Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 698 11 August Augustus 2023 No. 49108

PART 1 OF 3

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NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.

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government printing
Department:
Government Printing Works
REPUBLIC OF SOUTH AFRICA

HIGH ALERT: SCAM WARNING!!!

TO ALL SUPPLIERS AND SERVICE PROVIDERS OF THE GOVERNMENT PRINTING WORKS

It has come to the attention of the *GOVERNMENT PRINTING WORKS* that there are certain unscrupulous companies and individuals who are defrauding unsuspecting businesses disguised as representatives of the *Government Printing Works* (*GPW*).

The scam involves the fraudsters using the letterhead of *GPW* to send out fake tender bids to companies and requests to supply equipment and goods.

Although the contact person's name on the letter may be of an existing official, the contact details on the letter are not the same as the *Government Printing Works*'. When searching on the Internet for the address of the company that has sent the fake tender document, the address does not exist.

The banking details are in a private name and not company name. Government will never ask you to deposit any funds for any business transaction. *GPW* has alerted the relevant law enforcement authorities to investigate this scam to protect legitimate businesses as well as the name of the organisation.

Example of e-mails these fraudsters are using:

PROCUREMENT@GPW-GOV.ORG

Should you suspect that you are a victim of a scam, you must urgently contact the police and inform the *GPW*.

GPW has an official email with the domain as **@gpw.gov.za**

Government e-mails DO NOT have org in their e-mail addresses. All of these fraudsters also use the same or very similar telephone numbers. Although such number with an area code 012 looks like a landline, it is not fixed to any property.

GPW will never send you an e-mail asking you to supply equipment and goods without a purchase/order number. *GPW* does not procure goods for another level of Government. The organisation will not be liable for actions that result in companies or individuals being resultant victims of such a scam.

Government Printing Works gives businesses the opportunity to supply goods and services through RFQ / Tendering process. In order to be eligible to bid to provide goods and services, suppliers must be registered on the National Treasury's Central Supplier Database (CSD). To be registered, they must meet all current legislative requirements (e.g. have a valid tax clearance certificate and be in good standing with the South African Revenue Services - SARS).

The tender process is managed through the Supply Chain Management (SCM) system of the department. SCM is highly regulated to minimise the risk of fraud, and to meet objectives which include value for money, open and effective competition, equitability, accountability, fair dealing, transparency and an ethical approach. Relevant legislation, regulations, policies, guidelines and instructions can be found on the tender's website.

Fake Tenders

National Treasury's CSD has launched the Government Order Scam campaign to combat fraudulent requests for quotes (RFQs). Such fraudulent requests have resulted in innocent companies losing money. We work hard at preventing and fighting fraud, but criminal activity is always a risk.

How tender scams work

There are many types of tender scams. Here are some of the more frequent scenarios:

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to a company to invite it to urgently supply goods. Shortly after the company has submitted its quote, it receives notification that it has won the tender. The company delivers the goods to someone who poses as an official or at a fake site. The Department has no idea of this transaction made in its name. The company is then never paid and suffers a loss.

OR

Fraudsters use what appears to be government department stationery with fictitious logos and contact details to send a fake RFQ to Company A to invite it to urgently supply goods. Typically, the tender specification is so unique that only Company B (a fictitious company created by the fraudster) can supply the goods in question.

Shortly after Company A has submitted its quote it receives notification that it has won the tender. Company A orders the goods and pays a deposit to the fictitious Company B. Once Company B receives the money, it disappears. Company A's money is stolen in the process.

Protect yourself from being scammed

- If you are registered on the supplier databases and you receive a request to tender or quote that seems to be from a government department, contact the department to confirm that the request is legitimate. Do not use the contact details on the tender document as these might be fraudulent.
- Compare tender details with those that appear in the Tender Bulletin, available online at **www.gpwonline.co.za**
- Make sure you familiarise yourself with how government procures goods and services. Visit the tender website for more information on how to tender.
- If you are uncomfortable about the request received, consider visiting the government department and/or the place of delivery and/or the service provider from whom you will be sourcing the goods.
- In the unlikely event that you are asked for a deposit to make a bid, contact the SCM unit of the department in question to ask whether this is in fact correct.

Any incidents of corruption, fraud, theft and misuse of government property in the *Government Printing Works* can be reported to:

Supply Chain Management: Ms. Anna Marie Du Toit, Tel. (012) 748 6292.
Email: **Annamarie.DuToit@gpw.gov.za**

Marketing and Stakeholder Relations: Ms Bonakele Mbhele, at Tel. (012) 748 6193.
Email: **Bonakele.Mbhele@gpw.gov.za**

Security Services: Mr Daniel Legoabe, at tel. (012) 748 6176.
Email: **Daniel.Legoabe@gpw.gov.za**

Closing times for **ORDINARY WEEKLY** *GOVERNMENT GAZETTE* 2023

*The closing time is **15:00** sharp on the following days:*

- **08 December,** Thursday for the issue of Thursday **15 December 2022**
- **15 December,** Thursday for the issue of Friday **23 December 2022**
- **22 December,** Thursday for the issue of Friday **30 December 2022**
- **29 December,** Thursday for the issue of Friday **06 January 2023**
- **06 January,** Friday for the issue of Friday **13 January 2023**
- **13 January,** Friday for the issue of Friday **20 January 2023**
- **20 January,** Friday for the issue of Friday **27 January 2023**
- **27 January,** Friday for the issue of Friday **03 February 2023**
- **03 February,** Friday for the issue of Friday **10 February 2023**
- **10 February,** Friday for the issue of Friday **17 February 2023**
- **17 February,** Friday for the issue of Friday **24 February 2023**
- **24 February,** Friday for the issue of Friday **03 March 2023**
- **03 March,** Friday for the issue of Friday **10 March 2023**
- **10 March,** Friday for the issue of Friday **17 March 2023**
- **16 March,** Thursday for the issue of Friday **24 March 2023**
- **24 March,** Friday for the issue of Friday **31 March 2023**
- **30 March,** Thursday for the issue of Thursday **06 April 2023**
- **05 April,** Wednesday for the issue of Friday **14 April 2023**
- **14 April,** Friday for the issue of Friday **21 April 2023**
- **20 April,** Thursday for the issue of Friday **28 April 2023**
- **26 April,** Wednesday for the issue of Friday **05 May 2023**
- **05 May,** Friday for the issue of Friday **12 May 2023**
- **12 May,** Friday for the issue of Friday **19 May 2023**
- **19 May,** Friday for the issue of Friday **26 May 2023**
- **26 May,** Friday for the issue of Friday **02 June 2023**
- **02 June,** Friday for the issue of Friday **09 June 2023**
- **08 June,** Thursday for the issue of Thursday **15 June 2023**
- **15 June,** Thursday for the issue of Friday **23 June 2023**
- **23 June,** Friday for the issue of Friday **30 June 2023**
- **30 June,** Friday for the issue of Friday **07 July 2023**
- **07 July,** Friday for the issue of Friday **14 July 2023**
- **14 July,** Friday for the issue of Friday **21 July 2023**
- **21 July,** Friday for the issue of Friday **28 July 2023**
- **28 July,** Friday for the issue of Friday **04 August 2023**
- **03 August,** Thursday for the issue of Friday **11 August 2023**
- **11 August,** Friday for the issue of Friday **18 August 2023**
- **18 August,** Friday for the issue of Friday **25 August 2023**
- **25 August,** Friday for the issue of Friday **01 September 2023**
- **01 September,** Friday for the issue of Friday **08 September 2023**
- **08 September,** Friday for the issue of Friday **15 September 2023**
- **15 September,** Friday for the issue of Friday **22 September 2023**
- **21 September,** Thursday for the issue of Friday **29 September 2023**
- **29 September,** Friday for the issue of Friday **06 October 2023**
- **06 October,** Friday for the issue of Friday **13 October 2023**
- **13 October,** Friday for the issue of Friday **20 October 2023**
- **20 October,** Friday for the issue of Friday **27 October 2023**
- **27 October,** Friday for the issue of Friday **03 November 2023**
- **03 November,** Friday for the issue of Friday **10 November 2023**
- **10 November,** Friday for the issue of Friday **17 November 2023**
- **17 November,** Friday for the issue of Friday **24 November 2023**
- **24 November,** Friday for the issue of Friday **01 December 2023**
- **01 December,** Friday for the issue of Friday **08 December 2023**
- **08 December,** Friday for the issue of Friday **15 December 2023**
- **15 December,** Friday for the issue of Friday **22 December 2023**
- **20 December,** Wednesday for the issue of Friday **29 December 2023**

LIST OF TARIFF RATES

FOR PUBLICATION OF NOTICES

COMMENCEMENT: 1 APRIL 2018

NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1008.80 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	**Page Space**	**New Price (R)**
Ordinary National, Provincial	1/4 - Quarter Page	252.20
Ordinary National, Provincial	2/4 - Half Page	504.40
Ordinary National, Provincial	3/4 - Three Quarter Page	756.60
Ordinary National, Provincial	4/4 - Full Page	1008.80

EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at R**3026.32** per page.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works** (**GPW**) has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe* Forms. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

Closing Times for Acceptance of Notices

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.

2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website www.gpwonline.co.za

   All re-submissions will be subject to the standard cut-off times.
   All notices received after the closing time will be rejected.

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Petrol Price Gazette	Monthly	Tuesday before 1st Wednesday of the month	One day before publication	1 working day prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00 for next Friday	3 working days prior to publication
Unclaimed Monies (Justice, Labour or Lawyers)	January / September 2 per year	Last Friday	One week before publication	3 working days prior to publication
Parliament (Acts, White Paper, Green Paper)	As required	Any day of the week	None	3 working days prior to publication
Manuals	Bi- Monthly	2nd and last Thursday of the month	One week before publication	3 working days prior to publication
State of Budget (National Treasury)	Monthly	30th or last Friday of the month	One week before publication	3 working days prior to publication
Extraordinary Gazettes	As required	Any day of the week	*Before 10h00 on publication date*	*Before 10h00 on publication date*
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 15h00 - 3 working days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 15h00 - 3 working days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days **after** submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 working days prior to publication
North West	Weekly	Tuesday	One week before publication	3 working days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 working days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 working days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 working days prior to publication

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 working days **after** submission deadline
Mpumalanga Liquor License Gazette	Bi-Monthly	Second & Fourth Friday	One week before publication	3 working days prior to publication

Extraordinary Gazettes

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

Notice Submission Process

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website www.gpwonline.co.za.

5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat* / *Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.

6. The completed electronic *Adobe* form has to be submitted via email to submit.egazette@gpw.gov.za. The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.

7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.

8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.

   8.1. Each of the following documents must be attached to the email as a separate attachment:

   8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.

   8.1.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form

   8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.

   8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice. *(Please see Quotation section below for further details)*

   8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order**. Non-Government Printing Works** account customer needs to submit the proof of payment for the notice

   8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. *(Please see the Copy Section below, for the specifications)*.

   8.1.5. Any additional notice information if applicable.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.

10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE.**

11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.

12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

QUOTATIONS

13. Quotations are valid until the next tariff change.

    13.1. ***Take note:*** **GPW**'s annual tariff increase takes place on ***1 April*** therefore any quotations issued, accepted and submitted for publication up to ***31 March*** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.

14. Each quotation has a unique number.

15. Form Content notices must be emailed to the *eGazette* Contact Centre for a quotation.

    15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.

    15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.

16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS**:

    16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.

    16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.

        16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).

17. **APPLICABLE ONLY TO CASH CUSTOMERS:**

    17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.

18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).

19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.

    19.1. This means that **the quotation number can only be used once to make a payment.**

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Copy (Separate Notice Content Document)

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

    20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

    The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

    20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

    Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

    Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm; Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Cancellations

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.

22. Requests for cancellation must be sent by the original sender of the notice and must accompanied by the relevant notice reference number (N-) in the email body.

Amendments to notices

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

Rejections

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za). Reasons for rejections include the following:

    24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.

    24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.

    24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.

    24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Approval of notices

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.

26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

Government Printer Indemnified Against Liability

27. The Government Printer will assume no liability in respect of—

    27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;

    27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

    27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

Liability of advertiser

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

Customer inquiries

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.
GPW has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.
Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.

30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

GOVERNMENT PRINTING WORKS - BUSINESS RULES

Payment of cost

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.

32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.

33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.

34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: info.egazette@gpw.gov.za before publication.

35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.

36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.

37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

Proof of publication

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website www.gpwonline.co.za free of charge, should a proof of publication be required.

39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette*(s)

GOVERNMENT PRINTING WORKS CONTACT INFORMATION

Physical Address:	**Postal Address:**	**GPW Banking Details:**
Government Printing Works	Private Bag X85	**Bank:** ABSA Bosman Street
149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
Pretoria	0001	**Branch Code:** 632-005

For Gazette and Notice submissions: Gazette Submissions: **E-mail:** submit.egazette@gpw.gov.za

For queries and quotations, contact: Gazette Contact Centre: **E-mail:** info.egazette@gpw.gov.za

Tel: 012-748 6200

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Tel: 012-748-6066 / 6060 / 6058

Fax: 012-323-9574

AMENDING GOVERNMENT NOTICE, NO: 27 OF 2006 IN THE GOVERNMENT GAZETTE NO: 28394 DATED 20 JANUARY 2006

AMENDMENT NOTICE INTERMS OF SECTION 11A {4} OF THE RESTITUTION OF LAND RIGHTS ACT 1994 [ACT 22 OF 1994] AS AMENDED.

Notice is hereby given in terms of **Section 11A [4] of the Restitution of the Land Rights Act 1994 [Act 22 of 1994] as amended,** that the office of the **Regional Land Claims Commissioner** is amending the said gazette due to the error when capturing property description and the year on the title number on the said gazette notice. The correct property description is **Remaining Extent of Portion 5 (Portion of portion 1) of the farm Langkloof 356 JT**. The property mentioned hereunder is in the Emakhazeni Local Municipality, Nkangala District, Mpumalanga Province:

CURRENT PARTICULARS OF THE PROPERTY
LANGKLOOF 356 JT

Description of property	Owner of Property	Title Deed Number	Extent of Property	Bonds	Bond Holder	Other Endorsements
Remaining Extent of Portion 5 (Portion of portion 1) of the farm Langkloof 356 JT	Roos Heinrich Jacob De Villiers [700721 5252 089]	T68087/1993	938.6835 ha	B50405/2001	Absa Bank Ltd	K523/20121S VA4935/2001 in favour of Roos Heinrich Jacob De Villiers.

The Regional Land Claims Commissioner, Mpumalanga Province will investigate all the land claims in terms of the provisions of the Act, any party interested in the above-mentioned property is hereby invited to submit within **30 [thirty days]** from the date of the publication of this notice any comments, or further information to:

Commissioner for Restitution of Land Rights
Private Bag X7201
Witbank
1035

MR. L.H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
MPUMALANGA PROVINCE
DATE: 2023/07/26

This gazette is also available free online at www.gpwonline.co.za

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3782 **11 August 2023**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT No. 22 OF 1994), AS AMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended, that a claim for Restitution of Land Rights has been lodged on the farm Gemini 62 KT in the Greater Tubatse Local Municipality , Sekhukhune District of the Limpopo Province. This land claim was lodged by the late Mr. Winter Christiaan Theodor on behalf of Winter on behalf of Winter family before the cut-off date of 31 December 1998.

No.	Reference No.	Name of claimant	Farm Name	Extent of the property	Registered Owner	Title deed	Endorsements	Holder
1.	KRP 1476	Winter Christiaan Theodor	Gemini 62 KT	1514.5184	Government of Lebowa	T3469/1934 PTA	K1454/2000 RMPTA	Lebowa Mineral Trust

Take Further Notice that the office of the Regional Land claims Commissioner: Limpopo, Department of Rural Development and Land Reform has investigated this respective land claim. Any party that has an interest in the above-mentioned properties is hereby invited to submit in writing within **30 (thirty) days** of the publication of this notice, any comments, or detailed objections on this Land Claim to the Regional Land Claims Commissioner at the address set out below under reference **KRP No. 1476**.

Take further notice that a meeting of all interested parties will be convened upon publication of thus notice , for purpose of the information sharing and outlining of the Restitution process.

Office of the Regional Land Claims Commissioner: Limpopo
Private Bag X9552
POLOKWANE
0700

Or

Submission may also be delivered at:
13th floor, 50-58 Thabakgolo, Nedbank Building
Landros Mare Street
POLOKWANE, 0700

L H MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE:

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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3783 **11 August 2023**

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994), AS AMENDED

Notice is hereby given in terms of section 11(1) of the Restitution of Land Rights Act,1994 (Act No. 22 of 1994) as amended, that a claim for restitution of land rights has been lodged on the following property: on Remaining Extent of Portion 1 of the farm Combro 163 LS, Portion 4 of farm Combro 163 LS, Remaining Extent of the farm Combro 163 LS and Portion 1 of the farm Boomzien 164LS situated within Molemole Local Municipality, Capricorn District of Limpopo.

This property is described in details in the table below:

FARM NAME	OWNER	TITTLE DEED	TOTAL EXTENT OF THE FARM	ENDORSEMENT/ BONDS
Remaining Extent of Portion 1 of the farm Combro 163 LS	RSA	T41893/1979	307.799 H	None
Portion 4 of the farm Combro 163 LS	RSA	T40738/1979	392.8656H	None
Remaining Extent of the farm Combro 163 LS	RSA	T40736/1979	256.8479H	None
Portion 1 of the farm Boomzien 164 LS	RSA	T41893/1979	85.6532H	None

The land claim was lodged by by Phillipus Lodewicus and Karl Fredrich Eduard Swart on behalf of Swart family on the 28th of September 1995. The claimant indicated that the family was removed from the claimed property in 1979.

Take further notice that the Regional Land Claims Commissioner of Limpopo has approved research report on this land claim. Any party that has an interest in the above-mentioned property is hereby invited to submit in writing within **60** days of publication of this notice, any comments, objection or information under reference number **KRP 6011.**

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER
DATE: 2023/07/17

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 3784 **11 August 2023**

GENERAL NOTICE IN TERMS OF SECTION 11 (1) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO.22 OF 1994), AS AMEMENDED

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act 22 of 1994), as amended, that Mr. Mabunda Simon Mafanele lodged three claims for restitution of land rights on the Remaining Extent of the farm Greater Giyani 891 LT, situated in the Mopani District of Limpopo Province. The claim was lodged on the 20th of December 1998 on behalf of the Mabunda family.

Preliminary investigations conducted by office of the Regional Land Claims Commissioner: Limpopo revealed that Mabunda family was dispossessed of land rights on 26.8706 hectares in Siyandani village (the farm Greater Giyani 981 LT) which falls under the Thohoyandou-Malamulele Local Municipality of the Mopani District.

Detailed information of the claimed farms is depicted in the below table:

FARM	OWNER	TITLE DEED NO	EXTENT (ha)	ENDORS-EMENTS	HOLDERS
1. Remaining extent of the farm Greater Giyani 891 LT	National Government of the Republic of South Africa	T55446/2011	26.8706 ha	No details	No details

All interested parties should take note that the office of the Regional Land Claims Commissioner-Limpopo is investing these land claims. Any party that has an interest in the above properties is hereby invited to submit in writing within **30** days of publication of this notice, any comments or information or objection under reference number **KRP 9834** **to:**

Office of the Regional Land Claims Commissioner: Limpopo

Private Bag X9552

Polokwane

0700

Submission may also be delivered to:
Koos Smit Building
61 Biccard Street
Polokwane
0700

MR L. MAPHUTHA
REGIONAL LAND CLAIMS COMMISIONER
DATE: 2023/07/05

DEPARTMENT OF BASIC EDUCATION

NO. 3785 **11 August 2023**

IMPROVEMENT IN CONDITIONS OF SERVICE: ANNUAL COST-OF-LIVING ADJUSTMENT FOR EDUCATORS EMPLOYED IN TERMS OF THE EMPLOYMENT OF EDUCATORS ACT, 1998 WITH EFFECT FROM 1 APRIL 2023

I, Angelina Matsie Motshekga, Minister of Basic Education, have in terms of section 4 of the Employment of Educators Act, 1998 determined that:

In accordance with the Public Sector Co-ordinating Bargaining Council Resolution 2 of 2023 read with Circular No. 20 of 2023 issued by the Director-General of the Department of Public Service and Administration, I hereby determine for all qualifying employees employed in terms of the Employment of Educators Act, 1998 an improvement in conditions of service.

The applicable salary adjustment effective from 01 April 2023 for the relevant categories of employees is detailed in the salary scales in **Schedule 1** and **Schedule 2** as attached.

The Personnel Administrative Measures (PAM) will be amended to include these scales as outlined in **Schedule 1 and Schedule 2** respectively.

MRS ANGIE MOTSHEKGA, MP
MINISTER
DATE: 26/05/2023

OSD Educator salary notches with effect from 1 April 2023 for full-time employees

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
1	125 085	128 838	147 729
2	126 720	130 521	149 469
3	126 960	130 770	149 724
4	127 998	131 838	150 828
5	128 622	132 480	151 491
6	129 255	133 134	152 166
7	129 918	133 815	152 871
8	130 554	134 472	153 549
9	131 193	135 129	154 227
10	131 844	135 798	154 920
11	132 513	136 488	155 631
12	133 173	137 169	156 336
13	133 821	137 835	157 023
14	134 475	138 510	157 722
15	135 171	139 227	158 460
16	135 852	139 929	159 186
17	136 491	140 586	159 864
18	137 208	141 324	160 629
19	137 889	142 026	161 352
20	138 600	142 758	162 108
21	139 266	143 445	162 819
22	139 959	144 159	163 557
23	140 679	144 900	164 322
24	141 357	145 599	165 045
25	142 059	146 322	165 792
26	142 770	147 054	166 548
27	143 478	147 783	167 301
28	144 186	148 512	168 054
29	144 912	149 259	168 825
30	145 629	149 997	169 587
31	146 349	150 738	170 352
32	147 105	151 518	171 159
33	147 813	152 247	171 912
34	148 542	152 997	172 686
35	149 313	153 792	173 508
36	150 075	154 578	174 318
37	150 771	155 295	175 059
38	151 572	156 120	175 911
39	152 325	156 894	176 712
40	153 072	157 665	177 507
41	153 846	158 460	178 329
42	154 596	159 234	179 130
43	155 367	160 029	179 949
44	156 159	160 845	180 792
45	156 915	161 622	181 596
46	157 713	162 444	182 445
47	158 502	163 257	183 285
48	159 291	164 070	184 125
49	160 080	164 883	184 965
50	160 863	165 690	185 799
51	161 679	166 530	186 666
52	162 663	167 544	187 713
53	163 275	168 174	188 364
54	164 283	169 212	189 435
55	165 102	170 055	190 308
56	165 930	170 907	191 187
57	166 746	171 747	192 054
58	167 613	172 641	192 978
59	168 420	173 472	193 836
60	169 275	174 354	194 748

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
76	183 276	188 775	209 646
77	184 212	189 738	210 639
78	185 127	190 680	211 611
79	186 024	191 604	212 568
80	186 975	192 585	213 579
81	187 905	193 542	214 569
82	188 841	194 505	215 565
83	189 780	195 474	216 564
84	190 728	196 449	217 572
85	191 673	197 424	218 580
86	192 642	198 420	219 609
87	193 590	199 398	220 617
88	194 559	200 397	221 649
89	195 531	201 396	222 681
90	196 503	202 398	223 716
91	197 478	203 403	224 754
92	198 483	204 438	225 825
93	199 452	205 437	226 857
94	200 484	206 499	227 952
95	201 459	207 504	228 993
96	202 482	208 557	230 079
97	203 490	209 595	231 153
98	204 507	210 642	232 233
99	205 518	211 683	233 310
100	206 532	212 727	234 387
101	207 576	213 804	235 500
102	208 590	214 848	236 577
103	209 631	215 919	237 684
104	210 675	216 996	238 797
105	211 719	218 070	241 491
106	212 793	219 177	242 634
107	213 834	220 248	243 741
108	214 908	221 355	244 884
109	215 985	222 465	246 030
110	217 062	223 575	247 176
111	218 133	224 676	248 313
112	219 255	225 834	249 510
113	220 317	226 926	250 638
114	221 415	228 057	251 808
115	222 543	229 218	253 005
116	223 638	230 346	254 172
117	224 736	231 477	255 339
118	225 876	232 653	256 554
119	226 992	233 802	257 742
120	228 144	234 987	258 966
121	229 263	236 142	260 160
122	230 409	237 321	261 378
123	231 567	238 515	262 611
124	232 707	239 688	263 823
125	233 865	240 882	265 056
126	235 023	242 073	266 286
127	236 199	243 285	267 537
128	237 387	244 509	268 803
129	238 548	245 703	270 036
130	239 790	246 984	271 359
131	240 948	248 175	272 589
132	242 160	249 426	273 882
133	243 387	250 689	275 187
134	244 593	251 931	276 468
135	245 793	253 167	277 746

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
151	266 169	274 155	299 427
152	267 768	275 802	301 128
153	268 827	276 891	302 253
154	270 432	278 544	303 960
155	271 785	279 939	305 400
156	273 150	281 346	306 855
157	274 488	282 723	308 277
158	275 871	284 148	309 750
159	277 248	285 564	311 211
160	278 640	286 998	312 693
161	280 008	288 408	314 148
162	281 424	289 866	315 657
163	282 819	291 303	317 139
164	284 238	292 764	318 648
165	285 645	294 213	320 145
166	287 067	295 680	321 660
167	288 501	297 156	323 187
168	289 932	298 629	324 708
169	291 372	300 114	326 241
170	292 854	301 641	327 819
171	294 282	303 111	329 337
172	295 773	304 647	330 924
173	297 246	306 162	332 490
174	298 746	307 707	334 086
175	300 210	309 216	335 643
176	301 719	310 770	337 248
177	303 228	312 324	338 856
178	304 746	313 887	340 470
179	306 246	315 432	342 066
180	307 791	317 025	343 710
181	309 318	318 597	345 336
182	310 869	320 196	346 986
183	312 408	321 780	348 624
184	313 977	323 397	350 292
185	315 531	324 996	351 945
186	317 106	326 619	353 622
187	318 687	328 248	355 305
188	320 271	329 880	356 991
189	321 864	331 521	358 686
190	323 004	332 694	361 074
191	323 661	333 372	361 773
192	325 074	334 827	363 276
193	326 895	336 702	365 214
194	327 849	337 683	366 228
195	328 515	338 370	366 936
196	330 156	340 062	368 685
197	331 797	341 751	370 428
198	333 444	343 446	372 180
199	335 109	345 162	373 953
200	336 789	346 893	375 741
201	338 445	348 597	377 502
202	340 155	350 361	379 323
203	341 841	352 095	381 114
204	343 548	353 853	382 929
205	345 258	355 617	384 753
206	346 995	357 405	386 598
207	348 702	359 163	388 416
208	350 475	360 990	390 303
209	352 200	362 766	392 136
210	353 979	364 599	394 032

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
226	383 307	394 806	425 235
227	385 188	396 744	427 236
228	387 126	398 739	429 297
229	389 058	400 731	431 355
230	392 934	404 721	435 477
231	393 120	404 913	435 675
232	397 056	408 969	439 866
233	399 018	410 988	441 951
234	401 049	413 079	444 111
235	403 011	415 101	446 199
236	405 024	417 174	448 341
237	407 064	419 277	450 513
238	409 095	421 368	452 673
239	411 099	423 432	454 806
240	413 169	425 565	457 008
241	415 230	427 686	459 201
242	417 315	429 834	461 418
243	419 367	431 949	463 602
244	421 473	434 118	465 843
245	423 576	436 284	468 081
246	425 685	438 456	470 325
247	427 794	440 628	472 569
248	429 963	442 863	474 876
249	432 069	445 032	477 117
250	434 256	447 285	479 445
251	436 413	449 505	481 740
252	438 612	451 770	484 077
253	440 769	453 993	486 375
254	442 995	456 285	488 742
255	445 191	458 547	491 079
256	447 435	460 857	493 464
257	449 640	463 128	495 810
258	451 899	465 456	498 216
259	454 146	467 769	500 604
260	456 411	470 103	503 016
261	458 676	472 437	505 428
262	460 959	474 789	507 858
263	463 257	477 156	510 303
264	465 570	479 538	512 763
265	467 874	481 911	515 214
266	470 259	484 368	517 752
267	472 554	486 732	520 194
268	474 945	489 192	522 735
269	477 312	491 631	527 535
270	479 697	494 088	530 073
271	482 070	496 533	532 599
272	484 479	499 014	535 161
273	486 891	501 498	537 726
274	489 312	503 991	540 303
275	491 745	506 496	542 889
276	494 226	509 052	545 532
277	496 653	511 554	548 115
278	499 164	514 140	550 788
279	501 639	516 687	553 419
280	504 147	519 270	556 086
281	506 652	521 853	558 753
282	509 184	524 460	561 447
283	511 710	527 061	564 135
284	514 281	529 710	566 871
285	516 822	532 326	569 574

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
301	559 647	576 435	615 138
302	565 257	582 216	621 108
303	565 527	582 492	621 393
304	571 188	588 324	627 420
305	574 011	591 231	630 423
306	576 873	594 180	633 468
307	579 078	596 451	635 814
308	579 756	597 150	636 537
309	582 936	600 423	639 918
310	585 525	603 090	642 672
311	587 763	605 397	645 054
312	588 771	606 435	646 128
313	591 681	609 432	649 224
314	594 675	612 516	652 410
315	597 603	615 531	655 524
316	600 588	618 606	658 701
317	603 594	621 702	661 899
318	606 612	624 810	665 109
319	609 597	627 885	668 286
320	612 681	631 062	671 568
321	615 711	634 182	674 790
322	618 816	637 380	678 093
323	621 870	640 527	681 345
324	624 987	643 737	684 660
325	628 098	646 941	687 969
326	631 236	650 172	691 308
327	634 362	653 394	694 635
328	637 563	656 691	698 043
329	640 704	659 925	701 382
330	643 944	663 261	704 829
331	647 127	666 540	708 216
332	650 376	669 888	711 675
333	653 604	673 212	715 107
334	656 874	676 581	718 587
335	660 132	679 935	722 052
336	663 441	683 343	725 574
337	666 726	686 727	729 069
338	670 089	690 192	732 648
339	673 392	693 594	736 164
340	676 773	697 077	739 761
341	680 139	700 542	743 340
342	683 547	704 052	746 967
343	686 925	707 532	750 561
344	690 399	711 111	754 257
345	693 801	714 615	757 878
346	697 284	718 203	761 583
347	700 755	721 779	765 279
348	704 265	725 394	769 011
349	707 742	728 973	772 710
350	711 294	732 633	777 150
351	714 828	736 272	780 909
352	718 407	739 959	784 719
353	721 962	743 622	788 502
354	725 616	747 384	792 387
355	729 183	751 059	796 185
356	732 852	754 839	800 088
357	736 500	758 595	803 970
358	740 196	762 402	807 900
359	743 844	766 158	811 782
360	747 594	770 022	815 772

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
376	809 532	833 817	881 673
377	813 534	837 939	885 930
378	817 602	842 130	890 259
379	821 676	846 327	894 597
380	825 780	850 554	898 962
381	829 866	854 763	903 309
382	834 033	859 053	907 743
383	838 167	863 313	912 141
384	842 391	867 663	916 635
385	846 543	871 938	921 051
386	850 830	876 354	925 614
387	855 027	880 677	930 078
388	859 332	885 111	934 659
389	863 592	889 500	939 195
390	867 909	893 946	943 785
391	872 223	898 389	948 375
392	876 609	902 907	953 043
393	880 929	907 356	957 639
394	885 372	911 934	962 367
395	889 758	916 452	967 035
396	894 201	921 027	971 760
397	898 653	925 614	976 500
398	903 165	930 261	981 300
399	907 614	934 842	986 031
400	912 201	939 567	990 912
401	916 713	944 214	995 712
402	921 306	948 945	1 000 599
403	925 884	953 661	1 005 471
404	930 504	958 419	1 010 388
405	935 127	963 180	1 015 305
406	939 819	968 013	1 020 297
407	944 463	972 798	1 025 241
408	949 221	977 697	1 030 302
409	953 916	982 533	1 035 297
410	958 695	987 456	1 040 382
411	963 459	992 364	1 045 452
412	968 295	997 344	1 050 597
413	973 074	1 002 267	1 055 682
414	977 988	1 007 328	1 060 911
415	982 818	1 012 302	1 066 047
416	987 756	1 017 390	1 071 303
417	992 658	1 022 439	1 076 520
418	997 626	1 027 554	1 081 803
419	1 002 573	1 032 651	1 087 068
420	1 007 610	1 037 838	1 092 426
421	1 012 590	1 042 968	1 097 727
422	1 017 690	1 048 221	1 103 151
423	1 022 724	1 053 405	1 108 506
424	1 027 875	1 058 712	1 113 990
425	1 032 954	1 063 944	1 119 393
426	1 038 126	1 069 269	1 124 895
427	1 043 292	1 074 591	1 130 394
428	1 048 527	1 079 982	1 135 962
429	1 053 699	1 085 310	1 141 464
430	1 059 012	1 090 782	1 147 119
431	1 064 256	1 096 185	1 152 699
432	1 066 416	1 098 408	1 154 994

