



SA YEARBOOK 2009/10  
**GOVERNMENT SYSTEM**



Following the general election in April 2009, a new administration, under the leadership of President Jacob Zuma, took over. This saw a number of changes being introduced. These included:

- The Department of Minerals and Energy was split into two separate departments of mineral resources and of energy, each with a minister.
- The Department of Education was split into separate ministries, one for Basic Education and the other for Higher Education and Training.
- The Department of Housing was renamed the Department of Human Settlements to take on a more holistic focus.
- A new Department of Rural Development and Land Affairs was created.
- The Department of Water Affairs and Forestry became the Department of Water Affairs.
- A new Economic Development Department was established to focus on economic policy-making. The implementation functions, however, remain with the Department of Trade and Industry.
- A new Department of Tourism was created.
- The Department of Agriculture became the Department of Agriculture, Forestry and Fisheries.
- The Department of Local and Provincial Government became the Department of Cooperative Governance and Traditional Affairs.
- A new ministry was created for Women, Youth, Children and People with Disabilities to emphasise the need for equity and access to development opportunities by the vulnerable groups in South Africa.

Government has committed to host the best Soccer World Cup ever in 2010. The success of the Confederations Cup that was held in June 2009 communicated a clear message that South Africa and its people, and the people of Africa, are ready to deliver a world-class 2010 FIFA World Cup™.

## The Constitution

The Constitution of the Republic of South Africa, 1996, was approved by the Constitutional Court on 4 December 1996 and took effect on 4 February 1997.

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

South Africa's Constitution is one of the most progressive in the world and enjoys high acclaim internationally.

## The Preamble

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

## Founding provisions

As Chapter One of the Constitution stipulates, South Africa is a sovereign and democratic state founded on the following values:

- human dignity, the achievement of equality and the advancement of human rights and freedom
- non-racialism and non-sexism
- supremacy of the Constitution
- universal adult suffrage, a national common voters' roll, regular elections and a multiparty system of democratic government to ensure accountability, responsiveness and openness.

## Fundamental rights

The fundamental rights contained in Chapter Two of the Constitution seek to protect the rights and freedom of individuals. The Constitutional Court guards these rights and determines whether actions by the State are in accordance with constitutional provisions.

## Government

Government consists of national, provincial and local spheres, which are distinctive, interdependent and interrelated. The powers of the law-makers (legislative authorities), government (executive authorities) and courts (judicial authorities) are separate from one another.

South African President Jacob Zuma was named Best African President at the 2009 Africa Consciousness Media Leadership Awards. These awards honour those who have contributed to the liberation and development of the continent.



## Parliament

Parliament is the legislative authority of South Africa and has the power to make laws for the country in accordance with the Constitution.

It consists of the National Assembly and the National Council of Provinces (NCOP). Parliamentary sittings are open to the public. Since the establishment of Parliament in 1994, a number of steps have been taken to make it more accessible and to motivate and facilitate public participation in the legislative process. The website [www.parliament.gov.za](http://www.parliament.gov.za) encourages comment and feedback from the public.

## National Assembly

The National Assembly is elected to represent the people and to ensure democratic governance as required by the Constitution. It does this by electing the President, providing a national forum for public consideration of issues, passing legislation and scrutinising and overseeing executive action.

The National Assembly consists of no fewer than 350 and no more than 400 members elected through a system of proportional representation.

The National Assembly, which is elected for a term of five years, is presided over by the Speaker, assisted by the Deputy Speaker.

## 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. Delegations consist of 10 representatives from each province. The NCOP must have a mandate from the provinces before it can make certain decisions. It cannot, however, initiate a Bill concerning money, which is the prerogative of the Minister of Finance. *NCOP Online* ([www.parliament.gov.za/ncop](http://www.parliament.gov.za/ncop)) links Parliament to the provincial legislatures and local government associations. It provides information on draft legislation and allows the public to make electronic submissions. The NCOP came into existence on 6 February 1997.

## Law-making

Any Bill may be introduced in the National Assembly. A Bill passed by the National Assembly must be referred to the NCOP for consideration.

A Bill affecting the provinces may be introduced in the NCOP. After it has been passed by the council, it must be referred to the assembly.

## The Presidency, January 2010

President	Jacob Zuma
Deputy President	Kgalema Motlanthe

A Bill concerning money must be introduced in the assembly and referred to the NCOP for consideration and approval after being passed.

If the council rejects a Bill or passes it subject to amendments, the assembly must reconsider the Bill and pass it again with or without amendments. There are special conditions for the approval of laws dealing with provinces.

## The President

The Head of State is the President and he/she leads the Cabinet. The President 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 Deputy President

The President appoints the Deputy President from among the members of the National Assembly. The Deputy President assists the President in executing government functions.

## The Presidency

There are two ministers in The Presidency: one responsible for the National Planning Commission (NPC) and the other for Monitoring and Evaluation as well as Administration in The Presidency.

The NPC is responsible for strategic planning for the country to ensure one national plan to which all spheres of government would adhere.

The *Green Paper on National Strategic Planning*, launched in September 2009, sets out the rationale for planning and the institutional structures, processes and outputs of the national planning process.

A monitoring and evaluation competency in The Presidency was also created to monitor and evaluate the performance of government in all three spheres. The policy document on perform-

The Presidential Hotline was officially launched in October 2009. The hotline enables citizens to escalate their queries and suggestions to the President's Office if they don't get assistance from other call centres. The contact details are: telephone: 17737, fax: 086 681 0987 and e-mail: [president@po.gov.za](mailto:president@po.gov.za).

The service is toll-free.



By May 2009, female representation in the National Assembly totalled 45%, putting South Africa third when it comes to the international representation of women in Parliament. The country is on course to achieve the Southern African Development Community target of 50% women in political decision-making by 2015.



ance monitoring and evaluation, *Improving Performance in Government: Our Approach*, launched on the same day, outlines government's approach to improving its performance. Government has improved access to services for people who were previously denied.

This document forms the basis of plans to improve the quality of service delivery.

## 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.

The President may select any number of ministers from among the members of the National Assembly, and may select no more than two ministers from outside the assembly.

The President appoints a member of the Cabinet to be the leader of government business in the National Assembly.

## Deputy ministers

The President appoints deputy ministers from among the members of the National Assembly.

## Traditional leadership

Chapter 11 of the Constitution states that the institution, status and roles of traditional leadership, according to customary law, are recognised, subject to the Constitution.

Government remains committed to strengthening the institution of traditional leadership and appreciates the role it plays in society.

The reconfiguration of the Department of Provincial and Local Government into the Department of Cooperative Governance and Traditional Affairs signifies the importance that is placed on the role and place of traditional leaders in the lives of people, especially in rural areas.

Government regards traditional leaders as partners in the implementation of its programmes.

A number of departments have put in place legislation that clearly defines the role of traditional leaders in the areas of justice, in the establishment of traditional courts and the administra-

tion of tribal land, demonstrating government's willingness to effect the power and recognition of traditional authorities and leadership. Numerous pieces of legislation have been passed and a variety of programmes implemented to ensure that traditional leadership makes an important contribution to the development of society.

The Chief Directorate: Traditional Leadership and Institutions in the Department of Cooperative Governance and Traditional Affairs provides support to traditional leaders and institutions, and is responsible for the development of policy in this regard.

It renders an anthropological service, and provides advice and support regarding governance and development matters. It advises and supports the National House of Traditional Leaders and maintains a database of traditional leaders and institutions.

It is also responsible for developing and implementing a regulatory framework for the protection of the rights of cultural, religious and linguistic communities.

In August 2009, there were amendments to the two principal laws on traditional leadership before Parliament, namely the Traditional Leadership and Governance Framework Amendment Bill and the National House of Traditional Leaders Bill.

## Legislation

### National House of Traditional Leaders Bill

The Council of Traditional Leaders Act, 1997 (Act 10 of 1997), was amended through the Council of Traditional Leaders Amendment Act, 1998 (Act 85 of 1998), and the National House of Traditional Leaders Amendment Act, 2000 (Act 206 of 2000).

To improve the functionality and broaden the scope of the work of the national house, the National House of Traditional Leaders Bill provides for the following key issues:

- the continued existence of the National House of Traditional Leaders with added responsibilities
- the composition of the national house to be representative of all provinces, including the provinces that have recently acquired traditional communities after the redetermination of provincial boundaries
- streamlining the process of electing members of the national house in the provinces
- determining powers and duties of the national house in line with the *White Paper on Traditional Leadership and Governance*

