GOVERNMENT SYSTEM

The Government of South Africa committed itself to investing in the preparations needed to ensure that Africa's first FIFA World Cup™ was a resounding success. Government also used this opportunity to speed up the delivery of services and infrastructure.

Various government departments that made guarantees to FIFA delivered on their mandates within the set deadlines. Government is committed to drawing on the success of the World Cup to take the delivery of major projects forward.

The outcomes approach is embedded in and a direct resultant of the electoral mandate. Five priority areas were identified: decent work and sustainable livelihoods; education; health; rural development; food security and land reform; and the fight against crime and corruption. These translated into 12 outcomes to create a better life for all:

- an improved quality of basic education
- a long and healthy life for all South Africans
- all South Africans should be safe and feel safe
- decent employment through inclusive growth
- a skilled and capable workforce to support an inclusive growth path
- an efficient, competitive and responsive economic infrastructure network
- vibrant, equitable, sustainable rural communities with food security for all
- sustainable human settlements and an improved quality of household life
- a responsive, accountable, effective and efficient local government system
- environmental assets and natural resources that are well protected and enhanced
- a better Africa and a better world as a result of South Africa's contributions to global relations
- an efficient and development-oriented public service and an empowered, fair and inclusive citizenship.

In September 2010, delivery agreements for the 12 outcomes were signed between President Jacob Zuma and Cabinet ministers.

The Department for Performance Monitoring and Evaluation (M&E) in The Presidency will facilitate the process of regular reporting and monitoring of progress against the agreed outputs and targets in the delivery agreements. This process will foster an understanding of how the various spheres of government are working together to achieve the outcomes.

Delivery agreements are collective agreements that involve all spheres of government and a range of partners outside government. Combined, these agreements will reflect government's delivery and implementation plans for its priorities.

They serve as a basis for reaching agreement with multiple agencies that are central to the delivery of the outcome targets.

The President regularly visits service-delivery sites to monitor progress. The purpose of these site visits is for the President to gain first-hand experience of service delivery and to highlight issues that need to be worked on by the various arms of government.

The Constitution

South Africa's Constitution is one of the most progressive in the world and enjoys high acclaim internationally. Human rights are given clear prominence in the Constitution.

The Constitution of the Republic of South Africa, 1996 was approved by the Constitutional Court on 4 December 1996 and took effect on 4 February 1997.

The Constitution is the supreme law of the land. No other law or government action can supersede the provisions of the Constitution.

The Preamble

The Preamble states that the Constitution aims to:

- heal the divisions of the past and establish a society based on democratic values, social justice and fundamental human rights
- improve the quality of life of all citizens and free the potential of each person
- lay the foundations for a democratic and open society in which government is based on the will of the people, and in which every citizen is equally protected by law
- build a united and democratic South Africa that is able to take its rightful place as a sovereign state in the family of nations.

Founding provisions

As Chapter One of the Constitution stipulates, South Africa is a sovereign and democratic state founded on the following values:

- human dignity, the achievement of equality and the advancement of human rights and freedom
- non-racialism and non-sexism
- supremacy of the Constitution
- universal adult suffrage, a national common voters' roll, regular elections and a multiparty system of democratic government to ensure accountability, responsiveness and openness.

Fundamental rights

The fundamental rights contained in Chapter Two of the Constitution seek to protect the rights and freedom of individuals. The Constitutional Court guards these rights and determines whether actions by the State are in accordance with constitutional provisions.

Government

Government consists of national, provincial and local spheres, which are distinctive, interdependent and interrelated. The powers of the law-makers (legislative authorities), government (executive authorities) and courts (judicial authorities) are separate from one another.

Parliament

Parliament is the legislative authority of South Africa and has the power to make laws for the country in accordance with the Constitution.

It consists of the National Assembly and the National Council of Provinces (NCOP). Parliamentary sittings are open to the

Seats in the National Assembly, following the election in April 2009	
African National Congress	264
Democratic Alliance	67
Congress of the People	30
Inkatha Freedom Party	18
Independent Democrats	4
Freedom Front Plus	4
United Democratic Party	4
African Christian Democratic Party	3
United Christian Democratic Party	2
African People's Convention	1
Azanian People's Liberation Organisation	1
Minority Front	1
Pan Africanist Congress	1

The Presidency, February 2011	
President	Jacob Zuma
Deputy President	Kgalema Motlanthe

public. Since the establishment of Parliament in 1994, a number of steps have been taken to make it more accessible and to motivate and facilitate public participation in the legislative process. The website *www.parliament.gov.za* encourages comment and feedback from the public.

National Assembly

The National Assembly is elected to represent the people and to ensure democratic governance as required by the Constitution. It does this by electing the President, providing a national forum for public consideration of issues, passing legislation and scrutinising and overseeing executive action.

The National Assembly consists of no fewer than 350 and no more than 400 members elected through a system of proportional representation.

The National Assembly, which is elected for a term of five years, is presided over by the speaker, assisted by the deputy speaker.

National Council of Provinces

The NCOP consists of 54 permanent members and 36 special delegates, and aims to represent provincial interests in the national sphere of government. Delegations consist of 10 representatives from each province. The NCOP must have a mandate from the provinces before it can make certain decisions.

It cannot, however, initiate a Bill concerning money, which is the prerogative of the Minister of Finance. NCOP Online (*www.parliament.gov.za/ncop*) links Parliament to the provincial legislatures and local government associations. It provides information on draft legislation and allows the public to make electronic submissions. The NCOP came into existence on 6 February 1997.

Law-making

Any Bill may be introduced in the National Assembly. A Bill passed by the National Assembly must be referred to the NCOP for consideration.

A Bill affecting the provinces may be introduced in the NCOP. After it has been passed by the council, it must be referred to the assembly.

A Bill concerning money must be introduced in the assembly and referred to the NCOP for consideration and approval after being passed.

If the council rejects a Bill or passes it subject to amendments, the assembly must reconsider the Bill and pass it again with or without amendments. There are special conditions for the approval of laws dealing with provinces.

The President
The head of state is the President and he/she leads the Cabinet. The President is elected by the National Assembly from among its members, and leads the country in the interest of national unity, in accordance with the Constitution and the law.

The Deputy President
The President appoints the Deputy President from among the members of the National Assembly. The Deputy President assists the president in executing government functions.

The Presidency
There are two ministers in The Presidency: Mr Trevor Manuel responsible for the National Planning Commission (NPC) and Mr Collins Chabane for M&E as well as Administration in The Presidency.

The NPC is responsible for strategic planning for the country to ensure one national plan to which all spheres of government must adhere. The 25 commission members were inaugurated on 11 May 2010.

The revised *Green Paper on the NPC* sets out the roles and responsibilities of this commission. Members of the commission represent various areas of expertise and reflect a diversity of experiences and perspectives. The commissioners are appointed in their personal capacities and do not represent any organisation or stakeholder.

Minister Manuel chairs the commission and feeds its work into Cabinet and government in general, while the deputy chairperson is Mr Cyril Ramaphosa.

It was announced in October 2010, that Minister Manuel would assist President Jacob Zuma to fulfil his new responsibility as the African champion of North-South infrastructure development on the continent.

The Department for Performance M&E in The Presidency has been established to improve government performance and monitor and evaluate the progress. The department is also meant to identify problem areas in the system and assist to unlock them to speed up delivery.

The Department for Performance M&E will, working with other departments, provide the President with performance information of departments.

This will include information on performance in relation to the performance agreements signed with ministers, performance against departmental strategic plans, and an assessment of the quality of management practices.

In addition, the department is working with other departments at the centre of government, including National Treasury, and the departments of public service and administration, of cooperative governance, and of traditional affairs, and the offices of the premiers, to develop and pilot an institutional performance assessment tool, which will be used to objectively assess the quality of management practices in departments and municipalities.

The tool will be informed by good international practice, and the department will receive assistance and advice from the Canadian, United Kingdom (UK) and Dutch governments in this regard.

The management practices assessed will include basic administrative issues such as supply chain management, financial management, human-resource management (HRM) and development, and service standards. The main aim of these performance assessments will be to develop a culture of continuous improvement in the Public Service.

Cabinet
The Cabinet consists of the President, as head, the Deputy President and ministers. The President appoints the Deputy President and ministers, assigns their powers and functions and may dismiss them.

The President may select any number of ministers from among the members of the National Assembly, and may select no more than two ministers from outside the assembly.

The President appoints a member of the Cabinet to be the leader of government business in the National Assembly.

Deputy ministers
The President appoints deputy ministers from among the members of the National Assembly.

Traditional leadership
Chapter 11 of the Constitution states that the institution, status and roles of traditional leadership, according to customary law, are recognised, subject to the Constitution.

