



**OFFICIAL GUIDE TO SOUTH AFRICA 2017/18**

# Government

South Africa is a constitutional democracy with a three-tier system of government and an independent judiciary. The national, provincial and local levels of government all have legislative and executive authority in their own spheres, and are defined in the Constitution as “distinctive, interdependent and interrelated.”

## The Constitution

The Constitution is the supreme law of the land. No other law or government action can supersede the provisions of the Constitution. The Constitution of the Republic of South Africa of 1996 was approved by the Constitutional Court on 4 December 1996 and took effect on 4 February 1997.

## 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.

## National Assembly

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. The purpose of the NCOP is to represent the interests of the provinces in the national sphere of government.

## Government clusters

Clusters were established to foster an integrated approach to governance that is aimed at improving government planning, decision making and service delivery. The main objective is to ensure proper coordination of all government programmes at national and provincial levels.

The seven clusters are:

- Infrastructure Development
- Economic Sectors and Employment
- Governance and Administration
- Human Development
- Social Protection and Community Development
- International Cooperation, Trade and Security
- Justice, Crime Prevention and Security.

### The Presidency, June 2018

**President:** Cyril Ramaphosa

**Deputy President:** David Mabuza

## Izimbizo

The *Izimbizo* programme is a communication platform that enables the citizenry to have a meaningful and direct engagement with members of the national, provincial and local executive. It promotes unmediated face-to-face communication with the public. It provides an opportunity to political principals to share government plans to improve service delivery and to listen to issues facing communities.

The eighth National Imbizo Focus Week took place from 9 to 15 July 2018 under the theme: “Together we move South Africa forward.” It took place during the year in which the country

celebrated the centenary of two Struggle stalwarts, Tata Nelson Rolihlahla Mandela under the theme: “Be the Legacy”, and Mama Albertina Nontsikelelo Sisulu under the theme: “A Woman of Fortitude”. This followed the Year of Oliver Reginald Tambo in 2017 under the theme: “The Life and Legacy of OR Tambo”.

## Inter-Ministerial Committees (IMCs)

The President of the Republic of South Africa (and in certain instances the Cabinet) appoints IMCs for specific purposes that require the attention and dedication of a team of certain Ministers. The mandate of the IMCs is limited to the matter that they are established to execute. They included:

- IMC on the Prevention and Combating of Corruption;
- IMC on Information and Publicity;
- IMC on State Funerals;
- IMC on the Revitalisation of Distressed Mining communities;
- IMC on Immigration Regulations;
- IMC on Investment Promotion;
- IMC on Local Government Elections;
- IMC on the Centenaries of Mama Albertina Sisulu and Tata Nelson;
- IMC on the South Africa Investment Conference;
- IMC on Land Reform.

## The Presidency

The Presidency is the executive manager of government. It is situated in the Union Buildings, Pretoria, and has a subsidiary office in Tuynhuys, Cape Town.

There are two Ministers in The Presidency, one responsible for Women and the other for Planning, Monitoring and Evaluation. The NDP offers a long-term socio-economic development road map. The NDP: Vision for 2030 focuses on the following strategic areas of development:

- creating jobs
- expanding infrastructure
- sustainable use of resources
- transforming urban and rural spaces
- improving education and training
- providing quality healthcare
- building a capable state
- fighting crime and corruption
- uniting the nation.

## The Deputy President

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

## 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.

Premiers, as at October 2018	
Province	Premier
Eastern Cape	Phumulo Masualle
Free State	Sefora Ntombela
Gauteng	David Makhura
KwaZulu-Natal	Willies Mchunu
Limpopo	Stanley Mathabatha
Mpumalanga	Refilwe Mtshweni
Northern Cape	Sylvia Lucas
North West	Job Mokgoro
Western Cape	Helen Zille

No more than two Ministers may be appointed from outside the National Assembly.

