopo indicates that Rammalo and Mushwana families were dispossessed of land rights from farm Tours 17 KT. Survey on the claimed properties was conducted to establish extent claimed by each family areas on the farm Tours 17 KT situated at Greater Tzaneen Municipality, Mopani District of the Limpopo. Detailed information of these farms is as indicated in the above table:

All interested parties should take note that the office of the Regional Land Claims Commissioner: Limpopo is investigating these land claims. Any party that has an interest in the above-mentioned properties is hereby invited to submit in writing within **30** days of publication of this notice, any comments, objections or information under **KRP number quoted on the table outlining the claimants** as the reference number to:

This gazette is also available free online at www.gpwonline.co.za

The Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X9552
Polokwane
0700

Submissions can also be hand delivered to:

96 Kagiso House
Corner Rissik & Schoeman Streets
Polokwane
0700

MR. L.H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2015/12/02

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 965 **21 SEPTEMBER 2018**

GENERAL NOTICE IN TERMS OF SECTION 11 OF THE RESTITUTION OF LAND RIGTHS ACT, 1994 (ACT NO. 22 OF 1994) AS AMENDED

Notice is hereby given in terms of Section 11 of the Restitution of Land Rights Act, 1994 Act No. 22 of 1994) as amended, that a claim for Restitution of Land Rights has been lodged by Mr. Chankie Phillip Moikanyane on behalf of the late grandfather Abel Moikanyane in respect of the Remainder of the farm **TAMBOOTIEPAN 75 JR** measuring 281, 4244 hectares which is located within the Waterberg District of Limpopo.

PROPERTY	OWNER	TITLE DEED NUMBER	EXTENT (ha)	ENDORSEMENTS	HOLDERS	CLAIMANT
REMAINING EXTENT OF THE FARM TAMBOOTIEPAN 75 JR	NATIONAL GOVERNMENT OF SOUTH AFRICA	T676/2010	281,4244H	JR,75-BP	–	MOIKANYANE CP

The Commission on Restitution of Land Rights hereinafter, the Commission received a land claim lodged by Mr. Chankie Phillip Moikanyane on behalf of the late grandfather Mr. Abel Moikanyane on the 29 December 1998. Any party that has an interest on the above-mentioned property is hereby invited to submit in writing, within **14 days** of publication of this notice, any comments or information or objection to the said notice under reference number **KRP 6274** to:

Submission may also be delivered to:

Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X 9552
Polokwane
0700

First Floor, 96 Kagiso House
Corner Rissik & Schoeman Street
Polokwane
0700

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 20/07/31

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 966 **21 SEPTEMBER 2018**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS, 1994 (ACT NO.22 OF 1994), AS AMENDED

Notice is hereby given in terms of Section11 (1) of Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, that a claim for Restitution of Land Rights has been lodged on the remainder of the farm Zebediela's Location no 123 KS situated in Lepelle Nkumpi local municipality, Capricorn district of Limpopo.

The claim was lodged by Mrs Ramadimetsa Tswayi on behalf of the Tswayi family on the 2nd December 1998

The below table depicts the property description on the remainder of the farm Zebediela's Location no 123 KS

PROPERTY	CURRENT OWNER	TITLE DEED	EXTENT (HA)	BONDS AND RESTRICTIVE CONDITIONS	HOLDER(S)
RE of the Farm Zebedielas Location 123 KS	National Government of the Republic of South Africa	DB340/921	1.8091	None	None
Total			**1.8091**		

Take further notice that the Office of the Regional Land Claims Commissioner: Limpopo is processing this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing, within 14 days of the publication of this notice, any comment, objection or information under reference number **KRP 10984**

MR. LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER:
DATE: 2018/08/31

DEPARTMENT OF SCIENCE AND TECHNOLOGY

NO. 967 21 SEPTEMBER 2018

science and technology

Department:
Science and Technology
REPUBLIC OF SOUTH AFRICA

PROMOTION OF ACCESS TO INFORMATION ACT, 2000

MANUAL

AS REQUIRED BY SECTION 14 (2) OF THE PROMOTION OF ACCESS TO INFORMATION ACT

(PAIA) (Act No 2. Of 2000)

Latest Revision 2017

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1. Introduction

This manual ("the Manual") is published in terms of Section 14 (2) of the Promotion of Access to Information Act No. 2 of 2000 (the "Act"). The Act gives effect to the provisions of Section 32 of the Constitution, which provides for the right of access to information held by the State and to information held by another person that is required for the exercise and/or protection of any right.

The purpose of the Act is to foster a culture of transparency and accountability in both the public and private sectors by affording any person the right of access to information to enable them to exercise and protect all of their rights to the full extent required.

The purpose of this Manual is to set out the procedures to be followed and criteria that have to be met for anyone (the "requester") to request access to records in the possession or under the control of the Department of Science and Technology ("the DST").

2. Applicability of the Promotion of Access to Information Act (hereinafter referred to as PAIA)

The Promotion of Access to Information Act (No 2 of 2000) is applicable to the Department as a public body, particularly in respect to its internal records systems.

3. Purpose of the Manual in terms of PAIA

The purpose of this Manual is to identify the structures and functions of the Department and describe its records systems to facilitate the objectives of PAIA.

4. South African Human Rights Commission ("SAHRC") guide to the act

Section 10 of the Act requires the South African Human Rights Commission (SAHRC) to publish a guide containing information reasonably required by a person wishing to exercise or protect any rights in terms of this Act.
The guide, which is published in all official languages, contains particulars of:

- all information offices of public and private bodies;
- the addresses and contact details of such; and
- the types of assistance available from information offices and the South African Human Rights Commission.

This gazette is also available free online at **www.gpwonline.co.za**

4.1. Availability and Access to the Guide:

The guide is available for inspection from:

- all public libraries; and
- the South African Human Rights Commission website – www.sahrc.org.za

Should you have any queries in this regard, please contact the SAHRC directly at:

Postal address: The South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department
Private Bag 2700
Houghton, 2041

Telephone: +27 11 484-8300
Fax: +27 11 484-0582
Website: www.sahrc.org.za
E-mail: paia@sahrc.org.za

5. Contact information for the DST

Name of organisation: Department of Science and Technology

Postal address	**Physical address**
Department of Science and Technology	Building 53 Scientia
Private Bag X894	Campus
Pretoria	Meiring Naude Road
0001	Brummeria
	Pretoria
Tel:	(012) 843 6300
Fax:	(012) 317 4363
Website:	http://www.dst.gov.za
Information Officer:	The Director-General
Tel:	(012) 843 6815
Fax:	0866 810006
Email:	paia@dst.gov.za

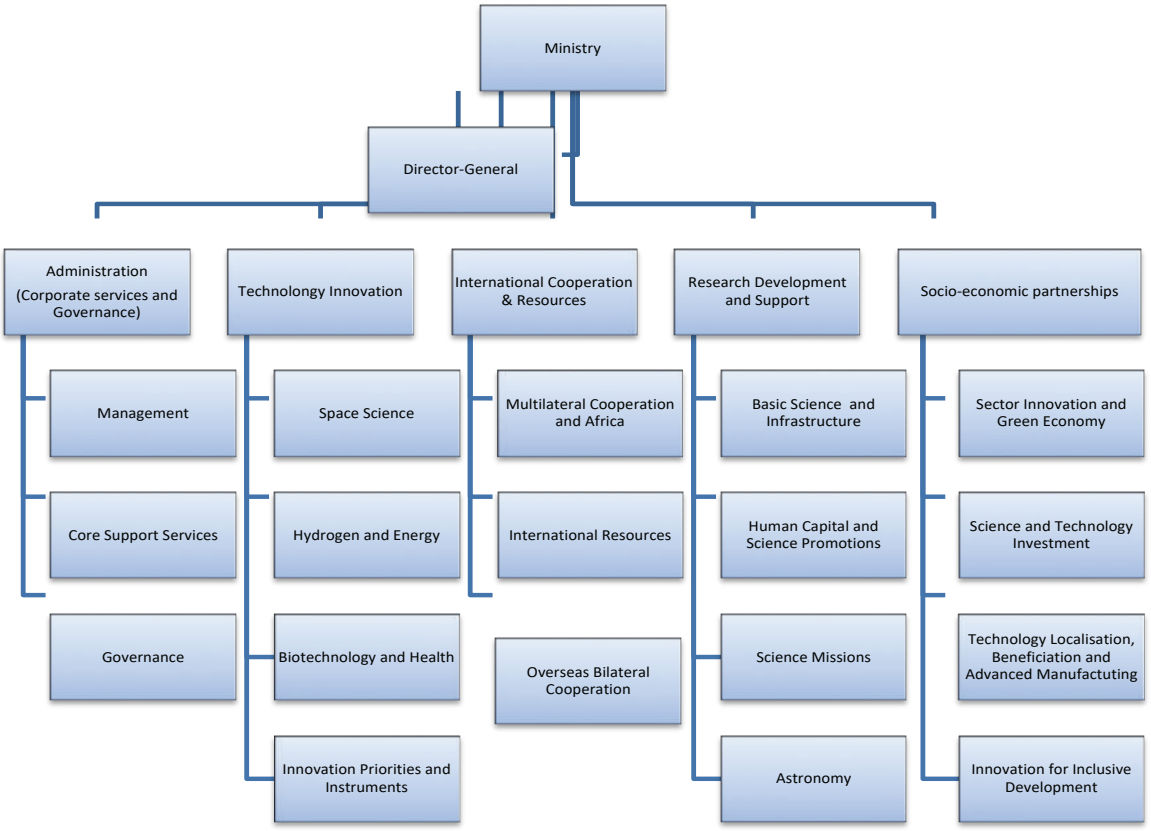
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Requesters are required to address all requests to the Information Officer.

Deputy Information Officer:	Deputy Director-General: Corporate Services
Tel:	(012) 843 6632
Fax:	0865 508 775
E-mail:	paia@dst.gov.za

6. Structure and functions

Minister:	The Honourable Naledi Pandor
Deputy Minister:	The Honourable Zanele Magwaza-Msibi
Director-General:	Dr Phil Mjwara



For a more comprehensive organisational structure, please consult the DST website: www.dst.gov.za

This gazette is also available free online at **www.gpwonline.co.za**

6.1. Programmes

6.1.1. Programme 1: Corporate services, institutional planning and support

Responsible for the overall management of the Department and provides centralised support services. It also ensures that funded organisations comply with good corporate governance practices and are aligned with the strategic focus of the National System of Innovation (NSI). It monitors and evaluates the science councils.

6.1.2. Programme 2: Technology Innovation

The Programme aims to enable research and development (R&D) in strategic and emerging focus areas (space science, energy, biotechnology, nanotechnology, robotics, photonics, and indigenous knowledge systems) intellectual property management, technology transfer and technology commercialisation in order to promote the realisation of commercial products, processes and services from R&D outputs through the implementation of enabling policy instruments.

6.1.3. Programme 3: International Cooperation and Resources

The Programme aims to strategically develop, promote and manage international relationships, opportunities and S&T agreements that strengthen the national system of innovation (NSI) and enable an exsite2016 of knowledge, capacity and resources between South Africa and its regional and international partners. The Programme also supports South African foreign policy through science diplomacy.

6.1.4. Programme 4: Research Development and Support

The Programme aims to provide an enabling environment for research and knowledge production that promotes strategic development of basic sciences and priority science areas, through science promotion, human capital development, the provision of research infrastructure and relevant research support, in pursuit of South Africa's transition to a knowledge economy.

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6.1.5. Programme 5: Socio-Economic Innovation Partnerships

Enhancement of the growth and development priorities of government through targeted science and technology-based innovation interventions and the development of strategic partnerships with other government departments, industry, research institutions and communities.

6.2. Primary Functions

6.2.1. Historical background of the Department

The Department of Science and Technology (DST) derives its mandate from the 1996 White Paper on Science and Technology. It was initially a part of the Department of Arts, Culture, Science and Technology, which was established in 1994. It then separated into the Department of Arts and Culture and Department of Science and Technology in 2002. In 2004, the Department became a standalone Ministry. The basic premise is that Science, Technology and Innovation (STI) play a critical role in economic growth and socio-economic development.

6.2.2. Aim of the DST

The DST seeks to realise the full potential of science and technology in social and economic development through the development of human resources, research and innovation.

This includes focused interventions, networking and acting as a catalyst for change in terms of both productive components of our economy, making it competitive in a globally competitive liberalized environment, and in respect of the huge development backlog existing among the poorest components of our society. The goal of realising this vision is underpinned by development and resourcing strategies for the formation of science, engineering and technology human capital, democratization of state and society, promotion of an information society and ensuring environmental sustainability in development programmes.

6.2.3. Strategic direction

Maintaining an adequate science base and translating it into jobs and growth poses some major challenges. The approach of National System of Innovation (NSI) in recognizing the non-linearity of innovation – where performance is a function not only of the innovation in individual

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organizations but also of the relationships and networks between institutions – is increasingly driving government towards the role of catalyst, facilitator and strategic investor.

6.2.4. Goals

The DST's five principal goals are to -

- develop the innovation capacity of the National System of Innovation (NSI) and thereby contribute to socioeconomic development;
- enhance South Africa's knowledge-generation capacity in order to produce world-class research papers and turn some advanced findings into innovative products and processes;
- develop appropriate STI human capital to meet the needs of society;
- build world-class STI infrastructure to extend the frontiers of knowledge, train the next generation of researchers, and enable technology development and transfer, as well as knowledge interchange; and
- Position South Africa as a strategic international RDI partner and destination through the exchange of knowledge, capacity and resources between South Africa and its regional and other international partners, thereby strengthening the NSI.

6.2.5. Grand Challenges

The success of the DST's Ten Year Innovation Plan - 2008-2018 (TYIP) depends on the achievement and realisation of the above goals. The Plan sets out core projections, which are summarised as South Africa's grand challenges in science and technology (S&T). The grand challenges are the following:

- **Farmer to Pharma**: Over the next decade, South Africa should develop its bio economy to become a world leader in biotechnology and pharmaceuticals, using the nation's indigenous resources and new developments in genomics.
- **Space S&T**: South Africa will become a key contributor and partner to global space S&T through the National Space Agency, a growing satellite industry and a range of innovations in space science, including earth observation, communication, navigation and engineering.
- **Energy Security**: Safe, clean, affordable and reliable energy supplies are in global demand, and South Africa should meet its medium-term energy supply requirements while innovating for the long term in clean coal technologies, nuclear energy, renewable energy and the promise of the hydrogen economy.
- **Global Change**: South Africa should exploit its geographic position, which enables it to play a leading role in climate change science.

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- **Human and Social Dynamics**: As a leading voice among developing countries, South Africa should contribute to a greater global understanding of shifting social dynamics, and the role of science in stimulating growth and development.

7. Public entities reporting to the DST

- Academy of Science of South Africa (ASSAF)
- Council for Scientific and Industrial Research (CSIR)
- Human Sciences Research Council (HSRC)
- National Research Foundation (NRF)
- Technology Innovation Agency (TIA)
- South African National Space Agency
- Agency for Science and Technology Advancement
- Astronomy Management Authority
- National Council on Innovation
- National Intellectual Property Management Office

8. Acts administered by the DST

- Academy of Science of South Africa Act 67 of 2001
- Africa Institute of South Africa Act
- Astronomy Geographic Advantage Act 21 of 2007
- Human Sciences Research Act 23 of 1968
- Intellectual Property Rights for Public Financed Research and Development Act 51 of 2008
- National Advisory Council on Innovation Act 55 of 1997
- National Research Foundation Act 23 of 1998
- National Scientific Act 106 of 2003
- Natural Scientific Professions Act 27 of 2003
- Science Technology Law Amendment Act 2011
- Scientific Research Council Act 46 of 1988
- South African Space Agency Act 36 of 2008
- Technology Innovation Agency Act 26 of 2008
- The Promotion of Access to Information Manual

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9. Access procedure

9.1. How to Make a Request

Fill in the prescribed request form available from the DST. To request the form, send an email to paia@dst.gov.za. The form is available in the following languages[1]:

- English
- isiZulu
- Sepedi.

All queries should be addressed to the Information Officer:

Information Officer:	Director-General
Tel:	(012) 843 6815
Fax:	0866 810 006
E-mail:	paia@dst.gov.za

9.2. Subjects and Categories of Records Held by Department of Science and Technology

9.2.1. Automatic disclosure:

The list of categories of records available to persons without having to request access in terms of the Promotion of Access to Information Act is attached as Annexure A. These records are made available on the DST website.

9.2.2. Records available on request:

A list of categories of records, which are held by the Department and can be requested in terms of the Promotion of Access to Information Act is attached as Annexure B. Access to these records must be requested from the Information Officer according to the procedure below.

9.3. Payment of the prescribed fees:

As instructed by the Act, an amount of R35.00 must accompany the request for information. This is payable by cheque, cash (if delivered by hand) or deposited into the DST bank account (proof of the deposit must accompany the request form)

[1] Currently the DST has forms available in these three languages. Requests in other languages will also be accommodated.

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Account name:	Department of Science and technology
Bank:	ABSA Bank
Account Number:	4056183523
Branch Number:	323645
Account Type:	Deposit Account

9.4. Validation and acknowledgement of the request

The Information Officer of the DST receives and validates the request to see whether the required information is available in the DST. The request is then accepted, rejected or transferred to the rightful keepers of the required information. An acknowledgement will then be forwarded to the requester to confirm the status of the request.

9.5. Information processing

If the request is accepted, the DST will gather and prepare the information and calculate the relevant cost involved. The cost is calculated in respect of the prescribed fees as detailed in *Table 1: Fees in respect of Public Bodies.*

9.6. Final notification

The requester will be informed of the completion of the request as well as the outstanding fees payable to the DST.

9.7. Payment and delivery

Once the payment as stipulated above is received, the information is released to the requester. The prescribed form must be filled in with enough detail to at least enable the information Officer to identify:

- The record(s) requested.
- The identity of the requester.
- Which form of access is required, if the request is granted;
- The postal address or email address or fax number of the requester.

The requester must state that he/she requires the information in order to exercise or protect a right, and clearly state what the nature of the right is to be exercised or protected. In addition, the requester must clearly specify why the record is necessary to exercise or protect such a right.

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The Department will process the request within 30 working days, unless the requester has stated special reasons, which would satisfy the Information Officer that circumstances dictate that the above time periods should not be complied with. The 30-day period may be extended for a further period of 30 days if the request is for a large amount of information, or the request requires a search for information held at another office of the institution and the information cannot be obtained within the original 30 day period. The DST will notify the requester in writing should an extension be sought.

If a request is made on behalf of another person, then the requester must submit proof of the capacity in which the requester is making the request to the reasonable satisfaction of the Information Officer.

If an individual is unable to complete the prescribed form because of illiteracy or disability, such a person may make the request orally. The requester must pay the prescribed fee, before any further processing can take place.

9.8. Fees

The Act provides for two types of fees:

- A request fee, which will be a standard fee, and an access fee, which is calculated by taking into account reproduction costs, search and preparation time and costs, as well as postal costs.
- When the request is received by the Information Officer, such officer shall by notice require the requester, other than a personal requester, to pay the prescribed fee (if any), before further processing of the request.
- If a search for the record has been made and the preparation of the record for disclosure, (including arrangement to make it available in the requested form, requires more than the hours prescribed in the regulations for this purpose, the information officer shall notify the requester to pay as a deposit the prescribed portion of the access fee, which would be payable if the request is granted.
- The Information Officer shall withhold a record until the requester has paid the fees as indicated above.
- A requester whose request for access to a record has been granted, must pay an access fee for reproduction and for search and preparation, and for any time reasonably required in

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excess of the prescribed hours to search for and prepare the record for disclosure, including making arrangements to make it available in the requested form.

- If a deposit has been paid in respect of a request for access, which is refused, then the information officer concerned will repay the deposit to the requester.

Table 1: Fees in respect of Public Bodies

The following Fees apply:

DESCRIPTION	AMOUNT(R)
The request fee payable by every requester	35.00
Copy of the manual as contemplated in regulation 5(c) (for every photocopy of A4 size page or part thereof)	0.60
The fees for reproduction referred to in regulation 7(1) are as follows:	
1) For every photocopy of an A4 size page or part thereof	0.60
2) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine	5.00
3) For a copy in a computer-readable form on: a) stiffy disc b) compact disc (readable form)	 5.00 40.00
4) For a transaction of visual images: a) for an A4 size page or part thereof b) for a copy of visual images	 22.00 60.00
5) For a transaction of an audio record: a) for an A4 size page or part thereof b) for a copy of an audio record	 12.00 17.00
The access fees payable by a requester are as follows:	
1) For every photocopy of an A4 size page or part thereof	0.60
2) For every printed copy of an A4 size page or part thereof held on a computer or in electronic or machine readable form	0.40
3) For a copy in a computer readable form on: a) stiffy disc b) compact disc	 5.00 40.00
4) For a transcription of visual images, for an A4 size page or part thereof	22.00
5) For a copy of visual images	60.00
6) For a transaction of an audio record, a) for an A4 size page or part thereof b) for a copy of audio records	 12.00 17.00

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To search for and prepare the record for disclosure, R15, 00 for each hour or part of an hour, excluding the first hour, reasonably required for such search and preparation.	
The actual postage is payable when a copy of a record must be posted to a requester. Postage costs are dependent on the relevant tariff in terms of postage destination.	

9.9. Refusal of request and appeal

- A requestor should take note of section 7(1) of the PAIA which states the following:

  " This Act does not apply to a record of a public body or a private body if—

  (a) that record is requested for the purpose of criminal or civil proceedings;

  (b) requested after the commencement of such criminal or civil proceedings, as the case may be; and

  (c) the production of or access to that record for the purpose referred to in paragraph (a) is provided for in any other law.

  (d) requests for information that are, in DST' reasonable opinion, manifestly frivolous or vexatious or which involve an unreasonable diversion of resources."

  If section 7(1) applies, you may not bring a request in terms PAIA.

- The grounds of refusal outlined in Part 2 of Chapter 4 and Part 3 Chapter 4 of the PAIA should therefore be observed when making requests.
- A requester may lodge an internal appeal against a decision of the information officer of the DST to refuse a request for access in relation to that request with the relevant authority.
- A third party may lodge an internal appeal against a decision of the information officer of the DST to grant a request for access.

9.10. Manner of appeal, and appeal fees

An appeal must be lodged in the prescribed form:

- Within 60 working days;
- If notice to a third party is required, within 30 days after notice is given to the appellant of the decision appealed against; or
- If notice to the appellant is not required, after the decision was taken it must be delivered or sent to the information officer of the DST;

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- Must identify the subject of the appeal and state the reasons for the appeal and may include any other relevant information known to the appellant;
- If, in addition to a written reply, the appellant wishes to be informed of the decision on the internal appeal in any other manner, must state that manner and provide the necessary particulars to be so informed;
- If applicable, must be accompanied by the prescribed fee, and must specify a postal address or fax number; and
- If an appeal is lodged after the expiry of the period referred to, the relevant authority must, upon good cause shown, allow the late lodging of the appeal.

If that relevant authority disallows the late lodging of the appeal, he/she must give notice of that decision to the person who lodged the appeal. A requester lodging the appeal against the refusal of his/her request for access must pay the prescribed appeal fee (if any). If the prescribed appeal fee is payable in respect of an appeal, the decision on the appeal may be deferred until the fee is paid. As soon as reasonably possible, but in any event within 10 working days after receipt of an appeal, the information officer of the DST must submit to the relevant authority:

- The appeal together with his/her reasons for the decision concerned; and
- If the appeal is against the refusal or granting of a request for access, the name, postal address, email address phone and fax numbers, whichever is available, of any third party that must be notified of the request.

9.11 Granting of access to records

Subject to the provisions of the PAIA, access to records requested from DST will only be granted if -

- All the procedural requirements set out in the PAIA relating to a request are met; and
- Access to the requested record/s is not refused in terms of any ground for refusal set out in PAIA.
- The grounds of refusal are outlined in Part 2 of Chapter 4 and Part 3 Chapter 4 and includes mandatory protection of-
  (a) commercial information of third party;
  (b) certain confidential information;
  (c) safety of individuals, and protection of property;

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(d) records privileged from production in legal proceedings;

(e) economic interests and financial welfare of Republic and commercial activities of public bodies;

(f) research information of third party, and protection of research information of public body; or

(g) certain information regarding the operations of public bodies.

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10. Annexure A: Information generally available through the DST website

- General DST information
  - Organogram
  - Vision, Mission & Values
  - Ministry
  - Road map to DST offices
  - Frequently Asked Questions
  - Contact list
- DST Focus Areas
  - Research
  - Research partners
  - Information on research funding
  - Innovation
  - Contact details for funding
  - Youth
  - Fun places to visit
  - Experiments
  - Facts
  - Links to Science and Technology sites
  - Careers
  - Financial Aid
  - Careers beyond 2000
  - Bio Careers
- Science and technology career opportunities
- The R&D Tax Incentive Programme
  - Guides, brochures and forms
  - Acts and other documents relevant to R&D Tax Incentive
- News Room
  - Latest News
  - Speeches
  - Press Releases / Communiqués
  - Presentations
  - African Perspective on the Youth in STI

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- National Perspective on data to inform evidence based policy
- The role of data in tracking the sustainable development goals and developing Africa's evidence based policy
- The role of economics in achieving sustainable development goals with a data perspective
- Contextualising data and sustainable development goals
- Presentation of the DST 2006/7 Annual Report to Parliament
- Presentation on S&T Policy Forum. Japan, June 2005
- Presentation delivered by Ms Anita Canca
- Energy Research Development in SA
- Science, Technology and Innovation
- The GEOSS Initiative
- Interim Assessment of the Impact of the National R&D Strategy
- Science, Technology and Innovation: Case study of the SA Policy Environment
- Comparative Advantages and Global Research Infrastructure Partnerships
- SA Science and Technology System
- Presentation to the SA National Editors' Forum (SANEF); 22 November 2003
- Sector-wide Science and Technology Programme Proposal
- Presentation made on 15 July 2004, in Brussels.
- Presentation on the Fourth World Congress on Rural Women.pdf
- OECD Review of the SA National System of Innovation
- Corporate Strategy 2008
- National Space Agency bill.PPT
- India-Brazil-South Africa (IBSA)
- Seminar on Space Science and Astronomy
  - Science and Technology Awareness Radio
  - Events Calendar
  - DST Newsletter
  - SKAO Monthly Bulletin
  - Cabinet Statements
  - Opinion Pieces
- Resource Centre
  - Annual reports
  - Legislation

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- Strategies & Reports
- DST Corporate Strategy 2010-13
- Foresight Reports
- R&D Reports
- Project Reports
- Newsletters
- Ministerial Review Reports
- Knowledge Products
- Research Infrastructure
- Cyber Infrastructure
- Coffee Table Books

- Seminar on Space Science and Astronomy
- Services

– Centres of Excellence

- The Centre of Excellence in Biomedical TB Research
- The Centre of Excellence in Invasion Biology
- The Centre of Excellence in Strong Materials
- The Centre of Excellence in Birds as Keys to Biodiversity Conservation at the Percy Fitzpatrick Institute
- The Centre of Excellence in Catalysis
- The Centre of Excellence in Tree Health Biotechnology at FABI
- The Centre of Excellence in Epidemiological Modelling and Analysis

- The R & D Tax Incentives Programme
- S&T Landscape
- Space Programme Newsletter
- Sumbandilasat
- Science and Technology Awareness Radio (STAR)
  - June 2010 Interview
  - May 2010 Interview - Maropeng
  - April 2010 Interview - Square Kilometre Array (SKA)
  - March 2010 Interview
  - January 2010 Interview
  - December 2009 Interview
  - November 2009 Interview

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- October 2009 Interview
- September 2009 Interview
- August 2009 Interview

- Tenders
  - Procurement policy framework
  - Responded Bidders
  - Current tenders
- NSW10 proposal template FINAL.doc
- Careers
  - Guidelines to register on DST careers
  - Latest Job Opportunities
  - Link to form Z83
  - Benefits working for the DST
  - Online Registration Database
- Knowledge Resource Centre
- Links
  - COFISA
    - Presentations
    - Documents
- Square Kilometre Array (SKA)

- German South Africa Year of Science 2012/13
- Sector budget support
- SAFIPA Global change conference
- PRIAP
- General budget support
- Performance Information Management System (PIMS)
- Climate Technology Centre & Network
- Entities
  - Technology Innovation Agency
  - Human Sciences Research Council
  - Academy of Science of South Africa
  - South African National Space Agency
  - Council for Scientific Research and Industrial Research

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- o Agency for Science and Technology Advancement
- o National Intellectual Property Management Office
- Legislation
- About NIPMO
- Organogram
- NIPMO Events
- Services
- o National Research Foundation
- o Astronomy Management Authority
- o Contact details

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11. Annexure B: Subjects and categories of records held by the Department of Science and Technology

Programme/Sub-programme	Records Title
PROGRAMME 1: CORPORATE SERVICES, INSTITUTIONAL SUPPORT AND PLANNING	
Programme 1A. Corporate Services	
Sub Programme: Chief Financial Officer (CFO)	
Financial Management (Management Accounting)	Estimates of National expenditure (ENE) Medium Term Expenditure Framework (MTEF), Adjusted Estimates of National Expenditure (AENE) Early warning reports, expenditure analysis report, cash-flow report.
Financial Accounting	Financial statements, Assets and Liabilities. Statutory reports on National Revenue, Certificates on Compliance in terms of the minimum requirements of financial accounting in the National Government, Interim and Annual Financial Statements and records of all transactions pertaining to Revenue, Expenditure, Assets and Liabilities.
Supply Chain Management	Supply Chain Management Policies and Procedures; Supplier database; Proposals from service providers; Bid documents, including minutes of Bid adjudication; Submissions in relation to Bids; Product specifications and Service terms of reference; Minutes of meeting with service providers; Submissions in relation to assets disposals; Assets register; Minutes of assets disposal committee meetings; Fleet management; Assets and facility management plans; Tender documentation, including awarded tenders.
Sub-Programme: Chief Information Officer	

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Programme/Sub-programme	Records Title
Information Systems	Disaster Recovery Plan; IT Policies, standards and procedure manuals, Master Services Plan, IT Strategy.
Knowledge Information and Records Management	Records Management Strategy and Policy, Knowledge Management Strategy, PAIA Manual.
Sub-Programme: Auxiliary Services	Security Policies and procedures; Security Transaction reports; Building Video footage
Sub-Programme: Legal Services	DST Acts and regulations, Contracts, Legal opinions and litigation databases, legal policies, compliance manual.
Sub-Programme: Human Resource	
Special Programmes	HR Strategies, Policies, Procedures and Plans; Gender and Disability Mainstreaming Plans(s); Employee Assistance Programmes; Employee Assistance Reports; Batho Pele Principles; Grievance and Disciplinary Procedures; Gift Register.
Talent Management and Organisational Development	HR Strategies, Policies, Procedures and Plans; Job evaluation and Work-study Reports.
Programme 1B. Chief Operations Officer	
Office of the Director General	Ministerial and DG Submissions Risk Management
Sub- Programme: Policy Planning, Governance Monitoring and Evaluation (PPGM&E)	DST Annual Report, Business plan; Performance information management reports; Institutional and system reviews and supporting documentation; Minutes of meetings, Liaison with DST entities (forum meeting minutes - Chairpersons, CEO and CFO); Progress and Appraisal reports; Frameworks and guidelines; Commissioned Reports.
Sub-Programme: Internal Audit	Minutes of Audit Committee Meetings; Internal Audit Reports; Audit Committee Reports, Charters; Memoranda of Agreement.
Sub- Programme: Science Communication	Speeches; Corporate publications; Extracts from research reports; Photographs.
HR Sourcing and Maintenance	HR Strategies, Policies, Procedures and Plans; Personnel Files; Leave Register.

