



## Government

South Africa's Constitution was the result of remarkably detailed and inclusive negotiations – difficult but determined – that were carried out with an acute awareness of the injustices of the country's non-democratic past.

On 8 May 2006, President Thabo Mbeki addressed a joint sitting of Parliament to mark the 10th anniversary of South Africa's Constitution, which is one of the most progressive in the world and has been acclaimed internationally.

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

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. The National Assembly

consists of no fewer than 350 and no more than 400 members elected through a system of proportional representation for a five-year term. 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	Votes	% of votes in 2004 election	Seats in National Assembly after 1999 election	Seats in National Assembly after floor crossing 15/09/05
African Christian Democratic Party	250 272	1,6	6	4
African National Congress	10 880 915	69,69	279	293
Democratic Alliance	1 931 201	12,37	50	47
Independent Democrats	269 765	1,73	7	5
Inkatha Freedom Party	1 088 664	6,97	28	23
New National Party	257 824	1,65	7	–
Pan Africanist Congress of Azania	113 512	0,73	3	3
United Christian Democratic Party	117 792	0,75	3	3
United Democratic Movement	355 717	2,28	9	6
Freedom Front Plus	139 465	0,89	4	4
National Democratic Convention	–	–	–	4
Progressive Independent Movement	–	–	–	4
Others	210 204	1,36	4	8

## Cabinet ministers, 15 November 2006

Portfolio	Minister	Deputy Minister
Agriculture and Land Affairs	Lulama Xingwana	Dirk du Toit
Arts and Culture	Pallo Jordan	Ntombazana Botha
Communications	Ivy Matsepe-Casaburri	Radhakrishna Padayachie
Correctional Services	Ngconde Balfour	Loretta Jacobus
Defence	Mosiua Lekota	Mluleki George
Education	Naledi Pandor	Enver Surty
Environmental Affairs and 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	Nozizwe Madlala-Routledge
Home Affairs	Nosiviwe Mapisa-Nqakula	Malusi Gigaba
Housing	Lindiwe Sisulu	
Intelligence Services	Ronnie Kasrils	
Justice and Constitutional Development	Brigitte Mabandla	Johnny de Lange
Labour	Membathisi Mdladlana	
Minerals and Energy	Buyelwa Sonjica	
Provincial and Local Government	Sydney Mufamadi	Nomatyala Hangana
The Presidency	Essop Pahad	
Public Enterprises	Alec Erwin	
Public Service and Administration	Geraldine Fraser-Moleketi	
Public Works	Thoko Didiza	Ntopile Kganyago
Safety and Security	Charles Nqakula	Susan Shabangu
Science and Technology	Mosibudi Mangena	Derek Hanekom
Social Development	Zola Skweyiya	Jean Benjamin
Sport and Recreation	Makhenkesi Stofile	Gert Oosthuizen
Trade and Industry	Mandisi Mpahlwa	Rob Davies and Elizabeth Thabethe
Transport	Jeff Radebe	
Water Affairs and Forestry	Lindiwe Hendricks	

## Fact:

Since the first democratic elections in 1994, South Africa has had a significant increase in the number of political parties. A total of 97 parties participated in the 2006 municipal elections compared with 79 in the 2000 municipal elections, showing growth of 19%. There were 17 000 voting stations in the

### **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. The Deputy President is Ms Phumzile Mlambo-Ngcuka.

### **Cabinet**

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.

### **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 technology education
- environment and nature conservation
- health, housing and welfare
- language policy

2004 general elections, compared with 19 000 stations in the 2006 elections. In these municipal elections alone, 45 189 candidates countrywide contested the elections. This represented a 50% increase in candidates participating compared with the 2000 elections.

- 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.

They have exclusive competency over:

- abattoirs
- ambulance services
- liquor licences
- museums other than national museums
- provincial planning
- provincial cultural matters
- provincial recreation
- provincial roads and traffic.

### Premiers, 15 November 2006

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

## Fact:

In March 2006, the Minister of Public Service and Administration, Ms Geraldine Fraser-Moleketi, was elected vice-president of the United Nations' (UN) second Committee of Experts on Public Administration and Finance. She is expected to serve on the committee until 2009. Minister Fraser-Moleketi was also a

### Local government

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

#### *Municipalities*

There are 283 municipalities focused on growing local economies and providing infrastructure and services.

The Constitution provides for three categories of municipalities:

- metropolitan municipalities
- local municipalities
- district areas or municipalities.

