



Government system



**SOUTH
AFRICA**
YEARBOOK
2011/12

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

The outcomes approach, which started in 2010, is embedded in and a direct result of the electoral mandate. Five priority areas have been identified: decent work and sustainable livelihoods, education, health, rural development, food security and land reform and the fight against crime and corruption. These have been translated into the following 12 outcomes to create a better life for all:

- better quality basic education
- a long and healthy life for all South Africans
- all South Africans should be safe and feel safe
- decent employment through inclusive growth
- a skilled and capable workforce to support an inclusive growth path
- an efficient, competitive and responsive economic infrastructure network
- vibrant, equitable and sustainable rural communities with food security for all
- sustainable human settlements and an improved quality of household life
- a responsive, accountable, effective and efficient local government system
- environmental assets and natural resources that are well protected and enhanced
- a better Africa and a better world as a result of South Africa's contribution to global relations
- an efficient and development-oriented public service and an empowered, fair and inclusive citizenship.

President Jacob Zuma signed performance agreements with all ministers, based on the outcomes and targets. After consultation at all government levels, service-delivery agreements describing the outputs, activities and inputs required to achieve the 12 outcomes were signed in November 2010.

The service-delivery agreements have resulted in a higher level of understanding of the challenges faced by the different departments.

The service-delivery agreements and plans for realising them are available on the Government and Presidency websites.

The outcomes are reviewed by Cabinet and are open to public scrutiny, as part of government's commitment to the people of South Africa to be transparent and accountable for service delivery.

The Constitution

South Africa's Constitution is one of the most progressive in the world and enjoys high acclaim internationally. Human rights are given clear prominence in 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.

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.

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 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) 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 in February 1997.

President	Jacob Zuma
Deputy President	Kgalema Motlanthe

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 the council passes it, it must be referred to the assembly.

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: Mr Trevor Manuel, who is responsible for the National Planning Commission (NPC), and Mr Collins Chabane, responsible for Performance 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 must adhere. The 26 commission members were inaugurated on 11 May 2010.

In June 2011, Minister Manuel released the NPC's *Diagnostic Document* and *Draft Vision Statement for 2030*, as a basis of national dialogue among all South Africans.

The public engagement process ended in September 2011. The diagnostic report recognised the progress made in the transition from an apartheid state to a democratic one. Despite these successes, the report concluded that more meaningful and rapid progress was needed to reduce poverty and achieve equality, and identified nine challenges:

- too few South Africans are employed
- the quality of education for most black people remains poor
- poorly located, inadequate and badly maintained infrastructure
- spatial challenges continue to marginalise the poor
- South Africa's growth path is highly resource-intensive and hence unsustainable
- the ailing public health system confronts a massive disease burden
- the performance of the Public Service is uneven
- corruption undermines state legitimacy and service delivery
- South Africa remains a divided society.

The first two challenges are seen as the main obstacles to reducing poverty and equality, and should be addressed accordingly.

As part of the public dialogue about the *Vision Statement 2030*, the NPC Jam was launched in August 2011. This live, 72-hour online discussion took place from 28 September to 1 October 2011 and addressed both the Vision Statement 2030 and resolving the nine challenges.

NPC commissioners, joined by academics, public servants and celebrities, took part in the discussion along with members of the public. Almost 10 000 South Africans registered, more than 10 300 log-ins were recorded and there were over 8 700 individual posts. The result was the biggest online dialogue ever held in Africa.

Following public discussion, the amended and finalised *National Development Plan: Vision for 2030* was released in November 2011. It focuses on the following strategic areas of development:

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

The proposed development plan, subject to public comment, seeks to eliminate poverty and reduce inequality by 2030.

Achievements of the Department of Performance Monitoring and Evaluation as well as Administration included the following:

- developing a position paper to guide government in implementing the outcomes approach
- developing an implementation guide to translate the *Green Paper on National Strategic Planning* into action
- signing performance agreements between the President and ministers
- finalising delivery agreements on achieving the outcomes between key stakeholders
- establishing the terms of outcomes-implementation forums, which are largely cluster and ministerial meetings with provincial MECs to monitor progress and submit quarterly reports to Cabinet.
- developing a management performance assessment tool to enable objective performance assessments of departments and municipalities by involving departments and bodies across the sphere of government to deliver input
- improving frontline service delivery, where the public interfaces with government.

Cabinet

The Cabinet consists of the President, as head, 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 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

Traditional leadership institutions play a critical role in South Africa's constitutional democracy and are at the core of South Africa's success as a nation in achieving the country's developmental objectives, particularly in so far as they apply to the Rural Development Strategy.

Cabinet ministers and deputy ministers, as in June 2012

Portfolio	Minister	Deputy Minister
Agriculture, Forestry and Fisheries	Tina Joemat-Pettersson	Dr Pieter Mulder
Arts and Culture	Paul Mashatile	Dr Joe Phaahla
Basic Education	Angie Motshekga	Enver Surty
Communications	Dina Pule	Stella Ndabeni
Cooperative Governance and Traditional Affairs	Richard Baloyi	Yunus Carrim
Correctional Services	Sibusiso Ndebele	Adv Ngoako Ramathodi
Defence and Military Veterans	Nosiviwe Mapisa-Nqakula	Thabang Makwetla
Economic Development	Ebrahim Patel	Prof. Hlengiwe Mkhize
Energy	Dipuo Peters	Barbara Thompson
Finance	Pravin Gordhan	Nhlanhla Nene
Health	Dr Aaron Motsoaledi	Dr Gwen Ramokgopa
Higher Education and Training	Dr Blade Nzimande	Mduduzi Manana
Home Affairs	Dr Nkosazana Dlamini Zuma	Fatima Chohan
Human Settlements	Tokyo Sexwale	Zoliswa Kota-Fredericks
International Relations and Cooperation	Maite Nkoana-Mashabane	Marius Fransman Ebrahim Ebrahim
Justice and Constitutional Development	Jeff Radebe	Andries Nel
Labour	Mildred Oliphant	-
Mineral Resources	Susan Shabangu	Godfrey Oliphant
Police	Nathi Mthethwa	Makhotsu Soty
Public Enterprises	Malusi Gigaba	Gratitude Magwanishe
Public Service and Administration	Dr Lindiwe Sisulu	Ayanda Dlodlo
Public Works	Thembelani Nxesi	Jeremy Cronin
Rural Development and Land Reform	Gugile Nkwinti	Solomon Tsenoli
Science and Technology	Naledi Pandor	Derek Hanekom
Social Development	Bathabile Dlamini	Maria Ntuli
Sport and Recreation	Fikile Mbalula	Gert Oosthuizen
State Security	Dr Siyabonga Cwele	-
The Presidency	Trevor Manuel	-
National Planning Commission		
The Presidency Performance Monitoring and Evaluation, as well as Administration	Collins Chabane	Obed Bapela
Tourism	Marthinus van Schalkwyk	Tokozile Xasa
Trade and Industry	Dr Rob Davies	Elizabeth Thabethe Thandi Tobias-Pokolo
Transport	Benedict Martins	Sindisiwe Chikunga
Water and Environmental Affairs	Edna Molewa	Rejoice Mabudafhasi
Women, Children and People with Disabilities	Lulu Xingwana	Hendrietta Bogopane-Zulu

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 Department of Traditional Affairs was established in April 2010 to underline the critical focus on traditional leadership. This signifies the importance that is placed on the role and place of traditional leaders in the lives of people, especially in rural areas.