Cabinet ministers and deputy ministers, as at February 2011		
Portfolio	**Minister**	**Deputy Minister**
Agriculture, Forestry and Fisheries	Tina Joemat-Pettersson	Dr Pieter Mulder
Arts and Culture	Paul Mashatile	Dr Joe Phaahla
Basic Education	Angie Motshekga	Enver Surty
Communications	Roy Padayachie	Obed Bapela
Cooperative Governance and Traditional Affairs	Sicelo Shiceka	Yunus Carrim
Correctional Services	Nosiviwe Mapisa-Nqakula	Adv Ngoako Ramatlhodi
Defence and Military Veterans	Lindiwe Sisulu	Thabang Makwetla
Economic Development	Ebrahim Patel	Enoch Godongwana
Energy	Dipuo Peters	Barbara Thompson
Finance	Pravin Gordhan	Nhlanhla Nene
Health	Dr Aaron Motsoaledi	Dr Gwen Ramokgopa
Higher Education and Training	Dr Blade Nzimande	Prof. Hlengiwe Mkhize
Home Affairs	Dr Nkosazana Dlamini Zuma	Fatima Chohan
Human Settlements	Tokyo Sexwale	Zoliswa Kota-Fredericks
International Relations and Cooperation	Maite Nkoana-Mashabane	Marius Fransman Ebrahim Ebrahim
Justice and Constitutional Development	Jeff Radebe	Andries Nel
Labour	Mildred Oliphant	-
Mineral Resources	Susan Shabangu	Godfrey Oliphant
Police	Nathi Mthethwa	Makhotso Sotyu
Public Enterprises	Malusi Gigaba	Benedict Martins
Public Service and Administration	Richard Baloyi	Ayanda Dlodlo
Public Works	Gwen Mahlangu-Nkabinde	Hendrietta Bogopane-Zulu
Rural Development and Land Reform	Gugile Nkwinti	Thembelani Nxesi
Science and Technology	Naledi Pandor	Derek Hanekom
Social Development	Bathabile Dlamini	Maria Ntuli
Sport and Recreation	Fikile Mbalula	Gert Oosthuizen
State Security	Dr Siyabonga Cwele	-
The Presidency National Planning Commission	Trevor Manuel	-
The Presidency Performance Monitoring, Evaluation and Administration	Collins Chabane	Dina Pule
Tourism	Marthinus van Schalkwyk	Thokozile Xasa
Trade and Industry	Dr Rob Davies	Elizabeth Thabethe Thandi Tobias-Pokolo
Transport	Sibusiso Ndebele	Jeremy Cronin
Water and Environmental Affairs	Edna Molewa	Rejoice Mabudafhasi
Women, Children and People with Disabilities	Lulu Xingwana	-

Government remains committed to strengthening the institution of traditional leadership and appreciates the role it plays in society.

The Department of Traditional Affairs was established in April 2010 to underline the critical focus on traditional leadership. This signifies the importance that is placed on the role and place of traditional leaders in the lives of people, especially in rural areas.

The department is working on a range of policies which, among other things, include policy on unity and diversity, initiation, traditional healing, traditional leaders protocol, family trees, involvement of the Khoisan people in the system of governance in South Africa, and remuneration and benefits of traditional leaders based on uniform norms and standards.

Government regards traditional leaders as partners in the implementation of its programmes.

Numerous pieces of legislation have been passed and a variety of programmes implemented to ensure that traditional leadership makes an important contribution to the development of society.

Legislation
National House of Traditional Leaders Act, 2009 (Act 22 of 2009)

The Council of Traditional Leaders Act, 1997 (Act 10 of 1997), was amended through the Council of Traditional Leaders Amendment Act, 1998 (Act 85 of 1998), and the National House of Traditional Leaders Amendment Act, 2000 (Act 206 of 2000).

In February 2010, President Zuma signed the National House of Traditional Leaders Act, 2009 into law. The legislation was published in the *Government Gazette.*

The Act paves the way for the establishment of the National House of Traditional Leaders. The house will serve a term of five years and meet at least once every quarter.

The legislation sets out how the institution is to be structured. The law declares that at least one-third of the members must be women. Members are elected within each provincial house from the ranks of senior traditional leaders.

The Act also stipulates the criteria for membership and on what grounds a seat in the house becomes vacant.

The workings of the house will be overseen by a chairperson and deputy-chairperson. The act specifies on what grounds a chairperson must vacate the position.

The powers and duties of the house are also outlined. It must promote, among other things, nation-building, stable communities, the preservation of culture and traditions, and socio-economic development and service delivery. The house is also tasked with adapting customary law to comply with the provisions of the Constitution's Bill of Rights.

Parliament may also refer Bills to the house for consideration. The house also has the power to advise and make recommendations to government on issues within its area of jurisdiction, and to advise Cabinet ministers on traditional matters. The house will be consulted on development projects that impact directly on rural communities.

Cooperative relations and partnerships with national government are to be established in the interests of development and service delivery.

The Act instructs government to adopt certain measures to help the house carry out its designated functions. Such support may include provision of infrastructure, finances and HR. Staff may be seconded from the Department of Traditional Affairs to meet this obligation.

In terms of accountability, the house is expected to submit a report to Parliament every year detailing its activities and programmes of action.

Traditional Leadership and Governance Framework Amendment Act, 2009 (Act 23 of 2009)

The Traditional Leadership and Governance Framework Amendment Act, 2009 aims to, among other things:
- amend the Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003), so as to substitute definitions and to insert definitions
- recognise kingships or queenships and the withdrawal of such recognition by the President
- establish and recognise principal traditional communities
- further regulate the establishment and recognition of traditional councils and principal traditional councils
- establish and recognise principal traditional councils and kingship and queenship councils
- regulate the Traditional Leadership and
- Governance Framework Amendment Act, 2009

Members of the executive councils of provincial governments, as at December 2010	
Eastern Cape	
Noxolo Kiviet	Premier
Ghishma Gloria Barry	Safety and Liason
Mlibo Qhaboshiane	Local Government and Traditional Affairs
Zoleka Capa	Rural Development and Agrorian Reform
Mandla Makupula	Education and Training
Mcebisi Jonas	Economic Development, Environmental Affairs and Tourism
Sicelo Gqobana	Health
Phumulo Masualle	Provincial Planning and Finance
Thandiswa Marawu	Public Works, Roads and Transport
Helen August-Sauls	Human Settlements, Safety and Liason
Xoliswa Tom	Sport, Recreation, Arts and Culture
Pemmy Majodina	Social Development, Women, Youth and People with Disabilities
Free State	
Sekgobelo Elias Magashule	Premier
Mamiki Qhabathe	Agriculture
Tate Pule Makgoe	Education
Mosebenzi Zwane	Cooperative Governance, Traditional Leadership and Human Settlements
Sisi Elisa Mabe	Health
Seiso Mohai	Provincial Treasury
Thabo Manyoni	Police, Roads and Transport
Fezi Ngubentombi	Public Works and Rural Development
Sefora Sisi Ntombela	Social Development
Dan Kgothule	Sport, Arts, Culture and Recreation
Mxolisi Dukwana	Economic Development, Tourism and Environmental Affairs
Gauteng	
Nomvula Paula Mokonyane	Premier
Nandi Mayathula-Khoza	Agriculture and Rural Development
Barbara Creecy	Education
Mandla Nkomfe	Finance
Ntombi Mekgwe	Health and Social Development
Humphrey Memezi	Local Government and Housing
Nonhlahla Faith Mazibuko	Community Safety
Lebogang Maile	Sport, Arts, Culture and Recreation
Qedani Dorothy Mahlangu	Economic Development and Planning
Bheki Simon Nkosi	Infrastructure Development
Ismail Vadi	Roads and Public Transport
KwaZulu-Natal	
Dr Zweli Mkhize	Premier
Lydia Johnson	Agriculture, Environmental and Rural Development
Senzo Edward Mchunu	Education
Mike Mabuyakhulu	Economic Development and Tourism
Catharina Magdalena ronje	Finance
Sibongiseni Maxwell Dlomo	Health
Nomusa Dube	Local Government, Housing and Traditional Affairs
Dr Bonginkosi Meshack Radebe	Social Development
Magasvarie Govender	Public Works
Thembinkosi Willies Mchunu	Transport and Community Safety and Liaison
Weziwe Gcotyelwa Thusi	Arts, Culture, Sport and Recreation

Members of the executive councils of provincial governments, as at December 2010	
Limpopo	
Cassel Charlie Mathale	Premier
Namane Dickson Masemola	Education
Saad Cachalia	Provincial Treasury
Mirriam Segabutla	Health and Social Development
Soviet Lekganyane	Local Government and Housing
Pitsi Paul Moloto	Economic Development, Environment and Tourism
Dipuo Letsatsi-Duba	Agriculture
Dr Happy Joyce Mashamba	Sport, Arts and Culture
Pinky Kekana	Roads and Public Transport
Dikeledi Magadzi	Public Safety and Liaison
George Muthundinne Phadagi	Public Works
Mpumalanga	
David Mabuza	Premier
Candith Mashego-Dlamini	Agriculture, Rural Development and Land Administration
Norman Mokoena	Economic Development, Environment and Tourism
Regina Mhaule	Education
Dikeledi Mahlangu	Health and Social Development
Siphosezwe Masango	Human Settlement
Clifford Mukansi	Public Works, Roads and Transport
Yvonne Pinky Phosa	Finance
Sibongile Manana	Culture, Sport and Recreation
Vusi Shongwe	Community Safety, Security and Liaison
Madala Masuku	Cooperative Governance and Traditional Affairs
Northern Cape	
Hazel Jenkins	Premier
Norman Shushu	Agriculture, Land Reform and Rural Development
Grizelda Cjiekella	Education
John Block	Finance, Economic Affairs and Tourism
Mxolisi Simon Sokatsha	Health
Kenny Mmoiemang	Corporate Governance, Human Settlement and Traditional Affairs
Patrick Mabilo	Transport, Safety and Liaison
Alwin Botes	Social Services and Population Development
Pauline Williams	Sport, Arts and Culture
Sylvia Lucas	Environmental Affairs and Nature Conservation
Dawid Rooi	Roads and Public Works
North West	
Thandi Modise	Premier
Partick Chauke	Sport, Arts and Culture
Boitumelo Tshwene	Agriculture, Conservation, Environment and Rural Development
Tebogo Modise	Economic Development and Tourism
Mothibedi Gordon Kegakilwe	Local Government and Traditional Affairs
Raymond Elisha	Education
Magome Masike	Health and Social Development
Moruakgomo Louisa Mabe	Finance
Mahlakeng Mahlakeng	Public Works, Roads and Transport
Howard Yawa	Public Safety
Desbo Sefanyetso	Human Settlements