### Cabinet ministers and deputy ministers, as at January 2010

Portfolio	Minister	Deputy Minister
Agriculture, Forestry and Fisheries	Tina Joemat-Pettersson	Dr Pieter Mulder
Arts and Culture	Lulu Xingwana	Paul Mashatile
Basic Education	Angie Motshekga	Enver Surty
Communications	Siphiwe Nyanda	Dina Pule
Cooperative Governance and Traditional Affairs	Sicelo Shiceka	Yunus Carrim
Correctional Services	Nosiviwe Mapisa-Nqakula	Hlengiwe Mkhize
Defence and Military Veterans	Dr Lindiwe Sisulu	Thabang Makwetla
Economic Development	Ebrahim Patel	Gwen Mahlangu-Nkabinde
Energy	Dipuo Peters	-
Finance	Pravin Gordhan	Nhlanhla Nene
Health	Dr Aaron Motsoaledi	Dr Molefi Sefularo
Higher Education and Training	Dr Blade Nzimande	-
Home Affairs	Dr Nkosazana Dlamini Zuma	Malusi Gigaba
Human Settlements	Tokyo Sexwale	Zoliswa Kota-Fredericks
International Relations and Cooperation	Maite Nkoana-Mashabane	Ebrahim Ebrahim Sue van der Merwe
Justice and Constitutional Development	Jeff Radebe	Andries Nel
Labour	Membathisi Mdladlana	-
Mineral Resources	Susan Shabangu	-
Police	Nathi Mthethwa	Fikile Mbalula
Public Enterprises	Barbara Hogan	Enoch Godongwana
Public Service and Administration	Richard Baloyi	Roy Padayachie
Public Works	Geoff Doidge	Hendrietta Bogopane-Zulu
Rural Development and Land Reform	Gugile Nkwinti	Dr Joe Phaahla
Science and Technology	Naledi Pandor	Derek Hanekom
Social Development	Edna Molewa	Bathabile Dlamini
Sport and Recreation	Rev Makhenkesi Stofile	Gert Oosthuizen
State Security	Dr Siyabonga Cwele	
The Presidency National Planning Commission	Trevor Manuel	-
The Presidency Performance Monitoring, Evaluation and Administration	Collins Chabane	-
Tourism	Marthinus van Schalkwyk	Thozile Xasa
Trade and Industry	Dr Rob Davies	Thandi Tobias Bongi Maria Ntuli
Transport	Sbusiso Ndebele	Jeremy Cronin
Water and Environmental Affairs	Buyelwa Sonjica	Rejoice Mabhudafhasi
Women, Youth, Children and Persons with Disabilities	Noluthando Mayende-Sibiya	-

- enhancing the functioning and management of the national house
- providing support to the house by government in respect of administration, finances, capacity-building and resources
- providing for the relationship between the national house and the provincial houses
- providing for the relationship between the national house and kings and queens
- providing for the relationship between the national house and government.

### **Traditional Leadership and Governance Framework Amendment Bill**

The Traditional Leadership and Governance Framework Amendment Bill provides for the following amendments:

- recognition of kingships or queenships and the withdrawal of such recognition
- disestablishment of paramountcies and the withdrawal of recognition of paramount chiefs
- establishment of kingship or queenship councils and the determination of their functions
- the determination of the membership of traditional councils and kingship or queenship councils by premiers and the Minister of Cooperative Governance and Traditional Affairs respectively, in line with provincial peculiarities
- establishment of a traditional subcouncil where the area of jurisdiction of a traditional community occupies two or more geographical areas apart from each other
- extension of the original one year to five years, the period within which the traditional authorities must be transformed in line with the Act
- alignment of the terms of office of all the structures.

### **Institutions Traditional councils**

The stipulations of Chapter 12 of the Constitution and the advent of democracy required the transformation of the composition of traditional councils. Therefore, legislation has transformed the composition of traditional councils to provide for elements of democracy (40% of members must be elected) and gender representivity (one third of members must be women).

Legislation has also opened a window of opportunity for municipalities and traditional councils to achieve cooperative governance. Traditional councils have been given a strong voice in development matters and may now enter into partnerships and service-delivery agreements with government in all spheres.

### **Houses of traditional leaders**

The Constitution mandates the establishment of houses of traditional leaders by means of either provincial or national legislation.

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

The Traditional Leadership and Governance Framework Act, 2003 (Act 41 of 2003), provides for the establishment of local houses of traditional leaders.

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 will deepen and cement the relationship between municipalities and traditional leaders on customary law and development initiatives.

### **Commission on Traditional Leadership Disputes and Claims**

The commission was established in terms of Section 22(1) of the Traditional Leadership and Governance Framework Act, 2003. The main objective of the commission is to investigate and make findings on traditional-leadership disputes and claims.

### **Department of Cooperative Governance and Traditional Affairs**

In May 2009, the Department of Provincial and Local Government became the Department of Cooperative Governance and Traditional Affairs. The mandate of the department is derived from chapters three and seven of the Constitution of the Republic of South Africa, 1996.

The Department of Cooperative Governance and Traditional Leadership has a new and expanded mandate, focusing on:

- improved vertical coordination across the three spheres of government and public entities
- greater horizontal coordination across the various sectors in government and public entities
- better strengthening, supporting and overseeing of provincial government

## Members of the executive councils of provincial governments, as at October 2009

<b>Eastern Cape</b>		<b>KwaZulu-Natal</b>	
Noxolo Kiviet	Premier	Dr Zweli Mkhize	Premier
Mbulelo Sogoni	Agriculture and Rural Development	Lydia Johnson	Agriculture and Rural Development
Mahlubandile Qwase	Education	Senzo Edward Mchunu	Education
Mcebisi Jonas	Finance, Economic Development and Environmental Affairs	Mike Mabuyakhulu	Economic Development and Tourism
Sicelo Gqobana	Local Government and Traditional Affairs	Catharina Cronje	Finance
Phumulo Masualle	Health	Sibongiseni Maxwell Dlomo	Health
Nombulelo Mabandla	Housing	Nomusa Dube	Local Government and Traditional Affairs
Pemmy Majodina	Roads and Public Works	Dr Bonginkosi Radebe	Social Development
Ghishma Gloria Barry	Transport and Safety	Magasvarie Govender	Human Settlements and Public Works
Xoliswa Tom	Sport, Recreation, Arts and Culture	Nonkululeko Mbathe	Transport and Community Safety and Liaison
Nonkosi Mvana	Social Development	Weziwe Thusi	Arts, Culture, Sport and Recreation
<b>Free State</b>		<b>Limpopo</b>	
Sekgobelo Elias Magashule	Premier	Cassel Charlie Mathale	Premier
Mamiki Qhabathe	Agriculture	Namane Dickson Masemola	Education
Tate Pule Makgoe	Education	Saad Cachalia	Provincial Treasury
Mosebenzi Zwane	Cooperative Governance, Traditional Leadership and Human Settlements	Miriam Segabutia	Health and Social Development
Sisi Mabe	Health	Soviet Legkanyane	Local Government and Housing
Seeiso Mohai	Provincial Treasury	Pitsi Moloto	Economic Development, Environment and Tourism
Thabo Manyoni	Police, Roads and Transport	Dipuo Letsatsi-Duba	Agriculture
Fezi Ngumbentombi	Public Works and Rural Development	Dr Happy Joyce Mashamba	Sport, Arts and Culture
Sefora Sisi Ntombela	Social Development	Pinky Kekana	Roads and Public Transport
Dan Khothule	Sport, Arts, Culture and Recreation	Dikeledi Magadzi	Public Safety and Liaison
Mxolisi Dukwana	Economic Development, Tourism and Environmental Affairs	Muthundinne Phadagi	Public Works
<b>Gauteng</b>		<b>Mpumalanga</b>	
Nomvula Paula Mokonyane	Premier	David Mabuza	Premier
Nandi Mayathula-Khoza	Agriculture and Rural Development	Meshack Malinga	Agriculture, Rural Development and Land Administration
Barbara Creecy	Education	Jabu Mahlangu	Economic Development, Environment and Tourism
Mandla Nkomfe	Finance	Regina Mhaule	Education
Dorothy Qedani Mahlangu	Health and Social Development	Dikeledi Mahlangu	Health and Social Development
Kgaogelo Lekgoro	Local Government and Housing	Madala Masuku	Human Settlement
Khabisi Mosunkutu	Community Safety	Clifford Mukansi	Public Works, Roads and Transport
Nelisiwe Mthimkulu-Mbatha	Sport, Arts, Culture and Recreation	Yvonne Pinky Phosa	Finance
Firoz Cachalia	Economic Development and Planning	Vusi Shongwe	Culture, Sport and Recreation
Nonhlanhla Faith Mazibuko	Infrastructure Development	Sibongile Manana	Community Safety, Security and Liaison
Bheki Simon Nkosi	Roads and Public Transport	Norman Mokoena	Cooperative Governance and Traditional Affairs

- improved collaboration between government and communities
- the institution of traditional leadership in a single system of governance.

The values of the department as adopted in accordance with the Batho Pele ("People First") principles focus on the following:

- dedication to professional development and service delivery
- professionalism in the conduct of all employees
- leadership and participation in service delivery
- being goal-orientated in undertaking its mandate.

## Members of the executive councils of provincial governments, as at October 2009

Northern Cape	
Hazel Jenkins	Premier
Norman Shushu	Agriculture, Land Reform and Rural Development
Grizelda Cjiekella	Education
John Block	Finance, Economic Affairs and Tourism
Mxolisi Simon Sokatsha	Health
Kenny Mmoiemang	Corporate Governance, Human Settlement and Traditional Affairs
Patrick Mabilo	Transport, Safety and Liaison
Alwin Botes	Social Services and Population Development
Pauline Williams	Sport, Arts and Culture
Sylvia Lucas	Environmental Affairs and Nature Conservation
Dawid Rooi	Roads and Public Works
North West	
Maureen Modiselle	Premier
Grace Pampiri	Sport, Arts and Culture
Boitumelo Tshwene	Agriculture, Conservation, Environment and Rural Development
Wendy Matsemela	Economic Development and Tourism
Mothibedi Kegakilwe	Local Government and Traditional Affairs
Rev. Johannes Tselapedi	Education
Rebecca Kasienyane	Health and Social Development
Moruakgomo Mabe	Finance
Mahlakeng Mahlakeng	Public Works, Roads and Transport
Howard Yawa	Public Safety
Desbo Sefanyetso	Human Settlements
Western Cape	
Helen Zille	Premier
Gerrit van Rensburg	Agriculture
Adv. Lennit Max	Community Safety
Donald Grant	Education
Anton Bredell	Local Government, Environmental Affairs and Development Planning
Alan Winde	Finance, Economic Development and Tourism
Theuns Botha	Health
Bonginkosi Madikizela	Housing
Robin Carlisle	Transport and Public Works
Ivan Meyer	Social Development
Sakkie Jenner	Cultural Affairs and Sport

- Municipal Property Rates Act, 2004 (Act 6 of 2004)
- Municipal Finance Management Act, 2003 (Act 56 of 2003)
- Traditional Leadership and Governance Framework Act, 2003
- Disaster Management Act, 2002 (Act 57 of 2002)
- Municipal Systems Act, 2000 (Act 57 of 2002)
- Municipal Structures Act, 1998 (Act 117 of 1998)
- Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)
- *White Paper on Local Government (1998)*.