The strategic role of the department is to assist the institution of traditional leadership to trans-

form itself into a strategic partner of government in the development of communities.

The department has committed itself to contributing towards the achievement of the objectives of Outcome 9 in a number of ways, namely:

- Facilitating communication leading to the release of land to municipalities for housing, burial and other developmental purposes through a consultative process with traditional leaders and the national, provincial and local houses of traditional leaders.
- Strengthening collaboration between councils and traditional leaders at local level for development and service-delivery purposes.
- Coordinating a project on the assessment of the state of governance within the area of traditional affairs. By October 2011, six provincial assessments had been conducted and the process to analyse data from provinces and develop a province-specific and a composite national report had begun.

The department is working on a range of policies which, among other things, include unity and diversity, initiation, traditional healing, traditional leaders' protocol, family trees, involving the Khoisan people in the system of governance in South Africa, and the remuneration and benefits of traditional leaders based on uniform norms and standards.

Numerous pieces of legislation have been passed and various programmes implemented to ensure that traditional leadership makes an important contribution to the development of society.

Legislation

The Department of Traditional Affairs, with its expanded mandate, is amending legislation to create an enabling legislative and regulatory environment for dealing effectively, efficiently, holistically and in a sustainably manner with traditional affairs.

The National House of Traditional Leaders Act, 2009 (Act 22 of 2009), and the Traditional Leadership and Governance Framework Act, 2003 (Act 49 of 2003), were consolidated by the National Traditional Affairs Bill to simplify the process.

The amendment of the legislation will also ensure, among other things, that traditional affairs, rather than only traditional leaders, will take

centre stage. The Khoisan communities will also be fully represented in the National House of Traditional Leaders.

Institutions

Traditional councils

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 up an 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 (Act 10 of 1997). Its objectives and functions are to promote the role of traditional leadership within a democratic constitutional dispensation, enhance unity and understanding among traditional communities and advise national government.

The department is finalising guidelines on the operations of the National House of Traditional Leaders. The guidelines will constitute the first internal document that deals specifically with issues of operation and tools-of-trade for members of the national house. In the past, these were dealt with through departmental policies primarily meant for government officials.

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 national and provincial houses of traditional leaders enhance the cooperative relationships within national and provincial government, while the establishment of local houses of traditional leaders deepens and cements the relationship between municipalities and traditional leaders on customary law and development initiatives.

Members of the executive councils of provincial government, as in February 2012

Eastern Cape	
Noxolo Kiviet	Premier
Mlibo Qoboshiane	Local Government and Traditional Affairs
Zoleka Capa	Rural Development and Agrarian Reform
Mandla Makupula	Education and Training
Mcebisi Jonas	Economic Development, Environmental Affairs and Tourism
Sicelo Gqobana	Health
Phumulo Masualle	Finance and Provincial Planning
Thandiswa Marawu	Public Works, Roads and Transport
Helen August-Sauls	Human Settlements, Safety and Liaison
Xoliswa Tom	Sport, Recreation, Arts and Culture
Pemmy Majodina	Social Development and Children
Free State	
Sekgobelo Elias Magashule	Premier
Tate Pule Makgoe	Education
Olly Mlamleli	Cooperative Governance, Traditional Leadership and Human Settlements
Mosebenzi Zwane	Agriculture
Fezi Ngubentombi	Health
Seiso Mohai	Finance
Butana Komphele	Police, Roads and Transport
Sisi Elisa Mabe	Public Works and Rural Development
Sefora Sisi Ntombela	Social Development
Dan Kgothule	Sport, Arts, Culture and Recreation
Mamiki Qabathe	Economic Development, Tourism and Environmental Affairs
Gauteng	
Nomvula Paula Mokonyane	Premier
Nandi Mayathula-Khoza	Agriculture and Rural Development
Barbara Creecy	Education
Mandla Nkomfe	Finance
Ntombi Mekgwe	Health and Social Development
Humphrey Mmemezi	Local Government and Housing
Nonhlanhla Faith Mazibuko	Community Safety
Lebogang Maile	Sport, Arts, Culture and Recreation
Qedani Dorothy Mahlangu	Economic Development and Planning
Bheki Simon Nkosi	Infrastructure Development
Ismail Vadi	Roads and Public Transport
KwaZulu-Natal	
Dr Zweli Mkhize	Premier
Dr Banginkosi Meshack Radebe	Agriculture, Environmental Affairs and Rural Development
Senzo Edward Mchunu	Education
Mike Mabuyakhulu	Economic Development and Tourism
Catharina Magdalena Cronje	Finance
Sibongiseni Maxwell Dlomo	Health
Nomusa Dube	Cooperative Governance and Traditional Affairs
Weziwe Gcotyelwa Thusi	Social Development
Ravi Pillay	Human Settlements and Public Works
Thembinkosi Willies Mchunu	Transport and Community Safety and Liaison
Ntombikayise Sibhidla-Saphetta	Arts, Culture, Sport and Recreation