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Programme/Sub-programme	Records Title
Sub-Programme: National Advisory Council on Innovation (NACI)	Appointments, Acceptances and Declines of Members of Council, Committees and Sub-committees; Study Management.
PROGRAMME 2: TECHNOLOGY INNOVATION	
Office of the Deputy Director General	
Sub-Programme: Biotechnology and Health	Strategies; Centres of Competence; regulations; correspondence, decisions and interactions with Agencies; Farmer to Pharma Grand Challenge; GMO applications (without confidential information).
Sub-Programme: Space Science	Upgrade the capabilities of the Satellite Application Centres.
Sub-Programme: Innovation Priorities and Instruments	Model for fiscal incentives for R&D.
Sub-Programme: Knowledge Development on Indigenous Knowledge Systems	Knowledge Management; Indigenous Knowledge Systems study documents and reports - refer to www.NIKSO.dst.gov.za; National Recordable system.
PROGRAMME 3: INTERNATIONAL CO-OPERATION AND RESOURCES	
Office of the DDG	
Sub-Programme: Overseas Bilateral Cooperation	Agreements
Sub-Programme: International Resources	Project brochures Links to project websites Project Workshop and information sessions
Sub-Programme: Multilateral Cooperation and Africa	Fellowships Study opportunities Unit Brochures Collaboration reports
PROGRAMME 4: RESEARCH DEVELOPMENT AND SUPPORT	
Office of the DDG	

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Programme/Sub-programme	Records Title
Sub-Programme: Basic Sciences and Infrastructure	Facilitate strategic partnerships and programmes to develop new research infrastructure and access to new research infrastructure.
Sub-Programme: Human Capital & Science promotion	Centres of Excellence; Research Chairs; Study reports; Bursary information.
Sub-Programme: Astronomy Advances	Square Kilometre Array Information; refer to www.SKA.ac.za; Astronomy legislative process and regulations; Declarations.
PROGRAMME 5: SOCIO-ECONOMIC PARTNERSHIPS	
Office of the Deputy Director General	Grand Challenges, with implementation plans and concept documents; Strategic frameworks.
Sub-Programme: Science & Technology Investment	Surveys and statistical reports; Company responses to surveys.
Sub-Programme: S&T for Social Impact: Innovation for Inclusive Development	Build partnerships, provide investment support, and fund pilots.
Sub-Programme: S&T for Economic Impact: Sector Innovation and Green Economy	Final Research reports.
Sub-Programme: S&T for Economic Impact: Technology Localisation Beneficiation and Advanced Manufacturing	Strategies Intellectual property and patented information; Technology Localisation Plan; Process Control Manual; Technology Assistance Packages Guidelines.

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Annexure C

REPUBLIC OF SOUTH AFRICA

FORM A

REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

(Section 18 (1) of the Promotion of Access to Information Act, 2000

(Act No. 2 of 2000)

[Regulation 2]

FOR DEPARTMENTAL USE

Reference Number:_____

Request received by _____(state rank, name and surname of information officer / deputy information officer on (date)_____ at_____(place)

Request fee R_____

Deposit fee (if any):R_____

Access fee (if any) R_____

Signature: Information Officer/Deputy Information Officer

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A. Particulars of public body

The Head:

B. Particulars of person requesting access to the record

(a) The particulars of the person who requests access to the record must be given below.
(b) The address and/or fax number in the Republic to which the information is to be sent must be given.
(c) Proof of the capacity in which the request is made, if applicable, must be attached.

Full names and surname: ……

Identity number: | | | | | | | | | | | | | |

Postal address: ……

Telephone number: (……) …….. Fax number: (……) ……..

E-mail address: ……

Capacity in which request is made, when made on behalf of another person:

C. Particulars of person on whose behalf request is made

This section must be completed ONLY if a request for information is made on behalf of another person.

Full names and surname: ……

Identity number | | | | | | | | | | | | | |

D. Particulars of record

(a) Provide full particulars of the record to which access is requested, including the reference number if that is known to you, to enable the record to be located.
(b) If the provided space is inadequate, please continue on a separate folio and attach it to this form. The requester must sign all the additional folios.

1. Description of record or relevant part of the record:

……..

……..

……..

……..

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FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

2. Reference number, if available:

……

……

……

……

3. Any further particulars of record:

……

……

……

……

E. Fees

(a)	A request for access to a record, other than record containing personal information about yourself, will be processed only after a request fee has been paid.
(b)	You will be notified of the amount required to be paid as the request fee.
(c)	The fee payable for access to a record depends on the form in which access is required and the reasonable time required to search for and prepare a record.
(d)	If you qualify for exemption of the payment of any fee, please state the reason for exemption.

Reason for exemption from payment of fees:

……

……

……

……

……

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

F. Form of access to record

If you are prevented by a disability to read, view or listen to the record in the form of access provided for in 1 to 4 below, state your disability and indicate in which form the record is required.

Disability: Form in which record is required:

Mark the appropriate box with an **X**.

NOTES:
(a) Compliance with your request for access in the specified form may depend on the form in which the record is available.
(b) Access in the form requested may be refused in certain circumstances. In such a case you will be informed if access will be granted in another form.
(c) The fee payable for access to the record, if any, will be determined partly by the form in which access is requested.

1. If the record is in written or printed form:						
	copy of record*		inspection of record			
2. If record consists of visual images - (this includes photographs, slides, video recordings, computer-generated images, sketches, etc.):						
	view the images		copy of the images*		transcription of the images*	
3. If record consists of recorded words or information which can be reproduced in sound:						
	listen to the soundtrack (audio cassette)		transcription of soundtrack* (written or printed document)			
4. If record is held on computer or in an electronic or machine-readable form:						
	printed copy of record*		printed copy of information derived from the record*		copy in computer readable form* (stiffy or compact disc)	

*If you requested a copy or transcription of a record (above), do you wish the copy or transcription to be posted to you? Postage is payable.	YES	NO

G. Particulars of right to be exercised or protected

If the provided space is inadequate, please continue on a separate folio and attach it to this form.
The requester must sign all the additional folios.

1. Indicate which right is to be exercised or protected:

……

……

……

2. Explain why the record requested is required for the exercise or protection of the aforementioned right:

……

……

……

FORM A: REQUEST FOR ACCESS TO RECORD OF PUBLIC BODY

H. Notice of decision regarding request for access

You will be notified in writing whether your request has been approved / denied. If you wish to be informed in another manner, please specify the manner and provide the necessary particulars to enable compliance with your request.

How would you prefer to be informed of the decision regarding your request for access to the record?

……

Signed at …… this day…… of ……..year …….

……
SIGNATURE OF REQUESTER /
PERSON ON WHOSE BEHALF REQUEST IS MADE

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science and technology

Department:
Science and Technology
REPUBLIC OF SOUTH AFRICA

Kgoro ya Saense le Theknolotši
Rephabliki ya Afrika Borwa

MOLAO WA TŠWELETŠOPELE YA PHIHLELELO YA TSHEDIMOŠO WA 2000

MANYOALE

KA GE O NYAKEGA GO KAROLO 14(2) YA MOLAO WA TŠWELETŠOPELE YA PHIHLELELO YA TSHEDIMOŠO (PAIA) (Molao 2. Wa 2000)

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Poeletšo ya Bjale 2017

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1. Matseno

Manyoale wo o gatišitšwe go ya ka Karolo 14(2) ya Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo No.2 ya 2000 ("Molao"). Molao wo a fa khuetšo go ditokišetšo tša Karolo 32 ya Molaotheo, yeo e fago ditokelo tša phihlelelo ya tshedimošo yeo e swerwego ke Pušo le tshedimošo yeo e swerwego ke motho yo mongwe yeo e hlokago phihlelelo bakeng sa tiragatšo le/goba tšhireletšo ya tokelo efe goba efe.

Maikemišetšo a Molao wo ke go fihlelela boikarabelo le bopepeneneng go makala a setšhaba le poraebete go fa motho monyetla wa tokelo ya phihlelelo ya tshedimošo go mo kgontšha go diragatša le go šireletša ditokelo tša bona ka botlalo ka ge go nyakega.

Maikemišetšo a manyoale wo ke go beakanya ditshepedišo le tekanyetšo tšeo si swanetšego go latelwa ge yo mongwe ("mokgopedi") a kgopela go fihlelela direkhoto tšeo di swerwego goba di lego ka tlase ga taolo ya Kgoro ya tša Saense le Theknolotši ("DST").

2. Go šoma ga Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo (ka fa o bitšwa PAIA)

Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo (No 2 ya 2000) o a šoma go Kgoro ka ge e le lekgotla la setšhaba, kudu go direkhoto tša ka gare ga ditsela.

3. Maikemišetšo a Manyoale go ya ka PAIA

Maikemišetšo a Manyoale wo ke go šupa dibopego le mešomo tša Kgoro le go hlaloša ka botlalo ditsela tša direkhoto go nolofatša maikemišetšo a PAIA.

4. Khomišene ya Ditokelo tša Batho ya Afrika Borwa ("SAHRC") e fa tlhahlo ya molao

Karolo 10 ya Molao e nyaka gore Khomišene ya Ditokelo tša Batho ya Afrika Borwa (SAHRC) e phatlalatše tlhahlo yeo e swerego tshedimošo yeo e kgopelwago ke motho ka tlase ga mabaka a go kwagala go kgona go diragatša goba go šireletša ditokelo dife goba dife go ya ka Molao wo. Tlhahlo, yeo e gatišitšwego ka maleme ka moka a semmušo, e swere ditlabakelo tša:

- tshedimošo ka moka ya dikantoro tša mekgatlo ya setšhaba le poraebete;
- diaterese le dintlha tša boikgokaganyo tša gona; le
- mekgwa ya thušo yeo e lego gona go tšwa go dikantoro tša tshedimošo le Khomišene ya Ditokelo tša Batho ya Afrika Borwa.

4.1. Kh**wetšagalo le Phihlelelo ya Tlhahlo**:

Tlhahlo e ya hwetšagala go ka sekasekwa go tšwa go:

- Bokgobapuku ka moka bja setšhaba; le
- Wepesaete ya Khomišene ya Ditokelo tša Batho ya Afrika Borwa- www.sahrc.org.za

Ge o ka ba le dipotšišo ka se, o kgopelwa go ikgokaganya le SAHRC ka go lebiša go:

Aterese ya Poso: Khomišene ya Ditokelo tša Batho ya Afrika Borwa
Promotion of Access to Information Act Unit
Research and Documentation Department

Private Bag 2700
Houghton, 2014

Mogala: +27 11 484-8300
Fekese: +27 11 484 0582
Wepesaete: www.sahrc.org.za
Emeile: paia@sahrc.org.za

5. Tshedimošo ya kgokaganyo ya DST

Leina la mokgatlo: Kgoro ya tša Saense le Theknolotši
Aterese ya Poso **Aterese ya Lefelo**
Department of Science and Technology
Moago 53 Scientia Campus

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 4

Private Bag X894
Pretoria
0001

Meiring Naude Road
Brummeria
Pretoria

Mogala: (012) 843 6300

Fekese: (012) 317 4363

Wepesaete: http://www.dst.gov.za

Mohlankedi wa Tshedimošo: Molaodi Kakaretšo

Mogala: (012) 843 8615

Fekese: 0866 810006

Emeile: paia@dst.gov.za

Bakgopedi ka moka ba kgopelwa go lebiša dikgopelo tša bona go Mohlankedi wa Tshedimošo.

Motlatša Mohlankedi wa Tshedimošo: Motlatši wa Molaodi Kakaretšo
Ditirelo tša Koporasi

Mogala: (012) 843 6632

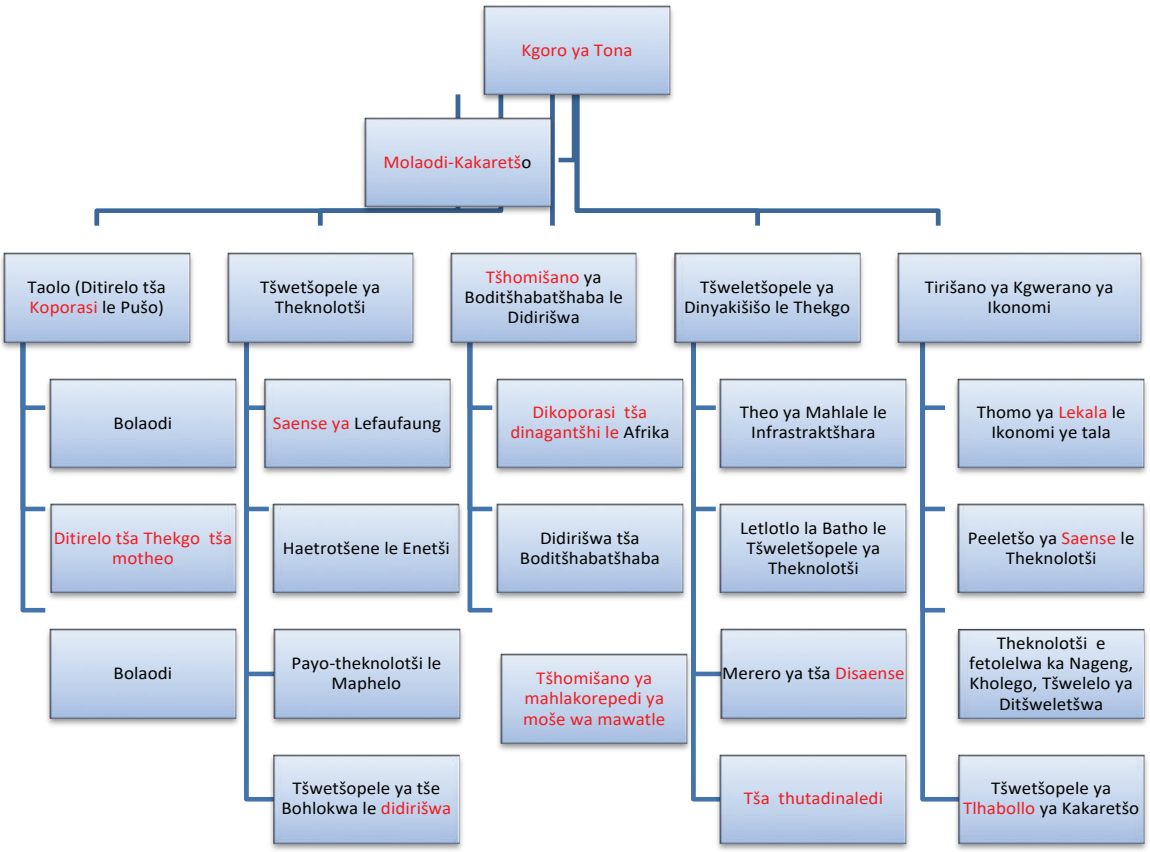
Fekese: 0865 508 775

Emeile: paia@dst.gov.za

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 5

6. Sebopego le Ditiragatšo

Tona: Mohlamphegi Naledi Pandor
Motlatša Tona: Mohlomphegi Zanela
Molaodi Kakaretšo: Ngaka Phil Mjwara



Go hwetša tlhamo ye e tseneletšego ya mokgahlo, o kgopelwa go etela le weposaete ya DST: www.dst.gov.za

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 6

6.1. Mananeo

6.1.1. Lenaneo 1: Ditirelo tša Koporasi, peakanyetšo ya mokgatlo le thekgo

E na le maikarabelo a bolaodi ka kakaretšo bja Kgoro le go fa thekgo ya ditirelo yeo e lego bogareng. E netefatša gape gore mekgatlo yeo e filwego thekgo ya matlotlo e latela ditiro tša maleba tša bolaodi bja koporasi ebile e sepetšana le go tsepelela Tsela ya Dithomo ya Bosetšhaba (NSI). E lekola lego lekanyetša dikhansele tša saense.

6.1.2. Lenaneo 2: Tšwetšopele ya Theknolotši

Nepišo ya lenaneo ke go kgontšha dinyakišišo le tšweletšopele R&D ya maano le tsepelelo go mafelo ao a sa hlagago (saense ya lefaufaung, enetši, payotheknolotši, nanotheknolotši, robothiki, fothoniki, le ditsela tša tsebo ya tša setlogo) taolo thoto ya bohlodi, phetišetšo ya theknolotši le thekišo ya theknolotši gore go kgone go hlohleletšwa temogo ya thekišo ya ditšweletšwa, tshepedišo le ditirelo go tšwa go ditšweletšo tša R&D ka tsenyotirišong ya didirišwa tša ya pholisi yeo e kgontšhago.

6.1.3. Lenaneo 3: Tšhomišano ya Boditšhabatšhaba le Didirišwa

Lenaneo le nepiša go tlhabolla ka maano, go godiša le go laola ditswalano tša boditšhabatšhaba, menyatla le ditumelelano tša S&T tšeo di tiišago tsela ya dithomo ya bosetšhaba (NSI) mme le go kgontšha tša *excite*2016 tša tsebo, mothamo le didirišwa magareng ga Afrika Borwa le badirišanimmogo ba selete le Boditšhatšhaba. Lenaneo gape le thekga pholisi ya Afrika Borwa ya dinaga dišele ka tša boemedi bja saense.

6.1.4. Lenaneo 4: Tšweletšopele ya Dinyakišo le Thekgo

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 7

Lenaneo le le nepiša go fana ka tikologo yeo e kgantšhago nyakišišo le tšweletšo ya tsebo yeo e hlohleletšago tšwetšopele ya maano ya saense ya motheo le mafelo a saense a bohlokwa, ka tšweletšopele ya saense, tšwetšopele ya letlotlo la batho, tokišetšo ya lenaneokgoparara la nyakišišo le thekgo ya maleba ya nyakišišo, go latelwa phetogo ya Afrika Borwa ya ikonomi ya tsebo.

6.1.5. Lenaneo 5: Ditirišano tša Tšweletšo ya Ikonomi-Leago

Kaonafatšo ya kgodišo le tšweletšo ya tše bohlokwa go mmušo ka ditsenobogare tša dithomo tše di nepišitšwego tša saense le theknolotši le tšwetšopele ya maano a tirišano le dikgoro tše dingwe tša mmušo, indasteri, mekgatlo ya nyakišišo le setšhaba.

6.2. Mešomo ya motheo

6.2.1. Bokamorago bja Histori ya Kgoro

Kgoro ya tša Saense le Theknolotši (DST) e hwetša taelo ya yona tšwa go Latlakala le le Tšhweu la 1996 go Saense le Theknolotši. E thomile e le karolo ya Kgoro ya Bokgabo, Setšo, tša Saense le Theknolotši, yeo e hlamilwego ka 1994. E ile ya kgaogana go ba Kgoro ya Bokgabo le Setšo le Kgoro ya tša Saense le Theknolotši ka 2002. Ka 2004, Kgoro e bile Kgoro ya Tona ya boikemelo. Theo ye bohlokwa ke gore Saense,
Theknolotši le Tšweletšo (STI) di kgatha tema ye bohlokwa go kgolo ya ikonomi le tšweletšopele ya ikonomileago .

6.2.2 Nepišo ya DST

DST e nyaka go bonagatša kgono ye e feleletšego ya saense le theknolotši go tša leago le tšweletšopele ya ikonomi ka tšweletšopele ya didirišwa tša batho, nyakišišo le tšweletšo.

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1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 8

Se se akaretša ditsenelelo tše di lebantšego, poledišano le go diragatša bjalo ka sekgontšha phetogo go ya ka makala a katlego go ikonomi ya rena, go dira gore e kgone go tšwelela go tikologo ya lefase yeo lokolotšwego, mme le malebana le tšweletšopele ye kgolo yeo e šaletšego morago magareng ga dikarolo tša bohlaki tša setšhaba sa rena. Nepo ya go bona maikemišetšo a e go maano a tšweletšo le phethagaletšo ya didirišwa bakeng sa hlamo ya tša saense , boentšenere le theknolotši ya matlotlo a batho, tokologo ya naga le setšhaba, tšwetšopele ya setšhaba sa go ba le tshedimošo le go netefatša swarelelo ya tikologo go mananeo a tšweletšopele.

6.2.3 Ditaetšo tša Leano

Go phegelela motheo wa tša saense wo o lekanego le go o fetošetša go mešomo le kgolo go boima kudu. Tatelo ya Tsela ya Tšweletšo ya Bosetšhaba (NSI) ya go lemoga tšweletšo yeo e sa bonagalego- moo tiragatšo e lego mošomo e sego fela go tšweletšo ya mokgatlo o tee, efela e lego go tswalano le poledišano magareng ga mekgatlo- e dira gore mmušo o kgathe teka ya bokgontšhi, monolofatši le mmeeletši wa maano.

6.2.4 Maikemišetšo

Maikemišetšo a mahlano a DST ke go-

- Go tšwetšapele mothamo wa Tsela ya tšweletšo ya Bosetšhaba (NSI) gona moo e kgathe tema go tšweletšopele ya ikonomi-leago;
- Go kaonafatša mothamo wa tsebo ya setšhaba sa Afrika Borwa gore go kgonwe go tšweletšwa mangwalo anyakišišo tša maemo a lefase le go fetolela dikhwetšo tše kaone go ditšweletšwa tša boithomelole tshepedišo;
- Go tšweletša matlotlo a batho (STI) a maleba go kgona go fihlelela dinyakwa tša setšhaba.
- Go aga mananeokgoparara (STI) a maemo a godimo go oketša ketopele ya tsebo, tlhahla setšhaba se se tlago sa banyakišiši, le go kgontšha tšweletšopele ya theknolotši le phetišetšo, gape le go abelana ka tsebo; le
- Go bea Afrika Boa bjalo ka modirišani wa maano wa boditšhabatšhaba wa RDI le boyo ka phetolelano ya tsebo, mothamo le didirišwa magareng ga

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 9

Afrika Borwa le badirišane mmogo ba bangwe ba dilete le ba boditšhabatšhaba, gona moo go matlafatšwa NSI.

6.2.5 Mathatagolo

Katlego ya Leano la DST la Mengwaga ye Lesome ya Tšweletšo-2008-2018 (TYIP) le ipotile ka phihlelelo le temogo ya maikemišetšo ao a lego ka godimo. Morero ke go bea diponelopele tše bohlokwa, tšeo di ngwadilwego bjalo ka mathatagoloa Afrika Borwa go saense le theknolotši (S&T). Mathatagolo ke ao a latelago:

- **Molemi go ya go Pharma**: Mo mengwageng ye lesome yeo e latelago, Afrika Borwa e swanetše go tšweletša payo-ikonomi gore e be ketapele ya lefase ka payotheknolotši le tša khemisi, go šomišwa didirišwa tša naga tša tlhago le di tšweletšopele tše di mphsa tša ditšenomiki.
- **Lefelo la S&T**: Afrika Borwa e tlaba moabedi wa taetši le modirišani mmogo go lefelo la lefase ka bophara la S&T ka Agente ya tša ya Lefaufau ya Bosetšhaba, intasteri ya sathalaete yeo e golago le ditšweletšo tše fapafapanego go lefelo la saense, go akaretšwa le ditebelelo, dipoledišano, nabekeišene le boentšenere.
- **Tšhireletšo ya Enetši:** kabelo ya enetši ya polokego, hlweko, go rekega mme le yeo e tshephagalago e hlokega lefaseng ka bophara, mme Afrika Borwa e swanetše go fihlelela dinyakwa tša kabo ya nako ya magareng ya enetši ge e sa dira tšwetšopele ya kabo ya nako ye telele go ditheknolotši tša malahla yeo e hlwekilego, enetši ya nukleane, enetši ya mpsafatšwa le tshepišo ya ikonomi ya haetrotšene.
- **Phetolo ya Lefase ka bophara:** Afrika Borwa e swanetše go šomiša kemo ya yona ya thutafase, yeo e e kgontšhago go raloka karolo ya seemo sa pele go saense ya phetogo ya boso.
- **Batho le Dipharologano tša Leago**: Bjalo ka lentšu la boetapele go dinaga tšeo di sa tšwelelago, Afrika Borwa e swanetše go dira setseka kwešišong ye kgolo ya lefase ka bophara la go fetola dipharologano tša leago, le karalo ya saense go hlaboša kgolo le tšweletšopele

7. Makgotla a Setšhaba ao a begago go DST

- Akhatemi ya Saense ya Afrika Borwa (ASSAF)
- Khansele ya tša Dinyakišišo tšaSaense le Intasteri (CSIR)
- Khansele ya Nyakišišo ya Saense ya Batho (HSRC)

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- Motheo wa Dinyakišišo wa Bosetšhaba (NRF)
- Agentei ya Tšweletšo ya Theknolotši (TIA)
- Agentei ya Afrika Borwa ya Lefaufaung ya Bosetšhaba
- Agentei ya Tšwelopele ya Saense le Theknolotši
- Bolaodi bja Taolo bja Thutadinaledi
- Khansele ya Bosetšhaba ya Tšwetšopele
- Kantoro ya Bosetšhaba ya Bolaodi bja Thoto ya Bohlodi

8. Melao yeo e sepetšwago ke DST

- *Academy of Science of South Africa Act 67 of 2001*
- *Africa Institute of South Africa Act*
- *Astronomy Geographic Advantage Act 21 of 2007*
- *Human Sciences Research Act 23 of 1968*
- *Intellectual Property Rights for Public Financed Research and Development Act 51 of 2008*
- *National Advisory Council on Innovation Act 55 of 1997*
- *National Research Foundation Act 23 of 1998*
- *National Scientific Act 106 of 2003*
- *Natural Scientific Professions Act 27 of 2003*
- *Science Technology Law Amendment Act 2011*
- *Scientific Research Council Act 46 of 1988*
- *South African Space Agency Act 36 of 2008*
- *Technology Innovation Agency Act 26 of 2008*
- *The Promotion of Access to Information Manual*

9. Tshepedišo ya Phihlelelo

9.1. Ka moo o ka dirago Kgopelo

Tlatša foromo ya kgopelo yeo e filwego go tšwa go DST. Go kgopela foromo , romela emeile go paia@dst.gov.za. Foromo e hwetšagala ka maleme ao a latelago:

- English

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 11

- IsiZulu
- Sesotho sa Leboa

Dipotšišo ka moka dika romelwa go Mohlankedi wa Tshedimošo:

Mohlankedi wa Tshedimošo:

Molaodi-Kakaretšo

Mogala: (012) 843 6815

Fakese: 0866 810 006

Emeile: paia@dst.gov.za

9.2. Tabataba le Magoro a Direkhoto tšeo di Swerwego ke Kgoro ya tša Saense le Theknolotši

9.2.1. Tšweletšo ya ntle le go dira kgopelo:

Lenaneo la magoro a direkhoto tšeo di hwetšegago go batho ntle le kgopelo ya tumelelo go ya ka Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo le kgomagantšwe go Selomaganyo A. direkhoto di hwetšagala go weposaete ya DST.

9.2.2. Direkhoto tšeo di hwetšagalago ka kgopelo:

Lenaneo la magoro a direkhoto, tšeo di swerwego ke Kgoro di ka kgopelwa go ya ka Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo e kgomagantšwe go Selomaganyo B. Phihlelelo ya direkhoto le swanetše go kgopelwa go Mohlankedi wa Tshedimošo go ya ka tshepedišo yeo e lego ka fase.

9.3. Tefelo ya ditefo tšeo di filwego:

Bjale ka ge Molawana o laetše, tšhelete ya go lekana R35.00 e swanetše e sepedišane le kgopelo ya tshedimošo. Se seka lefelwa ka tšheke, kheše (ge e tlišitšwe ka seatla)

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 12

goba dipositi go akhaonte ya panka (bohlatse bja dipositi bo swanetše bo sepele le foromo ya kgopelo).

Leina la Akhaonto: Kgoro ya tša Saense le Theknolotši
Panka: Panka ya ABSA
Nomoro ya Akhaonto: 4056183523
Nomoro ya Lekala: 323645
Mohuta wa Akhaonto: Akhaonto ya Dipositi

9.4. Kgonthišišo le tumelelo ya kgopelo

Mohlankedi wa Tshedimošo o amogela le go kgonthišiša kgopelo go bona ge e ba tshedimošo yeo e kgopelwago e a hwetšagala go DST. Gomme kgopelo e ya amogelwa, ganetšwa goba e fetišetšwa go baswari ba maleba ba tshedimošo yeo e kgopelwago. Taetšo ya e tla fitišetšwa go mokgopedi go kgonthišiša moemo a kgopelo.

9.5. Tshepedišo ya Tshedimošo

Ge kgopelo e amogetšwe, DST e tla kgoboketša le go lokiša tshedimošo le go baladitshenyagalelo tše malebana. Tshenyagalelo yeo e kopanywa go lebeletšwe ditefo tšeo di filwego bjale ka ge di filwe ka botlalo go Lenaneo1: Ditefo go lebeletšwe Mekgatlo ya Bosetšhaba.

9.6. Tsebišo ya mafelelo

Mokgopedi o tla tsebišwa ka phetagatšo ya kgopelo ga mmogo le ditefelo tšeo dišaletšego tša go lefelwa go DST.

9.7. Ditefelo le phihlišo

Ge tefelo e hweditšwe bjalo ka ge go boletšwe ka godimo, tshedimošo e tla lokollwa go ya go mokgopedi.

Foromo yeo e filwego e swanetše go tlatšwa ka botlalo gore e kgontšhe Mohlankedi wa Tshedimošo go šupa:

- Rekhoto goba direkhoto tšeo di kgopetšwego.

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- Boitsebišo bja mokgopedi.
- Gore go nyakega foromo efe ya phihlelelo, ge eba kgopelo e a fiwa.
- Aterese ya poso goba aterese ya emeile goba nomoro ya fekese ya mokgopedi.

Mokgopedi o swanetše go bega gore o nyaka tshedimošo gore a kgone go phethagatša goba go šireletša tokelo, le go bega gabotse gore ke tokelo ya mohuta mang yeo e nyakago go phethagatšwa goba go šireletšwa. Ka tlaleletšo, mokgopedi o swanetše go bega gabotse ka tebanyo gore ke ka lebaka la eng rekhoto e nyakega gore e phethagatšwe goba go šireletšwe tokelo yeo.

Kgoro e tla dira tshepedišo ya kgopelo matšatšing a 30 a go šoma, ntle le ge mokgopedi a begile mabaka a a kgethegilego, ao a ka kgotsofatšago Mohlankedi wa Tshedimošo gore seemo se dumelela gore nako yeo e beilwego ka godimo e se latelwe. Nako ya matšatši a 30 e ka oketšwa go ya go matšatši a mangwe a 30 ge eba kgopelo ele ya tshedimošo ye ntši, goba kgopelo e hloka nyako ya tshedimošo yeo e lego go kantoro ye nngwe ya mokgatlo ebile tshedimošo e sa hwetšagale ka gare ga matšatši a 30 a mathomo. DST e tla ngwalela mokgopedi go motsebiša ge eba go nyakega koketšo.

Ge eba kgopelo e dirwa legatong la motho yo mongwe, gona mokgopedi o tswanetše go fihliša bohlatse bja go bontša mabaka ao mokgopedi a dirago kgopelo ka wona, ao a swanetšego go kwagala le go kgotsofatša Mohlankedi wa Tshedimošo.

Ge mokgopedi a palelwa ke go tlatša foromo yeo e filwego ka lebaka la go se go se rutege goba bogole, motho yoo a ka dira kgopelo ka molomo. Mokgopedi o swanetše gore a lefele tefo yeo e beilwego pele go ka tšwelwa pele ka tsepedišo.

9.8. Tefo

Molao o fa mehuta ye mebedi ya tefo:

- Tefo ya kgopelo, yeo e tla bago tefo ye e beilwego, le tefo ya phihlelelo, yeo e kopanywago go lebeletšwe ditefelo tša tšweletšo, nyako le nako ya tokišo le ditshenyagalelo, gape le ditshenyagalelo tša go posa.
- Ge kgopelo e hweditšwe ke Mohlankedi wa Tshedimošo, mohlankedi yoo o tla nyaka ka temošo gore mokgopedi, ntle le mokgopedi ka boyena, go lefela tefo yeo e beilwego (ge e le gona), pele go ka tšwelwa pele ka tshepedišo ya kgopelo.

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- Ge eba kgopelo ya rekhoto e dirilwe le tokišo ya rekhoto go pego ka botlalo, (go akaretša le peakanyo ya gore e hwetšwe ka gare ga foromo ya kgopelo, e hloka diiri tša go feta tšeo di beilwego melawaneng bakeng sa mohola wo, mohlankedi wa tshedimošo o tla tsebiša mokgopedi go lefela bjalo ka dipositi seripa sa tefo yeo e filwego ya phihlelelo, yeo e ka lefelwago ge kgopelo e filwe.
- Mohlankedi wa Tshedimošo o tla swara rekhoto go fihlela mokgopedi a lefela tefo kage go laeditšwe ka godimo.
- Mokgopedi yoo kgopelo ya gagwe ya phihlelelo e filwego o swanetše go lefela tefo ya tšweletšo le nyako le peakanyetšo, le bakeng sa nako ye nngwe le ye nngwe ya go kwagala yeo e hlokegago ya go feta diiri tšeo di beilwego go nyaka le go beakanyetša rekhoto go phatlalatšwa, go balwa le dipeakanyo tša go dira gore e hwetšagale ka gare ga foromo ya kgopelo.
- Ge dipositi e lefetšwe go ya ka kgopelo ya phihlelelo, yeo e ganwego, gona mohlankedi woo wa tshedimošo o tla bušetša dipositi go mokgopedi.