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
INCLUSIVE PACKAGE			
1	786 891	810 498	856 923
2	790 827	814 551	861 111
3	794 745	818 586	865 278
4	798 720	822 681	869 508
5	802 692	826 773	873 738
6	806 706	830 907	878 007
7	810 732	835 053	882 291
8	814 785	839 229	886 605
9	818 835	843 399	890 910
10	822 930	847 617	895 269
11	826 998	851 808	899 598
12	831 132	856 065	903 996
13	835 287	860 346	908 418
14	839 463	864 648	912 861
15	843 636	868 944	917 298
16	847 854	873 291	921 789
17	852 063	877 626	926 268
18	856 323	882 012	930 798
19	860 577	886 395	935 325
20	864 879	890 826	939 903
21	869 190	895 266	944 490
22	873 534	899 739	949 110
23	877 866	904 203	953 721
24	882 255	908 724	958 392
25	886 650	913 251	963 069
26	891 084	917 817	967 785
27	895 500	922 365	972 483
28	899 976	926 976	977 247
29	904 464	931 599	982 023
30	908 988	936 258	986 835
31	913 518	940 923	991 653
32	918 087	945 630	996 516
33	922 635	950 313	1 002 012
34	927 249	955 065	1 006 923
35	931 857	959 814	1 011 828
36	936 516	964 611	1 016 784
37	941 169	969 405	1 021 734
38	945 873	974 250	1 026 741
39	950 577	979 095	1 031 745
40	955 329	983 988	1 036 800
41	960 081	988 884	1 041 858
42	964 881	993 828	1 046 964
43	969 681	998 772	1 052 070
44	974 529	1 003 764	1 057 227
45	979 365	1 008 747	1 062 375
46	984 264	1 013 793	1 067 589
47	989 169	1 018 845	1 072 806
48	994 113	1 023 936	1 078 065
49	999 057	1 029 030	1 083 327
50	1 004 052	1 034 175	1 088 643
51	1 009 050	1 039 323	1 093 962
52	1 014 096	1 044 519	1 099 329
53	1 019 133	1 049 706	1 104 687
54	1 024 227	1 054 953	1 110 105
55	1 029 333	1 060 212	1 115 538
56	1 034 478	1 065 513	1 121 016
57	1 039 614	1 070 802	1 126 479
58	1 044 813	1 076 157	1 132 011
59	1 050 003	1 081 503	1 137 534

Notch Code	Notch Value 1/7/2021	Notch Value 1/4/2022	Notch Value 1/4/2023
INCLUSIVE PACKAGE			
75	1 136 988	1 171 098	1 230 084
76	1 142 673	1 176 954	1 236 132
77	1 148 358	1 182 810	1 242 183
78	1 154 100	1 188 723	1 248 291
79	1 159 830	1 194 624	1 254 387
80	1 165 629	1 200 597	1 260 558
81	1 171 440	1 206 582	1 266 738
82	1 177 296	1 212 615	1 272 972
83	1 183 149	1 218 642	1 279 197
84	1 189 065	1 224 738	1 285 494
85	1 194 978	1 230 828	1 291 785
86	1 200 951	1 236 981	1 298 142
87	1 206 906	1 243 113	1 304 475
88	1 212 942	1 249 329	1 310 898
89	1 218 966	1 255 536	1 317 309
90	1 225 062	1 261 815	1 323 795
91	1 231 170	1 268 106	1 330 293
92	1 237 326	1 274 445	1 336 842
93	1 243 479	1 280 784	1 343 391
94	1 249 695	1 287 186	1 350 003
95	1 255 899	1 293 576	1 356 603
96	1 262 178	1 300 044	1 363 284
97	1 268 466	1 306 521	1 369 977
98	1 274 808	1 313 052	1 376 724
99	1 281 153	1 319 589	1 383 474
100	1 287 561	1 326 189	1 390 293
101	1 293 969	1 332 789	1 397 112
102	1 300 440	1 339 452	1 403 994
103	1 306 896	1 346 103	1 410 864
104	1 313 430	1 352 832	1 417 815
105	1 319 949	1 359 546	1 424 751
106	1 326 549	1 366 344	1 431 774
107	1 333 164	1 373 160	1 438 815
108	1 339 830	1 380 024	1 445 904
109	1 346 478	1 386 873	1 452 981
110	1 353 210	1 393 806	1 460 142
111	1 359 933	1 400 730	1 467 294
112	1 366 734	1 407 735	1 474 530
113	1 373 544	1 414 749	1 481 775
114	1 380 411	1 421 823	1 489 083
115	1 387 281	1 428 900	1 496 394
116	1 394 217	1 436 043	1 503 771
117	1 401 153	1 443 189	1 511 154
118	1 408 161	1 450 407	1 518 609
119	1 415 148	1 457 601	1 526 043
120	1 422 225	1 464 891	1 533 573
121	1 425 018	1 467 768	1 536 543

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60	1 055 253	1 086 912	1 143 120
61	1 060 503	1 092 318	1 148 703
62	1 065 804	1 097 778	1 154 346
63	1 071 099	1 103 232	1 159 980
64	1 076 457	1 108 752	1 165 680
65	1 081 821	1 114 275	1 171 386
66	1 087 230	1 119 846	1 177 140
67	1 092 636	1 125 414	1 182 894
68	1 098 099	1 131 042	1 188 705
69	1 103 556	1 136 664	1 194 513
70	1 109 073	1 142 346	1 200 384
71	1 114 587	1 148 025	1 206 249
72	1 120 158	1 153 764	1 212 177
73	1 125 720	1 159 491	1 218 093
74	1 131 348	1 165 287	1 224 081

61	170 127	175 230	195 654
62	170 949	176 076	196 527
63	171 813	176 967	197 448
64	172 680	177 861	198 369
65	173 514	178 719	199 257
66	174 378	179 610	200 178
67	175 269	180 528	201 126
68	176 142	181 425	202 053
69	176 994	182 304	202 959
70	177 897	183 234	203 922
71	178 785	184 149	204 867
72	179 646	185 034	205 779
73	180 564	185 982	206 760
74	181 491	186 936	207 744
75	182 340	187 809	208 647

136	247 029	254 439	279 060
137	248 262	255 711	280 374
138	249 516	257 001	281 706
139	250 734	258 255	283 002
140	251 997	259 557	284 346
141	253 260	260 859	285 690
142	254 532	262 167	287 043
143	255 777	263 451	288 369
144	257 070	264 783	289 746
145	258 351	266 103	291 108
146	259 647	267 435	292 485
147	260 925	268 752	293 844
148	262 236	270 102	295 239
149	263 541	271 446	296 628
150	264 855	272 802	298 029

211	355 731	366 402	395 892
212	357 501	368 226	397 776
213	359 289	370 068	399 681
214	361 092	371 925	401 598
215	362 865	373 752	403 485
216	364 680	375 621	405 417
217	366 507	377 502	407 361
218	368 355	379 407	409 326
219	370 149	381 252	411 234
220	372 009	383 169	413 214
221	373 881	385 098	415 206
222	375 747	387 018	417 189
223	377 589	388 917	419 151
224	379 497	390 882	421 182
225	381 384	392 826	423 189

286	519 429	535 011	572 346
287	521 994	537 654	575 076
288	524 637	540 375	577 887
289	527 220	543 036	580 635
290	529 866	545 763	583 452
291	532 506	548 481	586 260
292	535 140	551 193	589 062
293	537 813	553 947	591 906
294	540 534	556 749	594 801
295	543 168	559 464	597 606
296	545 916	562 293	600 528
297	548 643	565 101	603 429
298	551 376	567 918	606 339
299	554 106	570 729	609 243
300	556 902	573 609	612 219

361	751 299	773 838	819 714
362	755 061	777 714	823 719
363	758 808	781 572	827 703
364	762 609	785 487	831 747
365	766 386	789 378	835 767
366	770 220	793 326	839 847
367	774 048	797 268	843 918
368	777 942	801 279	848 061
369	781 773	805 227	852 138
370	785 703	809 274	856 320
371	789 612	813 300	860 478
372	793 572	817 380	864 693
373	797 490	821 415	868 863
374	801 510	825 555	873 138
375	805 476	829 641	877 359

OSD SALARY NOTCHES WITH EFFECT FROM 1 APRIL 2023 FOR FULL-TIME EMPLOYEES: THERAPISTS, COUNSELLORS AND PSYCHOLOGISTS

Job title	Code	01/07/2021	01/04/2022	01/04/2023
Education Therapist Grade 1	1	322 746	332 427	359 622
	2	326 061	335 844	364 326
	3	330 954	340 884	369 534
	4	335 919	345 996	374 814
	5	340 965	351 195	380 184
	6	346 077	356 460	385 623
	7	351 270	361 809	391 149
	8	356 532	367 227	396 744
	9	361 884	372 741	402 441
	10	367 299	378 318	408 201
Education Therapist Grade 2	1	378 402	389 754	420 015
	2	384 084	395 607	426 063
	3	389 847	401 541	432 192
	4	395 706	407 577	438 426
	5	401 640	413 688	444 741
	6	407 664	419 895	451 152
	7	413 781	426 195	457 659
	8	419 988	432 588	464 262
	9	426 279	439 068	470 958
	10	432 684	445 665	477 771
Education Therapist Grade 3	1	445 752	459 126	491 676
	2	452 445	466 017	498 795
	3	459 231	473 007	506 016
	4	466 116	480 099	513 342
	5	473 112	487 305	520 785
	6	480 207	494 613	530 616
	7	487 416	502 038	538 284
	8	494 724	509 565	546 060
	9	502 152	517 218	553 965
	10	509 679	524 970	561 975
	11	517 332	532 851	570 114
	12	525 087	540 840	578 367
	13	532 968	548 958	586 755
	14	540 954	557 184	595 251
Chief Education Therapist Grade 1	1	473 112	487 305	523 065
	2	480 207	494 613	530 616
	3	487 416	502 038	538 284
	4	494 724	509 565	546 060
	5	502 152	517 218	553 965
	6	509 679	524 970	561 975
	7	517 332	532 851	570 114
	8	525 087	540 840	578 367
Chief Education Therapist Grade 2	1	540 954	557 184	595 251
	2	549 069	565 542	603 885
	3	557 301	574 020	612 642
	4	565 668	582 639	621 546
	5	574 152	591 378	630 573
	6	582 771	600 255	639 744
	7	591 513	609 258	649 044
	8	600 384	618 396	658 482

INCLUSIVE PACKAGE

Job title	Code	01/07/2021	01/04/2022	01/04/2023
Education Counsellor/ Psychometrist Grade 3	1	761 274	784 113	829 668
	2	772 692	795 873	841 818
	3	784 278	807 807	854 145
	4	796 041	819 921	866 658
	5	807 978	832 218	879 360
	6	820 110	844 713	892 269
	7	832 404	857 376	905 349
	8	844 884	870 231	918 630
Chief Education Counsellor/ Psychometrist Grade 1	1	761 274	784 113	829 668
	2	772 692	795 873	841 818
	3	784 278	807 807	854 145
	4	796 041	819 921	866 658
	5	807 978	832 218	879 360
	6	820 110	844 713	892 269
	7	832 404	857 376	905 349
	8	844 884	870 231	918 630
Chief Education Counsellor/ Psychometrist Grade 2	1	870 423	896 535	945 801
	2	883 482	909 987	960 357
	3	896 739	923 640	974 460
	4	910 194	937 500	988 779
	5	923 844	951 558	1 003 299
	6	937 704	965 835	1 018 047
	7	951 762	980 316	1 033 005
	8	966 042	995 022	1 048 197
	9	980 529	1 009 944	1 063 611
Senior Education Counsellor/ Psychometrist Specialist Grade 1	1	937 704	965 835	1 018 047
	2	951 762	980 316	1 033 005
	3	966 042	995 022	1 048 197
	4	980 529	1 009 944	1 063 611
	5	995 235	1 025 091	1 079 259
	6	1 010 166	1 040 472	1 095 147
	7	1 025 310	1 056 069	1 111 260
	8	1 040 697	1 071 918	1 127 631
Senior Education Counsellor/ Psychometrist Specialist Grade 2	1	1 072 149	1 104 312	1 161 093
	2	1 088 232	1 120 878	1 178 208
	3	1 104 555	1 137 693	1 195 578
	4	1 121 118	1 154 751	1 213 197
	5	1 137 939	1 172 076	1 231 095
	6	1 155 006	1 189 656	1 249 254
	7	1 172 328	1 207 497	1 267 683
Education Psychologist Grade 1	1	724 062	745 785	787 797
	2	734 922	756 969	799 350
	3	745 953	768 333	811 089
	4	750 024	772 524	817 698
	5	761 274	784 113	829 668
	6	772 692	795 873	841 818
	7	784 278	807 807	854 145
	8	796 041	819 921	866 658

INCLUSIVE PACKAGE

Job title	Code	01/07/2021	01/04/2022	01/04/2023

Education Therapist Specialist Grade 1	1	525 087	540 840	578 367
	2	532 968	548 958	586 755
	3	540 954	557 184	595 251
	4	549 069	565 542	603 885
	5	557 301	574 020	612 642
	6	565 668	582 639	621 546
	7	574 152	591 378	630 573
	8	582 771	600 255	639 744
Education Therapist Specialist Grade 2	1	600 384	618 396	658 482
	2	609 381	627 663	668 055
	3	618 516	637 071	677 775
	4	627 801	646 635	687 654
	5	637 212	656 328	697 668
	6	646 776	666 180	707 844
	7	656 481	676 176	718 170
	8	666 315	686 304	728 631

INCLUSIVE PACKAGE

Job title	Code	01/07/2021	01/04/2022	01/04/2023
Senior Education Therapist Specialist Grade 1	1	870 423	896 535	945 801
	2	883 482	909 987	960 357
	3	896 739	923 640	974 460
	4	910 194	937 500	988 779
	5	923 844	951 558	1 003 299
	6	937 704	965 835	1 018 047
	7	951 762	980 316	1 033 005
	8	966 042	995 022	1 048 197
Senior Education Therapist Specialist Grade 2	1	995 235	1 025 091	1 079 259
	2	1 010 166	1 040 472	1 095 147
	3	1 025 310	1 056 069	1 111 260
	4	1 040 697	1 071 918	1 127 631
	5	1 056 297	1 087 986	1 144 230
	6	1 072 149	1 104 312	1 161 093
	7	1 088 232	1 120 878	1 178 208
	8	1 104 555	1 137 693	1 195 578
	9	1 121 118	1 154 751	1 213 197
	10	1 137 939	1 172 076	1 231 095
Education Counsellor/ Psychometrist Grade 1	1	587 835	605 469	642 849
	2	596 652	614 553	652 233
	3	605 601	623 769	661 752
	4	614 688	633 129	671 421
	5	623 910	642 627	681 234
	6	633 264	652 263	691 188
	7	642 747	662 028	701 274
	8	652 407	671 979	711 555
Education Counsellor/ Psychometrist Grade 2	1	672 123	692 286	732 531
	2	682 200	702 666	743 253
	3	692 433	713 205	754 140
	4	702 819	723 903	765 192
	5	713 361	734 763	776 409
	6	724 062	745 785	787 797
	7	734 922	756 969	799 350
	8	745 953	768 333	811 089

Education Psychologist Grade 2	1	844 884	870 231	918 630
	2	857 562	883 290	932 118
	3	870 423	896 535	945 801
	4	883 482	909 987	960 357
	5	896 739	923 640	974 460
	6	910 194	937 500	988 779
	7	923 844	951 558	1 003 299
	8	937 704	965 835	1 018 047
Education Psychologist Grade 3	1	980 529	1 009 944	1 063 611
	2	995 235	1 025 091	1 079 259
	3	1 010 166	1 040 472	1 095 147
	4	1 025 310	1 056 069	1 111 260
	5	1 040 697	1 071 918	1 127 631
	6	1 056 297	1 087 986	1 144 230
	7	1 072 149	1 104 312	1 161 093
	8	1 088 232	1 120 878	1 178 208
	9	1 104 555	1 137 693	1 195 578
	10	1 121 118	1 154 751	1 213 197
	11	1 137 939	1 172 076	1 231 095
	12	1 155 006	1 189 656	1 249 254
Senior Education Psychologist Grade 1	1	1 040 697	1 071 918	1 127 631
	2	1 056 297	1 087 986	1 144 230
	3	1 072 149	1 104 312	1 161 093
	4	1 088 232	1 120 878	1 178 208
	5	1 104 555	1 137 693	1 195 578
	6	1 121 118	1 154 751	1 213 197
	7	1 137 939	1 172 076	1 231 095
	8	1 155 006	1 189 656	1 249 254
Senior Education Psychologist Grade 2	1	1 189 917	1 225 614	1 286 400
	2	1 207 764	1 243 998	1 305 390
	3	1 225 881	1 262 658	1 324 665
	4	1 244 268	1 281 597	1 344 231
	5	1 262 922	1 300 809	1 364 076
	6	1 281 879	1 320 336	1 384 248
	7	1 301 097	1 340 130	1 404 693
	8	1 320 621	1 360 239	1 425 468
	9	1 340 421	1 380 633	1 446 534
	10	1 360 542	1 401 357	1 467 942

DEPARTMENT OF CORRECTIONAL SERVICES

NO. 3786 **11 August 2023**

FINANCIAL DELEGATION OF POWERS, ACTIVITIES AND DUTIES IN RESPECT OF THE FINANCE MANAGEMENT ACT, ACT 1 OF 1999

(AS AMENDED BY ACT 29 OF 1999)

Issued in terms of Section 44 of the Public Finance Management Act, Act 1 of 2009 (PFMA)

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by -

(a) the Public Finance Management Act, Act 1 of 1999, as amended by Act 29 of 1999 ; and

(b) the Treasury Regulations, 2005, promulgated in terms of Section 76 of the said Act.

I, **Makgothi Thobakgale**, National Commissioner and accounting officer of the Department of Correctional Services, delegate the powers and duties vested in me to a holder of a post or specific post in the Department of Correctional Services as set out in the PFMA and Treasury Regulations, read in conjunction with the general conditions set out herein under.

SIGNED AT PRETORIA ON THIS 26th DAY OF JULY 2023

ACCOUNTING OFFICER: MS Thobakgale

NAME OF ACCOUNTING OFFICER`S PORTFOLIO: National Commissioner

NAME OF THE DEPARTMENT: Department of Correctional Services

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Table of contents

1. General definitions, application and date of commencement

1.1 General definitions

1.1.1 In these financial delegations, unless the context indicates otherwise, a word or expression to which a meaning has been given, has the same meaning, and –

"*Accounting Officer*" means the Accounting Officer: Correctional Services

"*Act*" means the Public Finance Management Act, Act 1 of 1999 (as amended) which regulate financial management in the national government and provincial governments; to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively; to provide the responsibilities of persons entrusted with financial management in those governments ;and provide for matters connected therewith.

"CDC" means Chief Deputy Commissioner

"*CFO*" means the employee designated as a Chief Financial Officer in terms of Treasury Regulation 2.1.1

"Concession Contract' means public procurement signed agreement where the consideration for the works or services to be carried out consists either solely in the right to exploit the work or services, or this right to exploit together with payment.

"*Contract*" means a signed agreement entered into between two or more persons within the limits of their contractual capacity.

"Controller" means the person or persons appointed by the Accounting Officer to oversee Public Private Partnerships Correctional centre.

"DC" means Deputy Commissioner

"Delegated Authority" means the transferring of power vested in a person by virtue of a statute to another person, so that this other person may exercise the power on his/her behalf all forms of delegation are aimed at achieving proper distribution of work.

"*Department*" means the Department of Correctional Services

"DRC" means Deputy Regional Commissioner.

"*National Bid Adjudication Committee*" means a committee appointed by the Accounting Officer to adjudicate and award bids.

"Public Private Partnerships' means contractual agreement between the public and private sectors which includes a variety of activities.

"RC" means Regional Commissioner.

"Schedule" means a list or plan of intended events, time etc.

"*SCM*" means Supply Chain Management

"Steering Committee" means an advisory committee usually made up of highlevel stakeholders and /or experts who provide guidance on key issues such as company policy and objectives, budgetary control, marketing strategy, resource allocation and decisions involving large expenditure.

MS THOBAKGALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

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Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

"*Sub-Bid Adjudication Committee*" means a committee appointed by the Accounting Officer / Regional Commissioner to adjudicate and award bids

"Supervisory Committee" means an independent regulatory body which regulate PPP Correctional centres and comprised of one DCS representative, one Department of Public Works or National Treasury representative and one Independent expert.

1.2 Application

1.2.1 These financial delegations apply to all employees of the Department, unless indicated otherwise.

1.3 Date of commencement

1.3.1 These financial delegations take effect from the date approved by the Accounting Officer (National Commissioner).

MS THOBAKGALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

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Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2023

Item (1)	Section (2)	*Topic Description* (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
A	**FINANCIAL AND MANAGEMENT ACCOUNTING**						
1.	PFMA s7(2) Treasury Regulations 15.2.4, 15.10.1.1, 15.11.2	Open a bank account in terms of the prescribed framework and ensure efficient and effective banking and cash management	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated	
2.	PFMA s13(1) Treasury Regulation 15.5.1	Ensure that all money received by the department is paid over to National Revenue Fund	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated	All revenue received must be paid daily in to the commercial bank accounts. Where a bank deposit does not exceed the amount of R500-00, depositing must be held over until the amount is R500-00 or more, on condition that the amount may not be kept for more than four working days
3.	PFMA s27(3) Treasury Regulation 6.1.1	Comply with any budget circulars issued by National Treasury	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	**Head office** Directorate Management Accounting to comply with any budget guidelines and circulars relating to MTEF/AENE/ENE issued by National Treasury Management Accounting directorate to coordinate and consolidate MTEF/ENE inputs from regions rolled up from centre level and head office rolled up from directorate level. Programme and sub programme managers to provide all required supporting information and national spending proposals (bids) Final ENE to be signed off by Programme Managers **Region**

MS THOBAKGALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

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Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2023

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				Head Office (5)	Region (6)	Management Area (7)	
							Regions and Head office to comply with any internal budget circular and guidelines relating to MTEF/AENE/ENE issued by head office Management Accounting Regions and Head office to coordinate and consolidate MTEF/ENE inputs from Management areas rolled up from centre level and head office rolled up from directorate level.
4.	PFMA s30(2)(g) Treasury Regulation 6.4	Comply with prescripts regarding the roll-over of unspent funds from the preceding financial year	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Management Accounting	Not Delegated	Not Delegated	Comply with Treasury Regulation 6.4.1 Funds appropriated but not spent in a particular financial year may be roll over to the next financial year on the following conditions and limitations: **Capital Expenditure:** Unspent funds on capital expenditure may only be rolled over to finalised projects still in progress or for other capital purposes. **Transfer Payment:** Savings on transfer payments may not be rolled over for purposes other those originally voted for **Current Expenditure:** Departments may roll over a maximum of 5% of their voted funds in the main estimates of expenditure for that specific year, excluding capital expenditure and transfer payments. Once the Accounting Officer has signed off, Director Management Accounting to submit request for rollover of funds to Treasury on or before the 30 April annually in the prescribed format

MS THOBAKGALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

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Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2023

Item (1)	Section (2)	*Topic Description* (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
5.	PFMA s38 (1)(a)(i) Treasury Regulation 3.2	Develop, implement and maintain effective, efficient and transparent systems of financial and risk management and internal control	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Financial and Management Accounting, Internal Control and Compliance and Supply Chain Management Chief Directorates shall develop and maintain the required systems of financial management and internal control within their respective fields: The implementation of such systems is subject to the approval of the Accounting Officer
6.	PFMA s38(1)(a)(iv)	Develop and implement a system for properly evaluating all major capital projects prior to a final decision on the project	Accounting Officer	CDC: Incarceration and Corrections Chief Financial Officer	Not Delegated	Not Delegated	CDC: Incarceration and Corrections in consultation with the Chief Financial Officer
7.	PFMA s38(1)(b)	Develop processes to ensure the effective, efficient, economical and transparent use of the resources of the Department	Accounting Officer	Chief Financial Officer Programme Managers Subprogramme Managers	Not Delegated	Not Delegated	**Chief Financial Officer** to develop effective and efficient internal controls and processes regarding procurement, asset management and budget utilisation **CDC: Human Resource** to develop effective and efficient internal controls and processes regarding human resource planning and utilisation **CDC:** **Incarceration and Corrections** to develop effective and efficient internal controls and processes regarding capital works infrastructure programme **Programme and subprogramme managers** to develop effective and efficient internal controls and processes within relevant areas of

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				Head Office (5)	Region (6)	Management Area (7)	
							responsibility
8.	PFMA s38(1)(b)	Implement and monitor processes to ensure the effective, efficient, economical and transparent use of the resources of the Department	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	
9.	PFMA s38(1)(c)(i) Treasury Regulation 11.2.1	Ensure that effective and appropriate steps are taken to collect all money due to the Department	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	
10.	PFMA s38(1)(c)(i) Treasury Regulation 11.3.1	Recovery of debts by instalments Within twelve months	Accounting Officer	Director Financial Accounting	Regional Head: Finance and Supply Chain Management	Area Commissioner	Applications for Instalments exceeding twelve months must be accompanied by the income and expenditure statement of account together with the necessary valid supporting documents
		Exceeding twelve months		Chief Financial Officer	Not Delegated	Not Delegated	

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				Head Office (5)	Region (6)	Management Area (7)	
11.	PFMA s76(1)(e) Treasury Regulation 11.4.1	The Accounting Officer must ensure that all debts are written off in accordance with debt write off policy up to a maximum amount of **R10 000** per case Amounts exceeding **R10 000** up to R50 000 per case Amount exceeding R50 000 per case	Accounting Officer	Chief Financial Officer Chief Financial Officer Accounting Officer	Regional Commissioner Not Delegated Not Delegated	Area Commissioner Not Delegated Not Delegated	
12.	PFMA s76(1)(e) Treasury Regulation 11.4.3	Disclosure of all debts written off in the annual financial statements	Accounting Officer	DC: Financial Management and Accounting	Not Delegated	Not Delegated	
13.	PFMA s76(1)(e) Treasury Regulation 11.5	Interest charged on debts at the interest rate determined by the Minister of Finance	Accounting Officer	Director Financial Accounting	Regional Heads: Finance and Supply chain Management	Area Coordinator Finance and Supply Chain Management	
14.	PFMA s38(1)(c)(i) Treasury Regulation 9.1	Ensure that effective and appropriate steps are taken to prevent unauthorised, irregular and fruitless and wasteful	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy	Responsibility Managers (Area Commissioner Area Coordinator	In terms of section 45 of the PFMA, all officials must implement appropriate mechanisms to prevent unauthorised expenditure Do not commit the department when funds are not available

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		expenditure and losses resulting from criminal conduct			Regional Commissioner Regional Heads)	Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Manage PERSAL interfaces and monitoring of compensation of employees expenditure against the budget Do not authorise over expenditure where there is no guarantee of funds to be shifted **Head Office:** Director: Management Accounting must keep and maintain unauthorised Expenditure register Director: Procurement must keep and maintain Irregular Expenditure register Director Logistics must keep and maintain Fruitless and Wasteful expenditure register **Region:** Regional Head: Finance and Supply Chain Management must keep and maintain separate unauthorised, Irregular fruitless and wasteful expenditure registers **Management Area:** Area Coordinator: Finance and Supply Chain must keep and maintain separate registers for unauthorised, Irregular, fruitless and wasteful expenditure
15.	PFMA s38(1)(c)(iii) Treasury Regulation 10.1.1(b)	Manage available working capital efficiently and economically	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator	Spend according to the approved spending plans and procurement plans. Expenditure thresholds to be in line with **Annexure A** DC: Supply Chain Management to develop inventory management policy, norms and standards

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				Head Office (5)	Region (6)	Management Area (7)	
					Heads)	Head of Community Corrections)	
16.	PFMA s38(1)(d) Treasury Regulations 10, 11, 12, 13 and 14	Management, including the safeguarding and the maintenance of assets, and the management of liabilities of the Department	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	In terms of section 45 of the PFMA, all officials must manage including the safeguarding of assets and the management of the liabilities within the official's area of responsibilities
17.	PFMA s38(1)(e) Treasury Regulations 8.2.1	Comply with any tax, levy, duty, pension and audit commitments as may be required by legislation	Accounting Officer	DC: Financial and Management Accounting Director: Financial Accounting CDC: Human Resources DC: Human Resources Management Director: Human Resources Administration and Utilisation DC: Human Resources Development Director: Training Standards	Not Delegated	Not Delegated	An official may not spend or commit Department funds expert with approval of the delegated official
18.	PFMA s38(1)(f) Treasury Regulations 8.2.3	Settle all contractual obligations and pay all money owing, including intergovernmental claims, within the	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional	Responsibility Managers (Area Commissioner Area Coordinator Head of	All payments due to the creditors must be settled within 30 days from the date of receipt of an invoice or as per relevant contracts

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		prescribed or agreed period			Commissioner Regional Heads)	Correctional Centre Centre Coordinator Head of Community Corrections)	
19.	PFMA s38(1)(g) Treasury Regulation 9.1.2	Immediately on discovery report to National Treasury any unauthorised, irregular or fruitless and wasteful expenditure	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	**Head Office:** The official must immediately report to the Head Office: Financial Control Office Directors Management Accounting, Procurement and Logistics must report the unauthorised, irregular, fruitless and wasteful expenditure in the monthly IYM submission to National Treasury according to Treasury Regulation 9.1.2. and as required in terms of section 40 (4) (b) of the PFMA At year end, the Accounting Officer must appoint an investigator to investigate the alleged unauthorised expenditure to determine whether such meets with the definition of unauthorised expenditure **Region:** The unauthorised, fruitless and wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless, and wasteful expenditure must still be reported to Head office together with the monthly IYM submission **Management area** The unauthorised, irregular, fruitless and

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							wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless and wasteful expenditure must still be reported to Regional office together with the monthly IYM submission
20.	PFMA s38(1)(h) Treasury Regulations 4.1.1	Take effective and appropriate steps against any employee in service of the Department who contravenes or fails to comply with a provision of this Act, commits an act which undermines the financial management and internal control system, and makes or permits an unauthorised expenditure, irregular expenditure or fruitless and wasteful expenditure	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	According to T.R.4.1.1 The Accounting Officer to ensure that the investigation is conducted if it is alleged that the official committed financial misconduct. If it is determined that the official permitted unauthorised expenditure, the Accounting Officer, must take effective and appropriate disciplinary steps against the official in terms of PFMA sec 38 (1)(h)(iii). Cases related to Correctional Service Act section 95(A) shall be investigated by Departmental Investigation Unit. All other cases shall be investigated by different Managers
21.	PFMA s38(1)(i) Treasury Regulations	Comply with the provisions of the annual Division of Revenue Act when	Accounting Officer	Chief Financial Officer CDC: Human Resources	Not Delegat ed	Not Delegated	Not applicable

