Government

The Constitution of the Republic of South Africa took effect in February 1997. The Constitution is the supreme law of the land. No other law or government action may supersede its provisions. South Africa's Constitution is one of the most progressive in the world and has been acclaimed internationally.

The Preamble to the Constitution states that its aims are 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 every citizen is equally protected by law
- build a united and democratic South Africa able to take its rightful place as a sovereign state in the family of nations.

Government

Government consists of national, provincial and local spheres. The powers of the legislature, executive and courts are separate.

Parliament

Parliament consists of the National Assembly and the National Council of Provinces (NCOP). Parliamentary

sittings are open to the public. Several measures have been implemented to make Parliament more accessible and accountable.

Parliamentary business, 2002/03	
Bills introduced	85
Acts passed	69
Questions asked	4 202
Visitors	21 806

Source: *South Africa Yearbook 2003/04*

The National Assembly consists of no fewer than 350 and no more than 400 members elected through a system of proportional representation for a term of five years. It elects the President and scrutinises the executive.

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.

Seats by party	
Party	Total seats
African Christian Democratic Party	6
African National Congress	279
Azanian People's Organisation	2
Democratic Alliance	50
Independent Democrats	7
Inkatha Freedom Party	28
Minority Front	2
New National Party	7
Pan Africanist Congress	3
United Christian Democratic Party	3
United Democratic Movement	9
Freedom Front Plus	4
Total	**400**

2004 election results

The Presidency

The President is the Head of State and leads the Cabinet. He or she 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 President of South Africa is Mr Thabo Mbeki.

The Deputy President
The President appoints the Deputy President from among the members of the National Assembly. South Africa's Deputy President is Mr Jacob Zuma.

Cabinet
The Cabinet consists of the President, as head of the Cabinet, the Deputy President and Ministers. The President appoints the Deputy President and Ministers, assigns their powers and functions and may dismiss them. No more than two Ministers may be appointed from outside the National Assembly.

Cabinet Ministers		
Portfolio	Minister	Deputy Minister
The Presidency	Essop Pahad	
Agriculture & Land Affairs	Thoko Didiza	Dirk du Toit
Arts & Culture	Pallo Jordan	Ntombazana Botha
Communications	Ivy Matsepe-Casaburri	Radhakrishna Padayachie
Correctional Services	Ngconde Balfour	Cheryl Gillwald
Defence	Mosiuoa Lekota	Mluleki George
Education	Naledi Pandor	Enver Surty
Environmental Affairs & Tourism	Marthinus van Schalkwyk	Joyce Mabudafhasi
Finance	Trevor Manuel	Jabu Moleketi
Foreign Affairs	Nkosazana Dlamini-Zuma	Aziz Pahad and Sue van der Merwe
Health	Manto Tshabalala-Msimang	Noziziwe Madlala-Routledge

Portfolio	Minister	Deputy Minister
Home Affairs	Nosiviwe Mapisa-Nqakula	Malusi Gigaba
Housing	Lindiwe Sisulu	
Intelligence	Ronnie Kasrils	
Justice & Constitutional Development	Brigitte Mabandla	Johnny de Lange
Labour	Membathisi Mdladlana	
Minerals and Energy	Phumzile Mlambo-Ngcuka	Lulama Xingwana
Provincial & Local Government	Sydney Mufamadi	Nomatyala Hangana
Public Enterprises	Alec Erwin	
Public Service & Administration	Geraldine Fraser-Moleketi	
Public Works	Stella Sigcau	Ntopile Kganyago
Safety & Security	Charles Nqakula	Susan Shabangu
Science & Technology	Mosibudi Mangena	Derek Hanekom
Social Development	Zola Skweyiya	Jean Benjamin
Sport & Recreation	Mankenkisi Stofile	Gert Oosthuizen
Trade & Industry	Mandisi Mpahlwa	Lindi Hendricks
Transport	Jeff Radebe	
Water Affairs & Forestry	Buyi Sonjica	

President's Parliamentary Counsellor: Manne Dipico

Provincial government

Each of the nine provinces has its own legislature of 30 to 80 members. They elect the Premier who heads the Executive Council.