Lenaneo 1: Ditefo tša Mekgatlo ya Bosetšhaba

Ditefo tšeo di latelago di a lefišwa:

TLHATHOLLO	**SEROTO (R)**
Tefo ya kgopelo yeo e lefsago ke mokgopedi yo mongwe le yo mongwe	35.00
Khophi ya manyoale ka ge e ngwadilwe go molao 5(c) (go fothokhopi ye nngwe le ye nngwe ya letlakala la A4 goba karolo ya lona)	0.60
Ditefo tša tšweletšo go lebeletšwe go molawana 7(1) di ka tsela ye:	
1) Go khophi ye nngwe le ye nngwe ya letlakala la A4 goba karolo ya lona	0.60
2) Go khophi ye nngwe le ye nngwe yeo e gatišwago ya letlakala la A4 leo le swerwego go khomphuthara goba ka elektroniki goba motšhene	5.00
3) Go khophi yeo e balegago ka khomphuthara go: a) diski ye stifi b) diski ya khomphekte (mokgwa wo o balegago)	 5.00 40.00
4) Go phethišetšo ya dinepe tša pono: a) go letlakala la A4 goba karalo ya lona b) go khophi ya dinepe tša pono	 22.00 60.00
5) Go phetišetšo ya rekhoto ya go theeletšwa: a) go letlakala la A4 goba karalo ya lona	 12.00

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b) go khophi ya rekhoto ya go theeletšwa	17.00
Ditefelo tša phihlelelo tšeo di lefelwago ke mokgopedi di ka tsela ye:	
1) Go fothokhophi ye nngwe le ye nngwe ya letakala la A4 goba karolo ya lona	0.60
2) Go khophi ye nngwe le ye nngwe yeo e gatišitšwego ya letlakala la A4 goba karolo ya lona go khomphuthara goba elektroniki goba motšhene wa go kgona go balwa	0.40
3) Go khophi ya khomphuthara yeo e kgonago go balwa: a) diski ya stifi b) diski ya khomphekte	 5.00 40.00
4) Go phitišetšo ya dinepe tša pono, go letlakala la A4 goba karolo ya lona	22.00
5) Khophi ya dinepe tša pono	60.00
6) Go phetišetšo ya rekhoto ya go theeletšwa, a) go letlakala la A4 goba karolo ya lona b) go khophi ya direkhoto tša go theeletšwa	 12.00 17.00
Go nyaka lego beakanya rekhoto go tšweletšo, R15.00 bakeng sa iriye nngwe le ye nngwe goba karolo ya iri, go sa balwe iri ya mathomo, ka mabaka a go kwagala yeo e nyakegago go nyako yeo le peakanyo	
Poso e lefelwa ge khophi ya rekhoto e swanetše go posetšwa go mokgopedi. Tshenyagalelo ya diposo e ya ka tharifi ya maleba go ya ka lefelo leo le posetšwago	

9.9. Kganetšo ya kgopelo le aphili

- Mokgopedi o swanetše go ela hloko karolo 7(1) ya PAIA yeo a begago tše di latelago: "Molawana wo gao akaretše rekhoto ya mokgatlo wa bosetšhaba goba wa poraebete ge eba-

  (a) rekhoto yeo e kgopelwa ka maikemišetšo a ditshepedišo tša bosenyi goba segae;
  (b) di kgopelwa ka morago ga go thoma ga ditshepedišo tša bosenyi goba tša segae, go ya ka seemo; le
  (c) ka tšweletšo ya goba phihlelelo ya rekhoto yeo ka maikemišetšo ao go bolelwago ka wona go tema (a), e abelwe molao wo mongwe le o mongwe.
  (d) dikgopelo tša tshedimošo tšeo go ya ka DST di lego dikgopelo tša mabaka a go kwagala, ke tšeo di bonagalago di sa kwagalegoba tša tshenyo ya nako goba tšeo di akaretšago phapošo yeo e sa kwagalego ya didirišwa".

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 16

Ge karolo 7(1) e ya amega, ga o dumelelwe go tliša kgopelo go ya ka PAIA

- Mabaka a kganetšo ao a bontšhitšwego go Seripa 2 sa Kgaolo 4 le Seripa 3 sa Kgaolo 4 sa PAIA aswanetšwe go lebelelwa ge go dirwa kgopelo.
- Mokgopedi a ka dira aphili ya ka gare kgahlanong le sepheto sa mohlankedi wa tshedimošo wa DST sa go gana kgopelo ya phihlelelo malebana le kgopelo yeo le bolaodi ba maleba.
- Motho yo mongwe a ka tsentšha aphili ya ka gare kgahlanong le sepheto sa mohlankedi wa tshedimošo wa DST gore a fe kgopelo ya phihlelelo.

9.10. Mokgwa wa aphili le tefo ya aphili

Aphili e swanetše go tsenywa ka foromo yeo e filwego

- Momatšatšing a 60 a mošomo;
- Ge tsebišo go motho wa bobedi e nyakega, mo matšatšing a 30 a mošomo morago ga ge tsebišo e filwe go motho wa go dira aphili ya sepheto, goba
- Ge tsebišo ya motho wa go dira aphili e sa nyakege, morago ga sepheto e swanetše go romelwa goba go tlišwa go mohlankedi wa tshedimošo wa DST;
- E swanetše e bontšhe tabataba ya aphili le go bega mabaka a aphili, gape e ka akaretša tshedimošo ya maleba yeo e tsebjago ke motho wa go dira aphili,
- Ge, ka tlaleletšo ya phetholo ya go ngwalwa, motho yo a dirago aphili a nyaka go tsebišwa ka sepheto sa aphili ya ka gare ka tsela ye nngwe, o swanetše go bega tsela yeo le go fa ditlabakelo tša maleba tša go tsebišwa,
- Ge go kgonagala, e swanetše go sepela le tefo yeo e beilwego, gape e swanetše go bega aterese ya poso goba nomoro ya fekese; mme
- Ge aphili e ka tsenywa morago ga nako yeo e beilwego, bolaodi bja maleba bo swanetše, ge go bontšhitšwe gabotse, go dumelela aphili ya go fihla marago ga nako.

Ge molaodi yoo wa maleba a sa dumelele phihlišo yeo ya morago ga nako, o swanetše go fa tsebišo ya sepheto seo go motho yo a tsentšego aphili. Mokgopedi yoo a tsenygo aphili yeo e gannwego o swanetše go lefela tefo yeo e filwego (ge e le gona). Ge eba tefo ya aphili e filwe go lebanya le aphili, sepheto sa aphili se swanetše go tshwarwa go fihlela tefo yeo e filwego e lefiwa. Ka bonako bjo bo kgonagalagoo, efala momatšatšing a lesome morago ga khwetšo ya aphili, mohlankedi wa tshedimošo wa DST o swanetše go e fihliša go molaodi wa maleba:

- Aphili ga mmogo le mabaka a gagwe a go tšea sepheto seo, le

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 17

- Ge aphili ele kgahlanong le kganetšo goba go fa ga tumelelo ya phihlelelo, leina, aterese ya poso, aterese ya emeili, nomoro ya mogala le fekese, yeo e lego gona, tša motho yo mongweyoo a swanetšego go tsebišwa ka kgopelo.

9.11. Go fa tumelelo ya direkhotho

Tabataba ya diprofešene tša PAIA, tumelelo ya kgopelo ya direkhoto go tšwa go DST di tla fiwa ge-

- Ge ditshepedišo ka moka tšeo di beilwego ke PAIA go tswalana le kgopelo di fihleletšwe, le
- Tumelelo ya direkhoto tšeo di kgopelwago e sa ganetšwe go ya ka mabaka a kganetšo ao a beilwego go PAIA.
- Mabaka a kganetšo a ngwadilwe go Seripa 2 sa Kgaolo 4 le go Seripa 3 sa Kgaolo 4, gape se akaretša tebelelo ya mandeite wa-
  (a) Tshedimošo ya papatšo ya motho wo mongwe;
  (b) Tshedimošo yeo e lego ya sephiri;
  (c) Tšhireletšo ya batho, le tšhireletšo ya thoto;
  (d) Direkhoto tšeo di hweditšwego go tšweletšo ya ditshepedišo tša molao
  (e) Tšeo di loketšego ikonomi le tšhireletšo ya matlotlo a Rephabliki le papatšo ya mahlahla a makgotla a bosetšhaba; goba
  (f) Tshedimošo ye itšego go lebeletšwe tsepedišo ya mekgatlo ya bosetšhaba.
  (g) Tshedimošo ye itšego mabapi le ditshepedišo tša mekgatlo ya setšhaba.

10. Selomaganyo A: Tshedimošo yeo ka kakaretšo e hwetšwago ka weposaete ya DST

- **Tshedimošo ya kakaretšo ya DST**
  - Okanogramo
  - Pono, Morero le Mehola
  - Kgoro ya Tona
  - Mmepe wa tsela ya goya go dikantoro tša DST
  - Dipotšišo tšeo di botšišwago gantši
  - Lenaneo la kgokagano
- **Mafelo a tsepelelo a DST**
  - Nyakišišo
    - Badirisane mmogo ba nyakišišo
    - Tshedimošo ya sekhwama sa nyakišišo
  - Tšwetšopele
    - Dintlha tša kgokagano ya sekhwama
  - Baswa
    - Mafelo a boithabišo ao a ka etelwago
    - Diteko

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 18

- Dinnete
- Tswalanyo ya tša Saensele mafelo a Theknolotši

o Mešomo
- Thušo ya Matlotlo
- Mešomo go feta 2000
- Mešomo ya tša Payo

- **Menyetla ya mešomo ya tša mahlale le theknolotši**
- **Lenaneo la R&D la Diinsenthifi tša Motšhelo**
  - o Diforomo, dibrotšha le ditlhahlo
  - o Melawana le ditokomane tša maleba tša R&D tša moputso wa motšhelo
- **Phaphoši ya ditaba**
  - o Ditaba tša go latela
  - o Dipolelo
  - o Ntšho ya ditaba/ Dikpoledišano
  - o Kalo ya ditaba
    - Dikakanyo tša Afrika go Baswa ka STI
    - Kakanyo ya Naga ya datha ya go tsebiša go ya ka pholisi
    - Karalo ya datha go latela tshwarelelo ya tšweletšopele ya diphihlelelo, le go tšweletšapele bohlatse go lebeletšwe pholisi ya Afrika
    - Karolo ya ekhonomikse go fihleleleng dipono tša tšweletšopele yeo e swarelelago le ponego ya datha
    - Go amantša datha le tšweletšopele yeo e swarelelago ya dipono
      - Kalo ya ditaba ya Pego ya Ngwaga ya DST 2006/7 go Palamente
      - Kalo ya ditaba go S&T Pholisi Foramo. Japan, June 2005
      - Kalo ya ditaba yeo e fihlišitšego ke Moh Anita Canca
      - Tšweletšopele ya Nyakišišo ya Enetši ka SA
      - Mahlale, Theknolotši le Tšweletšo
      - Go thoma ga GEOSS
      - Tekano ya Lebakanyana ya thulano ya Leano la Bosetšhaba la R&D
      - Saense, Theknolotši le Tšweletšo: Thuto ya Pholisi ya Tikologo ya SA
      - Mehola ya Papetšo le Lenaneokgoparara la Nyakišišo ya Lefase ya Tšhomišano
      - Tsela ya SA ya Saense le Theknolotši
      - Kalo ya taba go Mokgatlo wa Bosetšhaba ya SA ya Barulaganyi (SANEF); 22 Nofemere 2003
      - Lenaneo la Tšhišinyo ya Lekala le le bulegilego la Mahlale le Theknolotši
      - Kalo ya taba yeo e dirilwego ka 15 Julae 2004, Brussels.
      - Kalo ya taba Kopanongya Lefase ya Basadi ba Magaeng ya Bone.
      - Tshekatsheko ya OECD ya Tšweletšo ya Tsela ya Bosetšhabaya SA
      - Leano la Khophoreite 2008
      - Molaokakanywa wa Agente ya tša Lefaufaung ya Bosetšhaba PPT
      - India-Brazil-Afrika Borwa (IBSA)

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1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 19

- Semina ya Lefelo la Saense le Thutadinaledi
  - Temogo ya Seyalemoya ya Mahlale le Theknolotši
  - Tšhupamabaka ya Meletlo
  - Sengwalwa sa Ditaba ya DST
  - Ditaba tša Kgwedi ka kgwedi tša SKAO
  - Setatemente sa KhabineteDingwalwa tša Megopolo

- **Senthara ya Didirišwa**
  - Dipego Dipego tša ngwaga
  - Melao
  - Maano le Dipego
  - Maano a DST a Koporasi 2010-13
  - Dipego tša Lefelong
  - Dipego tša R&D
  - Dipego tša Protšeke
  - Dipampiri tša ditaba
  - Tshekatsheko ya Dipego tša Kgoro ya Tona
  - Tšweletšo ya Tshedimošo
  - Lenaneokgoparara la Nyakišišo
  - Lenaneokgoparara la Saeba
  - Dipuku tša Tafole ya Kofi

- **Semina ka Saense ya Lefaufaung le Thutadinaledi**
- **Ditirelo**
  - Senthara ya Ekselentse
    - Senthara ya Bo botse ka go fetiša go Nyakišišo ya Bayomekhale TB
    - Senthara ya Bo botse ka go fetiša go Tlhaselo ya Bayolotšhi
    - Senthara ya Bo botse ka go fetiša go Ditlabakelo tša go Tia
    - Senthara ya Bo botse ka go fetiša go Dinonyane bjalo ka Motheo go Dipoledišano tša Bayodaebesithi go Institšute ya Percy Fitzpatrick
    - Senthara ya Bo botse ka go fetiša go Phetošo
    - Senthara ya Bo botse ka go fetiša go Bayotheknolotši ya Maphelo a Mohlare gola FABI
    - Senthara ya Bo botse ka go fetiša go tša Mehlala le Tshekatsheko ya tša Bontšhi bja malwetši
- **Lenaneo la Diinsenthifi tša Motšhelo la R & D**
- **Lantskeipe ya S&T**
- **Sengwalwa sa ditaba tša Lenaneo la tša Lefaufaung *Sumbandilasat*Temošo ya Seyalemoya ya Saense le Theknolotši (STAR)**

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 20

    - Poledišano ya June 2010
    - Poledišano ya Mei 2010- Maropeng
    - Poledišano ya Aporele ya 2010- Square Kilometre Array (SKA)
    - Poledišano ya Matšhe 2010
    - Poledišano ya Janaware 2010
    - Poledišano ya Desemere 2009
    - Poledišano ya Oktobere 2009
    - Poledišano ya Setemere 2009
    - Poledišano ya Agostose 2009
- Dithentara
    - Pholisi ya Mothalotlhahlo ya Khwetšo
    - Dithentara tša Bjale
- NSW10 proposal template FINAL.doc
- Mešomo
    - Ditlhahlo tša go ngwadiša go tša mešomo ya DST
    - Menyetla ya Bjale ya Mešomo
    - Lomaanyo go foromo ya Z83
    - Kholego ya go šomela DST
    - Dathabeise ya go ngwadiša ka inthanete
- Senthara ya Didirišwa tša Tshedimošo
- Dilomaganyo
    - COFISA
        - Kalo ya taba
        - Ditokomane
- Arei ya Skwere Khilomithara (SKA)
- Ngwaga wa Disaense wa Geremane Afrika Borwa 2012/13
- Lekala la thekgo ya tekanyetšo
- SAFIPA Kopano ya phetogo ya Lefase ka bophara
- PRIAP
- Thekgo ya Sekhwama ya Kakanyetšo
- Tsela ya Taolo ya Tshedimišo ya Tiragatšo (PIMS)
- Senthara ya Phetogo ya Leratadima ya Theknolotši le Neteweke
- Dihlongwa
    - Agente ya Tšweletšo ya Theknolotši
    - Khantsele ya Nyakišišo ya Saense ya Batho
    - Lefelo la Thuto ya Saense la Afrika Borwa
    - Khansele ya Nyakišišo ya Saenthifiki le Nyankišišo ya Intansti
    - Agente ya Kgodišo ya Saense le Theknolotši
    - Kantoro ya Bolaodi bja Thoto ya Bohlale ya Bosetšhaba
        - Molao
        - Ka ga NIPMO
        - Okanokramo

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1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 21

- Ditiragalo tša NIPMO
- Ditirelo

o Motheo wa Nyakišišo wa Bosetšhaba

o Bolaodi bja Taolo ya Thutadinaledi
o Dintlha tša Kgokagano

1. SelomaganyoB: Tabataba le magoro a direkhoto tše di swerwego ke Kgoro ya tša Saense le Theknolotši

Lenaneo/ lenaneotlaleletšo	**Maina a Direkhoto**
LENANEO 1: DITIRELO TŠA KOPORASI, THEKGO YA MOKGATLO LE PEAKANYETŠO	
Lenaneo 1A. Ditirelo tša Koporasi	
lenaneotlaleletšo : Mohlankedimogolo wa Matlotlo (CFO)	
Bolaodi bja Ditšhelete (Bolaodi bja tšhupaletlotlo)	Ditekanyetšo tša tshenyagelo ya Bosetšhaba (ENE) Mothalotlhahlo wa tshenyagelo ya Lereo la Magareng (MTEF), Ditekanyetšo tšeo di Beakantšwego go Tshenyagelo ya Bosetšhaba (AENE) Dipego tša temošo ya bonako, pego ya tshekatsheko ya tshenyagelo, pego ya kelo ya tšhelete

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Lenaneo/ lenaneotlaleletšo	**Maina a Direkhoto**
Ditšhelete tša Tšhupaletlotlo	Ditatemente tša ditšhelete, Dithoto le Dikoloto. Dipego tša Molao ka Letseno tša Setšhaba, Setifikeite sa Kobamelo go ya ka dinyakwa tša tšhupaletlotlo tša ditšhelete go Mmušo wa Bosetšhaba, Ditatamente tša Nakwana le tša Ditshelete tša Ngwaga le Ngwaga le direkhoto tša ditlošo tšeo di lego malebana le Letseno, Tshenyegelo, Dithoto le Dikoloto.
Bolaodi bja Tatellano ya Kabo	Dipholisi tša Bolaodi bja Tatellano ya Kabo le Ditshepedišo; Dathabeisi ya Baabi , Ditšhišinyo gotšwa go baabi ba ditirelo; ditokomane tša Peeletšo, go akaretšwa le ditekolo tša Dipeeletšo; Diphihlišo mabapi le Dipeeletšo; Ditaetšo tša Setšweletšwa le Ditaetšo tša Tirelo; Metsotso ya dikopano le le baabi ba tirelo; Diswayaswayo mabapi le tshepetšo ya dithoto; ngwadišo ya Dithoto; Metsotso ya dikopano tša komiti ya go tloša ditho; bolaodi bja sehlopa sa dinamelwa; maano a bolaodi bja dithoto le sekgonagatši; Ditokomane tša Thentara, go balwa le dithentara tšeo difilwego .
Lenaneotlaleletšo: Mohlankedimogo wa Tshedimošo	
Ditsela tša Tshedimošo	Leano la Tokišo morago ga Kotsi, Dipholisi tša IT, dimanyoale tša maemo le tshepedišo, Leano la wo Mogolo wa Ditirelo, Leano la IT.
Tshedimošo ya Tsebo le Bolaodi bja Direkhoto	Leano la Bolaodi bja Direkhoto le Pholisi, Leano la Bolaodi bja Tshedimošo, Manyoale wa PAIA.
Lenaneotlaleletšo : Ditirelo tša Thušo	Dipholisi tša Tšhireletšo le Tshepedišo, Dipego tša Phetošo ya Tšhireletšo, Go dira dikagare tša Bidio.
Lenaneotlaleletšo : Ditirelo tša Semolao	Melao le melawana ya DST, Ditumelelano, megopolo ya Semolao le dathabeise ya magato go kgorotsheko, dipholisi tša molao, manyoale wa kobamelo.
Lenaneotlaleletšo : Mothamo wa Batho	
Mananeo ao a Kgethegilego	Maano a HR, Merero le Ditshepedišo, Maano a go dira hlogo ya Merero ya Bong le Bogole; Mananeo a Thušo ya Bašomi; Dipego tša Thušo ya Bašomi; Dikokwana *Batho Pele*, Ditshepedišo tša Dingongorego le Kgalemo, Ngwadišo ya Dimpho.

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 23

Lenaneo/ lenaneotlaleletšo	Maina a Direkhoto
Bolaodi bja Talente le Tšweletšopele ya Sehlongwa	Maano a HR, Dipholisi, Ditshepedišo le Maano, Tshekatsheko ya Mošomo le Dipego tša Thuta-Mošomo.
Lenaneo 1B. Mohlankedimogolo wa Tshepedišo	
Kantoro ya Molaodi Kakaretšo	Kgoro ya Tona leDiphihlišo tša DG goBolaodi bja Kotsi
Lenaneotlaleletšo: Pholisi Peakanyetšo, Tekolo ya Pušo le Tshekatsheko (PPGM&E)	Dipego tša Ngwaga tša DST, Maano a Kgwebo, Dipego tša bolaodi bja tshedimošo ya Tiragatšo; Ditshekatsheko tša sehlongwa le tsela leditokomane tša go thekga, Metsotso tša dikopano, Poledišano le mekgatlo ya DST (metsotso ya kopano ya foramo- Badulasetulo, CEO le CFO); dipego tša tšwelopele lephetleko; Methalotlhahlole tlhako; Dipego tšeo di netefaditšwego.
Lenaneotlaleletšo: Phetleko ya ka gare	Metsotso ya Dikopano ya Komiti ya Phetleko; Dipego tša Diphetleko tša ka gare, Dipego tša Komiti ya Phetleko, Ditšhatara; Dimemorantamo tša Dikwano.
Lenaneotlaleletšo: Poledišano ya Saense	Dipolelo; phatlalatšo tša koporasi; Setsopolwa go tšwa go dipego tša nyakišišo; Diswantšho.
Tshepetšo ya go kgetha ya HR le Hlokomelo ya HR	Maano a HR, Dipholisi, Ditshepedišo le Maano, Difaele tša Bašomi, Retšistara ya Matšatši a boikhutšo.
Lenaneotlaleletšo: Khantsele ya tša Keletšo go Thomo ya Bosetšhaba (NACI)	Dithwalo, Dikamogelo le Dikganetšo tša Maloko a Khansele, Dikomiti le Dikomititlaleletšo; Bolaodi bja go Ithuta.
LENANEO 2: TŠWETŠOPELE YA THEKNOLOTŠI	
Kantoro ya Motlatša Molaodi Kakaretšo	
Lenaneotlaleletšo: Payotheknolotši le Maphelo	Maano; Disenthara tša Bokgoni; melawana; go sepelelana, diphetho le kgokagano le Diagente; Mathatagolo a Molemi go ya go Pharma; dikgopelo tša GMO (ntle le tshedimošo ya sephiri).

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 24

Lenaneo/ lenaneotlaleletšo	Maina a Direkhoto
Lenaneotlaleletšo: Saense ya Lefaufaung	Kaonafatša Bokgoni bja Disenthara tša Aplikeišene ya Sathalaete.
Lenaneotlaleletšo: Ditšwetšopele tše Bohlokwa le Didirišwa	Mokgwa wa dithušo tšaMatlotlo wa R&D.
Lenaneotlaleletšo: Tlhabollo ya Botsebi go Ditselatša Botsebi bja Setlogo	Bolaodi bja Tsebo; Ditokomane tša Tsela ya Tsebo ya Setlogo le dipego - lebelela www.NIKSO.dst.gov.za; Tsela ya Bosetšhaba yeo e Ngwalegago
LENANEO 3:TŠHOMIŠANO YA BODITŠHABATŠHABA LE DIDIRIŠWA	
Kantoro ya DDG	
Lenaneotlaleletšo : Tšhomišano ya moša mawatle ya Mahlakorepedi	Dikwano
Lenaneotlaleletšo: Didirišwa tša boditšhabatšhaba	Dingwalwa tša Protšeke Dilomaganyo tša di weposaete tša protšeke Letšema la Protšeke le dikopano tša tshedimošo
Lenaneotlaleletšo : Tšhomišano ya Mahlakorepedi le Afrika	Bogwera Menyetla ya go Ithuta Dingwalwa tša yuniti Dipego tša mohlakanelwa
LENANEO 4: TŠWELETŠOPELE YA NYAKIŠIŠO LE THEKGO	
Kantoro ya DDG	
Lenaneotlaleletšo : Disaense tša Motheo le Mananeokgoparara	Nolofatša maano a ditirišano le mananeo a go tšweletša mananeokgoparara a nyakišišo le phihlelelo ya mananeokgoparara a masfa a nyakišišo
Lenaneotlaleletšo : Matlotlo a Batho le tšweletšopele ya Saense	Disenthara tša Bokgoni; Badulasetulo ba Nyakišišo; dipego tša Thuto; Tshedimošo ya Pasari.
Lenaneotlaleletšo : Tšwelopele ya Thutadinaledi	Tshedimošo ya Arei ya Skwere Khilomitara; lebelela www.SKA.ac.za; tshepedišo ya molao ya Thutadinaledi le melawana; Dipego.
LENANEO 5: DITIRIŠANO TŠA LEAGO-IKONOMI	

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 25

Lenaneo/ lenaneotlaleletšo	Maina a Direkhoto
Kantoro ya Motlatša Molaodi Kakaretšo	Mathatagolo, ka maano a tsenyotirišong leditokomane tša kakanyo; ditlhako tša Maano.
Lenaneotlaleletšo : Peeletšo ya Saense le Theknolotši	Ditekolo le dipegotša dipalopalo; dikarabo tša Khamphani go ditekolo.
Lenaneotlaleletšo : S&T go Setseka go tša Leago: Tšwetšopeleya Tlhabollo ya Kakaretšo le Ikonomi ye tala	Go Aga Tirišano, go nea thekgo ya peeletšo, le go lefelela tša diteko
Lenaneotlaleletšo : S&T go Thulano ya Ikhonomiki : Tšwetšopele ya Sektha le Ikonomi ye Botse	Dipego tša Nyakišišo tša mafelelo
Lenaneotlaleletšo : S&T go Setseka go tša Ikhonomi: Go beakanyetša Theknolotši go tša Selegae Kholego le Tšweletšo Ya Maemo a Godimo	Maano Thoto ya Bohlodi le tshedimošo e phathente; Maano a go beakanyetša Theknolotši go tša Selegae; Manyoale wa go Laola Tshepedišo; Diphuthelwana tša Mothalotlhahli wa Thušo ya Theknolotši

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 26

Selomaganyo C

REPHABLIKI YA AFRICA BORWA

FOROMO A

KGOPELO YA PHIHLELELO YA DIREKHOTO TŠA MOKGATLO WA SETŠHABA

(Karolo 18 (1) ya Molao wa Tšweletšopele ya Phihlelelo ya Tshedimošo wa 2000

(Molao 2 wa 2000)

[Molawana 2]

GO TŠHOMIŠO YA KGORO

Nomoro ya Tšhupetšo:_____

Kgopelo e amogetšwe ke _____

(maemo a mmušo, leina le sefane sa mohlankedi wa tshedimošo/ motlatša mohlankedi wa tshedimo ka (letšatšikgwedi)_____ go la__
_____(lefelo)

Tefo ya kgopelo R_____

Tefo ya dipositi (ge e le gona):R_____

Tefo ya phihlelelo (ge e le gona) R_____

Mosaeno: Mohlankedi wa Tshedimošo /Motlatša Mohlankedi wa Tshedimošo

1. DST- Manyoale wa Tšweletšopele ya Phihlelelo ya Tshedimošo letlakala 27

A. Ditlabakelo tša mokgatlo wa setšhaba

Hlogo:

B. Ditlabakelo tša motho yo a kgopelago phihlelelelo ya rekhoto

(a) Ditlabakelo tša motho yo a kgopelago phihlelelo ya rekhoto di swanetše go fiwa ka fase.
(b) Aterese le/goba nomoro ya fekese go Rephabliki moo tshedimošo e romelwago e swanetše go fiwa
(c) Bohlatse bja mabaka ao kgopelo e dirwago, ge go kgonagala, bo swanetše go kgomaretšwa.

Maina ka botlalo le Sefane…

Nomoro ya boitsebišo: | | | | | | | | | | | | | |

Aterese ya poso……

Nomoro ya mogala: (……) ……Nomoro ya fekese: (……) ……

Aterese ya emeile……

Mabaka a go dira kgopelo, ge kgopelo e dirwa legatong la motho yo mongwe:

C. Ditlabekelo tša motho yoo kgopelo e dirwago legatong la gagwe

Karolo ye e swanetše go tlatšwa FELA ge kgopelo ya phihlelelo ya tshedimošo e dirwa legatong la motho yo mongwe.

Maina ka botlalo le sefane:…… ……

Nomoro ya boitsebišo | | | | | | | | | | | | | |

D. Ditlabakelo tša rekhoto

(a) Efa ditlabakelo ka botlalo tša rekhoto yeo phihlelelo e kgopelwago, go akaretšwa le nomoro ya tšhupetšo ge o e tseba, go kgontša gore rekhoto e hwetšwe.
(b) Ge sekgoba seo se filwego se le se se nnyenyane, o kgopelwa go tšwelapele letlakaleng le lengwe gomme o le kgorametše go foromo. Mokgopedi o swanetše go saena matlakala ao a okeditšwego.

1. Tlhalošo ya rekhoto goba seripa sa rekhoto:

……

……

……

……

2. Nomoro ya Tšhupetšo, ge e le gona:

……

……

……

……

3. Ditlabakelo tše dingwe tša rekhoto:

……

……

……

……

E. Tefo

(a)	Mokgopedi wa phihlelelo ya rekhoto, ntle le rekhoto yeo e nago le tshedimošo ya gago ka ga wena, e tla sepedišwa fela ka morago ga ge tefo e lefetšwe
(b)	O tla tsebišwa ka seroto seo se swanetšego go lefelwa bjalo ka tefo ya kgopelo.
(c)	Tefo yeo e lefelwago go phihlelelo ya rekhoto e tla ya ka tsela yeo phihlelelo ye nyakegago ka gona le nako ya go kwagala yeo e hlokegqago go nyaka le go beakanyetša rekhoto.
(d)	Ge o swanetše ke go se lefele tefo, o kgopelwa go bega mabaka a kgethollo.

Lebaka la go se lefele tefo:

……

……..

……

……

……

FOROMO A: KGOPELONYA PHIHLELELO YA DIREKHOTO TSA MOKGATLO WA SETSHABA

Bogole: Mokgwa woo rekhoto e nyakegago:
Swaya lepokisi la maleba ka **X**.
DINTLHA:
(a) Tatelo ya kgopelo ya gago ya phihlelelo ka mokgwa wo o itšego e ka laolwa ke mokgwa woo rekhoto e hwetšagalago. (b) Phihlelelo ka mokgwa wo o kgopetšwego e ka ganetšwa ka fase ga mabaka a itšego. Ge go le bjalo, o tla tsebišwa ge phihlelelo e tla fiwa ka mokgwa wo mongwe. (c) Tefo yeo e lefelwago go phihlelelo ya rekhoto, ge e le gona, e tla laolwa, ka seripana,ke mokgwa woo phihlelelo e kgopetšwego.

F. Foromo ya phihlelelo ya rekhoto

Ge o paledišwa ke bogole go bala, go lebelela goba go kwarekhoto ka mokgwa wa phihlelelo yeo e filwego go 1 go ya go 4 ka fase, bega bogole bja gago le go bontšha gore rekhoto e nyakega ka mokgwa ofe.