Cabinet Ministers and Deputy Ministers, as at November 2018		
Portfolio	Minister	Deputy Minister
Agriculture, Forestry and Fisheries	Senzeni Zokwana	Sfiso Buthelezi
Arts and Culture	Nathi Mthethwa	Makhotso Soty
Basic Education	Angie Motshekga	Enver Surty
Communications	Stella Ndabeni-Abrahams	Pinky Kekana
Cooperative Governance and Traditional Affairs	Zweli Mkhize	Obed Bapela Andries Nel
Defence and Military Veterans	Nosiviwe Mapisa-Nqakula	Kebby Maphatsoe
Economic Development	Ebrahim Patel	Madala Masuku
Energy	Jeff Radebe	Thembi Majola
Environmental Affairs	Nomvula Mokonyane	Barbara Thomson
Finance	Tito Mboweni	Mondli Gungubele
Health	Aaron Mokoaleli	Joe Phaahla
Higher Education and Training	Naledi Pandor	Buti Manamela
Home Affairs	Siyabonga Cwele	Fatima Chohan
Human Settlements	Nomaindia Mfeketo	Zoliswa Kota-Fredericks
International Relations and Cooperation	Lindiwe Sisulu	Reginah Mhaule Luwellyn Landers
Justice and Correctional Services	Michael Masutha	Thabang Makwetla John Jeffery
Labour	Mildred Oliphant	Patekile Holomisa
Mineral Resources	Gwede Mantashe	Godfrey Oliphant
Police	Bheki Cele	Michael Mkongi
Public Enterprises	Pravin Gordhan	–
Public Service and Administration	Ayanda Dlodlo	Chana Pilane-Majeke
Public Works	Thulas Nxesi	Jeremy Cronin
Rural Development and Land Reform	Maite Nkoana-Mashabane	Candith Mashego-Dlamini Mcebisi Skwatsha
Science and Technology	Mmamoloko Kubayi-Ngubane	Zanele kaMagwaza-Msibi
Small Business Development	Lindiwe Zulu	Cassel Mathale
Social Development	Susan Shabangu	Hendrietta Bogopane-Zulu
Sport and Recreation	Tokozile Xasa	Gert Oosthuizen
State Security	Bongani Bongo	Ellen Molekane
Telecommunications and Postal Services	Stella Ndabeni-Abrahams	–
The Presidency: Planning, Monitoring and Evaluation	Nkosazana Dlamini Zuma	–
The Presidency: Women	Bathabile Dlamini	–
Tourism	Derek Hanekom	Elizabeth Thabethe
Trade and Industry	Rob Davies	Gratitude Magwanishe
Transport	Blade Nzimande	Sindisiwe Chikunga
Water and Sanitation	Gugile Nkwinti	Pamela Tshwete

### Provincial government

Each of the nine provinces has its own legislature of 30 to 80 members. They elect the premiers who head the executive councils.

### Traditional leadership

The National House of Traditional Leaders was established in terms of the then National House of Traditional Leaders Act 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, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and North West.

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 deepens and cements the relationship between municipalities and traditional leaders on customary law and development initiatives.

### Local government

Local government is the sphere of government closest to the people. In accordance with the Constitution and the Organised Local Government Act of 1997, which formally recognises organised local-government associations, organised local government may designate up to 10 part-time representatives to represent municipalities and participate in proceedings of the NCOP.

### Municipalities

Recent developments include the redemarcation of municipal boundaries in South Africa after the 2016 Local Government Elections. This reduced the number of municipalities from 278 to 257, comprising eight metropolitan, 44 district and 205 local municipalities. Municipalities govern on a four-year term basis and run local affairs subject to national and provincial legislation. They are focused on growing local economies and providing infrastructure and services.

South Africa has eight metropolitan municipalities:

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

### Department of Cooperative Governance and Traditional Affairs (CoGTA)

The Department of CoGTA is mandated to: develop and monitor the implementation of national policy and legislation aimed at transforming and strengthening key institutions and mechanisms of governance in national, provincial and local government to fulfil their developmental role; develop, promote and monitor mechanisms, systems and structures to enable integrated service delivery and implementation within government; and promote sustainable development by providing support to and exercising oversight of provincial and local government.

The department's Back to Basics strategy, which was launched in 2014, aims to improve the quality of basic services, foster good governance and build institutional capacity in local government, encourage public participation, and create work opportunities.