Provinces may have legislative and executive powers concurrently with the national sphere, over:

- agriculture
- casinos, horse racing and gambling
- cultural affairs
- education at all levels, except university and university of

FACT

Provincial houses of traditional leaders have been established in all six provinces which have traditional leaders: Eastern Cape, KwaZulu-Natal, Free State, Mpumalanga, Limpopo and North West.

technology (technikon) education
- environment and nature conservation
- health, housing and welfare
- language policy
- police services, public transport, traffic regulation and vehicle licensing
- regional planning and development and urban and rural development.

Provinces are also responsible for promoting trade, investment and tourism.

Provinces have exclusive competency over:
- abattoirs
- ambulance services
- liquor licences
- museums other than national museums
- provincial planning
- provincial cultural matters
- provincial recreation and activities
- provincial roads and traffic.

Premiers	
Province	Premier
Mpumalanga	Thabang Makwetla
North West	Ednah Molewa
Limpopo	Sello Moloto
Free State	Beatrice Marshoff
Northern Cape	Dipuo Peters
Western Cape	Ebrahim Rasool
Eastern Cape	Nosimo Balindlela
KwaZulu-Natal	S'bu Ndebele
Gauteng	Mbhazima Shilowa

Provinces

Allocations for capital transfers for provincial infrastructure, which have been in existence since 2000/01, increased from R300 million in 2000/01 to R2,3 billion in 2003/04, and are projected to rise to R4,1 billion in 2006/07.

Provincial spending on capital doubled from under R4 billion in 2000/01 to a projected outcome of R10 billion in 2003/04.
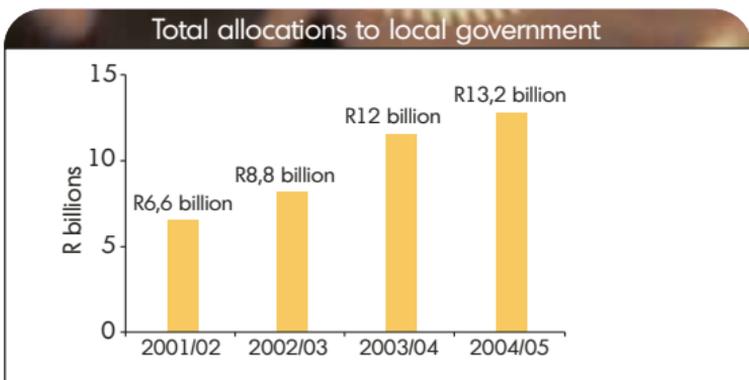
Local government

Local governments are not merely instruments of service delivery but are expected to act as key agents for economic development.

The largest increases in national government's 2002 Budget were in transfers to the local sphere, rising by 26% a year from 2001/02 to 2004/05.
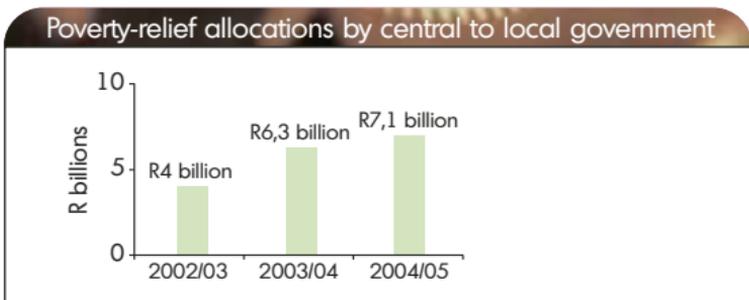
Municipalities

The Constitution provides for three categories of municipalities:

• metropolitan municipalities

Total allocations to local government

R6,6 billion
R8,8 billion
R12 billion
R13,2 billion

R billions

2001/02 2002/03 2003/04 2004/05

Source: *South Africa Yearbook 2003/04*

Poverty-relief allocations by central to local government

R4 billion
R6,3 billion
R7,1 billion

R billions

2002/03 2003/04 2004/05

Source: *South Africa Yearbook 2003/04*

- local municipalities
- district areas or municipalities.