## Strategic priorities

The Department of Cooperative Governance and Traditional Affairs' strategic posture is guided by the imperative of building a developmental state. It is the department's intention to achieve the following between 2011 and 2014:

- complaints by people regarding local government are reduced significantly by 2011
- municipal debt, which has increased to more than R41 billion, is reduced by half by 2014
- greater progress in working towards a debt-free society, by promoting a culture of saving and paying for services
- all municipalities should have clean audits by 2014
- fraud and corruption in municipalities are reduced to a minimum by 2011
- clean cities, through the management of waste, in such a way that it creates employment and wealth, by 2014 (the establishment and maintenance of people's parks is one such example)
- ward committees should be given the necessary powers and resources to develop and implement a ward development plan by 2011
- increased and effective monitoring of service-providers by public representatives, officials and communities
- trained and competent councillors, traditional leaders, officials, ward committee members, community development workers (CDWs) and community activists by 2014
- a reformed regime of remuneration and provision for tools and trade for councillors, ward committee members and CDWs by 2011
- the number of service-delivery protests are reduced significantly
- Thusong Service Centres to be viewed at the face of cooperative governance in local communities.

The department oversees the implementation of, among other things, the following:

- Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)

By June 2009, the department had identified five strategic priorities for the term 2009 to 2014:

- build and strengthen cooperative governance in a developmental state to ensure universal access to basic services and adequate infrastructure for economic development
- promote a clean government and develop a high level of responsiveness and accountability at all government levels
- accelerate service delivery and development to ensure that vulnerable groups receive targeted and tailored support by provinces and municipalities
- assist the institution of traditional leaders to transform into a key partner with government in the development of communities in rural areas
- foster development partnerships, social cohesion and community mobilisation to give meaning to cooperative governance by unleashing the energy and resources of civil society to build the country.

### Provincial government

In accordance with the Constitution, each of the nine provinces has its own legislature, consisting of between 30 and 80 members. The number of members is determined in terms of a formula set out in national legislation. The members are elected in terms of proportional representation.

The executive council of a province consists of a premier and a number of members (MECs). Premiers are appointed by the President of the country.

Decisions are taken by consensus, as is the case in the national Cabinet. Besides being able to make provincial laws, a provincial legislature may adopt a constitution for its province if two thirds of its members agree.

However, a provincial constitution must correspond with the national Constitution.

According to the Constitution, provinces may have legislative and executive powers, concurrent with the national sphere, over:

- agriculture
- casinos, racing, gambling and wagering
- cultural affairs
- education at all levels, excluding university and university of technology education
- environment
- health services
- housing
- language policy
- nature conservation
- police services

- provincial public media
- public transport
- regional planning and development
- road-traffic regulation
- tourism
- trade and industrial promotion
- traditional authorities
- urban and rural development
- vehicle licensing
- welfare services.

These powers can be exercised to the extent that provinces have the administrative capacity to assume effective responsibilities.

Provinces also have exclusive competency over a number of areas, which include:

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

The President's Coordinating Council (PCC) is a consultative forum where the President discusses issues of national, provincial and local importance with the premiers.

The forum addresses issues such as:

- enhancing the role of provincial executives regarding national policy decisions
- strengthening the capacity of provincial governments to implement government policies and programmes
- integrating provincial growth and development strategies within national development plans
- improving cooperation between national and provincial spheres of government
- improving cooperation on fiscal issues
- ensuring that there are coordinated implementation programmes and the necessary structures in place to address issues such as rural development, urban renewal, and safety and security.

The form and functions of the PCC are expected to be reviewed to address gaps in intergovernmental coordination.

### Local government

There are 283 municipalities in South Africa. They are focused on growing local economies and providing infrastructure and services.

In accordance with the Constitution and the Organised Local Government Act, 1997 (Act 52 of 1997), which formally recognise organised local-government associations, organised local

government may designate up to 10 part-time representatives to represent municipalities and to participate in proceedings of the NCOP.

The Department of Cooperative Governance and Traditional Affairs aims to build and strengthen the capability and accountability of provinces and municipalities. This includes:

- continued hands-on support through the established system and capacity-building programme, focusing on critical areas such as integrated development planning, local economic development (LED), financial management, service delivery and public participation
- evaluating the impact of government programmes in municipal areas, enhancing performance and accountability by improving the quality of reporting on the Local Government Strategic Agenda (LGSA) and improving the monitoring, reporting and evaluation of capacity in local government.

The department is also responsible for coordinating and supporting policy development and the implementation of the LGSA, and monitoring and supporting service delivery.

### Municipal Demarcation Board

The board is a constitutional institution established

by the Local Government: Municipal Demarcation Act, 1998.

The main function of the board is to determine municipal boundaries in accordance with the Act and other related legislation, and to advise on demarcation matters.

In addition, the board is tasked with delimiting wards into metropolitan and local municipalities.

### South African Local Government Association (Salga)

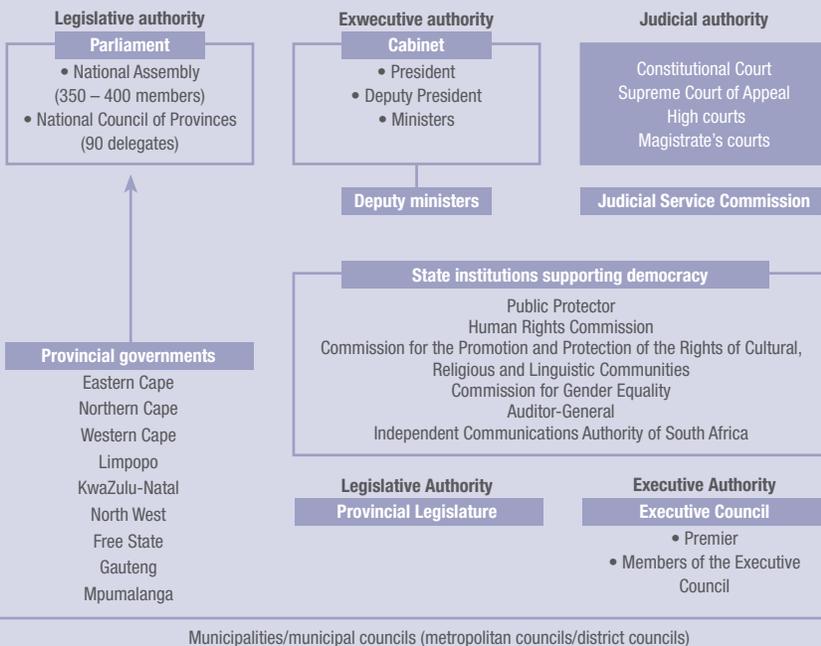
Salga is a listed public entity, established in terms of Section 21 of the Companies Act, 1973 (Act 61 of 1973), and recognised by the Minister of Cooperative Governance and Traditional Affairs in terms of the Organised Local Government Act, 1997.

Salga represents local government on numerous intergovernmental forums such as the PCC, Minister and MECs (MinMec) forum, the Budget Forum, the NCOP and the Financial and Fiscal Commission.

Salga aims, among other things, to:

- transform local government to enable it to fulfil its developmental role
- enhance the role of provincial local government associations as provincial representatives and consultative bodies on local government

## Structure and functions of the South African Government



- raise the profile of local government
- ensure full participation of women in local government
- act as the national employers' organisation for municipal and provincial member employers
- provide legal assistance to its members, using its discretion in connection with matters that affect employee relations.

Salga is funded through a combination of sources, including a national government grant, membership fees from provincial and local government associations that are voluntary members, and donations from the donor community for specific projects.

### Local Government Strategic Agenda (2006 – 2011)

In 2006, Cabinet approved the five-year LGSA to intensify government-wide hands-on support to accelerate alignment of government programmes in municipalities. The implementation of this agenda had seen steady progress in the five key performance areas. For example:

- The appointment of municipal managers increased from 78% in 2006 to 89% by the end of 2008.
- The number of Section 57 managers with performance agreements increased from 58% to 68%.
- The number of chief financial officers appointed increased from 83% to 87%.
- The establishment of performance audit committees increased from 65% to 78%.
- There was a recorded improvement in the quality of integrated development plans (IDPs).
- There had been an increase in the number of municipalities able to spend 100% of the Municipal Infrastructure Grant (MIG). By the close of the municipal financial year, the reported spending of this grant was in excess of 95% for the past few years.

### Municipalities

The Constitution provides for three categories of municipalities.

As directed by the Constitution, the Local Government: Municipal Structures Act, 1998 contains criteria for determining when an area must have a category-A municipality (metropolitan municipalities) and when municipalities fall into categories B (local municipalities) or C (district municipalities).

The Act also determines that category-A municipalities can only be established in metropolitan areas.