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				Head Office (5)	Region (6)	Management Area (7)	
	8.5.1	funds are transferred					
22.	PFMA s38(1)(j) Treasury Regulation 8.5.1	Before funds are transferred, obtain written assurance that the entity implemented effective, efficient and transparent financial management and internal control systems	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Obtain written assurance from the entity that the entity implements effective, efficient and transparent financial management and a system of internal control
23.	PFMA s38(1)(l)	Consider all relevant financial considerations, including issues of propriety, regularity and value for money, when policy proposals are considered	Accounting Officer	Programme and subprogramme managers	Not Delegated	Not Delegated	All submissions must via the Chief Financial Officer
24.	PFMA s38(1)(k)	Comply with any prescribed conditions if the department gives financial assistance to any entity or person	Accounting Officer	Chief Financial Officer CDC: Human Resource	Not Delegated	Not Delegated	Comply with the conditions attached to the financial assistance (Bursaries, State guarantees and subsidised vehicles) Agreed objectives to be attained
25.	PFMA s38(1)(m)	Promptly consult and seek prior written consent of the National Treasury on	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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		any new entity, which the Department intends to establish or in the establishment of which it took the initiative					
26.	PFMA s38(2) Treasury Regulation 8.2.1	May not commit the Department to any liability for which money has not been appropriated	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Before any payment is approved/authorised by delegated official, budget availability must be confirmed by attaching BAS report or certification from CFO or Head Finance confirming the availability of funds
27.	PFMA s39(1)(a) Treasury Regulation 8	Ensure that expenditure is in accordance with the vote and the main divisions within the vote	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	
28.	PFMA s39(1)(b) Treasury	Take effective and appropriate steps to prevent unauthorised	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers	Responsibility Managers (Regional	Responsibility Managers (Area	Do not commit the department when funds are not available Do not authorise over expenditure where there is

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	Regulation 9.1.1	expenditure		Responsibility Managers	Commissioner Deputy Regional Commissioner Regional Heads)	Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management
29.	PFMA s39(2)(a) Treasury Regulation 9.1.1	Take effective and appropriate steps to prevent the overspending of a main division within the vote. Take effective and appropriate steps to prevent the overspending of the vote	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Do not commit the department when funds are not available Do not authorise over expenditure where there is no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management
30.	PFMA s39(2)(b) Treasury Regulation 9.1, 18.1.1	Report to the Executive Authority and National Treasury any impending under collection of revenue, shortfalls in budgeted revenue, and overspending of the vote or a main division within the vote	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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31.	PFMA s39(2)(c) Treasury Regulation 9.1	Comply with any remedial measures imposed by National Treasury in terms of the Public Finance Management Act to prevent overspending of the vote or a main division within the vote	Accounting Officer	Chief Financial Officer Programme managers subprogramme mangers	Not Delegated	Not Delegated	Depending on affected main division or economic classification, CFO via the Accounting Officer may determine branch/regional/management area specific interventions
32.	PFMA s40(1)(a) Treasury Regulation 17.1.1, 17.1.2 and 17.1.3	Keep full and proper records of the financial affairs of the Department in accordance with any prescribed norms and standards	Accounting Officer	Chief Financial Officer CDC: Human Resource	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections) Corporate Services Head of Correctional Centre Head: Support Staff Head of Community Correction	In line with the instruction note issued annually by National Treasury
33.	PFMA s40(1)(b) Treasury Regulation	Prepare financial statements for each financial year in accordance with	Accounting Officer	Chief Financial Officer	Regional Commissioner Regional Head: Finance	Not Delegated	**Head office** Chief Deputy Commissioner must prepare and submit to Director Financial Accounting branch specific financial statements inputs

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				Head Office (5)	Region (6)	Management Area (7)	
	18.2	generally recognised accounting practice			and Supply Chain		DC: Financial and Management Accounting reviews consolidated monthly, quarterly and annual financial statements **Regions** Regional Head: Finance and Supply Chain Management must prepare and submit to Director Financial Accounting regional monthly, quarterly and annual financial statements after sign off by Regional Commissioner
34.	PFMA s40(1)(c)	Submit financial statements within two months after the end of the financial year to National Treasury and the Auditor-General for auditing	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to provide quarterly and annually Chief Audit Executive with unaudited financial statements after reviewal by DC: Financial and Management Accounting and the Chief Financial Officer to audit before presentation to Audit Committee
35.	PFMA s40(1)(d)(ii)	Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the financial statements for that financial year after the statements have been audited	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	On receipt of Auditor General's sign off of audited annual financial statements DC: Financial and Management Accounting to prepare audited financial statements for sign off by Accounting Officer

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				Head Office (5)	Region (6)	Management Area (7)	
36.	PFMA s40(1)(d)(iii)	Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the Auditor-General's report on the financial statements	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to prepare submission of audited financial statements and audit report for the Executive Authority
37.	PFMA s40(4)(a) Treasury Regulation 15.10.2.1	Provide each year before the beginning of a financial year to National Treasury in the prescribed format a breakdown per month of the anticipated revenue and expenditure for the financial year	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	**Head Office:** Chief Financial Officer to provide internal request for spending plans from regions rolled up from centre level and head office rolled up from directorate level. Provide template for regions and head office to ensure breakdown of budget allocations to the lowest item level per activity, subprogramme and programme as per the approved ENE Activity and Responsibility managers to prepare and sign off their respective spending plans **Regions:** Regional Head: Finance and Supply Chain Management to consolidate regional spending plans for sign off by Regional Commissioners **Management Area:** Area Coordinator: Finance and Supply Chain Management to consolidate management area spending plan for sign off by Area Commissioner
38.	PFMA s40(4)(b)	Submit to National Treasury each	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	**Head office** Monthly signed off IYM report to be submitted to

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				Head Office (5)	Region (6)	Management Area (7)	
		month's information in the prescribed format on actual revenue and expenditure for the preceding month and the amounts anticipated for that month in terms of section 40(4)(a) of the Public Finance Management Act					National Treasury on or before 15th of every month
39.	PFMA s40(4)(c)	Submit within 15 days of the end of each month to National Treasury and the Executive Authority the information for that month, a projection of expected expenditure and revenue collection for the remainder of the current financial year and when necessary, an explanation of any material variances and a summary of the steps that are taken to ensure that the projected expenditure and revenue remain within budget	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	**Head Office**: By the 7th of each month Activity and Responsibility Managers must submit their monthly IYM with reasons for variances Director Management Accounting to consolidate IYM for sign off by the Chief Financial Officer Chief Financial Officer, to submit to the Accounting Officer the signed IYM for information **Region:** By the 10th of each month regions must submit their regional consolidated monthly IYM with reasons for variances signed off by the Regional Commissioner and Regional Head: Finance and Supply Chain Management **Management Area**: By the 7th of each month management area must submit their management area monthly IYM with reasons for variances signed off by the Area Coordinator: Finance and Supply

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				Head Office (5)	Region (6)	Management Area (7)	
							Chain Management Financial Officer, a copy to be forwarded to the Accounting Officer for information and noting time lines
40.	PFMA s42(1)(a)	Draw up an inventory of assets and liabilities when assets or liabilities of the Department are transferred to another department or other institution in terms of legislation or following a reorganisation of functions	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
41.	PFMA s42(1)(b)	Provide the accounting officer of the receiving department or other institution with substantiating records, including personnel records of staff to be transferred	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
42.	PFMA s42(2)	Sign the inventory when assets are transferred or received	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
43.	PFMA s42(3)	File a copy of the signed inventory with National Treasury	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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				Head Office (5)	Region (6)	Management Area (7)	
		and the Auditor-General within 14 days of the transfer when transferring assets					
44.	PFMA s 43(1) Treasury Regulation 6.3	Utilise a saving in the amount appropriated under a main division within the vote towards the defrayment of excess expenditure under another main division within the same vote, unless National Treasury directs otherwise	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Virements to be implemented in line with sec 43 of the PFMA and TR 6.3.1 Funds earmarked for direct inmates costs from Core programmes cannot be shifted Funds earmarked for accommodation charges, leases, municipal services, repair and maintenance of correctional centres and capital works infrastructure are specifically and exclusively appropriated and cannot be shifted Compensation of Employees is specifically and exclusively appropriated and cannot be shifted without an act of parliament Virements is allowed within Goods and Services sub items or to payment for capital assets No shifting of funds from/to Transfer and Subsidies is allowed Virements from one programme to another will be implemented only after endorsement by Budget Committee and approval by the Accounting Officer in consultation with Executive Authority If it is determined that Programmes, Sub programmes or items are over spending at a national level, funds cannot be shifted at all. The amount of a savings under a main division of a vote that may be utilised may not exceed

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				Head Office (5)	Region (6)	Management Area (7)	
							8% of the amount appropriated under that main division of the vote Shifting of funds from one region to another will be implemented only after endorsement by the Chief Financial Officer and shall be limited to unavoidable and unforeseeable expenditure Shifting of funds between management areas within the region shall be limited to unavoidable and unforeseeable expenditure
45.	PFMA s43(3)	Submit a report within seven days to the Executive Authority and to National Treasury containing the prescribed particulars concerning the application of Virement between main divisions within the vote	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Once the Accounting Officer has approved the virement, Director Management Accounting to ensure that the report is submitted to National Treasury and Executive Authority within seven (7) days.
46.	PFMA s76(1)(j) Treasury Regulation 22.1	Implement relevant prescripts regarding granting of approval for payments and remissions as an act of grace	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	All submissions to Accounting Officer to be routed via the Chief Financial Officer
47.	PFMA s76(1)(l)	Approve the granting of gifts, donations and sponsorships in cash	Accounting Officer				

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				Head Office (5)	Region (6)	Management Area (7)	
	Treasury Regulation 21.1.1	by the Department					
		granting of gifts, donations and sponsorships in cash amount up to R50 000		Up to R50 000 Chief Financial Officer	Not Delegated	Not Delegated	
		granting of gifts, donations and sponsorships in cash up to and including R100 000	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
48.	PFMA s76.1(l) Treasury Regulation 21.3.1	Obtain approval from National Treasury before the Department offers or accepts any gift of immovable property	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	In consultation with the Chief Financial Officer
49.	PFMA s76.1(l) Treasury Regulation 21.1.2	Approve the acceptance of any gift, donation or sponsorship to the Department in cash	Accounting Officer				All applications and proposals for gifts, donations and sponsorships received in cash by the Department and the office of the Minister on behalf of the Department should be referred to the Directorate Management Accounting via the Chief Financial Officer or relevant Regional Commissioner

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				Head Office (5)	Region (6)	Management Area (7)	
		up to a maximum amount of **R20 000** cash per case		Director Financial Accounting (cash donation)	Regional Head: Finance and Supply Chain Management (cash donation)	Not Delegated	All cash received in terms of gifts, donations and sponsorships to the Department, must be paid into the Revenue Fund of the Department. A copy of the written approval (memorandum/letter) must also be made available to the Directorate Management Accounting together with: (a) a copy of the agreement between the Department and the donor which stipulates the terms of the agreement for the Auditor General to audit the terms and conditions thereof; and (b) The receipt for the gift, donation and sponsorships received. Directorate Management Accounting will request these funds during the Adjustment Estimate Budget process each financial year. The budget of the Department will then be adjusted with the amounts that were paid into the Revenue fund The Accounting Officer may approve such gifts, donations, or sponsorships up to R100 000 as stipulated in Treasury Regulations,
		up to a maximum amount of **R40 000** cash per case		DC: Financial and Management Accounting (cash donation)	Deputy Regional Commissioner (cash donation)	Not Delegated	
		up to a maximum amount of **R60 000** cash per case		Chief Financial Officer	Not Delegated	Not Delegated	
		exceeding the amount of **R60 000** per case	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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ANNEXURE A

DEPARTMENT OF CORRECTIONAL SERVICES

DELEGATIONS RELATED TO EXPENDITURE CONTROL

Note: All general abbreviations and conditions applicable to the principal delegations is applicable to this Annexure A

NO	DESCRIPTION	DELEGATION			
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
1	Appoint in writing Programme Managers, Sub programme managers and Regional Commissioners (managing the vote at Regional level) to execute financial responsibility and management of the budget and control according to PFMA section 44 (1) (a)	National Commissioner	Regional Commissioner	Area Commissioner	Limited to the allocated budget National Commissioner to appoint Programme Managers, Subprogramme managers and Regional Commissioners
2	Appoint in writing Responsibility and Activity Managers to execute financial responsibility and management of budgets and control within their units	Programme Managers (CDCs) in Head Office appoint Sub programme managers	Regional Commissioners appoint Deputy Regional Commissioners as the Regional Budget Managers	Area Commissioners appoint Area Coordinators, Heads of Centres and Community Corrections Offices	Limited to the allocated budget. On budgetary and finance matters all Area Commissioners report directly to the Deputy Regional Commissioners
		Subprogramme managers in Head Office appoint Activity managers	Deputy Regional Commissioners appoint Regional Heads, Area Commissioners as responsibility managers	Heads of Centres appoint Centre Coordinators Heads of Community Corrections appoint Re-Integration Case officers,	

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
				Social Workers and Court officials	
		Activity managers in Head Office appoint responsibility managers	Activity managers in Regions appoint responsibility managers		
3	**Approval of Petty Cash** • Request of petty cash	Director level upwards	Cost Center manager upwards	Cost Center manager upwards	Maximum R2 000
	• Issuing of petty cash	Cashier	Cashier	Cashier	
	• Approval of expenditure	• Director level upwards	• Cost Center and Responsibility Manager	• Cost Center and Responsibility Manager	
4	Approval of non-petty cash expenditure	• Director Upward	• Director upwards	• Area Commissioner	An official may not spend or commit Departmental funds except with approval of the delegated official
10	**Approval of payments or sundry payments** • Functional approval, contracts etc to be available Officials to be appointed in writing by delegated authority				
	Approval of expenditure	**Up to R9,999 million**			
		• CDC • CFO • DC • Director	• Regional Commissioner • DRC • Regional Head	• Area Commissioner • Head of Centre • Head Community Corrections	

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		From R10 million			
		• Chief Financial Officer	• Not delegated	• Not delegated	
	(a) **Authorising payments on BAS**	**R7 million and above**			
		• DD: FCO	• RHF and SCM	• Not delegated	
		R4 million up to R6,9 million			
		• ASD: FCO			
		R3 million to R6,9 million			
			• Regional Coordinator: Finance	• Area Coordinator: Finance and SCM	
		R2 million up to R3,999 million			
		• SSA			
		Up to R1,9 million			
		• SA			
		Up to R2,9 million			
			• SSA/SPOA	• SSA/SPOA	
	(b) Authorising payments on LOGIS	• Provision Admin Officer (payments) • ASD Payments	• Provision Admin Officer (Payments) • ASD Payments	• Provision Admin Officer	Unlimited After verification that the necessary approval documents are signed by the Responsibility Manager
	(c) Authorisation PERSAL payments within ACB limits	• ASD: Personnel Management	• Regional Coordinator Human	• Head Personnel	After verification that necessary documents are approved and meet criteria for approval

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		• Senior: Admin Officer Salaries • Senior Admin Officer: Service Termination • Senior Admin Officer: Leave Administration • SSA: Deduction Control • SSA: Compensation Control • ASD: Remuneration Control • SAO: Remuneration Control • Administrator: Facilities Fund	Resource Management and Support		
	(d) Authorisation of PERSAL payments exceeding ACB limits	• National Salary Controller • National PERSAL Controller	• Not delegated	• Not delegated	After verification that necessary documents are approved and meet criteria for approval

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
	(e) Approval for the implementation of bulk and programmatic payments	• Director: PERSAL Management	• Not delegated	• Not delegated	All material COLA payments must be approved by the National Commissioner
	(f) Payments for capital works projects	• DC: Facilities	• Not delegated	• Not delegated	• Project should form part of the initial infrastructure approved project plan included in the ENE and APP • Up to R9,999 million • Subprogramme manager Facilities to endorse the invoice • Director Management Accounting to confirm the availability of budget and issue budget confirmatory note to Director Financial Accounting in consultation with the CFO and DC FMA
		• Chief Financial Officer	• Not delegated	• Not delegated	• From R10 million and above • Subprogramme manager Facilities to endorse the invoice • Director Management Accounting to confirm the availability of budget in consultation with the CFO.
11	Prepayments and advances	• National Commissioner	• Not delegated	• Not delegated	Motivation for prepayment or advance to be provided by the relevant Branch Head with relevant supporting documents via the CFO office

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
12	Allowable rates for Domestic Accommodation and Meals • Ensure cost containment measures are adhered to by Branches and Regions				
	(a) Approval of catering expenses	• Branch Heads	• Regional Commissioner	• Area Commissioner	Deviation from upper limits for meals is not permitted where catering is done: (a) Cost for meals (all inclusive) R 320.00 per day per person, (b) Cost for breakfast R80.00 per day per person (Breakfast to be provided only to resident learners/officials in colleges or training centres), (c) Cost for lunch R 100.00 per day per person, (d) Cost for dinner R140.00 per person per day.
	(b) Approval of international conferences and study tours funded by the department	• Executive Authority	• Not Delegated	• Not Delegated	On recommendation by the National Commissioner as included in the national, regional or branch events calendar annually by the end of February each year
	(c) Approval of Domestic Air Travel	See delegations under CSA	See delegations under CSA	See delegations under CSA	See delegations under CSA
	Emergency domestic travel logistical arrangements	• Director Logistics	• Regional Head: Finance and Supply Chain	• Area Coordinator: Finance and Supply Chain	• Functional approval first to be sought from delegated official for the trip • Chief users directly contact the relevant TMCs assigned to their

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
					branch/region for emergency booking • The following working day LOG1 and relevant supporting documents to be submitted to Logistics
	(d) Approval for deviation from 1 or 2 star accommodation for junior management or below who travel with officials qualifying for 3 star accommodation for the same objective for accommodation together at the same venue	• Branch Head	• Regional Commissioner	• Not delegated	A motivation must be provided before approval is granted
	(e) Approval of accommodation where distance is less than 300 kilometres return trip	• Chief Financial Officer	• Regional Commissioner	• Not delegated	A motivation must be provided before approval is granted and the relevant delegated authority must ensure that deviation is cost effective
	(f) Deviation from upper limits for official kilometres travelled not exceeding 30%	• Chief Financial Officer	• Regional Commissioners	• Not delegated	Motivation for deviation to be provided to the relevant delegated authority explaining the reasons for additional kilometres required not in excess of 30% All deviations granted must be reported as a separate attachment to the monthly IYM report to Head Office FCO: List of all deviations granted for previous month specifying: • the name of the official • the quantum of additional kilometres granted, as well as • the estimated additional financial implications for the year

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
					Capped kilometres per annum for all officials including SMS and MMS are detailed in Annexure B
	(g) Deviation from upper limits for official kilometres travelled exceeding 30%	• National Commissioner	• Not Delegated	• Not Delegated	As above with recommendation of the Chief Financial Officer
13	Approve fund shift within an economic classification item of a programme	• Programme manager (CDCs)	• Regional Commissioner • Deputy Regional Commissioner	• Area Commissioner, Area Co coordinator	• In line with the relevant Financial SOP • If above R2 million must be served before Budget Committee (In consultation with the CFO)
		• Subprogramme manager (CDCs and DCs)	• All Regional Coordinators	• All managers	
		• Activity manager (Director)	• Regional Coordinator	• Area Coordinators (Sectional Heads) Head Community Corrections	
		• Responsibility manager (Directors and DD)	• Responsibility manager (RC, DRC, Regional Heads)	• Responsibility manager (Community Corrections offices)	
14	Approve Virements between Programmes of the vote	• National Commissioner	• Not delegated	• Not delegated	In line with PFMA sec 43, TR 6.3.1 and DCS SOP
15	Approve shifting of funds from Compensation of Employees	• Not delegated	• Not delegated	• Not delegated	Specifically, and exclusively appropriated
16	Approve shifting of funds to/from Transfer Payments	• Not delegated	• Not delegated	• Not delegated	In line with FAP chapter 3 paragraph 3.4.2 Director Management Accounting in consultation with the CFO and DC FMA to

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NO	DESCRIPTION	DELEGATION			
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
					seek prior Budget Committee endorsement and National Treasury's approval
17	Shifting of funds from Capital budget	• Not delegated	• Not delegated	• Not delegated	In line with FAP chapter 3 paragraph 3.4.3 Director Management Accounting in consultation with the CFO and DC: FMA to seek prior Budget Committee endorsement and National Treasury's approval
18	(a) Virement, shifting of funds from one region to another	• CFO	• Not delegated	• Not delegated	In line with the FAP chapter 3, amended in 2010 paragraph 3.3.3, the Director Management in consultation with the CFO and DC FMA will have to obtain a formal mandate from the Budget Committee for the finalization of the budget shifts/transfer
	(b) Approval of reprioritization of budget to payments of capital assets for the procurement of: • Machinery and Equipment • Biological Assets • Software and Intangible Assets	• National Commissioner	• Not delegated	• Not delegated	
19	Processing and payments of arbitration awards on PERSAL and BAS in Head Office	• DC: ER • DC: HRM • DC: FMA	• Not delegated	• Not delegated	• Regional Co-coordinators Employee Relations in the regions and Head Office must facilitate and consolidate all arbitration awards and submit under the signature of RC and relevant CDC to Head Office: DC Employee Relations for validation and confirmation. • DC Employee Relations must register and validate all the awards and certify in writing to DC HRM and DC FMA for

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
					calculations and processing of the payments.
20	Processing and payments of court orders and out of court settlement agreements on PERSAL and BAS in Head Office	• DC: Legal • DC: HRM • DC:FMA	• Not delegated	• Not delegated	• Regional Co-coordinators Legal Services in the regions and Head Office must facilitate and consolidate all court orders (including out of court settlement agreements) and submit under the signature of RC and relevant CDC to DC Legal Services: Head Office for validation and confirmation. • DC Legal Services must register and validate all the court orders and certify in writing to DC HRM and DC FMA for calculations and implementation thereof.
21	Payment from revenue with regard to fines and incorrect deposits	• DC: FMA	• Regional Commissioners in consultation with Regional Heads Finance and SCM	• Not delegated	
22	Payroll certification	• CFO for the departmental certification • CDC for respective office • DC for respective office • Director for respective directorates	• Regional Commissioner for the region • DRC for respective offices • Regional Head for respective responsibilities	• Area Commissioner for management area • Area Coordinator for respective components • Head of Centre for respective correctional centre	• For the 15th payday - Certification from Head office and regions to be submitted to Director: Human Resources Administration and Utilisation by the 20th of each month • For the month end payday - Certification from Head office and regions to be submitted to Director: Human Resources

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
				• Head of Community Corrections for respective office	Administration and Utilisation by the 5th of each month • For supplementary payments - Certification from Head office and regions to be submitted to Director: Human Resources Administration and Utilisation within a week after supplementary payments were effected • A week after the above timelines payroll certification must be submitted by the CDC: Human Resources to the Chief Financial Officer who in turn must certify for the whole department within a week

The above delegations override all other delegations previously issued.

Approved by: _____

National Commissioner
MS Thobakgale
Date: 26/07/2023

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DATE: 26/07/2023

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Annexure B

DEPARTMENT OF CORRECTIONAL SERVICES

DELEGATIONS RELATED TO EXPENDITURE CONTROL

Note: All general abbreviations and conditions applicable to the principal delegations is applicable to this Annexure B

HEAD OFFICE AND REGIONS SPECIFIC KILOMETRES

HEAD OFFICE	
Designation	**Allocated Kilometres per annum (dependent on available funds)**
Head Office branches other than Assurance Services	6 000
Assurance Service Units: Internal Audit, Inspectorate	13 200
Code Enforcement (CEU) including Chairpersons, Initiators and Witnesses of Code Enforcement hearings and Departmental Investigation Unit (DIU)	18 000

ALL REGIONS EXCLUDING GAUTENG	
Designation	**Allocated Kilometres per annum (dependent on available funds)**
RC, DRC, Regional Head: Facilities, Regional Coordinators: Legal Services and Employee Relations	12 000

REGION: WESTERN CAPE	
Management Areas	**Allocated Kilometres per** annum (dependent **on available funds)**
Regional office	10 200
Pollsmoor, Goodwood, Drakenstein and Brandvlei	9 000
West Coast, Voorberg and Overberg	11 400
Southern Cape	14 400

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REGION: EASTERN CAPE	
Management Areas	**Allocated Kilometres per** annum (dependent **on available funds)**
Regional office	10 200
St Albans, East London, Kirkwood and Amathole	10 200
Sada and Mthatha	12 000

REGION: FREE STATE and NORTHERN CAPE	
Management Areas	**Allocated Kilometres per** annum **(dependent on available funds)**
Regional office	10 200
Grootvlei, Kimberley and Goedemoed	10 200
Colesberg	10 800
Groenpunt, Bizzah Makhate	12 000
Upington	18 000

REGION: LIMPOPO / MPUMULANGA / NORTH WEST	
Management Areas	**Allocated Kilometres per** annum **(dependent on available funds)**
Regional office	10 200
Witbank, Rustenburg	10 200
Klerksdorp, Bethal, Polokwane	11 400
Barberton, Rooigrond, Thohoyandou	13 200

REGION: KWAZULU / NATAL	
Management Areas	**Allocated Kilometres per** annum **(dependent on available funds)**
Regional office	10 200
Durban, Pietermaritzburg	6 000
Empangeni, Kokstad, Glencoe	9 600
Ncome, Waterval	10 800

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REGION: GAUTENG	
Management Areas	**Allocated Kilometres per** annum (dependent **on available funds)**
RC, DRC, Regional Head: Facilities, Regional Coordinators: Legal Services and Employee Relations	6 000
Regional office	6 000
Johannesburg, Krugersdorp, Leeuwkop	7 200
Boksburg, Modderbee	6 000
Zonderwater, Baviaanspoort	3 600
Kgosi Mampuru	2 400

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B	**PROCUREMENT**						
1.	Treasury Regulations 16A3.1 and 16A3.2	Develop and implement an effective and efficient supply chain management system for acquiring goods and services that is fair, equitable, transparent, competitive and cost-effective.	Accounting Officer	Chief Financial Officer DC: Supply Chain Management Director: Procurement Director: Logistics Director: Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
2.	Treasury Regulations 16A4.1	Establish a separate supply chain management unit within the Office of the Chief Financial Officer, to implement the Department's supply chain management system.	Accounting Officer	Not delegated	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
3.	Treasury Regulations 16A5.1	Ensure that the employees responsible for implementing the supply chain management system are trained and deployed in accordance with the requirements of the Framework for Minimum Training and Deployment issued by National Treasury	Accounting Officer	Director: Procurement Director: Logistics Director: Contract Management	Regional Head Finance	Not Delegated	Comply with relevant Treasury instructions

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4.	Treasury Regulations 16A6.1	Ensure that the procurement of goods and services, either by way of price quotations or through a bidding process, must be within the threshold values as determined by National Treasury	Accounting Officer	DC: Supply Chain Management Director: Procurement Director: Logistics Director: Contract Management	Regional Head Finance	Not Delegated	Comply with relevant Treasury instructions
5.	Treasury Regulations 16A6.2(c)	Appointment of Bid Adjudication Committee members	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
6.	Treasury Regulation 16A6.5	Ensure that where there is a period contract in place, no bids are solicited for the same or similar product or service during the tenure of the period contract.	Accounting Officer	Director: Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
7.	Treasury Regulation 16A9.1(a)	Take all reasonable steps to prevent abuse of the supply chain management system	Accounting Officer	CFO	Not delegated	Not delegated	Comply with relevant Treasury instructions
8.	Treasury Regulation 16A9.1(b)	Investigate, when justified, any allegations against an employee or other role players of corruption, improper conduct, or failure to comply with the supply chain management system.	Accounting Officer	CFO	Regional Commissioner	Not delegated	• CFO to refer all such cases to the Departmental Investigation Unit in terms of sections 95A of the Correctional Services Act.

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9.	Treasury Regulation 16A11.1	Submission of Supply Chain Management information to National Treasury in the format and intervals as may be required.	Accounting Officer	Director: Procurement	Not Delegated	Not Delegated	• Including but not limited to • Deviations • Variations and expansion of contracts • Irregular, unauthorised fruitless and wasteful expenditure etc •
10.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the annual Demand Management Plan for the Department	Accounting Officer	CFO	Not Delegated	Not Delegated	• Demand plan covers all the departmental procurement needs above and below **R1 million**
11.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the Commodity Sourcing Strategy and consolidation of procurement.	Accounting Officer	DC SCM	Not Delegated	Not Delegated	• Department's sourcing strategy reflects an assessment of which procurement options are appropriate for its' spend
12.	National Treasury Instruction Note 32 of 2011.	Approval of Annual Department Procurement Plan for the Department	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	• Must be aligned with the department's strategic objectives and priorities. • Must be aligned with the department's budget and annual performance plan • Must include all expenditure on goods, works and services in excess of **R1M**

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	SCM Instruction 2 of 2016/17.						• Must be submitted to National Treasury by 31 March of each year.
13.	National Treasury Instruction Note 32 of 2011 SCM Instruction 2 of 2016/17	Approval of quarterly reports on the Procurement Plans to National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Quarterly reports must contain : (a) All acquisitions concluded over the quarter. (b) All acquisitions concluded through the deviation procurement method. (c) All acquisitions concluded through the extension or variation of a contract. Quarterly reports must be submitted to National Treasury by the 15th of the Month following the end of the quarter.
14.	Implementation of supply chain management para.4(4.1) (a)(b)	Granting functional approval or business case to proceed with a bid process and to appoint BSC and BEC members.	**Accounting Officer**	Above **R1 000 000 to R10 million CFO** Above **R10 000 000 million National Commissioner**	Above R1 000 000 to R10 000 000 Regional Commissioner Not delegated	Not delegated Not delegated	• Requirement must appear on Procurement Plan. • Bid Specification and Bid Evaluation Committees must be cross-functional and should be composed of SCM practitioners ((including member/s and secretary) and officials from the user department requiring goods and services. • Bid Specification and Bid Evaluation Committees must be appointed in writing by the delegated authority. • At Regional level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the Regional Head Finance and Supply Chain Management. • At Head Office level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the relevant Chief Deputy Commissioner and the DC Supply Chain Management.

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							Appointment of SBAC and NBAC resides with the National Commissioner • Above delegation Regions must sent to HO for approval and or consideration. • In the case of bids for consultants, professional services and larger projects, the National Commissioner irrespective of the amount, must approve the appointment of the members to serve on the BSC.
15.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Compilation of bid specifications/task directive/Terms of Reference	Accounting Officer	**Unlimited**: Bid Specification Committee	Above R1 000 000 Up to R10 million: Bid Specification Committee	Not delegated	• Adherence to SCM Manual • Compilation of bid specifications/ task directive/ Terms of Reference must involve a cross functional team including end -users and SCM official/s.
16.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Approval of bid specifications/task directive/Terms of Reference and Special Conditions of Contract	Accounting Officer	**Unlimited** **National Bid Adjudication committee**	**Above R1 Million Up to R10 million**: Sub-Bid Adjudication Committee	Not delegated	• Adherence to the stipulations of Chapter 4 of the Procurement Manual
17.	Treasury Regulations 16A6.5	Approval to participate in transversal term contracts facilitated by National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contracts.

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	National Treasury Circular 3 of 2016						• The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
18.	Treasury Regulations 16A6.5 National Treasury Circular 3 of 2016	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• Officials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.
19.	National Treasury Practice Note 5 of 2009/2010	Approval to participate in transversal term contracts facilitated by SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• In consultation with the CDC: GITO • Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contract. • The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
20.	SITA Act	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	• In consultation with GITO • Officials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.
21.	Treasury Regulations 16A6.6	Approval to participate in period contracts arranged by other Departments	Accounting Officer	**Unlimited:** National Bid Adjudication Committee	Not delegated	Not delegated	• Such a contract should have been arranged through a competitive bidding process by the other organ of the state, subject to the written approval of such organ of the state and the relevant contractors including the accounting Officers recommendations

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22.	Treasury Regulations 16A6.1	Approval of price quotations for **acquisition** of goods, works or services and the hiring or letting of goods /services above the transaction value of R2 000-by means of petty cash	Accounting Officer	**Director: Procurement**	**Regional Head Finance and SCM**	**SPAO**	• Procurement of assets is excluded from this delegation
23.	Treasury Regulations 16A6.1	Approval of price quotations for **acquisition** of goods, works or services and the hiring or letting of goods/ services.	Accounting Officer	**Above R2 000 00 to R100 000.00** **Deputy Director: Tender Management & DD Demand Management**	**Above R2 000 00 to R100 000.00** **Regional Head Finance**	**Above R 2 000.00 to R50 000.00** **Area Co-ordinator: Finance and SCM**	• In line with applicable legislation, quotes to be sourced from credible suppliers as far as possible. • procurement processes must be adhered to This delegation includes cases where less than three (3) quotations were received.
24.	Treasury Regulations 16A6.1	Approval of price quotations for **acquisition** of goods, works or services and the hiring or letting of anything until R1 million	Accounting Officer	**Above R100 000-00** to **R1 000 000-00** per case: **Departmental Procurement Control Committee (DPCC)**	**Above R100 000-00** to **R1 000 000-00** per case: **Departmental Procurement Control Committee (DPCC)**	**Above R100 000-00** to **R1 000 000-00** per case: **Departmental Procurement Control Committee (DPCC)**	• In line with all application SCM policies and regulations including legislations • This delegation included cases where less than three (3) quotations were received.

