



**OFFICIAL GUIDE TO SOUTH AFRICA 2019/20**

**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.

Operating at both national and provincial levels are advisory bodies drawn from South Africa's traditional leaders. It is a stated intention in the Constitution of the Republic of South Africa of 1996 that the country be run on a system of cooperative governance.

Government is committed to building a free, non-racial, non-sexist, democratic, united and successful South Africa.

## 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.

## 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.

## 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. Some of the past and present IMCs include the following:

- 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 and Agriculture
- IMC on Illegal Mining
- IMC on Climate Change
- IMC on Comprehensive Social Security
- IMC on Electricity Reticulation
- IMC on Energy
- IMC on the South African National AIDS Council
- IMC on District-Level Service Delivery
- IMC on Gender-Based Violence and Femicide.

## 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.

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

Premiers, as at October 2020	
Province	Premier
Eastern Cape	Oscar Mabuyane
Free State	Sefora Ntombela
Gauteng	David Makhura
KwaZulu-Natal	Sihle Zikalala
Limpopo	Stanley Mathabatha
Mpumalanga	Refilwe Mtshweni
Northern Cape	Zamani Saul
North West	Job Mokgoro
Western Cape	Alan Winde

Cabinet Ministers and Deputy Ministers, as at October 2020		
Portfolio	Minister	Deputy Minister
Agriculture, Land Reform and Rural Development	Thoko Didiza	Sdumo Dlamini Mcebisi Skwatsha
Basic Education	Angie Motshekga	Regina Mhaule
Communications and Digital Technologies	Stella Ndabeni-Abrahams	Pinky Kekana
Cooperative Governance and Traditional Affairs	Nkosazana Dlamini Zuma	Obed Bapela Parks Tau
Defence and Military Veterans	Nosiviwe Mapisa-Nqakula	Thabang Makwetla
Employment and Labour	Thulas Nxesi	Boitumelo Moloi
Environment, Forestry and Fisheries	Barbara Creecy	Maggie Sotyu
Finance	Tito Mboweni	David Masedo
Health	Zweli Mkhize	Joe Phaahla
Higher Education, Science and Technology	Blade Nzimande	Buti Manamela
Home Affairs	Aaron Motsoaledi	Njabulo Nzuza
Human Settlements, Water and Sanitation	Lindiwe Sisulu	Pam Tshwete David Mahlobo
International Relations and Cooperation	Naledi Pandor	Alvin Botes Candith Mashego-Dlamini

Justice and Correctional Services	Ronald Lamola	John Jeffery Inkosi Phathekile Holomisa
Mineral Resources and Energy	Gwede Mantashe	–
Police	Bheki Cele	Cassel Mathale
Public Enterprises	Pravin Gordhan	Phumulo Masualle
Public Service and Administration	Senzo Mchunu	Sindy Chikunga
Public Works and Infrastructure	Patricia de Lille	Noxolo Kiviet
Small Business Development	Khumbudzo Ntshavheni	Rosemary Capa
Social Development	Lindiwe Zulu	Hendrietta Bogopane-Zulu
Sports, Arts and Culture	Nathi Mthethwa	Nocawe Mafu
State Security	Ayanda Dlodlo	Zizi Kodwa
The Presidency	Jackson Mthembu	Thembi Siweya
The Presidency: Women, Youth and Persons with Disabilities	Maite Nkoana-Mashabane	Hlengiwe Mkhize
Tourism	Nkhensani Kubayi-Ngubane	Fish Mahlaelela
Trade and Industry	Ebrahim Patel	Fikile Majola Nomalungelo Gina
Transport	Fikile Mbalula	Dikeledi Magadzi

## 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

The demarcation of municipal boundaries in South Africa after the 2016 Local Government Elections 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 (DCoG)

The DCoG 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.

## Department of Traditional Affairs (DTA)

The DTA is mandated to oversee issues related to traditional affairs and support the development of stable and cohesive interfaith communities. The 2003 White Paper on Traditional Leadership and Governance sets out a national framework, and the norms and standards that define the role of the institutions of traditional leadership in South Africa. It seeks to support and transform the institutions in accordance with constitutional imperatives, and restore the integrity and legitimacy of traditional leadership in line with the African indigenous law and customs subject to the Constitution.