Metropolitan councils have single metropolitan budgets, common property ratings and service-tariff systems, and single employer bodies.

South Africa has nine metropolitan municipalities, namely:

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

Metropolitan councils may decentralise powers and functions. However, all original municipal, legislative and executive powers are vested in the metropolitan council.

In metropolitan areas, there is a choice of two types of executive system: the mayoral executive system where executive authority is vested in the mayor, and the collective executive committee system where these powers are vested in the executive committee.

Non-metropolitan areas consist of district councils and local councils.

District councils are primarily responsible for capacity-building and district-wide planning.

The Local Government: Municipal Structures Act, 1998 provides for ward committees whose tasks, among other things, are to:

- prepare, implement and review IDPs
- establish, implement and review municipalities' performance-management systems

The Department of Cooperative Governance

and Traditional Affairs has established a multi-stakeholder ministerial team with municipal unions and the employer body, the South African Local Government Association (Salga), in an effort to improve relations between the two while improving service delivery to communities. The Ministerial Strategic Team (MST) comprises Salga, the South African Municipal Workers' Union, the Independent Municipal and Allied Trade Union, National Treasury and the Department of Public Service and Administration. The team will, among other things, advise the minister on the development of a code of conduct to guide behaviour during industrial actions. The MST will seek to strengthen relations between Salga and local government unions to ensure that organised labour fully participates in the management of local government affairs and supports the efficient delivery of services to communities.



- monitor and review municipalities' performances
- prepare municipalities' budgets
- participate in decisions about the provision of municipal services
- communicate and disseminate information on governance matters.

By March 2009, there were ward committees in 98% of the country's municipal wards.

### **Integrated development plans**

In terms of the Local Government: Municipal Systems Act, 2000, all municipalities are required to prepare IDPs. Integrated development planning is a process by which municipalities prepare five-year strategic plans that are reviewed annually in consultation with communities and stakeholders.

The aim is to achieve service delivery and development goals in municipal areas in an effective and sustainable way. National and provincial sector departments, development agencies, private-sector bodies, non-governmental organisations and communities all have a key role to play in preparing and implementing IDPs.

The IDP Nerve Centre provides a single, web-based information system that allows multiple stakeholders involved in municipal service delivery to access, capture, revise and report a core set of planning, funding, programme and project-based information over a multi-year period in a consistent manner.

By March 2009, IDPs were adopted in all provinces. The IDPs and LED strategies of municipalities must reflect the priorities of the entire public sector, including those of public entities and local business.

The IDPs will be reviewed to ensure that the criterion, which determine to what extent adopted IDPs are credible or realistic, include critical aspects on LED strategies, plans, budgeting and implementation.

### **Legislation**

The Local Government: Municipal Systems Act, 2000 establishes a framework for planning, performance-management systems, effective use of resources and organisational change in a business context.

The Act also establishes a system for municipalities to report on their performance, and provides residents with an opportunity to compare this performance with that of municipalities.

It also regulates public-private partnerships. The Act allows municipalities significant powers to corporatise their services, to establish utilities for service delivery, or to enter into partnerships

with other service-providers. The Act provides for the adoption of a credit-control policy for municipalities that will provide for the termination of services in the event of non-payment. Municipalities have the power to pass by-laws to implement the policy.

The Local Government: Municipal Finance Management Act, 2003 is aimed at modernising municipal budgeting and financial management. It facilitates the development of a long-term municipal lending/bond market. It also introduces a governance framework for separate entities created by municipalities.

The Act is a critical element in the overall transformation of local government in South Africa. It fosters transparency at local government level through budget and reporting requirements.

The Local Government: Municipal Property Rates Act, 2004 regulates the power of a municipality to impose property rates, excludes certain properties from rating in the national interest, provides fair and equitable valuation methods of properties, and for municipalities to implement a transparent and fair system of exemptions, reductions and rebates through their rating policies.

### **Municipal Infrastructure Grant**

The largest infrastructure transfer programme is the MIG, currently administered by the Department of Cooperative Governance and Traditional Affairs.

The MIG was introduced in 2004/05 through consolidating various sector infrastructure grants, each administered by different departments, into a single programme. This was intended to make the system of transfers to municipalities simpler, more certain and more supportive of municipal infrastructure priorities. The programme is designed to supplement the capital budgets of municipalities, with a focus on providing basic infrastructure services to the poor, while stimulating job creation over the medium term.

Funding for electrification has not yet been incorporated into the MIG, due to uncertainties associated with the restructuring of the electricity distribution industry. MIG funds are distributed to all municipalities based on a formula that accounts for existing backlogs in service delivery as well as the functions assigned to individual municipalities.

Between 2006 and 2007, the MIG spent about R32 billion. Over the next three years, infrastructure grants to municipalities will total R67 billion as government is fully committed to the 2014 universal access target.

A government initiative to ensure clean audits, transparency and improved service delivery in government by 2014, was launched in Boksburg, Gauteng, in July 2009.

The initiative, called "Operation Clean Audit 2014", was launched by the Minister of Cooperative Governance and Traditional Affairs, Mr Siculo Shiceka.

The initiative is not only a financial-management project but also a way to ensure clean audits and improved service delivery to the people of South Africa.



Some departments, such as the Department of Water Affairs, have decided to allocate an additional budget to the MIG and the Bulk Infrastructure Grant. The Department of Water Affairs provided an additional R500 million in 2009/10 to deal with some of the challenges faced in the provision of water and sanitation.

### Local economic development

LED is a key feature of government's overall strategy to address economic challenges.

All metropolitan and district municipalities have convened growth and development summits. The focus in most municipalities is on implementing the decisions and outcomes of these summits.

The National Framework for LED for stimulating and developing sustainable economies promotes a strategic approach to the development of local economies and a shift away from narrow municipal interests focused only on government input and ad-hoc projects, which do not have impact in terms of scale.

There are two major policy thrusts identified in the framework: public-sector leadership and governance and sustainable community-investment programmes. Four key strategies emanate from these policy thrusts with accompanying main actions. These are:

- improving good governance, service delivery, and public and market confidence in municipalities
- spatial development planning and exploiting the comparative advantage and competitiveness of districts and metros
- enterprise support and business infrastructure development
- introducing sustainable community-investment programmes focusing on organising communities for development and maximising circulation of public spend in local economies.

### Project Consolidate

In 2004, Project Consolidate, a hands-on support

and engagement programme, focusing on targeted municipalities, was launched.

Project Consolidate had a direct impact on improving access to basic services. When the initiative was launched, there were 155 municipalities where 60% of households were without access to water in their yards or dwellings. By 2008, this was reduced to 115 municipalities.

In 2004, there were 203 municipalities where 60% of households did not have access to sanitation at the level of a flush toilet. This was reduced to 150 municipalities. There were 122 municipalities where 60% of households did not have access to electricity. This was reduced to 45.

Over 1 280 technical experts were deployed to 268 municipalities since the start of Project Consolidate at the end of December 2008. These were in the areas of engineering (civil), finance (billing systems), town and regional planning (IDPs), project management and human-resource development (HRD). Stakeholders include national sector departments such as the departments of cooperative governance and traditional affairs, environmental affairs, tourism, water affairs, trade and industry and National Treasury.

Partnering stakeholders include the Development Bank of Southern Africa (Siyenza Manje Programme), Ilima Trust, United Nations (UN) Development Programme, German Technical Cooperation, South African Institute for Civil Engineers, South African Association of Consultation Engineers, Institute of Municipal Finance Officers and United States Agency for International Development.

### Disaster management

The Disaster Management Act, 2002 was promulgated in 2003. The National Disaster-Management Centre with functional disaster-management centres and advisory forums were established in eight provinces. The National Disaster-Management Advisory Forum has been recognised by the UN as the national platform for disaster-risk reduction.

South Africa has also made significant progress in respect of the implementation of the Hyogo Framework for Action – a global blueprint for disaster risk-reduction whose goal it is to substantially reduce disaster losses by 2015.

Through the National Disaster-Management Centre, the Department of Cooperative Governance and Traditional Affairs has registered unit standards for levels three to seven with the South African Qualifications Authority for a national certificate in disaster-risk management. The department has also developed regulations for

recruiting and using disaster-management volunteers every year.

In 2008/09, the department established the 2010 National Disaster-Management Steering Committee and adopted a 2010 Disaster-Management Policy.

## Cooperative governance

The importance of cooperative governance and intergovernmental relations in South Africa is reflected in Chapter Three of the Constitution, which determines a number of principles.

A number of intergovernmental structures promote and facilitate cooperative governance and intergovernmental relations between the respective spheres of government.

These include:

- the PCC, comprising the President, the Minister of Cooperative Governance and Traditional Affairs and the nine premiers
- ministerial clusters, director-general clusters, and the Forum of South African Directors-General, which promote programme integration at national and provincial level
- ministerial forums between responsible line-function ministers at national level and their respective counterparts at provincial-government level, which normally meet quarterly and are supported by technical committees
- a number of intergovernmental forums that facilitate cooperative governance and intergovernmental relations.

Oversight, monitoring and early-warning systems play a critical role in helping to make cooperative governance work more effectively.

To improve integration among all spheres of government in both policy development and implementation, the Intergovernment Relations Framework Act, 2005 was promulgated in August 2005.

## Government and communication

The vision of the Government Communication and Information System (GCIS) is government communication that empowers and encourages citizens to participate in democracy and improve the lives of all.

Some of the chief directorates include the following:

- The Communication Service Agency provides core communication services to the GSIS and other government departments, both in-house and through outsourcing. It also produces the *South Africa Yearbook* and *Pocket Guide to South Africa*.