Members of the executive councils of provincial governments, as at December 2010	
Western Cape	
Helen Zille	Premier
Gerrit van Rensburg	Agriculture
Lennit Max	Community Safety
Donald Grant	Education
Anton Bredell	Local Government, Environmental Affairs and Development Planning
Alan Winde	Finance, Economic Development and Tourism
Theuns Botha	Health
Bonginkosi Madikizela	Housing
Robin Carlisle	Transport and Public Works
Patricia de Lille	Social Development
Ivan Meyer	Cultural Affairs and Sport

The Traditional Leadership and Governance Framework Amendment Act 2009 aims to, among other things:
- amend the Traditional Leadership and Governance Framework Act, 2003, so as to substitute definitions and to insert definitions
- recognise kingships or queenships and the withdrawal of such recognition by the President
- establish and recognise principal traditional communities
- further regulate the establishment and recognition of traditional councils and principal traditional councils
- establish and recognise principal traditional councils and kingship and queenship councils
- regulate the election of members of local houses of traditional leaders
- regulate the roles of traditional leaders
- provide for the reconstitution and operation of the Commission on Traditional leadership Disputes and Claims.

Institutions
Traditional councils
Legislation has transformed the composition of traditional councils to provide for elements of democracy (40% of members must be elected) and gender representivity (one-third of members must be women).

Legislation has also opened up an opportunity for municipalities and traditional councils to achieve cooperative governance. Traditional councils have been given a strong voice in development matters and may now enter into partnerships and service-delivery agreements with government in all spheres.

Houses of traditional leaders
The Constitution mandates the establishment of houses of traditional leaders by means of either provincial or national legislation.

The National House of Traditional Leaders was established in terms of the National House of Traditional Leaders Act, 1997 (Act 10 of 1997). Its objectives and functions are to promote the role of traditional leadership within a democratic constitutional dispensation, enhance unity and understanding among traditional communities and advise national government.

Provincial houses of traditional leaders were established in all six provinces that have traditional leaders, namely the Eastern Cape, KwaZulu-Natal, the Free State, Mpumalanga, Limpopo and North West. The Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003), provides for the establishment of local houses of traditional leaders.

The national and provincial houses of traditional leaders enhance the cooperative relationships within national and provincial government, while the establishment of local houses of traditional leaders will deepen and cement the relationship between municipalities and traditional leaders on customary law and development initiatives.

Commission on Traditional Leadership Disputes and Claims
The commission was established in terms of Section 22(1) of the Traditional Leadership and Governance Framework Act, 2003. The main objective of the commission is to investigate and make findings on traditional-leadership disputes and claims.

In July 2010, President Zuma approved five of the seven kingships and their kings were confirmed by the commission, while the remaining two were still awaiting the commission's recommendation on the rightful incumbent for the position of king or queen.

In terms of the commission's findings, existing kings, who were found not to qualify for the status of a kingship, will be allocated a principal traditional leadership.

On the basis of the Traditional Leadership and Governance Framework Amendment Act, 2009, the seven recognised and legitimate kingships in South Africa are those of Abathembu under King Buyelekhaya Zwelibanzi Dalindyebo, AmaXhosa under King Zwelonke Sigcau, AmaMpondo under King Zanozuko Sigcawu, AmaZulu under King Zwelithini Zulu, AmaNdebele wakwaManala and AmaNdebele as a whole, as well as VhaVenda. The rightful incumbents for the positions of king or queen for amaNdebele and VhaVenda will be determined by a new commission, which will be set up through the Traditional Leadership and Governance Framework Act, 2009.
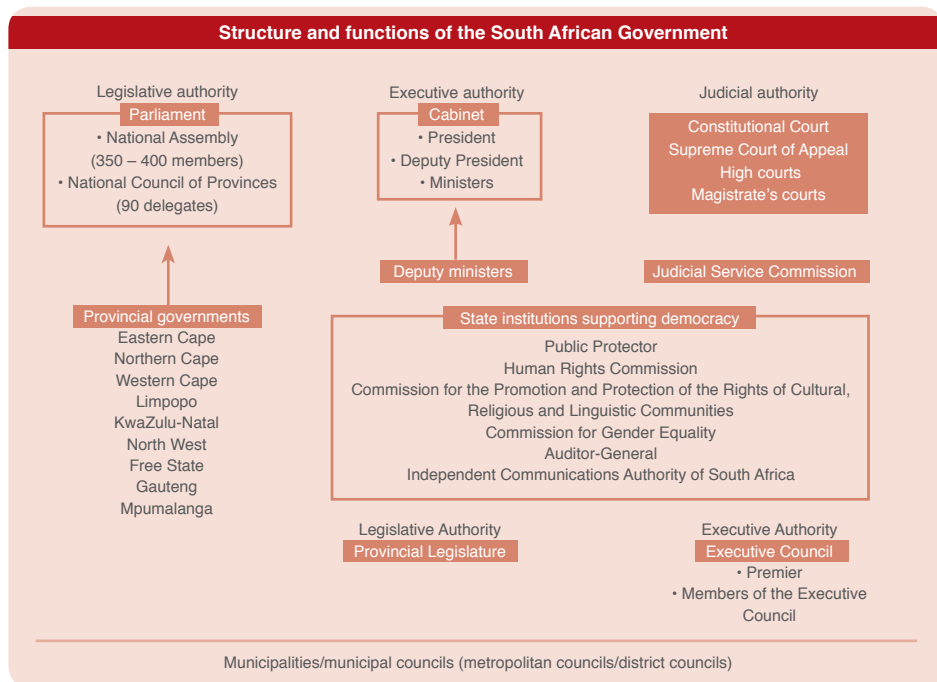
Department of Cooperative Governance

The Department of Cooperative Governance oversees the implementation of, among other things, the following:
- Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)
- Municipal Property Rates Act, 2004 (Act 6 of 2004)
- Municipal Finance Management Act, 2003 (Act 56 of 2003)
- Disaster Management Act, 2002 (Act 57 of 2002)
- Municipal Systems Act, 2000 (Act 57 of 2002)
- Municipal Structures Act, 1998 (Act 117 of 1998)
- Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)
- *White Paper on Local Government* (1998).

Strategic priorities

The department aims to realise objectives, such as:
- a single election for national, provincial and local government
- halving poverty and unemployment

Structure and functions of the South African Government

Legislative authority
Parliament
- National Assembly (350 – 400 members)
- National Council of Provinces (90 delegates)

Executive authority
Cabinet
- President
- Deputy President
- Ministers

Judicial authority
Constitutional Court
Supreme Court of Appeal
High courts
Magistrate's courts

Deputy ministers

Judicial Service Commission

Provincial governments
Eastern Cape
Northern Cape
Western Cape
Limpopo
KwaZulu-Natal
North West
Free State
Gauteng
Mpumalanga

State institutions supporting democracy
Public Protector
Human Rights Commission
Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
Commission for Gender Equality
Auditor-General
Independent Communications Authority of South Africa

Legislative Authority
Provincial Legislature

Executive Authority
Executive Council
- Premier
- Members of the Executive Council

Municipalities/municipal councils (metropolitan councils/district councils)

- empowering and capacitating organs of people's power
- training councillors, traditional leaders, officials, ward committee members, community development workers (CDWs) and community activists
- achieving clean audits for all provinces and municipalities
- cleaning cities, through the management of waste in such a way that it creates employment
- reducing infrastructure backlogs
- eliminating service-delivery protests
- reducing municipal debt by half.

Provincial government

In accordance with the Constitution, each of the nine provinces has its own legislature, consisting of between 30 and 80 members. The number of members is determined according to a formula set out in national legislation. The members are elected in terms of proportional representation.

The executive council of a province consists of a premier and a number of members (MECs). Premiers are appointed by the President of the country.

Decisions are taken by consensus, as is the case in the national Cabinet. Besides being able to make provincial laws, a provincial legislature may adopt a constitution for its province if two-thirds of its members agree.

However, a provincial constitution must correspond with the national Constitution.

According to the Constitution, provinces may have legislative and executive powers, concurrent with the national sphere, over:
- agriculture
- casinos, racing, gambling and wagering
- cultural affairs
- education at all levels, excluding university and university of technology education
- environment
- health services
- housing
- language policy
- nature conservation
- police services
- provincial public media
- public transport
- regional planning and development
- road-traffic regulation
- tourism
- trade and industrial promotion
- traditional authorities
- urban and rural development
- vehicle licensing
- welfare services.