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25.	Treasury Regulations 16A6.	Approval of price quotations for **sale** of goods above the transaction value up to **R1M** per case.	Accounting Officer	**Disposal Committee**	**Disposal Committee**	**Disposal Committee**	• A disposal certificate issued by the disposal committee must be provided to SCM/Procurement before the selling of disposed items can commenced. • Only bank guaranteed cheque or cash • The person responsible for compiling the invitation may not sign the covering letter of the price quotation document. • At least three price quotations must be obtained. Where it is not possible to obtain three price quotations, valid reasons must be recorded and approved by the delegated official. • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked via CSD prior to awarding any contract. • Above R1 million CFO must grant approval.
26.	Treasury Regulations 16A6.3 (a) and (b), and 16A10.1 National Treasury	Approval of bid documentation by way of signing the covering letter, to check its compliance with National Treasury Regulations and other related prescripts.	Accounting Officer	**Director: Procurement**	**Regional Head Finance and SCM**	No delegation	• In line with the applicable process
27.	Treasury Regulations 16A6.3 (c)	Approving the advertisement of the invitation to bid in the Government Tender bulletin, on the e-Tender Publication Portal and on Department's website	Accounting Officer	**D: Procurement**	**Regional Head Finance and SCM**	No delegation	• Prescribed forms must be utilized. • Ensure that correct category is selected. • Ensure all compliance are adhere to

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		(Internet) for at least 21 days					
28.	Treasury Regulations 16A6.2	Written communication with bidders from the date of advertisements including request for extension of the validity period of the bid. (Up to the date of signing the contract).	Accounting Officer	**D: Procurement**	**Regional Head Finance and SCM**	No delegation	• All written communication between the Department and bidders should be available on the administration file of that particular bid. • Request for extension must be in consultation with the chairperson of the Bid Evaluation Committee
29.	Treasury Regulations 16A6.2 and 16A9.1 (d) and (e), 16A9.2 and 16A10.1	Consideration of bids through a Bid Adjudication Committee, including the following: • Final award of bid • Reject a proposal for the award of a contract if the recommended bidder has committed a corrupt or fraudulent act in competing for the particular contract. • Disregard the bid of any bidder, if a bidder or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to	Accounting Officer	**Unlimited National** Bid Adjudication Committee	**Above R1Million to R10 million**: Sub-Bid Adjudication Committee	No delegation	• Members of the relevant BEC must diligently prepare for the Adjudication Committee Meeting by thoroughly study the submissions for compliance before the meeting. • Committee must form a quorum • The meeting must be properly constituted and include the secretariat in all sittings. • Committee must declare interest and confirm by signing the declaration of interest form. • Should the SBAC be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations of the relevant SBAC must be sent to CFO for further approval. • Should the NBAC be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations must be forwarded to the National Commissioner for approval. • All price adjustments (regardless of amount) must be approved in line with this delegation.

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		perform on any previous contract. • Ensure tax matters are in order.					
30.	DCS Procurement Manual	Negotiation of prices with successful bidders prior to signing of agreement/ contract in line with the conditions.	Accounting Officer	**Negotiation Team**	**Negotiation Team**	**No Delegation**	• Contracts can only be entered into after negotiations of prices. • Bidder need to confirm new prices in writing. • Conditions of the contract must not be compromised.
31.	SCM Procurement Manual	Approval of negotiated bid price	Accounting Officer	**Up to R50 million:** Chief Financial Officer **Above R50 million:** National Commissioner	**Up to R10 million** **DC: SCM**	No delegation	• market related, reasonable and cost-effective prices may be accepted
32.	Treasury Regulation 16A6.10.1	Signing of contracts and SLA	Accounting Officer	**All contracts irrespective of value** Director: Contract management	**Up to R 3 million:** Regional Head: Finance and SCM Above R3 million Director Contract Management	No delegation	• R 2 million above Director: Contract Management must sign

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33.	SCM Procurement Manual	Signing of leases copier machines including vehicle leases	Accounting Officer	**All contracts irrespective of value** Director Contract management	**All contracts irrespective of value** Regional Head: Finance and SCM	No delegation	• Subject to proper procurement process are followed
34.	Treasury Regulations 16A6.3(d)	Ensure publication of bids awards in the Government Tender bulletin, on the e-Tender Publication Portal, Department's website (Internet) and any other media in which the bid invitation was advertised.	Accounting Officer	**Director: Procurement**	**Regional Head Finance and SCM**		• Following information must appear in the advertisement : - Contract number and description - - Contract price(s); etc
35.	Procurement Manual	Cancellation of price quotations.	Accounting Officer	**Director: Procurement**	**Regional Co-ordinator SCM**	**Area Co-ordinator: Finance and SCM.**	• Price quotations may be cancelled due to multiple reasons, the delegated authority to obtain facts before cancelation.
36.	Procurement manual	Cancellation of bids received.	Accounting Officer	**National Commissioner**	**National Commissioner**	**No delegation**	• Bids or items thereof may be cancelled due to amongst the following reasons : - changed circumstances where there is no longer a need for the goods, works or services that were bided for; - Funds are no longer available to cover the total envisaged expenditure; - No acceptable bids have been received; and - Due to material irregularities in the bid process. If there are material irregularities that are committed during the bid process such that it renders the entire process

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							unfair, the National Commissioner may cancel the bid process and start afresh. • • Cancellation need to be advertised in the Government Tender Bulletin, eTender portal Departmental Website and any other media in which the bid invitation was advertised. .
37.	Treasury Regulations 16A6.3(d) National Treasury Instruction Note dated 31 May 2011	Ensure publication I of publishing of cancellation of bids in the Government Tender bulletin, on the e-Tender Publication Portal, Department's website (Internet) and any other media in which the bid invitation was advertised.	Accounting Officer	**Director: Procurement**	Regional Head Finance and SCM	No delegation	• Following information must appear in the advertisement: - Contract number and description
38.	Treasury Regulations 16A6.3 (c)	Approval for the shortening of the closing date due to the urgent nature of the requirement (Deviation from 21 days)	Accounting Officer	Chief Financial Officer	Chief Financial Officer	No delegation	• Advertised in the Government Tender Bulletin • Reasons and motivations for the requests of shortened closing period must be available on record for audit purpose
39.	Treasury Regulations 16A6.4 PFMA SCM Instruction No 3 of 21/22	**Deviations from Procurement Process (including emergency and urgent cases)** In a specific case is impractical to invite competitive bids and goods or service are required DCS may procure by other	Accounting Officer	**Quotations** **Above R2 000-00 to R100 000.00:** Director: Procurement **Above R200 000-00 to R500 000.00**	**Quotations** **Above R2 000-00 to R100 000.00:** Regional Head Finance Not delegated	**Quotations** **Not delegated**	• The **reasons for the deviation must be in writing**, and approved by the delegated authority. • Ensure that prices are market related prices and RFQ to be sent to credible suppliers. • Sole service providers evidence must be attached. • The reasons for deviation must be justifiable for the delegated authority to consider.

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		means reasons for deviating must be recorded and approved by delegate authority		DC: SCM **Above R500 000.00 to R1million** CFO **Bids** **Above** R1million to R5 million CFO Above R5 million: **National Commissioner**	Not delegated **Bids** Not delegated Not delegated	**Not delegated** **Not delegated** **Bids** Not delegated Not delegated	• Amongst others during urgent or emergency procurement or other reason deviation may be used. • Regions and management areas, where there is no delegation, must submit their cases to HO for consideration. • Training including seminars, conferences etc provided justifiable reasons are submitted.
40.	Treasury Regulations 16A6.4	Repair and maintenance of technical equipment of which the defect is unknown and it is impractical to obtain price quotations from the manufacturer, sole supplier, his agent or a qualified supplier on the National Treasury Central Suppliers Database	National Commissioner	**Above R30 000-00 to R100 000-00:** Director: Procurement	**Above R30 000-00 to R100 000-00:** Regional Head Finance and SCM	**Not delegated**	• If the machinery is still under guarantee, repair should take place in accordance with the stipulations of the guarantee. • Should the manufacturer or his agent not be available, a suitable service provider must be approached to do the diagnostic report. should it be economical to repair, the same supplier can be approached. Rotation of suppliers should be adhered to. • Evidence must be kept for audit purposes. • PPPFA need to be adhered to for all price quotations above R30 000-00.

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41.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock up to a financial limit of R200 000-00 per case at Production Auctions	Accounting Officer	Not applicable	Not applicable	**Above R30 000-R200 000.00** Area Commissioner	• The Departmental Agriculturist should make preliminary surveys of the animals available breeding that comply with the established requirements with a view to purchase. Recommendation must be made to the Director: Agriculture and Production Workshops, for a final decision before the auction takes place. A departmental agriculturist (irrespective of rank), should at least be authorised in writing by the Area Commissioner to bid at the auction with the delegated official on the identified breeding animals, on behalf of the Department. • The transaction must be formalized by means of a price quotation, in which the breeder commits himself/ herself to the conditions as contained in the GCC. • Service Provider must be tax compliant. • PPPFA need to be adhered to for all price quotations above R30 000-00. • All quotations above R30 000-00 should be captured on National Treasury website. • All animals procured, must be inspected by a veterinary surgeon for acceptability.
42.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock that are not available at production auctions and are procured directly from breeders up to a financial limit of R200 000-00 per case	Accounting Officer			Up to R100 000.00 Area Commissioner	• Departmental Agriculturists, in cooperation with the state veterinarian, should make preliminary surveys of available breeding animals that comply with the stated requirements with a view to purchase. Recommendations are made to the Director: Agriculture and Production Workshops for a final decision. A departmental agriculturist (irrespective of rank) should at least be authorised in writing by the Area Commissioner to negotiate with the breeders, on behalf of the Department, for the purchase of the identified breeding

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							animals, with reference to confidential guidelines regarding the estimated value of livestock. • The transaction must be formalized by means of a price quotation, in which the breeder commits himself/ herself to the conditions as contained in the GCC. • Service Provider must be tax compliant as per CSD report • PPPFA need to be adhered to for all price quotations above R30 000-00. • Any other deviation must be approved by DC: SCM • All animals procured, must be inspected by a veterinary surgeon for acceptability.
43.	Treasury Regulations 16A6.4	Purchasing of Pharmaceutical Medicines to replenish stock levels where it is not possible to utilise transversal contracts.	Accounting Officer	Director: Procurement	**Regional Head Finance and SCM**	**Area co-ordinator: Finance and SCM**	• All pharmaceutical medicines must be procured from the Transversal Contract. • Any deviation on the procurement model must be adjudicated by the relevant authority

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				Head Office (5)	Region (6)	Management Area (7)	
C				**LOGISTICS**			
1.	Treasury Regulations, paragraph 6.5.3	**FREE TRANSFERS** Approve transfer/ acceptance of assets to/ from another State Institution as a result of government's decision to recognize certain functions by transferring them to another State Institution (existing or new).	Accounting Officer	Chief Financial Officer- Unlimited	No delegated	Not delegated	• No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury Instruction.
2.	Treasury Regulation, paragraph 16A7.2	Approve transfer/ acceptance of state property free of charge to/ from other State Institutions as a disposal process	Accounting Officer	Up to R100 000-00 – Director: Logistics Up to R500 000-00 – DC: SCM Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 – National Commissioner	Not delegated Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated Not delegated	• No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury Instruction.

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3.	Treasury Regulations paragraphs 16A7	**DISPOSALS** Disposal authority (all items)	Accounting Officer	From R200 000 to R500 000-00 – **Director: Logistics** Up to R1 000 000-00 – **DC: SCM** Exceeding R1 000 000-00 – **CFO**	Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated	• Disposal of movable assets must be at market related value or by way of price quotations, competitive bids or auction, whichever is most advantageous to the state, unless otherwise determined by the relevant treasury. • When assets are disposed of other than in the ordinary course of the business of the trading entity, the relevant treasury must approve the transaction. • Comply with relevant Treasury Instruction.
4.	Treasury Regulations paragraph 16a7.6	Disposal authority (Firearms)	Accounting Officer	– CFO	Not delegated	Not delegated	• The Accounting Officer or Accounting Authority must, when disposing of firearms, obtain the approval of the National Conventional Arms Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury Instruction.
5.	Treasury Regulations paragraph 21.1	**DONATIONS** Approve donations involving perishable provisions by the state	Accounting Officer	Up to and including R50 000-00 – DC: SCM Up to and including R100 000-00 – Chief Financial Officer Exceeding R100 000-00 – National Commissioner	Up to and including R20 000-00 – Regional Commissioner Not delegated Not delegated	Not delegated Not delegated Not delegated	• Comply with relevant Treasury Instruction.

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6.	Treasury Regulations paragraph 21.1 Circular 13 of 2009	Approve donations involving state property (cash amounts excluded)	Accounting Officer	Up to R50 000-00 – Director: Logistics Up to R500 000-00 – DC: SCM Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 National Commissioner	Not delegated Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated Not delegated	• No donation of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to donate the item(s). Perishable surplus products internally produced by the department are exempted from this provision. • The assigned official must, when disposing of firearms, obtain the approval of the National Conventional Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury Instruction.
7.	Treasury Regulations paragraph 21.2	Approval of acceptance of donations	Accounting Officer	Up to R50 000-00 – Director: Logistics Up to R500 000-00 – DC: SCM Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 – National Commissioner	Up to R50 000-00 – Regional Head: Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Not delegated Not delegated Not delegated	• When a donor or sponsor requests to remain anonymous all documentation must be classified as "secret". The donor/sponsor must be informed that he/she must disclose all particulars including the description and estimated value of the donation to the Public Protector and the Auditor-General in accordance with Treasury Regulation 21.4. The Department must submit a certificate from both the Public Protector and the Auditor-General to the National Treasury which states that the identity of the donor or sponsor has been revealed to them that they have noted it and have no objection. • The acceptance of donations may not be to the detriment of the State. • Comply with relevant Treasury Instruction.

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D	**CONTRACT MANAGEMENT**						
1.	National Treasury: Contract Management Framework	**Identification and classification of contracts** Maintain and manage a contract register	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• The register should be maintained on a daily basis and should enclosed the following information: o Contract Type o Contract value o Contract duration o Contract complexity • All contract information should be reported to Directorate Contract Management on a monthly basis • All contract registers on Head Office, Regions and Management Area levels should correspond
2.	National Treasury: Contract Management Framework	**Oversight of Contract Management**: Oversee Contract Management performance	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• On-going Contract Management
3.	National Treasury: Contract Management Framework	Approval of extension of delivery period	Accounting Officer	Director Contract Management	No delegation	No Delegation	• Subject to the approval of Director contract Management
4.	National Treasury: Contract Management Framework	Reviewing and adjustment of contract management policies, procedures and guidelines.	Accounting Officer	Director Contract Management	No delegation	No delegation	• Policies, procedures and guidelines needs to be reviewed and amended, if required, annually to improve contract management performance

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5.	Treasury: Contract Management Framework	Implementation of Policies, procedures and guidelines	Accounting Officer	Director Contract Management	Director Contract Management	Director Contract Management	• Roles of contract owners, contract managers are clearly defined • Appropriate delegations are in place to allow role players to carry out their responsibilities • Clear procedure for handover from contract award to contract management • The policies and procedures are aligned with organisation wide governance and risk management processes and performance is reported
6.	Treasury: Contract Management Framework	**Document and information management** Management of contract documentation and associated terms and conditions, milestones and deliverables	Accounting Officer	Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Record management systems (physical and or electronic) in place to ensure secure storage of, and easy access to contract documentation • Written procedures set out strict processes for: o Records management o Reporting o Changes to contracts o Contract closure • Contract management system (computerised or manual) used to record and report on key information and trigger points • Regular and ad-hoc reporting highlights satisfactory contract progress, issues by exception, and the need for contract updating due to changed circumstances • Reporting feeds information useful for demand management back into the planning and budgeting process (assessment of quality, quantity, timing, price and supplier) • Reporting feeds information into the inventory, asset, and liability management systems

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							• All role players have a clear understanding of the procedures for: o Extensions o Varying of conditions o Price escalation o Any other potential contract changes o Contract closure
7.	Treasury: Contract Management Framework	**Relationship management** Maintaining relationships with: - external suppliers and buyers - internal service providers and receivers - all other relevant stakeholders	Accounting Officer	DC: Supply Chain management Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	• Stakeholder relationships classified according to a framework to determine the level of inter action between the institution and stakeholder • Consideration given to continuity of supplier and buyer staff for appropriate categories of contracts • Regular contract management reviews consider existing and potential strategic relationship with a view to deliver benefits for all relevant parties • Roles and responsibilities of the contract manager, contract owner and supplier of buyer are clearly defined and differentiated in the contract documentation and well understood by all parties • Policies, procedures, contract clauses and practices promote and demonstrate actual formal and informal communication channels where appropriate • Policies, procedures, contract clauses and practices promote and demonstrate clear problem and conflict resolution mechanisms including well defined and known escalation routes
8.	Treasury: Contract Management Framework	**Performance Management** Management of the performance of suppliers,	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• Policies and procedures to assess the performance of the supplier, buyer or other stakeholders in meeting the requirements of the contract are clear, well documented and communicated to all parties before sighing of the

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		buyers, other stakeholders and individual contracts		End user / contract owner			contract, and prior to commencement of delivery under the contract • Baseline, measurements metrics, methods, data sources, and collection responsibilities are agreed with the supplier before contract signing and commencement of deliver • Performance measurement metrics are linked to service delivery agreements which are consistent with the strategic objective of the institution • Ad-hoc performance reviews are conducted where non-performance is identified outside of the regular review process • Non-performance is addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames • Good performance is recognised and communicated through established channels • All parties participate in joint performance reviews where appropriate, and seek continuous improvement opportunities • Reporting is streamlined, focusing as much as possible on self-measurement, with independent checking mechanisms and exception reporting • The general market is monitored for market trends and compared to performance of current suppliers and buyers
9.	Treasury: Contract Management Framework	**Payment, collection, incentives and penalties**	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	• Payment and collection procedures, conditions and time frames are clearly documented and communicated to suppliers and buyers (milestones, documentation

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		Management of payments, collections, incentives and penalties		End user / contract owner			required, documentation submission channels, incentives, penalties) • Payments are always (100 % of the rime) made in accordance with the contract and commercial terms • Receipt of monies due is actively monitored and where monies are not received within terms, immediate action is initiated to recover outstanding amounts • Incentive and penalty mechanisms are clearly linked to desired outcomes and specifically to the strategic objectives of the organisation
10.	National Treasury Instruction note 32 of 2011	**Contract Administration** Approval of Price adjustment requests – Contractual, the price adjustment must not exceed the 15% of the original contractual price for all goods and service and 20%for construction related goods	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	Not delegation	• Subject to the conditions of a contract, contractual price adjustments may, with the exception of transversal contracts or contracts not arranged at the relevant office, be approved in accordance with the contract conditions.
11.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTION 2 OF 2016/17	Approval of Extension of contracts; The value/price of extension must not exceed the 15% of the original contractual price for all goods and service and 20%for construction related goods	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	Not delegated	• SCM policies and legislation to be followed.

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12.	National Treasury circular: Guidelines on the implementation of Demand management	Grant approval to procure outside the contact	Accounting Officer	• CFO	No delegation	No delegation	• Subject to failure of delivery from suppliers • Or any other reasons that will justify to procure goods outside the current contractor
13.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	No delegation	• The application for transfer must be signed by both the transferor and transferee. • The contract has been arranged by the relevant Bid Adjudication Committee • The transfer is not to the detriment of the state • If a contract was approved as a result of the application of the point preference system for B-BBEE, the transferee should also similarly qualify under the same principle to obtain such a contract. (This is to prevent fronting) • The transferee must be capable of executing the contract and has complied with all initial conditions of the contract, including the provisioning of an original and valid Tax Clearance Certificate.
14.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract payments	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	No delegation	• The contractor must make an application in an official letter signed by the Managing Director , or any other authorised person • The contractor must be advised that any receipt issued by the transferee will serve as proof of payment of the amount concerned to the contractor.

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15.	GCC Paragraph 18	Amendment of specification where a contract has been concluded, an amendment of the specification, whether initiated by the contractor or the Department, can be made but only after negotiation between the contractor and the Department and at no additional cost.	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	No delegation	• Such an amendment may not be to the detriment of the state. • Subject to the approval of • Up to R3 000 000-00 – Sub-Bid Adjudication Committee • Up to R10 000 000-00 – National Bid Adjudication Committee
16.	GCC Paragraph 23.5	Initiate restriction of suppliers and the upliftment of such restrictions	Accounting Officer	Accounting Officer	No delegation	No delegation	Subject to the approval of the Accounting Officer
17.	GCC Paragraph 21	Impose penalty/penalties of contract when the supplier fails to perform any other obligation under the contract	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer
18.	GCC Paragraph 23 GCC Paragraph 26	Cancellation/termination of contract when the supplier fails to delivery as agreed	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer • Refer cancellation/termination to National Treasury for possibly Blacklisting of contractor
19.	GCC Paragraph 23	Restriction of a contractor may be considered if such a contractor claimed preferences fraudulently or such a supplier failed to	Accounting Officer	Accounting Officer	No delegation	No delegation	• In consultation with NT

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		perform according to contract conditions and specifications					
20.	GCC Paragraph 23	The amendment/upliftment of restrictions imposed	Accounting Officer	National Bid Adjudication Committee	No delegation	No delegation	• National Treasury must be informed within five (5) working days of such amendments/upliftments of the restrictions. • All recommendations for upliftment must be forwarded to the Director : Contract Management • The matter must serve before the Bid Adjudication Committee to evaluate the reasons • Directorate: Contract Management must keep database for all upliftments.
21.	GCC Paragraph 27	Settlement of disputes	Accounting Officer	Director Contract Management	No delegation	No delegation	30 days after the parties failed to resolve their dispute or differences by mutual consultation then either of the parties shall notify the other party of his/her intention to commence with mediation.
22.		**Steering Committee** Nomination of Steering Committee members	Accounting Officer	CFO	RC	No delegation	Dependent on the nature of the contract entered into
23.		Approval of Steering Committee members	Accounting Officer	CFO	RC	No delegation	Dependent on the nature of the contract entered into
24.	Concession Contract, paragraph 3.1	**Contract Management : Public Private Partnership Systems** Approval of any amendment of the Financing Agreement which increases or may	Accounting Officer	National Commissioner	No delegation	No delegation	Prior written consent from the department must be obtained

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		increase the Lender Liabilities					
25.	Concession Contract, paragraph 4.10(c)	Approval for settlement of any claim by a third party not exceeding R50 000-00 to which the Department is not likely to become a party.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
26.	Concession Contract, paragraph 5.2	Approval in terms of Insurances taken by the Contractor with Insurers.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
27.	Concession Contract, paragraph 5.7	Approval of any insurance claim above R50 000-00 or any insurance claim whatsoever relating to the infringement of an offender's rights.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
28.	Concession Contract, paragraph 7.1	Granting approval for any of the Contractor's obligations under the Contract to be performed or undertaken by any other person.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
29.	Concession Contract, paragraph 7.4	Granting approval for the appointment of a replacement Construction Sub-contractor or Operating Sub-contractor	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
30.	Concession Contract, paragraph 8.1	Granting approval in the case of the Contractor Change, or where the Independent Engineer	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained

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		reasonably determines that an application by the Contractor for Design Development under Part 3 of Schedule A constitutes a Contractor Change					
31.	Concession Contract, paragraph 9	Granting of- and subsequent approval of Contractual changes	Accounting Officer	Accounting Officer	No delegation	No delegation	The Department together with department of public works shall give written notice to the contractor.
32.	Concession Contract, paragraph 9.9	Acceptance / approval of estimates of the increase or decrease in the Contract fee which occurs as a result of the changes set out in the Notice to Change	Accounting Officer	National Bid Adjudication Committee	No delegation	No delegation	The department may accept the estimates in writing to the contractor
33.	Concession Contract, paragraph 12	Assisting the Contractor in connection with the obtaining of all requisite planning permissions.	Accounting Officer	DC : Facilities	No delegation	No delegation	Prior written consent from the department must be obtained
34.	Concession Contract, paragraph 16.2	Effecting variation in accordance with Clause 62 (Variations).	Accounting Officer	Departmental and Contractor's Named Representatives	No delegation	No delegation	Prior written consent from the department must be obtained
35.	Concession Contract, paragraph 19.1	A dilapidation survey for the purpose of determining the physical condition and state of maintenance of the Correctional Centre Assets and the road.	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	DC Facilities shall conduct the dilapidation survey after every two years and the costs incurred shall be borne by the department
36.	Concession Contract,	Notifying the Contractor of the work the Department	Accounting Officer	Named Representative/	No delegation	No delegation	Prior written consent from the department must be obtained and Contractor to bear all costs

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	paragraph 19.2	reasonable believes is required to be done consequent to the survey referred to in Clause 19.1 or Clause 52.1		Director: Contract Management			
37.	Concession Contract, paragraph 19.3	Carrying out such unremedied repairs and/or maintenance itself, or to procure same, at the Contractor's reasonable cost, where the latter has failed to effect any and all repairs and/or maintenance required pursuant to Clause 19.2	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	In case the department incur costs in terms of maintenance and repairs the amount will be set off from the contractor's invoice
38.	Concession Contract, paragraph 20.2	Approval of such part of the Operation Proposals as do not comply with the Contract	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department
39.	Concession Contract, paragraphs 20.3 and 20.6	Approval of the operation proposals	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department
40.	Concession Contract, paragraph 20.5	Approval of the Operation Proposals subject to satisfactory completion of the tests in accordance with Clause 20.6	Accounting Officer	Relevant Director	No delegation	No delegation	A certificate to be provide by the department

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41.	Concession Contract, paragraph 22.1(b)	Electing, at his discretion to utilize available offender places made available by the Contractor.	Accounting Officer	CDC Incarceration and Corrections	No delegation	No delegation	The discretion lies with the department
42.	Correctional Services Act, Act 111 of 1998, Section 107 Concession Contract, paragraph 31.3	Approval of any change to the person occupying the position of a Director NB : Appointment of a Director is regulated by Section 107 of the Correctional Services Act, Act No 111 of 1998	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
43.	Correctional Services Act, Act 111 of 1998, Section 105	Approval of any change to the person occupying the position of the Controller NB: Appointment of a Controller is regulated by Correctional Services Act, Act 111 of 1998, Section 105	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
44.	Concession Contract, paragraph 33.3	Approval of uniforms or standard of dress to be used by the Contractor or the Operating Sub-contractor	Accounting Officer	Director : Human Resource Administration and Utilisation in consultation with CDC: Human Resource	No delegation	No delegation	Prior approval to be granted by the department

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45.	Correctional Services Act, Act 111 of 1998, Section 109 Concession Contract, paragraph 33.4	Approval of the appointment of staff that are not required to be certified as custody officials.	Accounting Officer	Director : Human Resource Administration and Utilisation in consultation with CDC: Human Resource	No delegation	No delegation	Prior written consent from the department must be obtained
46.	Concession Contract, paragraph 33.6(b) and (c)	Consent to the varying of the numbers of Staff as referred to in the table headed "Staffing Summary" in Schedule D (the "Staffing Summary Table") and the table headed "Minimum Staffing Levels" in Schedule D.	Accounting Officer	Accounting Officer DC: SCM Director: Contract Management	No delegation	No delegation	Prior written consent from the department must be obtained
47.	Concession Contract, paragraph 33.8	Granting approval to the Contractor to engage a new member of staff who has not been subject to prior approval or certification in accordance with Clauses 31 and 32	Accounting Officer	Director: Human Resource Administration and Utilisation in consultation with CDC: Human Resource	No delegation	No delegation	The department to be provided with the information and approve the requisite approval or certification.
48.	Concession Contract, paragraph 41	Approval of the Contractor's strategic development plan to operate the Prison	Accounting Officer	CDC: Strategic Management	No delegation	No delegation	The contractor shall provide a strategic development plan to operate the prison for the first five years from the actual opening date at least six months prior to the actual opening date.

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							At least six (6) months prior to the end of the first 5 year plan, and every five years thereafter, the contractor shall consult with the department and submit such further strategic development plans to the department for its approval as the department may reasonably require. The plans will be in accordance with the policies and vision statements adopted from time to time by the department, provided(and without prejudice to the provisions of clause 9 (Departmental Changes) that the contractor shall only be obliged to implement such plans to the extent they would not increase the cost and risk to the contractor of providing the custodial services, provided that such changes will not, in the reasonable opinion of the contractor jeopardise the security and/or operation of the prison. The contractor shall operate systems to ensure the continuing quality of the services at the same levels as those indicated in Part V of the concession contract. The contractor shall have no recourse to clause 39 (variation of price) as a result of any obligation imposed by this clause. Without prejudice to the department's rights under clause 44 9 default) and 45 (termination for contractor default), the amount payable by the department for the services of the contractor under the concession contract shall be reduced by any penalties which may be imposed in accordance with schedule M (compliance monitoring) and which shall be payable in accordance with clause 43 (recovery of sums due and right set off) The contractor shall under a duty inform the department promptly of any failure to meet any of the standards set out in schedule C (Maintenance requirements) or schedule D

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							(Operational requirements) as soon as practicable and, in any event, within 24 hours of its occurrence. The contractor shall notify the department of any escaped prisoner (as detailed in schedule M) or death at the prison immediately upon the contractor becoming aware of the same.
49.	Concession Contract, paragraph 45.1	Granting of Rectification Notice	Accounting Officer	0-30 days – DC : Facilities 31-90 days – CDC: Incarceration and Corrections 90 days and more – Accounting Officer	No delegation	No delegation	The department shall give notice to the contractor in writing to rectify the breach. If the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 46(step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice.
50.	Concession Contract, paragraph 45.1	Granting of a Termination Notice.	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall give notice to the contractor in writing to rectify the breach. If the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed

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							to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 46(step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice.
51.	Concession Contract, paragraph 49.1 and Schedule F	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 45 (Termination for Contractor Default).	Accounting Officer	Accounting Officer	No delegation	No delegation	Without prejudice to the right of either party to payment and/or set off of amounts owing under this contract prior to termination, where the contract prior to termination, where the contract terminates by virtue of clause 45 (Termination for contractor default). The department shall pay to the contractor the amounts set out in Schedule F, less; and the contractor will remain liable to the department for any losses which should have been incurred by the contractor pursuant to this contract whenever arising, but no other losses.
52.	Concession Contract, paragraph 49.2	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 47 (Termination of Department Default) of Clause 44.2	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as set out in schedule G (Payments of department event of default/Material Governmental Action Termination)

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		(Material Adverse Governmental Action).					
53.	Concession Contract, paragraph 49.3 Schedule H	Determination of payment and/or set-off amounts owing under the Contract prior to termination in the event of a termination under Clause 48 (Force Majeure) or Clause 5.13 (A) and (b) (Insurance)	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as set out in schedule H (Payments on Department Event of Default/Material Adverse Governmental Action Termination).
54.	Concession Contract, paragraph 49.5	Granting consent to an agreement, acceptance or settlement of any claim or issue or dispute relating to any liability for Taxation.	Accounting Officer	Accounting Officer	No delegation	No delegation	All sums payable by the department under clause 49 (payment for termination) shall be increased in the event that the contractor shall incur any liability for taxation in respect of any termination payment, so as to ensure that the net amount received by the contractor (after account is taken of the taxation consequences of the increased payment) is equal to the full amount which would have been received by it had no such liability to taxation been incurred.
55.	Concession Contract, paragraph 50	Change in the beneficial ownership of the Contractor. Approval of such change of control or exercising the right to terminate the Contract at its election, if such approval is not obtained.	Accounting Officer	Accounting Officer	No delegation	No delegation	The contractor shall inform the department immediately of any change in the beneficial ownership of the contractor. The contractor shall at all times obtain the approval of the department
56.	Concession Contract, paragraph 57.2	Approval of communication with representatives of the press, television, radio or other communication media	Accounting Officer	DC : Communication Services with prior consent by	No delegation	No delegation	The contractor shall not by itself communicate with any media on any matter concerning the contract without the prior approval of the department.

