Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 701 10 November / November 2023 No. 49820

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845

AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE:

THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.

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

Contents

No.		*Gazette No.*	*Page No.*
	BOARD NOTICES • RAADSKENNISGEWINGS		
524	Use of Official Languages Act (12/2012): The National Gambling Board: Request for comment: Language Policy	49820	3

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 524 OF 2023

National Gambling Board
South Africa
a member of the dtic group
420 Witch-hazel Avenue, Eco Glades 2, Block C, Eco Park Centurion 0144
Tel: +27 (0) 10003 3475 Fax +27 (0) 86 618 5729 E-mail info@ngb.org.za Web www.ngb.org.za

THE NATIONAL GAMBLING BOARD

REQUEST FOR COMMENT: LANGUAGE POLICY

All interested parties are invited to comment on the draft language policy of the National Gambling Board.

The draft policy is published herewith for comment.

All interested parties are called upon to submit their comments to the National Gambling Board in writing within a period of 30 days from the date of publication of this notice.

All comments must be forwarded by email to legalservices@ngb.org.za.

Any enquiries can be referred to Mr. Ndumiso Msimango on 010 003 3489.

SIGNED AT CENTURION THIS 09th DAY OF NOVEMBER 2023

Ms. Sibahle Nqwata
Legal Adviser

Accounting Authority: Ms. C Kongwa

© This document contains confidential and proprietary information. The dissemination, copying, disclosure, use or taking of any action in reliance on the contents thereof without the written consent of National Gambling Board, is strictly prohibited.

National Gambling Board
South Africa
a member of the dtic group

Language Policy

TABLE OF CONTENTS

	DEFINITIONS	3
1.	INTRODUCTION	4
2.	RELEVANT LEGISLATIVE PRESCRIPTS	4
3.	OVERVIEW AND PURPOSE	5
4.	PRINCIPLES	6
5.	OFFICIAL LANGUAGES OF THE NGB	6
6.	USE OF OFFICIAL LANGUAGES BY THE NGB	7
7.	LANGUAGES UNIT	8
8.	PUBLICATION OF AND ACCESS TO THIS POLICY	9
9.	COMPLAINTS MECHANISM	9
10.	DEVIATION FROM THE POLICY	10
11.	OWNERSHIP AND REVIEW OF POLICY	10

POLICY APPROVAL CONTROL SHEET

DATE OF INITIAL APPROVAL:	
DATE OF SUBSEQUENT REVIEW:	
DATE OF IMPLEMENTATION:	
SUPPORTED BY:	**EXECUTIVE COMMITTEE AND THE AUDIT AND RISK COMMITTEE**
APPROVED BY:	**THE ACCOUNTING AUTHORITY**
SIGNATURE:	

DEFINITIONS

"Act"	means the Use of Official Languages Act, 2012 (Act 12 of 2012);
"Constitution"	means the Constitution of the Republic of South Africa, 1996;
"Department"	means the National Department of Sports, Arts and Culture;
"Minister"	means the Minister responsible for language matters;
"National government"	means national departments, national public entities and national public enterprises;
"National public entity"	means a national public entity defined in section 1 and listed in Schedules 2 and 3 to the Public Finance Management Act 1 of 1999;
"NGA"	means the National Gambling Act, 2004 (Act 7 of 2004);
"NGB"	means the National Gambling Board as established in terms of the National Gambling Act, 2004 (Act 7 of 2004);
"Official Language"	means an official language contemplated in section 6 (1) of the Constitution;
"PanSALB"	means the Pan South African Language Board, established in terms of the Pan South African Languages Board Act, 1995 (Act 59 of 1995);
"Regulations"	means the Regulations in terms of the Act.

1. INTRODUCTION

1.1. The National Gambling Board ("NGB") is a statutory body established in terms of the National Gambling Act, 2004 (Act 7 of 2004) ("NGA") to provide for the coordination of concurrent national and provincial legislative competence over matters relating to casinos, racing, gambling and wagering, and provide for the continued regulation of those matters.

1.2. Section 51 (1) (h) of the PFMA provides that an Accounting Authority for a public entity "must comply and ensure compliance by the public entity, with the provisions of the Act and any other legislation applicable to the public entity."

1.3. Section 6(3) of the Constitution stipulates that "the national government and provincial governments may use any particular official languages for the purposes of government, considering usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.

1.4. To give effect to the Constitution, section 4 (1) of the Use of Official Languages Act, 2012 (Act 12 of 2012) (the Act), provides that every national public entity must adopt a language policy regarding its use of official languages for government purposes.

1.5. It is against these legislative prescripts that the NGB has developed a language policy for government purposes.

2. RELEVANT LEGISLATIVE PRESCRIPTS

- The Constitution of the Republic of South Africa, 1996;
- The National Gambling Act, 2004 (Act 7 of 2004) (NGA);
- The Public Finance Management, 1999 (Act 1 of 1999) (PFMA);
- The Use of Official Languages Act, 2012 (Act 12 of 2012);

- Regulations in terms of section 13 of the Use of Official Languages Act, 2012 (Act 12 of 2012); and
- Any other relevant legislation.