Members of the executive councils of provincial government, as in February 2012

Limpopo	
Cassel Charles Mathale	Premier
Namane Dickson Masemola	Education
David Masondo	Finance
Dikeledi Magadzi	Health and Social Development
Soviet Legganyane	Local Government and Housing
Pitsi Paul Moloto	Economic Development, Environment and Tourism
Dipuo Letsatsi-Duba	Agriculture
Dr Happy Joyce Mashamba	Sport, Arts and Culture
Pinky Kekana	Roads and Public Transport
George Muthundinne Phadagi	Safety, Security and Liaison
Thabitha Mohlala	Public Works
Mpumalanga	
David Mabuza	Premier
Candith Mashego-Dlamini	Agriculture, Rural Development and Land Administration
Norman Mokoena	Economic Development, Environment and Tourism
Reginah Mhaule	Education
Dikeledi Mahlangu	Public Works, Roads and Transport
Siphosezwe Masango	Human Settlements
Clifford Mkansi	Health and Social Development
Yvonne Pinky Phosa	Finance
Sibongile Manana	Culture, Sport and Recreation
Vusi Shongwe	Community Safety, Security and Liaison
Madala Masuku	Cooperative Governance and Traditional Affairs
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
Kenneth Mosimanegape Mmoiemang	Cooperative Governance, Human Settlements and Traditional Affairs
Patrick Mabilo	Transport, Safety and Liaison
Alvin 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	
Thandi Modise	Premier
Partick Hlomane	Sport, Arts and Culture
Boitumelo Tshwene	Agriculture and Rural Development
Tebogo Modise	Economic Development, Environment, Conservation and Tourism
Paul Sebege	Local Government and Traditional Affairs
Raymond Elisha	Education
Magome Masike	Health
Moruakgomo Louisa Mabe	Finance
Mahlakeng Mahlakeng	Public Works, Roads and Transport
Mosetsanagape Mokomela-Mothibi	Social Development, and Women, Children and People with Disabilities
Desbo Sefanyetso Mohono	Human Settlements, Safety and Liaison

Members of the executive councils of provincial government, as in February 2012

Western Cape	
Helen Zille	Premier
Gerrit van Rensburg	Agriculture
Dan Plato	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	Human Settlements
Robin Carlisle	Transport and Public Works
Albert Fritz	Social Development
Ivan Meyer	Cultural Affairs and Sport

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.

It is tasked with restoring the dignity of traditional leaders and their communities by investigating and ensuring that the institution of traditional leadership is restored to where it belongs. It also investigates all claims to any position of traditional leadership (king/queen/principal/senior traditional leader and headmen and -women), including disputes over the boundaries of traditional councils.

Section 25 of the Traditional Leadership and Governance Framework Act, 2003 requires that the commission to investigate and make recommendations on cases where there is doubt as to whether a kingship, principal traditional leadership or senior traditional leadership and headmanship was established in accordance with customary law and customs.

Department of Cooperative Governance

The Department of Cooperative Governance oversees the implementation of, among other Acts, the following:

- Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)
- Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004)
- Local Government: Municipal Finance Management Act (MFMA), 2003 (Act 56 of 2003)
- Disaster Management Act, 2002 (Act 57 of 2002)

- Local Government: Municipal Systems Act, 2000 (Act 57 of 2002)
- Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
- Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)
- *White Paper on Local Government (1998)*.

Its mission is to facilitate cooperative governance and support all spheres of government, by:

- developing appropriate policies and legislation to promote integration in government's development programmes and service delivery
- providing strategic interventions, support and partnerships to facilitate policy implementation in the provinces and local government
- creating enabling mechanisms for communities to participate in governance.

Provincial government

In accordance with the Constitution, each province has its own legislature, consisting of between 30 and 80 members. The number of members is determined according to 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.

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
- human settlements
- 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

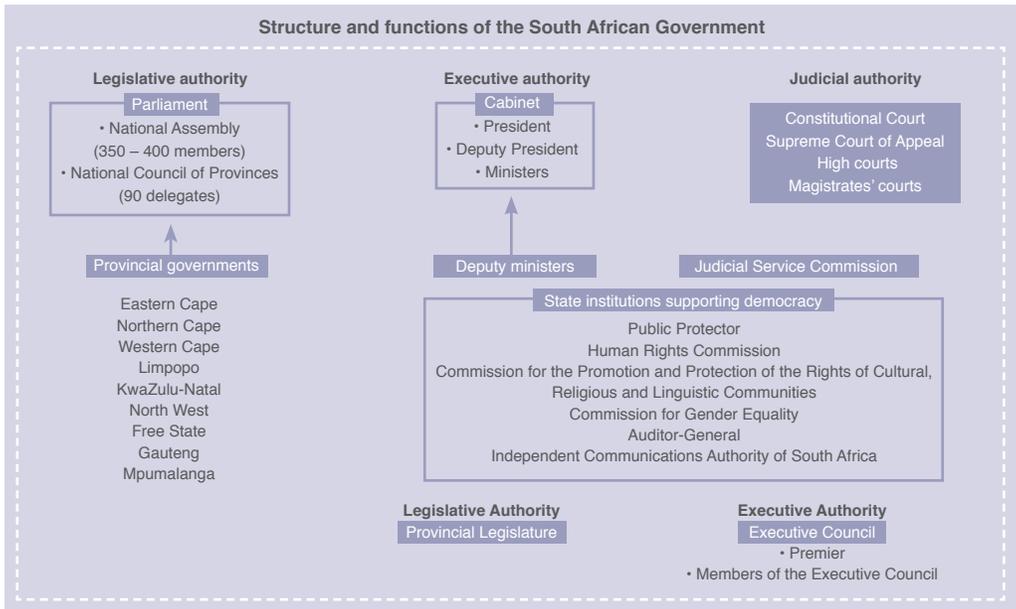
assume effective responsibilities.

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 is a statutory body established in terms of the Inter-governmental Relations Framework Act, 2005, which brings together the three spheres of government on matters of common interest and national importance, therefore strengthening co-operative government. Among other things, the forum looked at:

- mechanisms for monitoring job creation and implementing the New Growth Path (NGP) in all spheres of government
- shared experiences in creating an environment for job creation in provinces
- specific provincial matters
- monitoring and evaluation.



Local government

There are 278 municipalities in South Africa, comprising eight metropolitan, 44 district and 226 local municipalities. 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 participate in proceedings of the NCOP.

The Department of Cooperative Governance 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 (IDP), 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 co-ordinating and supporting policy development, implementing the LGSA, and monitoring and supporting service delivery.

Municipalities

The Constitution provides for three categories of municipality.

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

Legislation and policy

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 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 MFMA, 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 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.

The Local Government: Municipality Property Rates Amendment Act, 2009 (Act 19 of 2009), was introduced in September 2009 and aims to extend the validity of a valuation roll and supplementary valuation rolls from four to six years.

The Local Government: Municipal Systems Amendment Act, 2011 (Act 7 of 2011), is aimed at professionalising local government for improved service delivery and performance management, while also instilling a people-centred local government mindset in municipalities.

A key objective of the Act is to progressively align the systems of municipal administration and human-resource management (HRM) with those of the Public Service in national and provincial government.