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		on any matter concerning the Contract by the Contractor.		Director : Contract Management			
57.	Concession Contract, paragraph 57.3	Approval for photographing or taking film of the Correctional Centre	Accounting Officer	DC : Communications	No delegation	No delegation	No facilities to photograph or film in or upon the land or the prison or any part of the road shall be given or permitted by the contractor unless the department has given prior written approval.
58.	Concession Contract, paragraph 62	Any appointment/ replacement of the named Representative of the Department.	Accounting Officer	Accounting Officer	No delegation	No delegation	A written notice of the change shall be given by the department to the contractor. A change in the Named representative shall not constitute a variation of the contract.
59.	Concession Contract, paragraph 62.2.2 (Paragraph 62.2 in respect of Kuthama-Sinthumule)	Approval of any amendment to the Contract which is to the financial detriment of the State. (This will also require Treasury approval under Section 76(1)g of the Public Finance Management Act (Act 1 of 1999) read with Treasury Regulation 8.7.1 and 16.10	Accounting Officer	Accounting Officer	No delegation	No delegation	Any amendment to the contract which is to the financial detriment of the State will require Treasury Authority under section 31(1)(f) of the Exchequer Act No. 66 of 1975 as amended, and Treasury instruction k.2.2.14
60.	Concession Contract, paragraph 64.3	Review whether the Contractor has complied with the provisions of Schedule N, and, where appropriate impose penalties on the Contractor as set out in Part II of Schedule M.	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Committee shall review whether the contractor has complied with the provisions of schedule N and where appropriate, may , subject to paragraph 2.8 of schedule M, impose penalties on the contractor as set out in Part II of schedule M

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61.	Concession Contract, Part 2 Schedule B	Approval of the Data Collection and Reporting Plan	Accounting Officer	Relevant CDC	No delegation	No delegation	All the information details of the all the prisoners will be required by the department as part of the Correctional Services Data Model for Prisoner records.
62.	Concession Contract, Schedule C Paragraph C.1	Approval of Maintenance Programme	Accounting Officer	Director: Facilities Management	No delegation	No delegation	The contractor will compile a maintenance management manual according to the department guideline " Maintenance Management Strategy Plans" (MMSP) document as well as other relevant date according to Schedule C containing a well prepared "Maintenance Programme". The Maintenance Management Manual will be the hub document for all maintenance related policies, procedures, schedules, inspections and tests etc. Copies of the Maintenance Manual must be handed over to the Independent Engineer for distribution as follows: 1x hard copy and 1X electronic copy of maintenance manual to: DC: Facilities and Department of Public Works Updates and changes should be formally done to the authorities involved according to the distribution list showing on the revision list the update/change, page/s affected revision numbers and dates etc. The contractor shall be responsible for all routine inspection, testing, maintenance, repair, refurbishment and replacement services in relation to the prison and the site including the roads, fences, walls, buildings, and all other plant, fixtures, fittings, chattels and other associated

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							equipment including transport and mobile equipment and apparatus.
63.	Concession Contract, Schedule D Goal 1	Approval of the security manual and contingency planning manual	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	The Director of the Prison will bear the overall responsibility for security. This will receive his close personal attention in respect of but not limited to: Standard security arrangements Incident and emergency orders Contingency plans Liaison with local emergency services and command arrangements. Policy reviewed annually.
64.	Concession Contract, Schedule D Goal 1.3	Approval of system of monthly review of offenders, to include categorization and further allocation.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	The contractor will establish a system of monthly review of prisoners, which has been approved by the department, to include categorisation and further allocation, meet the Prisoner's needs and fit with his sentence plan. This system will comply with department policy The categorisation system will include but not limited to: Provisional classification (under no circumstances will Prisoners classification be delayed for a period longer than 72 hours Admissions and induction process Internal allocation assignment and sentence plan. Policy reviewed annually
65.	Concession Contract, Schedule D Goal 1.4.1	Approval of Emergency Services	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	The contractor will provide emergency services approved by the department. Policy reviewed annually

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66.	Concession Contract, Schedule D Goal 1.8.5	Approval of a full movement control policy to be included in the general operational instructions	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	A full movement control policy will be included in the general Operational Instructions submitted to the department for approval three months from effective date. Policy reviewed annually
67.	Concession Contract, Schedule D Goal 1.14.1	Approval of a detailed policy or arrangement of patrols	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	The Contractor will supply a detailed policy for approval by the department on arrangements for patrols.
68.	Concession Contract, Schedule D Goal 1.15	Approval of proceedings for emergencies situations as part of contingency planning	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The Contractor will introduce a comprehensive policy on perimeter security. Policy reviewed annually
69.	Concession Contract, Schedule D Goal 2.1	Approval of a system of incentives and earned privileges based on the minimum standards of the DCS programme	Accounting Officer	DC : Personal Corrections	No delegation	No delegation	The contractor will provide a system of incentives and earned privileges based on the minimum standards of the department programme. The system will be published for the information of staff and prisoners and will be agreed with the department six (6) months prior to contractual opening date. Policy reviewed annually
70.	Concession Contract, Schedule D Goal 2.5.1	Approval of remedy of deficiencies.	Accounting Officer	11-60 days – DD : Contract Compliance 61 and more days – Director: Contract Management		0-10 days – Controller	All equipment deficiencies will be rectified within 24 hours of being reported. The contractor will introduce procedure to the department for approval, which specifies when and what action is to be taken as a result of any loss or damage. Policy reviewed annually
71.	Concession Contract, Schedule D Goal 2.5.2	Approval of a procedure, which specifies when and what action is to be taken	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Loss or damage to items that might infringe upon security will be investigated immediately and whatever security precaution deemed necessary, will be taken.

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		as a result of any loss or damage.					
72.	Concession Contract, Schedule D Goal 2.8.2	Approval of a policy which covers the following aspects:	Accounting Officer		No delegation	No delegation	The contractor will have a department approved policy to cover: Staff training in conflict resolution techniques. The role of correctional services Controller concerning disciplinary action policies, and procedures as they relate to prisoners. Under what circumstances a prisoner can be housed in the segregation unit. Policy reviewed annually
73.	Concession Contract, Schedule D Goal 2.8.2	Staff training in conflict resolution techniques	Accounting Officer	Director: Core Curriculum in consultation with CDC: Human Resource Development	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
74.	Concession Contract, Schedule D Goal 2.8.2	The role of Correctional Services Controller ("CSC") concerning disciplinary action policies, and procedures as they relate to offenders	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
75.	Concession Contract, Schedule D Goal 2.8.2	Under what circumstances an offender can be housed in the segregation unit.	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.

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76.	Concession Contract, Schedule D Goal 2.9.1 (Schedule D Goal 2.10 in respect of Kutama-Sinthumule)	Approval of anti-bullying policy and procedure	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The contractor will develop and anti-bullying policy and procedure, to be agreed with the department three months prior to the contractual opening. Policy reviewed annually
77.	Concession Contract, Schedule D Goal 2.10.1 (Schedule D Goal 2.11 in respect of Kutama-Sinthumule)	Approval of the control and restraint techniques.	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Physical force may be used only when it is essential to prevent injury, damage to property, to prevent escape or to re-establish control. The minimum force necessary for such purposes should be used. Only those control and restraint ("C &R") techniques approved by the department will be used. Policy reviewed annually
78.	Concession Contract, Schedule D Goal 3.1.4	Approval of a system of screening those at risk of self-harm or suicide.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	The contractor will have in place at reception a system of screening those at risk of self-harm or suicide which will be agreed with the department 30 days from the effective date. Policy reviewed annually
79.	Concession Contract, Schedule D Goal 3.1.7	Approval of a means of communication for offenders to contact a relative or friend on admission.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Prisoners will be given opportunity to contact a relative or friend on admission, telephonically or by other means as approved by the department. This means of communication must be provided to the department three (3) months from the effective date. Policy reviewed annually.

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80.	Concession Contract, Schedule D Goal 3.16.2	Approval of the induction programme.	Accounting Officer	Director: Correctional Programmes	No delegation	No delegation	The induction process will occur during the first two weeks after arrival at the Prison. Special exceptions to this timeframe must be approved by the Controller. Policy reviewed annually
81.	Concession Contract, Schedule D Goal 3.16.7	Approval of provision (for maintaining ties with family, etc.) for those offenders who cannot read or write.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Provision will be made for those Prisoners who cannot read or write. These provisions will be submitted to the department for approval nine (9) months from the effective date. Policy reviewed annually
82.	Concession Contract, Schedule D Goal 3.18	Approval of comprehensive programmes for pest control	Accounting Officer	DC: Health Care Services	No delegation	No delegation	the contractor shall develop a cost effective plan for beautifying the prison site, and conserving all natural resources in flora and fauna but not limited to the following: Maintenance of these areas removal and disposal of garden refuse. Control of obnoxious weeds and bush/alien encroachment. The contractor will design and implement comprehensive programme for pest control. A copy of this program will be submitted to the department for approval twelve (12) months prior to the Contractual opening date. Policy reviewed annually
83.	Concession Contract, Schedule D Goal 3.30.11 (Schedule D Goal 3.30.13 in respect of Kutama-Sinthumule)	Approval of a comprehensive programme for management of acute mental disorders	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will provide qualified physician to attend the prison daily to examine prisoners within 24 hours after reception and those due for release. The physician will attend to prisoners who have requested consultation or who have been referred, prisoners under punishment or segregation, examine prisoners prior to adjudication, prescribe medications and medical treatment and deal with complains about health or medical treatment. Policy reviewed annually

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84.	Concession Contract, Schedule D Goal 3.30.29 (Schedule D Goal 3.30.31 in respect of Kutama-Sinthumule)	Approval of the deaths (natural and unnatural) policies and procedures.	Accounting Officer	DC: Health Care Services	No delegation	No delegation	Deaths (natural and unnatural) will be managed according to approved policies and procedures. These policies and procedures will be Policy reviewed annually submitted to the department thirty (30) days from the effective date.
85.	Concession Contract, Schedule D Goal 4.1	Approval of system for security risk assessment	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Security risk and needs assessment should be submitted to the department nine (9) months prior to the contractual opening date. Policy reviewed annually.
86.	Concession Contract, Schedule D Goal 4.8	Approval of the policy for Religious Care Services	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will appoint a chaplain in accordance with the department appointment procedures for chaplains. Policy reviewed annually. The contractor will enter into a contract with the church or faith.
87.	Concession Contract, Schedule D Goal 4.15	Approval of a full schedule of fostered attendance at the library as part of the development programme.	Accounting Officer	DC: Personal Development	No delegation	No delegation	There will be a library, stocked with a number of books which is sufficient for the prisoner population which will comply with the minimum guidelines from the National, Provincial and Municipal Library Services.
88.	Concession Contract, Schedule D Goal 6.4.3	Approval of the Equal Opportunities Policy and Affirmative Action Policy	Accounting Officer	DC: Employee Relations	No delegation	No delegation	The contractor will submit its equal opportunities policy and affirmative action policy to the department for approval within sixty (60) days from the effective date.
89.	Concession Contract, Schedule D Goal 6.5.2	Approval of the Contractors policy statement on drug and alcohol free workplace.	Accounting Officer	Director: Human Resource Administration and Utilization in consultation with	No delegation	No delegation	The contractor policy statement on drug and alcohol free workplace for its entire staff will be made available to the department for approval within sixty (60) days from the effective date.

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				CDC: Human Resource			
90.	Concession Contract, Schedule D Goal 6.7.1	Approval of the policy on uniform and dress code for custodial and non-custodial staff	Accounting Officer	Director : Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	The contractor will submit his policy on uniform and dress code for custodial and non-custodial staff to the department for approval within six (60) days from the effective date.
91.	Concession Contract, Schedule D Goal 6.7.2	Approval of samples of all uniforms to be worn by the staff of the Correctional Centre	Accounting Officer	Director: Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	As a minimum the uniform will include: company logo/badge, employee's name and job title, photographic ID issued by Contractor. Sample of ID worn by Sub-contractor's employees to be identifiable.
92.	Concession Contract, Schedule D Goal 6.8.12	Approval of media statements relating to personnel issues	Accounting Officer	Director : Human Resource Administration and Utilization in consultation with CDC: Human Resource	No delegation	No delegation	Media statements relating to personnel issues must be submitted to the CSC for approval before it is provided to the media.
93.	Concession Contract, Schedule D Goal 6.9	Approval of all training curricula	Accounting Officer	Director: Core Curriculum in consultation with HR Human Resource	No delegation	No delegation	The Contractor will submit all training curricula for approval to the DCS not later than 5 months from the Effective Date.
94.	Concession Contract, Schedule D Goal 6.9	Approval of all Control and Restraint trainers	Accounting Officer	Director: Core Curriculum in consultation with HR Human Resource	No delegation	No delegation	All Control and Restraint trainers will be approved by DCS on an annual basis.

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95.	Concession Contract, Schedule D Goal 7	Approval of all community Involved Activities	Accounting Officer	DC: Social Reintegration in consultation with Director: Community Liaison	No delegation	No delegation	All community involvement activities must be submitted to the DCS Controller prior to any community involvement at the facility to ensure that they meet the agreement of the Contractor and that it is not in conflict with any DCS's policies and procedures.
96.	Concession Contract, Schedule M Goal 1.1	Ruling on whether; and to what extent, penalties should be imposed for breaches of the Contract by the Contractor.	Accounting Officer	Supervisory Committee	No delegation	No delegation	A Supervisory Committee ("Committee) is hereby established to: (a) rule on whether, and to what extent, Penalties should be imposed for breaches of Contract by the Contractor, and (b) undertake the Annual Review.
97.	Concession Contract, Schedule M Clause 2.8	Supervisory Committee (fixed penalties)	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Supervisory Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties, which the Parties agree reflects the prejudice to the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss.
98.	Concession Contract, Schedule M Clause 2.8	Decision to sue the Contractor for breach of contract	Accounting Officer	Director Contract Management (Supervisory Committee)	No delegation	No delegation	The Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties, which the Parties agree reflects the prejudice to the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss.

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E.	**ICC: MANAGEMENT OF LOSSES**						
1.	TR 12.1.2.	Notwithstanding paragraph 12.1.1, the accounting officer of an institution may (if deemed economical and based on a risk assessment) insure motor vehicles, including hired vehicles, or such other movable assets determined by the relevant treasury, but the insurance premium cost may not exceed R250 000 a year on that vote, unless otherwise approved by the relevant treasury.	Accounting Officer	Chief Financial Officer	None	None	
2.	TR 12.2	**Claims against the state through acts or omissions** If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law on the implementation of paragraph 12.2.1.	Accounting Officer	Legal Administration Officer	Legal Administration Officer	None	Refer all cases to the applicable Loss Control Officer. The Loss Control Officer to register the matter and refer to relevant Legal Service official at Head Office or Regional Office
3.	**TR 12.2.4**	**The State Attorney may only obligate the funds of an institution with the prior written approval of the accounting officer:** a) Amount up to and including R20 000 per case	Accounting	DC: Financial and	Regional	None	Contact with the State Attorney regarding legal matters must be handled through relevant Legal Services. In all instances, written presentation must be made to the Chief Accounting Officer who will provide further recommendations on the matter.

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			Officer	Management Accounting	Commissioner		
4.		b) Amount up to and including R50 000 per settlement case	Accounting Officer	Chief Financial Officer	None	None	
5.		c) Amount exceeding R50 000 per settlement case	Accounting Officer	Accounting Officer	None	None	
6.	TR 12.3.1	**Claims by the state against other persons** If the state suffers a loss or damage and the other person denies liability, the accounting officer must, if deemed economical, refer the matter to the State Attorney for legal action, including the recovery of the value of the loss or damage.	Accounting Officer	Legal Administrator officer	Legal Administrator officer	None	The loss Controller must register and refer the matter to the relevant legal services as assigned herein.
7.	TR 12.4.1	**Claims by officials against the state** If an official sustains a loss or damage in the execution of official duties and is not compensated, the accounting officer may make good the loss or damage provided that the official can prove such loss or damage.					When the claim is settled the assigned official gives approval to write off the amount in accordance with the State Attorney's recommendation. Written presentation must be made to the Accounting Officer who will make a decision as advised by the Chief Financial Officer.
8.		a) Amount up to and including R20 000 per settlement case	Accounting Officer	DC: Financial and Management Accounting	Regional Commissioner	None	

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9.		b) Amount up to and including R40 000 per settlement case	Accounting Officer	Chief Financial Officer	None	None	
10.		c)Amount exceeding R50 000 per settlement case	Accounting Officer	Accounting Officer	None	None	
11.	TR 12.5.1	When it appears that the state has suffered losses or damages through criminal acts or possible criminal acts or omissions, the matter must be reported, in writing, to the accounting officer and the South African Police Service. If liability can be determined, the accounting officer must recover the value of the loss or damage from the person responsible.	Accounting Officer	Relevant Director DC CDC's	Regional Heads DRC RC	Heads of Centre's, Community Corrections office Area Coordinators Area Commissioner	All reporting to the next level must be done in writing and the report must indicate if the matter was reported to the SAPS (with the CAS number) and if not, reasons must be provided.
12.	TR 12.5.2	The accounting officer may write off losses or damages arising from criminal acts or omissions if, after a thorough investigation, it is found that the loss or damage is irrecoverable.					When the Legal Officer is in doubt he/she must consult with the State Attorney on questions of law and make a final recommendations on the submission of the writing off of the amount. The delegated officials may write off losses and damages that result from *vis major* and other unavoidable causes
13.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Head Finance	None	The Legal Services at Regional Office and Director Legal Services(head Office) must provide written recommendations to the Head Finance
14.		b)Amount up to and including R40 000 per case	Accounting Officer	DC FM (Only Losses from Head Office)	DRC	none	

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15.		c) Amount up to and including R50 000 per case	Accounting officer	Chief Financial Officer	RC	Not delegated	
16.		d) Amount exceeding R50 000	Accounting Officer	Not delegated	Not delegated	Not delegated	
17.	TR 12.5.3	When movable assets are written off, this must be noted in the asset register.	Accounting Officer	Loss Control Officer (Head Office)	Loss Control Officer	Loss Control Officer	
18.	[Section 76(1)(e) of the PFMA] TR 12.6.1	**Losses and damages through *vis major* and other unavoidable causes** **The accounting officer may write off losses and damages that result from *vis major* and other unavoidable causes.**					All Losses of these nature must be investigated by the Loss Control Officer subsequent to recording on the register.
19.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Head Finance	None	
20.		b)Amount up to and including R40 000 per case	Accounting Officer	DC FM (Only Losses from Head Office)	DRC	none	
21.		c) Amount up to and including R50 000 per case	Accounting officer	Chief Financial Officer	RC	None	
22.		d) Amount exceeding R50 000	Accounting Officer	Accounting Officer	None	None	
23.	[Sections 76(1)(b) and	**Losses or damages through acts committed or omitted by officials**	Accounting Officer	Director Financial Management	Regional Head Finance	None	

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	76(4)(a) of the PFMA] **TR 12.7**	12.7.1 Losses or damages suffered by an institution because of an act committed or omitted by an official, must be recovered from such an official if that official is liable in law.					
24.	TR 12.7.2	The accounting officer must determine the amount of the loss or damage and, in writing, request that official to pay the amount within 30 days or in reasonable instalments. If the official fails to comply with the request, the matter must be handed to the State Attorney for the recovery of the loss or damage.	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Head Finance	None	
25.	TR 12.7.3.	A claim against an official must be waived if the conditions in paragraph 12.2.1(a) to (g) are not applicable.	Accounting Officer	Director Financial Management (only Head offices losses)	Regional head Finance	None	The incumbent from the same post who initially instructed recovery must do this. If the official is still not satisfied with the second decision he/she may request submission to the CFO as a final departmental option to solve the dispute.
26.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Head Finance and SCM	None	
27.		b) Amount up to and including R40 000 per case	Accounting Officer	DC FMA (Only Losses from Head Office)	DRC	None	The Regional Commissioner must provide written recommendation to the Accounting Officer. The Accounting Officer must consider written submissions on

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							the basis of comments/inputs received from the CFO
28.		c) Amount up to and including R50 000 per case	Accounting Officer	Chief Financial Officer	RC	None	
29.		d) Amount exceeding R50 000 per case	Accounting Officer	Accounting Officer	None	None	The Chief Financial Officer must provide written recommendation to the Accounting Officer
30.	TR 12.7.4	If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law in the implementation of paragraphs 12.7.1 and 12.7.3.	Accounting Officer	Legal Administration Officer	Legal Administration Officer	None	All cases to be referred to applicable Loss Control Officer. The Loss Control Officer at Regions or head Office to refer the matter to the relevant DC Legal Services(Head Office) or Legal Administrator at regional office. The assigned Legal Service will negotiate with the State Attorney and report on the matter.

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F.	**RISK MANAGEMENT DELEGATIONS**						
31.	Sections 38(1)(a)(i) and 51(1)(a)(i) of the PFMA,	The delegated accounting authorities to ensure that their Institutions have and maintain effective, efficient and transparent systems of risk management.	Accounting Officer	Chief Risk Officer	Regional Risk Champions	Area Coordinator Finance / Risk Champions	The CRO must develop a system of risk management for the department and communicate such to the Risk Management Committee prior for approval by Accounting Officer.
32.	TR 3.2.1	The accounting officer must ensure that a risk assessment is conducted regularly to identify emerging risks of the institution. A risk management strategy, which must include a fraud prevention plan, must be used to direct internal audit effort and priority, and to determine the skills required of managers and staff to improve controls and to manage these risks. The strategy must be clearly communicated to all officials to ensure that the risk management strategy is incorporated into the language and culture of the institution.	Accounting Officer	Chief Risk Officer	Regional Risk Champions /DRC	Area Coordinator Finance/Risk Champions	

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DELEGATIONS BY THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: CORRECTIONAL SERVICES ACT, 111 OF 1998 AS AMENDED DEPARTMENT OF CORRECTIONAL SERVICES

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(1) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998) AS AMENDED, I, **RONALD OZZY LAMOLA MP, MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON INDICATED AGAINST THE APPLICABLE COMPETENCY, WITH REFERENCE TO THE FOLLOWING LEGISLATION:-

1. Correctional Services Act, 1998 (Act no 111 of 1998) as amended.
2. Regulations issued in terms of Section 134 of the Correctional Services Act.

PROVIDED THAT:

(a) The level of the delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;

(b) The delegation indicated hereunder, remains in force should a section of the Act, including any amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act; and

(c) The exercise of this delegated authority is at all times subject to the provisions of the Act and Regulations.

Act	Section in Act	Subject of delegation	Responsible functionary the power or duty is delegated to	Delegation conditions and limitations
Act 111 of 1998 as amended	3(6)	Approval of policies in relation to the administration of the Department of Correctional Services	National Commissioner: Correctional Services	All policies related to the correctional system and the sentencing process must be submitted to the Minister for approval after advise by the NCCS
	Section 5(1)(a)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (a) the detention and treatment of inmates;	National Commissioner: Correctional Services	NA
	Section 5(1)(b)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (b) particular purposes in relation to inmates; and	National Commissioner: Correctional Services	NA
	Section 5(1)(c)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for- (c) particular categories of inmates.	National Commissioner: Correctional Services	NA
	Section 74(2) read with Section 74(7)(a)	Approve committee for shortlisting of candidates and approve candidates to be shortlisted for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner: Correctional Services	NA

Ronald Lamola MP
Minister of Justice and Correctional Services
Date: 07/07/2023

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DELEGATIONS BY THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: CORRECTIONAL SERVICES ACT, 111 OF 1998 AS AMENDED DEPARTMENT OF CORRECTIONAL SERVICES

	Section 74(2) read with Section 74(7)(a)	Approve appointment of recommended candidates for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner: Correctional Services	
	Section 132(3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	National Commissioner: Correctional Services	

Ronald Lamola MP
Minister of Justice and Correctional Services
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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(2) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, MAKGOTHI SAMUEL THOBAKGALE, NATIONAL COMMISSIONER OF THE DEPARTMENT OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY WITH EFFECT FROM THE DATE OF PUBLICATION IN THE GOVERNMENT GAZETTE.

Note: FROM THE DATE OF PUBLICATION, THESE DELEGATIONS REPLACE ALL DELEGATIONS PREVIOUSLY PUBLISHED IN THE GOVERNMENT GAZETTE

WITH REFERENCE TO THE FOLLOWING LEGISLATION AND PRESCRIPTS:-

1) Correctional Services Act, 1998 (Act no 111 of 1998). (The Act)
2) Correctional Services Regulations, 2004 as amended and published in GG 35277 of 25 April 2012. (The Regulations)
3) Collective Agreement DBC Resolution 1/2006. (Resolution 1 of 2006)

PROVIDED THAT:

a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;

b) Any line-functionary with an equal or higher rank is also authorized to exercise the same power;

c) The minimum level to which any power can be delegated to is on Deputy Director level in terms of the Act, where the delegations in terms of the Act are not clearly indicating such, and a post is indicated that is on a level lower than a Deputy Director, the power is limited to a Deputy Director in the line management of that function.

d) Regions all report to the National Head Office and therefore does not have jurisdiction over each other. Any delegated power that cannot be exercised for whatever reason in a region must be referred to National Head Office for a decision;

e) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;

f) **Any delegation does not prohibit the National Commissioner from exercising the power concerned or performing the duty concerned himself of herself** (*Qui custodit originale potestate delegat*) **who also may withdraw any delegation to any post** (and therefore the incumbent in that post) **at any time**;

g) A person who have been delegated an authority cannot delegate such authority (*Delegatus delegare non potest*);

h) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and

i) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.

j) The following abbreviations may be applicable:

NC	=	National Commissioner
CDC	=	Chief Deputy Commissioner
CDC INCO	=	Chief Deputy Commissioner Incarceration and Corrections

MS Thobakgale
National Commissioner
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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

DC	=	Deputy Commissioner
DIR	=	Director
DD	=	Deputy Director
ASD	=	Assistant Director
DCS	=	Department of Correctional Services
DRC	=	Deputy Regional Commissioner
RC	=	Regional Commissioner
DIU	=	Departmental Investigation Unit
CEU	=	Code Enforcement Unit
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer
HCC	=	Head Correctional Centre
HRDC	=	Head Remand Detention Centre
ACC	=	Area Coordinator Corrections
ACCS	=	Area Coordinator Corporate Services
AC	=	Area Commissioner
AC DC	=	Area Coordinator Development and Care
HCC CC	=	Head Community Corrections
SMS	=	Senior Management Service
Official	=	Official of DCS as contemplated in section 1 and 3(4) of the Act

k) Any reference made to salary levels 1-12 is applicable to the equivalent salary grade for the Correctional Services OSD for Centre Based and Non Centre Based officials and any other OSD of closed occupational groups within DCS

l) Where the term "in consultation" is used it implies consensus and where the term "after consultation" is used it implies the delegated authority takes a decision considering inputs during the consultation but are not bound by it.

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

A. CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED

	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
1.	Section 3(5) and(3)(5)(c)	Control over operational matters in the Department of Correctional Services	NC	NC over all regions in the Department of Correctional Services as well as core business branches in Head Office	Regional Commissioner	Area Commissioner	Head of Correctional Centres/Remand Detention Centres/Community Corrections reports to the appointed Area Commissioner. Area Commissioners in a specific region/province reports to the appointed Regional Commissioner. Regional Commissioners report to the NC. Branch Heads: Core Business reports to the NC
2.	Section 3(5)(c) and (g)	Approval of trips away from place of work and use of accommodation, use of public transport, **excluding** trips with Air Transport, the use of hired vehicle and shuttles.	NC	DD and higher	DD and higher	Head Correctional Centre/Head of Remand Detention Centre (DD and higher)	The person who provides the authorisation must **always be one level higher** than the person who needs to travel. Logistical and financial policies, procedures and directives must be adhered to. This delegation does not include operational trips officials must undertake to escort inmates to court/ outside hospital/medical appointments or other place such inmate is legally required to be, including transfers from one correctional centre to another. The Head of Correctional Centre/ Community Corrections Office approves such trips in line with the stipulations in the B-Order. The use of Conference Facilities must be handled according to the relevant directives and is not included in this delegation.
3.	Section 3(5)(c) and (g)	Approval of S&T claims	NC	Supervisor (DD and higher)	Supervisor (DD and higher)	Head Correctional Centre/Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	Person who approves must always be on level higher that the claimant. Compliance to all relevant policies and procedures and rates determined by DPSA. Compliance to DPSA financial manual
4.	Section 3(5)(c) and (g)	Approval of KM claims	NC	Director and higher	Director and higher	Director and higher	Person who approves must always be on level higher that the claimant. Compliance to all relevant policies and procedures and rates determined by DPSA and Department of Transport

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
							Compliance to MMS and SMS directives, SMS Handbook
5.	Section 3(5)(c) and (g)	Approval of Air Transport, use of hired vehicles and shuttles (Domestic travelling only)	NC	Relevant Director and higher according to post level.	Relevant Regional Head (Director) and higher according to post level	Area Commissioner after consultation with the DRC (Area Commissioner approved by DRC or if on level of DC by the RC)	Regional Commissioners and CDC's approved by the National Commissioner. The person who provides the authorisation must **always be one level higher** than the person who needs to travel. The procedures and directives on domestic travelling must be adhered to, especially with regard to the class of flight and class of hired vehicle as well as use of travelling agencies and logistical and financial procedures. The delegated authority must at all times ensure that funds are available before taking a decision
6.	Section 3(5)(c) and (g)	Provide cash equivalent of benefits received by permanent employees to employees on fixed-term contracts.	NC	CDC Human Resources	No Delegation	No Delegation	Read with PSR
7.	Section 3(5)(c) and (g)	Night visits call out	NC	Director Security Standards	No delegation	Head Correctional Centre/Head of Remand Detention Centre	DPSA Financial Manual must be adhered to
8.	Section 3(5)(c) and (g)	Approval of state guarantee applications	NC	DD Service Benefits	Not delegated	Not delegated	Compliance to DPSA directives
9.	Section 3(5)(c) and (g)	Approval for an official to utilise private vehicle when it is more cost effective to the state or a Departmental vehicle is not available.	NC	Director and higher	Director and higher	Director and higher	Approval must be in compliance with LAPM directives
10.	Section 3(5)(c) and (g)	Approval of transport for school children, transport between residence and place of work	NC	CDC Human Resources	Regional Commissioner	Not delegated	Compliance to DPSA financial manual
11.	Section 3(5)(e)	Grant approval for the payment of monetary rewards to any person who is or was a correctional official.	NC	CDC Human Resources	No Delegation	No Delegation	
12.	Section 3(5)(e)	Grant approval for payment of death grants.	NC	CDC Human Resources	No Delegation	No Delegation	Compliance to policy on death grants
13.	Section 3(5)(f)	Grant approval for the payment of monetary rewards to private persons.	NC	No Delegation	No Delegation	No Delegation	
14.	Section 3(5)(g) read with Section 96(3)	Appoint correctional officials (including interdepartmental transfers from other departments/institutions to DCS) (read with delegations in terms of the Public Service Regulations)	NC	Level 2-10 (Comply with requirements) **DC of the relevant Chief Directorate**	Level 2-10 (Comply with requirements) **Deputy Regional Commissioner in**	None	1. All appointments and interdepartmental transfers must comply with DCS and relevant OSD appointment criteria as well as the PSA and PSR requirements and DPSA directives.