- Government and Media Liaison coordinates effective, integrated and comprehensive communication and media-liaison services across government. It is also responsible for BuaNews, a government news service.
- Policy, Media Analysis and Research contributes to the development of policy in the fields of media, communication and information and to the monitoring of government policy in general from a communication perspective. It is also responsible for communication research.
- Provincial Coordination and Programme Support supports development communication and extends government's information infrastructure through partnerships with provincial and local government. It facilitates the establishment of Thusong Service Centres to make services and information more accessible to the public, particularly the disadvantaged. In October 2009, there were 139 Thusong Service Centres in South Africa.
- The Project Desk implements project management and coordinates services to cross-cutting projects driven by the GCIS, on behalf of other departments.
- *Vuk'uzenzele* is published bimonthly and focuses on economic and other opportunities created by South Africa's democracy.
- The 2010 Communication Project Management Unit facilitates the achievement of the communication objectives for the first African World Cup in 2010.

The chief executive officer of the GCIS is the official spokesperson for government.

The GCIS is central to developing communication strategies and programmes for government's transversal campaigns.

It also assists departments with specific campaigns and events, as well as in developing departmental communication structures.

The GCIS is responsible for maintaining the website, *Government Online* ([www.gov.za](http://www.gov.za)), which includes an information portal for general information about government, and a services portal, which is a source of information about all the services rendered by national government.

Government Information website usage statistics increased from 17,8 million in 2007/08 to 20,8 million in 2008/09. Usage statistics for the Government Services website totalled 4,78 million in 2008/09 compared to 4,47 million in 2007/08.

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

- An intersectoral programme to set up Thusong Service Centres and provide information about how to access government services. A strategy for setting up one Thusong Service Centre in each of the country's municipalities by 2014 has been approved.
- The transformation of the advertising and marketing industry.
- The Public Participation Campaign of direct interaction between government and the public.

The following entities report to the GCIS:

- the International Marketing Council (IMC)
- the Media Development and Diversity Agency. (See chapters 4 and 5: *Arts and culture and Communications*.)

### International Marketing Council

The IMC, the custodian of Brand South Africa, is a presidential initiative under the auspices of the GCIS.

The IMC's role is to build a general climate of positive opinion, domestically and abroad, that will encourage a stronger flow of tourism and increased direct investment into South Africa, and build national pride among South Africans as a nation.

The IMC creates the space on which more direct marketing initiatives by the private sector and government departments play out. It also works closely with South African Tourism to ensure that marketing initiatives in tourism and in investment and trade are complementary.

On the domestic front, the IMC's activities seek to build a nation that is proud of itself and reflects the spirit of a country that is *Alive With Possibility*.

Particular support is provided to individuals or institutions that interact regularly with visitors to the country or who are particularly active abroad in profiling the opportunities on offer in South Africa.

The IMC has country managers in the United States of America, United Kingdom and India. The country managers work with the South African diplomatic missions in the various capitals to build South Africa's image and deal with challenges to the country's reputation. IMC activities fall into the following main categories:

- marketing, which uses various forms of advertising and promotion to reach the broad South African public and influential business and opinion leaders in key markets abroad
- public relations, with a strong media-relations emphasis, which reinforces the marketing

The Government Communication and Information System has begun harnessing cellular phones as a platform with tremendous reach across the population. MXit is used to profile the *16 Days of Activism for No Violence against Women and Children* Campaign. MXit is a free instant messaging programme for cellphones and personal computers. The 16 Days splash screen (visual advertisement) on MXit was delivered to 2,8 million users during the 2008 campaign and some six million text messages were sent.



campaigns and promotes the values associated with Brand South Africa through editorial coverage domestically and abroad

- brand integration, involving the development of a substantial cadre of "brand ambassadors" within key organisations, influencing the quality of their interaction with tourists and business visitors to South Africa
- direct representation to priority countries through the country managers whose role in terms of media relations and partnership-building has proven invaluable
- online communication through the official South African web portal, *www.southafrica.info*, which rivals major media houses in terms of the volume it attracts
- initiatives in the area of media relations.

The IMC produces a number of newsletters, including the online *Alive with Possibility*, which is published on a weekly basis and contains positive stories about the country.

*The Boundless Opportunities* newsletter is produced in partnership with the JSE Limited and targets JSE stakeholders domestically and abroad.

The IMC produced *South African Story III* – the third edition of a booklet that contains facts, quotes and anecdotes that illustrate extraordinary South African stories and the challenges facing the country.

In the build-up to the 2010 World Cup, the IMC intensifies its efforts to foster good working relationships with journalists at home and abroad.

In May 2009, the IMC launched a major campaign to spark enthusiasm and unite the country and the continent behind the 2009 FIFA Confederations Cup and 2010 World Cup.

Anchoring the campaign were two television adverts, one inviting Africa to rally behind the 2010 FIFA World Cup™, and the other celebrating ordinary South Africans as the "champions" who would make the World Cup a success.

In April 2009, visually impaired South Africans voted secretly for the first time on a Braille ballot sheet during the general election. The Independent Electoral Commission developed the Braille template to ensure that visually impaired South Africans enjoyed similar rights as others at polling stations countrywide.



In November 2009, Cabinet approved a new international marketing logo for Brand South Africa.

## Elections

The Constitution of South Africa places all elections and referendums in the country in all three spheres of government under the control of the Independent Electoral Commission (IEC), established in terms of the IEC Act, 1996 (Act 51 of 1996).

A general election took place on 22 April 2009. Voter turnout in all but one province was above 70%. Twenty-six parties contested the election for the National Assembly and 11 parties contested the ballot for the National Assembly and for all nine provincial legislatures.

Parties nominated 9 289 candidates for the national and provincial election; 61,6 % of them male and 38,4% female. Of the 23,18 million people registered to vote, 17,6 million voted (77,3%).

## Public Service

The Department of Public Service and Administra-

tion leads the modernisation of the Public Service by assisting government departments to implement their management policies, systems and structural solutions within a generally applicable framework of norms and standards to improve service delivery.

Support efforts have been combined with measures to promote compliance with the Public Service prescripts, including a comprehensive amendment to the Public Service Act, 1994 (Act 93 of 1994), enacted in 2007.

The scope of the minister's policy-making powers in terms of the Public Service Act, 1994 includes the structure and functioning of the Public Service; conditions of service and other employment practices in the Public Service; labour relations; health and wellness of employees; information management in the Public Service; e-government; integrity, ethics, conduct and anti-corruption in the Public Service; transformation; reform; innovation; and any other matter to improve the effectiveness of the Public Service and its service delivery to the public.

The department has led the implementation of a range of policies and processes, including the Batho Pele programme. It has also initiated the CDW Programme in the Public Service, which brings government closer to the people by deploying public servants into communities to advise citizens on their civil rights and learn about their needs. The department also pioneered the Government Employees Medical Scheme (Gems), which had more than 370 000 principal members and more than one million members at the end of August 2009.

The department was the focal point for the African Peer Review Mechanism (APRM) process, which culminated in the adoption of the *Country Self Assessment Report and Programme of Action* in 2006 and the *Country Review Report* by the Panel of Eminent Persons in 2007. The Minister of Public Service and Administration was chairperson of the Pan-African Ministers' Conference from 2003 to 2008 and championed a capacity-building programme on governance and administration for the continent.

## Size of the Public Service

By the end of March 2008, the Public Service had 1 204 525 people in its employ (including members of the South African National Defence Force). Of these employees, 63% were attached to the social services sector (health, social development, education and home affairs), followed by 20% in the criminal justice sector.

### Seats in the National Assembly, following the election in April 2009

African National Congress	264
Democratic Alliance	67
Congress of the People	30
Inkatha Freedom Party	18
Independent Democrats	4
Freedom Front Plus	4
United Democratic Party	4
African Christian Democratic Party	3
United Christian Democratic Party	2
African People's Convention	1
Azanian People's Liberation Organisation	1
Minority Front	1
Pan Africanist Congress	1

## **Human-resource management (HRM) and development in government**

In 2008/09, a framework for the strategic repositioning of HR functions in line departments was developed.

The HRD Strategic Framework was rolled out in 2009, and a monitoring and evaluation implementation concept was developed at the same time.

The Leadership Development Management Strategy was finalised and launched at the Senior Management Conference in September 2008.

A framework on HR planning has also been developed, as well as a handbook on appointing board members.

The roll-out of the HR Connect skills database is proceeding well. HR Connect will ensure that departments can analyse skill levels in relation to required posts, occupations and job profiles. An additional benefit is that personal and structural information on the Persal system is being updated in the process.

The Employment Health and Wellness Policy Framework was developed and the HIV and AIDS Workplace Policy in the Public Service reviewed. The curriculum on HIV and AIDS monitoring and evaluation has been developed and quality was assured. The first training programme began in November 2008.

## **Conditions of service**

Occupation specific dispensations (OSDs) are tailor-made remuneration dispensations for categories of occupations in the Public Service. The introduction of OSDs aims to improve government's ability to attract and retain skilled employees.

Agreements have been reached on OSDs for nurses, educators and legally qualified employees, while OSDs for social workers, health professionals and correctional officials have been developed. A remuneration policy framework for the Single Public Service has been prepared.

## **Policy on Incapacity Leave and Ill-Health Retirement (Pilir)**

The Pilir was implemented in 2006 to improve the management of incapacity leave and ill-health retirement benefits. The administration of Pilir is expected to be decentralised to departments.