These powers can be exercised to the extent that provinces have the administrative capacity to assume effective responsibilities.

Provinces also have exclusive competency over a number of areas, which include:
- abattoirs
- ambulance services
- liquor licences
- museums other than national museums
- provincial planning
- provincial cultural matters
- provincial recreation and activities
- provincial roads and traffic.

The President's Coordinating Council (PCC) is a consultative forum where the President discusses issues of national, provincial and local importance with the premiers.

The forum addresses issues such as:
- enhancing the role of provincial executives regarding national policy decisions
- strengthening the capacity of provincial governments to implement government policies and programmes
- integrating provincial growth and development strategies within national development plans
- improving cooperation between national and provincial spheres of government
- improving cooperation on fiscal issues
- ensuring that there are coordinated implementation programmes and the necessary structures in place to address issues such as rural development, urban renewal, and safety and security.

The form and functions of the PCC are expected to be reviewed to address gaps in intergovernmental coordination.

Local government

There are 283 municipalities in South Africa. They are focused on growing local economies and providing infrastructure and services.

In accordance with the Constitution and the Organised Local Government Act, 1997 (Act 52 of 1997), which formally recognise organised local-government associations, organised local government may designate up to 10 part-time representatives to represent municipalities and to participate in proceedings of the NCOP.

The Department of Cooperative Governance aims to build and strengthen the capability and accountability of provinces and municipalities. This includes:
- continued hands-on support through the established system and capacity-building

programme, focusing on critical areas such as integrated development planning, local economic development (LED), financial management, service delivery and public participation

• evaluating the impact of government programmes in municipal areas, enhancing performance and accountability by improving the quality of reporting on the Local Government Strategic Agenda (LGSA) and improving the monitoring, reporting and evaluation of capacity in local government.

The department is also responsible for coordinating and supporting policy development, implementing the LGSA, and monitoring and supporting service delivery.

Local Government Turnaround Strategy

In December 2009, Cabinet approved a turnaround strategy for local government. This is expected to ensure that local government has the correct management, administrative and technical skills.

The strategy has been distilled into a local government 10-point plan, which includes:

• improving the quantity and quality of basic services for all people in terms of water, sanitation, electricity, waste management, roads and disaster management

• enhancing the municipal contribution to job creation and sustainable livelihoods through LEDs, and utilising cooperatives in every ward

• deepening democracy through a refined ward committee system that will be based on the will of the people

• ensuring that municipalities have and implement reliable and credible integrated development plans (IDPs)

• building and strengthening the administrative, institutional and financial capabilities of municipalities

• creating a single window of coordination, support, monitoring and intervention to deal with uncoordinated interaction by other spheres of government with municipalities, including unfunded mandates

• rooting out corruption, nepotism and maladministration in the system of local government

• developing a coherent and cohesive system of governance and a more equitable intergovernmental fiscal system

• developing and strengthening a stable system of municipalities

• restoring the institutional integrity of municipalities.

Municipal-specific turnaround strategies and implementation plans will be developed by every municipality in South Africa.

All municipalities were expected to have developed their municipal-specific turnaround implementation plans by 2010. Their IDPs and budgets were approved between May and June 2010.

The 2010/11 municipal budgets are based on these municipal-specific turnaround strategies. National and provincial government departments and state-owned enterprises (SOEs) are expected to align their projects and programmes to the specific local government turnaround strategies.

By September 2010, 95% of municipalities had developed their municipal turnaround strategies and were in the process of aligning them with the IDPs.

The Municipal Skills Development Programme is a public-private partnership. It aims to reduce South Africa's service-delivery backlog by injecting skilled graduates and high-level training initiatives directly into local government.

The initiative will help local governments to use technology more effectively and efficiently.

It is driven jointly by Microsoft South Africa, the South African Local Government Association (Salga), the Local Government Sector Education Training Authority and the Development Bank of Southern Africa. It was piloted by partners in the Eastern and Western Cape during April 2010, and launched nationally in mid-2010 at a Salga conference in the Northern Cape.

Municipal Demarcation Board

The board is a constitutional institution established by the Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998).

The main function of the board is to determine municipal boundaries in accordance with the Act and other related legislation, and to advise on demarcation matters.

In addition, the board is tasked with delimiting wards into metropolitan and local municipalities.

South African Local Government Association

Salga is a listed public entity, established in terms of Section 21 of the Companies Act, 1973 (Act 61 of 1973), and recognised by the Minister of Cooperative Governance and Traditional Affairs in terms of the Organised Local Government Act, 1997.

Salga represents local government on numerous intergovernmental forums such as the PCC, Minister and MECs (MinMec) forum, the Budget Forum, the NCOP and the Financial and Fiscal Commission.

Salga aims, among other things, to:

- transform local government to enable it to fulfil its developmental role
- enhance the role of provincial local government associations as provincial representatives and consultative bodies on local government
- raise the profile of local government
- ensure full participation of women in local government
- act as the national employers' organisation for municipal and provincial member employers
- provide legal assistance to its members, using its discretion in connection with matters that affect employee relations.

Salga is funded through a combination of sources, including a national government grant, membership fees from provincial and local government associations that are voluntary members, and donations from the donor community for specific projects.

Municipalities

The Constitution provides for three categories of municipalities.

As directed by the Constitution, the Local Government: Municipal Structures Act, 1998 contains criteria for determining when an area must have a category-A municipality (metropolitan municipalities) and when municipalities fall into categories B (local municipalities) or C (district municipalities).

The Act also determines that category-A municipalities can only be established in metropolitan areas.

Metropolitan councils have single metropolitan budgets, common property ratings and service-tariff systems, and single employer bodies.

South Africa has nine metropolitan municipalities, namely:

- Buffalo City (East London)
- City of Cape Town
- Ekurhuleni Metropolitan Municipality (East Rand)
- City of eThekwini (Durban)
- City of Johannesburg
- Mangaung Municipality (Bloemfontein)
- Msunduzi Municipality (Pietermaritzburg)
- Nelson Mandela Metropolitan Municipality (Port Elizabeth)
- City of Tshwane (Pretoria).

Metropolitan councils may decentralise powers and functions. However, all original municipal, legislative and executive powers are vested in the metropolitan council.

In metropolitan areas, there is a choice of types of executive system: the mayoral executive system where executive authority is vested in the mayor, and the collective executive committee system where these powers are vested in the executive committee.

Non-metropolitan areas consist of district councils and local councils.

District councils are primarily responsible for capacity-building and district-wide planning.

The Local Government: Municipal Structures Act, 1998 provides for ward committees whose tasks, among other things, are to:

- prepare, implement and review IDPs
- establish, implement and review municipalities' performance-management systems
- monitor and review municipalities' performances
- prepare municipalities' budgets
- participate in decisions about the provision of municipal services
- communicate and disseminate information on governance matters.

Legislation and policy

The Local Government: Municipal Systems Act, 2000 establishes a framework for planning, performance-management systems, effective use of resources and organisational change in a business context.

The Act also establishes a system for municipalities to report on their performance, and provides residents with an opportunity to compare this performance with that of municipalities.

It also regulates public-private partnerships. The Act allows municipalities significant powers to corporatise their services, to establish utilities for service delivery, or to enter into partnerships with other service-providers. The Act provides for the adoption of a credit-control policy for municipalities that will provide for the termination of services in the event of non-payment. Municipalities have the power to pass by-laws to implement the policy.

The Local Government: Municipal Finance Management Act, 2003 is aimed at modernising municipal budgeting and financial management. It facilitates the develop-

ment of a long-term municipal lending/bond market. It also introduces a governance framework for separate entities created by municipalities.

The Local Government: Municipal Property Rates Act, 2004 regulates the power of a municipality to impose property rates, excludes certain properties from rating in the national interest, provides fair and equitable valuation methods of properties, and for municipalities to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies.

The Municipality Property Rates Amendment Act, 2009 (Act 19 of 2009) was introduced in Parliament in September 2009 and aims to extend the validity of a valuation roll and supplementary valuation rolls from four years to six years.

In 2009/10, the department focused on promulgating regulations and finalising various policy frameworks, such as the National Funding Framework for Ward Councillors, which was gazetted in April 2009, and aims to deepen democracy by setting out the norms and standards for ward-committee funding, and a framework, published in August 2009, for out-of-pocket expenses for ward councillors.

Regulations on the Disciplinary Code and Procedures for senior managers were published for public comment in November 2009.

The Municipal Systems Act, 2000, the Municipal Structures Act, 1998, the Municipal Demarcation Board Act, 1998, the Municipal Finance Management Act, 2003 and other related legislation impacting on local government were reviewed in 2010.

The review was aimed at ensuring that the bottlenecks and blockages to speedy and quality service delivery are eliminated.

Municipal Infrastructure Grant (MIG)

The MIG, introduced in 2004/05, is the largest infrastructure transfer programme administered by the Department of Co-operative Governance.

The MIG funds are distributed to all municipalities based on a formula that accounts for existing backlogs in service delivery as well as the functions assigned to individual municipalities.