1. Ge rekhoto ele ka mokgwa wa go ngwalwa goba kgatišo:						
	Khopi ya rekhoto*		Tshekatsheko ya rekhoto			
2. Ge rekhoto e na le senepe - (se se akaretša dinepe, dipego, dividio, dinepe tšeo di tšwago go khomphuthara, disketšhe, etc.):						
	Lebelela dinepe		Khophi ya dinepe*		Ngwalollo ya dinepe*	
3. Ge eba rekhoto ena le mantšu ao a ngwadilwego goba tshedimošo yeo e ka tšweletšwago gape ka modumo:						
	Theeletša modumo (khasete ya modumo)		Phetošetšo ya modumo go tokomane* (tokomane yeo e ngwadilwego goba e gatišitšwego)			
4. Ge aba rekhoto e le ka gare ga khomphuthara goba elektroniki goba motšhene moo e ka balegago:						

FOROMO A: KGOPELONYA PHIHLELELO YA DIREKHOTO TSA MOKGATLO WA SETSHABA

	Khophi yeo e gatišitšwego ya rekhoto*		Khophi ya tshedimošo, yeo e gatišitwego go tšwa go rekhoto*		Dira khophi go khomphuthara ka mokgwa wa go balega* (diski ya stifi goba khomphekte)	
*Ge eba o kgopetše khophi goba rekhoto yeo e fetošeditšwego go tokomane (ka godimo), o ratage khophi goba phetošetšo e ka posetšwa go wena? Poso e a lefelwa.					EE	AOWA

G. Ditlabakelo tša tokelo yeo e dirišišwago goba e šireletšwago

Ge eba sekgoba seo se filwego e le se se nnyenyane, o kgopelwe go tšwelapele letlakaleng le lengwe gomme o e kgomaretše go foromo ye.

Mokgopedi o swanetšego saena matlakala ka moka ao a tlaleleditšwego.

1. Leatša tokelo yeo e dirišwago goba e šireletšwago:

……

……

……

2. Hlaloša lebaka leo rekhoto yeo e kgopelwago e nyakega bakeng sa tiragatšo goba tšhireletšo ya tokelo yeo e boletšwego ka godimo:

……

……

……

FOROMO A: KGOPELONYA PHIHLELELO YA DIREKHOTO TSA MOKGATLO WA SETSHABA

H. Tsebitšo ya sepheto malebana le kgopelelo ya phihlelelo

O tla tsebišwa ka legwalo ge eba kgopelo ya gago e filwe / ganeditšwe. Ge o nyaka go tsebišwa ka tsela ye nngwe, o kgopelwa go bega tsela yeo o be o fe ditlabakelo tša maleba go kgontšha tatelo ya kgopelo ya gago.

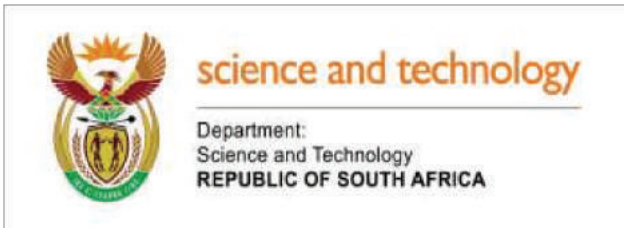
Nna o ka rata go tsebišwa bjang ka sepheto sa kgopelo ya gago ya phihlelelo ya tshedimošo?

……

E saennwe go …….. Ka letšatšikgwedi le…… la ……ngwaga …….

……
MOSAENO WA MOKGOPEDI/

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UMnyango WezeSayensi NezoBuchwepheshe
iRiphabhuliki yaseNingizimu Afrika

UMTHETHO WOKUGQUGQUZELA UKUTHOLA ULWAZI KUMQULU, 2000

NJENGOBA KUDINGWA ISIGABA 14 (2) SOMTHETHO SOKUGQUGQUZELWA UKUFINYELELA OLWAZINI (i-PAIA) (Mthetho no. 2. Ka 2000)

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1. Isingeniso

Lo Mqulu (“Lo Mqulu”) ushicilelwe ngokweSigaba 14 (2) soMthetho Wokukhuthaza Ukufinyelela Olwazini No. 2 ka-2000 ("uMthetho”). UMthetho uhlinzeka imigomo yeSigaba 32 soMthethosisekelo, okuhlinzekela ilungelo lokufinyelela kolwazi oluphethwe nguHulumeni kanye nolwazi olugcinwe omunye umuntu oludingekayo ekusebenzeni kanye / noma ukuvikelwa kwanoma yiliphi ilungelo.

Inhloso yalo Mthetho ukugqugquzela isiko olusobala nokuphendula phakathi komphakathi kanye nezinkampani zangasese ngokufaka noma yimuphi umuntu onelungelo lokuthola ulwazi ukuze bekwazi ukulisebenzisa futhi uvikele wonke amalungelo abo ngokugcwele ngendlela edingekayo.

Inhloso yalo Mqulu ukubeka izinqubo okumelwe zilandelwe kanye nemigomo okufanele ihlangabezane nanoma ubani ("ocelayo”) ukucela ukufinyelela kumarekhodi kulelo hlaka noma kulawulo uMnyango Wezesayensi

Nezobuchwepheshe (“Department of Science and Technology DST”).

2. Ukufaka Isicelo Somthetho Sokugqugquzelwa Kokufinyelela Kolwazi (ngemuva kwalokho okubizwa ngokuthi yi-PAIA)

Umthetho wokugqugquzela kokufinyelela kolwazi (no. 2 ka-2000) kusebenza kuMnyango njengombutho womphakathi, ikakhulukazi maqondana nezinhlelo zangaphakathi zokurekhoda.

3. Inhloso yoMqulu ngokuya kwe-PAIA

Inhloso yalo Mqulu ukukhombisa izakhiwo nemisebenzi yoMnyango futhi uchaze izinhlelo zawo zokurekhoda ukwenza izinhloso zibelula ze-PAIA.

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4. Ikhomishini Yamalungelo Abantu baseNingizimu Afrika (South African Human Rights Commission "SAHRC") umqondisi womthetho.

Isigaba 10 soMthetho sidinga Ikhomishana Yamalungelo Abantu baseNingizimu Afrika (South African Human Rights Commission SAHRC) ukushicilela umhlahlandlela onolwazi oludingekile kumuntu ofisa ukusebenzisa noma avikele noma yimaphi amalungelo ngokwalo Mthetho.

Umhlahlandlela, oshicilelwa ngazo zonke izilimi ezisemthethweni, oqukethe imininingwane:

- wonke amahhovisi olwazi lwezinhlangano zikahulumeni nezimele;
- amakheli kanye nemininingwane yokuxhumana yalokho; futhi
- izinhlobo zosizo olutholakala emahhovisi olwazi kanye neKhomishini Yamalungelo Abantu baseNingizimu Afrika.

4.1. Ukutholakala nokufinyelela kuMhlahlandlela:

Umhlahlandlela uyatholakala ukuze uhlolwe kusuka:

- yonke imitapo yolwazi yomphakathi; futhi
- Iwebhusayithi yeKhomishini Yamalungelo Abantu baseNingizimu Afrika – www.sahrc.org.za

Nanoma yimiphi imibuza ngalokhu, sicela uthintane ne-SAHRC ngqo :

Ikheli leposi: The South African Human Rights Commission
Promotion of Access to Information Act Unit
Research and Documentation Department

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Imeyili:	paia@sahrc.org.za

5. Imininingwane Yokuxhumana ye-DST

Igama lenhlangano: UMnyango Wezesayensi Nezobuchwepheshe

Ikheli leposi	**Ikheli lomzimba**
Department of Science and Technology	Building 53 Scientia
Private Bag X894	Campus
Pretoria	Meiring Naude Road
0001	Brummeria
	Pretoria
Ucingo:	(012) 843 6300 **i-**
Fax:	(012) 317 4363
webhusayithi:	http://www.dst.gov.za

Isikhulu Solwazi:	**UMqondisi-Jikelele**
Ucingo:	(012) 843 6815
IFax:	0866 810006
Imeyili:	paia@dst.gov.za

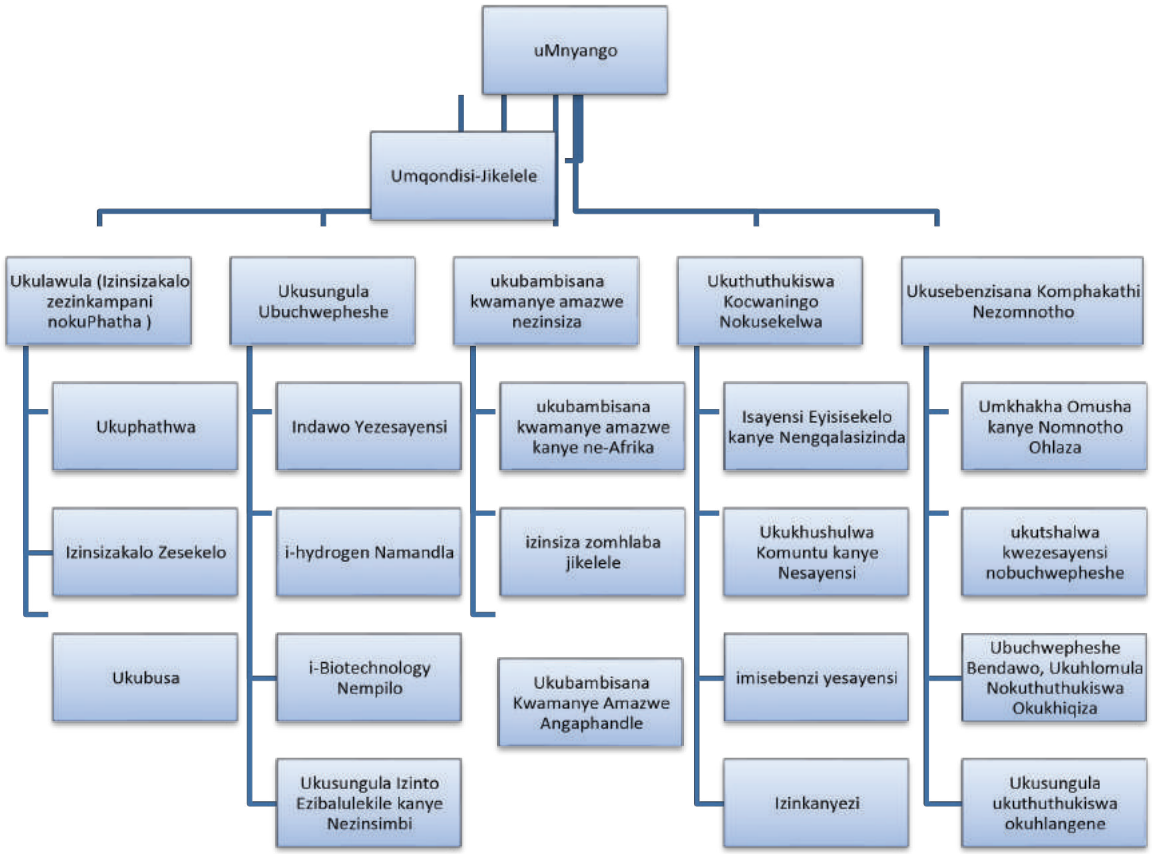
Izicelo zidingwa ukubhekisa zonke izicelo kuSikhulu Solwazi.

Iphini Lesiphathimandla Solwazi:	**Iphini Lomqondisi-Jikelele**: Amasevisi Ezinkampani
Ucingo:	(012) 843 6632
I-Fax:	0865 508 775
Imeyili:	paia@dst.gov.za

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6. Isakhiwo nemisebenzi

UNgqongqoshe: UMhlonishwa uNaledi Pandor
Isekela likaNgqongqoshe: UMhlonishwa uZanele Magwaza-Msibi
Umqondisi-Jikelele: UDkt Phil Mjwara



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Ukuze uthole isakhiwo somhlangano ophelele, sicela ubheke iwebhusayithi ye-DST : www.dst.gov.za

6.1. Izinhlelo Uhlelo

6.1.1. Umhlelo1: Izinsizakalo zomphakathi , ukuhlelwa kwezikhungo nokusekelwa

Ubhekele ukuphathwa jikelele koMnyango futhi inikeza izinsizakalo zokusekela phakathi. Kubuye kuqinisekiswe ukuthi izinhlangano ezixhasiwe zihambisana nemikhuba emihle yokuphatha izinkampani futhi zihambelana nokugxila kwesu loHlelo lukaZwelonke Lokusungula (National System of Innovation NSI). Ihlola futhi ihlolisise amabhodi esayensi.

6.1.2. Uhlelo 2: ukusungula kochwepheshe

Uhlelo luhlose ukuvumela Ucwaningo Nentuthuko(Research&Development R&D) ezindaweni okugxilwe kuzo futhi ezikhulayo (indawo yesayensi, amandla , ibiotechnology, i-nanotechnology, i-robotics, i-photonics, kanye nezinhlelo zolwazi lwendabuko)ukuphathwa kwempahla ngobuhlakani, ukudluliselwa kwezobuchwepheshe kanye nezobuchwepheshe ukuze kuthuthukiswe ukufezwa imikhiqizo yezohwebo, izinqubo kanye nezinsizakalo ezivela ku-R & D ngokusebenzisa ukuqaliswa kokuvumela izinsimbi zomthetho.

6.1.3. Uhlelo 3: Ukubambisana Kwamanye Amazwe Nezinsiza

Lolu hlelo luhlose ukuthuthukisa ngokuhlelekile, ukukhuthaza nokuphatha ubuhlobo bomhlaba wonke , amathuba kanye nezivumelwano ze-S & T eziqinisa uHlelo lukaZwelonke Lokusungula (National System Of Innovation NSI) futhi lunike amandla olwazi olukhona lwango-2016 , amandla kanye nezinsiza phakathi

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kweNingizimu Afrika kanye nabalingani bayo besizwe nabangaphandle. Uhlelo luphinde lusekele inqubomgomo yangaphandle yaseNingizimu Afrika ngokusebenzisa isayensi yokuxhumana.

6.1.4. Uhlelo 4: Ukuthuthukiswa Kocwaningo Nokusekelwa

Lolu hlelo luhlose ukuhlinzeka ngemvelo evumela ukucwaninga nokukhiqizwa kolwazi olukhuthaza ukuthuthukiswa kwezesayensi esiyisekelo kanye nezindawo zesayensi eziza kuqala, ngokusebenzisa ukukhuthazwa kwesayensi, ukuthuthukiswa kwemali yabantu , ukuhlinzekwa kwengqalasizinda socwaningo kanye nokusekelwa kucwaninga olufanele , lokucinga ushintsho emnothweni wolwazi waseNingizimu Afrika.

6.1.5. Uhlelo 5: Ubudlelwane Bokusungula izinto Eziphathelene nenhlalo nezomnotho

Ukuthuthukiswa kokukhula kanye nokuthuthukiswa kokuqala kukahulumeni ngokusebenzisa isayensi ehlosiwe kanye nokusekelwa ukusungula kwezinto ezintsha zobuchwepheshe kanye namasu okuthuthukiswa ubudlelwane obuhle neminye imnyango kahulumeni, imboni izikhungo zocwaningo nemiphakathi, .

6.2. Imisebenzi Eyisisekelo

6.2.1. Isizinda somlando woMnyango

UMnyango Wezesayensi Nezobuchwepheshe (Department of Science and Technology DST) uthola igunya layo kusuka kwi-White Paper yeSayense Nezobuchwepheshe ka-1996. Ekuqaleni kwakuyingxenye yoMnyango Wezobuciko Namasiko, Isayensi Nezobuchwepheshe , eyasungulwa ngo-1994 .Kwabe sekuhlukaniswa uMnyango Wezobuciko Namasiko kanye noMnyango Wezesayensi Nezobuchwepheshe ngo-2002.Ngo-2004, uMnyango waba

1. I-DST –Ukukhuthaza Ukuthola ulwazi loMqulu (V09) Ikhas i 9

uMnyango ozimele. Igceke eliyisisekelo leSayensi, Ubuchwepheshe Kanye Nokusungula (Science, Technology and Innovation STI) badlala indima ebalulekile ekukhuleni komnotho kanye nentuthuko yezenhlalo nezomnotho.

6.2.2. Inhloso ye-DST

I-DST ifuna ukuqaphela amandla ngokugcwele esayensi nobuchwepheshe ekuthuthukiseni kwezenhlalakahle nezomnotho ngokuthuthukiswa kwemithombo yabantu, ucwaningo kanye nokusungula.

Lokhu kuhlanganisa ukungenelela okugxile, ukuxhumana kanye nokwenza njengesizathu sokwenza ushintsho ngokwezinto ezimbili ezikhiqizayo omnotho wethu, okwenza kube ukuncintisana emvelweni wokuncintisana emhlabeni jikelele futhi ngokuphathelene nomlando omkhulu wokuthuthukiswa okhona phakathi kwezingxenye ezihluphekile kakhulu zomphakathi wethu. Umgomo wokuqaphela lo mbono uphaswe ngokuthuthukiswa kanye namasu okusekela ukubunjwa kwesayensi , ubunjiniyela kanye nobuchwepheshe bentuthuko yabantu , ntando yeningi yombuso nomphakathi , nokuqinisekisa ukusimama kwemvelo ezinhlelweni zokuthuthukiswa.

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6.2.3. Isiqondiso samasu

Ukulondoloza isisekelo esanele sesayensi nokuyihumushela kwimisebenzi futhi ukukhula kubangela ezinye izinselelo ezinkulu. Indlela yokusungulwa Uhlelo Lukazwelonke Lokusungula (National System of Innovation NSI) ekuqapheliseni okungekona ukusungula okusho– lapho ukusebenza kungumsebenzi hhayi nje kuphela yokusungula izinhlangano ezizimele kodwa futhi nobuhlobo kanye namanethiwekhi phakathi kwezikhungo – kuqhubeka nokushayela uhulumeni ngokubamba iqhaza lokususa, umgqugquzeli kanye nomtshali wesu.

6.2.4. Imigomo

Izinjongo ezinhlanu eziyinhloko ze-DST zifanele -

- ukuthuthukisa amandla okusungula uHlelo likaZwelonke Lokusungula (National System of Innovation NSI) futhi ngaleyo ndlela kubambe iqhaza ekuthuthukisweni kwezenhlalakahle ;
- ukwandisa ikhono lokukhiqiza ulwazi lweNingizimu Afrika ukuze kuvezwe amaphepha okucwaninga emhlabeni bese uphendulela okunye okutholwe phambili ekukhiqizeni imikhiqizo nezinqubo zokusungula;
- ukuthuthukisa i-STI eqondene nomuntu ukuze ihlangabezane nezidingo zomphakathi;
- ukwakha ingqalasizinda se-STI somhlaba wonke ekwandiseni imingcele yolwazi, ukuqeqesha isizukulwane esilandelayo sabacwaningi , futhi unike amandla ukuthuthukiswa kobuchwepheshe nokudluliselwa , kanye nokwabelana ngolwazi; futhi
- Isikhundla saseNingizimu Afrika njengomlingani we-RDI womhlaba jikelele futhi kudluliselwa khona ngokushintshaniswa kolwazi, amandla kanye nezinsiza phakathi kweNingizimu Afrika kanye nesifunda sayo kanye nabanye abalingani bamazwe ngamazwe, ngaleyo ndlela kuqiniswe i-NSI.

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6.2.5. Izinselelo Ezinkulu

Impumelelo yohlelo lwe-DST Lweminyaka Eyishumi Lohlelo Lokusungula - 20082018 (Ten Year Innovation Plan TYIP) kuncike ekufezeni nokufeza imigomo engenhla. Lolu Hlelo lubonisa ukucubungula okuyisisekelo, okufingqiwe njengezinselele ezinkulu eNingizimu Afrika kwisayensi nobuchwepheshe (science& technology S&T). Izinselele ezinkulu zilandelayo ilezi:

- **Umlimi kuya ku-Pharma**: Eminyakeni eyishumi ezayo, INingizimu Afrika kufanele ithuthukise umnotho wezolimo ukuze ibe ngumholi wezwe kubiotechnology kanye nemithi (pharmaceuticals),isebenzisa izinsiza zomdabu zesizwe sentuthuko entsha i-genomics.
- **Indawo ye-S&T**: INingizimu Afrika izoba yingxenye ebalulekile kanye nomlingani wendawo jikelele i-S & T ngokusebenzisa Ihlangano Yendawo kaZwelonke, imboni yesiphuphutheki esikhulayo kanye nobuningi bokusungula indawo yomkhakha wesayensi , kubandakanya ukubuka umhlaba, ukuxhumana, ukuhamba kanye nokubunjiniyela.
- **Ukuphepha Kwamandla**: Kuphephile, kuhlanzekile , kushibhile futhi izinto ezinokwethenjelwa zamandla zisesidingo somhlaba jikelele , futhi iNingizimu Afrika kufanele ihlangabezane nezimfuneko zayo zokunikezela kwamandla aphakathi nesikhathi esizayo eside ekubuchwepheni bokuhlanzeka kwamalahle,amandla e-nuclear, amandla avuselelayo kanye nesithembiso somnotho we-hydrogen .
- **Ushintsho Lomhlaba Jikelele**: INingizimu Afrika kufanele ixhaphaze indawo yayo, okuyinto eyenza ukuba idlale indima ehamba phambili kwisayensi yokuguquka kwesimo sezulu.
- **Ubudlelwane babantu nezinhlalakahle**: Njengamazwi ahamba phambili emazweni asathuthuka, INingizimu Afrika kufanele ihlanganyele ekuqondeni okukhulu emhlabeni jikelele kokushintshashintsha izintambo zomphakathi, kanye nendima yesayensi ekukhuthazeni ukukhula nentuthuko.

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7. Izinhlangano zomphakathi ezibika ku-DST

- Iyunivesithi Sesayensi yaseNingizimu Afrika (Academy of Science of South Africa ASSAF)
- Umkhandlu Wezesayensi Nezocwaningo Zamabhizinisi (Council for Scientific and Industrial Research CSIR)
- Umkhandlu Wocwaningi Lwesayensi Yabantu (Human Sciences Research Council HSRC)
- Isisekelo Socwaningo Lukazwelonke (National Research Foundation NRF)
- Inhlangano Yokusungula Ubuchwepheshe(Technology Innovation Agency TIA)
- Inhlangano yeNdawo kaZwelonke eNingizimu Afrika
- Inhlangano Yokuthuthukiswa Kwesayensi Nobuchwepheshe
- Igunya Lokuphatha Izinkanyezi (astronomy)
- Umkhandlu kaZwelonke Wokusungula
- Ihhovisi Likazwelonke Lokuphathwa Kwempahla

8. Imithetho elawulwa i-DST

- uMthetho 67 ka 2001 Weyunivesithi Zesayensi eNingizimu Afrika
- Isikhungo sase-Afrika soMthetho waseNingizimu
- uMthetho 23 ka 1968 Wocwaningo Lwesayensi Yabantu
- uMthetho 21 ka 2007 Wendawo Yenzuzo Yezinkanyezi
- uMthetho-51 ka-2008 Yamalungelo Empahla Yengqondo Yomsebenzi Wezokucwaninga Nokuthuthukiswa Komphakathi
- uMthetho 55 ka 1997 Womkhandlu Weluleka kaZwelonke Mayelana Nokusungula
- uMthetho 23 ka 1998 Wesisekelo Socwaningo kaZwelonke
- uMthetho 106 ka 2003 Wezesayensi kaZwelonke
- uMthetho 27 ka-2003 Wezobuchwepheshe Bezesayensi Yemvelo
- Umthetho ka-2011 Wokuchitshiyelwa koMthetho Wezesayensi Kwezobuchwepheshe
- uMthetho 46 ka-1988 Womkhandlu Wocwaningo Wezesayensi

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- uMthetho 36 ka-2008 Wenhlangano Yendawo yaseNingizimu Afrika
- uMthetho 26 ka-2008 Wendawo Yokusungula Yezobuchwepheshe
- Ukugqugquzela Ukufinyelela kuMqulku woLwazi

9. Inqubo yokufinyelela

9.1. Indlela yokwenza isicelo

Gcwalisa ifomu lesicelo elikhona ku-DST. Ukucela ifomu, thumela i-imeyili ku-paia@dst.gov.za. Ifomu litholakala ngezilimi ezilandelayo [1]:

- isiNgisi
- isiZulu
- i-Sepedi.

Yonke imibuzo kufanele iqondiswe kuSikhulu Solwazi:

Isikhulu Solwazi:	UMqondisi-Jikelele
Ucingo:	(012) 843 6815
I-Fax:	0866 810 006
Imeyili:	paia@dst.gov.za

9.2. Izihloko kanye Nemikhakha yamarekhodi aphethwe nguMnyango Wezesayensi Nezobuchwepheshe

9.2.1. Ukudalulwa okuzenzakalelayo:

Uhlu lwezigaba zamarekhodi atholakala kubantu ngaphandle kokucela ukufinyelela ngokwemigomo Yokukhuthazwa Kokufinyelela uMthetho Wolwazi kufakwe njengeSithasiselo A. La marekhodi atholakala kwiwebhusayithi ye-DST.

[1] Njengamanje i-DST inefomu etholakalayo kulezi zilimi ezintathu. Izicelo kwezinye izilimi nazo zizocatshangelwa.

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9.2.2. Amarekhodi atholakalayo ngesicelo:

Uhla lwezigaba zamarekhodi, ezenziwa nguMnyango futhi zingacelwa ngokulandela Ukukhuthazwa Kokufinyelela uMthetho Wolwazi kufakwe njengeSithasiselo B. Ukufinyelela kula marekhodi kufanele kucelwe kwiSikhulu Solwazi ngokulandela inqubo engezansi .

9.3. Ukukhokhwa kwemali ebekiwe:

Njengoba kulandelwe uMthetho, imali engu-R35.00 kumele ihambisane nesicelo solwazi . Lokhu kukhokhwa ngesheke, ukheshi (uma kulethwa ngesandla) noma efakwe ku-akhawunti ye-DST yasebhange (ubufakazi bokuthi idiphozi (kufakwe) kufanele ihambisane nefomu lesicelo)

Igama le-akhwunti:	UMnyango Wezesayensi nobuchwepheshe
Ibhange:	ABSA Bank
Inombolo Ye-akhawunti:	4056183523
Inombolo Yegatsha:	323645
Uhlobo lwe-Akhawunti:	I-akhawunti yeDispositi

9.4. Ukuqinisekiswa nokuvuma isicelo

Isikhulu Solwazi se-DST sithola futhi siqinisekisa isicelo sokubona ukuthi imininingwane edingekayo iyatholakala ku-DST. Isicelo samukelwa ngaleso sikhathi , sinqatshelwe noma sidluliselwe kubagcini abafanele bolwazi oludingekayo . Ukuvuma kuzothunyelwa kumfakisicelo ukuqinisekisa isimo sesicelo.

9.5. Ukucutshungulwa kolwazi

Uma isicelo samukelwa, i-DST izoqoqa futhi ilungise ulwazi futhi ibale izindleko ezithintekayo. Izindleko zibalwa maqondana nemali enqunyiwe njengoba kucacisiwe kuThebula 1 *:* Imali mayelana Namalunga Omphakathi.

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9.6. Isaziso Sokugcina

Umceli uzokwaziswa ngokuqedwa kwesicelo kanye nemali ekhokhwayo ku-DST.

9.7. Ukukhokha nokudiliva

Uma ukukhokha njengoba kuchaziwe ngenhla kuyamukelwa, ulwazi lukhishwa kumceli.

Ifomu elibekiwe kufanele ligcwaliswe ngemininingwane eyanele okungenani linike Isikhulu soLwazi ukuba sikwazi ukubona:

- Amarekhodi (ama) aceliwe .
- Ubunikazi bomfakisicelo.
- iLiphi uhlobo lokufinyelela oludingekayo, uma isicelo sinikeziwe;
- Ikheli leposi noma ikheli le-imeyli noma inombolo ye-fax yomfakisicelo.

Umfakisicelo kumele asho ukuthi ufuna ulwazi ukuze asebenzise noma uvikele ilungelo, futhi uchaze ngokucacile ukuthi uhlobo luni olufanele lusetshenziswe noma luvikelwe .Ngaphezu kwalokho, umfakisicelo kufanele acacise ngokucacile ukuthi kungani irekhodi idingeka ukuze livivinye noma livikele lelo lungelo.

Umnyango uzocubungula isicelo zingakapheli izinsuku ezingu-30 zokusebenza, ngaphandle uma umfakisicelo esho izizathu ezikhethekile, okwakunganelisa iSikhulu Solwazi ukuthi izimo zibeka ukuthi izikhathi ezingenhla zingavunyelwanga. Isikhathi sezinsuku ezungu-30 singadluliselwa isikhathi esithile sezinsuku ezingu30 uma isicelo solwazi oluningi, noma isicelo sidinga ukucinga ulwazi olugcinwe kwenye ihhovisi lesikhungu futhi ulwazi alutholakali ngaphakathi isikhathi sokuqala samalanga angu-30. I-DST izokwazisa umfakisicelo ngokubhaliwe kufanele kufakwe isandiso.

Uma isicelo senziwa egameni lomunye umuntu, khona-ke ofake isicelo kumele afake ubufakazi bokuthi umfakisicelo wenza isicelo sinikeze ukwaneliseka koSikhulu soLwazi.

Uma umuntu engakwazi ukugcwalisa ifomu elibekiwe ngenxa yokungafundi nokukhubazeka okuthile, umuntu onjalo angenza isicelo ngomlomo . Umfakisicelo

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kumele akhokhe imali enqunyiwe, ngaphambi kokuqhubeka nokucubungula okungenzeka .

9.8. Imali

Lo Mthetho uhlinzekela izinhlobo ezimbili zemali:

- Isicelo semali, okuyinto ezoba yimali ejwayelekile, kanye nemali yokufinyelela , okubalwa ngokubheka izindleko zokukhiqiza, ukusesha kanye nesikhathi sokulungiselela kanye nezindleko , kanye nezindleko zokuposa.
- Lapho isicelo samukelwa iSikhulu soLwazi, leso sikhulu kufanele senze isaziso esidinga umfakisicelo, ngaphandle kwalokho umfakisicelo somuntu siqu, ukukhokha imali enqunyiwe (uma kukhona), ngaphambi kokuqhutshekelwa kwesicelo.
- Uma ukukhishwa kwerekhodi kwenziwe futhi ukulungiselela irekhodi lokudalulwa, (kufaka phakathi isilungiselelo sokwenza ukutholakale kwefomu eliceliwe, kudinga okungaphezulu kwamahora anqunywe asemithethweni alenhloso, isikhulu solwazi sizokwazisa umfakisicelo ukuthi akhokhe njengediphozi yengxenye ekhethiwe yemali yokufinyelela, okuzokhokhelwa uma isicelo sinikezwa.
- Isikhulu soLwazi sizobamba irekhodi kuze kube yilapho umfakisicelo ekhokha imali njengoba kuboniswe ngenhla.
- Umfakisicelo ocela isicelo sokufinyelela kwirekhodi elinikeziwe, kumele akhokhe imali yokufinyelela ekukhiqizeni kanye nokuseshwa nokulungiselela, futhi nganoma yisiphi isikhathi esidingekayo ngaphezu kwamahora anqunyiwe afanele futhi ulungiselele irekhodi lokudalula, kuhlanganise nokwenza amalungiselelo okwenza kutholakale ifomu eceliwe.
- Uma idiphozi isikhokhiwe emayelana nesicelo sokufinyelela, okuyinto enqatshelwe , khona-ke isikhulu solwazi esizobheka sizobuyisela idiphozi kumfakisicelo.