The aim of the Act, among other things, is to:

- professionalise local government by ensuring that the administrative apparatus of municipalities is staffed by appropriately qualified and competent persons to improve service delivery
- require employment contracts and performance agreements of municipal managers and managers directly accountable to municipal managers be consistent with the uniform systems and procedures set nationally
- extend the Minister's regulatory power to make regulations relating to macro-benefits such as medical aid and pension benefits after consultation with the ministers of health and finance.

The following bills and amendments to legislation were introduced in Parliament in 2011/12:

- the Municipal Property Rates Amendment Bill, 2011, which provides for a more equitable and transparent system of rating different property categories with strengthened regulatory provisions that protect against excessive rating in the interest of a stable macro economy; and protection of the vulnerable through fairer treatment of those who cannot afford to pay rates
- the Monitoring, Support and Intervention Bill, 2011, which provides for the supervision of provinces and municipalities, including monitoring and intervening in a municipality when obligations are not fulfilled.

Local Government Turnaround Strategy (LGTAS)

In 2009, an assessment of the state of local government found that problems in municipalities included poor governance and accountability, weak financial management and a high vacancy rate in critical senior management posts in many instances.

The findings further indicated an inability in some municipalities to deliver on the core set of critical municipal services. The findings pointed to a need to do things differently and respond directly to the findings of those assessments.

In reaction, the LGTAS was introduced as a government programme of action and a blueprint for better service delivery.

The twin aims of the LGTAS are to:

- restore the confidence of the majority of South Africans in municipalities as the primary delivery organ of the developmental state at local level.
 - rebuild and improve the basic requirements for a functional, responsive, accountable, effective, and efficient developmental local government.
- National Treasury releases local government's revenue and expenditure quarterly during the financial year. The statement covers revenue and expenditure as well as conditional grant spending for the relevant period, and can be found on National Treasury's website.

This information, referred to as the In-Year Management, Monitoring and Reporting System for Local Government, enables national and provincial government to exercise oversight over municipalities, and identify possible problems in implementing municipal budgets and conditional

The South African Local Government Association (Salga) formed part of the first global gathering of sister-city and town-twinning organisations, held in September 2011, in Cairo, Egypt.

Many of the attending international delegates acknowledged that local government in South Africa was the most established on the continent and that Salga was the most established local government association in Africa.

Attendees reviewed the different models for city-to-city and community-to-community relationships, and funding practices; and discussed best strategies for keeping these relationships relevant in today's global economy.

grants. The information is also of interest to policy-makers, researchers, sector specialists and academics with an interest in local government. Also important is the fact that the information will empower communities to hold their municipal councils accountable.

The fact that all municipalities now consistently produce quarterly in-year financial reports is a significant achievement for local government. This is a massive improvement from the 2007/08 financial year, when less than 50 municipalities produced quarterly financial reports regularly. This improvement facilitates transparency and better in-year management of budgets.

According to the fourth-quarter reports for 2010/11, municipalities' cash-flow situations had improved compared to the previous quarters of the same financial year. This was largely due to significant underexpenditure on operating and capital budgets.

A differentiated approach to managing service delivery through interventions in municipal financing, planning and support underlies several of the sub-output areas. In this regard, a policy framework to bring intergovernmental coherence to the approach is being developed. This will include the concept of segmentation of municipalities, a revised IDP framework to bring critical focus to priority service-delivery areas, a simplified revenue plan for poorer-performing or more vulnerable entities, and further studies on the governance options for viable and non-viable municipalities. Approximately 70 smaller local municipalities were targeted by the end of 2011.

Operation Clean Audit 2014

A key programme of the LGTAS is Operation Clean Audit 2014. Its main purpose is to address challenges faced by municipalities and provinces in managing audits, especially audit findings and

queries from the Auditor-General (AG). The campaign seeks to achieve clean audits in municipalities and provincial government departments by 2014.

While there is still some distance to go towards achieving sound financial management in municipalities, there was an improvement in 2011 compared to previous years.

In 2004/05, 61 municipalities received financially unqualified audits. This figure increased to 94 in 2007/08, 117 in 2008/09 and 127 in 2009/10. While only two municipalities received clean audits in 2004/05, there were four in 2008/09 and seven in 2009/10.

While national and provincial government provide support, the primary responsibility to achieve clean audits remains that of municipalities. Therefore, the municipal political leadership must set the right tone and foster the right culture. For this reason, the Councillor Induction Training Programme was established. It is aimed at equipping new councillors with a good understanding of their responsibilities, including good financial management.

Provincial coordinating committees (PCCs) have been established with key drivers being the provincial departments responsible for local government and provincial treasuries. In some provinces, the Premier's Office participates in these structures.

The PCCs meet at least quarterly and municipalities report on progress made in implementing their audit remedial action plans in response to issues raised by the AG. Specific initiatives to support municipalities in improving audit outcomes include:

- providing guidance on the establishment and functioning of municipal public accounts committees (MPACs)
- providing MPACs with training, in partnership with the South African Local Government Association (Salga), the Association of Public Accounts Committees and National Treasury
- the department, in partnership with National Treasury, embarking on a process to determine the reasons for the failure of some municipalities to establish internal audit units and audit committees, and provide recommendations on appropriate intervention measures
- National Treasury deploying financial experts who serve as MFMA, 2003 advisers to provincial treasuries and some municipalities

- the Department of Cooperative Governance establishing an inspectorate to fight fraud and corruption.

Community Work Programme (CWP)

The CWP contributes to developing public assets in poor communities and provides income security and work experience for participants, enhances dignity and promotes social and economic inclusion. The programme was transferred from the Department of Public Works to the Department of Cooperative Governance in 2009/10.

The CWP aims to provide an employment safety net by providing a minimum level of regular work opportunities to participants, with a predictable number of days of work provided a month. In 2011, the programme provided two days of work a week, eight days a month and 100 days a year per participant at a wage rate of R60 per day. An amount of R647,899 million was spent on implementing the programme in 2011/12.

Within the context of the NGP, in 2011/12, the department aimed to promote and support private-sector driven catalytic business ventures and programmes that can support job creation on a large scale.

It also recognised that the small, medium and micro-enterprise sector, emerging farmers and cooperatives play a critical role in job creation. By September 2011, 70 844 work opportunities were created under the CWP.

Local economic development

LED is an approach towards economic development, which allows and encourages local people to work together to achieve sustainable economic growth and development, thereby bringing economic benefits and improved quality of life for all residents in a local municipal area.

LED is intended to maximise the economic potential of municipal localities and enhance the resilience of macro-economic growth through increased local economic growth, employment creation and development initiatives within the context of sustainable development. The "local" in economic development points to the fact that the political jurisdiction at local level is often the most appropriate place for economic intervention, as it carries alongside it the accountability and legitimacy of a democratically elected body.