Spending on the MIG increased from R5,9 billion in 2006/07 to R9,1 billion in 2008/09. This reflects an improvement in municipalities' ability to spend on infrastructure. As at December 2009, the department had assisted 46 district and six metropolitan municipalities to develop comprehensive infrastructure plans that guide the building, rehabilitation and maintenance of economic and social infrastructure in their geographical areas.

In February 2010, local government equitable share received a further R6,7 billion to support municipalities to cushion poor households against the rising cost of electricity and water. An additional R2,5 billion was allocated for the MIG.

Total allocations to municipalities rose from R55 billion in 2009/10 to R78 billion in 2012/13.

The Department of Cooperative Governance, together with other stakeholders, including state departments, state-owned entities (SOEs) and professional bodies undertook a process to revise and update the *Industry Guide 2007* and developed a 2009/10 version. This document, *An Industry Guide – Infrastructure Service-Delivery Levels and Unit Costs 2009/10*, aims to:

- reflect the broad stakeholder inputs and adoption of infrastructure unit standards and costs
- address regional/provincial and sectoral/industry-related cost values, as well as to allow for national impacts such as variance in labour rates, fuel and transport cost, material and other related factors
- align the associated infrastructure construction costs within the changed market conditions to reflect the escalation since 2007
- ensure that infrastructure types such as sport facilities are incorporated into the revised guide document.

The overall objective of the guide is to develop a practical nationwide system of guidance for municipalities, their service-providers and government in terms of the provision of basic infrastructure service provision cost values that reflect national and regional impacts, and provide comparative value for high-level planning estimates and value for money assessment guidelines.

The *Industry Guide 2009/10* aims to provide a high-level first-order infrastructure planning cost estimate. The *Industry Guide* can be used in conjunction with tools such as the Municipal Services Financial Model or the Municipal Infrastructure Investment Model to corroborate planning cost estimates.

The next review of the *Industry Guide* will deal with the capital costing for rehabilitation/maintenance of infrastructure, which

is becoming a major concern within municipalities.

Local economic development

LED encourages local people to work together to achieve sustainable economic growth and development, thereby bringing economic benefits and improved quality of life for all residents in a local municipal area.

As a programme, LED is intended to maximise the economic potential of all municipal localities throughout the country and to enhance the resilience of macro-economic growth through increased local economic growth, employment creation and development initiatives within the context of sustainable development.

The Department of Cooperative Governance's LED programmes provide support in:
• developing and reviewing national policy, strategy and guidelines on LED
• providing direct and hands-on support to provincial and local government
• managing the LED Fund
• managing and providing technical support to Nodal Economic Development Planning
• facilitating, coordinating and monitoring donor programmes
• assisting LED capacity-building processes.

Capacity-building

Government aims to revive and strengthen the Local Government Training Academy (Logola) so that new councillors, who come in after the 2011 local government elections, are equipped to discharge their responsibilities effectively.

This will ensure that in every municipality, the six top positions are in place, namely: municipal manager, chief financial officer, town engineer, town planner, communication manager and HR manager.

Overall, the vision is to have an efficient, effective, accountable and responsive local government system in South Africa.

Government is implementing flagship campaigns, namely the Clean Cities and Towns Campaign and the Operation Clean Audit 2014. Its strategic objectives are to ensure a campaign on good citizenship where rights go hand-in-hand with responsibilities.

People must live in a clean and safe environment where streets, neighbourhoods, townships, villages, rivers and air contribute to improving the quality of life. The private sector's involvement comes through the Adopt a Municipality Campaign.

Disaster management

The Disaster Management Act, 2002 was promulgated in 2003. The National Disaster-Management Centre with functional disaster-management centres and advisory forums were established in eight provinces. The National Disaster-Management Advisory Forum has been recognised by the United Nations (UN) as the national platform for disaster-risk reduction.

South Africa has also made significant progress in respect of the implementation of the Hyogo Framework for Action – a global blueprint for disaster risk-reduction whose goal it is to substantially reduce disaster losses by 2015.

Through the National Disaster-Management Centre, the Department of Cooperative Governance has registered unit standards for levels three to seven with the South African Qualifications Authority for a national certificate in disaster-risk management. The department has also developed regulations for recruiting and using disaster-management volunteers every year.

Cooperative governance

The importance of cooperative governance and intergovernmental relations in South Africa is reflected in Chapter Three of the Constitution, which determines a number of principles.

A number of intergovernmental structures promote and facilitate cooperative governance and intergovernmental relations between the respective spheres of government.

These include:
• the PCC, comprising the President, the Minister of Cooperative Governance and Traditional Affairs and the nine premiers
• ministerial clusters, director-general clusters, and the Forum of South African Directors-General, which promote programme integration at national and provincial level

- ministerial forums between responsible line-function ministers at national level and their respective counterparts at provincial-government level, which normally meet quarterly and are supported by technical committees
- a number of intergovernmental forums that facilitate cooperative governance and intergovernmental relations.

Oversight, monitoring and early-warning systems play a critical role in helping to make cooperative governance work more effectively.

To improve integration among all spheres of government in both policy development and implementation, the Intergovernment Relations Framework Act, 2005 was promulgated in August 2005.

Government and communication

The vision of the Government Communication and Information System (GCIS) is government communication that empowers and encourages citizens to participate in democracy and improve the lives of all.

The GCIS aims to lead the strategic communication of government through submitting a national communication strategy to Cabinet and ensuring coherence of messages, open and extended channels of communication between government and the people, towards a shared vision.

Two agencies were established under the Executive Authority of the GCIS, namely the International Marketing Council (IMC) and the Media Development and Diversity Agency.

Some of the chief directorates include:
- The Communication Service Agency provides core communication services to the GCIS and other government departments, both in-house and through outsourcing.
- Content and Writing provides language services on products that require translation and editing. It produces the *South Africa Yearbook*, *Pocket Guide to South Africa* and *Vuk'uzenzele* and maintains the Government Services, Government Information and the GCIS webites.
- Media Engagement drives interaction and communication between government and the media. The directorate also comprises the government news agency, Bua News.
- Media Rapid Response conducts media monitoring and develops appropriate communication interventions and initiatives.

- Policy and Research conducts research to assess how government should inform the public communication needs and monitors media coverage of government programmes.
- Provincial and Local Liaison provides development communication and extends government's information infrastructure through partnerships with provincial and local government. It facilitates the establishment of Thusong service centres to make services and information more accessible to the public, particularly the disadvantaged. By mid-2010, there were 150 operational Thusong service centres throughout the country. Strides had been made in partnership with the Department of Public Service and Administration in ensuring information and communications technology (ICT) connectivity in 55 centres, coupled with the installation of 39 prototype general service counters. In 2009, almost 5,6 million people visited these centres.
- The Strategic Planning and Project Management Office implements project management and coordinates services to cross-cutting projects driven by the GCIS, on behalf of other departments.

The chief executive officer of the GCIS is the official spokesperson for government.

The GCIS is central to developing communication strategies and programmes for government's transversal campaigns.

It also assists departments with specific campaigns and events, as well as in developing departmental communication structures.

International Marketing Council

The IMC, custodian of Brand South Africa, has a vision for the country to be globally competitive, a Top-20 nation brand (Anholt) and Top-30 nation (World Economic Forum [WEF] Global Competitive Index) by 2020.

Established in 2002 as a presidential initiative under the auspices of the GCIS, the IMC strives to achieve positive brand-awareness levels within South Africa's target markets, both domestically and abroad and to be a world-class nation-branding organisation.

The IMC focuses on engendering social cohesion and turning citizens into brand ambassadors. By reinforcing patriotism,

pride and optimism among the South African population, foreign audiences will experience the meaning of Ubuntu, and in turn, contribute to enhancing South Africa's international brand image.

The organisation's activities include public relations, with an emphasis on reputation management and stakeholder engagement; marketing through advertising and promotions; brand integration; and digital content generation. In terms of perceptual and attitudinal research, the IMC undertakes regular benchmarking studies such as the Tracker research study and National Perceptions audit.

The 2010 FIFA World Cup™ gave South Africa a powerful opportunity to market its brand promise and touch points to the world. The IMC leveraged this global platform to accelerate the building of the nation's brand equity and to sustain and expand its reputation-building initiatives.

To this end, the domestic mobilisation campaigns Fly the Flag; Football Fridays; Diski Dance; and Be a Good Host; rallied South Africans behind the national brand.

To "mobilise the mobilisers", the IMC deployed tactics such as advertising campaigns; toolkits for Parliament, host cities and government departments; corporate activations. The People's Bus, a World Cup-focused education roadshow, was created and activated nationally.

New media was applied significantly through all initiatives, including the use of online social networking channels such as Facebook and Twitter, and a dedicated standalone website for the Football Fridays Campaign.

The IMC spearheaded the alignment of the South African brand, both from a stakeholder relations and creative perspective.

In collaboration with public-sector organisations, a new South African corporate identity was generated and following Cabinet approval, was launched locally and internationally in 2009.

This brand alignment included the launch of the Brand South Africa Marketer's Portal, which provides the country's marketers with branding and communication material and facilitates interaction between organisations that are marketing South Africa. The portal includes an interactive calendar which, during 2009/10, documented events such as the WEF. Additional online IMC portals include *SouthAfrica.info*, a content hub for the public and *MediaClubSouthAfrica.com*, an information centre for media practitioners.