## **Medical assistance**

Gems was established by government in 2005 to provide public-service employees with equitable access to affordable and comprehensive health-care benefits. It commenced operations in 2006.

## **Single Public Service**

The department provides leadership to the Public Service in service-delivery improvement, including the implementation of the Single Public Service initiative, the Batho Pele programme and the expansion of access to public services and e-government.

Legislation has been developed and was submitted to Parliament in June 2008 to create a Single Public Service from the national, provincial and local spheres of government, by providing a framework of norms of standards regulating employment and other matters.

## **Batho Pele ("People First")**

The Department of Public Service and Administration continues to support the implementation of Batho Pele through change-management engagement workshops, learning platforms and service-delivery improvement plans. In 2008, the Batho Pele Change Management Programme was rolled out to 55 municipalities to change the behaviour of public servants at local government level to focus on service delivery.

Best practices from municipalities have been captured on DVD and in a booklet, which was disseminated to all municipalities. A Batho Pele learning network in November 2008 was attended by more than 700 delegates. The learning network aimed to share best practices and offer opportunities for structured networking.

In 2008/09, as part of the *Know Your Service Rights* Campaign, 60 000 booklets on the Social Cluster were translated into all official languages and disseminated. A 10-episode drama series was aired on community radio stations.

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

The CPSI has played a leading role in the implementation of several innovative projects since its establishment in 2002. Many of these initiatives have sought to bring the benefits of improved use of information and communications technologies (ICTs) to the public sector. These have included the Batho Pele Gateway Portal, the installation of general services counters at Thusong Service Centres and mobile and wireless technologies.

The CPSI Public-Sector Innovation Awards pay tribute to public servants or people working closely with government who have made a real contribution to improving service delivery. Innovative projects from South Africa have also been entered in the UN Public Service Awards since 2002. Four South African projects were shortlisted

for the 2008 Commonwealth Association of Public Administration and Management Awards.

In 2008/09, the CPSI produced various publications to mainstream innovative, successful and appropriate solutions to service-delivery challenges, for example innovation insights, the future watch series and case studies of successes in addressing innovation challenges.

The CPSI is the regional partner of the UN Public Administration Network, a global online network on public administration and finance. The CPSI is responsible for uploading content on the portal on behalf of the Southern African Development Community (SADC).

### **State Information Technology Agency (Sita)**

Sita consolidates and coordinates the State's information technology (IT) resources to save costs through scale, to increase delivery capabilities and to improve interoperability.

Sita is committed to government's IT Strategy, which seeks to leverage economies of scale, enhance the interoperability of government systems, ensure system security, eliminate duplication and advance Black Economic Empowerment. The strategic priorities for 2009 to 2012 are:

- improving financial sustainability
- optimising infrastructure
- extending the service footprint
- modernising public-service operations
- reducing operational costs
- achieving operational excellence
- developing and retaining personnel.

Key policy developments impacting on departmental spending plans are, among other things:

- establishing an open-source programme office
- contributing to the development of a catalytic next-generation e-government prototype
- developing the framework for a new enterprise resource planning system in government
- developing a government-wide enterprise architecture framework
- developing a framework for adopting a service-orientated architecture in government.

### **Government Information Technology Officers' (Gito) Council**

The Gito Council advises government on the application of IT to improve service delivery. Its membership consists of the chief information officers from national departments and offices of the premiers. The council has been involved

in developing an IT security policy framework, IT procurement guidelines and e-government policy and strategy. It also monitors government IT projects to avoid duplication.

### **Fighting corruption**

The fight against corruption remains extremely high on government's agenda. A guide on the minimum anti-corruption capacity requirements has been issued to departments. The National Anti-Corruption Forum, consisting of government, business and civil society, has strengthened the country's partnership approach to promote ethical conduct.

As part of the roll-out of the Local Government Anti-Corruption Strategy, 227 municipalities had fraud-prevention plans or anti-corruption strategies in place by March 2009.

The Department of Public Service and Administration has developed a conflict-of-interest framework for officials in the Public Service to deal with issues of corruption.

South Africa acceded to the Organisation for Economic Cooperation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions in June 2007 as the first African country and the 37th member of the OECD Working Group on Bribery in International Business Transactions.

The third Anti-Corruption Summit was held in August 2008. The next summit is scheduled for 2010.

### **International and African affairs**

A draft report was adopted by the APRM's National Governing Council in December 2007 to formulate partnerships between government and civil society to implement the programme of action.

The African Association for Public Administration and Management South Africa was launched in August 2008. The department participated in a meeting with the New Partnership for Africa's Development (Nepad), the Institute for Security Studies and Burundi in August 2008 in Burundi, as part of the department's contribution to post-conflict reconstruction and development.

A post-conflict reconstruction and development cluster was convened and a programme of action aligned with the African Union (AU) framework. The sixth Pan-African Conference of African Ministers of Public Service was hosted in October 2008 and Kenya was elected as chair.

Among the achievements of this conference was the African Public Service Charter.

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

The PSC is an independent and impartial body created by the Constitution to enhance excellence in government and within the Public Service by promoting a professional and ethical environment and adding value to a public administration that is accountable, equitable, efficient, effective, corrupt-free and responsive.

The PSC derives its mandate from sections 195 and 196 of the Constitution. Section 195 sets out the following values and principles governing public administration that should be promoted by the commission:

- a high standard of professional ethics
- efficient, economic and effective use of resources
- a development-orientated public administration
- providing services in an impartial, fair and equitable way, without bias
- responding to people's needs and encouraging the public to participate in policy-making
- an accountable public administration
- transparency
- good HRM and career-development practices
- a representative public administration with employment and personnel-management practices based on ability, objectivity, fairness and the need to redress the imbalances of the past.

In terms of Section 196(4) of the Constitution, the functions and powers of the commission are:

- promoting the values and principles, as set out in Section 195, throughout the Public Service
- investigating, monitoring and evaluating the organisation; administering personnel practices of the Public Service, and in particular, adhering to the values and principles set out in Section 195 and public-service procedures
- proposing measures to ensure effective and efficient performance within the Public Service
- giving directives aimed at ensuring that personnel procedures relating to recruitment, transfers, promotions and dismissals comply with the values and principles set out in Section 195
- reporting on its activities and the performance of its functions, including any findings it may make and directions and advice it may give; and providing an evaluation of the extent to which the values and principles are complied with

- investigating and evaluating the application of personnel and public-administration practices, and reporting to the relevant executive authority and legislature
- investigating grievances of employees in the Public Service concerning official acts or omissions, and recommending appropriate remedies
- monitoring and investigating adherence to applicable procedures in the Public Service
- advising national and provincial organs of state regarding personnel practices in the Public Service, including those relating to the recruitment, appointment, transfer, discharge and other aspects of the careers of employees in the Public Service.

The PSC is accountable to the National Assembly and it must also report to the legislature of the province concerned on its activities in that particular province.

## **Leadership and human resource reviews**

The quality of the administrative leadership of the Public Service is critical and influences the extent to which service delivery takes place.

It is imperative for senior managers, in particular heads of departments (HoDs), to be held accountable for the mandates of their departments. Since 2000, the PSC has been responsible for facilitating the evaluation of HoDs, and in the process has acquired extensive experience on the performance of HoDs and insights into departments.

## **Labour-relations improvement**

The promotion of sound and fair labour relations in the workplace is an essential aspect of HRM.

As part of its role in enhancing public-service labour relations and management practices, the PSC assists departments to improve their capacity in managing grievances. It held several bilateral meetings and conducted numerous sessions to enlighten departments on the importance of adherence to the grievance procedures. The PSC maintains a database of grievances referred to it for research purposes.

During 2008/09, the PSC received 654 grievances compared to 588 grievances in the 2007/8 financial year – an 11% increase. Of the 654 grievances received, 191 cases were finalised and recommendations made to departments.

About 280 grievances were referred back to departments on the basis of non-compliance with the grievance rules. In 98 cases, the grievances were resolved internally by departments.

In 105 cases, the matters were closed due to the withdrawal of the grievance by aggrieved employees.

By 31 March 2009, 77 cases were pending because of incomplete information provided to the PSC. The non-compliance by departments to provide complete information or information on time remains problematic and accounts for delays in the finalisation of grievances.

## **Governance monitoring**

Good governance is defined by the PSC as compliance with the values governing public administration in Section 195 of the Constitution.

The PSC has, therefore, put in place monitoring and evaluation systems and undertakes specific commissioned evaluations to establish the level of compliance with the values and principles of public administration.

During 2008/09, the PSC produced 25 evaluation reports, comprising seven national and 18 provincial departments, through the application of the PSC's Monitoring and Evaluation System.

Drawing from departmental monitoring and evaluation reports completed during the 2007/08 financial year, the fifth *Consolidated Monitoring and Evaluation Report* was produced. The report did not only provide an overview of the overall performance of the individual departments that were evaluated, but also an assessment of the trend of adherence to the standards for each principle for the period 2000 to 2008.

The seventh edition of the *State of the Public Service Report* was produced under the theme *The State of Readiness of the Public Service for 2010 and Beyond*.

As part of this series, the PSC completed an evaluation of the Integrated Sustainable Rural Development Programme. Drawing from its work, the PSC initiated a series of dialogues on poverty-reduction strategies and interventions.

The PSC also piloted meta-evaluation (defined as an evaluation of an evaluation) by completing a meta-evaluation of the Expanded Public Works Programme. It found that good evaluations were available for the programme and that a solid evaluation base had been laid by the Department of Public Works.