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Ithebula 1: Imali mayelana namaBhodi kaHulumeni Imali elandelayo isebenza:

INCAZELO	**INANI(R)**
Imali yesicelo ekhokhwa yilowo nalowo ofaka isicelo	35.00
Ikhophi yalo mqulu njengoba kuhlongozwe kumthethonqubo 5 (c)(yonke ikhophi yephepha le-A4 noma ingxenye yalo)	0.60
Izimali zokukhiqiza okukhulunywa ngazo kumthethonqubo 7 (1) i lezi ezilandelayo:	
1) onke amakhophi ephepha le-A4 noma ingxenye yawo	0.60
2) Ikhophi ngayinye ephrintiwe ikhasi le-A4 noma ingxenye yalo ekhompyutheni noma nge-elekthronikhi noma kumshini	5.00
3) Ikhophi lefomu elifundekayo lekhompyutha: a) inkinga yesicwecwe b)icwecwe (ifomu elifundekayo)	 5.00 40.00
4) Ukuthengiselana kwezithombe ezibukwayo : a) ikhasi elingu-A4 noma ingxenye yalo b) ikhophi yezithombe ezibukwayo	 22.00 60.00
5) Ukuthengiselana kwerekhodi yomsindo: a) ikhasi elingu-A4 noma ingxenye yalo b) ikhophi yerekhodi elilalelwayo	 12.00 17.00
Izimali zokufinyelela ezikhokhwa ngumfakisicelo nje ngalezi ezil andelayo:	
1) Yonke ikhophi yephepha eli-A4 noma ingxenye yalo	0.60
2) Yonke ikhophi ephrintiwe yekhasi elu-A4 noma ingxenye yayo ephethwe kukhompyutha noma ngefomu le-elektroniki noma lomshini ofundekayo	0.40
3) Ikhophi yefomu efundekayo kwikhompyutha): a) inkinga yesicwecwe b) icwecwe	 5.00 40.00
4) Ukubhalwa kwemifanekiso ebonakalayo , ekhasini elingu-A4 noma ingxenye yalo	22.00

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5) Ikhophi yezithombe ezibukwayo	60.00
6) Ngokuthengiselana kwerekhodi yomsindo, a) ekhasini elingu-A4 noma ingxenye yalo b) ikhophi yamarekhodi alalelwayo	 12.00 17.00
Ukucinga nokulungisa irekhodi lokudalula, R15, 00 ngehora ngalinye noma ingxenye yehora , ngaphandle kwehora lokuqala , okudingekayo ekufuneni nasekulungiseleleni okunjalo .	
I-postage yangempela ikhokhwa uma ikhophi yerekhodi kufanele ithunyelwe kumfakisicelo. Izindleko zokuthumela zixhomeke emalini afanelekayo ngokuya endaweni yokuposa .	

9.9. Ukwenqaba isicelo nokukhalaza

- Umceli kufanele aqaphele isigaba 7 (1) se-PAIA esisho okulandelayo:

"Lo Mthetho awusebenzi emrekhodini wendikimba yomphakathi noma ibandla elizimele uma —

a) lelo rekhodi liceliwe ngenhloso yenkambiso yobugebengu noma izinyathelo zomphakathi ;

b) eceliwe ngemuva kokuqala kwalolu daba lobugebengu noma lombuso, njengoba kunjalo; futhi

c) ukukhiqizwa noma ukufinyelela kulawo marekhodi ngenhloso okukhulunywe ngayo esigabeni (a) kunikezwe kunoma yimuphi omunye umthetho.

(d) izicelo zokuthola ulwazi, ku-DST 'inombono onengqondo , ngokusobala ehlukumezayo noma ukukhathazeka noma okubandakanya ukuhlukaniswa okungenangqondo kwemithombo ."

Uma isigaba 7 (1) sisebenza, ungase ungenise isicelo ngokwemigomo ye-PAIA.

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- Izizathu zokwenqaba ezichazwe kwiNgxenye 2 yeSahluko 4 futhi Ingxenye 3 Isahluko 4 se-PAIA kufanele sigcinwe lapho senza izicelo .
- Umfakisicelo angafaka isikhalazo sangaphakathi ngokumelene nesinqumo sesikhulu solwazi se-DST ukwenqaba isicelo sokufinyelela maqondana nesicelo negunya elifanele.
- Umuntu wesithathu angafaka isikhalo sangaphakathi ngokumelene nesinqumo sesiphathimandla solwazi se-DST ukunikeza isicelo sokufinyelela.

9.10. Indlela yokufaka isikhalazo, kanye nezimali zokukhalaza Isikhalazo kufanele sifakwe kwifomu elibekiwe:

- Kungakapheli izinsuku ezingu-60 zokusebenza;
- Uma isaziso somuntu wesithathu sidingeka, zingakapheli izinsuku ezingu-30 ngemuva kokuba isaziso sinikezwe umfakisicelo wesinqumo ucela; noma
- Uma isaziso kumfakisicelo singadingeki, ngemuva kokuba isinqumo sithathwe kufanele sithunyelwe noma isikhulu solwazi sithumele ku-DST
- Kufanele uqaphele isihloko sesikhalazo futhi uchaze izizathu zesikhalazo futhi ingabandakanya nanoma yimuphi omunye onolwazi olufanele owaziwa ngumfakisicelo ;
- Uma, ngaphezu kwempendulo ebhaliwe, umfakisicelo ufisa ukwaziswa ngesinqumo ngesicelo sangaphakathi nganoma iyiphi enye indlela, kumele akhulume ngaleyo ndlela futhi anikeze imininingwane edingekayo ukuze aziswe
- Uma kukhona, kumele ihambisane nemali ebekiwe , futhi kufanele ucacise ikheli leposi noma inombolo ye-fax; futhi
- Uma isikhalazo sifakwa ngemuva kokuphela kwesikhathi esishiwo, igunya elifanele kumele, izizathu ezinhle ezibonisiwe. ukuvumela ukufakwa kwesikhathi sokukhalaza .

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Uma lelo gunya elifanele lingavumeli ukufakwa kwesikhathi sokudlulisa isikhalazo, kufanele anikeze isaziso saleso sinqumo kumuntu ofake isikhalazo. Umfakisicelo ofaka isikhalazo ngokunqatshelwa kwesicelo sakhe sokufinyelela kumele akhokhe imali enqunyiwe yokufaka isicelo (uma ikhona). Uma inkokhelo enqunyiwe yesikhalazo ikhokhwa mayelana nokuphenya, isinqumo sokudluliswa kwesicelo singahle sikhokhwe kuze kube yilapho imali ikhokhwe khona. Ngokushesha lapho kungenzeka khona, kodwa kunoma yikuphi kungakapheli izinsuku eziyi-10 zokusebenza ngemuva kokuthola isikhalazo, isikhulu solwazi se-DST kumele sithumele igunya elifanele :

- Isikhalazo kanye nezizathu zakhe zesinqumo esithintekayo; futhi
- Uma isikhalazo sibhekene nokwenqaba noma ukunikeza isicelo sokufinyelela, igama, ikheli leposi, ifoni yekheli le-imeyili nezinombolo ze-fax, Noma yikuphi okutholakalayo , kwanoma yimuphi umuntu wesithathu okufanele aziswe ngesicelo.

9.11 Ukunika imvume yokufinyelela kumarekhodi

Ngokuhambisana nezinhlinzeko ze-PAIA, ukufinyelela kwamarekhodi adingekayo ku-DST kuzovunyelwa kuphela uma -

- Zonke izidingo zenqubo ezibekiwe ku-PAIA eziphathelene nesicelo esifinyelelile; futhi
- Ukufinyelela irekhodi eliceliwe / s akuvunyelwe ngokwemibandela yanoma yikuphi ukulahlwa okubekwe i-PAIA.
- Izizathu zokwenqaba zichazwe kwiNgxenye 2 yeSahluko 4 neNgxenye 3 Isahluko 4 futhi kuhlanganisa ukuvikelwa okuphoqelekile balokhu -
    (a) ulwazi lwezohwebo lomuntu wesithathu;
    (b) ulwazi oluthile oluyimfihlo;
    (c) ukuphepha kwabantu ngabanye, nokuvikelwa kwempahla;
    (d) amarekhodi anelungelo lokukhiqizwa ezinkambweni zomthetho;

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(e) izithakazelo zezomnotho kanye nezenhlalakahle zezezimali zeRiphabhulikhi kanye nemisebenzi yezohwebo yamabandla omphakathi;

(f) ulwazi locwaningo lomuntu wesithathu, nokuvikelwa kolwazi locwaningo lomzimba womphakathi;

(g) noma ulwazi oluthile mayelana nokusebenza kwamagatsha omphakathi

10. Isithasiselo A: Ukutholakala kolwazi olujwayelekile kwiwebhusayithi ye-DST

- Ulwazi jikelele lwe-DST
  - IOrganogram
  - Umbono, Umsebenzi kanye Namagugu
  - UMnyango
  - Imephu yomgwaqo eya emahhovisi e-DST
  - Imibuzo ebuzwa njalo
  - Uhlu lokuxhumana
- Izindawo Zokugxila ze-DST
  - Ucwaningo
  - Abalingani bokucwaninga
  - Ukwaziswa ngezimali zokucwaningo
  - Ukusungula
  - Imininingwane yokuxhumana ngezemali
  - Ubusha
  - Izindawo zokuzijabulisa zokuvashelwa
  - Izivivinyo
  - Amaqiniso
  - izixhumanisi zamawebhusayithi ezesayensi nezobuchwepheshe
  - ImiSebenzi
  - Usizo Lwezezimali

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- Imisebenzi engaphezu kuka-2000
- ImiSebenzi ye-Bio
- Amathuba omsebenzi wezesayensi nobuchwepheshe

• Uhlelo lwentuthuko yentela ye-R & D

o Iziqondiso, izincwajana kanye namafomu

o Imisebenzi kanye neminye imibhalo ehambisana nentela ye-R & D

• Igumbi Lezindaba

o Izindaba Zamuva

o Izinkulumo

o Ukushicilela Isibuyekezo/ Ukuxhumana

o Umbukiso

- Umbono Wabasha base-Afrika nge-STI
- Umbono kaZwelonke mayelana nedatha yokwazisa inqubomgomo esekelwe
- Indima yedatha ekulandeleni imigomo yokuthuthukiswa okusimeme nokuthuthukisa inqubomgomo eqinisekisiwe ye-Afrika
- Indima yezomnotho ekufezeni imigomo esimeme yokuthuthukiswa ngokubheka idatha
- Ukucubungula idatha kanye nezinhloso zokuthuthukiswa okusimeme
- Ukunikezwa Kombiko we-DST ngoNyaka ka-2006/7 ePhalamende
- Isethulo Kwisithangami Senqubomgomo ye-S & T . e-Japan, ngoNhlangulana 2005
- Isethulo esithunyelwe uNkk Anita Canca
- Ukuthuthukiswa Kocwaningo Lamandla e-SA
- Isayensi, Ubuchwepheshe Kanye Nokusungula
- Ukuqala kwe-GEOSS

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- Ukuhlola Okwesikhashana Umthelela Kwesu le-R & D kaZwelonke
- Isayensi, Ubuchwepheshe Kanye Nokusungula: Ucwaningo lwesimo semvelo senqubomgomo se-SA
- Izinzuzo Zokuqhathanisa kanye Nokusebenzisana Kwengqalasizinda Socwaningo
- Uhlelo Lezesayensi Nobuchwepheshe e-SA
- Isethulo Esithangamini Sabahleli base-SA (SA National Editors' Forum SANEF); 22 kuLwezi 2003
- umkhakha-jikelele wesayensi nesiphakamiso sohlelo lwezobuchwepheshe – Isethulo senziwe ngezi 15 kuNtulikazi 2004, e-Brussels.
- Isethulo nge-Fourth World Congress Yabesifazane Basemaphandleni .pdf
- Ukubukezwa Uhlelo Lokusungula kwe-OECD e-SA
- Isu Lenkampani 2008
- Isikweletu Senhlangano Yendawo kaZwelonke .PPT
- I-India-Brazil-iNingizimu Afrika (India-Brazil-South Africa IBSA) – Umhlangano Wendawo Yesayense nesifundo Sezinkanyezi

  - Umsakazo Wokuqwashisa Ezesayensi Nobuchwepheshe
  - Ikhalenda Yemicimbi ○ Iphephandaba le-DST
  - Umbiko Wenyanga we-SKAO
  - Izitatimende Zekhabhinethi
  - Izincezu Zomqondo

- Isikhungo Sezinsiza

  ○ Imibiko yonyaka

  ○ Umthetho

  ○ Amasu Nemibiko

○ Isu Lebhizinisi ye-DST 2010-13

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- Ukubonelela Phambili Imibiko
  - Imibiko ye-R& D
  - Imibiko Yephrojekthi
  - Amaphephandaba
- uMnyango Yokubukeza Imibiko
- Imikhiqizo Yolwazi
- Ingqalasizinda socwaningo
- ingqalasizinda sotalagu
- Izincwadi Ezihlala Etafuleni elincane

• Umhlangano Wendawo Yesayense nesifundo Sezinkanyezi
• Izinsizakalo

– Izikhungo Zobuhle
- Isikhungo Sobuhle Ekucwaningweni Kwe-Tb Biomedical
- Isikhungo Sobuhle Ekuhlaselweni Kwezinto Eziphilayo
- Isikhungo Sobuhle Ezintweni Eziqinile
  - Isikhungo Sokuhlonipha Izinyoni njengeZihluthulelo Zokulondolozwa
  - Kwezinhlobonhlobo Zezilwane Esikhungweni se-Percy Fitzpatrick
  - Isikhungo Sobuhle Ekuhloliseni
  - Isikhungo Sobuhle Emphakathini we-biotechnology e-FABI
  - Isikhungo Sobuhle Ekuhloleni Nasekuhlaziyweni kwe-Epidemiological

• Uhlelo lokuvuselela intela ye-R & D
• Ukundlaleke ngobubanzi be-S&T
• Iphephandaba Lezinhlelo Ngendawo
• I-Sumbandilasat
• Umsakazo Wokuqwashisa Ezesayensi Nobuchwepheshe (Science and Technology Awareness Radio STAR)

1. I-DST –Ukukhuthaza Ukuthola ulwazi loMqulu (V09) Ikhasi 25

- Ingxoxo ngoNhlangulana 2010
- Ingxoxo ngoNhlaba 2010 – e-Maropeng
- Ingxoxo ngoMbasa 2010 – e-Square Kilometre Array (SKA)
- Ingxoxo ngoNdasa 2010
- Ingxoxo ngoMasingana 2010
- Ingxoxo ngoZibandlela 2009 Ingxoxo ngoLwezi 2009
- Ingxoxo ngoMfumfu 2009
- Ingxoxo ngoMandula 2009
- Ingxoxo ngoNcwaba 2009

• Amathenda
- Uhlaka lwenqubomgomo lokuzuza
- Ababhidi abaphendulile
- Abamathenda Bamanje

• Isiphakamiso se-NSW10 sethempulethi lokugcina.lombalo
• Imisebenzi
- Imihlahlandlela yokubhalisa kwemsebenzi ye-DST
- amathuba emisebenzi yangamuva
- Xhumanisa ifomu le-Z83
- Izinzuzo zokusebenzela i-DST
- Ukubhalisa Isizinda Semininingwane ku-Inthenethi

• Isikhungo Semithombo Yolwazi
• Izixhumanisi
- I-COFISA - Izethulo

-Imibhalo

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- I-Square Kilometre Array (SKA Square Kilometre Array)

- INingizimu Afrika yaseJalimane Unyaka Wezesayensi 2012/13
- Ukusekelwa kwezimali zesabelomali
- Ingqungquthela Jikelele yokuguqulwa kwe-SAFIPA
- I-PRIAP
- Ukusekelwa jikelele ngosabelomali
- Uhlelo Lokuphathwa Kolwazi Lokusebenza (Performance Information Management System PIMS)
- Isikhungo Sezobuchwepheshe Besimo Sezulu Kanye Nenethiwekhi
- Izinhlangano
  - o Inhlangano Yokusungula Ezobuchwepheshe
  - o Umkhandlu Wocwaningo Lwesayensi Ngomuntu
  - o Iyunivesithi Yesayensi yase-Ningizimu Afrika
  - o Inhlangano yendawo kaZwelonke eNingizimu Afrika
  - o Umkhandlu Wezocwaningo Lwesayensi Nokucwaninga Kwezezimboni
  - o Isikhungo Sokuthuthukiswa Kwesayensi Nobuchwepheshe
  - o Ihhovisi likaZwelonke Lokuphathwa Kwempahla

-Umthetho
-Mayelana ne-NIPMO
-I-Organogram
-Imicimbi ye-NIPMO
- Izinsizakalo
o Isisekelo Socwaningo Lukazwelonke
o Igunya Lokuphatha Izinkanyezi
o Imininingwane yokuxhumana

1. I-DST –Ukukhuthaza Ukuthola ulwazi loMqulu (V09) Ikhasi 27

11. Isithasiselo B: Izihloko kanye nemikhakha yamarekhodi agcinwe uMnyango Wezesayensi Nezobuchwepheshe

Uhlelo / Uhlelo Phansi	**Irekhodi Isihloko**
UHLELO 1: IZINSIZAKALO ZE NKAMPANI, UKUSEKELWA KWEZIKHUNGO NOKUHLELA	
uHlelo 1A. Imisebenzi Kwinkamp ani	
Uhlelo Phansi: Isikhulu Esiphezulu Sezezimali (Chief Financial Officer CFO)	
ukuphathwa kwezezimali (ukuphathwa ukubalwa kwezimali)	Ukulinganisa izindleko zikaZwelonke (Estimates of National expenditure ENE) Uhlaka lokusetshenziswa kwemali kwesikhathi esiphakathi(Medium Term Expenditure Framework MTEF), Izilinganiso Ezilungisiwe Zezindleko zikaZwelonke (Adjusted Estimates of National Expenditure AENE) Imibiko yokuxwayisa yasekuqaleni, umbiko wokuhlaziya izindleko, umbiko wokukhipha imali.
Ukubika ngezezimali	izitatimende zezimali, izimpahla kanye nezikweletu. Imibiko Esemthethweni Yemali kaZwelonke, Izitifiketi Zokuhambisana ngokwemigomo nezidingo ezincane zokubalwa kwezimali kuHulumeni kaZwelonke , Isikhathi esincane kanye Nezitatimende Zezimali Zonyaka kanye namarekhodi azo zonke Izinkokhelo Eziphathelene Imali, Izindleko, Izimpahla kanye Nezikweletu.
Uhlelo / Uhlelo Phansi	**Irekhodi Isihloko**

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Ukuphathwa Kokuthengiswa Kwezinto	Izinqubomgomo Zokuphathwa Kokuthengiswa Kwezinto Nezinqubo; Imininingwane Yomthengisi ; Iziphakamiso ezivela kubahlinzeki bezinsizakalo ; Amadokhumenti okubhida , kufaka phakathi amaminithi wokukhishwa kwebhidi; Iziphakamiso maqondana namaBhidi ; Ukucaciswa Komkhiqizo kanye nemigomo yensizakalo ; Amaminithi okuhlangana nabahlinzeki bezinsizakalo ; Iziphakamiso maqondana nokulahlwa kwempahla;ukubhaliswa kwempahla ; Imizuzu yamaminithi ekomidi lokulahlwa kwempahla ; Ukuphathwa kwe-Fleet ; Izimpahla kanye nezinhlelo zokuphatha izindawo ; Amadokhumenti amathenda , kufaka phakathi amathenda anikeziwe.
<u>Uhlelo Phansi:</u> Inhloko yesikhulu so lwazi	
Izinhlelo Zolwazi	uhlelo lokutakula izinhlekelele; Izinqubomgomo ze-IT , izindinganiso nezinqubo zomqulu , Uhlelo lwezinsizakalo zeThisha , Isu le-IT.
Imininingwane yoLwazi kanye Nokuphathwa Kwamarekhodi	Isu Lokuphathwa Amarekhodi kanye nenqubomgomo, isu lokuphatha ulwazi , Umqulu we-PAIA .
<u>Uhlelo Phansi: Izinsizakalo Ezisizayo</u>	Izinqubomgomo zokuphepha kanye nezinqubo ; imibiko yokuthengiswa kokuphepha ; ukwakha imifanekiso yevidiyo
<u>Uhlelo Phansi: Izinsizakalo</u> Zomthetho	Imithetho nemithethonqubo ye-DST, Izivumelwano, Imibono yezomthetho kanye nolwazi lwezomthetho, izinqubomgomo zomthetho, ukuhambisana nomqulu.
<u>Uhlelo Phansi:</u> Imithombo Yabantu	

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Izinhlelo ezikhethekile	Amasu akwa-HR, Izinqubomgomo , Izinqubo nezinhlelo ; izinhlelo zokuzibandakanya ngokobulili nokukhubazeka (s) ; izinhlelo zokusiza abasebenzi ; Imibiko yokusiza kwabasebenzi ; Izimiso ze-Batho Pele ; izikhalazo nezinqubo zokuqondiswa kwezigwegwe Irejista Yesipho; .
Uhlelo / Uhlelo Phansi	**Irekhodi Isihloko**
Ukuphathwa Kwethalente Nokuthuthukiswa Kwenhlangano	Amasu akwa-HR, Izinqubomgomo , izinqubo nezinhlelo ; Ukuhlolwa Komsebenzi kanye nemibiko yocwaningo lokusebenza.
Uhlelo 1B. Inhloko yesikhulu sol wazi	
Ihhovisi Lomqondisi Jikelele	UNgqongqoshe kanye nokuthunyelwa kwe-DG ukulawulwa kwezinhlekelele
Uhlelo Phansi: Inqubomgomo Ukuhlela, Ukuqapha Nokuphatha Nokuhlola (Planning, Governance Monitoring and Evaluation PPGM&E)	Umbiko we-DST wonyaka, Uhlelo lwebhizinisi ; Imibiko yokuphathwa kolwazi lomsebenzi; Izikhungo nokubuyekezwa kohlelo kanye nezincwadi ezisekelayo; Amaminithi emihlangano , Ukuxhumana nezinhlangano zeDST (isithangami semizuzu yomhlangano-Sihlalo , i-CEO ne-CFO); Intuthuko kanye nemibiko yokuhlola;Izinhlaka kanye nemihlahlandlela ; Imibiko Ethunyelwe.
Uhlelo Phansi: ukuhlolwa kwangaphakathi	Imizuzu Yemihlangano Yekhomidi Yokucwaninga; Imibiko Yangaphakathi Yokuhlola; Imibiko Yekomidi Yokuhlola,Imithethosisekelo; Incazelolwazi Yesivumelwano.
Uhlelo Phansi: Ukuxhumana kwezesayensi	Izinkulumo; Izincwadi zenkampani ; Ukukhishwa kwemibiko yocwaningo ; Izithombe.
Ukuhlola nokugcinwa kwe-HR	Amasu akwa-HR, Izinqubomgomo , Izinqubo neZinhlelo ; amafayela abasebenzi; Ukushiya Ukubhalisa

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Uhlelo Phansi: Umkhandlu kaZwelonke Welulekiwe mayelana Nokusungula(National Advisory Council on Innovation NACI)	Ukuqokwa, ukwamukelwa kanye nokwenqaba kwamalungu omkhandlu, Amakomidi kanye namakomidi amancane ; ukuphathwa kokufunda.
UHLELO 2: UBUCHWEPHESHE BOKUSUNGULU	
Ihhovisi Likaphini Lomqondisi Jikelele	
Uhlelo / Uhlelo Phansi	**Irekhodi Isihloko**
Uhlelo Phansi: I-Biotechnology neMpilo	Amasu; izikhungo zamakhono ; imithethonqubo ;ukuxhumanisa, izinqumo nokusebenzisana nama-Agencies; umlimi kuPharma inselele enkulu; Izicelo ze-GMO (ngaphandle kolwazi oluyimfihlo).
Uhlelo Phansi: Indawo Yesayensi	Thuthukisa amandla kuzikhungo zesicelo sesatellite.
Uhlelo Phansi: Ukusungula Izinto Ezibalulekile kanye neZinsimbi	Isibonelo sezinzuzo zokukhuthaza imali nge-R & D.
Uhlelo Phansi: Ukuthuthukiswa Kolwazi Kuzinhlelo Zomdabu Zolwazi	ukuphathwa kolwazi; Iizinhlelo zokufunda izincwadi zomdabu kanye nembiko - Bukela ku www.NIKSO.dst.gov.za; Uhlelo lukaZwelonke Oluqoshiwe.
UHELO 3: UKUSEBENZISANA N GAMAZWE KANYE NEZINSIZA	
Ihhovisi le-DDG	
Uhlelo Phansi: Ukubambisana Kwamanye Amazwe Angaphandle	Izivumelwano
Uhlelo Phansi: Izinsiza Zomhlaba Jikelele	Izincwajana zamaphrojekthi Izixhumanisi zamawebhusayithi ephrojekthi Iqoqo lokusebenza iphrojekth kanye neseshini yolwazi

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Uhlelo Phansi: ukubambisana kwamanye amazwe ne-Afrika	Ubuhlobo Amathuba okufunda Izincwajana Zezinhlamvu Imibiko yokubambisana
UHLELO 4: UKUTHUTHUKISWA KOCWANINGO NOKUSEKELWA	
Ihhovisi le-DDG	
Uhlelo Phansi: isayensi eyisisekelo kanye nengqalasizinda	Ukugqugquzela ubudlelwane obuhle kanye nezinhlelo zokuthuthukisa ingqalasizinda socwaningo olusha kanye nokufinyelela kwingqalasizinda socwaningo olusha.
Uhlelo Phansi: Inzuzo Yabantu & Ukukhuthazwa Kwesayensi	izikhungo zobuhle; izihlalo zocwaningo ; Imibiko yokufunda ; Ulwazi lwebhasari .
Uhlelo / Uhlelo Phansi	**Irekhodi Isihloko**
Uhlelo Phansi: ukuthuthuka kwezinkanyezi	i-Square Kilometre Array Information; Bukela ku www.SKA.ac.za; Inqubo yomthetho wezinkanyezi kanye nemigomo; Izimemezelo.
UHLELO 5: UKUSEBENZISANA K OMPHAKATHI NEZOMNOTHO	
Ihhovisi likaphini lomqondisi jikelele	izinselelo ezinkulu, nezinhlelo zokusebenza nemibhalo yamakhono; Uhlaka lwamasu.
Uhlelo Phansi: Ukutshalwa Kwezesayensi Nobuchwepheshe	Ukuhlola kanye nemibiko yezibalo; Izimpendulo zenkampani ekuhloleni.
Uhlelo Phansi: I-S & T Iwumthelela Kumphakathi: Ukusungula Kokuthuthukiswa Okuhlangene	Yakha ubudlelwane, ukuhlinzeka ngoxhaso lokutshala izimali, kanye nokuxhasa abashayeli bezindiza mshini.
Uhlelo Phansi: I-S & T iwumthelela kwezomnotho: Umkhakha Omusha Kanye Nomnotho Ohlaza	Imibiko Yokugcina Yokucwaninga.
Uhlelo Phansi: I-S & T Iwumthelela Kwezomnotho: Ubuchwepheshe Bezindawo Bazozuza Nokukhiqizwa Okuthuthukisiwe	Amasu Impahla yobuhlakani kanye nolwazi lobunikazi; uhlelo lobuchwepheshe bendawo; inqubo yokulawula umqulu;Iziqondisi zephasela zokusiza kwezobuchwepheshe.

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Isithasiselo C

iRiphabhuliki yaseNingizimu Afrika

IFOMU A

ISICELO SOKUTHOLA IREKHODI LOMZIMBA WOMPHAKATHI

(Isigaba18 (1) Umthetho wokukhuthazwa kokufinyelela kolwazi, 2000 (Umthetho No. 2 ka-2000)

[Umthethonqubo 2]

UKUSETSHENZISWA NGUMNYANGO

Inombolo yenkomba :

Isicelo esitholiwe ngu _____(isikhundla sezwe , igama nesibongo sesiphathimandla solwazi iphini lesikhulu sezokwazisa ngomhla (usuku) _____ ku _____indawo_____)

Imali ebekiwe R_____

Imali yediphozi (uma ikhona):R_

Imali yokufinyelela (uma ikhona) R_

Isaqnesh: Isikhulu Solwazi/ iphini lesikhulu solwazi

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A. Imininingwane yomzimba womphakathi

iNhloko:

B. Imininingwane yomuntu ofuna isicelo sokurekhoda

(a) Imininingwane yomuntu ocela ukuthola irekhodi kufanele inikezwe ngezansi . (b) Ikheli kanye / noma inombolo ye-fax eRiphabhuliki lapho ulwazi oluzothunyelwa khona kufanele lunikezwe. (c) Ubufakazi besikhundla lapho isicelo senziwe, uma kusebenza, kufanele sihambisane

.

Amagama aphelele nesibongo: ……

Inombolo yobunikazi

Ikheli leposi: ……

Inombolo yocingo: (……) …….. Inombolo yefeksi(……) ……..

Ikheli le-imeyili: ……

Indawo lapho isicelo senziwe khona, uma senziwe egameni lomunye umuntu:

C. Imininingwane yomuntu ofuna isicelo sakhe

Lesi sigaba kumele sigcwaliswe KUPHELA uma isicelo sokwaziswa senziwa egameni lomunye umuntu.

Amagama aphelele nesibongo: ……

Inombolo yobunikazi

D. Imininingwane yerekhodi

(a) Nikeza imininingwane ephelele yerekhodi lapho kudingeke khona isicelo, kufaka phakathi inombolo yereferensi uma lokho kwaziwa kuwe, ukuvumela irekhodi ukuthi litholakale. (b) Uma isikhala esinikeziwe singenele , sicela uqhubeke ephepheni elihlukile bese ulinamathisela kuleli fomu . Umceli kumele asayine wonke ama-folios engeziwe.

[1]. Incazelo yerekhodi noma ingxenye efanele yerekhodi:

……..

……..

……..

[1] . I-DST –Ukukhuthaza Ukuthola ulwazi loMqulu (V09) Ikhasi 32

……..

IFOMU A: ISICELO SOKUFINYELELA KWIREKHODI YENDIKIMBA YOMPHAKATHI

2. Inombolo yereferensi, uma ikhona:

……..

……..

……..

……..

3. Noma yimiphi imininingwane eminye yerekhodi :

……..

……..

……..

……..

E. Imali

(a)	Isicelo sokufinyelela irekhodi, ngaphandle kwerekhodi eliqukethe ulwazi lomuntu siqu ngawe, izocutshungulwa kuphela emva kokukhokhwa kwemali yesicelo.
(b)	Uzokwaziswa ngemali edingekayo ukuthi ikhokhwe njengemali yesicelo.
(c)	Imali ekhokhwa yokufinyelela irekhodi incike efomini lapho kudingeka khona ukufinyelela kanye nesikhathi esifanele esilindele ukucinga nokulungisa irekhodi.
(d)	Uma ufaneleka ukuthola ukukhokhwa kwemali, sicela usho isizathu sokukhululwa.

Isizathu sokukhululeka ekukhokheni izimali:

……..

……..

……..

……..

……..

IFOMU A: ISICELO SOKUFINYELELA KWIREKHODI YENDIKIMBA YOMPHAKATHI

F. Ifomu lokufinyelela korekhoda

Ukukhubazeka: Ifomu lapho irekhodi liyadingeka khona:

Maka ibhokisi elifanele ngo-**X**.

INCAZELOLWAZI:

(a) Ukuhambisana nesicelo sakho sokufinyelela kufomu ecacisiwe kuncike efomini lapho irekhodi litholakala khona . (b) Ukufinyelela kufomu eceliwe kunganqatshwa ezimweni ezithile. Esimweni esinjalo uzokwaziswa uma ukufinyelela kuzonikezwa ngolunye uhlobo. (c) Imali ekhokhelwa ukuthola irekhodi, uma ikhona, izoqokwa ngokuyingxenye yefomu lapho kufinyelelwa khona isicelo

Uma uvinjwe ukukhubazeka um ufunda, buka noma ulalele irekhodi ngendlela yokufinyelela okuhlinzekwe ku-1 kuya ku-4 ngezansi , isho ukukhubazeka kwakho futhi ukhombise ukuthi yiliphi irekhodi elidingekayo

1. Uma irekhodi libhaliwe noma liphrintiwe:						
	ikhophi yerekhodi*		ukuhlolwa kwerekhodi			
2. Uma ir ekhodi liqukethe izithom be ezi bukwayo -(lokhu kuhlangani sa izit hombe, amaslayidi, ukurekhoda kwevidiyo, izithombe ezenziwe ngekh ompu yutha, imidwebo, njll						
.):	buka izithombe		ikhophi yezithombe *		ukubhalwa kwezithombe *	
3. Uma ire khodi liqukethe amagama arekhodiwe noma ulwazi olungenz iwa ka busha ngezwi:						
	lalela umsindo wezwi (ikhasethi yomsindo)		ukubhalwa komsindo * (umbhalo obhaliwe noma ophrintiwe)			
4. Uma ire khodi ligcinwe kukhompyutha n oma ngendlela efundekayo n gomsh ini:						
	ikhophi ephrintiwe yerekhodi *		ikhophi ephrintiwe yolwazi etholakala kwirekhodi *		ikhophi kwifomu efundeka ngekhompyutha * (i-stiffy noma i-compac t disc)	

* Uma ucele ikhophi noma ukubhalwa kwerekhodi (ngenhla), ufisa ikhophi noma kuthunyelwe kuwe? YEBO CHA ukubhalwa

Ukuthunyelwa kwezimali kuyakhokhwa.		