Johannesburg, Durban, Cape Town, Pretoria, East Rand and Port Elizabeth are metropolitan areas.

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.

Over 70% of the 9 319 councillors who were elected in the 2006 local government elections participated in councillor induction sessions undertaken by the Department of Provincial and Local Government and the South African Local Government Association.

The mayors' conference held in Cape Town in May 2006 provided an opportunity for mayors and the three spheres of government to interact and engage on the five-year strategic priorities for local government.

A municipal leadership development qualification was expected to be piloted for roll-out in the second half of 2006.

#### *Municipal Infrastructure Grant (MIG)*

The MIG entered its third year of implementation in 2006/07. It is aimed at providing grant funding to municipalities to implement infrastructure that would allow them to provide at least a basic level of service to poor households. The MIG programme is a multisectoral programme. It implies that sector departments play a pivotal role during the whole project lifecycle in supporting municipalities in delivering infrastructure services.

member of the first committee that served the UN from 2002 to 2005. The committee is mandated to discuss and give direction to the state of public administration required to meet the UN's millennium development goals.

Since the inception of the MIG in 2004/05, government had contributed R9,876 billion by the end of March 2006 to assist municipalities in addressing infrastructure backlogs.

For the 2006/07 Medium Term Expenditure Framework, R21 457 billion was allocated, comprising capital allocations of R20 247 billion for all municipalities. The balance of R1 220 billion was made available to selected municipalities according to needs (bucket eradication, Special Municipal Infrastructure Fund commitments and bulk infrastructure).

In 2005/06, government set aside R5,4 billion for the MIG. By the end of March 2006, the entire sum had been transferred to municipalities, but actual expenditure stood at R3,9 billion, which meant that the rate of spending on municipal infrastructure was at 72%.

Some 12 million person days of employment were created between 1 April 2004 and the end of December 2005. At the end of December 2005, 1 060 small, medium, and micro enterprises and 297 Black Economic Empowerment companies were involved.

#### *Project Consolidate (PC)*

To ensure that municipalities are not held back by poor performance and the attendant problem of service-delivery backlogs, the Department of Provincial and Local Government rolled out PC. It is a hands-on local government engagement programme that allows national and provincial government, with private-sector partners, to find new ways of working with local government. It focuses on assisting 136 municipalities identified as needing assistance and capacity-building.

By September 2006, 218 experts had been deployed to 80 PC municipalities.

## Fact:

The toll-free, 24-hour National Public Service Anti-Corruption Hotline facility (0800 701 701) was established for the reporting of fraud and corruption. By May 2006, the hotline had generated 1 681 corruption-related and 1 056 service-delivery complaint cases for further handling and investigation

## Communicating with the people

The Government Communication and Information System (Government Communications) is primarily responsible for facilitating communication between government and citizens. A high premium is placed on communication that emphasises direct dialogue, especially with people in disadvantaged areas.

Government Communications is responsible for maintaining the Government's website (*www.gov.za*), which includes both an information portal for general information about government, and a services portal that is a source of information about all the services offered by national government.

Government Communications leads or is involved in various communication partnerships and joint processes, including:

- An intersectoral programme to set up Thusong Service Centres (formerly multi-purpose community centres), providing information about accessing government services, as well as some government services at the centres themselves. By the end of September 2006, 87 Thusong Service Centres were in operation. A strategy for setting up one centre in each of the country's 283 municipalities by 2014 has been approved.
- Institutional support to the Media Development and Diversity Agency (MDDA), established in terms of the MDDA Act, 2002, for which the Minister in The Presidency is responsible.
- The development of the new Coat of Arms, launched on Freedom Day, 27 April 2000, and the redesign of the national orders.
- The process towards the transformation of the advertising and marketing industry.
- The Academy of Government Communication and Marketing, in collaboration with the School of Public and Development Management, Unilever and the Mandela-Rhodes Foundation.
- The international marketing campaign led by the International Marketing Council (IMC).



by departments. Consistent with the resolutions of both the 1999 and 2005 national anti-corruption summits, the hotline is expected to play a continuous role in the fight against corruption.

- The Imbizo Campaign of direct interaction between government and the public.

Government Communications publishes, among others, the *South Africa Yearbook*, the *Pocket Guide to South Africa* and *Vuk'uzenzele*.

## **International Marketing Council**

The IMC of South Africa was established in 2000 as a public-private partnership aimed at creating a positive, united image for South Africa to give the country a strategic advantage in an increasingly competitive marketplace.