## **Service delivery and compliance evaluations**

South Africa is about to host the 2010 FIFA World Cup™, one of the biggest sporting events in the world.

The Public Service is the mechanism through which most services will be rendered during the

event, as it remains the primary provider of services to citizens at large.

During 2008/09, the PSC directed a significant section of its service-delivery assessments towards the readiness of the Public Service to host the World Cup. The PSC continued to deepen its work in the promotion of citizen participation in 2009.

Recognising that "Batho Pele" remains the central policy framework for transforming public-service delivery, the PSC continued with its evaluations on the implementation of the individual principles of "Batho Pele".

## **Public-administration investigations**

The PSC has introduced various mechanisms aimed at preventing and combating corruption and promoting professional ethics.

The PSC introduced access mechanisms through which public servants and members of the public can report corruption, namely the PSC's Complaints Rules and the National Anti-Corruption Hotline (NACH) – 0800 701 701.

The PSC also conducts investigations of own accord and produces research reports reflecting on the management of specific public-administration practices.

In 2009, the PSC continued to pursue the promotion of good governance by conducting a number of audits and investigations into public-administration practices. The investigations emanated from complaints lodged with the PSC, and requests from, among others, executive authorities, public servants and whistle-blowers. The complaints received predominantly related to maladministration and irregularities regarding HR and procurement practices.

## **Professional ethics**

The PSC continues to promote transparency, accountability and integrity in the Public Service. During 2008/09, the PSC promoted these values through its management of the Financial Disclosure Compliance, the NACH and professional ethics research.

The PSC's role in promoting integrity and professional ethics is not limited to the Public Service alone. As secretariat to the National Anti-Corruption Forum, an anti-corruption coalition that promotes dialogue and collective action against corruption among the different sectors of the South African society, the PSC was instrumental in hosting the third National Anti-Corruption Summit during August 2008. A total of 32 resolutions were adopted in support of the development of the National Integrity Framework for South Africa.

The PSC has also produced a report on the *Management of Conflicts of Interest through the Financial Disclosure Framework*, which reflected on a sample of 30% of the disclosure forms received for the 2007/08 financial year (2 036).

## **Public Administration Leadership and Management Academy (Palama)**

Palama (Sesotho for “ascend”) was opened in August 2008. The academy, which has evolved from the South African Management Development Institute, aims to achieve a massive increase in training courses for managers in the Public Service by involving public- and private-sector education and training institutions in an expanded training programme.

Through its training interventions, Palama contributes to deepening the capacity of public servants to respond with equal strengths to service-delivery challenges.

The academy has identified the following strategic objectives through which it will achieve its mandate:

- developing and administering a training framework of curricula and materials oriented to service delivery to be used by providers of transversal skills training for junior and middle managers
- coordinating the provision of executive development programmes for senior management
- capacitating public-sector departments to identify and meet their management-development and training needs in relation to their service-delivery objectives
- developing and implementing a suitable quality management and monitoring system
- establishing and maintaining partnerships and linkages with national and international management-development institutes and training-providers
- arranging customised training programmes in support of South African foreign policy within the AU and Nepad.

In 2009, Palama signed partnership agreements with 15 universities in three consortia to roll out the Executive Development Programme.

Palama is able to make a major contribution towards ensuring that the Public Service has the skills it needs to meet the economic and social challenges facing South Africa. Apart from universities, Palama has also developed partnerships with academies and training units within provinces and local governments.

Palama developed the Gender Mainstreaming Programme for managers in the Public Service.

The one-day monitoring and evaluation and performance-management courses were piloted with senior managers in KwaZulu-Natal in December 2008.

A total of 16 000 public servants were trained from April 2008 to January 2009 on the Massified Induction Programme (MIP). This represents a 43% achievement against the 2008/09 target of 37 000. Strategies are in place to help improve the uptake of this programme. This includes a drive by Palama to present the MIP in top management meetings across the Public Service to ensure management endorsement and therefore improvement in participation levels by departments.

## **Department of Home Affairs**

The Department of Home Affairs provides individual status-determination services and has a network of offices in all provinces and 56 offices abroad. Mobile offices service areas on a regular pre-arranged basis where the establishment of fixed offices is not warranted.

The Department of Home Affairs' Strategic Plan for 2009/10 has identified, among other things, the following key strategic priorities:

- putting in place strong management and governance measures to lead transformation and take control of the operating environment
- empowering officials with the right skills and values to build effective systems and fight corruption
- ensuring that out-of-date systems that have been contaminated by years of data corruption are modernised, cleaned and properly maintained.

Statutory bodies falling under the department are the:

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

The Government Printing Works, a division of the Department of Home Affairs, provides printing, stationery and related services to all government departments, provincial governments and municipalities. It also publishes, markets and distributes government publications. Based in Pretoria, the printing works provides a variety of related services to departments, the printing industry and other African countries, including manufacturing and supplying fingerprint ink to the South African Police Service (SAPS), and printing postage stamps for the Democratic Republic of Congo and Lesotho.

In April 2009, the Department of Home Affairs won the prestigious Public Service Delivery to

Citizens Award at the biannual Technology in Government in Africa (TIGA) Awards held in Addis Ababa, Ethiopia.

Held under the auspices of the UN's Economic Commission for Africa (ECA), the TIGA Awards aim to recognise the work of African governments in the effective use of ICTs for public-service delivery. This forms part of the ECA's African Information Society Initiative and Canada's ICTs for Development Programme.

The Public-Service Delivery to Citizens Award recognises outstanding achievements by organisations or teams in developing and implementing innovative projects to improve online government service delivery.

The Department of Home Affairs submitted four projects, namely:

- Automated Fingerprint Identification System and Online Fingerprint Verification
- Operations Management
- Client Service Centre
- Track and Trace.

Online fingerprint verification is based on technology that analyses a person's fingerprints and matches them with fingerprints stored on the fingerprint database at Head Office.

The Automated Fingerprint Identification System (linked to online fingerprint verification) electronically stores all fingerprints in a central database for people who have applied for an identity document (ID) and can trace them electronically when necessary. Through this system, South Africa has the largest civilian automated fingerprint database in the world.

Track and Trace is an IT-based system that allows people who have applied for an ID or passport to check the status of their application by SMS, Internet or phone.

The Client Service Centre project allows call-centre agents to resolve queries about IDs telephonically and trace applications by logging into a central system and getting information instantly to assist clients calling the centre.

Operations Management is a project that streamlines the production process for IDs, making every step of the production transparent, and fast and making it possible to detect where there are problems before the ID is printed.

## Civic services

The Branch: Civic Services is mainly responsible for the National Population Registration and civic services. National population registration entails recording personal particulars with a view to issuing IDs; identification by means of fingerprints and

photographs; and dealing with matters pertaining to the status of persons, such as births, marriages and deaths.

Civic services entail issuing passports, registering foreign births, determining citizenship and issuing certificates of naturalisation or resumption of South African citizenship.

## Citizenship matters

South African citizenship is regulated by the South African Citizenship Act, 1995 (Act 88 of 1995), and regulations issued in terms thereof. South African citizenship may be granted by way of:

- birth or descent
- an application for naturalisation as a South African citizen
- an application for resumption of South African citizenship
- the registration of the birth of children born outside South Africa to South African fathers or mothers
- an application for exemption in terms of Section 26(4) of the Act.

## Population Register

The Population Register hosted by the Department of Home Affairs stores and provides citizenry-identification information, including unique identification numbers, birth dates and marriage status. In essence, this system forms the core of citizenry-information systems within the department.

The department is running a campaign to register all children from 0 to 15 years old by the end of 2011.

After 2011, the department will ensure that babies are registered before their first birthday and do away with late registration of birth, which is the main entry point for those who want to access documents fraudulently.

Working in partnership with the Department of Basic Education, the Department of Home Affairs will, over the next two years, run a campaign to proactively ensure that all youth from 16 years old obtain an ID.

The department will also delink the capturing of fingerprints from the ID application process to ensure the security of enabling documents. This will also facilitate the faster processing of ID applications.

## Immigration

The National Immigration Branch is responsible for control over the admission of foreigners for residence in and departure from South Africa.

This entails:

- processing applications for visas, temporary residence permits and immigration permits
- maintaining a travellers' and foreigners' control system
- tracing and removing foreigners who are considered undesirable or who are in South Africa illegally.

The Refugees Act, 1998 (Act 130 of 1998), gives effect within South Africa to the relevant international legal instruments, principles and standards relating to refugees; provides for the reception into South Africa of asylum seekers; regulates applications for and recognition of refugee status; and provides for the rights and obligations flowing from such status, and related matters.

In recent years, the department has sought to control illegal immigration through a variety of measures:

- The Immigration Act, 2002 (Act 13 of 2002), provides for a stricter immigration policy. The implementation of administrative fines and other measures came into effect in 2003. The Immigration Act, 2002 was amended to clarify and revise immigration and permit procedures to facilitate importing skills in line with the Accelerated and Shared Growth Initiative for South Africa and the Joint Initiative for Priority Skills Acquisition.
- The department works closely with the South African Revenue Service and the SAPS to ensure effective border control.
- A computerised visa system was instituted to curb the forgery of South African visas and has

been extended to all South African missions abroad.

The final immigration regulations came into effect on 1 July 2004. The release of these regulations followed the signing of the Immigration Amendment Act, 2004 (Act 19 of 2004), into law on 12 October 2004.

The immigration policy aims to:

- discourage illegal migration into South Africa by encouraging foreign nationals to apply for different permits to legalise their stay in the country
- create an enabling environment for foreign direct investment in South Africa
- attract scarce skills required by the economy in accordance with the 2014 vision of eradicating poverty and underdevelopment.