G. Imininingwane yelungelo lokusetshenziswa noma elivikelwe

Uma isikhala esinikeziwe singenele, sicela uqhubeke ephepheni elihlukile bese ulinamathisela kuleli fomu. Umceli kumele asayine wonke ama-folias engeziwe.

1. Khombisa ukuthi yiliphi ilungelo okufanele lisetshenziswe noma livikelwe :

……..

……..

……..

2. Chaza ukuthi kungani irekhodi eliceliwe liyadingeka ukuze kwenziwe umsebenzi noma ukuvikelwa kwelungelo elishiwo ngenhla:

IFOMU A: ISICELO SOKUFINYELELA KWIREKHODI YENDIKIMBA YOMPHAKATHI

……..

……..

……..

IFOMU A: ISICELO SOKUFINYELELA KWIREKHODI YENDIKIMBA YOMPHAKATHI

H. Isaziso sesinqumo mayelana nesicelo sokufinyelela

Uzokwaziswa ngokubhala ukuthi ngabe isicelo sakho sivunyiwe / siphikiwe. Uma ufisa ukwaziswa ngenye indlela , sicela ucacise indlela futhi unikeze imininingwane edingekayo ukuvumela ukuhambisana nesicelo sakho.

Ungathanda ukwaziswa kanjani ngesinqumo esiphathelene nesicelo sakho sokufinyelela kurekhodi?

……

Ubhalisiwe ku…… ngalolu suku …… lo……nyaka …….

……
ISIGNESHA OFAKE ISICELO / UMUNTU OKUCELIWE KUYE

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 968 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. ZAMEKILE CO-OP LTD
2. UTHANDOLWENKOSI CO–OP LTD
3. RIXILE MA-AFRICA CO–OP LTD
4. ONDINI SANITARY MANUFACTURER CO–OP LTD
5. ARCHITECTURAL DESIGN TECHNOLOGY AND RENOVATION CO–OP LTD
6. SIYASONDELA CO–OP LTD
7. 24 SEVEN FUNERAL SERVICE AND CATERING CO-OP LTD
8. EMMAUS ZABALAZA CO–OP LTD
9. QOPHUMZEKELO CATERERS CO–OP LTD
10. TRINITY CO–OP LTD
11. BOTSE BJA RONA CATERING SERVICES CO–OP LTD
12. SUKUMANI BANTU CO–OP LTD
13. MBOMBELA CO-OP LTD
14. SENZA SURE CO–OP LTD
15. INKWENKWEZI CATERING CO–OP LTD
16. INANDA DIVERSION CO–OP LTD
17. FELETHEMBENI CO–OP LTD
18. DIPHAGANE PRIMARY TRADING CO–OP LTD
19. ASIZIMISELENI IHLWEHLWE CO–OP LTD
20. IMPUMELELO YETHU CO–OP LTD
21. INGWEBU CO–OP LTD
22. M D SISONKE CO–OP LTD
23. WASIZA HYDROPONIC CO–OP LTD
24. SARON AGRICULTURAL CO–OP LTD
25. SINGABENKOSI CO–OP LTD
26. SIKHUSELWE CO–OP LTD
27. ACHIB NORTH WEST (MAKWASI) CO–OP LTD
28. SIYADUDULA TRANSPORT CO-OP LTD
29. UBHAQA TRADING CO-OP LTD
30. THENJANE TRADING AND SERVICES CO-OP LTD
31. ZULWELIHLE CO-OP LTD
32. REAGILE EKURHULENI WORKER CO-OP LTD
33. VICTOR POTO CO-OP LTD
34. SOYISILE SIZOMA AGRICULTURAL CO-OP LTD
35. MOKUELEDI CATERING CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 969 **21 SEPTEMBER 2018**

COMPANIES AMENDMENT BILL 2018

INVITATION FOR THE PUBLIC TO COMMENT ON THE DRAFT COMPANIES AMENDMENT BILL

I, Dr Rob Davies, Minister of Trade and Industry, hereby publish the Companies Amendment Bill for public comment.

Interested persons may submit written comments on the proposed Bill within sixty (60) calendar days from the date of publication to:

Director-General, Department of Trade and Industry
For Attention: Mr Desmond Ramabulana
Private Bag X84
Pretoria
0001

or hand deliver/email to:

77 Meintjies street
Block B, 1st Floor
Sunnyside
Pretoria

Email: DRamabulana@thedti.gov.za

Dr Rob Davies, MP
Minister of Trade and Industry
30 August 2018

REPUBLIC OF SOUTH AFRICA

COMPANIES AMENDMENT BILL

(As introduced in the National Assembly (proposed section 76); explanatory summary of Bill published in Government Gazette No. of) (The English text is the official text of the Bill)

(MINISTER OF TRADE AND INDUSTRY)

[B —2018]

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GENERAL EXPLANARY NOTE:

[ ] Words in bold typed in square brackets indicate omissions from existing enactment

_____ Words underlined with solid line indicate insertions in existing enactments.

BILL

To amend the Companies Act, 2008, so as to change the definition of securities; to clarify when a Notice of Amendment of a Memorandum of Incorporation takes effect; to empower a court to validate the irregular creation, allotment or issue of shares; to clarify how shares which are not fully paid are to be dealt with; to exempt a company from the requirements applicable to financial assistance between a company and its subsidiaries; to amend the instances where approval of shareholders will be required for any share buybacks by the company; to extend the definition of an employee share scheme to include those where there are purchases of shares of a company; to limit the circumstances under which a private company will be a regulated company; to deal with the composition of the social and ethics committee and its functions; and to ensure differentiation of duties between the chairperson of the Tribunal and the executive director thereof; and to provide for matters related thereto.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

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Amendment of section 1 of Act 71 of 2008, as amended by section 1 of Act 3 of 2011 and section 111 of Act 19 of 2012

1. Section 1 of the Companies Act, 2008 (Act No.71 of 2008)(hereinafter referred to as the principal Act), is hereby amended—

(a) by the insertion after the definition of **"Banks Act"** of the following definitions:

" **'B-BBEE Act'** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No.53 of 2003);

'B-BBEE Commission' means the Broad-Based Economic Empowerment Commission as established in terms of the B-BBEE Act;";

(b) by the substitution for the definition of **"securities"** of the following definition:

" **'securities'** means any shares, debentures or **[other instruments]** any options in respect thereof, irrespective of their form or title, issued or authorised to be issued by a profit company;"; and

(c) by the insertion after the definition of **"this Act"** of the following definition:

" **'Treasury Regulations'** means any regulation made under the Public Finance Management Act, 1999 (Act No. 1 of 1999).".

Amendment of section 16 of Act 71 of 2008, as amended by section 11 of Act 3 of 2011

2. Section 16 of the principal Act is hereby amended by the substitution in subsection (9) for paragraph *(b)* of the following paragraph:

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"*(b)* in any other case, 10 business days after receipt of the Notice of Amendment, if the Commission, after the expiry of the 10 business days, has not endorsed the Notice of Amendment or has failed to deliver a rejection of the Notice of Amendment to the company with reasons;";

Amendment of section 25 of Act 71 of 2008

3. Section 25 of the principal Act is hereby amended by the substitution in subsection (2) for the words preceding paragraph *(a)* of the following words:

"(2) A company must file a notice, which the Commission must publish as prescribed, setting out the location or locations at which any particular records referred to in section 24 are kept or from which they are accessible if those records—".

Amendment of section 26 of Act 71 of 2008, as amended by section 17 of Act 3 of 2011

4. Section 26 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(c)* of the following paragraph:

"*(c)* the reports to annual meetings **[,annual financial statements,]** as mentioned in section 24(3)*(c)*(i)**[and(ii)]**;";

(b) by the insertion in subsection (1) after paragraph *(c)* of the following paragraph:

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"*(cA)* the annual financial statements as stipulated in section 24(3)*(c)*(ii);";

(c) by the substitution for subsection (2) of the following subsection:

"(2) A person not contemplated in subsection (1) has a right to inspect **[or]** and copy, upon payment of no more than the prescribed maximum charges for any such inspection and any copy, the information contained in the records referred to in subsection(1)*(a), (b), (d)* and *(e)* **[the securities register of a profit company, or the members register of a non-profit company that has members, or the register of directors of a company, upon payment of an amount not exceeding the prescribed maximum fee for any such inspection]**.";

(d) by the substitution in subsection (4) for paragraph *(a)* of the following paragraph:

"*(a)* for a reasonable period during business hours at a location referred to in section 25(1);";

(e) by the substitution for subsection (5) of the following subsection:

"(5) Where a person receives a request in terms of subsection (4)*(b)* it must within **[14]** five business days comply with the request by providing the opportunity to inspect or copy the register concerned to the person making such request."; and

(f) by the deletion of subsection (6).

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Amendment of section 30 of Act 71 of 2008, as amended by section 20 of Act 3 of 2011

5. Section 30 of the principal Act is hereby amended by the substitution in subsection (4) for paragraph *(a)* of the following paragraph:

"*(a)* the remuneration, as defined in subsection (6), and benefits received by each director, or **[individual holding any prescribed office]** prescribed officer in the company, and each individual must be named;".

Insertion of section 30A in Act 71 of 2008

6. The following section is hereby inserted in the principal Act after section 30:

"Duty to prepare directors' remuneration report

30A. (1) The directors of a public company must prepare a directors' remuneration report for each financial year of the company.

(2) The directors' remuneration report must, in the prescribed manner, consist of the following parts:

(a) The background statement;

(b) an overview of the main provisions of the company's policy on remuneration; and

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(c) an implementation report containing details of remuneration and benefits awarded to individual directors.

(3) The directors' remuneration report must be approved by the board and signed on behalf of the board by a director of the company.

(4) The director's remuneration report of a company must be presented to the shareholders at the annual general meeting.".

Amendment of section 31 of Act 71 of 2008, as amended by section 21 of Act 3 of 2011

7. Section 31 of the principal Act is hereby amended by the substitution in subsection (4) for the words preceding paragraph *(a)* of the following words:

"It is an offence for a company, director or officer of a company, to—".

Amendment of section 33 of Act 71 of 2008, as amended by section 23 of Act 3 of 2011

8. Section 33 of the principal Act is hereby amended—

(a) by the substitution in subsection (1) for paragraph *(a)* of the following paragraph:

"*(a)* a copy of its latest annual financial statements **[, if it is required to have such statements audited in terms of section 30(2) or the regulations contemplated in section 30(7); and]**;"; and

(b) by the insertion in subsection (1) after paragraph *(a)* of the following paragraph:

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"*(aA)* a copy of the company's securities register as required in terms of section 50; and".

Insertion of section 38A in Act 71 of 2008

9. The following section is hereby inserted in the principal Act after section 38:

"Validation of irregular creation, allotment or issuing of shares

38A. (1) Where a company purports to create, allot or issue shares, by virtue of any provision of this Act, the Memorandum of Incorporation of the company, any other law or otherwise, and the creation, allotment or issuing of those shares is invalid or the terms of creation, allotment or issue are inconsistent with, or not authorised by, those provisions, a court may—

(a) upon receipt of an application made by the company or by any interested person; and

(b) after satisfying itself that it is just and equitable to do so,

make an order validating the creation, allotment or issue of these shares or confirming the terms of the creation, allotment or issue, subject to such conditions as may be imposed by the court.

(2) When making an order under subsection (1), the court must direct that a copy be lodged with the Commission.

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(3) Upon the registration of the copy of the court order by the Commission in terms of subsection (1), and after the payment of all prescribed fees by the company, if any, the shares must be deemed to have been validly created, allotted or issued upon the terms of the creation, allotment or issue of the shares and subject to the conditions imposed by the court.".

Amendment of section 40 of Act 71 of 2008, as amended by section 28 of Act 3 of 2011

10. Section 40 of the principal Act is hereby amended by the substitution in subsection (5)*(b)* for subparagraph (ii) of the following subparagraph:

"(ii) cause the issued shares to be transferred to a third party, to be held **[in trust]** by the third party as a stakeholder in terms of a stakeholder agreement but not as agent for either the company or the subscribing party, and later transferred to the subscribing party in accordance with **[a]** the trust agreement;".

Amendment of section 45 of Act 71 of 2008, as amended by section 31 of Act 3 of 2011

11. Section 45 of the principal Act is hereby amended—

(b) by the substitution for the heading of the following heading:

"[Loans or other financial assistance to directors] Financial assistance to directors and group of companies"; and

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(b) by the insertion after subsection (2) of the following subsection:

"(2A) The provisions of subsection (2) do not apply to the giving by a company of financial assistance to, or for the benefit of, its own subsidiary.".

Amendment of section 48 of Act 71 of 2008, as amended by section 32 of Act 3 of 2011

12. Section 48 of the principal Act is hereby amended by the addition of the following subsection:

"(9) A decision by the board of a company as contemplated in subsection (2)*(a)* must be approved by a special resolution of the shareholders of the company—

(a) if any shares are to be acquired by the company from—

(i) a director;

(ii) a prescribed officer of the company; or

(iii) a person related to a director or a prescribed officer; or

(b) if it entails the acquisition of shares in the company other than due to—

(i) a *pro rata* offer made to all the shareholders of the company or a particular class of shareholders of the company; or

(ii) transactions effected in the ordinary course on a recognised stock exchange on which shares of the company are traded.".

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Amendment of section 56 of Act 71 of 2008, as amended by section 36 of Act 3 of 2011

13. Section 56 of the principal Act is hereby amended by the substitution in subsection (7) for the words preceding paragraph *(a)* of the following words:

"A company **[that falls within the meaning of 'regulated company' as set out in section 117 (1*)(i)*]** must—".

Amendment of section 61 of Act 71 of 2008, as amended by section 39 of Act 3 of 2011

14. Section 61 of the principal Act is hereby amended—

(a) by the deletion in subsection (8) of the word "and" at the end of paragraph *(a)*(ii); and

(b) by the addition in subsection 8*(a)* of the following subparagraphs:

"(iv) a social and ethics committee report; and

(v) a remuneration report.".

Amendment of section 72 of Act 71 of 2008, as amended by section 47 of Act 3 of 2011

15. Section 72 of the principal Act is hereby amended—

(a) by the insertion after subsection (3) of the following subsection:

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"(3A) *(a)* A public company or a state-owned company must appoint a social and ethics committee at each annual general meeting.

(b) A social and ethics committee must comprise of at least three members, unless—

(i) the company is a subsidiary of another company that has established a social and ethics committee; and

(ii) the social and ethics committee of the other company referred to in subparagraph (i) performs the functions required under this section, on behalf of the subsidiary company.

(c) Each member of the social and ethics committee of a public company or state-owned company must—

(i) be a director or a prescribed officer of the company, who satisfies any applicable requirements prescribed in terms of subsection (5A)*(a)* and *(b)*;

(ii) not be involved in the day-to-day management of the company's business or have been so involved at any time during the previous financial year; or

(iii) not be related to any director who falls within any of the criteria set out in subparagraph (ii).";

(b) by the substitution for subsection (5) of the following subsection:

"(5) A company that falls within a category of companies that are required in terms of this section and regulations to appoint a social and ethics committee must—

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(a) publish the intention to lodge an application for exemption with the Tribunal, in a prescribed manner ; and

(b) apply to the Tribunal in the prescribed manner and form, for an exemption from the requirement, and the Tribunal may grant such exemption if it is satisfied that—

(i) the company has satisfied the requirement to establish some form of formal mechanism within its structures, substantially to perform the functions of the social and ethics committee in terms of this section and the regulations; or

(ii) it is not reasonably necessary in the public interest to require the company to have a social and ethics committee, having regard to the nature and extent of the structure and activities of the company."; and

(c) by the insertion after subsection (5) of the following subsection:

"(5A) (a) A social and ethics committee appointed in terms of subsection (4) must comprise of not less than three directors or prescribed officers of the company, and at least one director must not be involved in the day-to-day management of the company, and must not have been so involved within the previous three financial years, unless—

(i) the company is a subsidiary of another company that has established a social and ethics committee; and

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(ii) the social and ethics committee of the other company referred to in subparagraph (i) performs the functions required under this section on behalf of the subsidiary company.

(b) The Minister may prescribe the minimum qualification requirements for members of a social and ethics committee as he or she deems necessary to ensure that any such committee, taken as a whole, compromises persons with adequate relevant knowledge and experience to equip the committee to perform its functions.

(c) The first members of a social and ethics committee may be appointed by—

(i) the incorporators of a company; or

(ii) the board of the company, within 40 business days after the incorporation of the company.

(d) The board must appoint a person to fill any vacancy on the social and ethics committee within 40 business days after the vacancy arises.

(e) The Minister may prescribe the functions that must be performed by a social and ethics committee.

(f) A social and ethics committee must prepare a report in the prescribed manner and form, which must be externally assured.

(g) A social and ethics committee report must be presented to shareholders at a shareholders meeting.".

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Amendment of section 90 of Act 71 of 2008, as amended by section 55 of Act 3 of 2011

16. Section 90 of the principal Act is hereby amended—

(a) by the substitution for subsection (1A) of the following subsection:

"(1A) A company referred to in section 84(1)*(c)*(i), or a company that is required only in terms of its Memorandum of Incorporation to have its annual financial statements audited as contemplated in section 34(2) and 84(1)*(c)*(ii), must appoint an auditor **[**—

(a) **in accordance with subsection (1), if the requirement to have its annual financial statements audited applies to that company when it is incorporated; or**

(b) **at the annual general meeting at which the requirement first applies to the company, and each annual general meeting thereafter.]** at a shareholder's meeting at which the requirement first applies to the company, and annually at the shareholders meeting thereafter."; and

(b) by the substitution in subsection (2)*(b)* for subparagraph (v) of the following subparagraph:

"(v) a person who, at any time during the **[five]** two financial years immediately preceding the date of appointment, was a person contemplated in any of subparagraphs (i) to (iv); or;".

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Amendment of section 95 of Act 71 of 2008, as amended by section 58 of Act 3 of 2011

17. Section 95 of the principal Act is hereby amended by the substitution in subsection (1)*(c)* for subparagraph (i) of the following subparagraph:

"(i) by means of the issue or purchase of shares in the company; or".

Amendment of section 118 of Act 71 of 2008, as amended by section 53 of Act 3 of 2011

18. Section 118 of the principal Act is hereby amended by the substitution in subsection (1)*(c)* for subparagraph (i) of the following subparagraph:

"(i) at the time of the relevant affected transaction, the private company falls within the provisions of section 84(1)*(c)*; or".

Amendment of section 135 of Act 71 of 2008, as amended by section 86 of Act 3 of 2011

19. Section 135 of the principal Act is hereby amended—

(a) by the insertion after subsection (1) of the following subsection:

"(1A) To the extent that any amounts due by the company to any owner of the property, including a landlord, in respect of any property of such owner or landlord which is the subject of a contract with a company that is placed in business rescue is not paid to such owner or landlord during business rescue by the company from

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the date that the company is placed in business rescue proceedings, provided that such amounts do not exceed the aggregate of all disbursements and outgoings, including rates and taxes, electricity and water, paid by such owner or landlord to third parties during the period referred to in this section, the money must be regarded as post-commencement financing that must be paid to such owner in the order set out in subsection (3)*(b)*.";

(b) by the substitution in subsection (3) for the words preceding paragraph *(a)* of the following words:

"After payment of the practitioner's remuneration and expenses referred to in section 143, post-commencement finance, rental payment and other claims arising out of the costs of the business rescue proceedings, all claims contemplated—"; and

(c) by the substitution in subsection (3)*(a)* for the words preceding subparagraph (i) of the following words:

"in subsection (1) and subsection (1A) will be treated equally, but will have preference over—".

Amendment of section 145 of Act 71 of 2008

20. Section 145 of the principal Act is hereby amended—

(a) by the deletion in subsection (4) of the word "and" at the end of paragraph *(a)* and by the substitution in that subsection for the full-stop of the expression "; and" at the end of paragraph *(b)*; and

(b) by the addition in subsection (4) of the following paragraph:

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"*(c)* an owner of property referred to in section 135(2) has a voting interest equal to the amount referred to in that section.".

Amendment of section 160 of Act 71 of 2008, as amended by section 99 of Act 3 of 2011

21. Section 160 of the principal Act is hereby amended by the addition of the following subsection:

"(5) Where the company fails to change the name in terms of the administrative order of the Companies Tribunal issued in terms of subsection (3)*(b)*(ii), the applicant may approach the Commission to substitute the name of the respondent with its company's registration number followed by "Inc", "(Pty) Ltd", "Limited", "SOC Limited" or "NPC".".

Amendment of section 166 of Act 71 of 2008, as amended by section 105 of Act 3 of 2011

22. Section 166 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

"(1) As an alternative to applying for relief to a court, or filing a complaint with the Commission in terms of Part D, a person who would be entitled to apply for relief, or file a complaint in terms of this Act, may refer a matter that could be the subject of such an application or complaint for resolution by mediation, conciliation or arbitration to [— *(a)*] the Companies Tribunal[;].

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[*(b)* an accredited entity, as defined in subsection (3); or

***(c)* any other person.]**";

(b) by the substitution for subsection (2) of the following subsection:

"(2) if the Companies Tribunal,**[or an accredited entity,]** to whom a matter is referred for **[alternative dispute resolution]** mediation, concludes that either party to the conciliation, mediation or arbitration is not participating in that process in good faith, or that there is no reasonable probability of the parties resolving their dispute through that process, the Companies Tribunal **[or accredited entity]** must issue a certificate in the prescribed form stating that the process has failed.";

(c) by the insertion after subsection (2) of the following subsection:

"(2A) *(a)* Where the Companies Tribunal has issued a certificate stating that the mediation process in terms of this Act has failed, the affected person may refer the matter to arbitration.

(b) The arbitrator's award is final and binding on the parties."; and

(d) by the deletion of subsections (3), (4) and (5).

Amendment of section 167 of Act 71 of 2008

23. Section 167 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding paragraph *(a)* of the following words:

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"**[If the]** The Companies Tribunal **[, or an entity accredited in terms of section 166, has resolved, or assisted parties in resolving, a dispute in terms of this Part the** Tribunal **or accredited entity]** may—".

Amendment of section 194 of Act 71 of 2008, as amended by section 112 of Act 3 of 2011

24. Section 194 of the principal Act is hereby amended by the insertion after subsection (1) of the following subsection:

"(1A) *(a)* The chairperson of the Tribunal is the accounting authority of the Tribunal and is responsible for—

(i) the proper and control and management of the Tribunal;

(ii) the effectiveness and efficiency of the Tribunal;

(iii) all the income and expenditure of the Tribunal;

(iv) all assets and the discharge of liabilities of the Tribunal; and

(v) the proper and diligent implementation of the Public Finance Management Act, 1999 (Act No. 1 of 1999), with respect to the Tribunal.

(b) The chairperson may appoint—

(i) an executive director for a period of five years, who may be reappointed for a further period of five years.

(ii) one or more senior managers, under such terms and conditions as determined by the chairperson.

(c) The executive director is responsible to perform the executive functions of the Tribunal, subject to—

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(i) this Act and its regulations;

(ii) the Public Finance Management Act, 1999 (Act No. 1 of 1999), and the Treasury Regulations; and

(iii) the policies and directions of the Tribunal.

(d) The executive director is responsible for appointing such other employees as may be required for the proper functioning of the Tribunal.

(e) The chairperson must, in consultation with the Minister and the Minister of Finance, determine the remuneration, allowances, benefits and conditions of appointment of—

(i) the executive director;

(ii) each member of the Tribunal; and

(iii) employees of the Tribunal.".

Amendment of section 195 of Act 71 of 2008, as amended by section 113 of Act 3 of 2011

25. Section 195 of the principal Act is hereby amended—

(a) by the deletion in subsection (1) of the word "and" at the end of paragraph *(b)*;

(b) by the substitution in subsection (1) for the full stop of a semi-colon at the end of paragraph *(c)*; and

(c) by the addition to subsection (1) of the following paragraphs:

"*(d)* adjudicate on any matters affecting a company as may be referred to it in the prescribed manner by the B-BBEE

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Commission in terms of the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003); and

(e) make an appropriate order.".

Substitution of section 204 of Act 71 of 2008

26. The following section is hereby substituted for section 204 of the principal Act:

"Functions of Financial Reporting Standards Council

204. (1) The Financial Reporting Standards Council must receive and consider any relevant information relating to the reliability of, and compliance with, financial reporting standards and adapt international reporting standards for local circumstances through the issue of financial reporting pronouncements and consider information from the Commission as contemplated in section 187(3)*(b)*.

(2) For the purposes of this section, "financial reporting pronouncements" may be issued by the Financial Reporting Council and from time to time published in the *Gazette* in relation to international reporting standards which require adaptation for local circumstances, provided such pronouncements are not in conflict with International Financial Reporting Standards or the International Financial Reporting Standards for small medium enterprises.".

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Amendment of arrangement of sections of Act 71 of 2008

27. The arrangement of sections of the principal Act is hereby amended—

(a) by the insertion after item 30 of the following item:

"**30A.** Duty to prepare director's remuneration report";

(b) by the insertion after item 38 of the following item:

"**38A.** Validation of irregular creation, allotment or issuing of shares "; and

(c) by the substitution for item 45 of the following item:

"45. **[Loans or other financial assistance to directors]** Financial assistance to directors and group of companies".

Short title and commencement

28. This Act is called the Companies Amendment Act, 2018, and comes into operation on a date to be fixed by the President by proclamation in the *Gazette*.

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MEMORANDUM ON THE OBJECTS OF THE COMPANIES AMENDMENT BILL, 2018

1. BACKGROUND

1.1 In 2011, the Companies Act, 2008 (Act No. 71 of 2008)("the Act"), that was a result of the 2004 policy review, came into effect and repealed the Companies Act, 1973. The Act, introduced significant changes by providing for business rescue, simplification of registration, social and ethics committees for public companies, corporate governance including financial accountability and provisions relating to shareholder activism. The Act provides for the establishment of institutions, such as the Companies and Intellectual Property Commission ("the Commission"), Companies Tribunal ("the Tribunal"), Specialist Committee in Company Law, Financial Reporting Standards Council and Takeover Regulations Panel.

1.2 The Act, and the Companies Regulations, 2011[1] ("the Regulations"), were implemented in May 2011. The Act was destined for review after five years of implementation.

1.3 As a result of the monitoring of the implementation of the Act in the past five years, the Department of Trade and Industry, with the assistance and advice of the established institutions, has compiled and hereby recommend the proposed changes to keep up with the current trends and also close some loopholes in the Act as discovered during the implementation period. The proposed amendments in the Companies Amendment Bill, 2018 ("the Bill"), do not represent changes to the original policy.

2. OBJECTIVES OF THE BILL

The universal purpose of the proposed amendments is to review and identify all the problematic areas resulting from the implementation of the Act and the Regulations as from May 2011. Furthermore, the Bill intends to align the Act with modern international corporate trends.

[1] GNR. 351 of 26 April 2011

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3. OVERVIEW OF THE BILL

3.1 Clause 1

Clause 1 of the Bill inserts the definitions of "B-BBEE Act", "B-BBEE Commission", "securities" and "Treasury Regulations" into section 1 of the Act, to enhance the interpretation of the principal Act.

3.2 Clause 2

Clause 2 of the Bill proposes an amendment to section 16 of the Act by requiring that a Notice of Amendment will take effect 10 business days after receipt of the Notice of Amendment, if the Commission, after the expiry of the 10 business days, has not endorsed the Notice of Amendment or has failed to deliver a rejection of the Notice of Amendment to the company with reasons.

3.3 Clause 3

Clause 3 of the Bill proposes an amendment to section 25 of the Act requiring the Commission to publish the notice in a prescribed manner.

3.4 Clause 4

Clause 4 of the Bill proposes an amendment to section 26 of the Act requiring clarifications pertaining to access to companies financial records and information.

3.5 Clause 5

Clause 5 of the Bill proposes an amendment to section 30 of the Act and provides that audited annual financial statements of each company that currently must include particulars showing the remuneration and benefits received by each director, must now also include the remuneration and benefits received by a prescribed officer.

3.6 Clause 6

Clause 6 of the Bill proposes the insertion of section 30A into the Act by imposing the duty to prepare a director's remuneration report and the manner of compiling the report and the presentation thereof.

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3.7 Clause 7

Clause 7 of the Bill proposes an amendment to section 31 of the Act by extending the existing statutory offence to a director or an officer of the company, for refusing access to financial statements.

3.8 Clause 8

Clause 8 of the Bill proposes amendments to section 33 of the Act and requires the company to also file a copy of the company's securities register in the company's annual return.

3.9 Clause 9

Clause 9 of the Bill proposes the insertion of section 38A into the Act by giving the court the power to validate the creation, allotment or issue of shares which are otherwise invalid, upon application by a company or an interested party.

3.10 Clause 10

Clause 10 of the Bill proposes an amendment to section 40 of the Act requiring issued shares transferred to a third party to be held by a stakeholder in terms of the stakeholder agreement.

3.11 Clause 11

Clause 11 of the Bill proposes an amendment of section 45 of the Act and proposes that the provision of financial assistance by a company to its subsidiary, does not need the adoption of a special resolution.

3.12 Clause 12

Clause 12 of the Bill proposes an amendment to section 48 of the Act requiring that no special resolution has to be adopted when the company is implementing a *pro rata* share-buyback where the shareholders affected are also the directors of the company.

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3.13 Clause 13

Clause 13 of the Bill proposes amendments to section 56 of the Act by omitting the words "that falls within the meaning of the 'regulated company' as set out in section 117(1)(i)" in subsection (7).

3.14 Clause 14

Clause 14 of the Bill proposes amendments to section 61 of the Act by requiring the social ethics committee report and remuneration report to be presented at the shareholders meeting.

3.15 Clause 15

Clause 15 of the Bill proposes amendments to section 72 of the Act by requiring that in respect of the exemption from the appointment of a social and ethics committee, a company must apply for exemptions to the Tribunal in a prescribed manner. It further inserts subsections (3A) and (5A) requiring a social and ethics committee for a public company or state-owned entities and for the composition of the social and ethics committee.

3.16 Clause 16

Clause 16 of the Bill proposes an amendment to section 90 of the Act requiring the appointment of an auditor to be done annually at a shareholders meeting.

3.17 Clause 17

Clause 17 of the Bill proposes the amendment of section 95 of the Act by requiring that the employee share scheme must include the purchase of shares in the company.

3.18 Clause 18

Clause 18 of the Bill proposes the amendment of section 118 of the Act by providing that the Takeover Regulations (made by the Minister in terms of sections 120 and 223 of the Act) apply with respect to an affected transaction or offer involving a private company or its securities, if the private company

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falls within the provisions of section 84(1)*(c)* at the time of the relevant affected transaction.

3.19 Clause 19

Clause 19 of the Bill proposes an amendment of section 135 of the Act by inserting subsection (1A), providing that any amounts due by the company under business rescue to any owner of the property in terms of a contract which the owner of the property has paid to any third party during the business rescue proceedings, will be regarded as post-commencement financing.

3.20 Clause 20

Clause 20 of the Bill proposes amendments to section 145 of the Act by determining the voting interest of the owner of specified property.

3.21 Clause 21

Clause 21 of the Bill proposes amendments to section 160 of the Act by allowing the applicant to approach the Commission to substitute the name of the respondent where the company fails to change the name in terms of an administration order of the Tribunal.

3.22 Clauses 22 and 23

Clause 22 of the Bill amends section 166 of the Act by providing that if the Tribunal has issued a certificate stating that a mediation process has failed, an affected person may refer the matter to arbitration. Clause 23 of the Bill proposes consequential amendments to section 167 of the Act by deleting certain obsolete provisions in section 167(1).

3.23 Clause 24

Clause 24 of the Bill proposes amendments to section 194 of the Act by inserting subsection (1A) conferring certain powers on the chairperson of the Tribunal and the executive director.

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3.24 Clause 25

Clause 25 of the Bill proposes amendments to section 195 of the Act by giving the Tribunal the power to adjudicate cases referred to by the B-BBEE Commission.

3.25 Clause 26

Clause 26 of the Bill proposes amendments to section 204 of the Act by giving the Financial Reporting Standards Council the power to issue financial reporting pronouncements.

3.26 Clauses 27

Clause 27 of the Bill proposes an amendment to the arrangement of sections in the principal Act by virtue of the insertion of new provisions into the principal Act.

3.27 Clause 28

Clause 28 provides for the title and commencement of the Bill.