The IMC's threefold mission is to:

- articulate a brand for South Africa, which positions the country to attract tourism, trade and investment, as well as realise international relations objectives
- establish an integrated approach within government and the private sector towards the international marketing of South Africa
- build national support for Brand South Africa.

## **The Public Service**

Government believes that the Public Service exists to create a better life for all.

Community development workers (CDWs) are part of government's drive to ensure that service delivery reaches poor and marginalised communities. CDWs act as a bridge between government and citizens, providing information on services, benefits and economic opportunities. They are in a position to inform the Government of the needs of the people.

By the end of May 2006, 3 158 candidates had been trained, with 1 039 candidates deployed full-time in provincial departments. It was envisaged that by August 2006, a total of 3 000 CDWs would be deployed as full-time public servants. Another 1 000 candidates

were expected to be recruited to undergo the year-long learnership programme. In 2006, each candidate received a monthly stipend of R888.

A total of 543 CDWs were deployed in the 21 nodal points. All municipalities have a substantial number of CDWs and at least 10 per municipality.

The Batho Pele (People First) policy promotes integrated and seamless service delivery.

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

- the Batho Pele Gateway Portal, maintained by government, to facilitate access to all government services and information
- modernising government, for example, through the Centre for Public Service Innovation
- creating new service-delivery mechanisms such as Thusong Service Centres 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.

## **Home affairs**

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

The Population Register is being reproduced, 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

By the end of March 2006, the Public Service comprised 1 045 412 people (excluding members of the South African National Defence Force). The aggregate size of the Public Service remained remarkably constant within a 1% range of this figure over the past five years. Of these employees, 67% were attached to the Social Services Sector (health, social development and education), followed by 20% in the Criminal Justice Sector.

processing time for each business transaction, while enhancing information integrity.

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

Hanis is a key pillar of government's e-government programme. Through this system, the Department of Home Affairs seeks to create and maintain an integrated biometric database of all people – citizens and visitors – with whom it deals. As part of the department's turnaround strategy, it plans to computerise all application processes to enable a quick, reliable and secure system of identification and service delivery.

Most of the programmes that form part of Hanis were at an advanced stage or near completion by August 2006. By the end of April 2006, 23 645 384 million records (79% of the target of 30 million) had been digitised. This will assist law-enforcement agencies in their verification and identification processes, and will also be of great value to other institutions such as banks where client verification will be faster. Over 14 million digital records had been absorbed into Hanis by August 2006. The target for completing this was February 2007.

### **Permanent residence**

The department is responsible for admitting people suitable for immigration, such as skilled workers who are in short supply locally.

## Fact:

In December 2005, directors-general signed the Public Service Pledge, marking their commitment to lead the campaign for integrity in the Public Service and in the provision of service delivery to all people.

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.

Local government elections took place on 1 March 2006. The African National Congress (ANC) strengthened its position in South African local government, polling 66,34% in the municipal elections – from just under 60% in the previous municipal poll in 2000.

This gave the ANC 5 718 of the 8 380 local government seats in South Africa's 283 municipalities.

The Democratic Alliance received 14,7% votes, taking 1 107 local government seats, followed by the Inkatha Freedom Party with 8,05% and 738 seats.

The Department of Home Affairs conducted a community outreach programme among the !Xun, Khwe and Khomani San communities in Platfontein in the Northern Cape. The Minister of Home Affairs, Ms Nosiviwe Mapisa-Nqakula, handed over 200 identity documents (IDs) to residents of the indigenous tribes in May 2006. It was the first time they had ever had IDs, having previously held identification cards issued by the South African Defence Force and never having been able to access basic government services such as social grants. The minister also solemnised marriages and registered births on site.

In July 2006, the Minister of Public Service and Administration, Ms Geraldine Fraser-Moleketi, presented South Africa's Country Self-Assessment Report to the African Peer Review Mechanism (APRM) country review team. The handover ceremony also saw the official launch of the Country Review Mission that South Africa hosted from 11 – 25 July 2006. The final report was expected to be submitted to the APRM Forum of Heads of State in November 2006. APRM documents are available on the APRM website ([www.aprm.org.za](http://www.aprm.org.za)).

The IEC recorded a 48,42% voter turnout, which is almost identical to the 48,07% recorded in the 2000 municipal elections.

Ninety-seven political parties contested the elections.