Johannesburg, Durban, Cape Town, Pretoria, East Rand and Port Elizabeth are metropolitan areas. There are 231 local municipalities and 47 district municipalities.

Municipalities enjoy significant powers to corporatise their services. Legislation provides for them to report on their performance, and for residents to compare this performance with that of other municipalities.

The Consolidated Municipal Infrastructure Programme (CMIP) aims to provide basic levels of service to improve people's quality of life. By March 2003, six million households which previously had no access or only limited access to a basic level of service were benefiting from the CMIP, receiving water, sanitation, roads, storm water, solid waste and community lighting facilities.

The Municipal Infrastructure Grant (MIG) has been allocated R15 billion in the Medium Term Expenditure Framework which is in line with government's commitment to allocate more resources to accelerate the delivery of services, particularly to the poor, while at the same time creating conditions for economic development.

The MIG replaces all existing capital grants for municipal infrastructure and incorporates the following seven local government programmes:
- CMIP
- Local Economic Development Fund
- Water Services Project
- Community-Based Public Works Programme
- Municipal Sports and Recreation Programme
- National Electrification Programme to local government
- Urban Transport Fund.

Communicating with the people

The Government Communication and Information System (GCIS) is primarily responsible for communication between government and the people. A high premium is placed on communication that emphasises direct dialogue, especially with people in disadvantaged areas. GCIS is involved in communication strategies and programmes for the whole of government at national level, and integrating the operations of all government departments.

GCIS is leading an intersectoral process to set up Multi-Purpose Community Centres (MPCCs) in every municipality, providing information on accessing government services, as well as offering some government services at the Centres themselves.

By April 2004, there were 55 operational MPCCs. It was expected that there would be 60 operational MPCCs by December 2004.

The GCIS is maintaining the website *www.gov.za* and publishes the *South Africa Yearbook* and *Pocket Guide to South Africa*.
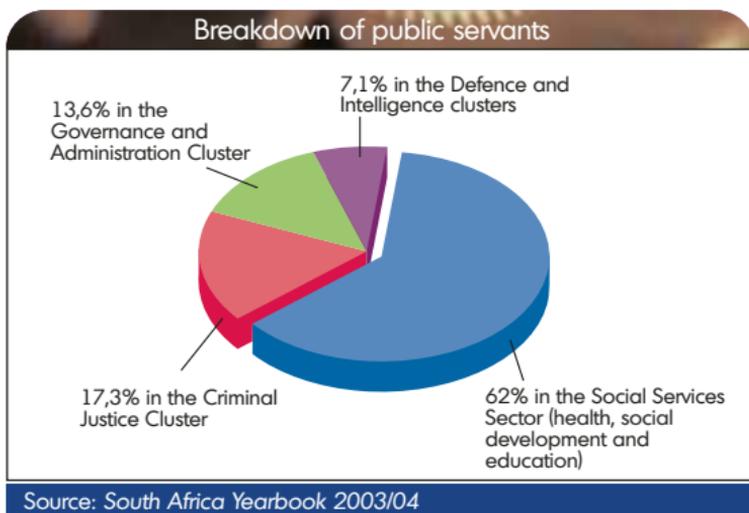
The Public Service

On 31 December 2002, the Public Service employed 1 040 506 people, 0,86% more than a year before. The Public Service has been extensively restructured, with employees being deployed particularly in service-delivery positions.

In August 2003, the roll-out of an additional type of public servant was approved: Community Development Workers (CDWs).

FACT

President Thabo Mbeki and senior government leaders regularly undertake *imbizo* outreaches, a programme of interactive government during which they meet the people and assess progress in delivering services to communities.

Breakdown of public servants

13,6% in the Governance and Administration Cluster

7,1% in the Defence and Intelligence clusters

17,3% in the Criminal Justice Cluster

62% in the Social Services Sector (health, social development and education)

Source: *South Africa Yearbook 2003/04*

These people are skilled facilitators who will bridge the gap between government services and the people by assisting with matters such as birth certificates, identity documents (IDs), social-grant applications and small business start-ups, in their own communities.

CDWs are set to be fully deployed by December 2004.