On the global front, the IMC has country managers in the United States of America, United Kingdom and India. The country managers work with the South African diplomatic missions in the capitals to build South Africa's image and foster, as well as nurture, collaborative relationships with key influencers.

The IMC works closely with stakeholders such as government departments, the private sector and media, to define conversations that take place among influencers.

Elections

The Constitution of South Africa places all elections and referendums in the country in all three spheres of government under the control of the Independent Electoral Commission (IEC), established in terms of the IEC Act, 1996 (Act 51 of 1996).

In 2010, the Municipal Electoral Amendment Bill was approved. The Bill seeks to provide for, among other things, set requirements for the submission of party lists for an election and material objections to election results; revises provisions relating to the number of party agents at voting stations; empowers presiding officers to redetermine and redemarcate boundaries of voting stations; clarifies the rights and responsibilities relating to assistance to voters; and gives members of the police force the right to vote in the voting stations where they are deployed during elections.

Public Service

The Department of Public Service and Administration leads the modernisation of the Public Service by assisting government departments to implement their management policies, systems and structural solutions within a generally applicable framework of norms and standards to improve service delivery.

Support efforts have been combined with measures to promote compliance with the Public Service prescripts, including a comprehensive amendment to the Public Service Act, 1994 (Act 93 of 1994), enacted in 2007.

The scope of the Minister's policy-making powers in terms of the Public Service Act, 1994 includes the structure and functioning of the Public Service; conditions of service and other employment practices in the Public Service; labour relations;

health and wellness of employees; information management in the Public Service; e-government; integrity, ethics, conduct and anti-corruption; transformation; reform; innovation; and any other matter to improve the effectiveness of the Public Service and its service delivery to the public.

The department has led the implementation of a range of policies and processes, including the Batho Pele Programme. It has also initiated the CDW Programme in the Public Service, which brings government closer to the people by deploying public servants into communities to advise citizens on their civil rights and learn about their needs. In fulfilling its role of building institutional capacity, specific to fighting corruption, in 2010, the Department of Public Service and Administration drove the following projects:

- the Minimum Anti-Corruption Capacity (MACC) Audit
- the Anti-Corruption Capacity-Building Programme, aimed at preventing, detecting and investigating corrupt and unethical practices in the workplace.

A total of 108 provincial departments and 36 national departments were contacted for the MACC Audit. In March 2010, the department verified information submitted by these departments. The audit was expected to be finalised by the end of the 2010/11 financial year.

A training programme on anti-corruption capacity-building for general employees had been accredited by the Public Service Sector Education and Training Authority at National Qualifications Framework Level Four in 2010/11. About 920 officials at national and provincial level were to be trained.

South Africa acceded to the Organisation for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions in June 2007 as the first African country and the 37th member of the OECD Working Group on Bribery in International Business Transactions.

In September 2010, the Minister of Public Service and Administration, Mr Richard Baloyi, announced that a new investigative unit to tackle corruption and fraud would be set up.

In terms of the norms and standards for all three spheres of government, a working team consisting of representatives of the Department of Public Service and Administration, the then Department of Cooperative Governance and Traditional Affairs and Salga was convened to refine the current draft proposals on the norms and standards for all the three spheres of government.

The proposals emanated from the research that was conducted on areas for harmonisation on norms and standards for HRM between the different spheres of government.

The department has also developed a draft Bill on Public Administration and Management that will provide the legislative basis for the further development of more detailed norms and standards on HRM practices.

Size of the Public Service

By the end of March 2010, the Public Service had 1 272 311 people in its employ (including members of the South African National Defence Force). Of these employees, 63% were attached to the social services sector (health, social development, education and home affairs), followed by 20% in the criminal justice sector.

Human-resource management and development in government

The Department of Public Service and Administration is the custodian of HR in the civil service, creating the framework for recruiting, retaining and training people who are central to the high-performance Public Service that the country requires.

Within the Department of Public Service and Administration, there are two dedicated branches, Labour Relations and Remuneration Management (LRM) and HRM and Development that focus on people issues.

LRM focuses on remuneration and conditions of service using Persal – the payroll system of government.

By February 2010, government was working on the development and implementation of a public-service development programme, which would set the norms and standards for public servants in all spheres.

A framework on HR planning has also been developed, as well as a handbook on appointing board members.

The roll-out of the HR Connect skills database is proceeding well. HR Connect will ensure that departments can analyse skill levels in relation to required posts, occupations and job profiles. An additional benefit is that personal and structural information on the Persal system is being updated in the process.

The Employment Health and Wellness Policy Framework was developed and the

HIV and AIDS Workplace Policy in the Public Service reviewed. The curriculum on HIV and AIDS M&E has been developed, and quality assured.

Conditions of service

Occupation-specific dispensations (OSDs) are tailor-made remuneration dispensations for categories of occupations in the Public Service. The introduction of OSDs aims to improve government's ability to attract and retain skilled employees.

Agreements have been reached on OSDs for nurses, educators and legally qualified employees, while OSDs for social workers, health professionals and correctional officials have been developed. A remuneration policy framework for the Single Public Service has been prepared.

Policy on Incapacity Leave and Ill-Health Retirement (Pilir)

The Pilir was implemented in 2006 to improve the management of incapacity leave and ill-health retirement benefits.

Medical assistance

The Government Employees Medical Schemes (Gems) is an important institution within the Ministry for Public Service and Administration Portfolio. At the beginning of September 2010, Gems had more than 500 000 principal members and close 1,4 million beneficiaries. The scheme continues to grow by more than 10 000 members each month.

Single Public Service

Ensuring that services are citizen-informed and re-engineering the service-delivery model of government and its constituent departments remain a key challenge and consequently focus of the Department of Public Service and Administration.

A related challenge is the requirement to streamline administrative and business processes to deliver simpler, more effective services to citizens and business and other stakeholders. This is central to the strategic objective of customer-service improvement.

The Department of Public Service and Administration has for the past few years been tasked with developing a blueprint for a single public service.

In 2010, the department developed a discussion document that aims to provide a basis for consultation, policy and an improved governance framework.

Batho Pele ("People First")

Batho Pele remains government's leading campaign to achieve the desired crucial transformation of the hearts and minds of public servants. This is a public-service culture reorientation programme that is aimed at aligning the behaviour and attitudes of public servants with the practice of Batho Pele ethos.

To intensify the implementation and impact of this policy, Minister Baloyi launched the Batho Pele Impact Assessment in 2010, which seeks to strengthen the integrated implementation of Batho Pele and its impact across the three spheres of government.

This will enhance partnerships, collaborations and better coordination towards the implementation of Batho Pele and intervene decisively and coherently in the economy and society to address social and economic developmental goals.

Centre for Public-Service Innovation (CPSI)

The CPSI works through partnerships with other departments and SOEs, for example, the Department of Education, to enhance the productive capacity of visually impaired educators through providing data-card devices to access teaching materials without the use of Braille.

The CPSI aims to run targeted innovation programmes to support the outcomes of rural development, accelerated service delivery at local government level as well as human settlement.

The eighth annual Public Sector Innovation Awards ceremony was held in November 2010.

The CPSI has received a special award from the UN Secretary General for its contribution to global knowledge management by uploading content on a global online network portal on behalf of the Southern African Development Community (SADC).

State Information Technology Agency (Sita)

Sita consolidates and coordinates the State's information technology (IT) resources to save costs through scale, to increase delivery capabilities and to improve interoperability.

Sita is committed to government's IT Strategy, which seeks to leverage economies of scale, enhance the interoperability of government systems, ensure system security, eliminate duplication and advance

Black Economic Empowerment. The strategic priorities for 2009 to 2012 are:
• improving financial sustainability
• optimising infrastructure
• extending the service footprint
• modernising public-service operations
• reducing operational costs
• achieving operational excellence
• developing and retaining personnel.

Government Information Technology Officers' (Gito) Council

The Gito Council advises government on the application of IT to improve service delivery. Its membership consists of the chief information officers from national departments and offices of the premiers. The council has been involved in developing an IT security policy framework, IT procurement guidelines and e-government policy and strategy. It also monitors government IT projects to avoid duplication.

International and African affairs

The Department of Public Service and Administration continues to provide co-ordination for the implementation of the Continental Capacity Development Programme.

The department and the Public Service Commission (PSC) co-hosted a delegation from the Bangladesh Public Service Commission to exchange information and experience in the field of public service and administration.

The department assumed an important coordinating role in the conceptualisation, planning and marketing of the 2010 All Africa Public-Sector Innovation Awards across the continent and also convened a technical consultation workshop on SADC Governance and Public Administration involving nine SADC member states.

Public Service Commission

The PSC derives its mandate from sections 195 and 196 of the Constitution. The PSC is tasked and empowered to, among other things, investigate, monitor and evaluate the organisation and administration of the Public Service. This mandate entails the evaluation of achievements, or lack thereof of government programmes.

The PSC has an obligation to promote measures that will ensure effective and efficient performance within the Public Service and to promote values and principles of public administration as set out in the Constitution, throughout the Public Service.