4. DEPARTMENTS/BODIES/PERSONS CONSULTED

The following stakeholders were consulted:

- South African Institute of Chartered Accountants;
- Banking Association of South Africa;
- Independent Regulatory Board for Auditors;
- B-BBEE Commission;
- the Commission;
- Tribunal; and
- Whom Owns Whom (Pty) Ltd.

5. IMPLICATIONS FOR PROVINCES

None

6. FINANCIAL IMPLICATIONS FOR STATE

To be accommodated within the existing budget.

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7. PARLIAMENTARY PROCEDURE

7.1 The Constitution prescribes the procedure for the classification of Bills. A Bill must be correctly classified so that it does not become inconsistent with the Constitution.

7.2 The Bill has been considered against the provisions of the Constitution relating to the tagging of Bills and against the functional areas listed in Schedule 4 (functional areas of concurrent national and provincial legislative competence) and Schedule 5 (functional areas of exclusive provincial legislative competence) to the Constitution.

7.3 The established test for classification of a Bill is that any Bill whose provisions in substantial measure fall within a functional area listed in Schedule 4 to the Constitution must be classified in terms of that Schedule. The process is concerned with the question of how the Bill should be considered by the provinces and in the National Council of Provinces. Furthermore, how a Bill must be considered by the provincial legislatures depends on whether it affects the provinces. The more the Bill affects the interests, concerns and capacities of the provinces, the more say the provinces should have on the contents of the Bill.

7.4 Therefore the issue to be determined is whether the proposed provisions of the Bill, in substantial measure, fall within a functional area listed in Schedule 4 to the Constitution.

7.5 The Bill seeks to provide that in the event of an amendment to a company's Memorandum of Incorporation, the Notice of Amendment will take effect 10 business days after receipt of the Notice of Amendment, if the Commission, after the expiry of the 10 business days, has not endorsed the Notice of Amendment or has failed to deliver a rejection of the Notice of Amendment to the company with reasons.

7.6 The Bill provides for the manner (to be prescribed in the regulations) in which the Commission must publish the notice filed by a company in which the

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company sets out the location or locations at which any particular company records are kept or from which they are accessible, and also provides clarification pertaining to access a company's financial records and information. The audited annual financial statements of each company that must include particulars showing the remuneration and benefits received by each director, must now include the remuneration and benefits received by a prescribed officer. The Bill proposes the insertion of section 30A into the Act by imposing the duty to prepare a director's remuneration report and the manner of compiling the report and the presentation thereof. The Bill extends the existing statutory offence for refusing access to financial statements to a director and an officer of a company, and the Bill further requires the company to also file a copy of the company's securities register in the company's annual return.

7.7 The Bill seeks to insert section 38A into the Act in order to give a court the power to validate the creation, allotment or issue of shares which are otherwise invalid, upon application by a company or an interested party. The Bill requires issued shares transferred to a third party to be held by a stakeholder in terms of the stakeholder agreement. In respect of financial assistance to directors and a group of companies, the Bill proposes that the provision of financial assistance of a company to its subsidiary should not need the adoption of a special resolution. Furthermore, no special resolution has to be adopted when the company is implementing a pro rata share-buyback where the shareholders affected are also the directors of the company.

7.8 The Bill provides for the appointment of a social and ethics committee and requires that the committee must prepare and present its report at the shareholders meeting. In respect of exemption from the appointment of a social and ethics committee, a company must apply for exemptions to the Tribunal in a prescribed manner. The Bill requires a social and ethics committee for a public company and a state-owned company and also provides for the composition of the social and ethics committee.

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7.9 The Bill provides for the appointment of an auditor at a shareholders meeting as per requirement and thereafter annually at the shareholders meeting; that an employee share scheme must include the purchase of shares in the company, in addition to the issue of shares; and that the Takeover Regulations (made by the Minister in terms of sections 120 and 223 of the Act) apply to an affected transaction or offer involving a profit company or its securities, if a company is a private company, a personal liability company or a non-profit company in accordance with section 84(1)(c) of the Act, at the time of the relevant affected transaction.

7.10 The Bill provides that any amounts due by the company under business rescue to any owner of the property in terms of a contract which the owner of the property has paid to any third party during the business rescue proceedings, will be regarded as post-commencement financing and that the owner of specified property has a voting interest in business rescue proceedings. The Bill further provides that an applicant may approach the Commission to substitute the name of the respondent where the company fails to change the name in terms of an administration order of the Tribunal.

7.11 In respect of disputes concerning the reservation or registration of company names, the Bill provides that if the Tribunal has issued a certificate stating that a mediation process has failed, an affected person may refer the matter to arbitration. The Bill provides that if a court imposes an administrative fine on a company, the court may impose a fine in respect of the respondent's revenue, instead of the turnover, for the period during which the company failed to comply with a compliance notice.

7.12 The Bill confers more responsibilities on the Tribunal and, amongst other things, provides that the chairperson of the Tribunal is the accounting authority of the Tribunal and is responsible for—

- the proper control and management of the Tribunal;
- the effectiveness and efficiency of the Tribunal;
- all the income and expenditure of the Tribunal;
- all assets and the discharge of liabilities of the Tribunal; and

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- the proper and diligent implementation of the Public Finance Management Act, 1999 (Act No.1 of 1999).

7.13 The Bill seeks to give the Companies Tribunal the power to adjudicate cases referred to it by the B-BBEE Commission established in terms of the Broad-Based Black Economic Empowerment Act, 2003 (Act No.53 of 2003).

7.14 The Bill provides that the Financial Reporting Standards Council must receive and consider any relevant information relating to the reliability of, and compliance with, financial reporting standards and adapt international reporting standards for local circumstances through the issue of financial reporting pronouncements.

7.15 The provisions of the Bill have been carefully examined to establish whether, in substantial measure, they fall within any of the functional areas listed in Schedule 4 to the Constitution.

7.16 In our view the subject matter of the Bill falls within a functional area listed in Schedule 4, namely "Trade". We are therefore of the opinion that this Bill must be dealt with in accordance with the procedure set out in section 76 of the Constitution.

7.17 It is not necessary to refer this Bill to the National House of Traditional Leaders in terms of section 18(1)*(a)* of the Traditional Leadership and Governance Framework Act, 2003 (Act No. 41 of 2003), since it does not contain provisions pertaining to customary law or customs of traditional communities.

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DEPARTMENT OF TRADE AND INDUSTRY

NO. 970 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. TSWELOPELE WASTE MANAGEMENT CO-OP LTD
2. UKHANYISO CO–OP LTD
3. NCEDOLWETHU NELSON MANDELA WARD THIRTY CO–OP LTD
4. VUKASISI CO–OP LTD
5. UKWETHEMBA CO–OP LTD
6. ISIKHWEBU SEGOLIDE CO-OP LTD
7. PARYS JOINT WOMEN DEVELOPMENT NATIONAL CO–OP LTD
8. IMBHALI CO–OP LTD
9. WATERKLOOF AGRICULTURAL DEVELOPMENT CO–OP LTD
10. LOKABEPA MULTI-PURPOSE CO–OP LTD
11. GAMBUSHE CO-OP LTD
12. SPEAK LIFE MANUFACTURING CO–OP LTD
13. MANGAUNG JOINT WOMEN DEVELOPMENT CO–OP LTD
14. V F P CO–OP LTD
15. WOZA SAKHE IKHAYA LEMPILO CO–OP LTD
16. SIHLANGENE UMZAMO CO–OP LTD
17. USIBA CO–OP LTD
18. MAGAYE'S COOKING CLUB CO–OP LTD
19. SINCENGIMPILO CO–OP LTD
20. SAKHASONKE CO–OP LTD
21. BOKAMOSO CLEANING CO–OP LTD
22. AMANDLAETHU SEWING CO–OP LTD
23. GAETSHO CO–OP LTD
24. BOMBISANI-MHINGA POTTERY CO–OP LTD
25. KUHLE KUYEZA CO–OP LTD
26. KHANYANI TRADING CO-OP LTD
27. LETSEMA-LE-THATA CLEANING CO-OP LTD
28. KE MONATE CO-OP LTD
29. ALVERTON PRIMARY TRADING CO-OP LTD
30. AMACIKO AKWANTU CO-OP LTD
31. GWALAGWALA AGRICULTURAL CO-OP LTD
32. ISANDLWANA CO-OP LTD
33. IMPILOYETHU SEWING CO-OP LTD
34. INGCEBO YOMHLABA CO-OP LTD
35. ISIBONELO ESIHLE CO-OP LTD
36. BOHLE KE BATHO CO-OP LTD
37. BOKGOBAPUDI CO-OP LTD
38. BAMBELELA GLASS FITTERS CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES
Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 971 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. KUYASHESHA CLEANING SERVICE CO-OP LTD
2. KHANYA LAPHO UKHONA CO–OP LTD
3. KEEP SAFE CO–OP LTD
4. SIJABULELA CATERING CO–OP LTD
5. UBUHLE NDEBELE BEADED CRAFT CO–OP LTD
6. THE CONQUERERS YOUTH CO–OP LTD
7. KHONZEKHAYA CO-OP LTD
8. MASIBAMBISANENI CO–OP LTD
9. CLICK IT ZONE CO–OP LTD
10. RED MOUNTAIN CATERING CO–OP LTD
11. UMKHOMASE CO–OP LTD
12. ENKONKWENI SHEEP FARMING CO–OP LTD
13. PFANANI SEWING-OP LTD
14. SILWANENDLALA UBUNTU FARMERS AGRCULTURAL CO–OP LTD
15. B H I M RAMSUMAR AND THILGAVATHIE PILLAY CO–OP LTD
16. SHINE RECORDING STUDIO CO–OP LTD
17. TECHNICAL PRODUCTION SERVICES CO–OP LTD
18. NOMYACA YOUTH BAKERY CO–OP LTD
19. UBUNTU CLEANING CO-OP LTD
20. FREE YOUR MIND CO–OP LTD
21. ULUVO LWABAFAZI CO–OP LTD
22. ZIZOZA CO–OP LTD
23. KHETHOKUHLE CO–OP LTD
24. MPHAKATI POULTRY FARMING CO–OP LTD
25. MASIPHATHISANE CO–OP LTD
26. OCILWANE-CEBOLETHU CO–OP LTD
27. SYASIZA CO–OP LTD
28. SINQOBILE CO–OP LTD
29. ZIHLANDLA CO–OP LTD
30. VUKASAKHE CO–OP LTD
31. SIYATHANDA CO–OP LTD
32. GLOBAL PROMOTIONS AND ADVERTISING AGENCY CO–OP LTD
33. ZIBONAKALISE MULTI-PURPOSE CO-OP LTD
34. POST MATRICULANTS CO–OP LTD
35. SIYENZA SISONKE CATERING CO-OP LTD
36. ZAMA-OKUHLE CO-OP LTD
37. MASAKHE-IKHAYA CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0001

Private Bag X237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 972 **21 SEPTEMBER 2018**

PROPOSED AMENDMENTS TO THE NATIONAL GAMBLING REGULATIONS, 2004, PUBLISHED IN GOVERNMENT GAZETTE NO. 26994 OF 12 NOVEMBER 2004

By virtue of the powers vested in me in terms of section 87 of the National Gambling Act, 2004 (Act No. 7 of 2004), I, Dr Rob Davies, the Minister of Trade and Industry, after consultation with the National Gambling Policy Council, intend to make amendments to the National Gambling Regulations 2004.

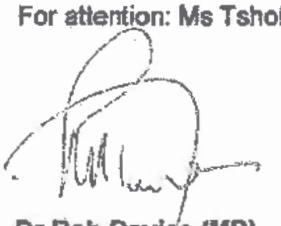
The proposed amendments are contained in the Schedule hereto. Interested persons are hereby invited to comment and to make written submissions in this regard within 45 (forty five) calendar days from the date of publication of this Notice to:

Director-General, Department of Trade and Industry
Private Bag X 84
Pretoria
0001

Or hand deliver to:

77 Meintjies Street
Block B, 1st Floor
Sunnyside
Pretoria, 0002

Or e-mail: TShale@thedti.gov.za
For attention: Ms Tsholofelo Shale



Dr Rob Davies (MP)
Minister of Trade and Industry
1 August 2018

SCHEDULE

PROPOSED AMENDMENTS TO THE NATIONAL GAMBLING REGULATIONS, 2004, PUBLISHED IN GOVERNMENT GAZETTE NO. 26994 OF 12 NOVEMBER 2004

GENERAL EXPLANATORY NOTE

_____	Words underlined with a solid line indicate insertions in existing enactments
[ ]	Words in bold type in square brackets indicate omissions from existing enactments

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Amendment of Regulation 1

1. Regulation 1 is hereby amended by the addition of the following paragraph after paragraph (d):

"(e) 'the Act' means the National Gambling Act, 2004 (Act No. 7 of 2004).".

Amendment of Regulation 2

2. Regulation 2 is hereby amended by -

(a) the substitution in sub-regulation (1) for paragraph (h) of the following paragraph:

"(h) **[height]** race group of the applicant;".

(b) the deletion in sub-regulation (1) of paragraphs, (i), (j), and (k).

(c) the substitution for sub-regulation 2 of the following sub-regulation:

"(2) A notice to be submitted to the Board by a person wishing to register as an excluded person shall be in the form of Form NGB1/1 and shall, at a minimum, contain a passport size, digital colour photograph of that person, **[and]** at least two hundred and fifty (250) kilobytes, and if it is not possible to submit a digital colour photograph, a recent passport

size photograph in colour taken within the last three (3) months, and that person's particulars as listed in sub-regulation (1).".

(d) the substitution for sub-regulation (4) of the following sub-regulation:

"(4) Within **[seven]** ten days, excluding weekends and public holidays, after receiving a notice contemplated in sub-regulation (2) or (3), the Board shall -

(a) capture the form in the register of excluded persons as established and maintained in terms of section 65(1)(c)(i) of the Act and which all provincial licensing authorities and license holders shall have access to; and

(b) transmit a copy of the notice to all licence holders and provincial licensing authorities.".

(e) the deletion of sub-regulation (5).

(f) the substitution for sub-regulation (6) of the following sub-regulation:

"(6) A notice contemplated in sub-regulation (2) or (3) shall take effect **[upon the date of written confirmation of receipt contemplated in sub-regulation (5)]** seven days after the date on which the application is submitted to the Board.".

(g) the addition in sub-regulation (7) of the following paragraph after paragraph (c):

"(d) to submit to the relevant provincial licensing authority internal control measures to be implemented by the license holder -

(i) to effectively enforce exclusion measures within gambling venues;

(ii) to satisfactorily control non participation of gambling activities by people registered in the exclusion database,

ninety (90) days after the coming into operation of the Regulations, as amended, for purposes of approval of the internal control measures.". and

(h) the addition of the following sub-regulation after sub-regulation (7):

"(8). The provincial licensing authority must submit to the Board their provincial registers of excluded persons and the approved internal control measures submitted by a licence holder contemplated in sub-regulation 7(d).".

Amendment of Regulation 8

3. Regulation 8 is hereby amended by –

(a) the substitution for sub-regulation (4) of the following sub-regulation:

"(4) The re-certification of machines and devices of any type, variation or model must be conducted –

(a) within twelve (12) months after the date of commencement of the Regulations, as amended;

(b) every six (6) years after the last re-certification of the machine or device; and.

(c) with a certificate of re-certification issued with the new standards that are applicable at the time of re-certification.".

(b) the insertion of the following sub-regulation after sub-regulation (4):

"(4A) After any re-certification, the new certificate or notice must be issued indicating that re-certification was conducted in accordance with the newly amended standard applicable at the time of re-certification.".

Amendment of Form NGB 1/1

4. Application to be included in the national register of excluded persons.

NATIONAL RESPONSIBLE GAMBLING PROGRAMME TOLL FREE 0800 006 008

This form is prescribed by the Minister of Trade and Industry in terms of section 14(1) of the National Gambling Act 2004 (Act 7 of 2004)

INSTRUCTIONS

NGB Form 1/1 is prescribed for the use in terms of [r] Regulation 2(2) of the National Gambling Regulations, 2004.

In terms of [r] Regulation 2 of the National Gambling Regulations, 2004 this [notice] Form NGB1/1 remains in force until [cancelled by completion of] revoked by means of submission of [f]Form NGB 1/2 as contemplated in Regulation 2(3).

This form has 6 pages (including this page) There is no fee for filling this form.

Contacting the National Gambling Board

National Gambling Board
[The dti Campus
2nd Floor, Building E.
Uuzaji
77 Meintjies St.
Sunnyside 0002]
420 Witch-hazel Avenue,
Eco Glades 2, Block C, Eco Park, Centurion 0144
Private Bag X27, Hatfield, 0028
Republic of [S.A.] South Africa
Tel: [(012) 394 3800] +27 (0) 10 003 3475
Fax: [(012) 394 4800] +27 (0) 86 618 5729
[e]E-mail info@ngb.org.za
Website www.ngb.org.za

National Gambling Board
South Africa
a member of the dti group

FORM NGB 1/1

APPLICATION TO BE INCLUDED IN THE NATIONAL REGISTER OF EXCLUDED PERSONS

APPLICANT'S SIGNATURE

DATE

This form is prescribed by the Minister of Trade and Industry in terms of section 14(1) of the National Gambling Act, 2004 (Act No. 7 of 2004), and shall replace the old Form NGB 1/1.

[Dear Applicant to the Voluntary Exclusion Programme,]

[I would like to encourage you] Applicant to the Voluntary Exclusion Programme, is encouraged to utilize (or continue to utilize) the free treatment service for people who have a problem with gambling. The National Responsible Gambling Programme (NRGP) **[is funded by the gambling industry to promote]** promotes responsible gambling behaviour and thus offer treatment to those afflicted by problem gambling.

The National Responsible Gambling Programme offers:

(a) a toll free helpline 24 hours a day (0800 006 008);

(b) free consultations with a Counselor; and

(c) in patient treatment.

Once you have completed a valid application for placement on the National Register of Excluded Persons, you will have excluded yourself from all designated gambling areas nationally.

APPLICATION FOR PLACEMENT ON THE NATIONAL REGISTER OF EXCLUDED PERSONS

[Instructions

- **Establish whether applicant understands English, (If the answer is "no" establish applicant's preferred language and arrange for an interpreter). English ☐ Other (Specify) _____.**
- **Establish whether the applicant is presently under the influence of any beverages, controlled substances or prescription medication that would prevent her / him from making a rational and informed decision regarding whether or not to execute this application? (If answer is "yes" terminate the interview and re-schedule the interview). Yes ☐ No ☐**

- **Establish whether applicant is completing the form in her / his own free will. (An answer of "no" terminates the interview, as the applicant is not eligible for placement on the National Register of Excluded Persons).**
  Yes ☐ No ☐]

[I,_____ (full names) hereby apply to the Board to be added to the National Register of Excluded Persons for exclusion from designated areas.]

Attach Digital Photo

Please note:

1. Your name and address must be printed on the back of the photograph.
2. Photograph must be the most recent one taken within the three months.

[3. Do not paste the photograph onto this form. Please use stapler]

- **[Print the answers to questions in]** Complete form with **black** ink.
- The applicant should initial all pages in the bottom right-hand corner.
- Does the applicant's employment require that they enter designated gambling areas? Yes ☐ No ☐ If yes, please furnish proof:
- Employer: .....
- Job Title/Description: .....
- Location(s) at which access is needed: .....
- Attach a copy of the applicant's Driver's License or **[i]**Identification **[d]**Documentation.
- Attach a recent passport size colour photograph. Print applicant's name at the back of the photograph.

I, ...
(full names and identity number of Applicant)

hereby declare that I am of a sound and sober mind, I have read and understood the contents and consequences of the application I am completing, I am completing the application out of my free will and there is no undue pressure that was put on me.

.....

APPLICANT

SIGNED AT ..... ON THIS.....DAY OF .....

WITNESSES: 1.....

2. .....

[3.My details are as follows:]

DETAILS OF THE APPLICANT

FULL NAMES:		
DO YOU HAVE ANY OTHER NAMES OR ALIASES YES ☐ NO ☐		
IF YES, LIST THESE NAMES OR ALIASES		
DATE OF BIRTH	**IDENTITY NUMBER:**	
ADDRESS	Physical	Postal
POSTAL CODE		
TELEPHONE NO:	(Home)	(Work)
	(Cell)	
E-MAIL ADDRESS		
GENDER	MALE ☐	FEMALE ☐
[HEIGHT:]	**[WEIGHT:]**	
[HAIR COLOUR:]	**[EYE COLOUR:]**	
[DISTINGUISHING MARKS:]		

I shall also allow the license holder / Regulatory Authority to photograph me in a digital format for purposes only of allowing such license holder/ Regulatory Authority to comply with my request in terms of this form.

Declaration/Undertaking by Applicant

[

1	Yes	No	Have you read the application provided to you, and do you understand its contents?
2	Yes	No	Do you understand that by asking to be placed on the National Register of Excluded Persons that you are accepting that you are a problem gambler and that you are unable to gamble responsibly?
3	Yes	No	Do you understand that the licence holder/Regulatory Authority recommends that you seek treatment for your gambling problem?
4	Yes	No	Do you understand that if you are placed on the National Register of Excluded Persons, it will be your responsibility to stay out of the designated areas?
5	Yes	No	Do you understand that, notwithstanding the provisions contained in the legislation, according to the terms of the application before you, it is your responsibility to not enter the designated areas?
6	Yes	No	Do you understand that, if you complete the application before you, the consequences of you being discovered in designated areas is that you will be arrested for trespassing?
7	Yes	No	Do you understand that, by completing the application before you, a further consequence of you being discovered in a designated area is that you will not be eligible to win a gambling game and therefore will be denied winnings you may attempt to claim while visiting designated areas?
8	Yes	No	Do you understand that by completing the application before you, you are authorizing a licence holder/ regulatory authority to release the contents of your application – including you name and ID number – to all regulatory authorities, licence operators, their agents and affiliates? (this information can be used only to enforce the provisions of the exclusion policy. No one else may access the information in your application including your family members, your employer or prospective employer).

9	Yes	No	Do you understand that releasing the information in your application to the licence holder/ regulatory authority may result in your being denied service at designated areas nationally?
10	Yes	No	Do you understand that you may receive mailing from licence holders for several weeks after completing this application? (Licence holders generally print these mailings several weeks prior to distribution. However, your name will be removed from the mailing list following notification of your placement on the National Register and you will not be included in future printings.)
11	Yes	No	Do you understand that by completing the application before you, you are requesting to be placed on the National Register of Excluded Persons and that such placement is valid until such time that an application to revoke the exclusion has been received and approved.
12	Yes	No	It is clear to you that you are agreeing to stay off all designated areas until approval to revoke the exclusion has been granted, and the consequences of you violating this agreement is that you will be arrested for trespassing and you will forfeit any winnings in your possession at the time of your arrest?

I, ...
(Full name and identity number of the applicant)

am completing this form to be placed in the National Register for Excluded Persons. I admit that I am accepting that I am a problem gambler and I have not been able to gamble responsibly. I undertake to attend compulsory treatment offered by the National Responsible Gambling Programme or any recognised institution offering such treatment if I wish to be readmitted to gamble. I undertake to refrain from visiting designated gambling areas nationally. I understand that it my responsibility to stay out of the designated areas regardless of any provisions contained in the legislation and that I will abide by the terms incorporated in this form before me. I understand that if I am discovered within the designated area, I will be removed from the said area.

I understand that, if I complete the application form, a further consequence of me being discovered in a designated gambling area is that I will not be eligible to win a gambling game and thereafter I will be denied winnings I may attempt to claim while visiting designated gambling areas.

I understand that by completing the application, I am authorising a licence holder / regulatory authority to release the contents of my application – including my name and ID number – to all regulatory authorities, licensed operators, their agents and affiliates. (This information can be used only to enforce the provisions of the exclusion policy. No one else may access the information in your application including your family members, employer, or prospective employer).

I understand that it is possible for me to receive mailing from the gambling licence holders, at least for four (4) months, after submitting my application and notification is sent to licence holders. I understand further that the licence holders must remove my name immediately after being notified of my application to be listed in the National Register of Excluded Persons. I will report any licence holder(s) who continue to send me mails after four (4) months of my name being listed in the National Register of Excluded Persons to the nearest regulatory authority.

I understand that by completing the application before me I am requesting to be placed on the National Register of Excluded Persons and that such placement is **valid until such time that an application to revoke the exclusion has been received and approved.**

I acknowledge/accept that I am a problem gambler and that I am unable to gamble responsibly.

..... [_____, 2_____]
[Signature required] APPLICANT [(date)] [(year)]

_____

[WITNESS]

[SIGNED at _____on this_____ day of _____,2_____]

Waiver/Release

I, _____ wish to be placed on the National Register of Excluded Persons and have filed with the licence holder/regulatory authority this application for placement on the National Register of Excluded Persons. By filing such an application, I understand that I am a problem gambler and that I am assuming the responsibility of refraining from visiting designated areas nationally. Furthermore, I understand that if I visit a designated area after completing this application and I am discovered, that I will be ejected from such premises.

[I also understand that my presence in designated areas constitute trespassing and the licence holder will request that I be arrested for such. Moreover, I understand that by filing an application for placement on the National Register of Excluded Persons, and by signing this Waiver/Release, I agree that I am not eligible to place a legal wager and that I will be denied the winnings based on any wager that I might place.]

I authorise any licence holder or its employees to deny me access to a designated gambling area. By signing this release and acknowledging of receipt of good and valid consideration thereof, I hereby release, remise, and forever discharge the gambling industry members, agents and employees from any and all manners of actions, causes of action, legal suits, debts, judgments, executions, claims and demands whatsoever, known and unknown, in law or equity, which I, the undersigned, and my heirs, successors, administrators, executors, and assigns ever had, now has, may have, or

claim to have against any or all of said entities or individuals arising out of or by reason of the processing, enforcing or other action or omission relating to this application including but not limited to, the release of the contents of my application to any licence holder, its agents or employees.

I understand that a licence holder, in conjunction with my placement on the National Register for Excluded Persons, will **[submit a plan for approval for removing]** commence processes to ensure the removal of my name from all mailings lists which may generate marketing offers being sent specifically to me and to deny me credit (if applicable), and any club memberships. **[I will notify the licence holder of any errant mailing or marketing offer I might receive.]** The licence holder must work to ensure that I do not receive any mailing after lapse of four (4) weeks from the date the licence holder is notified that I am listed in the National Register of Excluded Persons.

I understand the National Responsible Gambling Programme or its agents or employees may contact me from time to time to conduct research necessary to evaluate the Voluntary Exclusion Programme and determine appropriate methods of addressing exclusions and or problem gambling issues.

I have read this Waiver/Release and understand all its terms. I execute it voluntarily and with full knowledge of its consequences and significance.

....
APPLICANT **WITNESS**

SIGNED at .....on this ..... day of.....[,2____]

[TO BE COMPLETED BY THE OFFICIAL ASSISTING IN COMPLETION OF THIS APPLICATION:

(a) I have positively confirmed the identity of the applicant utilizing

_____(Fill in)

(b) The applicant's appearance accords with the photograph sent herewith.

(c) The applicant has signed the above form in my presence.

(d) When signing the application:

(i) the applicant appeared to do so voluntarily and without duress; and

(ii) the applicant appeared to be in his full and sober senses.]

[

DESIGNATION:		INTERPRETER:	YES	NO
FULL NAMES:		FULL NAMES:		
ADDRESS:		ADDRESS:		
OFFICE:		OFFICE:		
SIGNATURE:		SIGNATURE:		

[Additional Notes by the interviewer:

_____

_____

_____

_____

_____

_____

_____

_____]

Amendment of Form NGB 1/2

5. Application to be removed from the national register of excluded persons

NATIONAL RESPONSIBLE GAMBLING PROGRAMME TOLL FREE 0800 006 008

INSTRUCTIONS

This form is prescribed for use in terms of regulation 2(3) of the National Gambling Regulations, 2004.

This form has 04 pages (including this page) There is no fee for filling this form.

Contacting the National Gambling Board

National Gambling Board
[The dti Campus
2nd Floor, Building E.
Uuzaji
77 Meintjies St.
Sunnyside 0002]
420 Witch-hazel Avenue,
Eco Glades 2, Block C, Eco Park Centurion 0144
Private Bag X27, Hatfield, 0028
Republic of [S.A.] South Africa
Tel: [(012) 394 3800] +27 (0) 10 003 3475
Fax : [(012) 394 4800] +27

National Gambling Board
South Africa
a member of the dti group

FORM NGB 1/2

APPLICATION FOR CANCELATION OF REGISTRATION AS AN EXCLUDED PERSON

APPLICANT'S SIGNATURE

DATE

(0) 86 618 5729
[e-] Email info@ngb.org.za
website www.ngb.org.za

This form is prescribed by the Minister of Trade and Industry in terms of section 14(2) of the National Gambling Act, 2004 (Act 7 of 2004)

APPLICATION FOR REMOVAL FROM THE NATIONAL REGISTER OF EXCLUDED PERSONS

[Instructions] INSTRUCTIONS

[

- **Establish whether applicant understands English, (If the answer is "no" establish applicant's preferred language and arrange for an interpreter). English ☐ Other (Specify)_____.**

- **Establish whether the applicant is presently under the influence of any alcoholic beverages, controlled substances or prescription medication that would prevent her / him from making a rational and informed decision regarding whether or not to execute this application? (If answer is "yes" terminate the interview and re-schedule the interview) Yes ☐ No ☐**

- **Establish whether the applicant is completing the form in her / his own free will. (Answer of "no" terminates the interview, as the applicant is not eligible for removal from the National Register of Excluded Persons). Yes ☐ No ☐]**

- **[Print the answers to the question in]** Complete form with **black** ink.
- The applicant should **[I]**initial all pages in the bottom right-hand corner.

DECLARATION/UNDERTAKING

I, ...

(full names and identity number of Applicant)

hereby declare that I am sober and I have read and understood the contents and consequences of the application I am completing and that I am completing the application out of my free will further that no undue pressure was put on me.

I understand that by asking to be removed from the National Register of Excluded Persons I accept that I am a responsible gambler and that I will be liable for the consequences of my gambling.

I understand that to be removed from the National Register of Excluded Persons I must have undergone compulsory rehabilitation treatment with a recognised rehabilitation institution. I do confirm that have undergone and complied with the compulsory rehabilitation treatment plan developed for me (*Report from the recognised rehabilitation institution is attached).*

I acknowledge/accept that I am now a responsible gambler and that I have completed the compulsory rehabilitation treatment plan developed for me.

_____

APPLICANT SIGNATURE

I, _____ (full name) hereby apply to the Board to be removed from the National Register of Excluded Persons.

PERSONAL DETAILS

Full names:	

Do you have any other names or aliases? YES ☐ NO ☐	
If yes, list the names or aliases:	

Date of Birth:	**ID No:**

	Physical	**Postal**
Address:		

Postal Code:		
	(Home)	**(Work)**
	(Cell)	

Email Address:	

Gender:	**M** ☐ **F** ☐
Registration No:	

1	Yes	No	Have you read the application provided to you and do you understand its contents?
2	Yes	No	Do you understand that by asking to be removed from the National Register of Excluded Persons you are accepting that you are responsible gambler and will be liable for all the consequences of your gambling?
3	Yes	No	Do you understand that if you are removed from the National Register of Excluded Persons, it will be your responsibility to gamble responsibly?
4	Yes	No	Do you understand that the licence holder /regulatory authority requires that you undergo treatment before being removed from the National Register of Excluded Persons?
5	Yes	No	Have you complied with any requirements of rehabilitation programmes developed for you. (*Attach documentary proof thereof)*

I acknowledge/accept that I am [a] now a responsible gambler and that I have completed the compulsory rehabilitation treatment plan developed for me. [been rehabilitated from all gambling problems I had.]

_____ _____, 2_____

[(Signature required)] Signature **[(date)]** Date **[(year)]** Year

_____

[(WITNESS)] Witness

[SIGNED]Signed at_____ on this the _____ day of _____, 2_____.

[Waiver/Release]

[I understand that by filing an application for removal from the National Register of Excluded Persons and by signing this waiver/Release, I am responsibly for my gambling activities.

I further understand that by signing this form I will not be entitled to pursue legal action against the gambling operator/ Board/Provincial Licensing Authority as a result of my participation in gambling.]

[_____] [_____]

[APPLICANT] **[WITNESS]**

[SIGNED at _____on this _____day of _____, 2_____.]