A public service that serves the public

The Government believes that the Public Service exists to create a better life for all. To this end, a support programme has helped five provincial administrations enhance the performance of specific institutions.
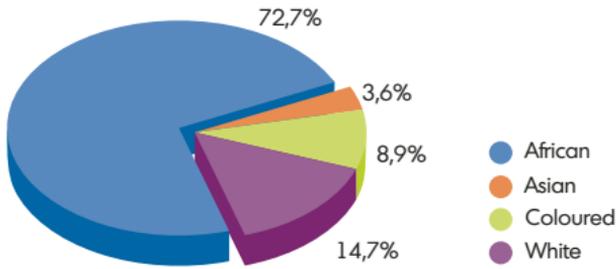
Promoting integrated, seamless service delivery is being pursued through the *Batho Pele* (People First) policy.

Various projects are being delivered through *Batho Pele*. These include:

- the electronic e-Gateway project to facilitate access to all government services and information
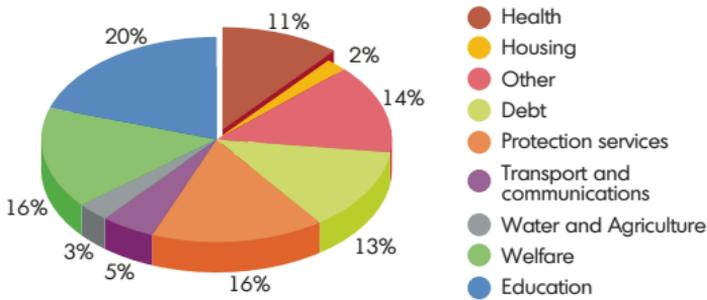- modernising government, for example, through the Centre for Public-Service Innovation

35

Public servants by race on 31 March 2003

72,7%
3,6%
8,9%
14,7%

- African
- Asian
- Coloured
- White

Source: *South Africa Yearbook 2003/04*

Government expenditure 2004

20%
11%
2%
14%
16%
3%
5%
16%
13%

- Health
- Housing
- Other
- Debt
- Protection services
- Transport and communications
- Water and Agriculture
- Welfare
- Education

Source: National Treasury

- the creation of new service-delivery mechanisms such as MPCCs and One-Stop Centres
- the Government Information Technology Officers' Council to alert government when and how to intervene to improve service delivery
- active auditing of national and provincial departments' anti-corruption capabilities by the Public Service Commission.

Affirmative Action

The Government's Affirmative Action policy for the Public Service emphasises the management of diversity and the highest standards of service delivery.

The overall profile of the Public Service is very close to achieving perfect representivity, edging its way to matching the population profile in both race and gender. By March 2003, 52% were female but only 22% of senior managers were women.

Home Affairs

The Department of Home Affairs has a network of offices in all the provinces. Where the establishment of fixed offices is not warranted, mobile offices or units service such areas on a regular basis.

The Population Register is being rewritten, and an associated Document Management System will be developed and rolled out gradually. This will consist of a large database, an online document-storage system, and a query interface for the retrieval and viewing of electronically stored documentation. The system will reduce processing time for each business transaction, while enhancing information integrity.

The rewriting of the Population Register is closely aligned with the implementation of the Home Affairs National Identification System (HANIS).

HANIS will significantly improve the accuracy and accessibility of personal identification, but, because of its

scale, its successful implementation is the greatest challenge facing the Department. It will automate the manual fingerprint identification system, replace the ID with an identity card, and integrate these systems with the Population Register. HANIS is being established at a cost of just over R1 billion over five years.

Permanent residence

The Department is responsible for admitting people suitable for immigration, such as skilled workers in occupations in which there is a local shortage.

Applications are particularly encouraged from industrialists and other entrepreneurs who wish to relocate their existing concerns or establish new concerns in South Africa.

Those wishing to enter the country as work seekers or for study purposes must have the relevant permit which is issued outside the country.

Independent Electoral Commission (IEC)

The IEC is a permanent body created by the Constitution to promote and safeguard democracy in South Africa. Although publicly funded and accountable to Parliament, the Commission is independent of Government. Its immediate task is the impartial management of free and fair elections at all levels of government.