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
				Level 11-12 (Comply with requirements) **Relevant Branch Head (CDC)** **Any Deviation: Level 2-12** **Not delegated, remains with NC**	**consultation with the RC** Level 11-12 except posts as below (Comply with requirements) **Regional Commissioner** **Appointment of Heads of Correctional Centres, Remand Detention Centres, Community Corrections Offices and Area Coordinators (all levels) not delegated, remains with the National Commissioner.** **Any deviation: Levels 2-12** **Not delegated, remains with NC**		2. Any deviation must be submitted to the NC via the CDC HR for consideration. 3. The CDC HR shall decide on the audit (by Head Office HR staff) of all appointments, promotions and transfers, as deemed necessary. 4. Levels 13-15 is not delegated and must be handled as prescribed in Section 96(3)(a) of the Act read with the PSA and PSR. **5. Appointment of Heads of Correctional Centres, Remand Detention Centres, Heads Community Corrections Offices and Area Coordinators (all levels) not delegated, remains with the National Commissioner.**
15.	Section 3(5)(g) read with Section 96(3)(d)	Approve all placements and transfers/temporary transfers on state cost.	NC	Levels 2-7 Director HR Administration & Utilization Levels 8-10 DC HR Management Levels 11-12 CDC Human Resources	No delegation	No delegation	Subject to the Policy on transfers and prescripts on finances and logistics. Note: Transfers and placement of all SMS members: Levels 13-15 not delegated. Decision maker: National Commissioner
16.	Section 3(5)(g) read with Section 96(3)(d)	Approve transfers/temporary transfers of SMS on own time and cost or on state cost including interdepartmental transfers to and from DCS, of the SMS.	NC	No Delegation	No Delegation	No Delegation	National Commissioner
17.	Section 3(5)(g) read with Section 96(3)(d)	Approve transfers/temporary transfers and placements of officials on own time and cost from level 2 (SCO or equivalent) to level 12 (DD or	NC	Level 2-7 Relevant Director after consultation with the Director HR A&U	Within RC Office Levels 2-7: Relevant RH Corporate Services after	Levels 2-7: Within Management Area only, Area Commissioner (including	Compliance to transfer policy and procedures. To be processed/managed by HR In regional offices and Head Office the application for transfer must be submitted to Personnel Office that

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
		equivalent), including interdepartmental transfers from DCS to other departments/ institutions.		Level 8-12 Relevant DC after consultation with Director HR A&U	consultation with the DRC Across Management Areas: Deputy Regional Commissioner after consultation with the RH Corporate Services Levels 8-10: Deputy Regional Commissioner (Excluding Heads of Centres and Community Correction offices) Levels 11-12: Regional Commissioner	interdepartmental transfers from DCS)	will process the application to the relevant Directorate.
18.	Section 3(5)(**g**) read with Section 96(3)(d)	Approval of interim accommodation, resettlement claims, removal of furniture and storage, buying of property and pre-visits after approval of transfer on state cost was granted	NC	Maximum of 3 months interim accommodation Director HR A&U More than 3 months interim accommodation NC	Maximum of 3 months interim accommodation RH Human Resources More than 3 months interim accommodation No delegation	No delegation	Compliance to financial and logistical prescripts, special leave policy and transfer policy. Approval must always be by a person one level higher than the person requesting the approval.
19.	Section 3(5)(g) read with Section 96(3)(d) and Public Service Regulations 2016, Regulation 63	Appoint employees in acting capacity (read with delegations in terms of the Public Service Regulations)	NC	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC of the Branch. Level 14 Relevant CDC in consultation with the NC.	Level 2-12 Director Level 13 DRC in consultation with the RC Level 14 RC in consultation with the NC.	Level 2-12 Area Commissioner Level 13 RC in consultation with the RC Level 14 RC in consultation with the NC.	1. Level 15 in consultation with the Minister. 2. Compliance to relevant policy and Public Service Regulation 63 at all times. 3. The appointment in acting capacity of SMS members for longer than 6 months must be submitted to the Minister for approval in terms of DPSA policy via the National Commissioner. 4. The delegation to approve any level in acting capacity must comply with the prescripts on acting and the National Commissioner may at any time revoke such acting appointment. 5. HR Head Office will provide template letters to be used for appointment of officials who must act. 6. HR must certify that a post is vacant on PERSAL before any acting appointment where acting allowance is involved. 7. CDC HR to issue a directive on the administrative conditions for acting appointments.

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
20.	Section 3(5)(g) read with Section 96(3)(d)	Appoint temporary employees: (periodical contract employees: **professionals**)	NC	Director	Director	Area Commissioner	Appointment can only be done funds if are available and a certificate to that effect must be included with the appointment memo. Appointment of officials on other contracts (excluding periodical appointment: professionals) are not delegated and must be submitted to the National Commissioner for approval
21.	Section 4(2)(c)	Restrict, suspend or revise amenities for offenders of different categories.	NC	CDC INCO	No delegation	No delegation	
22.	Section 6(1)(b)	Authorisation to detain a person at any correctional centre	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
23.	Section 6(6)	Make a preliminary security classification of an inmate on admission.	NC	No delegation	No delegation	Divisional Head: Case Management Administration	
24.	Section 7(2)(d)	Detain inmates of specific age, health or security risk categories separately.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
25.	Section 7(2)(e)	Accommodate offenders in single or communal cells depending on the availability of accommodation.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
26.	Section 7(2)(f)	Detain inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentence, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
27.	Section 7(2)(f)	Extension of period of detention of inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentence, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Area Commissioner	Compliance to all relevant prescripts
28.	Section 13(6)(b)	Enable an offender to notify next-of-kin of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Divisional Head: Case Management Administration/Head of Remand Detention Centre	Compliance to all relevant prescripts
29.	Section 13(6)(c)	In the case of an offender who is a child, notify the parents and state authorities who have statutory responsibility for the education and welfare of	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
		children of admission or after transfer to a correctional centre.					
30.	Section 16(2)	If the Department does not provide the services referred to in Section 16(1) inform inmates of services available from other sources and put inmates who request such services in touch with appropriate agencies.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
31.	Section 19(2)	The National Commissioner must provide every inmate who is a child with Social Work Services, Religious Care, Recreational Programmes and Psychological Services	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
32.	Section 19(3)	The National Commissioner must , if practicable, ensure that inmates who are children remain in contact with their families through additional visits	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
33.	Section 20(1)	Permit a mother to have her child with her until such a child is 2 years of age, or until such time that the child can be appropriately placed taking into consideration the best interest of the child.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
34.	Section 21(3) read with Section 21(4)	If an inmate is not satisfied with the response to his or her complaint or request, the inmate may indicate this together with the reasons with dissatisfaction to the Head of the Correctional Centre, who must refer the matter to the National Commissioner.	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	Compliance to all relevant prescripts
35.	Section 21(4)	The response of the National Commissioner must be conveyed to the inmate.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	
36.	Section 24(1)(read together with Section 1)	Appoint authorized official/disciplinary in writing (read with the definition of disciplinary official and authorized official)	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	
37.	Section 24(7)(a) and (b)	At the request of the inmate proceedings resulting in any penalty other than the penalty contemplating in subsection 5(d), must be referred for review to the National Commissioner	NC	No delegation	No delegation	Area Coordinator: Corrections on a level higher than the chairperson of the disciplinary hearing.	
38.	Section 26(3)	In order to achieve the objectives outlined in subsection (1) and subject to the limitations outlined in Sections 27 to 35, the National	NC	CDC Incarceration and Corrections to coordinate across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/	CDC INCO to report to the NC on a quarterly basis

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	Section	Topic Description	Functionary	Head Office	Region	Management Area	
		Commissioner may classify and allocate accommodation to inmates.				Head of Remand Detention Centre	
39.	Section 30(1)	Segregation for a period of time, which may be for part of or the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in Section 7(2)(e).	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	
40.	Section 30(5)	Extend the period of segregation for a period more than 7 days if the Head of the Correctional Centre believes it necessary to do so in terms of subsection (1)(c) to (f) and if the medical officer or the psychologist certifies that such an extension would not be harmful to the health of the offender, he or she may, with the permission of the National Commissioner, extend the period of segregation for a period not exceeding 30 days	NC	No delegation	No delegation	Area Commissioner	
41.	Section 30(6)	All instances of segregation and extended segregation must be reported immediately by the Head of the Correctional Centre to the National Commissioner and Inspecting Judge	NC	No delegation	No delegation	Head Correctional Centre report to the RC and the Inspecting Judge via the Area Commissioner	
42.	Section 31(3)(c)	Extend the minimum period necessary for the restraint of an offender by mechanical restraints for a maximum period not exceeding 30 days after consideration of a report by a medical officer or psychologist.	NC	No delegation	No delegation	Area Commissioner	
43.	Section 39(2)(a)	The National Commissioner may determine, unless the court directs otherwise or unless the court directs that such sentences shall run concurrently, how sentence of imprisonment, commencement, computation and termination of sentences must be served.	NC	No delegation	No delegation	Head Correctional Centre	
44.	Section 39(5)(a)	Determine the order in which a sentence of correctional supervision must be served other than the one after the expiration, setting aside or remission of the other unless the Court specifically directs otherwise or unless the Court directs that such sentence shall run concurrently.	NC	No delegation	No delegation	Head of Community Corrections	
45.	Section 39(6)(a)	Issue a warrant for the arrest of an offender, if the offender had been released from a	NC	No delegation	No delegation	Area Commissioner	

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Functionary	Head Office	Region	Management Area	
		correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.					
46.	Section 40(4)(b) read with 40(4)(a)	The amount of gratuity that sentenced offenders receive for their labour must be determined by the National Commissioner with the concurrence of the Minister of Finance	NC	Chief Financial Officer in consultation with the CDC INCO	No delegation	No delegation	
47.	Section 41(6)	Compel sentenced offenders to participate in programmes and use services offered in terms of subsections (1), (3) and (4) where of the opinion that their participation is necessary having regard to the nature of their previous criminal conduct and the risk they pose to the community.	NC	No delegation	No delegation	Head of Correctional Centre	
48.	Section 43(4)	Transfer a sentenced child to a child and youth care centre as contemplated in Section 191(2)(j) of the Children's Act 2005 (Act no 32 of 2005), in consultation with the Director General of the Department of Social Development and from which date the provision of Section 76 of the Child Justice Act of 2008 will apply	NC	No delegation	No delegation	Head of the Correctional Centre/ Head of Remand Detention Centre	
49.	Section 44(1)	Permit in writing on such conditions and for such periods, as specified, a sentenced offender to leave correctional centre temporarily for the purpose of: (a) Compassionate leave; (b) Treatment, development or support programmes; (c) Preparation for release; or (d) Any other reason related to the successful integration of the offender into the community.	NC	No delegation	Application for deviation: RC	Head of the Correctional Centre (minimum level DD) after consultation with the Area Commissioner. Heads Correctional Centre on lower levels: Area Coordinator Corrections after consultation with the Area Commissioner	All approvals must be communicated to the RC on the same day of the approval (in high profile cases)
50.	Section 44(3)(a) and (b)	Withdrawal of permission for temporary leave	NC	No delegation	No delegation	Head of the Correctional Centre (minimum level DD) Heads Correctional Centre on lower levels: Area Coordinator Corrections	

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	Section	Topic Description	Functionary	Head Office	Region	Management Area	
51.	Section 49A	Provision of a unit for pregnant remand detainees	NC	No delegation	No delegation	Area Commissioner	
52.	Section 49B	Detain disabled remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
53.	Section 49C	Detain aged remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
54.	Section 49D	Detain mentally ill remand detainees in single cell or correctional health facility	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
55.	Section 49F(1)	Release of remand detainee under the supervision of the SAPS to a maximum period of 7 days	NC	No delegation	From more than 3 days to 7 days Deputy Regional Commissioner Request for the 2nd time by the same detective, for the same case Regional Commissioner	Less than 1 day (return same day/not overnight) Head of Remand Detention Centre or Head of the Correctional Centre From a full day (overnight) to 3 days Area Commissioner	If the RD is not brought back at the agreed upon time, it must be followed up immediately with SAPS, and immediately inform both DCS and SAPS management that gave approval and inform the clerk/registrar of the court. Ensure total compliance to the protocol signed on 4 September 2014 between DCS and the SAPS **The RC retains the authority to revoke/amend the decision by a HCC or HRDC / Area Commissioner or DRC at any time.**
56.	Section 52(1) read together with Section 42(2)(e) and Section 75(1)	May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (a) to (q) of this section, subject to the limitations in subsection (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act.	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
57	Section 54(2)	Determine the duration of placement on day parole except in cases of life imprisonment and dangerous criminals where the court will have to decide.	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
58.	Section 58(6)(b) read together with Section 52(1)	Submission of report by supervision committee to National Commissioner	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
59.	Section 61(2)	The National Commissioner must assist in the attempt to find employment.	NC	No delegation	No delegation	Before placement: Head Correctional Centre After placement: Head Community Corrections	
60.	Section 62(a)	Permit a person subject to community corrections who is required in terms of Section 52(1)(d) to take up and remain in employment, to change his or her employment may not change his or her employment without the permission of the National Commissioner	NC	No delegation	No delegation	Head Community Corrections	
61.	Section 62(c)	Permit a person to leave the place of employment during working hours for purposes unrelated to the employment when a person subject to community corrections is required in terms of Section 52(1)(d) to take up and remain in employment.	NC	No delegation	No delegation	Head Community Corrections	
62.	Section 63(a)	Demand that a probationer or parolee submit a statement of income and expenditure, as often as may be deemed necessary in order to ascertain the financial ability of a probationer or parolee.	NC	No delegation	No delegation	Head of Community Corrections	
63.	Section 63(b)	Demand proof as specified of payment of compensation as ordered by the court of a person subject to community corrections who is required to pay compensation.	NC	No delegation	No delegation	Head of Community Corrections	
64.	Section 64(4)	Grant leave of absence from a session where a person must attend programmes in terms of Section 52(1)(f).	NC	No delegation	No delegation	Head Community Corrections	
65.	Section 65(1)	Provide the National Commissioner with a statement of income and expenditure if required to make a contribution on costs	NC	No delegation	No delegation	Head Community Corrections	
66.	Section 65(2)	The National Commissioner may, within the means of such person, determine the contribution	NC	No delegation	No delegation	Probationers and Parolees: Head of Community Corrections	

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		to costs which that person must make and may adjust the period of supervision and day parole				Day Parolees: Head of Correctional Centre	
67.	Section 66(1)	Authority to be consulted with when the court, Correctional Supervision and Parole Board or other body which has the authority to impose community corrections, requires a person to live at a fixed address in terms of Section 52(1)(j), determine such address.	NC	No delegation	No delegation	Head of Community Corrections	
68.	Section 66(2)(a) and (b)	Declare a fixed address in terms of Section 52 (1)(j) to be unsuitable and refer the matter back to the court, Correctional Supervision and Parole Board or other body, to stipulate another address.	NC	No delegation	No delegation	Head of Community Corrections	
69.	Section 68(4)	Appoint persons in terms of Section 96(4) to assist correctional officials in monitoring	NC	No delegation	No delegation	Area Commissioner	
70.	Section 69(2)	Where any child is subject to supervision in terms of this Chapter, the National Commissioner must, in addition to any programmes which the child in terms of Section 52(1)(f) may be required to take part in, ensure that if the child requires support he or she has access to adequate social work services, religious care, recreational programmes and psychological services.	NC	No delegation	No delegation	Head Community Corrections	
71.	Section 70(1)(a) and(b)	(a) When a person subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her or any duty placed on him or her in terms of any section of Chapter 6 (Community Corrections) depending on the nature and seriousness of the non-compliance as stipulated in the Order– (i) Reprimand the person. (ii) Instruct the person to appear before the Correctional Supervision and Parole Board that is situated closest to the place of residence of such person or the Board which has jurisdiction within the area where the non-compliance took place or other body which imposed the Community Corrections;	NC	No delegation	No delegation	(a)(i): Less serious: Supervision Official under whose supervision offender is Serious: Supervision Committee under whose supervision offender is. (ii): Head of Community Corrections (iii): Heads of Community Corrections or Correctional Centre (b): Head of Community Corrections	

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		(iii) Issue a warrant for the arrest of such person. (b) Instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person if satisfied that the person has a valid excuse for not complying with any such condition or duty.					
72.	Section 70(3)	Instruct a person to appear before the court, Correctional Supervision and Parole Board or other body which imposed the community corrections if a person subject to community corrections has failed to meet the conditions imposed on him or her but that such failure is due to a change in circumstances beyond the control of the person concerned.	NC	No delegation	No delegation	Head of Community Corrections	
73.	Section 70(4)	Issue a warrant in terms of subsection (1)(c) and act in terms of subsection (2) if a person subject to community corrections fails to obey an instruction issued in terms of subsections (1)(b) or (3).	NC	No delegation	No delegation	Head of Community Corrections	
74.	Section 71(1) read together with Section 276 A(4) of the Criminal Procedure Act, 1977 (Act no 51 of 1977)	Apply to the court, Correctional Supervision and Parole Board or other body which ordered the imposition of community corrections, to amend the conditions which make up the community corrections in a particular case if it is the opinion that a change of circumstances calls for a change in the conditions.	NC	No delegation	No delegation	Head of Community Corrections	
75.	Section 71(3)	Issue a warrant in terms of Section 70(1)(c) for arrest if a person fails to appear when instructed to do so before a court, Correctional Supervision and Parole Board or other body in terms of subsection (2).	NC	No delegation	No delegation	Head of Community Corrections	
76.	Section 72(4)	If a person is not satisfied with the response on his or her complaint or request from the Head Community Corrections, he or she may refer the matter to the National Commissioner whose response must be communicate to the person concerned.	NC	No delegation	No delegation	Area Commissioner	

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77.	Section 73(7)(b)	A person sentenced to incarceration for a period not exceeding five years as an alternative to a fine under Section 287(4)(a) of the Criminal Procedure Act, may be considered for placement under correctional supervision by the National Commissioner or the Correctional Supervision and Parole Board as soon as possible after admission to a correctional centre subject to the conformation of a suitable support system, unless the court has directed otherwise	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
78.	Section 74(2)(e)	The National Commissioner must nominate one official of the department to form part of the Correctional Supervision and Parole Board appointed by the Minister.	NC	No delegation	Regional Commissioner only with regard to Section 74(2)(e)	No delegation	The vice chairperson and 2 community members are not nominated by the National Commissioner and therefore not delegated
79.	Section 74(3)	The National Commissioner must designate the correctional official to act as secretary to the Parole Board	NC	No delegation	DRC	No delegation	
80.	Section 74(8)	Determine on recommendation of the Department of Public Service and Administration the remuneration and allowances of a member of a Board who is not in the fulltime service of the State may receive.	NC	DC: HR Management	No delegation	No delegation	
81.	Section 75(1B)(a)	Identify offences for purposes of subsection (1A) with the concurrence of the National Commissioner of the South African Police Service, the Director-General of the Department of Justice and the National Director of Public Prosecutions.	NC	CDC Incarceration and Corrections	No delegation	No delegation	
82.	Section 75(2)(a) read together with Section 75(2)(c)	Referral by the National Commissioner of recommendations for cancellation for correctional supervision or day parole in the cases of sentenced inmates serving sentences of 24 months or more except life incarceration	NC	No delegation	No delegation	Area Commissioner	
83.	Section 75(7)(a) and (b)	Despite subsections (1) to (6), authorizes: (a) Placement under correctional supervision or day parole or grant parole to an offender serving a sentence of up to 24 months imprisonment and prescribe conditions in terms of Section 52;	NC	No delegation	No delegation	Head of Correctional Centre	

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		(b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.					
84.	Section 75(8)	Refer a decision to the Correctional Supervision and Parole Review Board in so far as it relates to the National Commissioner for reconsideration.	NC	CDC Incarceration and Corrections	No delegation	No delegation	
85.	Section 79 read with Regulation 29A(7)	Consideration for placement on medical parole by the National Commissioner the Correctional Supervision and Parole Board or the Minister in so far as it relates to the National Commissioner	NC	No delegation	No delegation	Up to 24 months incarceration: Head of the Correctional Centre after receiving a report from the Medical Advisory Board as referred to in Section 79(3)(a)	Other categories provided for in the act and not delegated
86.	Section 80(1)	Recommend to the Correctional Supervision and Parole Board that an offender be granted special remission of sentence not exceeding two years either unconditionally or subject to such conditions as the Board may determine when such an offender has acted highly meritoriously excluding offenders serving life sentences or declared as dangerous criminals.	NC	No delegation	No delegation	Head of Correctional Centre/Head Community Corrections (for offenders under community corrections)	
87	Section 81(3)	Community Corrections granted in terms of subsection (2) is subject to such conditions as may be imposed by the Correctional Supervision and Parole Board under whose jurisdiction the sentenced offenders may fall or the National Commissioner in terms of Section 75(7)	NC	No delegation	No delegation	Head of Correctional Centre	
88.	Section 84(3)	The National Commissioner must provide the necessary information and resources to enable the National Council to perform its functions	NC	COC CDC Incarceration and Corrections	No delegation	No delegation	
89.	Section 90(2)	The Inspecting Judge may only receive and deal with the complaints submitted by the National Council and, the Minister, the National Commissioner and, in cases of urgency, an Independent Correctional Centre visitor in as far as it relates to the National Commissioner.	NC	COC CDC Incarceration and Corrections CDC Community Corrections	Regional Commissioner	No delegation	
90.	Section 95(1) and (2)	The National Commissioner must monitor compliance with relevant prescriptions by means	NC	Internal Auditing: Chief Audit Executive	Inspections: Regional Inspectorate	No delegation	The approval to carry out the functions must be read with Regulation 30(2) and (3). The approval to carry

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		of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.		Inspections: Head Office component: NC Investigations: Departmental Investigation Unit: Director Departmental Investigation Unit	DRC		out the function is sufficient and no further approval is required to have access to any departmental premises, and have access to or search and seize any departmental record or document. The same principle is also applicable to Code Enforcement Unit initiators when initiating in a matter emanating from a DIU investigation.
91.	Section 95(1) and (3)	Approve the institution of investigations **other** than investigations referred to in Section 95A as well as the approval of the recommendations in the investigation report.	NC	Relevant Director and higher according to line functions.	Relevant Director and higher according to line functions	1. Director and higher according to line functions. 2. The Head of the Centre/Community Corrections office in relation to investigations in relation to inmates/parolees/ probationers excluding escapes that must be appointed by the Area Commissioner	**The National Commissioner may institute investigations into any matter.** No matter referred to in Section 95A can be investigated in regions/head office without the approval in writing by the Director DIU or the National Commissioner. In regional offices and head office, in relation to employees based at the regional office or head office, all decisions to take disciplinary action as well as the outcome of any disciplinary processes must be communicated to personnel office in writing.
92.	Section 95(1) and (3)	Approve the appointment of investigator(s) **other** than investigations referred to in Section 95A	NC	Relevant Director and higher according to line functions The NC may appoint investigators into any investigation instituted under delegation 91	Relevant Director and higher according to line functions: RH Human Resources	1. Director and higher according to line functions. 2. The Head of Centre/ Community Corrections office in relation to inmates/ parolees/ probationers excluding escapes that must be appointed by the Area Commissioner	The National Commissioner may intervene in any matter and appoint investigators.
93.	Section 95A	Authorize investigators to investigate matters in terms of Section 95A of the act. **(Note: The Departmental Investigation Unit (DIU) is establishment in terms of Section 95A and this Unit is authorized to investigate theft,**	NC	Levels 2-10: DD: Coordinator Investigations DIU for DIU investigators only. Levels 11-15: Director DIU	No delegation	No delegation	All matters referred to in Section 95A must be referred to the Director DIU and CEU. The Director DIU may decide that a region investigate if the Departmental Investigation Unit (DIU) lacks capacity

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	Section	Topic Description	Functionary	Head Office	Region	Management Area	
		fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the Unit may find). **The DIU report to the Director DIU**					or for reason of urgency. Such approval shall be in writing. Officials appointed in the DIU are *ex officio* appointed as investigators in terms of Section 95A and does not require written appointment for a specific case. A certificate of appointment in terms of Regulation 30 is issued to these officials. Relevant circulars issued by the NC must be adhered to.
94.	Section 95B	Authorize initiators to initiate in disciplinary proceedings resulting from any investigation in terms of Section 95A and which has been submitted to the Code Enforcement Unit to conduct a disciplinary hearing. **(Note: The Code Enforcement Unit (CEU) is establishment in terms of Section 95B and this Unit is authorized to prosecute in theft, fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the DIU may find).** **The CEU reports to the Director CEU**	NC	Levels 2-10: DD Code Enforcement Unit Levels 11-15: Director CEU	No delegation	No delegation	1. The Director CEU may appoint in writing any initiator (not on the establishment of the Code Enforcement Unit) in terms of Section 95B from a region/head office/another department to initiate if the CEU lacks capacity or for reason of urgency or other acceptable reason. 2. Officials appointed in the Code Enforcement Unit are *ex officio* appointed as initiators in terms of Section 95B and does not require written appointment to initiate in disciplinary hearings.
95.	Section 95B	Approve formal or informal disciplinary hearings and charges emanating from Section 95A investigations.	NC	Levels 2-10: DD Code Enforcement Unit Levels 11-12: Director CEU	No delegation	No delegation	**Disciplinary action against SMS L13-15 not delegated: National Commissioner**
96.	Section 95B read together with Resolution 1 of 2006 and Chapter 7 of the SMS manual	Approve the appointment of chairperson in disciplinary hearings	NC	Levels 2-12: DC Legal Services DC Executive Management in the absence of the DC Legal Services Levels 13-15: National Commissioner	No delegation	No delegation	
97.	Section 95B read with Departmental Bargaining Council Resolution 1/2006 and CS Regulation 33	Decisions regarding appeals against dismissals and disciplinary action as alternative to dismissal emanating from disciplinary hearings held in terms of Section 95B based on investigations conducted in terms of Section 95A	NC	Levels 2-12: DC Legal Services DC Executive Management in the absence of the DC Legal Services	No delegation	No delegation	

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98.	Section 95B read with Departmental Bargaining Council Resolution 1/2006 and CS Regulation 33	Decisions regarding appeals on disciplinary action up to final written warning emanating from disciplinary hearings held in terms of Section 95B based on investigations conducted in terms of Section 95A	NC	Levels 2-12: Director CEU	No delegation	No delegation	Where the Director CEU has signed the sanction, the appeal must be submitted to the DC Legal Services.
99.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act, 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Management of grievances submitted in terms of the departmental grievance procedure.	NC	Line management via direct supervisor up to DC Human Resource Management	Line management via direct supervisor up to Deputy Regional Commissioner	Line management via direct supervisor up to Deputy Regional Commissioner	Compliance to timeframes as prescribed in the grievance procedure
100.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of mandate to defend/settle (no financial implication) disputes in conciliation/arbitration hearings and to appoint Departmental Representatives	NC	Disciplinary matters except S95B: Director Employee Relations HR matters: Director Employee Relations in consultation with the relevant HR Directorate Director CEU in Section 95B matters	Regional Head Corporate Services in regions on matters excluding Section 95B matters	No delegation	Representatives of CEU are *ex officio* and need not to be appointed in writing in cases handled by the CEU
101.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of mandate to defend/settle disputes in arbitration hearings and to appoint Departmental Representatives (financial implications)	NC	1. To defend in arbitrations concerning interpretation and application of resolutions and policy: Director ER after consultation with relevant HR Directorate 2. To settle in arbitrations concerning interpretation and application of resolutions and policy: CDC HR 3. Unfair labour practice/dismissal/ discrimination disputes 4. (Excluding Section 95B matters) Levels 2-12: Director ER	1. To defend in arbitration concerning interpretation and application of resolutions and policy. No delegation 2. To settle in arbitrations concerning interpretation and application of resolutions and policy No delegation 3. Unfair labour practice/dismissal/ discrimination	No delegation	All matters concerning interpretation and application of resolutions and policy to be consulted with the Directorate responsible for arbitrations in Head Office. Representatives of CEU are *ex officio* and need not be appointed in writing in cases handled by the Director CEU **All SMS matters not delegated: NC to decide**

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				Level 13-15: NC (Not delegated) Section 95B cases – Appoint representative Levels 2-15: Representatives of CEU are *ex officio* (appointed by Dir CEU) – Mandate to settle/defend Level 2-12: Director CEU – Level 13- 15: 5. Not delegated	disputes. (Excluding Section 95B matters) Levels 2-12: RH Corporate Services Level 13: DRC Level 14: RC Level 15: Not delegated		
102.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute resolution Approval of mandate to defend/settle disputes in arbitration hearings (involving substantial financial risk for more than one individual or an implication on national policy application) and to appoint Departmental Representatives	NC	Director ER to appoint representative in all cases except Section 95B matters. To defend: Director ER To settle: CDC Human Resources Sections 95B matters: Representatives of CEU are *ex officio*. To defend: Director CEU To settle: Levels 2-12: Director CEU Levels 13-15: Not delegated	No delegation	No Delegation	Settlements must be consulted with finances. All SMS matters not delegated: NC
103.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to review all arbitration awards (Section 145 of the LRA) or to withdraw such review.	NC	Director Employee Relations for Head Office to decide if matter must be implemented or not. If not to be implemented it must be referred to the DC Legal	Regional Head Human Resources No delegation for Section 95B matters	No delegation	**NB: If the award is not referred for a decision to review there is no requirement for a mandate to implement and must be implemented, since there is already an award that is enforceable in terms of Section 143 of the LRA. Failure to**

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				Services for a decision to review. Director CEU for Section 95B cases to decide if award must be implemented or not. If not to be implemented, it must be referred to the **DC Legal Services** for a decision to review. **Decision to review in all cases is with the DC Legal Services in consultation with the NC**			**implement may lead to contempt proceedings in the Labour Court.** The Director Employee Relations, Director CEU (latter in Section 95B cases only) and the Regional Head Human Resources are responsible to ensure implementation and to issue instruction to ensure such implementation. If the DC legal Services post is vacant an no person appointed acting the DC Executive Management to take the decision.
104.	Section 96(2)(a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to request rescission or variation of arbitration awards (Section 144 of the LRA)	NC	Director Employee Relations in Head Office Director CEU for Section 95B cases	Regional Head Human Resources in Regions **No delegation for Section 95B matters**	No delegation	**S95B matters are handled by Dir CEU.**
105.	Section 96(4)	Appoint unpaid voluntary workers who are not employees of the department, and determine the extent of the powers they may exercise.	NC	Director Human Resource Administration and Utilization	Regional Head Human Resources	Area Commissioner	
106.	Section 96(5) of Act 111 of 1998	Early retirement of officials from levels 2-12 employed under the Correctional Services Act from the age of 55. (Early retirement between the age of 50 and 55 is not delegated)	NC	Deputy Commissioner Human Resource Management	No delegation	No delegation	Compliance to all relevant policies and prescripts. No delegation for SMS members, National Commissioner to decide.
107.	Section 99(5)	Permit any person other than those mentioned in subsections (1) to (4) in terms of this section to visit an inmate, a correctional centre or any specific section of a correctional centre for any special or general purpose.	NC	- International Committee of the Red Cross: CDC INCO - Visitors from other countries: No delegation: NC to take decision - Media: - Director Communication Services	Media: RC Politicians: Regional Commissioner	- Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area	

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						Coordinator Corrections - Other functional visits with whom the DCS liaises, representatives of other organizations or state departments: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections - Media: Area Commissioner	
108.	Section 101(2)(a)	Authorize a correctional official to search another correctional official or seize his or her property without his or her consent.	NC	DD Physical Security: Directorate Security Standards	DD tasked in the regional office with the management of security in the Regional Office	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level: Area Coordinator: Corrections	**Compliance at all times to relevant prescripts.**
109.	Section 101(4)(a)	Sell any property seized in terms of this Act or the property of a deceased or escaped offender which is in the care of the department, by public auction, if it is not lawfully claimed within six months after being seized or after the death or escape.	NC	No delegation	No delegation	Area Coordinator Finances	
110.	Section 101(4)(c)	Pay over the balance of the proceeds of a sale in terms of subsection 101(4)(a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	NC	No delegation	No delegation	Area Coordinator Finances	
111.	Section 109(2)	Certify the appointment of custody officials.	NC	DC HRD	No delegation	No delegation	

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112.	Section 109(4)	Keep a register containing the particulars of each certified custody official.	NC	DC HRD	No delegation	No delegation	
113.	Section 109(6)	Revoke suspension or certification of custody official, after a custody official has been suspended.	NC	DC HRD	No delegation	No delegation	
114.	Section 111(1)(b)	Authorize an employee of the Contractor or an employee of a sub-contractor to disclose information regarding the functioning of a joint venture correctional centre or any information related thereto.	NC	CFO in consultation with the DC Legal Services	No delegation	No delegation	
115.	Section 123(2)(a) read with Section 123(2)(b)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	NC	Director Public Education, Stakeholder Relations and Media Services	No delegation	No delegation	
116.	Section 132(1) read with Regulation 39(1)	Grant approval of the establishment of canteens for the exclusive use or benefit of correctional officials, the families of such officials and other persons or categories of persons prescribed by regulation.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
117.	Section 132(3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
118.	Section 133(2)	Authorize specific services necessary or expedient and in the public interest or in the interest of any deserving charity to be rendered gratuitously.	NC	No delegation	No delegation	HCC on DD level. Area Coordinator Corrections where HCC is lower than a DD	

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UNDER THE POWERS VESTED IN ME IN TERMS OF REGULATION 41 OF THE CORRECTIONAL SERVICES REGULATIONS, 2004 AS AMENDED AND PUBLISHED IN GG 35277 OF 25 APRIL 2012, I, MAKGOTHI SAMUEL THOBAKGALE, NATIONAL COMMISSIONER OF THE DEPARTMENT OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY WITH EFFECT FROM THE DATE OF PUBLICATION IN THE GOVERNMENT GAZETTE.