3. OVERVIEW AND PURPOSE

3.1. The Act regulates and monitors the use of official languages by the national government for government purposes.

3.2. Section 4 (1) of the Act requires that every national public entity must adopt a language policy regarding its use of official languages for government purposes. Section 4 (2) of the Act requires that a language policy adopted in terms of subsection (1) must:

(a) comply with the provisions of section 6 (3) (a) of the Constitution;
(b) identify at least three (03) official languages that the national department, national public entity or national public enterprise will use for government purposes;
(c) stipulate how official languages will be used, amongst other things, in effectively communicating with the public, official notices, government publications and inter- and intra-government communications;
(d) describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is-
    (i) not an official language contemplated in paragraph (b); or
    (ii) South African sign language.
(e) describe how members of the public can access the language policy;
(f) provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise;
(g) provide for any other matter that the Minister may prescribe; and
(h) be published in the Gazette as soon as reasonably practicable, but within 90 days of its adoption.

4. PRINCIPLES

The NGB commits itself to:

- Promote all official languages of the Republic in order to ensure constitutional language equity and language rights as required by the democratic dispensation;
- Recognise the constitutional basis towards multilingualism as a resource to maximise collaborative partnerships in nation building, economic development and social cohesion;
- Promote good language management to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services and information of the NGB; and
- Prevent the use of any language(s) for the purposes of exploitation, domination and discrimination within the NGB.

5. OFFICIAL LANGUAGES OF THE NGB

5.1. The NGB has adopted the following official languages of the Republic as its official languages for purposes of this policy:

- English;
- IsiZulu; and
- Setswana.

5.2. In light of the above, the NGB's language policy is also informed by the fact that English is, indisputably, the language of business in South Africa and, as such, is the business language of the NGB.

6. USE OF OFFICIAL LANGUAGES BY THE NGB

6.1. The NGB acknowledges that all official languages have equal status, however the following factors will be considered in the choice of official languages used by the NGB. i.e

- Practicality of using particular official language(s) for specific purposes;
- Cost of using particular official language(s) for specific purposes; and
- How prevalent particular official language(s) is/are used by the target population.

6.2. The following communications must be in English:

- Inter- and intra-government communications;
- International communication;
- Reports;
- Official publications intended for public distribution such as (but not limited to):
  - NGB News;
  - Emails; and
  - Signage on buildings.
  - Letterheads and other business stationery;

6.3. The following communications may be conveyed in English, isiZulu, and/or Setswana, taking into consideration practicality, cost, and use:

- Responsible gambling messages (official written, and oral)
- Communicating with members of the public (official written correspondence);
- Communication with members of the public (oral communication);
- Official publications intended for public distribution such as (but not limited to):
  Notices on the NGB website;
  Advertisements;
  Forms;
  Manual of Information;

6.4. The above communications may be made available in the other South African official languages, not identified herein, on written request within two months taking into consideration the criteria outlined in clause 6.1.

6.5. Communication with the hearing or visually impaired: The NGB will arrange for South African Sign Language interpreting and conversion of text into Braille or audio on written request within two months taking into consideration the criteria outlined in clause 6.1.

6.6. Communication with members of the public whose language of choice is not one of the official languages of the Republic: The NGB will arrange for appropriate translation or interpreting on written request within two months taking into consideration the criteria outlined in clause 6.1.

7. LANGUAGES UNIT

7.1. Due to resource constraints, the NGB cannot establish a dedicated and fully resourced language unit. *In lieu*, the NGB will delegate at least one of its senior officials to ensure that this policy is implemented.

7.2. The functions of the delegated official are in line with the functions of the languages unit as envisaged in section 8 of the Act:

7.2.1. advise the responsible Accounting Officer or Accounting Authority on the development, adoption and implementation of the language policy;

7.2.2. monitor and assess the use of official languages by the NGB;

7.2.3. monitor and assess compliance with the language policy by the NGB;

7.2.4. compile and submit a report to the Minister and to the Pan South African Language Board in terms of section 9 of the Act;

7.2.5. promote parity of esteem and equitable treatment of official languages of the Republic and facilitate equitable access to services and information of the NGB;

7.2.6. promote good language management by the NGB; and

7.2.7. perform any other functions that the Minister may prescribe.

8. PUBLICATION OF AND ACCESS TO THIS POLICY

8.1. This Policy will be:

- Published in English;
- Available in the other two official languages, Braille and audio on written request;
- Available on the NGB's website http://www.ngb.org.za/; and
- Displayed at the NGB's office.

9. COMPLAINTS MECHANISM

9.1. Any person dissatisfied with a decision of the NGB regarding the use of official languages may lodge a complaint addressed to the Accounting Authority of the NGB.

9.2. Any complaint must be in writing containing the following: -

(a) Full name, address and contact information of the person lodging the complaint.

(b) Full details of the complaint with any supporting documentation/ information.

(c) The complaint must be lodged within three (03) months of the complaint arising.

(d) The complainant can be requested to provide additional information.

(e) The Accounting Authority will respond in writing within three (03) months of receiving the complaint.

(f) Should the complainant be dissatisfied with the response provided by the Accounting Authority, a further complaint may be lodged with the Minister of Trade, Industry and Competition (**the dtic**).

10. DEVIATION FROM THE POLICY

10.1. Any deviation from the policy must be approved by the Accounting Authority.

11. OWNERSHIP AND REVIEW OF POLICY

11.1. The Corporate Governance Unit of the NGB will administer this policy.

11.2. The policy will be reviewed annually, or as and when required.

END

INITIATED BY	REVIEWED BY	APPROVED BY	INITIAL
CORPORATE GOVERNANCE	EXCO & ARC	ACCOUNTING AUTHORITY	

This gazette is also available free online at www.gpwonline.co.za

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at **www.gpwonline.co.za**