LED programmes provide support in the following areas:

- developing and reviewing national policy, strategy and guidelines on LED
- providing direct and hands-on support to provincial and local government
- managing the LED Fund
- managing and providing technical support to Nodal Economic Development Planning
- facilitating, coordinating and monitoring donor programmes
- assisting LED capacity-building processes.

Through these interventions and resources, local role players and interest groups are mobilised for the sake of achieving economic growth and creating jobs to reduce poverty.

Municipal Infrastructure Grant (MIG)

The Department of Cooperative Governance is responsible for managing and transferring the MIG and provides support to provinces and municipalities on implementing municipal infrastructure grant projects. The grant is aimed at eradicating municipal infrastructure backlogs in poor communities to ensure the provision of basic services such as water, sanitation, roads and community lighting.

The MIG allocation for 2010/11 was R9,7 million, which is expected to increase to R15,3 billion in 2013/14. The targets for 2010/11 were:

- basic water: 1,4 million households
- basic sanitation: 808 070 households
- roads: 1,1 million households
- community lighting: 540 186 households.

The targets for the 2013/14 financial year are:

- basic water: two million households
- basic sanitation: 1,2 million households
- roads: 1,7 million households
- community lighting: 768 150 households.

By the end of 2011, the department was in the final stages of setting up the Municipal Infrastructure Support Agency (Misa) to accelerate municipal infrastructure delivery. Particular attention will be paid to weaker municipalities. Misa aims to:

- support comprehensive infrastructure planning at municipal level
- support municipal infrastructure development, maintenance, operations and service provision in low-capacity municipalities through the procurement of relevant service-providers, and by ensuring performance as contracted
- support the management of operations and ensure a proper maintenance programme for municipal infrastructure

On 27 April 2011, Freedom Day, at a ceremony at the Presidential Guest House in Pretoria, President Jacob Zuma bestowed national orders, the country's highest civilian honour, on 33 South Africans and four foreigners for outstanding achievements and contributions to freedom and development in South Africa. It was the first time the awards ceremony was held in conjunction with the country's Freedom Day celebrations.

- coordinate a focused technical support programme with existing support partners
- monitor the quality of infrastructure provided
- develop and coordinate the implementation of an appropriate sector-wide capacity-development initiative and assist municipalities to develop a capacity-development plan to strengthen their institutions over the long term.

Capacity-building

A capacity-building plan for local government was developed regarding issues surrounding the Outcome 12 achievements.

Government aims to revive and strengthen the Local Government Training Academy (Logola) so that new councillors are equipped to discharge their responsibilities effectively.

Logola is responsible for, among other things, developing the curriculum for the Municipal Leadership Development Programme, with its main aim being to develop a curriculum that will lead to the enhancement of a politically mature senior leadership within the local government sphere.

Municipal Demarcation Board

The board is a constitutional institution established by the Local Government: Municipal Demarcation Act, 1998.

The board's main function 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 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 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
- 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.

Disaster management

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

South Africa has also made significant progress in respect of the implementation of the Hyogo Framework for Action – a global blueprint, which aims to substantially reduce disaster losses by 2015.

Through the NDMC, the Department of Cooperative Governance registered unit standards for levels three to seven with the South African Qualifications Authority for a national certificate in disaster-risk management. The department also developed regulations for recruiting and using disaster-management volunteers.

Early in 2011, exceptionally heavy rainfall led to severe flooding in South Africa, causing damage worth millions of rands, displacing thousands and leaving over 100 people dead. An interministerial committee (IMC) was formed to coordinate government's response. It was also tasked with the responsibility of ensuring that all three spheres of

government provided assistance and support to the affected communities in a coordinated manner. The NDMC monitored the situation and provided regular reports to the IMC and other institutions. The National Joint Operations Centre was activated to coordinate the response by the Security Cluster.

The Government Communication and Information System (GCIS) activated the 24-hour operations room to facilitate the speedy flow of information regarding flooding to keep government and the public informed.

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, all 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 inter-governmental relations.

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

The Intergovernmental Relations Framework Act, 2005 improves integration among all spheres of government in both policy development and implementation.

Government and communication

The vision of GCIS is government communication that empowers and encourages citizens to participate in democracy and improve the lives of all.

GCIS aims to lead the strategic communication of government by submitting the National

Communication Strategy to Cabinet and ensuring coherence of messages, and open and extended channels of communication between government and the people, towards a shared vision.

The Chief Executive Officer of GCIS is government's official spokesperson and chairs the GCIS Executive Committee, a strategising body that integrates, coordinates and rationalises the work of GCIS and government communication structures in government.

GCIS has three branches: Communication and Content Management, Corporate Services, and Government and Stakeholder Engagement.

Two agencies were established under the executive authority of GCIS, namely Brand South Africa (previously the International Marketing Council [IMC]) and the Media Development and Diversity Agency.

Some of the chief directorates include the following:

- The Communication Service Agency provides core communication services to the GCIS and other government departments, both in-house and through outsourcing.
- Content and Writing provides language services on products that require translation and editing. It produces the *South Africa Yearbook*, *Pocket Guide to South Africa*, *Public Sector Magazine* and *Vuk'uzenzele* and maintains the Government Services, Government Information and GCIS websites. The chief directorate also comprises the Government news agency, BuaNews.
- Media Engagement drives interaction and communication between government and the media.
- Policy and Research conducts research to assess how government should meet public communication needs and monitors media coverage of government programmes.
- Provincial and Local Liaison provides development communication and extends government's information infrastructure through partnerships with provincial and local government. It coordinates government's Thusong Service Centre (TSC) Programme. By February 2012, there were 171 such centres. They aim to bring government services closer to the people.
- The Strategic Planning and Project Management Office implements project management, and coordinates and implements strategic planning and performance monitoring.

In October 2011, a 13-part television series promoting Brand South Africa's *Play Your Part* Campaign, started broadcasting.

The show travelled the length and breadth of the country, asking ordinary South Africans how they are playing their part in their communities, and in the process uncovered a range of inspirational stories.

This follows on Brand South Africa's vision of creating awareness of the opportunities each South African has to make a difference in the country.

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.

Brand South Africa

In 2011, the IMC changed its name to Brand South Africa to shift the focus to its core mandate, which is to strengthen, promote and market the South African brand's image to international audiences.

Brand South Africa has a vision for the country to be globally competitive, a Top-20 nation brand (Anholt) and Top-30 nation (World Economic Forum Global Competitive Index) by 2020.

South Africa: Inspiring New Ways, the new slogan for championing the country locally and internationally, was approved by the Cabinet in March 2012, following extensive development and consultation by Brand South Africa.