## Department of Public Service and Administration (DPSA)

The DPSA draws its mandate from Section 195(1) of the Constitution of the Republic of South Africa of 1996, which sets out basic values and principles the Public Service should adhere to, and the Public Service Act of 1994.

In terms of the Act, the Minister of Public Service and Administration is responsible for establishing norms and standards relating to:

- the functions of the Public Service;
- organisational structures and establishments of departments, and other organisational and governance arrangements in the Public Service;
- the conditions of service and other employment practices for employees;
- labour relations in the Public Service;
- the health and wellness of employees;
- information management in the Public Service;
- electronic government;



- integrity, ethics, conduct and anti-corruption in the Public Service; and
- transformation, reform, innovation and any other matters to improve the effectiveness and efficiency of the Public Service and its service delivery to the public.

## **Public Service Commission (PSC)**

The PSC is an independent institution established in terms of chapter 10 of the Constitution. The commission derives its mandate from sections 195 and 196 of the Constitution, which set out the values and principles that govern public administration. The PSC is vested with custodial oversight responsibilities for the Public Service; and monitors, evaluates and investigates public administration practices. It has the power to issue directives on compliance with personnel procedures relating to recruitment, transfers, promotions and dismissals.

## **National School of Government (NSG)**

The NSG is mandated to provide training or effect the provision of training. The school responds to its mandate by developing relevant training and development programmes for delivery to South African public service officials at all levels. Through education and training, the school promotes the progressive realisation of the values and principles governing public administration, and enhances the quality of human resource capacity in public service institutions.

## **Centre for Public Service Innovation (CPSI)**

The CPSI is tasked by the Minister of Public Service and Administration to fulfil this mandate, which includes establishing norms and standards relating to transformation, reform and innovation to improve the effectiveness and efficiency of the public service and its service delivery to the public.

## **Department of Public Works and Infrastructure (DPWI)**

The DPWI is mandated to be the custodian and portfolio manager of government's immovable assets. The department's role consists of policy formulation, coordination, regulation and oversight relating to the provision of accommodation and expert built environment services to client departments at the national level; and, through the entity, the planning, acquisition, management and disposal of immovable assets in the department's custody.

The department is further mandated to coordinate and provide strategic leadership in initiatives for the creation of jobs through the implementation of the Expanded Public Works Programme. Public Works is constitutionally designated as a concurrent function exercised by the national and provincial spheres of government.

## **Department of Home Affairs (DHA)**

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

The department's services are divided into two broad categories: civic services and immigration services. Accordingly, the department is mandated to manage citizenship

and civic status, international migration, refugee protection, and the population register. Executing its mandate allows the department to be a key enabler of national security, citizen empowerment, efficient administration and socio-economic development. These functions must be managed securely and strategically.

In fulfilling its mandate to affirm and register official identities and civic statuses, including citizenship, as well as to regulate international migration, the Department of Home Affairs contributes to the attainment of the National Development Plan's vision of building a South Africa that is safe and conducive to inclusive development. Accordingly, the department's mandate is fulfilled in terms of Priority 1 (economic transformation and job creation), Priority 5 (social cohesion and safe communities), Priority 6 (a capable, ethical and developmental state) and Priority 7 (a better Africa and world) of government's 2019-2024 Medium Term Strategic Framework.

In line with these priorities, over the medium term, the department plans to maintain the issuance of smart identity cards and registration of births, simplify the issuance of permits and visas in support of economic growth, continue the IT modernisation programme to expand its client interfaces, and establish a Border Management Authority (BMA) and secure international migration.

In its ongoing commitment to register official identities, the department plans to maintain the roll-out of smart identity cards to all eligible people. The department is also committed to ensuring that all births are registered within 30 days, as required by law, in line with government's priority to provide adequate services to all citizens.

In line with the national priority of economic transformation and job creation, over the medium term, the department plans to promote business and leisure tourism, and economic development by improving its processing of permits and visas. This will be achieved generally by removing unnecessary barriers requirements.

Accordingly, the department plans to continue implementing the simplification process, whereby selected and low-risk countries benefit from visa waivers and the relaxation of conditions as well as the rollout of the e-visa system.

Through the IT modernisation programme, the department has ensured higher efficiencies and predictability in its business processes and products. The programme has enabled the department to automate its business processes that involve capturing information and images, digitising supporting documents, and issuing identity documents and passports by means of the paperless live capture system.