The five pillars of the strategy are:

- **Batho Pele (Putting People First):** Put people and their concerns first and ensure constant contact with communities through effective public participation platforms.
- **Deliver Reliable Services:** Create decent living conditions by consistently delivering the right quality and standard of municipal services. This entails planning and budgeting, delivering infrastructure, amenities and maintenance and ensuring that there are no service failures. Should failures occur, restore services with urgency.
- **Sound Financial Management:** Demonstrate good governance and administration, which include waste reduction, prudent public funds expenditure, recruitment of competent staff and transparency and accountability.
- **Good Governance:** Ensure sound financial management and accounting and manage resources effectively to sustain service delivery and community development.
- **Build Capable Institutions:** Build and maintain sound institutional and administrative capabilities that are administered and managed at all levels by dedicated and skilled personnel.

The Department of CoGTA is also responsible for managing and transferring the Municipal Infrastructure Grant (MIG), which provides specific capital finance for basic municipal infrastructure backlogs for poor households, micro-enterprises and social institutions servicing poor communities.

The MIG enables the provision of basic services such as water, sanitation, roads and community lighting in poor communities.

## Public Service Commission (PSC)

The PSC is tasked and empowered to, amongst others, investigate, monitor, and evaluate the organisation and administration of the Public Service.

This mandate also entails the evaluation of achievements, or lack thereof of government programmes. The PSC also has an obligation to promote measures that would 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.

## National School of Government (NSG)

The NSG is intended to educate, train, professionalise and develop a highly capable, skilled and committed public service cadre, with a sense of national duty and a common culture and ethos. It nurtures a culture of professionalism and innovative thinking and serve as a catalyst for reform and modernisation in pursuit of a performance-oriented public service.

## Department of Public Works (DPW)

The DPW aims to promote the government's objectives of economic development, good governance and rising living standards and prosperity by providing and managing the accommodation and infrastructure needs of national departments, by leading the national Expanded Public Works Programme (EPWP) and transforming the construction and property industries.

The EPWP remains an effective part of government's response to the triple challenge of poverty, unemployment and inequality. Through the EPWP, projects such as building low-cost bridges over rivers, were making a real difference to people's lives. The projects carried out by the EPWP sought to improve the quality of life of poor communities in particular.

Community development workers (CDWs) serve as a link between communities with many

government services and programmes. Located within communities, CDWs assist citizens by helping them to access services such as health, welfare, housing, agriculture, economic activity, education and training, and employment opportunities.

### Department of Home Affairs (DHA)

The DHA is the custodian of the identity of all South African citizens, critical to which is issuing birth, marriage and death certificates; identity documents and passports; as well as citizenship; naturalisation and permanent residency certificates.

The department is also responsible for the effective, secure and humane management of immigration.

Statutory bodies falling under the department are the:

- Immigration Advisory Board
- Standing Committee for Refugee Affairs
- Refugee Appeal Board.

### Department of Labour

The Department of Labour derives its legislative mandate from the Constitution, particularly the Bill of Rights, which is given effect through a number of acts that regulate labour matters in South Africa. The most important of these are the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1997, the Employment Equity Act of 1998, the Occupational Health and Safety Act of 1993, and the Employment Services Act of 2014.

The mandate of the department is to regulate the labour market through policies and programmes developed in consultation with social partners. These aim to:

- improve economic efficiency and productivity
- facilitate decent employment creation
- promote labour standards and fundamental rights at work
- provide adequate social safety nets to protect vulnerable workers
- promote and enforce sound labour relations
- promote equity and eliminate unfair discrimination in the workplace
- eliminate inequality and discrimination in the workplace
- enhance occupational health and safety awareness and compliance in the workplace
- give value to social dialogue in the formulation of sound and responsive legislation and policies to attain labour market flexibility for the competitiveness of enterprises, balanced with the promotion of decent employment department.

### Government Printing Works (GPW)

The GPW, a division of the DHA, is mandated to provide security printing and ancillary services to all organs of state in all spheres of government.

It deals with the printing of passports, visas, birth certificates, smart-card identification documents and examination materials, as well as government stationery and publications, such as tender bulletins and government gazettes. The GPW also provides printing services to some Southern African Development Community states.