Brand South Africa's government partners include the departments of trade and industry; environmental affairs; tourism; international relations and cooperation; home affairs; and GCIS.

Other partners include South Africa Tourism.

Targeted advertising campaigns, through broadcast, print and online media, and other traditional marketing techniques are used to raise awareness of all that South Africa offers international investors and tourists.

Programmes and activities organised by Brand South Africa include the following:

- Brand Strategy Development and Management develops frameworks for Brand South Africa's positioning and messaging, and drives the alignment of all stakeholders regarding nation branding and nation-branding messaging. It does this by developing a brand identity and language manual; conducting training and engagement sessions; distributing brand toolkits; maintaining the Brand South Africa portal;

and hosting the Brand Summit, Brand South Africa Awards and the Living the Brand and Active Citizens' initiatives.

- Reputation Management manages the reputation of Brand South Africa to build positive awareness, and project the country as an attractive investment, trade and tourism destination. The unit conducts structured engagements, such as facilitating media-awareness tours, holding quarterly media breakfasts with senior editors of key publications and biannual engagements with foreign correspondents, and running regular opinion pieces on key issues.
- Brand Knowledge and Performance (Research) develops and maintains an integrated research and knowledge-management strategy across global and domestic platforms to inform planning, programmes and content development. The subprogramme also researches and tracks Brand South Africa's key performance indicators.
- Stakeholder and Partner Alignment Management ensures consistency and alignment in relation to how South Africa is projected locally and internationally, by ensuring coherence and consistency in the delivery of content and messages, and identifying and activating stakeholder platforms through which the council can reach its audiences and achieve outcomes. This is achieved by the annual Brand Summit with marketers and communicators, to help them understand brand positioning, direction and the management of joint projects.
- Mass Media Advertising increases awareness of branding activities and mobilises South Africans and the global audience as ambassadors of the South African brand by reaching out to them through relevant media platforms and social media. Its initiatives include developing the Brand South Africa blog, establishing a presence for *SouthAfrica.info* on Facebook and producing South African promotional and informative videos.

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).

Local government elections were held in May 2011. The highest-ever voter turnout in local elec-

Government is committed to clean governance to ensure public money is well spent. It has taken firm steps towards the establishment of anti-corruption instruments such as the government-wide anti-corruption units, the Multi-Agency Working Group and the Anti-Corruption Hotline. By February 2012, 1 499 officials had been charged with misconduct for corrupt activities – 685 provincially and 814 nationally. Thorough investigation of alleged incidents of corruption had resulted in the recovery of R110 million from perpetrators by various departments.

tions since 2000 was recorded. The turnout was 57,54% of the estimated over 22,7 million eligible voters in the country. The number of councillors appointed from these elections increased by 12,3% and 8,5% from the 2000 and 2006 elections respectively.

Public Service

By the end of October 2011, the Public Service had nearly 1,3 million people in its employ (including members of the South African National Defence Force). National government employed 391 922 people and the nine provincial governments 891 430 people.

The Department of Public Service and Administration is mandated to foster good governance and sound administration in the Public Service.

In 2010, the Government identified strategic priorities, which have been translated into 12 outcomes believed to improve service delivery and steer the country in the right direction both socially and economically. The Minister for Public Service and Administration was given the responsibility to coordinate the implementation, monitoring and reporting of Outcome 12: An efficient, effective and development-oriented public service and empowered, fair and inclusive citizenship.

In translating Outcome 12 into the department's outputs and activities, 10 key priorities and their related objectives have been identified, which are the department's focus over the medium term:

- service-delivery quality and access
- effective systems, structures and processes
- leveraging information and communications technology (ICT) as a strategic resource (enabler)
- effective employment entry into public service and human-resource development (HRD) cadre development
- efficient HRM practices, norms and standards
- healthy, safe working environments for all public servants

- appropriate governance structures and decision-making
- citizen engagement and public participation
- addressing corruption effectively
- contributing towards improved public service and administration in Africa and the international arena.

Conditions of service

Occupation specific dispensations (OSDs) are tailor-made remuneration dispensations for categories of occupation 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 was 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.

Medical assistance

The Government Employees Medical Schemes (Gems) is an important institution within the Ministry for Public Service and Administration portfolio.

By March 2012, Gems had more than 600 000 principal members and 1,6 million beneficiaries.

Gems is one of the top-performing public-service entities. The scheme has reconsidered its operational infrastructure and identified an efficient and cost-effective administration and clearing-house design that will permit the inclusion of additional service-provider contracts, leverage economies of scale, promote competition and further black economic empowerment (BEE), while also enabling smaller providers to render services to Gems.

Single Public Service

Ensuring that services are citizen-informed, and re-engineering the service-delivery model of government and its constituent departments remain a key challenge and consequent focus of the Department of Public Service and Administration.

A related challenge is the requirement to streamline administrative and need processes to deliver simpler, more effective services to citizens, business and other stakeholders. This is central to the strategic objective of customer-service improvement.

For the past few years, the Department of Public Service and Administration has been tasked with developing a blueprint for a Single Public Service.

The department will start implementing the Process Map to Parliament that includes the review of the draft Public Administration Management Bill as part of a process to implement the Single Public Service.

Consultative workshops within government were held to finalise the draft revised legislation. Further consultations were made in the National Economic Development and Labour Council.

Batho Pele (“People First”)

Batho Pele remains government’s leading campaign to achieve the desired crucial transformation of the hearts and minds of public servants. This is a public-service culture reorientation programme aimed at aligning the behaviour and attitudes of public servants with the practice of the Batho Pele ethos.

The principles of Batho Pele are:

- consultation – citizens should be consulted about the level and quality of the public services they receive and, where possible, be given a choice about the services that are offered
- service standards – citizens should be told what level and quality of public services they will receive so that they are aware of what to expect
- access – all citizens should have equal access to the services to which they are entitled
- courtesy – citizens should be treated with courtesy and consideration
- information – citizens should be given full, accurate information about the public services they are entitled to receive
- openness and transparency – citizens should be told how national and provincial departments are run, how much they cost and who is in charge
- redress – if the promised standard of service is not delivered, citizens should be offered an apology, a full explanation and a speedy and

effective remedy; and when complaints are made, citizens should receive a sympathetic, positive response

- value for money – public services should be provided economically and efficiently to give citizens the best possible value for money
- encouraging innovation and rewarding excellence – innovation can be new ways of providing better service, cutting costs, improving conditions, streamlining and generally making changes in line with the spirit of Batho Pele; it is also about rewarding the staff who “go the extra mile”
- customer impact – impact means looking at the benefits or customers, both internal and external; it is how the principles link together to show how overall service delivery and customer satisfaction have improved; and about making sure that customers are aware of and exercising their rights in terms of the Batho Pele principles
- leadership and strategic direction – good leadership is one of the most critical ingredients for successful organisations.

