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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GOVERNMENT NOTICES

DEPARTMENT OF CORRECTIONAL SERVICES

No. 866

14 September 2001

DELEGATION OF AUTHORITY: SUSPENSION OF EMPLOYEES IN THE DEPARTMENT OF CORRECTIONAL SERVICES AND THE CHAIRING OF DISCIPLINARY AND APPEAL HEARINGS AND IMPOSING OF SANCTIONS: DISCIPLINARY PROCEDURE OF THE DEPARTMENT OF CORRECTIONAL SERVICES: DBC RESOLUTION 1/2001

Under the powers vested in me in terms of section 97 (2) of the Correctional Services Act, 1998 (Act No. 111 of 1998), I, Ndwakhulu Watson Tshivhase, Acting Commissioner of Correctional Services, hereby delegate the undermentioned competency to the person(s), indicated against the applicable competency, provided that—

- (a) All previous delegations pertaining to the competencies mentioned hereunder are hereby repealed;
- (b) the level of delegation indicated hereunder against each competency is the lowest level at which the competency may be executed;
- (c) the presiding officer occupies a post that is at least one (1) post level higher than that of the accused;
- (d) the exercising of the delegated competency is at all times subject to the provisions of the Correctional Services Act, 1998, and the Regulations thereto and Departmental Orders and any directives issued in this regard.

Provision of the disciplinary procedure: DBC Resolution 1/2001 Annexure B	Competency	Delegation level
Clause 4.1 Informal discipline	Verbal warning	Direct supervisor.
Clause 4.2 Formal discipline		
Clause 4.2.1	Verbal warning	Second level supervisor.
Clause 4.2.2	Written warning	Second level supervisor.
Clause 4.2.3	Serious written warning	Second level supervisor.
Clause 4.2.4	Final written warning	Second level supervisor.
Clause 4.2.5	Dismissal	Head of Prison/equivalent post class/higher—minimum rank Assistant-director.
Clause 7.16.4	Chairing and deciding of non-dismissal appeals	One post level higher than the chair of the disciplinary hearing.
Clause 7.16.4	Chairing appeals against dismissals	One post level higher than the chair of the disciplinary hearing.
Clause 7.16.4	Decisions regarding appeals against dismissals	DC Human Resources/equivalent/higher regarding employees in DCS Head Office; and Provincial Commissioner/equivalent/higher regarding employees in the province.
Provision of the suspension policy: DBC Resolution 1/2001 Annexure D	Competency	Delegation level.

Provision of the disciplinary procedure: DBC Resolution 1/2001 Annexure B	Competency	Delegation level
Clause 5 Suspension policy	Suspension of employees.....	Head Personnel or equivalent or higher in the Management Area; PCO or equivalent or higher in the office of the Provincial Commissioner; Head Personnel or equivalent or higher in Head office.

Signed at Pretoria on 30 August 2001.

N. W. TSHIVHASE

Acting Commissioner of Correctional Services

No. 867

14 September 2001

ASSIGNMENT IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

By virtue of the authority vested in me in terms of section 16 (2) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993, as amended), I Nndwakhulu Watson Tshivhase, Acting Commissioner of Correctional Services, hereby assign the duties imposed on me in terms of the Occupational Health and Safety Act, to the person serving in the posts as indicated below. The assignment is to the person occupying the relevant post and will include a person serving in that post in an acting capacity:

Item	Section	Provision	Post assigned to
1.	8. (1)	Provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.
2.	8. (2) (a)	Provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.
3.	8. (2) (b)	Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.
4.	8. (2) (c)	Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.
5.	8. (2) (d)	Establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery, which is used in the Department, and as far as is reasonably practicable further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and to provide the necessary means to apply such precautionary measures.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.
6.	8. (2) (e)	Providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety of employees at work.	Head Office: A.M. P.C. Offices: P.C. Management Areas: A.M.

Item	Section	Provision	Post assigned to	
7.	8. (2) (f)	As far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in items 3 and 5 above or, or any other precautionary measures which may be prescribed, have been taken.	Head Office: P.C. Offices: Management Areas:	A.M. P.C. A.M.
8.	8. (2) (g)	Taking all necessary measures to ensure that the requirements of the Occupational Health and Safety Act are complied with by every person in the employment of the Department or on premises under departmental control where plant or machinery is used.	Head Office: P.C. Offices: Management Areas:	A.M. P.C. A.M.
9.	8. (2) (h)	Enforcing such measures as may be necessary in the interest of health and safety.	Head Office: P.C. Offices: Management Areas:	A.M. P.C. A.M.
10.	8. (2) (i)	Ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the Department are implemented.	Head Office: P.C. Offices: Management Areas:	A.M. P.C. A.M.
11.	8. (2) (j)	Causing all employees to be informed regarding the scope of their authority as contemplated in section 37 (1) (b) of the Occupational Health and Safety Act.	Head Office: P.C. Offices: Management Areas:	A.M. P.C. A.M.

Key:

A.M. = Area Manager

P.C. = Provincial Commissioner

Signed at Pretoria on this 31st day of August 2001.

N. W. TSHIVHASE**Acting Commissioner of Correctional Services**



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