Note: FROM THE DATE OF PUBLICATION, THESE DELEGATIONS REPLACE ALL DELEGATIONS PREVIOUSLY PUBLISHED IN THE GOVERNMENT GAZETTE

B. CORRECTIONAL REGULATIONS 2012 AS AMENDED

	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
1.	Regulation 5(1)	Permit a sentenced inmate to wear other clothes than clothing issued to him or her on admission to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre	
2.	Regulation 7(7)(b)	Grant approval that an inmate may participate in clinical trials on application made by the offender.	NC	No delegation	Regional Commissioner	No delegation	
3.	Regulation 7(8)(a)	Grant approval on request of an inmate to donate or receive an organ or tissue by donation, in accordance with the provisions of the Human Tissue Act, 1983(Act no. 65 of 1983).	NC	No delegation	Regional Commissioner	No delegation	
4.	Regulation 7(8)(b)	Grant approval on request from a person to receive any form of artificial fertilization in terms of the provisions of the Human Tissue Act, 1983 (Act no 65 of 1983) from an offender.	NC	No delegation	Regional Commissioner	No delegation	
5.	Regulation 7(9)(a)	Grant approval that an inmate may be sterilized at state expense when the procedure is required for medical reasons as certified by the medical officer.	NC	No delegation	Regional Commissioner	No delegation	
6.	Regulation 7(9)(b)	The National Commissioner may approve an abortion at state expense only in the circumstances contemplated in Sections 2(1)(b)(i),(ii) or (iii) and 2(1)(c) of the Termination of Pregnancy Act, 1996 (Act no 92 of 1996).	NC	No delegation	No delegation	Area Commissioner	
7.	Regulation 9(1)(b)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to	NC	No delegation	No delegation	Head of Correctional Centre	

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National Commissioner
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	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
		allow them to remove and bury the deceased at their own expense.					
8.	Regulation 9(1)(c)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to transport the deceased offender at state expense to another magisterial district, the cost of the burial to be borne by the person requesting the transportation.	NC	No delegation	No delegation	Area Commissioner	
9.	Regulation 10(2)(e) read with Section 3(5)(g)	Appoint a temporary educator with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC	No delegation	Regional Head Corporate Services in consultation with the Regional Head Development and Care	No delegation	
10.	Regulation 10(2)(e)	Appoint a voluntary worker with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC	No delegation	No delegation	Area Commissioner	
11.	Regulation 12(1)	Permit an offender to consult with his or her legal practitioner in connection with legal matters subject to certain conditions.	NC	No delegation	No delegation	Head of Correctional Centre	
12.	Regulation 14(1)(b)	Appoint a case presenter in writing in a disciplinary hearing for offenders.	NC	No delegation	No delegation	Head of Correctional Centre	
13.	Regulation 15(2)(b)	Grant approval that when an inmate temporarily removed from a correctional centre is to appear before court or for the purposes of a criminal investigation, that such an inmate may be placed in the safe custody of a member of the South African Police Services instead.	NC	No delegation	From more than 3 days to 7 days: Deputy Regional Commissioner Request for the second time by the same detective, for the same case: Regional Commissioner	Less than 1 day (return same day/not overnight) Head of RDF or Head of the Correctional Centre From a full day (overnight) to 3 days Area Commissioner	The same protocol as referred to in the delegation for Section 49F must be adhered to. The RC retains the authority to revoke/amend the decision by a HCC or HRDC / Area Commissioner or DRC at any time.
14.	Regulation 21(5)(a)	Appointing correctional officials as members of Emergency Support Teams.	NC	No delegation	No delegation	Area Commissioner	
15.	Regulation 22(2)	Classification of sentenced offenders.	NC	No delegation	No delegation	Unit Manager: Case Management Committee	

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	POWER OR DUTY BEING DELEGATED		Principal	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	functionary	Head Office	Region	Management Area	
16.	Regulation 23(2)(a)	Enter into a contract with any institution or person for the utilization of the labour or service of correctional centres upon such terms and conditions as may be agreed between the parties.	NC	No delegation	No delegation	Head of Correctional Centre	
17.	Regulation 23(2)(b)	Sell the products of the labour or service in a correctional centre to any person on such conditions as may be determined.	NC	No delegation	No delegation	Area Commissioner	
18.	Regulation 23(4)	Order that a sentenced offender may be exempted from work on any day during any period in terms of a classification scheme or course of treatment or otherwise.	NC	No delegation	No delegation	Head of Correctional Centre	
19.	Regulation 23(5)	Grant approval that an offender may perform work for another offender, correctional official or a private person or body.	NC	No delegation	No delegation	Head of Correctional Centre	
20.	Regulation 24(1)(a)	A Case Management Committee consists of at least three correctional officials, one of whom is designated by the National Commissioner as chairperson of that committee	NC	No delegation	No delegation	Area Commissioner	
21.	Regulation 24(2)	The chairperson must, as often as the National Commissioner may determine, convene a meeting of the committee.	NC	No delegation	No delegation	Area Commissioner	
22.	Regulation 25A(1)	Provide particulars as required in terms of Section 49 of the Criminal Law (Sexual Offences and related matters) Amendment Act, 2007,(Act no 32 of 2007) to the registrar of the National Register for Sex offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
23.	Regulation 25A(2)	To inform sex offenders of the implications of being registered in the National Register for Sex Offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
24.	Regulation 26H	In the event of failure to return a remand detainee within such period, the Head of the Remand Detention Facility or the Correctional Centre, as the case may be, must inform the National Commissioner in order to take appropriate steps to ensure the appearance of the remand detainee at court.	NC	No delegation	No delegation	Area Commissioner must be informed and must take appropriate steps to ensure the appearance of the remand detainee at court	The Protocol as referred to in Section 49F must be adhered to

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	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
25.	Regulation 30(1)(a) read together with Regulation 30(1)(c) and Section 95A	Appoint investigators to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections)	NC	Director Departmental Investigation Unit	No delegation	No delegation	The certificate of appointment to be signed by the Director DIU for investigators and for officials appointed to initiate in terms of Section 95B by the Director Code Enforcement Unit
26.	Regulation 30(1)(a) read together with Section 95(1)	Appoint internal auditors to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC Chief Audit Executive	No delegation	No delegation	The certificate of appointment to be signed by the relevant Director in the Chief Directorate, Chief Audit Executive for internal auditors
27.	Regulation 30(1)(a) read together with Regulation 30(1)(c) and Section 95(1)	Appoint inspectors to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	Director Inspectorateg	DRC for Regional Inspectors	No delegation	The certificate of appointment to be signed by the Director Inspectorate for inspectors including regional inspectors
28.	Regulation 31	Allocate official residential accommodation to a correctional official for occupation for such period and under such conditions as may be determined.	NC	No delegation	No delegation	Area Coordinator Human Resources on Director level/Area Commissioner on recommendation of the Housing Committee	1. Officials who work at Regional Offices and National Head Office are subjected to this delegation and must apply to the relevant Area Commissioner for housing. 2. Accommodation reserved for specific posts need not be advised on by the Housing Committee if the house is occupied by the person in such post. 3. The allocation if reserved accommodation may only be used for other officials on approval with recorded reasons by the Area Commissioner
29.	Regulation 32	Working hours	NC	Not delegated	Not delegated	Not delegated	Only the NC shall make any such determination
30.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 3(5)(g) and 96(2)(a)	Less serious misconduct Clause 4 - Decision to institute disciplinary proceedings (except in cases handled in terms of Section 95B)	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU and must be handled as per delegations in terms of Section 95B
31.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 3(5)(g) and 96(2)(a)	Less serious misconduct Clauses 5.1 to 5.3 Imposing the sanctions of Corrective Counseling, Verbal and Written Warning (except in cases handled in terms of Section 95B)	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU and must be handled as per delegations in terms of Section 95B

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	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
32.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 3(5)(g) and 96(2)(a)	Less serious misconduct Clause 5.4 Imposing the sanction of Final Written Warning (except in cases handled in terms of Section 95B)	NC	Supervisor/Manager (NCB1-3/CB1-3) or higher	Supervisor/Manager (NCB1-3/CB1-3) or higher	Supervisor/Manager (NCB1-3/CB1-3) or higher	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU and must be handled as per delegations in terms of Section 95B
33.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 3(5)(g) and 96(2)(a)	Serious misconduct Clause 4 - Decision to institute disciplinary proceedings (except in cases handled in terms of Section 95B)	NC	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU and must be handled as per delegations in terms of Section 95B
34.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 7.3.3 Appointment of Chairperson (except in cases handled in terms of Section 95B)	NC	Deputy Director/ Equivalent or higher	Deputy Director/Equivalent or higher	Deputy Director/ Equivalent or higher	Appointment of chairpersons in Section 95B cases, refer to delegations under Section 95B
35.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 7.3.4 Appointment of Initiator (except in cases handled in terms of Section 95B)	NC	Assistant Director or higher	Assistant Director or higher	Assistant Director or higher	
36.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 7.3.5 Employer agree with the employee that the hearing may be chaired by a panelist (Commissioner) from a dispute resolution agency (GPSSBC/PSCBC/CCMA) and approval of prescribed fees to the relevant council	NC	Director Employee Relations Director CEU for Section 95B matters	RH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Director CEU
37.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct (formal disciplinary hearings) Clauses 7.4.1.1 to 7.4.1.7 Imposing the sanctions of corrective counseling, verbal warning, written warning, final written warning, dismissal or the alternative sanctions to dismissal namely demotion or suspensions without remuneration for a period of one (1), two (2) or three (3) months.	NC	ASD or higher	ASD or higher	ASD or higher	Compliance with Resolution 1 of 2006
38.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 8.4 Appeal in non-dismissal cases	NC	A manager on higher level that the supervisor/ manager of first instance	A manager on higher level that the supervisor/ manager of first instance	A manager on higher level that the supervisor/ manager of first instance	Section 95B cases refer to delegation under Section 95B: Appeal for non-dismissible cases. "Next level manager" means the next level manager of the official who gave the sanction.
39.	Regulation 33(1) read together with Resolution 1 of	Serious misconduct	NC	DC Employee Relations/CDC Human	Deputy Regional Commissioner/RC if the	No Delegation	The appeal submission must be referred to National Head Office for a decision by the DC Employee

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	Section	Topic Description		Head Office	Region	Management Area	
	2006 read with Section 3(5)(g) and 96(2)(a)	Clause 8.5 Appeal in dismissal cases and appeals against the alternatives to dismissal **(except in cases handled in terms of Section 95B)**		Resources if the DC ER cannot make a decision	DRC cannot make a decision		Relations in cases where the DRC or the RC (who is the line function decision maker above the DRC) cannot make a decision **Sections 95B matters refer to delegations under S95B**
40.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a) Levels 2-12	Serious misconduct Clause 7.2 Precautionary suspension; suspension pending the outcome of appeal and review of suspensions.	NC	Director or higher Director DIU for levels 2-12 in cases handled by the DIU in terms of Section 95A Director CEU if case was investigated in terms of Section 95A and handed over to Code Enforcement Unit in terms of Section 95B	Director or higher	Director or higher	The review of suspensions shall be handled in terms of the relevant prescripts. Alternative placement must be handled according to the same levels as suspensions noting that in Section 95A and B cases the Director DIU and the Director CEU can only advise and cannot take a decision. Monitoring and non-compliance All suspensions must be reported in writing to the Director ER in Head Office within 2 working days of such suspension All suspensions must be monitored by the RH Corporate Services and the Director ER in Head Office Any non-compliance to prescripts must be submitted to the DC ER, CDC HR and NC in writing monthly by the Director ER
41.	Regulation 33(2) read with Chapter 7 of the SMS manual in relation to SMS members	Precautionary suspension and review of suspension	NC	No delegation	No delegation	No delegation	All SMS suspensions - NC
42.	Regulation 33(2) read together Section 3(5)(g) and 96(2)(a) and read with Chapter 7 of the SMS manual in relation to SMS members	Disciplinary matters in relation to SMS	NC	No delegation	No delegation	No delegation	In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on the sanction and therefore no delegation required on sanctions
43.	Regulation 35 and 36	An executing authority may on the basis of medical evidence, consider the discharge of an employee in terms of Section 17(2)(a) of the Act on account of ill health. To this end, an executing authority may require an employee to undergo a medical examination by a registered Physician	NC	**Levels 2-10** DD Retention and Terminations **Levels 11-12** Director Human Resource Administration	No delegation	No delegation	Compliance to relevant prescripts

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	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
				SMS No delegation: National Commissioner to decide			
44.	Regulation 37(2)	Abscondment of correctional official 1. Regulation 37(2)(b) Establish whereabouts of the official that is absent 2. Regulation 37(2)(a) Dismissal of the official 3. Regulation 37(2)(c) and (d) Decision on representation by official who was summarily dismissed for being absent for 30 consecutive calendar days to be reinstated or re-employed	NC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official: Levels 2-12: Director and higher 3. Decision on representation by official who was dismissed for abscondment to be reinstated/re-employed: Levels 2-12: Relevant DC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official: Levels 2-12: Director and higher 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed: Levels 2-12: DRC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official: Levels 2-12: Director and higher 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed: No delegation	The provisions of Regulation 37(2) must be adhered to at all times All decisions on SMS remains with the NC and are not delegated
45.	Regulation 39(2)(b)	Determine how and when any profits, assets or any proceeds from the liquidation of a departmental canteen may be distributed by the committee for any purposes contemplated in Section 132 of the Act, or for the common benefit or welfare of correctional officials, pensioners, civilian employees and their dependents.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
46.	Regulation 39(2)(c)	Authorize any expenditure for accommodation or other necessities provided from Public funds in consultation with National Treasury relating to departmental canteens.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	

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ASSIGNMENTS: 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 MAKGOTHI SAMUEL THOBAKGALE, NATIONAL COMMISSIONER OF CORRECTIONAL SERVICES, HEREBY ASSIGN THE DUTIES IMPOSED ON ME IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT 1993 (ACT NO. 85 OF 1993), AS AMENDED 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:

Please note:

(a) The following abbreviations are used:

DRC	=	Deputy Regional Commissioner
DC	=	Deputy Commissioner
CDC	=	Chief Deputy Commissioner
DIR	=	Director
DD	=	Deputy Director
CO	=	Correctional Officer
SCO	=	Senior Correctional Officer
ASD	=	Assistant Director
HO	=	Head Office

	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description	Head Office	Region	Management Area	
47.	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: A Draft and review policy and ensure implementation thereof. B Functional provision and maintenance of working environment that is safe and without risk.	A Policy: CDC Human Resources B Functional: DD Auxiliary Services	B Functional: Regional Head Human Resources	B Functional: Area Commissioner, Head Correctional Centre/ Remand Detention Centre/ Community Correctional Office	Officials appointed in these posts must complete training presented by HRD within one year of assumption of duty in the post (applicable to all assignments under the OHS Act)
48.	8(2)(a)	Provisioning and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health	DD Auxiliary Services	Regional Coordinator Safety and Security	Area Coordinators	

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	Section	Topic Description	Head Office	Region	Management Area	
49.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
50.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
51.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
52.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
53.	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 prescribed, have been taken.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
54.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
55.	8(2)(h)	Enforcing such measures as may be necessary in the interest of health and safety.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
56.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
57.	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.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
58.	9(1)	Conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who is directly affected by his activities are not thereby expose to hazards to their health or safety.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
59.	12(1)(a)	Identify the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employees, and the steps to be taken to comply with the provisions of the Act.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
60.	12(1)(b)	As far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	

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	Section	Topic Description	Head Office	Region	Management Area	
61.	12(1)(c)	Carry out an Occupational Hygiene Programme and biological monitoring and subject such employees to medical surveillance.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
62.	13(a)	Duty to inform: Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
63.	13(b)	Inform the health and safety representatives concerned beforehand of inspections, investigations or formal enquiries of which he has been notified by an inspector.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
64.	13(c)	Inform a health and safety representatives as soon as reasonably practicable of the occurrence of an incident in the work place or section in the work place for which such representative has been designated.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	

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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

PROMOTION OF ACCESS TO INFORMATION ACT, 2000(ACT 2 OF 2000)

DELEGATED IN TERMS OF SECTION 17(3) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000(ACT 2 OF 2000), I MAKGOTHI SAMUEL THOBAKGALE, NATIONAL COMMISSIONER OF CORRECTIONAL SERVICES, APPOINTED AS INFORMATION OFFICER IN TERMS OF THE ACT HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

m) The Information Officer (the National Commissioner) has direction and control over every Deputy Information Officer.

n) Any delegation does not prohibit the Information Officer (National Commissioner) from exercising the power concerned or performing the duty concerned himself of herself.

o) Any delegation may at any time be withdrawn or amended in writing by the Information Officer.

p) Any right or privilege acquired, or any obligation or liability incurred, as a result of a decision in terms of a delegation of this Act is not affected by any subsequent withdrawal or amendment of that decision.

q) The delegation indicated hereunder, remains in force should a section of the Promotion of Access Act be renumbered in terms of an amendment, precluding any amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;

r) The exercise of a delegated authority is at all times subject to the provisions of the Correctional Services Act and Regulations, the Departmental Orders and any directives issued in this regard; and;

s) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.

	POWER OR DUTY BEING DELEGATED		Principal functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	
1.	Section 17	Appointment as Deputy Information Officers with all authority and competencies provided for in terms of the Promotion of Access to Information Act 2 of 2000	NC	CDC of Branch	RC	No delegation	All decisions must be submitted to the Director IM quarterly. Appeals against decisions must be forwarded to the Director IM to present to the Appeal Board.

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PART A: EXECUTIVE AUTHORITY DELEGATIONS TO THE NATIONAL COMMISSIONER FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by -

(a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and

(b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, **Ronald Ozzy Lamola MP**, **Minister of Justice and Correctional Services**, delegate the powers and duties vested in me to the National Commissioner (NC): Department of Correctional Services as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

Executive Authority and Head of Department to sign and date all pages.

SIGNED AT Pretoria ON THIS 07 DAY OF July 2023

NAME OF EXECUTIVE AUTHORITY: **RONALD OZZY LAMOLA MP:**

NAME OF EXECUTIVE AUTHORITY PORTFOLIO: **JUSTICE AND CORRECTIONAL SERVICES:**

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **MAKGOTHI SAMUEL THOBAKGALE:** 26/07/2023

NAME OF DEPARTMENT: **DEPARTMENT OF CORRECTIONAL SERVICES**

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PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	**Topic Description**		**Head Office**	**Region**	**Management Area**	**Indicators for Execution/Reporting/Consultation/ Informing**
1.	3(7)	An executive authority has all those powers and duties necessary for- *(a)* the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA	NC 1-12	None	None	Provided for in Section 3 of the Correctional Services Act, 111 of 1998 read with **Section 2(2) of the PSA 1994**, the authority is therefore with the National Commissioner. **DPSA Directives to be complied with and Minister to approve Levels 13-15**
2.		*(b)* the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act	EA	NC 1-12 Subject to the provisions and delegations in the CSA	None	None	Levels 13-15 appointments of SMS members approved by the NC in consultation with the Minister as provided for in Section 96(3) of the CSA
3.	3(8)	(a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned (d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the period of three	EA	NC 1-12	NC 1-12	NC 1-12	EA approves L13-15

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
		years with such period as the Minister considers appropriate					
4.	5(8)	(b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt	EA	NC 1-13	NC 1-13	NC 1-13	EA L14-15
5.	**9**	**Appointments in Public Service**					
6.	9	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed	EA	NC 1-12	None	None	Levels 13-15 appointments of SMS members approved by the NC in consultation with the Minister as provided for in Section 96(3) of the CSA
7.	**13**	**Appointment on probation**					
8.	13(1)	If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees	EA	NC 1-14	NC 1-14	NC 1-14	EA approves L15-16. All appointments to be made on probation
9.	13(2)	After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has- (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her appointment was subject	EA	NC 1-14	NC 1-14	NC 1-14	EA approves L15. HR to facilitate in consultation with relevant functionaries All appointments to be made on probation

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PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	**Topic Description**		**Head Office**	**Region**	**Management Area**	**Indicators for Execution/Reporting/Consultation/ Informing**
10.	13(3)	If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	NC 1-14	NC 1-14	NC 1-14	EA approves L15. HR to facilitate submission and consult with responsible line manager. Confirmation should be based in compliance with all stipulated conditions, work performance of an employee
11.	**14**	**Transfers within public service**					
12.	14(1)	Subject to subsections (2), (3) and (4), any employee of a department may be transferred- (a) within the department, by its executive authority; (b) to another department by the executive authorities of the two relevant departments	EA	NC 1-12	NC 1-12	NC 1-12	Provided for in Section 3(5)(g) of the Correctional Services Act, 111 of 1998 read with **Section 2(2)** of the PSA 1994. Refer to delegations in terms of Correctional Services Act
13.	**15**	**Transfer and secondment from and to public service**					
14.	15(2)	If it is in the public interest and if the prescribed conditions (if any) have been complied with, the executive authority of a department may, with the approval of the employer concerned, approve the secondment of a person in the service of an organ of state, another government or any other body to the department- (a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority.	EA	NC 1-12	NC 1-12	NC 1-12	EA approves L13-15. HR and Legal Services to facilitate

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
15.	15(3)	(a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body- i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	NC 1-13	NC 1-13	NC 1-13	EA approves L14-15. Refer to subsection 15(3)(b) and (c). HR to facilitate
16.	**16**	**Retirement and retention of services**					
17.	16(2)	(b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall- (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received	EA	NC 1-12	NC 1-12	NC 1-12	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. All SMS officials in DCS appointed in terms of Correctional Services Act. Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of Section 96(5) of Act 111 of 1998, as amended read with Section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of Section 12(2) retained in Act 111 of 1998). L13-15 in consultation with the Minister
18.	16(4)	An officer, **other than a member of the services** or an educator or a member of the State Security Agency who	EA	NC 1-12	NC 1-12	NC 1-12	Employee to be given three calendar months' notice from date of approval.

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	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	**Topic Description**		**Head Office**	**Region**	**Management Area**	**Indicators for Execution/Reporting/Consultation/ Informing**
		has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service					Refer to conditions in Section 16. This delegation only applicable to DCS officials appointed in terms of the PSA. All SMS officials in DCS appointed in terms of Correctional Services Act. Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of Section 96(5) of Act 111 of 1998, as amended read with Section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of Section 12(2) retained in Act 111 of 1998). L13-15 in consultation with the Minister
19.	16(6)	(a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement	EA	NC 1-12	NC 1-12	NC 1-12	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. All SMS officials in DCS appointed in terms of Correctional Services Act. L13-15 in consultation with the Minister
20.	16(7)	If it is in the public interest to retain an officer, **other than a member of the services** or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval	EA	NC 1-12	NC 1-12	NC 1-12	EA approves L15-16. The employee concerned must agree to his/her retention in writing DDG or CFO to be consulted Extension of service refer to Section 16(7) For anyone to be retained for more than three months, the concurrence of the Minister is required

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
		of Parliament granted by resolution, exceed in the aggregate two years					
21.	16A(4)	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder- (a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (8)	EA	Not delegated	Not delegated	Not delegated	HR facilitates
22.	16B(6)	If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee	EA	NC 1-12	NC 1-12	NC 1-12	HR facilitates. L13-15 in consultation with the Minister
23.	**17**	**Termination of employment**					
24.	17(1)	(a) Subject to paragraph *(b)*, the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act	EA	NC 1-12	NC 1-12	NC 1-12	Only applicable to officials appointed under the PSA. All SMS officials in DCS appointed under CSA. Officials appointed under CSA refer to delegations under CSA. Compliance with Disciplinary Code and GPSSBC Resolution 1 of 2006 and Chapter 7 of SMS Handbook. Refer to Section 17(1)(b) for dismissal for misconduct. L13-15 in consultation with the Minister
25.	**30**	**Other remunerative work by employees**					

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	Section	**Topic Description**		**Head Office**	**Region**	**Management Area**	**Indicators for Execution/Reporting/Consultation/ Informing**
26.	30(1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department	EA	NC 1-13	NC 1-13	NC 1-13	EA approves L14-15 HR to facilitate written motivation from employee and recommendation from line manager
27.	30(3)	(a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given	EA	NC 1-12	NC 1-12	NC 1-12	Relevant supervisors to advice HR HR to facilitate L13-15 in consultation with the Minister
28.	**31**	**Unauthorized remuneration**					
29.	31(2)	(b) In circumstances regarded by the relevant executive authority as exceptional, the said authority may approve of paying out of revenue an amount equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned	EA	NC 1-12	NC 1-12	NC 1-12	Relevant supervisors to advice HR HR to facilitate L13-15 in consultation with the Minister
30.	**32**	**Direction to perform other functions or to act in another post**					
31.	32(2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed (b) Such acting appointment shall be made- (i) in the case of the post of head of department, by the relevant executive authority.	EA	Not delegated	NA	NA	Level 15 in consultation with the Minister Acting appointments for all other levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
		(ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department.		NC as per s 32(2)(b)(ii) of PSA	NC as per s 32(2)(b)(ii) of PSA	NC as per s 32(2)(b)(ii) of PSA	
32.	35	**Grievances of employees**					
33.	35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission- (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period	EA	NC 1-14	NC 1-14	NC 1-14	Refer to the grievance procedure for L2-12. Grievances of SMS to be handled in terms of the SMS Handbook.
34.	35(2)	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances of the case, the Commission considers it appropriate to make such a recommendation	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA
35.	**37**	**Remuneration of employees**					
36.	37(2)	An executive authority may, only if it is allowed by regulation and to the extent prescribed- (a) grant employees or classes of employees of the relevant department on appointment or transfer	EA	NC 1-12	NC 1-12	NC 1-12	Grants to be made in accordance with the Departmental Retention Policy L13-15 in consultation with the Minister NC not to delegate further

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
		salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; (b) grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and (c) grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest					HR to facilitate in consultation with CDC and CFO Sub-paragraph (c) must be read with Section 3(5)(e) of the CSA and the delegations thereof.
37.	**38**	**Wrongly granted remuneration**					
38.	38(1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced	EA	NC 1-15	NC 1-15	NC 1-15	Head of HR to inform the relevant employee of the overpayment in consultation with the CFO to determine possible steps to be taken to ensure recovery in writing. Relevant prescriptions must be complied with.

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PART A, APPENDIX B: Delegations register - EA to National Commissioner (NC) in terms of Public Service Regulations

EXECUTIVE AUTHORITY (EA) DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/ POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
	CHAPTER 1	GENERAL PROVISIONS			
1.	5(a) and (b)	Draft legislation affecting Public Service Act and Regulations An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches
2.	7(1) and (2)	Decision-making in cases of conflict of interest (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.
3.	8(2)	Record-keeping of delegations and correction of acts and omissions (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of Section 5(7) of the Act	EA	NC	
4.	9(1)	Reporting, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any Regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.	EA	Not delegated	Original power of EA to submit information or data to the Minister
5.	10(3)	Prescribed forms for human resource management and related practices (3) An executive authority may, in consultation with the Minister, add any other areas to any "Z" form to address departmental specific requirements.	EA	Not delegated	NC to coordinate inputs from Branches and Regions

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EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/ POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT			
6.	18(2)	Disclosure of designated employees' interests (2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	EA	Not delegated	EA ensures disclosure by NC Members of the SMS shall disclose to the NC in terms of PSR 18(1)
7.	18(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of sub Regulation (3), unless otherwise determined by the Minister.	EA	Not delegated	EA ensures disclosure by NC NC ensures disclosure by all members of the SMS MMS, SCM officials and Closed Occupational Classes that earns a salary equivalent to that of MMS members
8.	18(6)	(6) An executive authority shall submit to the Commission a copy of the form submitted to the executive authority in terms of - (a) sub Regulation (2) not later than 31 May of the year in question; or (b) sub Regulation (4), in so far as it relates to a head of department, not later than 30 days after it has been so submitted.	EA	Not delegated	
9.	21(1)	Conflict of interest (1) In so far as conflict of interest relates to members of the SMS: (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest (d) If the employee, after the consultation referred to in sub Regulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee. (e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and	EA	(1)(c) NC L13-15 (1)(d) NC L13-15 (1)(e) NC L13-15	This Regulation deals with interests if the Commission is of the opinion that an interest of a SMS employee disclosed in terms of Regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, (1)(c) EA retains consultation in respect of the NC (1)(d) EA retains disciplinary action in respect of the NC (1)(e) EA retains reporting action in respect of the NC

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/ POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		(ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.			
10.	23(1)	Designation of ethics officers (1) An executive authority shall designate such number of ethics officers as may be appropriate, for the department.	EA	NC	
	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY			
11.	25(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	NC	EA approve the strategic plan and monitor the progress made towards achieving those targets and core objectives.
12.	25(2)(a)	Organizational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organizational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury	EA	NC EA to concur	Provided for in Section 3(5) of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA, 1994, the authority is therefore with the National Commissioner Compliance to DPSA directives
13.	25(2)(b) and (c)	Define and create posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in Regulation 41(1), except where the	EA	**NC L1-12** **EA to concur with SMS posts (L13-15)**	Provided for in Section 3(5) of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA, 1994, the authority is therefore with the National Commissioner Compliance to the DPSA directives

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/ POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		grade of a job has been determined in terms of an OSD or directed by the Minister in terms of Regulation 41(2)(d)			
14.	26(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	NC	NC approves after consultation with the EA. This Section must be read with Section 3(5) of the CSA NC monitor the implementation of the plan and inform the EA
15.	27	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in Section 20 of the Employment Equity Act.	EA	NC	NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
16.	28(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in Regulation 26 (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in sub Regulation (1)	EA	NC	NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
17.	29	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with the departmental EXCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
18.	31(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of Section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	NC	NC submits report to the EA after consultation with MANCO EA tables report in the legislature
19.	34(3)	Business case and Inter-departmental assessment committee for the establishment of government components and specialize service delivery units	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organizational forms

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		(3) The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.			Note the requirements set out in Regulation 34(2) for EA's or Premiers to designate members of the committee, on a case by case basis
20.	35	Organizational functionality assessment An executive authority shall conduct an organizational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21.	36	Operations management framework An executive authority shall establish and maintain an operations management framework which shall include - (a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in Regulation 37; and (g) a service delivery improvement plan referred to in Regulation 38.	EA	NC	NC approve the framework after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
22.	37(1)	Service delivery charter (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	NC	NC approve charter after consultation with MANCO and EA NC monitor the implementation of the charter and inform the EA
23.	38	Service delivery improvement plan An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in Regulation 25 for his or her department	EA	NC	NC approve after consultation with the EA NC monitor the implementation of the plan and inform the EA
	CHAPTER 4	EMPLOYMENT MATTERS			
24.	39(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSD's	EA	NC	NC may delegate further NC to brief Minister annually

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		39(1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in sub Regulation (3)(a) to an occupation listed in the occupational classification system referred to in sub Regulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilized			
25.	40	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall - (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in Regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of Regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilized; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of Regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and	EA	NC L1-12	EA approves L13-15

