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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

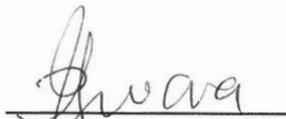
DEPARTMENT OF TELECOMMUNICATIONS AND POSTAL SERVICES

NO. 1356

28 OCTOBER 2016

USE OF OFFICIAL LANGUAGES ACT, 2012 (ACT NO 12 OF 2012) – LANGUAGE POLICY OF THE DEPARTMENT OF TELECOMMUNICATIONS AND POSTAL SERVICES

I, Mr. SJ Mjwara, Acting Director-General of the Department of Telecommunications and Postal Services (“DTPS”), in terms of the provisions of Section 4(2) of the Use of Official Languages Act, 2012 (Act No 12 of 2012) and Regulation 3(2) of the Use of Official Languages Regulations, 2013, hereby publish the DTPS’ Language Policy for public information and comment.



Mr. SJ Mjwara
Acting Director-General
DTPS



telecommunications
& postal services

Department:
Telecommunications and Postal Services
REPUBLIC OF SOUTH AFRICA

LANGUAGE POLICY

OF

DEPARTMENT OF TELECOMMUNICATIONS AND

POSTAL SERVICES

Reference: Language Policy for the DTPS

DTPS LANGUAGE POLICY DRAFT

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1. GLOSSARY OF TERMS - DEFINITION

TERM	DEFINITION
Act	The Use of Official Languages Act, 2012 (Act No.12 of 2012)
Constitution	The Constitution of the Republic of South Africa, 1996
Department (DTPS)	The Department of Telecommunications and Postal Services
Policy	The Language Policy of the DTPS
Regulations	The Regulations in terms of The Use of Official Languages Act, 2012 (act No 12 of 2012)

2. INTRODUCTION

With the dawn of the new dispensation, the Constitution of the Republic of South Africa, 1996 embraces the principle of multilingualism with 11 languages granted the official language status. The Constitution recognizes these languages- Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele and isiZulu, as the official languages of the country in terms of section 6(1) thereof. Section 6(2) and subsection (4) further provides that the state also has to take practical and positive measures to elevate the status and advance the use of these previously marginalized languages; and that national and provincial governments must regulate and monitor the use of official languages through legislative and other measures.

Over and above these provisions, the Constitution also recognizes the speakers of the Koi, Nama and San languages (spoken predominantly in the Northern Cape), as well as the deaf community of South Africa.

The Language Policy of the Department is therefore aimed at providing guidelines on how the department should implement multilingualism in its communication processes to ensure that all personnel and clients have access to its services in the language that they understand best.

3. PURPOSE

This Policy is mandated by The Use of Official Languages Act, 2012.

Section 4 of the Act provides for the following:

- 3.1 Section 4(1) provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages;
- 3.2 Section 4(2) provides that a language policy adopted in terms of subsection (1) must:
 - 3.2.1 Identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes,
 - 3.2.2 Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter and intra-government communication,
 - 3.2.3 Describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its chosen official languages, or South African Sign Language,
 - 3.2.4 Describe how members of the public can access the language policy, and
 - 3.2.5 Provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise.

4. OBJECTIVES

The objectives in the development and implementation of this Language Policy in the Department is:

- 4.1 To give expression to the requirements of The Use of Official Languages Act, 2012 (Act No.12 of 2012);
- 4.2 To promote inclusivity of all recognised languages in the Republic of South Africa;
- 4.3 To promote acceptance of the use of the official languages in the Department; and

- 4.4 To encourage the appreciation of the associated cultures espoused by the speakers of a particular official language.

5. PRINCIPLES

5.1 The principles underpinning the development and implementation of this Policy are:

- 5.1.1 Commitment to the promotion of all languages in the Republic of South Africa, in order to ensure language equity and language rights as required by a democratic dispensation;
- 5.1.2 Recognition of multilingualism as a resource to maximize collaborative partnerships in nation building, economic development and social cohesion;
- 5.1.3 Promotion of good language management by the Department in the execution of its mandate and to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services and information; and
- 5.1.4 Entrench a people-centeredness in addressing the interests, needs and aspirations of all language communities through on-going collaboration, participation and dialogue, thereby promoting the use and appreciation of multilingualism in a highly pluralistic society.
- 5.1.5 Prevention of the use of any language(s) for the purposes of exploitation, dominant and discrimination within the DTSPS

6. SOURCES OF AUTHORITY/REGULATORY FRAMEWORK

This policy is developed and implemented informed by:

- 6.1 The Constitution of the Republic of South Africa, 1996
- 6.2 The Use of Official Languages Act, 2012
- 6.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012.

7. IMPLEMENTATION OF THIS POLICY

7.1 Language Unit

The Language Unit will be located within the Directorate: Communications. The functions of the Language unit will be to:

- 7.1.1 Advise the Director-General on the development, consultation, adoption and implementation of this Policy;
- 7.1.2 Monitor and assess the use of official languages by the DTSPS;
- 7.1.3 Monitor and assess compliance with the implementation of this Policy;
- 7.1.4 Compile and submit reports on the existence and implementation of this Policy, to the Minister for Telecommunications and Postal Services as well as to the Pan South African Language Board, in terms of section 9 of the Act;
- 7.1.5 Promote parity of esteem and equitable treatment of the official languages of The Republic of South Africa;
- 7.1.6 Facilitate equitable access to the services and information of the DTSPS;
- 7.1.7 Promote good language management in the DTSPS and in the communication in various languages to stakeholders; and
- 7.1.8 Perform any other functions that the Minister of Arts and Culture, as custodian of the Official Languages Act, 2012 (Act No.12 of 2012) and regulations thereupon, may prescribe.