The Constitution mandates the commission to:
• promote the values and principles governing public administration
• investigate, monitor and evaluate the organisation and administration, and the personnel practices of the Public Service
• propose measures to ensure effective and efficient performance within the Public Service
• give directions aimed at ensuring that personnel procedures relating to recruitment, transfers promotions and dismissals comply with the constitutionally prescribed values and principles
• report its activities and the performance of its functions, including any findings it may make and to provide an evaluation of the extent to which constitutionally it complied with the prescribed values and principles
• either of its own accord or on receipt of any complaint:
  - investigate and evaluate the application of personnel and public-administration practices, and report to the relevant executive authority and legislature
  - investigate grievances of employees in the Public Service concerning official acts or omissions, and recommend appropriate remedies
  - monitor and investigate adherence to applicable procedures in the Public Service
  - advise national and provincial organs of state regarding personnel practices in the Public Service.

Public Administration Leadership and Management Academy (Palama)

Palama (Sesotho for "ascend"), as the public-sector training academy, has a central role to play in building the capacity of the public sector to perform more effectively.

Palama's offerings address the practical management competencies required for improved service delivery in all spheres of government.

Special courses are developed and customised to meet departmental-specific training needs.

In response to government's outcomes-based planning and performance monitoring approach, the academy has identified the following key priorities as part of its contribution towards these outcomes:

- a public-sector cadre development programme
- management and leadership development
- human, financial, project and programme management
- frontline and support-staff training
- M&E training
- ethics, anti-corruption and administrative justice training
- building the capacity of public servants to implement programmes through skills development and deployment to the coalface of service delivery
- supporting the Local Government Turnaround Strategy through training.

In pursuit of continuous improvement of the quality of training in the Public Service, the academy has developed the Trainer Professional Development Programme aimed at the professionalisation of public-sector trainers. In 2009/10, nine workshops were successfully conducted.

Through Palama's Induction Training Programme, 22 632 employees were trained in 2009/10.

The academy is also partnering with National Treasury for the implementation of the Standard Chart of Accounts to ensure that the principles and methodologies embedded in public-service financial management are internalised and adopted by financial practitioners across government.

The training programme continued into Phase Four of its implementation in 2010/11, having trained up to 4 869 officials across government in 2009/10.

Internationally, the academy has played a meaningful role in capacity-building within some of the African countries. This included training of 25 trainers from francophone African countries.

Department of Home Affairs

The Department of Home Affairs is an important and integral part of central government. The aim of the department is to efficiently determine and safeguard identity and status, and regulate migration to ensure security, promote development and fulfil its international obligations.

Statutory bodies falling under the department are the:
- Immigration Advisory Board
- Standing Committee for Refugee Affairs
- Refugee Appeal Board.

The Government Printing Works (GPW), a division of the Department of Home Affairs, provides printing, stationery and related services to all government departments, provincial governments and municipalities. It also publishes, markets and distributes government publications. Based in Pretoria, the printing works provides a variety of related services to departments, the printing industry and other African countries, including manufacturing and supplying fingerprint ink to the South African Police Service (SAPS), and printing postage stamps for the Democratic Republic of Congo and Lesotho.

Over the past few years, government had been seized with the challenge of transforming the GPW to position it as a security printer of choice for government and the SADC region.

Government decided to position the organisation as a key player in the smart card and passport industry.

A new passport-production system was implemented at the GPW high-security printing facility in Pretoria. In addition, a new South African passport was also introduced with unique South African quality features and improved security features.

In terms of the World Cup, South Africa's guarantees to FIFA in terms of immigration related to the issuance of visas, including the unique event visa introduced by this country.

It also related to the issuance of permits and priority treatment for FIFA family members and accredited people.

In support of this objective, the Department of Home Affairs implemented various measures. These comprised the Movement Control System (MCS) in 34 air and land ports of entry, the Advance Passenger Processing (APP) System and the deployment of airline-liaison officers at eight strategic hubs abroad, namely Nairobi, Hong Kong, Amsterdam, Dubai, Frankfurt, Lagos, London and Mumbai to monitor the movement of travellers into South Africa.

The department also signed memoranda of understanding with its Lesotho and Mozambican counterparts to assist in the establishment of temporary joint border clearance facilities. In addition, government advised several SADC counterparts to issue their nationals with machine-readable travel documents compatible with the MCS.

The APP System witnessed a total of 43 undesirables being prohibited from boarding airlines abroad to enter South Africa.

The airline-liaison officers at international airports abroad denied entry into South Africa to 188 people due to possession of fraudulent documents (visas, permits, travel

documents and stamps) and failure to meet immigration requirements.

These systems will be retained following the tournament and will serve as a legacy of the first FIFA World Cup™ hosted by Africa.

Civic services

The Branch: Civic Services is mainly responsible for the National Population Registration and civic services. National population registration entails recording personal particulars with a view to issuing identity documents (IDs); identification by means of fingerprints and photographs; and dealing with matters pertaining to the status of persons, such as births, marriages and deaths.

Civic services entail issuing passports, registering foreign births, determining citizenship and issuing certificates of naturalisation or resumption of South African citizenship.

Learning Academy

The Department of Home Affairs established the Branch: Learning Academy, which deals with issues of learning and development, research, knowledge and information management.

The academy has three main sections, namely:
• Learning Programme Delivery
• Research and Information Management
• Quality and Stakeholder Management.
It forms part of the support for the department's core business of offering immigrations and civic services for South Africa.

The academy has registered the National Certificate of Home Affairs Services with the South African Qualifications Authority. This qualification has three specialisations, namely: Refugee Affairs, Immigrations and Civic Services. The department is accredited by the Public Sector Education and Training Authority as a site for learning, allowing the Learning Academy to enrol learners in the registered home affairs qualification.

The academy also offers generic learning and development such as customer services, management development programmes and training in uniform processes and procedures of the services offered in the department.

Managing research in the Department of Home Affairs entails coordinating research projects that external scholars and researchers want to conduct on the department. The Research Management Unit also identifies research areas within the department that can assist in better delivery of home-affairs services.

Citizenship matters

South African citizenship is regulated by the South African Citizenship Act, 1995 (Act 88 of 1995), and regulations issued in terms thereof. South African citizenship may be granted by way of:
• birth or descent
• an application for naturalisation as a South African citizen
• an application for resumption of South African citizenship
• the registration of the birth of children born outside South Africa to South African fathers or mothers
• an application for exemption in terms of Section 26(4) of the Act.
In October 2010, the South African Citizenship Amendment and Births and Deaths Registration Amendment Bills were adopted by the National Assembly.

The Births and Deaths Registration Amendment Bill seeks to streamline the procedures related to the following:
• who, other than parents, should register the birth of a child, including the next-of-kin or a legal guardian
• the registration of orphans and abandoned children
• simplifying the of the process for the change of surnames of children and adults
• paternity, including steps to be followed when a mother registers a child under one father and later changes to another
• registration of birth after 30 days
• the registration of adopted children to ensure alignment to the Children's Act, 2005 (Act 38 of 2005).
The main objective of the South African Citizenship Amendment Bill is to amend provi-

> **i** In March 2010, President Jacob Zuma launched a new campaign that will see every South African citizen registered with the Department of Home Affairs.
>
> President Zuma and the Minister of Home Affairs, Dr Nkosazana Dlamini Zuma, unveiled the National Population Registration (NPR) Campaign in rural Libode in the Eastern Cape.
>
> The campaign centres on a massive public outreach programme to ensure that each citizen is registered on the NPR and has the right documents.
>
> According to the department, the objectives of the campaign are to eradicate late registrations of births, ensure that new-born babies are registered within 30 days of birth and that all South Africans who turn 16 and above receive their identity documents.

sions of the South African Citizenship Act, 1995, that deals with citizenship by birth, naturalisation, and the loss of citizenship in terms of the mandate of the Department of Home Affairs.

The South African Citizenship Amendment Bill will, among other things, ensure that:
- A child born to a South African parent inside or outside the country is a South African by birth as long as the child is registered according to South African law.
- A child born of non-South African parents but adopted by South African parents is a citizen by descent.
- A child born of non-South African parents in South Africa, may, at the age of 18 years apply for naturalisation. While he or she is a minor, such children will retain the citizenship of their parents.
- A child with no claim to any citizenship will be given South African citizenship in accordance with international law and practice.

Population Register

The Population Register hosted by the Department of Home Affairs stores and provides citizenry-identification information, including unique identification numbers, birth dates and marriage status. In essence, this system forms the core of citizenry-information systems within the department.

Immigration

The National Immigration Branch is responsible for control over the admission of foreigners for residence in and departure from South Africa. This entails:
- processing applications for visas, temporary residence permits and immigration permits
- maintaining a travellers' and foreigners' control system
- tracing and removing foreigners who are considered undesirable or who are in South Africa illegally.

The Refugees Act, 1998 (Act 130 of 1998), gives effect within South Africa to the relevant international legal instruments, principles and standards relating to refugees; provides for the reception into South Africa of asylum seekers; regulates applications for and recognition of refugee status; and provides for the rights and obligations flowing from such status, and related matters.

In recent years, the department has sought to control illegal immigration through a variety of measures:

- The Immigration Act, 2002 (Act 13 of 2002), provides for a stricter immigration policy. The implementation of administrative fines and other measures came into effect in 2003. The Immigration Act, 2002 was amended to clarify and revise immigration and permit procedures to facilitate importing skills.
- The department works closely with the South African Revenue Service and the SAPS to ensure effective border control.