[TO BE COMPLETED BY THE OFFICIAL ASSISTING IN COMPLETION OF THIS APPLICATION:]

[I have positively confirmed the identity of the applicant utilizing _____ (fill in)]

[The applicant has signed the above form in my presence.
When signing this application:
the applicant appeared to do so voluntarily and without duress; and
the applicant appeared to be in his sound and sober senses.]

[

DESIGNATION:		**INTERPRETER:**	**Yes**	**No**
FULL NAMES:		**FULL NAMES:**		

ADDRESS:			
OFFICE:		**OFFICE:**	
SIGNATURE:		**SIGNATURE:**	

Additional information **[Notes by the interviewer]**

Notes

_____

_____

_____

_____

_____

_____

_____

_____

_____

Short title and commencement

6. These Regulations are called the National Gambling Regulations, 2004, as amended, and shall come into operation on the date of publication in the Government Gazette.

DEPARTMENT OF TRADE AND INDUSTRY

NO. 973 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. NTEMBISWENI YOUTH CO–OP LTD
2. UNDOQO CO–OP LTD
3. HIGHER' N HIGHER CO-OP LTD
4. MQANDULI FINANCIAL SERVICES CO–OP LTD
5. SDUMUKA MULTI-PURPOSE CO–OP LTD
6. INKCUBEKO YAMAMPONDO CO–OP LTD
7. HLUMELO AGRICULTURAL CO–OP LTD
8. BHALASI MAZIJIKE CO–OP LTD
9. FUNIWE CO–OP LTD
10. EDEN MELKPRODUSENTE CO–OP LTD
11. MVULAMEHLO CO–OP LTD
12. SIKHOMBINDELA CO–OP LTD
13. DESIGNERS EXPOSE CO-OP LTD
14. DUME-ZIZWENI COFFIN AND CASCET BUILDERS CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 974 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. THE TRADE AID CENTER (TTAC) CO-OP LTD
2. ZIWAKHE POWDER COATERS CO-OP LTD
3. GQAMANGE ZENZO CO-OP LTD
4. ACHIB EASTERN CAPE (UITENHAGE) CO-OP LTD
5. QEDUMONA AGRICULTURAL CO-OP LTD
6. UQUQABA CLEANING SERVICES CO-OP LTD
7. UDUMOLWAKHE CO-OP LTD
8. J FLAT WOMEN BUSINESS CO-OP LTD
9. MTHOMBONGASHI CO-OP LTD
10. IMBUYISELOYETHU CO–OP LTD
11. IPOPENG CLEANING CO-OP LTD
12. ITHUBELIHLE DISPOSABLE NAPPIES CO-OP LTD
13. SHANGE DUMAKADE CO-OP LTD
14. MAQWABE B.T.N.N TRADING CO-OP LTD
15. JOBE PLASTICS CO-OP LTD
16. HLELEKILE CO–OP LTD
17. LOXION CONSTRUCTION CO-OP LTD
18. WELBEDACHT CO-OP LTD
19. SIBONGUKHWAYEKA CO-OP LTD
20. PHAKAMANI BOMAMA NELSON MANDELA WARD EIGHTEEN CO-OP LTD
21. LATITA CO-OP LTD
22. PHUM'UZAKHELE CO-OP LTD
23. NTINGA NTAKANDINI NELSON MANDELA WARD FIFTY FIVE CO-OP LTD
24. MAKUYA FARMERS AGRICULTURAL CO-OP LTD
25. SIHAMBAKAHLE CO-OP LTD
26. SIYALOPHETELA CO-OP LTD
27. MAFIKA–ZIHLANZE CO-OP LTD
28. MSHINI WAMI LAUNDRY CO-OP LTD
29. SIYAKHANYA SEWING CO-OP LTD
30. SIYAWELA CO-OP LTD
31. SNETHEMBA CO-OP LTD
32. LEITLHO CLEANING CO-OP LTD
33. SICELINHLANHLA BAKERY CO-OP LTD
34. SIZOBEKEZELA CO-OP LTD
35. SIQONDIMPILO CO-OP LTD
36. MT LEWIS CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

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Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0002

DEPARTMENT OF TRADE AND INDUSTRY

NO. 975 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. KUMANI CO-OP LTD
2. REFILWE CATERING CO–OP LTD
3. SAKHILE BAKERY CO–OP LTD
4. SUKUMA SAKHE CO-OP LTD
5. NAKHE YOUTH ADVISORY AND SUPPORT CO-OP LTD
6. BIG 6 TRANSPORT CO–OP LTD
7. LUNGISA STEEL WORKS CO–OP LTD
8. SIYATIKA CO-OP LTD
9. AMAFOLOZI CO-OP LTD
10. HEALTHY MIND PRODUCTIVE LABOURER CO-OP LTD
11. ITHIMBA CO-OP LTD
12. FOOD CULTURAL CENTRE CO–OP LTD
13. G AND P NONGOMA CO-OP LTD
14. MILESTONE CO-OP LTD
15. MSOMUHLE BAKERY CO-OP LTD
16. SIZANOTHO CO-OP LTD
17. ZISIZENI CO-OP LTD
18. PICK ME UP CO-OP LTD
19. KHETHUKUTHULA AGRICULTURAL CO-OP LTD
20. SIYOPHEPHELA CO-OP LTD
21. IZINTO ZIYENZEKA CO-OP LTD
22. VULEKA CO-OP LTD
23. CATCH A BITE CO-OP LTD
24. IKHETHELO CLEANING CO-OP LTD
25. JABAVIKELE CO-OP LTD
26. SIBAMBISENE CO-OP LTD
27. GCINISIKO CO-OP LTD
28. PUMZA-THOBEKANI MULTI-PURPOSE CO-OP LTD
29. SENZA NJE CO-OP LTD
30. TPS MANUFACTURING CO-OP LTD
31. QOQISIZWE CO-OP LTD
32. THRAW YOUTH CO-OP LTD
33. HLOMANI DIAPERS AND DISPOSABLE NAPPIES CO-OP LTD
34. SIYABEKEZELA CLEANING SERVICE CO–OP LTD
35. HARDING SIYATHUTHA TRANSPORT CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRADE AND INDUSTRY

NO. 976 **21 SEPTEMBER 2018**

CO-OPERATIVES THAT HAVE BEEN REMOVED FROM THE REGISTER

1. SINOMNQWENO CATERING CO-OP LTD
2. SIYAMTHANDA SEWING CO-OP LTD
3. TRY MASIPHATHANE KAHLE CO–OP LTD
4. BATSHWENENG CO-OP LTD
5. LETHUM CO-OP LTD
6. TSHAPARI PIGGERY CO-OP LTD
7. SIBHEKE CO-OP LTD
8. KHETHA INTERGRATED FARMING CO-OP LTD
9. ACHIB LIMPOPO (SEKHUKHUNE) CO-OP LTD
10. MPATANISO CO-OP LTD
11. S'BUYILE TRADING CO-OP LTD
12. DUMEZWENI CONSTRUCTION AND OTHER SERVICES CO-OP LTD
13. CAPRICON FARMERS CO-OP LTD
14. THULISIZWE CO-OP LTD
16. NTANDWENHLE CO-OP LTD
17. MZOXOLO COALITION SECONDARY CO-OP LTD
18. UMZAMOWETHU CO-OP LTD
19. CETSHWAYO CO-OP LTD
20. NGIBONGELENI SEWING CO-OP LTD
21. ISAMBULO CATERING CO-OP LTD
22. AFRICAN RENAISSANCE AND INDUSTRY MINING CO-OP LTD
23. INHLANSI CO-OP LTD
24. NONTHIZA CO-OP LTD
25. ZAKHELE BRICKYARD CO-OP LTD
26. MFULENI CO-OP LTD
27. LAPHUMILANGA CO-OP LTD
28. QIKELELA CO-OP LTD
29. REALEBOA CO-OP LTD
30. BATJHONJALO POULTRY FARMING CO-OP LTD
31. MNQUMA TRADING CENTRAL CO-OP LTD
32. MASIZAMENI CO-OP LTD
33. MATLARING BURIAL SOCIETY CO-OP LTD
34. EZETHU CO–OP LTD
35. SUKUMUZENZELE CO-OP LTD

Notice is hereby given that the names of the abovementioned co-operatives have been removed from the register in terms of the provisions of section 73(1) of the Co-operatives Act, 2005.

REGISTRAR OF CO-OPERATIVES

Office of the Registrar of Co-operatives
Dti Campus
77 Meintjies Street
Pretoria
0002

Private Bag X237
Pretoria
0001

DEPARTMENT OF TRANSPORT

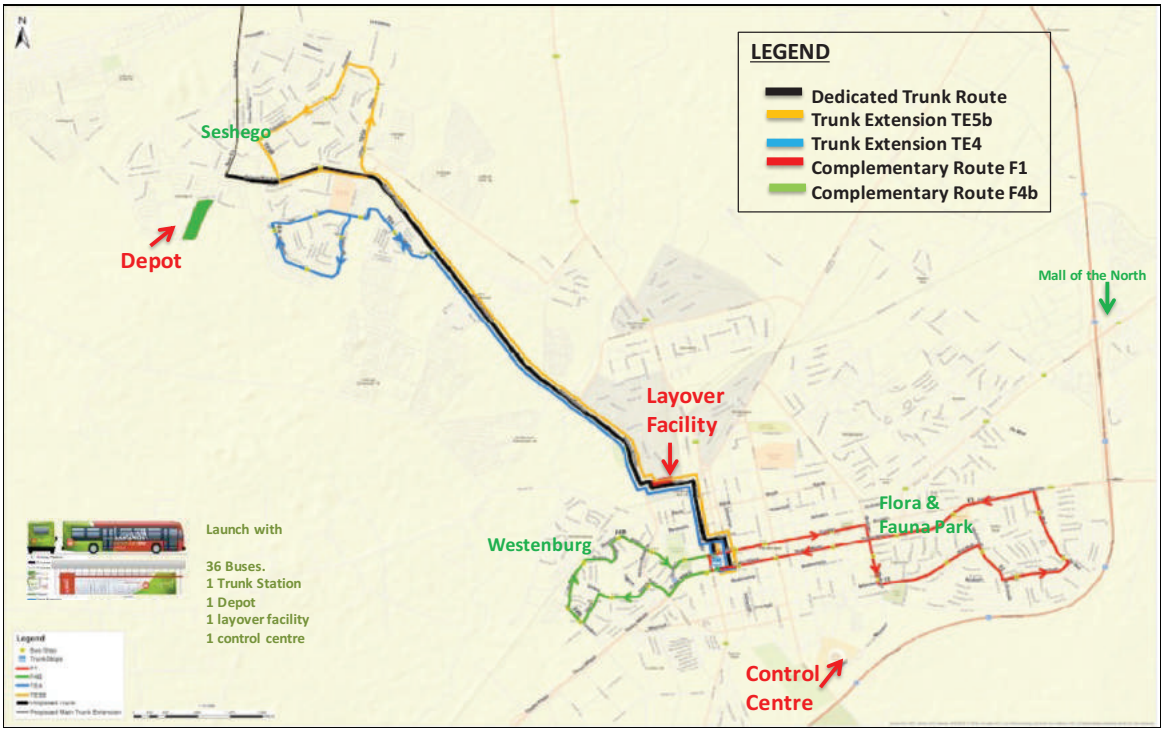
NO. 977 **21 SEPTEMBER 2018**

CITY OF POLOKWANE

PROPOSED DETERMINATION OF LEETO LA POLOKWANE PHASE1A ROUTES FOR THE ALIGNMENT FROM CBD TO SESHEGO, WESTERNBURG AND FLORA PARK AS WELL AS THE DETERMINATION OF 1 (ONE) FIXED MEDIAN STATION POSITION AND KERB SIDE STOPS.

Notice is hereby given, in terms of section 65*bis* (2) of the Local Government Ordinance 17 of 1939, read with sections 21 and 21A of the Local Government: Municipal Systems Act 32 of 2000 that the City of Polokwane intends to:

- Determine the **Dedicated Trunk Route** form CBD to Seshego along Nelson Mandela Drive with one (1) Median Station
- Determine the **Trunk Extension Route TE 5B** from CBD to Seshego Zone 2 with six (8) kerb side stops.
- Determine the **Trunk Extension Route TE 4** from CBD to Seshego Zone 1 along with thirteen (9) kerb side stops.
- Determine the **Complementary Route F1** from CBD to Flora Park with six (16) kerb side stops.
- Determine the **Complementary Route F4b** from CBD to Westernburg to CBD along with twenty (9) kerb side stops.



Leeto La Polokwane Trunk Route:

In terms of the dedicated Trunk Route the service will start from the CDB Station situated on General Joubert Street (between Thabo Mbeki and Grobler Street). It will then proceed along General Joubert, turn left onto Jorissen Street and right onto Church Street all the way to Hospital Street all the way via Nelson Mandela into Seshego. In Seshego, the service will proceed from Nelson Mandela Trunk into Trunk Extensions TE4 and TE5B in mixed traffic and back to the CBD. In terms stations and bus stops, there is one (1) median station situated on General Joubert Street (between Thabo Mbeki and Grobler Street), as well as kerbside stops along Landdros Mare, Jorissen, and Church Streets. The locations of the kerb side stops are described in Table 1.

Table 1: Trunk Route Station and Kerbside Stops

Trunk Route			
Bus stop no.	**STREET**	**LOCATION**	**WARD NO:**
Station 1	General Joubert Street	Between Thabo Mbeki and Grobler street	22
Stop 14	Excelsior Street and Church Street	Polokwane CBD	23
Stop 15	Church Street (Near pick n Pay Taxi)	Polokwane CBD	23

Trunk Extension TE 5B

As far as TE4 is concerned, the service will turn right from Nelson Mandela Drive dedicated trunk onto Ditlou Street past the Seshego Mall on the right. It will then proceed along Ditlou Street, turns left onto Khensani Street, turn left again onto Freedom Drive, turn left again onto Oliver Thambo Drive before turning left back onto Nelson Mandela Street towards the CBD. Towards the CBD, the service proceeds along Nelson Mandela Drive on dedicated trunk lanes, turn left onto Fluoorspar Street, turns right onto Silicon Street over the road-over-rail bridge, turn right onto Church Street and proceeds all the way before turning left onto Jorissen Street past General Joubert and Market Streets and turns right onto Landdros Mare Street. Along Landros Mare, the service will proceed all the way and turn right onto Thabo Mbeki Street back to the station on General Joubert Street. From here the service proceeds as explained under the Trunk. Apart from the main station in the CBD which is in the middle of the road, all the other bus stops are on the kerb side. Their locations along the route are as described in Table 2.

Table 2: Trunk Route Station and Kerbside Stops

Trunk Extension TE5b			
Bus stop no.	**STREET**	**LOCATION**	**WARD NO:**
Station 1	General Joubert Street	Between Thabo Mbeki and Grobler street	22
Stop 1	Nelson Mandela and Kgoro Street	Seshego Zone 2	17
Stop 2	Nelson Mandela and Oliver Thambo Drive	Seshego Zone 2	17
Stop 3	Freedom Drive and Oliver Tambo Street	Seshego Zone 2	17
Stop 4	Freedom Drive and Fifth Street	Seshego Zone 2	13
Stop 5	Khensani and Ditlou Street	Seshego Zone 2	37
Stop 6	Ditlou and Polokwane Drive	Seshego Zone 2	17
Stop 14	Excelsior Street and Church Street	Polokwane CBD	23
Stop 15	Church Street (Near pick n Pay Taxi)	Polokwane CBD	23

Trunk Extension TE4:

As far as TE4 is concerned, the service will turn left from the Nelson Mandela Drive dedicated trunk into Seshego Zone 1 and run along Madiba Park Street, turn Left into Bo-okelo Street, turn right into 9th Street (which becomes Madiba Street) and back onto Nelson Mandela Street towards the CBD. Towards the CBD, the service proceeds along Nelson Mandela Drive on dedicated trunk lanes, turn left onto Fluoorspar Street, turns right onto Silicon Street over the road-over-rail bridge, turn right onto Church Street and proceeds all the way before turning left onto Jorrisen Street past General Joubert and Market Streets and turns right onto Landdros Mare Street. Along Landdros Mare, the service will proceed all the way and turn right onto Thabo Mbeki Street back to the station on General Joubert Street. From here the service proceeds as explained under the Trunk. Apart from the main station in the CBD which is in the middle of the road, all the other bus stops are on the kerb side. Their locations along the route are as described in Table 3.

Table 3: Trunk Route Station and Kerbside Stops

Trunk Extension TE4			
BUS STOP NO.	**STREET**	**LOCATION**	**WARD NO:**
Station 1	General Joubert Street	Between Thabo Mbeki and Grobler street	22
Stop 7	Nelson Mandela Drive and Madiba street	Seshego Madiba Park	14
Stop 8	Madiba Street and Hlaware Street	Seshego Madiba Park	14
Stop 9	9th Street	Seshego Zone 1	13
Stop 10	10th and Bo-okelo	Seshego Zone 1	13
Stop 11	Bo-okelo Street	Seshego Zone 1	13
Stop 12	10th and 9th Street	Seshego Zone 1	13
Stop 13	Bo-okelo Street	Seshego Zone 1	13
Stop 14	Excelsior Street and Church Street	Polokwane CBD	23
Stop 15	Church Street (Near pick n Pay Taxi)	Polokwane CBD	23

Complementary Route F1

The Service for the Complementary Route F1 will begin at the Station in General Joubert Street, turning right onto Thabo Mbeki Street and right again onto Church Street, turn right onto Grobler Street all the way before turning right onto Webster Street. On Webster, the service will proceed, turn left onto Marshall Street, turn right onto McDonald Street, turn Left onto Boshoff Street, then turn De Wet Street. From Dewet Street the service will connect to Grobler which becomes Thabo Mbeki Street moving back towards the CBD leaving Savannah Mall on the left. The service will proceed along Thambo Mbeki to turn right onto Church Street, right onto Grobler Street before turning right onto General Joubert Street and terminating onto the Station. Apart from the main station in the CBD which is in the middle of the road, all the other bus stops are on the kerb side. Their locations along the route are as described in Table 4.

Table 4: Trunk Route Station and Kerbside Stops

Complementary Route F1			
Bus Stop no.	**STREET**	**LOCATION**	**WARD NO:**
Station 1	General Joubert Street	Between Thabo Mbeki and Grobler street	22
Stop 25	Grobler Street and Schoeman Street	Polokwane CBD	23
Stop 26	Grobler Street and Biccard street	Polokwane CBD	23
Stop 27	Grobler Street and Voortrekker Street	Polokwane CBD	23
Stop 28	Thabo Mbeki Street and Schoeman Street	Polokwane CBD	22
Stop 29	Thabo Mbeki Street and Dorp Street	Polokwane CBD	22
Stop 30	Hoog Street and Grobler Street	Polokwane CBD	22
Stop 31	Thabo Mbeki Street and Hoog Street	Polokwane CBD	22
Stop 32	Gazelle Street and Thabo Mbeki Street	Fauna Park	20
Stop 33	Betz Street and Webster Street	Fauna Park	22
Stop 34	Marshall Street and Webster Street	Fauna Park Garage	22
Stop 35	Marshall Street and Boshoff Street	Park Spar	20
Stop 36	Erasmus Street and MacDonald Street	Flora Park	20
Stop 37	Boshoff Street	Flora Park	20
Stop 38	De Wet Drive and Bekker Street	Serala View	20
Stop 39	De Wet Drive and Strelitzia Street	Serala View	20
Stop 40	Thabo Mbeki Street	Fauna Park Savanna Mall	20

Complementary Route F4b:

The Service for the Complementary Route F4b begins at the Station in General Joubert Street, it turns Right onto Thabo Mbeki Street until the roundabout. At the roundabout, the service turns right onto Nelson Mandela Drive, it turns left onto Suez Street, left onto Orient Street and left onto Tabriz Street right up to the T-Junction. At the T-junction the service will turn right onto Lawton Street which later becomes Burma Street, turn left into Swallow Street and turn right into Sapphire Street before turning right onto Nikkel Street. From nickel street it will connect to R101 which becomes Globler getting into the CBD. Along Grobler street, the service will turn right onto General Joubert Street and terminating onto the Station. Apart from the main station in the CBD which is in the middle of the road, all the other bus stops are on the kerb side. Their locations along the route are as described in Table 5

Table 5: Trunk Route Station and Kerbside Stops

Complementary Route F4b			
BUS STOPS NO:	**STREET**	**LOCATION**	**WARD NO:**
Station 1	General Joubert Street	Between Thabo Mbeki and Grobler street	22
Stop 16	Grobler Street (Polokwane cemetery)	Polokwane CBD	19
Stop 17	Nikkel Street and Nelson Mandela Service Road	Nirvana	19
Stop 18	Sapphire Street and Nikkel Street	Nirvana	19
Stop 19	Burma Street	Nirvana	19
Stop 20	Bombay Street	Nirvana	19
Stop 21	Bombay Street and Lawton Drive	Nirvana	19
Stop 22	Orient Street and Zen Street	Nirvana	19
Stop 23	Orient Street and Suez street	Nirvana	19
Stop 24	Thabo Mbeki Str and Pres Paul Kruger Street	Polokwane CBD	22

Adamant

Full particulars of the proposed route and station locations, plans and reports, will be available for inspection during normal office hours for a period of 21 (Twenty-One) days until 02 October 2018 at the office of the **Transportation Services Directorate, 2nd Floor New Peter Mokaba Stadium Eastern Wing, Webster Street, Polokwane. (Attention: Mr. Mantlako Sebaka, Tel: (015) 290 2751** Email: mantlakos@polokwane.gov.za. The detailed information is also accessible on the www.polokwane.gov.za and www.leetolapolokwane.co.za website.

Any objections to or presentations in respect of the proposed route and station determinations must be lodged with **Mr. Mantlako Sebaka** at the above address in writing by no later than **02 October 2018**. All objections and presentations received shall be considered to establish the validity thereof as well as any reasonable mitigating factors that may be introduced to address the objections and presentations received where after the unresolved objections and presentation shall be referred to the Municipality for a final decision. Should no objections be received, the City shall be entitled to proceed with the implementation of the proposed route, stations and stopping places 03 Octo**ber 2018**.

Any person that cannot write and who would like to submit objections or presentations may visit **Mr. Mantlako Sebaka** during normal office hours at the office of the **Transportation Services Directorate, 2nd Floor Peter Mokaba Stadium Eastern Wing, Webster Street, Polokwane**. (Attention: **Mr. Mantlako Sebaka Tel: (015) 290 2751**, who will assist to subscribe such person's objections or presentations.

_____ _____

Mr. Makobe Date

Municipal Manager

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 568 OF 2018

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT 1994, (ACT No. 22 OF 1994) AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights has been submitted to the Regional Land Claims Commission: Western Cape. The particulars regarding this claim are as follows:

Reference Number	:	KRK6/2/3/A/1/0/331/25 (C348)
Dispossessed person (s)	:	MR. CASSIM MAHOMED
Claimant	:	MR. HAROON CASSIM
Property Description	:	ERF 56 ORANJEZICHT AND ERF 1810 CAPE TOWN. Erf 56 Oranjezicht is consolidated into Erf 3245 and Erf 1810 Cape Town is subdivided into Erven 9729 and 146641 Cape Town
Extent	:	708m² (Erf 56) and 751m² (Erf 1810)
Capacity	:	Ownership
Deed of Acquisition	:	T10725/1947 & T9195/1947
Deed of Dispossession	:	T25840/1947 & T18790/1973
Current Owners	:	Cape Town Boutique Hotel CC (Erf 3245 Oranjezicht), Mr. Daniel Zwavel (Erf 9729 Cape Town) and Mrs. Fatima Samodien (Erf 146641 Cape Town)
Date Submitted	:	30 November 1998

The Regional Land Claims Commission investigated this claim in terms of provisions of the Act. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X 9163
Cape Town
8000
Tel: (021) 409 0300
Fax: (021) 424-5146

Mr. L. H. Maphutha
Regional Land Claims Commissioner

APPROVED .....
DATE 20/6/06/20

CHECKED .....
DATE 03/6/16

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 569 OF 2018

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT 1994, (ACT No. 22 OF 1994) AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights has been submitted to the Regional Land Claims Commission: Western Cape. The particulars regarding this claim are as follows:

Reference Number	:	KRK6/2/3/A/6/2042/34 (P470)
Dispossessed person (s)	:	MR. PETER JOHN PHILANDER
Claimant	:	MR. PETER JOHN PHILANDER
Property Description	:	ERF 44529 CAPE TOWN AT RONDEBOSCH
Extent	:	496m²
Capacity	:	Ownership
Deed of Acquisition	:	T13776/1957
Deed of Dispossession	:	T22005/1968
Current Owners	:	Mrs. Josette Raymonde Van Niekerk
Date Submitted	:	28 December 1998

The Regional Land Claims Commission investigated this claim in terms of provisions of the Act. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X 9163
Cape Town
8000
Tel: (021) 409 0300
Fax: (021) 424-5146

Mr. L. H. Maphutha
Regional Land Claims Commissioner

APPROVED .....
DATE 2018/09/04

CHECKED.....
DATE.....10/6/16.....

DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NOTICE 570 OF 2018

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT 1994, (ACT No. 22 OF 1994) AS AMENDED.

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. These claims for the restitution of land rights have been submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim are as follows:

Project Name : **Simon's Town**

Number of Claims : **03**

Area : **Simon's Town**

Type of Claim : **Ownership**

Properties : **As listed below**

Ref. number	Claimant	Lodgement date	Property description	Current owner(s)
L15	Roy Duncan Levendall	July 1995	Remainder Erf 527	City of Cape Town
O300	Omar Slarmie	31/12/1998	Erf 996	City of Cape Town
WC 253	Abdulla Manuel	31/05/1995	Erf 998	City of Cape Town

The Regional Land Claims Commission will investigate this claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 60 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X9163
Cape Town
8000

Tel: (021) 409-0300
Fax: (021) 424-5146

CHECKED..... **DATE**..17/12/2015.....

APPROVED.....

DATE ..22/12/15.....
Mr. L.H Maphutha
Regional Land Claims Commissioner

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 571 OF 2018

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CUSTOMS TARIFF APPLICATIONS

LIST 06/2018

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comments on this representation should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001. Attention is drawn to the fact that the rate of duty mentioned in this application is that requested by the applicants and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

CONFIDENTIAL INFORMATION

The submission of confidential information to the Commission in connection with customs tariff applications is governed by section 3 of the Tariff Investigations Regulations, which regulations can be found on ITAC's website at http://www.itac.org.za/documents/R.397.pdf. These regulations require that if any information is considered to be confidential, then a non-confidential version of the information must be submitted, simultaneously with the confidential version. In submitting a non-confidential version the regulations are strictly applicable and require parties to indicate:

- *Each instance where confidential information has been omitted and the reasons for confidentiality;*
- *A summary of the confidential information which permits other interested parties a reasonable understanding of the substance of the confidential information; and*
- *In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless clearly indicated to be confidential, will be made available to other interested parties.

The Commission will disregard any information indicated to be confidential that is not accompanied by a proper non-confidential summary or the aforementioned reasons.
If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due).

Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

INCREASE IN THE RATE OF CUSTOMS DUTY ON:

Acrylic resins classifiable under tariff subheadings 3906.90.20 and 3208.20.90 from free of duty and 10% *ad valorem* respectively, *to 15% ad valorem*

APPLICANT:
Ferro Coatings Resins (Pty) Ltd
4 Baltex Avenue
Prospecton
4133

[ITAC reference: (29/2015); Enquiries: Sipho Tshabalala, E-mail: stshabalala@itac.org.za, Tel: (012) 394 3739 or Dolly Ngobeni, E-mail: dngobeni@itac.org.za, Tel: (012) 394 3667]

REASONS FOR THE APPLICATION AS SUBMITTED BY THE APPLICANT:

- *"The business currently faces stiff competition from imported products particularly form India and Taiwan; over the years, import volumes have increased significantly. Some SACU FCR customers force FCR to match the low priced imported products at margins that do not allow it to fully recover its costs.*

- *A large proportion of the raw materials required for resin manufacture are sourced from international suppliers, currency fluctuations often result in a major impact on the cost of the raw materials and pricing in the local market.*

- *FCR competes with domestic manufacturers, distributors, and international companies who supply directly into South Africa. Competition with local manufacturers is "easier" to acknowledge as they compete on an even playing field since they all import the raw materials. However, competition with imported resins is more challenging as these companies usually have larger plants with greater efficiencies for scale.*

PUBLICATION PERIOD:

Representation should be submitted to the above address within **four (4) weeks** of the date of this notice.

DEPARTMENT OF TRANSPORT

NOTICE 572 OF 2018

INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001, within 28 days of the application hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX II

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of International Air Service to which application pertains. (E) Category or kind of aircraft to which application pertains. (F) Airport from and the airport to which flights will be undertaken. (G) Area to be served. (H) Frequency of flight.

(A) Execujet Aviation (Pty) Ltd. (B) Entrance 1, Lanseria International Airport. (C) Class II: I/N212. (D) Type N1 & N4. (E) Category A1, A2 & A3. **Changes to the MP:** S. P. du Plessis replaces A. C. Labuschagne as the RP: Flight Operations and **change to Directors Voting Rights:** G. w. Duckworth has 33.3%, G. M. Kiggen has 33.3% & M.C. Poggi has 33.3% voting rights.

(A) S. A. Airways (SOC) Ltd; S. A. Airways. (B) Airway Park Room 110A, Jones Street, OR Tambo International Airport. (C) Class I; I/S094. (D) Type S1. (E) Category A1 & A2. (F) OR Tambo International Airport, Cape Town International Airport & King Shaka International Airport. (G) & (H) Adding the following.

State	Destination	Frequencies
Brazil	Aracaju	Code share only
Brazil	Joao Pessoa	Code share only
China	Guangzhou	Four (4) return flights per week
Kenya	Kisumu	Code share only
Kenya	Mombassa	Code share only
Maldives	Addu City	Seven (7) return flights per week
Serbia	Belgrade	One (1) return flight per week
Sudan	Khartoum	One (1) return flight per week
Ukrane	Klev	One (1) return flight per week

DEPARTMENT OF TRANSPORT

NOTICE 573 OF 2018

AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990) APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations,1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001, within 21 days of date of the publication thereof.

APPENDIX I

(A) Full name and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class of licence applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

(A) Agizo Aerial Services (Pty) Ltd. (B) 6 East Street, Halfway Gardens, Midrand, 1685. (C) Class III. (D) Type G3, G4 & G16 (RPAS operations) (E) Category A4, H1 & H2.

(A) Parthenius Project Consultants (Pty) Ltd; Parthenius Air. (B) 191 Bekker Road, Xtraspace Building, Midrand, 1686. (C) Class III./ (D) Type G3, G4 & G16 (RPAS operations). (E) Category H1.

APPENDIX II

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for.

(A) Atlantic Tech Group (Pty) Ltd. (B) 23 Restio Road, Blouberg Hills Estate, Big Bay, Cape Town. (C) Class III; G1318D. (D) Type G3, G4 G16 RPAS operations). (E) Category H1. **Change to Director Voting Rights:** Russell James Campbell has 100% & **changes to the MP:** Lynn Adams is appointed as the Air Service Safety Officer.

(A) Execujet Aviation (Pty) Ltd. (B) Entrance 1, Lanseria International Airport. (C) Class II; N996D. (D) Type N1 & N2. (E) Category A1, A2 & A3. **Changes to the MP:** S. P. du Plessis replaces A. C. Labuschagne as the RP: Flight Operations and **change to Directors Voting Rights:** G. w. Duckworth has 33.3%, G. M. Kiggen has 33.3% & M.C. Poggi has 33.3% voting rights.

(A) Henley Air (Pty) Ltd; Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class III; G576D. (D) Type G2, G3, G4, G5, G7, G8, G10, G11, G13, G15 & G16 (Ship to shore operations, Night Vision Googles, Powerline Erecting & Stringing operations). (E) Category H1 & H2. **Addition of type G16 operations:** Commercial operations with Remotely Piloted Aircraft Systems), **addition of category** A4 and **changes to the MP:** J. F. Cook is appointed as the RP: Remotely Piloted Aircraft Systems.

(A) Terra Survey (Pty) Ltd. (B) 1064 Kyalami Street, Raslouw, Centurion, 0157. (C) Class III; G1258D. (D) Type G3, G4 & G16 (RPAS operations). (E) Category A4, H1 & H2. **Changes to the MP:** C. C. Richardson is temporary appointed as the Air Service Safety Officer.

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