The final immigration regulations furthermore aim to establish a new system of immigration control to ensure that:

- temporary and permanent residence permits are issued as expeditiously as possible and according to simplified procedures
- security considerations are fully satisfied and the State regains control over the immigration of foreigners to South Africa
- economic growth is promoted through the employment of needed foreign labour, foreign investment is facilitated, the entry of exceptionally skilled or qualified people is enabled and academic exchange programmes in the SADC are facilitated
- tourism is promoted
- the contribution of foreigners to the South African labour market does not adversely affect existing labour standards and the rights and expectations of South African workers
- a policy connection is maintained between foreigners working in South Africa and the training of South African citizens
- a human-rights-based culture of enforcement is promoted.

The Department of Home Affairs' mandate emphasises regulation and control of the movement of persons at each of the 72 designated ports of entry. Technological advances and opportunities brought about by globalisation make it possible for the department to carry out its immigration functions beyond the country's national borders.

In strengthening the regulations and control of the movement of persons at the designated areas of entry, the department is moving towards the provision of an integrated basket of services, including Advanced Passenger Processing,

In April 2009, the Department of Home Affairs started producing the new South African passport with improved security features. The new passport, introduced as part of the department's turnaround programme, is aimed at improving customer service and eliminating forgery. The introduction of the new process improves the integrity and security of the passport, bringing it in line with the International Civil Aviation Organisation's standards for technology and security.

Applicants are required to submit high-resolution colour photographs upon application. The new passport contains several high-security features that are tamper-proof, making it impossible to forge. The passport-holder's biographical data is laser-engraved on a polycarbonate page and the paper used for the other pages of the passport includes a watermark of Chief Albert Luthuli. Fine-line security background designs depicting the Big Five are printed on the pages.



biometric verification and a seamless integrated movement-control system.

As part of the services for the Confederations Cup in 2009, the department successfully piloted the concept of an event visa, in Cairo, Egypt, in June 2009, which was issued to Egyptians who could show proof that they were travelling to South Africa to attend the soccer tournament.

Such a visa, which has no precedence in the world, will also be used for the 2010 FIFA World Cup™. To contribute to the smooth but secure flow of international visitors expected to attend the World Cup, the department's immigration services branch is focusing on the following:

- facilitating operations in respect of the large account unit, which was set up to assist companies with large requirements of scarce skills
- introducing new and faster ways of processing travellers
- improving traveller screening and using mechanisms that will prevent the entry of undesirable elements
- gathering intelligence through closer cooperation with other law-enforcement agencies, both foreign and domestic.

The department prioritised the issuance of quota work permits to foreigners who fall within specific occupational classes or specific professional categories. In this context, details of specific occupational classes and specific professional categories and the applicable quotas are published annually in the *Government Gazette* after consultation with other stakeholder departments.

The Directorate: Refugee Affairs manages refugee services in South Africa. It has established the Asylum Seekers Unit and Country of Origin Information Unit.

The units advise refugee-reception offices on policy-related matters and on the background information of an applicant's country of origin. After being recognised, refugees are issued with refugee IDs, which give them access to the basic services in South Africa, including basic health-care, education and employment.

The South African Government, through the Department of Home Affairs, issues UN travel documents to refugees. Since May 2005, refugees have been issued with a refugee smart ID, which contains security features that are not forgeable.

This directorate seeks to professionalise the functioning of the refugee regime in preparation for mass influxes in the future. The department also seeks to assist those who wish to return to their countries of origin after changes in the circumstances that led to their forced migration, by

engaging in campaigns of voluntary repatriation jointly with the UN High Commissioner for Refugees.

Amendments to the Refugees Act, 1998, tabled in Parliament in March 2008, will establish the Refugee Appeals Authority and bring the legislation in line with the Children's Act, 2005 (Act 38 of 2005). The draft Refugees Amendment Bill seeks to dissolve the existing Standing Committee for Refugee Affairs and the Refugee Appeal Board and establish the Refugee Appeals Authority.

The Bill will have the authority to invite representations from the UN Human Rights Commission, make its own inquiries and ask the asylum-seeker to appear before it. The Bill proposes that unaccompanied children seeking asylum be issued with an asylum-seeker permit and brought before the Children's Court.

The Directorate: Information Coordination manages information on the National Immigration Branch to facilitate regional and national operations.

The directorate's main objectives are to:

- establish an information repository, which acts on risks and urgent immigration matters
- ensure dynamic real-time support on tactical and legal matters to immigration officers globally.

## Visas

Foreigners who wish to enter South Africa must be in possession of valid and acceptable travel documents. They must have valid visas, except in the case of certain countries whose citizens are exempt from visa control. Such exemptions are normally limited to permits, which are issued for 90 days or less at the ports of entry. The visa system is aimed at facilitating the admission of acceptable foreigners at ports of entry. The visa becomes a permit upon entry; therefore, no additional permit will be issued.

## Control of travellers

The travel documents of persons entering or departing South Africa are examined by immigration officers at recognised ports of entry, to determine whether such persons comply with the requirements.

## Control of sojourn

Foreigners who are in the country illegally and who are therefore guilty of an offence may be classified into three categories, namely those who:

- entered the country clandestinely
- failed to renew the temporary residence permits issued to them at ports of entry
- breached the conditions of their temporary residence permits without permission, such as holiday visitors who took up employment or started their own businesses.

Depending on the circumstances, persons who are in South Africa illegally are either prosecuted, removed, or their sojourn is legalised. Officers at the various regional and district offices of the department are in charge of tracing, prosecuting and removing illegal foreigners from the country. Employers of illegal foreigners may also be prosecuted.

### Permanent residence

Government allows immigration on a selective basis. The Department of Home Affairs is responsible for:

- processing applications for immigration permits for consideration
- admitting persons suitable for immigration, such as skilled workers in occupations in which there is a shortage in South Africa.

The department particularly encourages applications by industrialists and other entrepreneurs who wish to relocate their existing concerns or to establish new concerns in South Africa.

The department is not directly involved in an active immigration drive. In categories where shortages exist, the normal procedure is for employers to recruit abroad independently and, in most cases, initially apply for temporary work permits.

The department considers the applications for immigration permits of prospective immigrants who wish to settle in the relevant provinces. In terms of new regulations, regions will be responsible for issuing permits previously issued by the regional committees in respect of permanent residence. They will also do so in respect of temporary residence. Enquiries in this regard may be made to the nearest office of the Department of Home Affairs in South Africa, to missions abroad, or to the Director-General of Home Affairs for the attention of the Directorate: Permitting in Pretoria.

### Temporary residence

In terms of the Immigration Act, 2002, temporary residence permits are divided into the following categories:

- visitor's permits

- diplomatic permits
- study permits
- treaty permits
- business permits
- crew permits
- medical permits
- relative's permits
- work permits with the following categories:
  - quota work permits
  - general work permits
  - intra-company transfer work permits
  - exceptional skills work permits
  - corporate work permits
  - retired person permits
  - exchange permits
- asylum permits.

In terms of Section 11, a visitor's permit may be issued to a person who intends to enter South Africa for less than 90 days for the purpose of tourism, business, education or medical treatment.

Foreigners who are exempt from visa requirements may therefore proceed to a port of entry where visitors' permits for the mentioned period will be issued, provided such persons can produce evidence to prove their bona fides.

Foreigners who are citizens of countries that are exempted from visa requirements for less than 90 days may likewise obtain visitors' permits at a port of entry. Such foreigners enjoy exemption for the period only. Foreigners who require a visa prior to proceeding to South Africa, or who intend to enter South Africa for any period longer than the period for which they are exempt from the visa requirement, must apply for and obtain a visa prior to proceeding to the country.

Foreigners who intend to accept an offer of employment, start a business, take up studies or enter South Africa for any purpose for which a temporary residence permit is provided for in the Act, must apply for an appropriate temporary residence permit via the South African diplomatic representative in their countries of origin/residence. In countries where there are no representatives, applications must be submitted in the nearest country where there is a foreign representative.

The outcome must be awaited outside South Africa and applicants may only proceed to South Africa once the permit as applied for has been issued to them.

The overriding consideration when dealing with applications for work permits is whether the employment or task to be undertaken cannot

be performed by a South African citizen or an approved permanent immigrant already residing in South Africa.

Applications for the extension of temporary residence permits must be submitted at least 30 days prior to the expiry date of the permit, to the nearest regional/district office of the Department of Home Affairs where the applicant is employed. Any enquiries related to temporary residence permits may be directed to the nearest district/regional office of the Department of Home Affairs in South Africa, to South African diplomatic representatives abroad, or to the Director-General of Home Affairs, for the attention of the Directorate: Permitting.

### **Removal of undesirable persons**

In terms of legislation, the Minister of Home Affairs may order the deportation of any person who is declared undesirable or prohibited, other than an asylum seeker.

The establishment of the Department of Home Affairs' Client Service Centre means that people no longer have to go to a Home Affairs office just to check on the status of their application.

The centre also benefits those who have to travel long distances to reach an office, those who cannot afford to travel and those who cannot leave work during the day to visit the department.

The Client Service Centre's toll-free number is 0800 60 11 90.



These are foreign nationals who are in South Africa illegally and should be deported to the countries of which they are citizens or territories where they have rights of domicile or residence.

Any person who has become a deportation subject may, pending his or her deportation, be detained in a manner and at a place determined by the Director-General of the Department of Home Affairs.

## Acknowledgements

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