A computerised visa system was instituted to curb the forgery of South African visas and has been extended to all South African missions abroad.

The final immigration regulations came into effect on 1 July 2004. The release of these regulations followed the signing of the Immigration Amendment Act, 2004 (Act 19 of 2004), into law on 12 October 2004.

The immigration policy aims to:
- discourage illegal migration into South Africa by encouraging foreign nationals to apply for different permits to legalise their stay in the country
- create an enabling environment for foreign direct investment in South Africa
- attract scarce skills required by the economy in accordance with the 2014 vision of eradicating poverty and underdevelopment.

The final immigration regulations furthermore aim to establish a new system of immigration control to ensure that:
- temporary and permanent residence permits are issued as expeditiously as possible and according to simplified procedures
- security considerations are fully satisfied and the State regains control over the immigration of foreigners to South Africa
- economic growth is promoted through the employment of needed foreign labour, foreign investment is facilitated, the entry of exceptionally skilled or qualified people is enabled and academic exchange programmes in SADC are facilitated
- tourism is promoted
- the contribution of foreigners to the South African labour market does not adversely affect existing labour standards and the rights and expectations of South African workers
- a policy connection is maintained between foreigners working in South Africa and the training of South African citizens
- a human-rights-based culture of enforcement is promoted.

The department prioritised the issuance of quota work permits to foreigners who fall

within specific occupational classes or specific professional categories. In this context, details of specific occupational classes and specific professional categories and the applicable quotas are published annually in the *Government Gazette* after consultation with other stakeholder departments.

The Immigration Amendment Bill provides for, among other things:
revising provisions relating to the Immigrating Advisory Board
- revising provisions relating to the making of regulations
- the designation of ports of entry
- revising provisions relating to visas for temporary sojourn in South Africa
- the mandatory transmission and the use of information on advance passenger processing
- the transmission of passenger name record information
- revising provisions relating to permanent residence
- revising penal provisions.

The Directorate: Refugee Affairs manages refugee services in South Africa. It has established the Asylum Seekers Unit and Country of Origin Information Unit.

The units advise refugee-reception offices on policy-related matters and on the background information of an applicant's country of origin. After being recognised, refugees are issued with refugee IDs, which give them access to the basic services in South Africa, including basic healthcare, education and employment.

The South African Government, through the Department of Home Affairs, issues UN travel documents to refugees. Since May 2005, refugees have been issued with a refugee smart ID, which contains security features that are not forgeable.

This directorate seeks to professionalise the functioning of the refugee regime in preparation for mass influxes in the future. The department also seeks to assist those who wish to return to their countries of origin after changes in the circumstances that led to their forced migration, by engaging in campaigns of voluntary repatriation jointly with the UN High Commissioner for Refugees.

In the 2009/10 financial year, the department committed to improving operational efficiency and effectiveness of refugee affairs. The intention was to improve the turnaround time for the determination of refugee status and to significantly increase the quantitative number of decisions made by the department's officials.

The Department of Home Affairs wanted to improve the protection mechanisms for genuine asylum seekers and refugees in adherence to international obligations.

In this regard, the department had improved the number of days it takes to issue a Section 22 permit from seven days to one day. It had increased the numbers of refugee-status determination officers and they have in turn increased the number of their decisions from an average of five decisions per week to an average of seven decisions per day.

The department still faces a serious challenge to improve the quality of the decisions and compliance with newly designed methods of work and business processes.

The department had improved efficiency in all its refugee reception centres and established the Musina Reception Centre.

The department intends to establish an additional centre in Bloemfontein with further roll-out envisaged for the remaining provinces.

Having successfully improved operational efficiency, the Department of Home Affairs intended to completely restructure the strategic thrust of refugee policy and legislation in 2010. This will impact on the asylum processes.

The department hopes to, among other things, separate economic migrants from genuine asylum seekers and resolve problems that put pressure on the system. The department began to engage various stakeholders such as trade unions and business on the issue of economic migrants, with the purpose of evolving a policy on the matter.

Visas
Foreigners who wish to enter South Africa must be in possession of valid and acceptable travel documents. They must have valid visas, except in the case of certain countries whose citizens are exempt from visa control. Such exemptions are normally limited to permits, which are issued for 90 days or less at the ports of entry. The visa system is aimed at facilitating the admission of acceptable foreigners at ports of entry. The visa becomes a permit upon entry; therefore, no additional permit will be issued.

Control of travellers
The travel documents of persons entering or departing South Africa are examined by immigration officers at recognised ports of entry, to determine whether such persons comply with the requirements.

Control of sojourn

Foreigners who are in the country illegally and who are therefore guilty of an offence may be classified into three categories, namely those who:
- entered the country clandestinely
- failed to renew the temporary residence permits issued to them at ports of entry
- breached the conditions of their temporary residence permits without permission, such as holiday visitors who took up employment or started their own businesses.

Depending on the circumstances, persons who are in South Africa illegally are either prosecuted, removed, or their sojourn is legalised. Officers at the various regional and district offices of the department are in charge of tracing, prosecuting and removing illegal foreigners from the country. Employers of illegal foreigners may also be prosecuted.

Permanent residence

Government allows immigration on a selective basis. The Department of Home Affairs is responsible for:
- processing applications for immigration permits for consideration
- admitting persons suitable for immigration, such as skilled workers in occupations in which there is a shortage in South Africa.

The department particularly encourages applications by industrialists and other entrepreneurs who wish to relocate their existing concerns or to establish new concerns in South Africa.

The department is not directly involved in an active immigration drive. In categories where shortages exist, the normal procedure is for employers to recruit abroad independently and, in most cases, initially apply for temporary work permits.

The department considers the applications for immigration permits of prospective immigrants who wish to settle in the relevant provinces. In terms of new regulations, regions will be responsible for issuing permits previously issued by the regional committees in respect of permanent residence. They will also do so in respect of temporary residence. Enquiries in this regard may be made to the nearest office of the Department of Home Affairs in South Africa, to missions abroad, or to the Director-General of Home Affairs for the attention of the Directorate: Permitting in Pretoria.

i In 2010, the Department of Home Affairs was working on rolling out an online Identity Document (ID) verification system expected to crack down on fraudulent documentation.

The project will allow the South African Social Security Agency, banks, the insurance and retail sector, among other things, real-time access to the Home Affairs National Identification System (Hanis), for the verification of the identity of prospective and current clients.

The Hanis stores South African citizens' ID numbers, fingerprints and photos.

Accessing the Hanis will equip these sectors with the ability to conduct on-the-spot verification of the finger prints of a client against the information stored in the system.

Temporary residence

In terms of the Immigration Act, 2002, temporary residence permits are divided into the following categories:
- visitor's permits
- diplomatic permits
- study permits
- treaty permits
- business permits
- crew permits
- medical permits
- relative's permits
- work permits with the following categories:
  - quota work permits
  - general work permits
  - intra-company transfer work permits
  - exceptional skills work permits
  - corporate work permits
  - retired person permits
  - exchange permits
- asylum permits.

In terms of Section 11, a visitor's permit may be issued to a person who intends to enter South Africa for less than 90 days for the purpose of tourism, business, education or medical treatment.

Foreigners who are exempt from visa requirements may therefore proceed to a port of entry where visitors' permits for the mentioned period will be issued, provided such persons can produce evidence to prove their bona fides.

Foreigners who are citizens of countries that are exempted from visa requirements for less than 90 days may likewise obtain visitors' permits at a port of entry. Such foreigners enjoy exemption for the period only. Foreigners who require a visa prior to proceeding to South Africa, or who intend to enter South Africa for any period longer than the period for which they are exempt from the visa requirement, must apply for

and obtain a visa prior to proceeding to the country.

Foreigners who intend to accept an offer of employment, start a business, take up studies or enter South Africa for any purpose for which a temporary residence permit is provided for in the Act, must apply for an appropriate temporary residence permit via the South African diplomatic representative in their countries of origin/residence. In countries where there are no representatives, applications must be submitted in the nearest country where there is a foreign representative.

The outcome must be awaited outside South Africa and applicants may only proceed to South Africa once the permit as applied for has been issued to them.

The overriding consideration when dealing with applications for work permits is whether the employment or task to be undertaken cannot be performed by a South African citizen or an approved permanent immigrant already residing in South Africa.

Applications for the extension of temporary residence permits must be submitted at least 30 days prior to the expiry date of the permit, to the nearest regional/district office of the Department of Home Affairs where the applicant is employed. Any enquiries related to temporary residence permits may be directed to the nearest district/regional office of the Department of Home Affairs in South Africa, to South African diplomatic representatives abroad, or to the Director-General of Home Affairs, for the attention of the Directorate: Permitting.

Removal of undesirable persons

In terms of legislation, the Minister of Home Affairs may order the deportation of any person who is declared undesirable or prohibited, other than an asylum seeker.

These are foreign nationals who are in South Africa illegally and should be deported to the countries of which they are citizens or territories where they have rights of domicile or residence.

Any person who has become a deportation subject may, pending his or her deportation, be detained in a manner and at a place determined by the Director-General of the Department of Home Affairs.

Acknowledgements

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