7.2 Official Languages of DTSPS

All eleven (11) official languages of The Republic of South Africa are recognised languages to be used in the DTSPS. They are: Sesotho, Setswana, English, Afrikaans, Tshivenda, Xitsonga, isiZulu, isiXhosa, Siswati, isiNdebele and Sepedi.

7.3 Training and Development Capacity Building Initiatives

To ensure the professional and efficient implementation of this Policy, the Language Unit will advise on training and capacity building interventions.

7.4 Official Languages Use and Form in the DTPS

7.4.1 Since the reach of the Department covers various stakeholders, some of whom have provincial presence in all nine provinces, the Department will over the course of the next three to five years, expand the use all eleven official languages in its official written and spoken communication, but in the main communication will be in English.

7.4.2 A member of the public who wishes to communicate with the department in a language other than one of the official languages of the Republic of South Africa, must notify the department in writing.

7.4.3 The department will arrange for appropriate translation or interpreting within 30 working days of the date of the request having been received by the Department.

Due consideration will be given to the subject / context, usage, etc, and the availability of funds for translation.

7.4.4 The Department will consider amongst others, a balance of the following factors when deciding on the language in which to respond to any other client and citizen: (i) Geographical usage; (ii) Client's preference (iii) Regional circumstances; (iv) Practicality; (v) Expense

7.4.5 The Department will use the following languages for official communication:

Area of Work/Stakeholder	Language Choice/Preference
Conducting business within the Public Service to departments across all spheres of Government, and stakeholders for collaboration (i.e. Negotiations) in terms of Legislation and Policy, in writing and orally	English
Communicating with members of the general public in official written correspondence	English Or one of the official languages of the Republic of South Africa, taking into account the usage, practicality and expense

Area of Work/Stakeholder	Language Choice/Preference
Oral communication with members of the general public	English Or one of the official languages of the Republic of South Africa, taking into account the usage, practicality and expense
Official publications intended for public distribution (post adverts, Policy, forms, Circulars, Directives, and signage in and at Head Office)	English Or one of the official languages of the Republic of South Africa, taking into account the usage, practicality and expense
Public hearings (Izimbizo) and other official proceedings	The official languages of the Republic taking into account regional circumstances.
Communication with the hearing or sight impaired	The DTSPS will facilitate access to Sign Language interpreting and conversion of text into Braille or alternatively audio on request.
International communication	English

7.6 Publication and Access to this Policy

This policy will be published on the department's INTRANET and Website for external access, after approval of the Policy. On request the Department will make available documentation in braille or on audio to those with sight and hearing impairments.

8. DTSPS'S MANDATE AND KEY STAKEHOLDERS

8.1 The department draws its mandate from the following statutes, Constitution 1996, Sentech Act, 1996, Former States Posts and Telecommunication Act, 1996, Postal Services Act, 1998, Department of Communications Rationalisation Act, 1998, Electronic Communications and Transactions Act, 2002, Electronic Communications Act, 2005. (Sec 3; sec 4 (5); Sec 5 (6); Chapter 9 and Section 79 (B); Independent Communications Authority of South Africa (2000); South African

Post Bank Limited Act, 2010; South African Post Office (SOC) Ltd Act, 2011; SITA Act, 1998; Broadband Infraco Act, 2007

The key stakeholders of the department are:

- 8.2 Government, business associations, international and regional organisations such as the ITU, the regulator, academia, ICT policy analysts, researchers, civil society organisations such as the Media Freedom and Diversity- Right to Know Campaign, lobby and advocacy organisations such as Alliance for Internet Access, media, employees and citizens. The Minister and Deputy Minister for Telecommunications and Postal Services
- 8.3 All departments in all spheres of Government in the implementation of relevant mandates of the DTPS.
- 8.4 Parliamentary Committees
- 8.5 Recognised Labour
- 8.6 Service Providers
- 8.7 The GPSSBC

9. ESCALATION OF COMPLAINTS AND DEALING WITH COMPLAINTS IN THE IMPLEMENTATION OF THIS POLICY

- 9.1 A person dissatisfied with a decision of the Department of Telecommunications and Postal Services regarding the use of official languages may lodge a complaint to the Director-General
- 9.2 A complaint must be lodged:
 - 9.2.1 in writing, and
 - 9.2.2 within three months of the complaint arising.
- 9.3 A complaint lodged must state the name, address, and contact information of the person lodging it.
- 9.4 A complaint lodged must provide a full detailed description of the issue the complaint is about.

- 9.5 The Director-General may request a complainant to supply additional information necessary to consider the complaint and may request the complainant to attend a meeting for the purpose of making an oral representation at an enquiry.
- 9.6 The Director-General will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the department's decision.
- 9.7 Should the complainant remain dissatisfied with the decision of the DG, he or she may lodge an appeal to the Minister in writing.

10. REPORTING ON IMPLEMENTATION OF POLICY

The implementation of this policy will be monitored and reported on in the prescribed format, and as required in the Act.

11. REVIEW OF APPROVED POLICY

This policy will be reviewed after approval when required due to new legislative or National Policy requirements.

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