Community development workers (CDWs)

There are approximately 3 100 CDWs employed in the Public Service, working in over 2 000 municipal wards across South Africa. CDWs are the only public servants in South Africa who are required to work in the municipal wards where they live and whose work-related activities straddle the three spheres of government.

One of their aims is to identify children without access to the Early Childhood Development Programme and make them part of it. The department also developed the *Know Your CDW* Campaign in 2011/12.

The CDW Programme played a critical role in making positive development impacts by:

- assisting in the elimination of government service-delivery deadlocks, including bureaucratic bottlenecks in a range of government departments, especially the departments of home affairs and social development
- advocating an organised voice of and for the poor by supporting community-based organisations
- strengthening government-community networks through dissemination of information

- assisting in bridging the gap between the First and the Second Economy as an important part of advancing the South African developmental state.

However, government is aware of specific challenges facing the programme that may hamper the acceleration of service delivery.

A review of the Public Service regulations on the institutionalisation of service-delivery mechanisms, and a framework for community development and public participation is underway.

The Code of Conduct for CDWs will also be reviewed to address conflict between the Public Service and political activities. The department plans to ensure that the CDWs are linked to existing community structures such as school-governing bodies, community policing forums, ratepayers' associations, traditional institutions, citizen assemblies and religious bodies.

African affairs

The Department of Public Service and Administration continues to provide coordination for the implementation of the Continental Capacity Development Programme.

South Africa is engaged in several post-conflict interventions in several countries, namely:

- the Democratic Republic of Congo (DRC): developing and implementing the Anti-Corruption Framework, the Public Service Census and capacity-building programmes
- Burundi: rebuilding and strengthening its Public Service for it to run effectively and implementing capacity-building programmes
- Rwanda: capacity-building programmes and leadership development
- South Sudan: capacity-building in HR and enhancing legislative and policy review
- For the first time, government included the participation of traditional leaders as one of the sectors in the Africa Peer Review Mechanism (APRM) process.

The APRM ensures the adoption of policies, standards and practices that lead to political stability, high economic growth, sustainable development and accelerated subregional and continental economic integration. This is done by sharing experiences and reinforcing best practices, including identifying deficiencies and assessing capacity-building needs.

Through the Organisation for Economic Co-operation and Development, South Africa was asked to assist in developing a framework for civil

society's participation in the review of government programmes.

Public Service Commission (PSC)

The PSC derives its mandate from sections 195 and 196 of the Constitution. The PSC is tasked and empowered to, among other things, investigate, monitor and evaluate the organisation and administration of the Public Service. This mandate entails the evaluation of achievements, or lack thereof, of government programmes.

The PSC has an obligation to promote measures that will ensure effective and efficient performance within the Public Service and to promote values and principles of public administration as set out in the Constitution, throughout the Public Service.

The Constitution mandates the commission to:

- promote the values and principles governing public administration
- investigate, monitor and evaluate the organisation and administration, and the personnel practices of the Public Service
- propose measures to ensure effective and efficient performance within the Public Service
- give directions aimed at ensuring that personnel procedures relating to recruitment, transfers, promotions and dismissals comply with the constitutionally prescribed values and principles
- report its activities and the performance of its functions, including any findings it may make, and to provide an evaluation of the extent to which it complied constitutionally with the prescribed values and principles
- either of its own accord or on receipt of any complaint:
 - investigate and evaluate the application of personnel and public-administration practices, and report to the relevant executive authority and legislature
 - investigate grievances of employees in the Public Service concerning official acts or omissions, and recommend appropriate remedies
 - monitor and investigate adherence to applicable procedures in the Public Service
- advise national and provincial organs of state regarding personnel practices in the Public Service.

The *My Public Service, My Future* Campaign was launched in August 2011. It seeks to accelerate employer-employee contact and information-sharing; reflect on citizen's expectations and rights against the services that public servants are delivering; and foster a new belief set for the Public Service.

Centre for Public-Service Innovation (CPSI)

The CPSI was established to identify, support and nurture innovation in the public sector to improve service delivery.

The CPSI works through partnerships with other departments and state-owned enterprises to, for example, enhance the productive capacity of visually impaired educators by providing data-card devices to access teaching material without the use of Braille.

The CPSI runs targeted innovation programmes to support the outcomes of, among other things, rural development, and accelerated service delivery at local government level.

The ninth annual Public Sector Innovation Awards Ceremony was held in November 2011.

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 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 BEE. The strategic priorities are:

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

Highlights in service delivery in 2011 included:

- The commencement of a telemedicine project at the departments of health and social development in Limpopo. The project entails the upgrading of infrastructure to ensure suitability for the use of telemedicine equipment and facilities, ensuring that citizens in rural communities receive adequate health consultations for effective healthcare.

- The National Network Upgrade Programme for the South African Police Service (SAPS) made some progress. The ICT teams ensured high service-delivery levels.
- Sita successfully hosted the IEC's Call Centre during the 2011 local government elections.
- The development of a Master Systems Plan for the Mpumalanga Department of Social Development was well underway and Phase One of the project was nearing completion.
- The Poverty Index System piloted in Johannesburg, in collaboration with the departments of housing, social development and health, provided a composite view of indigent citizens. It enabled the city to track human development in its constituencies and support the objectives of the Government's war against poverty.
- Sita provided TSC connectivity.
- The Sita Library Information Management System was implemented to replace legacy systems at provincial and public libraries nationally.

Government Information Technology Officers' (Gito) Council

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

Public Administration Leadership and Management Academy (Palama)

Palama (Sesotho for "ascend") prepares, incubates and advances the cause of effective, efficient and developmental public service.

Palama's mission and programmes are rooted in the Public-Service priorities. The President declared 2011 as the Year of Job Creation, and subsequently Palama's focus in 2011 was on creating and contributing towards creating jobs.

Palama also collaborated with the National Youth Development Agency on an initiative called Breaking Barriers to Entry, which sources new-generation public servants from a database of unemployed graduates.

Public Service Induction is another programme that Palama rolled out in 2011.

There is induction for non-senior management and Wamkelekile, which is induction for senior management members. Palama converted Wamkelekile to make it available on an e-learning platform for senior managers who cannot attend the classroom phase.

