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.

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.

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	-	-	-	1
Others	210 204	1,36%	4	8

Source: Independent Electoral Commission

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.

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.

Cabinet ministers, 1 November 2005		
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	Nozizwe Madlala-Routledge
Home Affairs	Nosiviwe Mapisa-Nqakula	Malusi Gigaba
Housing	Lindiwe Sisulu	
Intelligence Services	Ronnie Kasrils	
Justice & Constitutional Development	Brigitte Mabandla	Johnny de Lange
Labour	Membathisi Mdladlana	
Minerals & Energy	Lindiwe Hendricks	Lulama Xingwana
Provincial & Local Government	Sydney Mufamadi	Nomatyala Hangana

Portfolio	Minister	Deputy Minister
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	Makhenkesi Stofile	Gert Oosthuizen
Trade & Industry	Mandisi Mpahlwa	Rob Davies and Elizabeth Thabethe
Transport	Jeff Radebe	
Water Affairs & Forestry	Buyelwa Sonjica	

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:

fact

It was announced in May 2005 that Parliament would be establishing nine regional offices in the remotest areas of the country. It is part of a broader plan to make the legislature relevant, effective and responsive to the needs of South Africans.

- 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
- 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
- provincial roads and traffic.

Local government

Local governments are not merely instruments of service

Premiers, 1 November 2005	
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	Ednah Molewa
Northern Cape	Dipuo Peters
Western Cape	Ebrahim Rasool

delivery, but are expected to act as key agents for economic development.

Municipalities

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. 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.

After the new system of local government was introduced in 2000, total national transfers to local government amounted to only R6,5 billion in the 2001/02 financial year. These have been increased to R19,7 billion and R21,4 billion in the 2006/07 and 2007/08 financial years, respectively.

Over the next three years, from 2005 to 2008, local government will receive total transfers of about R58,3 billion from national government.

Municipal Infrastructure Grant (MIG)

The 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 simultaneously creating conditions for economic development.

The MIG replaces all existing capital grants for municipal infrastructure and incorporates the following seven local government programmes:
- Consolidated Municipal Infrastructure Programme
- 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.

At the end of June 2005, 97,2% of the 2004/05 MIG allocation and 7,4% of the 2005/06 allocation had been spent. Households had benefited from the MIG in respect of water (212 828), sanitation (74 245), roads (122 582), stormwater (83 593) and solid waste (55 880). A total of 287 655 person days of employment had been created specifically through the use of labour-intensive methods, in relation to the 2004/05 MIG allocation. Some R135 million was spent on urban nodes and R992 million was spent on rural nodes in the implementation of MIG 2004/05.

Project Consolidate

Project Consolidate, a hands-on local government engagement programme allows national and provincial government, with private-sector partners, to find new ways of working with local government. It gives targeted focus and capacity-building to 136 municipalities identified for assistance. A pool of 38 service-delivery facilitators has been mobilised.

Communicating with the people

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

The GCIS 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.

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

- An intersectoral programme to set up multi-purpose community centres (MPCCs), providing information about accessing government services, as well as some government services at the centres themselves. In September 2005, there were 66 MPCCs in operation. A strategy for setting up one MPCC in each of the country's 284 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 the responsible minister.
- 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).
- The *Imbizo* Campaign of direct interaction between government and the public.

The GCIS publishes, among others, the *South Africa Yearbook* and *Pocket Guide to South Africa*.

fact

In 2004, President Thabo Mbeki announced that the Government's Programme of Action (POA) would be posted on the Government website (*www.gov.za*), together with reports on progress made in the implementation of the POA. Accordingly, reports of the Governance and Administration Cluster; Social Cluster; Economic Cluster; Justice, Crime Prevention and Security Cluster; and International Relations, Peace and Security Cluster are posted bimonthly.

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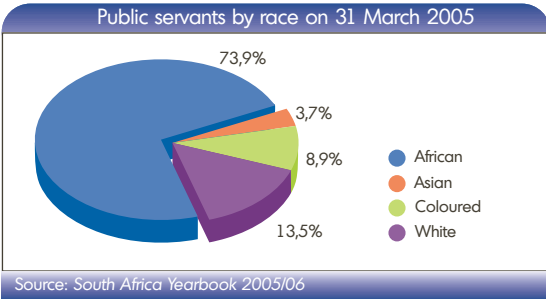- to build national support for Brand South Africa.

The Public Service

On 31 December 2004, the Public Service had 1 043 698 people in its employ, 62% of whom were attached to the Social Services Sector (health, social development and

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The Presidential Municipal Imbizo Programme was initiated in 2005 to align Project Consolidate and government's imbizo programmes. In May 2005, the first Presidential Municipal Imbizo was held in the Bojanala District Municipality in North West. Several others followed.

The National Imbizo Focus Week, held in October 2005, focused on the implementation of Project Consolidate. Attention was paid to practical work in assisting the 136 municipalities identified, as well as others that may be prioritised by provinces, to improve their capacity and to implement projects aimed at reducing poverty and improving services to the people.

Members of the executive from all spheres of government interacted directly with the public and communities regarding programmes that require partnerships of local, provincial and national government with communities.

Public servants by race on 31 March 2005

73,9%

3,7%

8,9%

13,5%

- African
- Asian
- Coloured
- White

Source: South Africa Yearbook 2005/06

education), followed by 19% in the Criminal Justice Sector, and 7% in the Defence Sector.

The Public Service has been restructured extensively, with employees being deployed particularly in service-delivery positions.

A public service that serves the public

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 September 2005, 2 238 full-time CDWs and CDW learners had been recruited and were active in the programme. Of this number, 1 329 had completed their yearlong learnership programme.

Provinces were involved in the process of recruiting a further 920 CDW learners, which will bring the total of CDWs to 3 158. Progress made indicated that the initial target of 2 840 CDWs countrywide will be exceeded by March 2006.

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

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

- the electronic e-Gateway project to facilitate access to all government services and information, and which is maintained by the GCIS
- modernising government, for example, through the Centre for Public-Service Innovation
- creating 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

On 31 March 2005, 73,9% of the Public Service was African; 3,7% Asian; 8,9% coloured; and 13,5% white. With regard to

Fighting corruption

The National Anti-Corruption Forum (NACF) convened the second National Anti-Corruption Summit in March 2005 in Pretoria, Gauteng. Attended by 396 representatives from the public, civil society and business sectors, the summit recognised the progress that South Africa had made in fighting corruption and generally expressed the need for a greater emphasis on implementation of the existing anti-corruption framework, policies and legislation.

Several resolutions were adopted to form the basis of a national programme to fight corruption. These resolutions pertain to ethics, awareness, prevention, combating corruption, oversight, transparency, accountability and the NACF. An implementation committee was established to develop the National Anti-Corruption Programme that will be implemented within sectors and as cross-sectoral plans.

gender, 53,3% was female and 46,7% male. However, at senior management level, 54% was African; 7,5% Asian; 7,7% coloured; and 30% white. The gender breakdown for senior management was 28,5% female and 71,5% male.

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 regularly.

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 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 – that it deals with. 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.

Permanent residence

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

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.

fact

A total of 154 808 illegal foreigners were deported in 2003, and 141 722 were deported from January to October 2004. A small percentage of detainees are released due to logistical or legal hindrances to deportation. Of roughly 18 889 asylum applications received during 2003/04, 2 045 were processed by the Department of Home Affairs' refugee-status determination officers.