## **Establishing a BMA and securing international migration**

As part of government's priorities to promote social cohesion, and build safe communities and a better Africa and world, the department is committed to adopting an integrated approach to border management that is characterised by a single command-and-control structure.

In July 2020, President Cyril Ramaphosa signed the BMA Bill of 2020 into law. The legislation addresses a need identified by government and diverse stakeholders in the economy for an integrated and well-coordinated border management service that will ensure secure travel and legitimate trade in accordance with the Constitution, and international and domestic law.



The integrated authority will contribute to the socio-economic development of the country and ensure effective and efficient border law enforcement functions at ports of entry and borders. The new law provides for the establishment, organisation, regulation, functions and control of the BMA, the appointment of its commissioner, deputy commissioners and officials. It also provides for their terms of office, conditions of service and functions and powers. The legislation therefore contributes to the security of the country and the integrity and ease of trade and the general movement of persons and goods in and out of the country.

## Government Printing Works (GPW)

Government Printing Works is mandated to provide security printing and ancillary services to all organs of state in all spheres of government. It was converted to a full government component in 2009 in terms of the Public Service Amendment Act of 1999, enabling it to operate on sound business principles. The entity fulfils its mandate subject to policies as prescribed by the Minister of Home Affairs. Accordingly, the entity's ongoing objectives are to provide secure printing services to South Africa and some countries in the Southern African Development Community; produce secure documents for identification and effective border security, and establish itself as the security printer of choice in the region.

## Department of Employment and Labour (DEL)

The mandate of the DEL 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 the creation of decent employment
- 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 in the workplace
- eliminate inequality and unfair 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.

By facilitating the resolution of workplace disputes, improving labour relations, enhancing occupational health and safety, and facilitating job creation, the DEL supports the realisation of the NDP's vision of eliminating poverty and reducing inequality. In giving effect to this vision, Priority 1 (economic transformation and job creation) of government's 2019-2024 MTSF provides the overall strategic direction for the department's work.

Over the medium term, the department was expected to focus on providing support to work seekers, increasing safety and fairness in the workplace, and regulating the workplace to establish minimum working conditions and fair labour practices.

## Supporting work seekers

The DEL was created through the 2018 national macro reorganisation of government in recognition of the need to respond to increasing levels of unemployment, inequality and

poverty in South Africa. The country's unemployment rate is among the highest in the world: in June 2019, according to the official definition, it reached 29%; according to the expanded definition, 38.5%. Young people aged between 15 and 35 are the most affected group, with an unemployment rate of between 41% and 52%.

More than half of unemployed youth find it difficult to access opportunities in the labour market because of their low levels of education and skills, lack of experience, and other social and economic factors. In response to some of these challenges, the 2018 Presidential Jobs Summit delivered a framework agreement consisting of high-impact actions aimed at driving job creation, job retention and economic growth.

This agreement is an enabler for the creation of an estimated 275 000 jobs per year over the medium term. Cabinet has approved budget increases of R16 million over the MTEF period for transfers to the National Economic Development and Labour Council to fund the establishment of the Presidential Jobs Summit Secretariat, which will support the effective implementation, monitoring and evaluation of the agreement. To leverage this momentum, the department was planning to develop an employment policy, in line with International Labour Organisation guidelines, to coordinate all employment initiatives.

The establishment of four youth employment centres within existing labour centres over the MTEF period will create an enabling environment for the accelerated employment of young work seekers. These centres will be equipped with free internet, CV drafting facilities, and self-help and assessment facilities, and will provide a mobile platform through which registered work seekers can be dynamically matched to available job opportunities registered on the Employment Services of South Africa database.

Through the platform, work seekers will be profiled so that those who require less intervention and job preparation can be fast-tracked to job opportunities, thereby availing career counsellors to focus on work seekers who require more assistance and enhancing their prospects of securing employment. It is estimated that each youth employment centre will cost R3 million to set up.

The number of work seekers registered on the Employment Services of South Africa database is set to increase from 700 000 in 2019/20 to 800 000 per year from 2021/22 due to a planned increase in advocacy campaigns and the number of employment counsellors employed. Employment counselling will be provided to an estimated 690 000 registered work seekers over the medium term at a projected cost of R45 million.