Both programmes are meant to instil and sustain the values and attributes of a public-service cadre. Among other activities, 90 gender mainstreaming training sessions were conducted, with 1 866 officials being trained; and 20 new Palama courses were assessed for gender sensitivity and inclusivity.

In September 2011, Palama held the Public Sector Trainers' Forum for HRD practitioners.

This served as a platform to share experiences and innovative ways to best deliver training in the Public Service.

Department of Home Affairs

The Department of Home Affairs is the custodian of the identity of all South African citizens, critical to which is the issuance of birth, marriage and death certificates; identity documents (IDs) and passports; as well as citizenship; naturalisation and permanent residency certificates. This goes beyond merely issuing documents and encompasses the safe maintenance and archiving of biometric and demographic records of citizens and residents of the country.

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

Statutory bodies falling under the department are the:

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

The Government Printing Works (GPW), 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 SAPS, and printing postage stamps for the DRC and Lesotho.

Over the past few years, government had faced the challenge of transforming the GPW to position it as a security printer of choice for gov-

ernment and the Southern African Development Community (SADC) region.

Government decided to position the organisation as a key player in the smart-card and passport industry.

A new passport-production system was implemented at the GPW high-security printing facility in Pretoria. In addition, a new South African passport was also introduced with unique South African quality features and improved security features.

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.

Learning Academy

The Branch: Learning Academy deals with issues of learning and development, research, knowledge and information management.

The academy has three main sections, namely:

- Learning Programme Delivery
- Research and Information Management
- Quality and Stakeholder Management.

It forms part of the support for the department's core business of offering immigration and civic services for South Africa.

The academy has registered the National Certificate of Home Affairs Services with the South African Qualifications Authority. This qualification has three specialisations, namely: Refugee Affairs, Immigrations and Civic Services. The department is accredited by the Public Sector Education and Training Authority as a site for learning, allowing the Learning Academy to enrol learners for the registered home affairs qualification.

The academy also offers generic learning and development such as customer services, management development programmes and training in uniform processes and procedures of the services offered in the department.

Managing research in the Department of Home Affairs entails coordinating research projects that external scholars and researchers want to conduct on the department. The Research Management Unit also identifies research areas within the department that can assist in better delivery of home-affairs services.

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.

In October 2010, the National Assembly adopted the South African Citizenship Amendment and Births and Deaths Registration Amendment Bills.

The Births and Deaths Registration Amendment Act, 2010 (Act 18 of 2010), seeks to streamline the procedures related to the following:

- who, other than parents, should register the birth of a child, including the next-of-kin or a legal guardian
- the registration of orphans and abandoned children
- simplifying the process for the change of surnames of children and adults
- paternity, including steps to be followed when a mother registers a child under one father and later changes to another
- registration of birth after 30 days
- the registration of adopted children to ensure alignment to the Children's Act, 2005 (Act 38 of 2005).

The South African Citizenship Amendment Act, 2010 (Act 17 of 2010), amends provisions of the South African Citizenship Act, 1995 that deals with citizenship by birth, naturalisation and the loss of citizenship in terms of the mandate of the Department of Home Affairs.

The South African Citizenship Amendment Act, 2010, among other things, ensures that:

- a child born to a South African parent inside or outside the country is a South African by birth

as long as the child is registered according to South African law

- a child born of non-South African parents but adopted by South African parents is a citizen by descent
- a child born of non-South African parents in South Africa, may, at the age of 18 years, apply for naturalisation; while he or she is a minor, such children will retain the citizenship of their parents
- a child with no claim to any citizenship will be given South African citizenship in accordance with international law and practice.

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.

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 various measures:

- The Immigration Act, 2002 (Act 13 of 2002), provides for a stricter immigration policy, implementation of administrative fines and other measures. The Act was later amended to clarify and revise immigration and permit procedures to facilitate importing skills.

- The department works closely with the South African Revenue Service and 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 relevant 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 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 pub-

lished annually in the *Government Gazette* after consultation with other stakeholder departments.

The Immigration Amendment Act, 2011 (Act 13 of 2011), provides for, among other things:

- revising provisions relating to the Immigrating Advisory Board
- revising provisions relating to the making of regulations
- the designation of ports of entry
- revising provisions relating to visas for temporary sojourn in South Africa
- the mandatory transmission and use of information on advance passenger processing
- the transmission of passenger name record information
- revising provisions relating to permanent residence
- revising penal provisions.

The Directorate: Refugee Affairs manages refugee services in South Africa. It 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 basic services in South Africa, including basic healthcare, 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

The Department of Home Affairs/South African Banking Risk Identification Centre's (Sabric) Online Fingerprint Verification System was launched in November 2011.

Sabric and the department entered into a cooperation agreement in 2007 to jointly address bank-related identity fraud. In terms of the initiative, the department will allow banks access to the Home Affairs National Identification System to enable the biometric identification of current and prospective clients. This will assist banks in curbing identity-related fraud and corruption.

In the Department of Home Affairs' 2010/2011 campaign to ensure that all babies receive birth certificates, and those who are 16 years and older receive identity documents (IDs), the following progress was made:

- 499 957 babies were registered within 30 days of their birth
- 456 675 babies were registered between 30 days and one year
- 130 284 babies were registered after one year but before 15 years of age
- 190 091 were registered after the age of 16.

The department surpassed the target of 70% of children being registered within the first year of birth, and reduced the number of children registered after they turned 16.

Over a million children aged 16 and older received IDs for the first time, 257 000 more than in 2009/10.

In support of the campaign, 189 hospitals and health facilities around the country have been linked to the department's database to ensure babies can be registered online before they leave hospital or within 30 days of delivery. Home Affairs officials collect and process documents from 141 hospitals daily.

jointly with the UN High Commissioner for Refugees.

The Refugee Amendment Act, 2011 (Act 12 of 2011), contains certain amendments to eliminate abuse of the asylum system and redefines the criteria for refugees seeking asylum in a clear and transparent manner.

In place of the Refugee Status Determination Officer who determines whether a person qualifies as a refugee or not, the Act proposes that committees decide on the status of applications. Committee members will have specific expertise required to adjudicate such matters, for example, in national affairs, international relations, politics and current affairs.

An application for asylum can have one of three possible outcomes: acceptance, rejection as manifestly unfounded, or rejection as unfounded. South Africa adheres to internationally accepted reasons for granting asylum status.

The Act also provides for the registration of a child born of an asylum seeker, provided the birth certificate is submitted at any Refugee Reception Office to have the child included as a dependent of the asylum seeker or refugee.

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 from 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:

- visitors' permits
- diplomatic permits
- study permits
- treaty permits
- business permits
- crew permits
- medical permits
- relatives' 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.

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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