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		(d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.			
26.	41(3)	Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of sub Regulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1-12	EA approves L13-15
27.	43(2)(a)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of Regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of Regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of Regulation 41(3)	EA	NC L1-12	EA approves L13-15
28.	43(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of Regulation 44	EA	NC L1-12	EA approves for L15-16 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of under graded jobs the commencing salary is determined as set out in Regulation 45(4)
29.	43(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	NC L1-12	EA approves L13-15
30.	43(4)	(4) If an executive authority intends to evaluate jobs or implement job evaluation results that will affect the grade of an occupation or the salary level within an occupation where such occupation is utilized by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance.	EA	Not delegated	

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31.	44(1)	Setting of higher salary (1) Subject to sub Regulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	NC L1-12	EA approves L13-15 NC approves L13-15 in consultation with EA HR to facilitate
32.	45(1)	Undergraded posts (1) If the job weight demonstrates that a post is under graded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1-12	NC approves L13-15 in consultation with EA Continued employment of incumbent is set out in Regulation 45(2)
33.	45(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in sub Regulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-12	NC approves L13-15 in consultation with EA
34.	46(1)	Over graded posts (1) If the job weight demonstrates that a filled post is over graded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1- 14	NC approves L13-14 in consultation with EA

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35.	49(1)	Overtime (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorization in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	NC	
36.	49(2)	(2) An overtime policy contemplated in sub Regulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorized; (c) how much overtime an employee may work in a given period; (d) how authorization for overtime is recorded; and (e) other control measures, if necessary.	EA	NC	NC approves overtime policy after consultation with MANCO
37.	50(b)	Suggestions, improvements and innovations 50. If an employee makes a suggestion, improvement or innovation of exceptional value to the department or the public service as a whole or has exceptional ability, a special qualification or has rendered meritorious service, other than the service recognised in terms of the department's performance incentive scheme, to the department or the public service as a whole - (b) the executive authority may, only as provided for in a directive issued by the Minister, reward the employee through - (i) a non-monetary reward; (ii) a non-pensionable cash award not exceeding 20 per cent of the employee's pensionable annual salary; or	EA	NC	Also provided for in Section 3(5)(e) of the CSA. Refer to CSA delegations Level 13-15 in consultation with the Minister

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		(iii) such a non-monetary reward and a cash award.			
38.	57(1)	General conditions for appointment 57. (1) An executive authority - (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to Section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with Regulations 65 and 67.	EA	NC L1-14	EA approves L15-16. Also refer to Section 96(3) of the CSA in terms of SMS appointments
39.	57(2)	Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorized by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department; (c) an employee's post has been abolished and he or she cannot be transferred into another post; or (d) an employee is part of a development programme as contemplated in Regulation 58.	EA	NC L1-12	EA approves L13-15 CFO to approve funding. No appointment can be made before funding approved. See general conditions for appointment is set out in PSR 57(1), (2), (3), (4) (5) and (6) NC to report to the Minister on a 6 monthly basis of the number of approved additional to the establishment
40.	57(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall -	EA	NC L1-12	EA approves L13-15 level

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		(a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of sub Regulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.			
41.	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	NC L1-12	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see Sections 9, 12, 12A, 13 EA approves L15-16 See general conditions for appointment set out in PSR 57(1), and (6), and 58, 60, 61 See also PSR 67(8) and (9) and PSR 68
42.	58	**Developmental programmes** An executive authority may appoint persons who are part of a developmental programme, including but not limited to, interships, learnerships and apprenticeships, on such terms and conditions that shall be determined by the Minister.	EA	NC	Compliance to DPSA Directives
43.	59	Utilization of unpaid voluntary workers An executive authority may utilize unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with	EA	NC	NC to brief the Minister on a quarterly basis on the number and cost of volunteers in the department

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		departmental policies and such compensation shall not be construed as remuneration; (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.			
44.	60(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding sub Regulation (1)(a) and subject to Regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this Regulation. (3) Notwithstanding sub Regulation (1)(a) and subject to Regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in Regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this Regulation.	EA	NC L1-12	EA approves L13-15
45.	62(3)	Secondments (3) If an employee is seconded upon his or her request in terms of Section 15(3)(b)(i) of the Act, the relevant executive authority may bind	EA	NC L1-L12	EA approves L13-15

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		him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.			
46.	64(1) and (2)	Determination of requirements for employment (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	NC	Level 13-15 in consultation with the Minister
47.	65(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	NC	
48.	65(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	NC	
49.	66(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers 66(1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of Section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years;	EA	Not delegated	Compliance to Ministerial Handbook

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		(b) a transfer in terms of Section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in Regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of sub Regulation (1) without complying with Regulations 65(1); (3) and (4).			
50.	67(1)	Selection (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	NC L1-12 NC L13	EA chair selection committee for NC and DDG (L15) See the conditions set out in PSR 67(2) to (9) Level 13 NC approves Level 14-15 EA approves
51.	67(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of sub Regulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	NC L1-12	EA approves head hunting for L13-15
52.	67(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing	EA	NC L1-12	EA for L13-15
53.	67(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall -	EA	NC L1-12	EA for L13-15

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		(a) satisfy herself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.			
54.	68(2)	Probation (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in sub Regulation (1).	EA	NC L1-14	EA for L15
55.	69(2)	Resignation (2) Subject to Section 16B(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in sub Regulation (1).	EA	NC L1-12	EA for L13-15
56.	69(3)	Resignation (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	NC	
57.	69(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	NC L1-14	EA L15
58.	69(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	NC L1-12	EA L13-15
59.	69(6)	(6) If notice of resignation is given in terms of sub Regulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	NC L1-14	EA L15
60.	71(1)	Systems for performance management and development	EA	NC	NC approve the system after consultation with MANCO and the EA

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		(1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.			NC monitor the implementation of the plan and inform the EA
61.	71(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC	NC approve the system after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
62.	71(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC	NC approve the systems after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
63.	71(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC	NC approve the system after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
64.	72(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in sub Regulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	NC L1-12	Level 13-15 in consultation with the Minister
65.	72(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	NC	EA for NC assessment
66.	72(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority –	EA	NC L1-15	EA manage poor performance of NC

Executive Authority: _____
RO Lamola, MP
Minister of Justice and Correctional Services
Date: 07/07/2023

National Commissioner: _____
MS Thobakgale
Date: 26/07/2023

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PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/ POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		(b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.			
67.	73(1)	Rewarding performance (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in sub Regulation (3).	EA	NC	NC approve the scheme after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA
68.	76	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	NC	NC approve the training required after consultation with the departmental EXCO and the EA
69.	78(2)	Mandating and management of negotiations (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority— (a) is responsible for managing collective bargaining on behalf of the State as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in Regulation 79.	EA	NC	NC enters into a collective agreement after consultation with MANCO and the EA The conditions for matters with financial implications is set out in PSR 79.

Executive Authority: _____
RO Lamola, MP
Minister of Justice and Correctional Services
Date: 07/07/2023

National Commissioner: _____
MS Thobakgale
Date: 26/07/2023

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PART B: HEADS OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by:-

(a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and

(b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, **Makgothi Samuel Thobakgale**, National Commissioner (NC) of the Department of Correctional Services, delegate the powers and duties vested in me to the incumbents of posts as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

SIGNED AT PRETORIA ON THIS 26th DAY OF JULY. 2023

MS Thobakgale
National Commissioner
Date: 26/07/2023

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
1.	3(7)	An executive authority has all those powers and duties necessary for- (a) the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA	NC 1-12	None		Provided for in Section 3(5) of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. DPSA directives to be complied with, EA approve L13-15
2.		(b) the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act.	EA	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Provided for in Sections 3(5) and 96(3) of the Correctional Services Act (CSA), 111 of 1998 read with Section 2(2) of the PSA 1994 and Regulation 33 of the Correctional Services Regulations, the authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act and Regulations: Levels 13-15 not delegated
3.	3(8)	(a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. (d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the period of three years with such period as the Minister considers appropriate.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approved L1-12
4.	5(8)	(b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as	EA	NC 1-13	NC 1-13	NC 1-13	EA L14-15 NC L1-13

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.					
5.	**9**	**Appointments in Public Service**					
6.	9	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed, read with Section 3(5)(g) and 96(3) of the Correctional Services Act, 111 of 1998 as amended	EA	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	Read with Sections 3(5) and 96(3) of the Correctional Services Act, 111 of 1998, Section 2(2) of the PSA 1994 and the delegations in terms of the Correctional Services Act. Level 13-15 not delegated
7.	**13**	**Appointment on probation**					
8.	13(1)	If so required by Regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	All appointments to be made on probation. Levels to approve appointment on probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations. L13-14 NC approves L15 EA approves
9.	13(2)	After the completion of a probationary period contemplated in sub section (1) an executive authority shall confirm the probationary appointment if the employee concerned has- (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her appointment was subject.	EA	CDC L11-12 CD L1-10	RC L11-12 DRC L1-10	None	Levels to approve confirmation of appointment after completion of probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations. HR to facilitate in consultation with relevant functionaries. All appointments to be made on probation. L13-14 NC approves L15 EA approves
10.	13(3)	If the probationary appointment is not confirmed in terms of sub section (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	CDC L11-12 DC L9-10 Director L1-8	RC L11/12 DRC L9-10 Director L1-8	No delegation	L13-14 NC approves L15 EA approves HR to facilitate submission and consult with responsible line manager

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							Confirmation should be based in compliance with all stipulated conditions, work performance of an employee.
11.	**14**	**Transfers within public service**					
12.	14(1)	Subject to sub sections (2), (3) and (4), any employee of a department may be transferred- (a) within the department, by its executive authority; (b) to another department by the executive authorities of the two relevant departments.	EA	Levels 2-7 Director HR A&U Levels 8-10 DC HR Management Levels 11-12 CDC HR	none	none	The same delegations provided for in Sections 3(5)(g) of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA 1994, the authority is therefore with the National Commissioner. **Refer to delegations in terms of the Correctional Services Act.** SMS not delegated.
13.	**15**	**Transfer and secondment from and to public service**					
14.	15(2)	If it is in the public interest and if the prescribed conditions (if any) have been complied with, the executive authority of a department may, with the approval of the employer concerned, approve the secondment of a person in the service of an organ of state, another government or any other body to the department- (a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority.	EA	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not Delegated	EA approves L13-15 NC approves L1-12 HR and Legal Services to facilitate
15.	15(3)	(a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body-	EA	Not delegated	Not delegated	Not delegated	EA approves L14-15 NC approves L1-13 HR to facilitate Refer to Section 15(3)(b) and (c) of the PSA

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.					
16.	**16**	**Retirement and retention of services**					
17.	16(2) read with section 16(2A)(a)	(b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall- (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	L1-12 DC HRM	Not delegated	Not delegated	NC approves L13-15 in consultation with the Minister. **This delegation only applicable to DCS officials appointed in terms of the Public Service Act.** (All SMS officials in DCS appointed in terms of Correctional Services Act.) **Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of Section 96(5) of Act 111 of 1998**, as amended read with Section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of Section 12(2) retained in Act 111 of 1998, as amended) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA.
18.	16(4)	An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	L1-12 DC HRM	Not delegated	Not delegated	NC Approves L13-15 in consultation with the Minister Employee to be given three calendar months' notice from date of approval. Refer to conditions in Section 16 **This delegation is only applicable to DCS officials appointed in terms of the Public Service Act.**

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
							(All SMS officials in DCS appointed in terms of Correctional Services Act.) **Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of Section 96(5) of Act 111 of 1998**, as amended read with Section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of Section 12(2) retained in Act 111 of 1998) Refer to delegation (no 105) in terms of the CSA for early retirement for officials appointed under the CSA
19.	16(6)	(a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of Section 17(2), if sufficient reason exists for the retirement.	EA	L1-12 DC HR	Not delegated	Not delegated	NC approves L13-15 in consultation with the Minister Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 **This delegation only applicable to DCS officials appointed in terms of the Public Service Act.** (All SMS officials in DCS appointed in terms of Correctional Services Act.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA
20.	16(7)	If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of sub section (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by Resolution, exceed in the aggregate two years.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 **NC approves retention of L1-12 up to 3 months. Retention longer than 3 months the Minister's concurrence must be obtained for all levels.** **The employee must agree to his retention in writing.** CDC HR and CFO must be consulted Refer to conditions in Section 16(7)

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
21.	**16A**	**Failure to comply with Act**					
22.	16A(2)	A head of a department shall- (a) immediately take appropriate disciplinary steps against an employee of the department who does not comply with a provision of this Act or a Regulation, determination or directive made thereunder; (b) immediately report to the Director-General: Public Service and Administration the particulars of such non-compliance; and (c) as soon as possible report to that Director-General the particulars of the disciplinary steps taken.	NC	Same levels as the delegations in terms Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Same levels as the delegations in terms Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Same levels as the delegations in terms Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Delegations is the same as in terms of Regulation 33 read together with Resolution 1 of 2006 and where applicable Section 95A and B of the CSA.
23.	16A(4)	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a Regulation, determination or directive made thereunder- (a) reported in terms of sub section (1) or (2); or (b) confirmed in an investigation in terms of Section 5 (8).	EA	Not delegated	Not delegated	Not delegated	EA reports for L1-16 HR facilitates
24.	**16B**	**Discipline**					
25.	16B(1)	Subject to sub section (2), when a chairperson of a disciplinary hearing pronounces a sanction in respect of an employee found guilty of misconduct, the following persons shall give effect to the sanction: (b) in the case of any other employee, the relevant head of department.	NC	DD Auxiliary Services	RH: HR	AC Corporate Services	Procedures for service terminations to be followed as well the relevant prescripts in respect of level 2-12 that service will only be terminated after finalisation of appeal if the official lodged an appeal within the time frame provided for in Resolution 1 of 2006. SMS do not have appeal recourse in terms of chapter 7 of the SMS handbook

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
26.	16B(4)	If an employee of a department (in this sub section referred to as 'the new department'), is alleged to have committed misconduct in a department by whom he or she was employed previously (in paragraph *(b)* referred to as 'the former department'), the head of the new department- (b) shall institute or continue such steps if so requested- (iii) by the head of the former department, in the case of any other employee.	NC	CDC L11-12 DC L9-10 Director L1-8 **CSA Section 95B matters.** L1-12 Director CE Levels 13-15 Not delegated	RC L11-12 DRC L9-10 RH L1-8	DC L9-10 Director L1-8	NC L13-15 Refer to delegation in terms regulation 16B(1) above (no 25) to effect sanctions
27.	16B(6)	If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee.	EA	CDC L11-12 DC L9 -10 Director L1-8	CDC L11-12 DC L9 -10 Director L1-8	DC 9 -10 Director L1-8	HR facilitates NC L13-15 in consultation with the Minister.
28.	**17**	**Termination of employment**					
29.	17(1)	(a) Subject to paragraph *(b)*, the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act.	EA	Not delegated	Not delegated	Not delegated	Only applicable to officials appointed under the PSA. Officials appointed under the CSA refer to the delegations under CSA. Refer to Section 17(1)(b) for dismissal for misconduct Compliance with the Disciplinary Code, GPSSBC Resolution 1 of 2006 (Regulation 33) and Chapter 7 of SMS Handbook Levels 13-15 in consultation with the Minister
30.	**30**	**Other remunerative work by employees**					
31.	30(1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department,	EA	CDC HR L1-12	RC L1-12	Not delegated	EA approves L14-15 NC approves L13

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		except with the written permission of the executive authority of the department.					HR to facilitate written motivation from employee and recommendation from Line Manager
32.	30(3)	(a) The executive authority shall decide whether or not to grant permission, contemplated in sub section (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	CDC HR L1-12	RC L1-12	Not delegated	NC approves L13-15 in consultation with the Minister HR to facilitate written motivation from employee and recommendation from Line Manager
33.	31	**Unauthorized remuneration**					
34.	31(1)	(a)(ii) If the employee fails to so pay into revenue the amount or value, the said head of department shall recover it from him or her by way of legal proceedings and pay it into revenue. (iv) The accounting officer of the relevant department may approve that the employee concerned retains the whole or a portion of the said remuneration, allowance or reward. (b) if- (i) in the opinion of the head of department mentioned in paragraph *(a)* an employee has received any remuneration, allowance or other reward contemplated in that paragraph; and (ii) it is still in his or her possession or under his or her control or in the possession or under the control of any other person on his or her behalf, or, if it is money, has been deposited in any bank as defined in Section 1(1) of the Banks Act, 1990 (Act 94 of 1990), or a mutual bank as defined in Section 1(1) of the Mutual Banks Act, 1993 (Act 124 of 1993), in his or her name or in the name of any other person on his or her	NC	Not delegated	Not delegated	Not delegated	Relevant supervisors to advice HR HR to facilitate with CFO and DC LS

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		behalf, that head of department may in writing require that employee or that other person or that financial institution not to dispose thereof, or, if it is money, not to dispose of a corresponding sum of money, as the case may be, pending the outcome of any legal steps for the recovery of that remuneration, allowance or reward or the value thereof.					
35.	31(2)	(b) In circumstances regarded by the relevant executive authority as exceptional, the said authority may approve of paying out of revenue an amount equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned.	EA	NC L1-14	NC L1-14	NC L1-14	NC approves L13-15 in consultation with the Minister Relevant supervisors to advice HR HR to facilitate via DC LS
36.	**32**	**Direction to perform other functions or to act in another post**					
37.	32(2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made- (ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department	NC	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC Levels 14 Relevant CDC in consultation with the NC	Level 2-12 Director Level 13 DRC in consultation with the RC Levels 14 RC in consultation with the COC	Levels 2 to 12 Area Commissioner Level 13 RC Levels 14 RC in consultation with the COC	L15 NC in consultation with the Minister Acting appointments for levels other than the National Commissioner same as per delegations in terms of the Correctional Services Act
38.	35	**Grievances of employees**					

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39.	35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	Not delegated	Not delegated	Not delegated	Refer to the grievance procedure for levels 2-12. Grievances of SMS to be handled in terms of the SMS Handbook.
40.	35(2)	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances of the case, the Commission considers it appropriate to make such a recommendation.	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA on recommendations for all levels
41.	**37**	**Remuneration of employees**					
42.	37(2)	An executive authority may, only if it is allowed by Regulation and to the extent prescribed- *(a)* grant employees or classes of employees of the relevant department on appointment or transfer salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; *(b)* grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and *(c)* grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to	EA	Not delegated	Not delegated	Not delegated	Grants to be made according to the DCS Retention policy Levels 13-15 NC approves in consultation with the Minister HR to facilitate in consultation with the CDC and CFO **In respect of sub-paragraph (c) it must be read with Section 3(5)(e) of the CSA and the delegations thereof.**

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.					
43.	38	**Wrongly granted remuneration**					
44.	38(1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced.	EA	L13-15 CDC HR L 2-12 DD Auxiliary Support	L 2-12 Regional Coordinator Human Resources L13-14 RC L15 CDC HR in HO	L 2-12 Area Coordinator Human Resources	Head of HR to inform the relevant employee of the overpayment in consultation with finances to determine possible steps to be taken to ensure recovery in writing

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PART B, APPENDIX B: DELEGATIONS REGISTER - NATIONAL COMMISSIONER
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
	CHAPTER 1	GENERAL PROVISIONS					
1.	6(1), (3) and (4)	Communication with Minister and media (1) If a head of department wishes to communicate with the Minister on a matter that falls within the Minister's powers and duties, he or she shall communicate through the Director-General: Public Service and Administration, except in respect of any career incidents of that head of department which fall within the Minister's functions or delegated functions. (3) An employee, in his or her official capacity, may not communicate with the media unless so authorized by the head of department. (4) A head of department shall establish a policy regulating communication by its employees with the media.	NC	(1) NC, not delegated (3) DC Communications (4) DC Communications	(1) Not delegated (3) Not delegated (4) Not delegated	(1) Not delegated (3) Not delegated (4) Not delegated	Policy to be approved by EA
2.	8(1) and (2)	Record-keeping of delegations and correction of acts and omissions (1) A head of a department shall keep a register of all delegations made in terms of Section 42A of the Act in the format directed by the Minister (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of Section 5(7) of the Act	(1) NC (2) EA	(1) DC Legal Services (2) CDC Corporate Services Fraud cases handled in terms of Sections 95A and B of the CSA: Director DIU and Director CEU	(1) Not delegated (2) Not delegated	(1) Not delegated (2) Not delegated	(1) Refer to the Directive on Public Administration and Management Delegations, 2014
3.	9(1), (2) and (4)	Reporting, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister. (2) A head of department shall introduce mechanisms to monitor and evaluate any provision of the Act for reporting to the Minister as contemplated in subregulation (1). (4) A head of department may not require or permit any employee to perform, or not to perform, any act in breach of these Regulations	NC	(1) Not delegated (2) CDC HR	Not delegated	Not delegated	Original power of NC to submit information or data to the DPSA (on in respect of the power of the NC)

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	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT					
4.	10(3)	Prescribed forms for human resource management and related practices (3) An executive authority may, in consultation with the Minister add any other areas to any "Z" form to address departmental specific requirements	EA	No delegation	No delegation	No delegation	CDC HR coordinates inputs from branches and regions
5.	17(2)	Register of designated employees' interests (2) A head of department shall keep a register of any other designated employees' interests not contemplated in subregulation (1).	NC	CDC HR	Not delegated	Not delegated	
6.	18(1)	Disclosure of designated employees' interests (1) SMS members, except for a head of department shall, not later than 30 April of each year, disclose to the relevant head of department, in a form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	NC	Not delegated	Not delegated	Not delegated	NC ensures disclosure by all members of the SMS HR facilitates
7.	18(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	NC	Not delegated	Not delegated	Not delegated	EA ensures disclosure by NC SMS members shall disclose to the NC in terms of PSR 18(1)
8.	18(7)	(7) A head of department shall submit to the Commission a copy of the form submitted to the head of department by a member of the SMS in terms of - (a) subregulation (1) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a member of the SMS, excluding a head of department, not later than 30 days after it has been so submitted.	NC	CDC HR	Not delegated	Not delegated	CDC HR shall certify to the NC submission of all SMS members on 31 May of every year subregulation (1) and within 30 days in terms of subregulation (4)
9.	21(1)	Conflict of interest (1) In so far as conflict of interest relates to members of the SMS: (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest (d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee.	EA	NC	Not delegated	Not delegated	If the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, (1)(c) NC retains consultation in respect of SMS L13 to 15 (1)(d) NC retains disciplinary action in respect of the SMS L13 to 15

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		(e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and (ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.					(1)(e) NC retains reporting action in respect of the SMS L13 to 15
10.	21(2)	(2) In so far as conflict of interest relates to designated employees who are not members of the SMS: (a) The head of department shall verify the interests disclosed. (b) If the head of department is of the opinion that an interest of such designated employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, he or she shall consult the employee concerned and, where possible, take appropriate steps to remove the conflict of interest (c) If the employee, after the consultation referred to in subregulation (2)(b), fails to take the appropriate steps to remove the conflict of interest, the head of department shall take disciplinary action against the employee. (d) A head of department shall no later than 31 August of each year report to the Minister on— (i) the number of cases identified in terms of subregulation (2)(b); (ii) whether any steps were taken; (iii) if steps were taken, a description of those steps; and (iv) if no steps were taken, reasons thereof.	NC	(2)(a), (b) and (c) CDC HR: L-11/12 DC HRM: L1-9/10 (2)(d) CDC HR	DRC: L1-9/10	Not delegated	
11.	22(a) to (e)	Anti-corruption and ethics functions A head of department shall - (a) analyze ethics and corruption risks as part of the department's system of risk management; (b) develop and implement an ethics management strategy that prevents and deters unethical conduct and acts of corruption; (c) establish a system that encourages and allows employees and citizens to report allegations of corruption and other unethical conduct, and such system shall provide for—	NC	(a), (b) and (c) Director DIU (c)(i) and (ii) Director DIU (d)(i), (ii), (iii) Director DIU (d)(iv)	Not delegated	Not delegated	This regulation must be read in conjunction with Section 95A and B of the CSA and CSR 30

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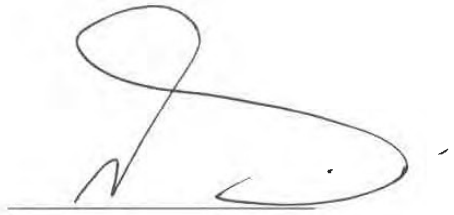
		(i) confidentiality of reporting; and (ii) the recording of all allegations of corruption and unethical conduct received through the system or systems; (d) establish an information system that - (i) records all allegations of corruption and unethical conduct; (ii) monitors the management of the allegations of corruption and unethical conduct; (iii) identifies any systemic weaknesses and recurring risks; and (iv) maintains records of the outcomes of the allegations of corruption and unethical conduct; and (e) refer allegations of corruption to the relevant law enforcement agency and investigate whether disciplinary steps must be taken against any employee of the department and if so, institute such disciplinary action.		Director DIU on investigations and Director CEU on disciplinary action (e) Director DIU on referral to law enforcement and investigation Director CEU on decision to take disciplinary action			
12.	23(1)	Designation of ethics officers (1) An executive authority shall designate such number of ethics officers as may be appropriate for the department	EA	NC			Not delegated
13.	23(2)	Designation of ethics officers (2) The head of department shall establish an ethics committee or designate an existing committee, chaired by a Deputy Director-General, to provide oversight on ethics management in the department.	NC	NC Not delegated	Not delegated	Not delegated	



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14.	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY					
15.	25(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	CDC Strategic Management	Not delegated	Not delegated	Strategic plan must conform to the aspects set out in Regulation 25(1)(a) to (f) All managers to be consulted in the development of the strategic plan and aligned to the departmental mandates CDC SM to submit the plan to the NC for submission to the EA to approve the strategic plan EA monitor the progress made towards achieving those targets and core objectives Note: The duty of the NC to implement the strategic plan set out in Regulation 25(3)
16.	25(2)(a)	Organizational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organizational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and (ii) in the case of a provincial department or provincial government component, after consultation with the relevant Premier, the Minister and the relevant provincial treasury	EA	No delegation	No delegation	No delegation	Provided for in Section 3 of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA 1994, the authority is therefore with the National Commissioner EQ to concur with SMS posts (L13-15)
17.	25(2)(b) and (c)	Define and create the posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the posts necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and	EA	NC L1-L12 Not delegated	Not delegated	Not delegated	Provided for in Section 3 of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA 1994, the authority is therefore with the National Commissioner. Compliance to DPSA directives. EA to concur with SMS posts (L13-15)

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		(iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in Regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of Regulation 41(2)(d)					
18.	26(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	CDC HR (Prepare and implement)	Not delegated	Not delegated	HR plan must conform to the aspects set out in Regulation 26(2) All managers to be consulted in the development of the plan NC approve the plan after consultation with the EA NC monitor the implementation of the plan and inform the EA
19.	27	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in Section 20 of the Employment Equity Act.	EA	CDC HR (develop and implement)	Not delegated	Not delegated	All mangers to be consulted in the development of the plan NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
20.	28(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in Regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	CDC HR (Prepare and implement)	Not delegated	Not delegated	All mangers to be consulted in the development of the plan NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
21.	29	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	CDC SM	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA

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22.	30(1) and (2)	Information and communication technology plan (1) A head of department shall establish and maintain an information and communication technology plan for the department that-- (a) supports the planning process and objectives contemplated in Regulations 25 and 38; (b) utilizes an appropriate enterprise architecture methodology; and (c) complies with Chapter 6. (2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through-- (a) an implementation plan linked to the Medium-Term Expenditure Framework budget; and (b) an annual operational plan.	NC	(1) CDC GITO (establish and maintain) (2) CDC Strategic Management and CFO (monitor and evaluate against MTEF and APP/AOP)	Not delegated	Not delegated	All mangers to be consulted in the development of the plan NC approve after consultation with MANCO NC monitor the implementation of the plan and inform the EA
23.	31(1)	Annual report (1) The head of department shall include in the department's annual report, referred to in Section 40(1)(d) of the Public Finance Management Act, such information pertaining to the public service as the Minister may direct, and in the format that the Minister may direct.	NC	CDC Strategic Management	Not delegated	Not delegated	
24.	31(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of Section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	CDC Strategic Management	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA tables report in the legislature
25.	35	Organizational functionality assessment An executive authority shall conduct an organizational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	CDC Strategic Management	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
26.	36	Operations management framework An executive authority shall establish and maintain an operations management framework which shall include -	EA	CDC Strategic Management	Not delegated	Not delegated	NC approve the framework after consultation with MANCO and the EA

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		(a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in Regulation 37; and (g) a service delivery improvement plan referred to in Regulation 38.					NC monitor the implementation of the plan and inform the EA
27.	37(1)	Service delivery charter (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	CDC Strategic Management	Not delegated	Not delegated	NC approve charter after consultation with MANCO and the EA NC monitor the implementation of the charter and inform the EA
28.	38	Service delivery improvement plan An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in Regulation 25 for his or her department	EA	CDC Strategic Management	Not delegated	Not delegated	NC approve after consultation with the EA NC monitor the implementation of the plan and inform the EA
29.	**CHAPTER 4**	**EMPLOYMENT MATTERS**					
30.	39(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSD's (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery-- (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b),	EA	Director HR Planning	Regional Head HR	Area Coordinator Corporate Services	HR to facilitate CDC HR to provide a report to NC annually to enable the NC to brief the Minister

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		except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilized					-
31.	40	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall-- (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in Regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of Regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilized; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of Regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and (d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12
32.	41(3)	Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except-- (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12
33.	43(2)(a)	Grading of posts (2) An executive authority shall-- (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of Regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of Regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of Regulation 41(3)	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12

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34.	43(2)(b)	Setting of salary (2) An executive authority shall-- (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of Regulation 44.	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12 HR to facilitate In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45(4)
35.	43(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	NC L1 to L12	Not delegated	Not delegated	EA approves for L13-15
36.	44(1)	Setting of higher salary (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	NC L1 to L12	Not delegated	Not delegated	NC approves L13-15 in consultation with the EA NC approves L1-12 HR to facilitate
37.	45(1)	Undergraded posts (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework-- (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1 to L12	Not delegated	Not delegated	NC approves L13 to L15 in consultation with the EA Continued employment of incumbent is set out in Regulation 45(2)
38.	45(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall-- (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L12	Not delegated	Not delegated	NC approves L13 to L15 in consultation with the EA

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39.	46(1)	Overgraded posts (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall-- (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L12	Not delegated	Not delegated	NC approves L1 to L14 in consultation with the EA
40.	47(3)	Information on remuneration (3) In the week before an employee's salary pay day, a head of department shall provide him or her with the following information in writing- (a) the department's name and address; (b) the employee's name; (c) the employee's job title and occupational category in terms of the systems of occupational classification and remuneration or OSD; (d) the employee's salary notch; (e) any other form of compensation that the department pays directly to the employee on a monthly basis; (f) the period for which payment is made; (g) the amount and purpose of any deductions; and (h) the actual amount paid to the employee.	NC	CDC HR	Not delegated	Not delegated	Information is specifies in Regulation 47(3)(a) to (h)
41.	48	Leave A head of department shall-- (a) encourage an employee to fully utilize his or her annual leave entitlement in the leave cycle; (b) ensure that all leave taken by an employee is recorded accurately and in full; and (c) ensure that an employee does not abuse sick leave.	NC	Approval of application for all types of leave **1-30** days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager. **31- 60 Days** Minimum level DD **61 – 89 Days** Relevant Director	Approval of application for all types of leave **1-30** days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager **31- 60 Days** Minimum level DD **61 – 89 Days**	Approval of application for all types of leave **1-30** days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager **31- 60 Days** Minimum level DD **61 – 89 Days**	DPSA determination on leave must be adhered to. In Management Areas where the AC is on the level of a Director the leave forms of DD's must be recommended by the Area Coordinator: Corporate Services to verify correctness and availability of leave. Leave forms for Area Commissioner (including on DC level) in regions must be recommended by the DRC. Leave forms of DRC's must be recommended by the Regional Head:

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PART B, APPENDIX B: Delegations Register - NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
				Leave without pay **1-7 Days** Relevant Director **8-29 Days** Director HR Administration & Utilization **30-89 Days** DC HR Management **90 days+** (all types of leave except incapacity leave) Relevant Branch Head in Head Office More than **184** calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Director HRM & A Permanent incapacity leave DD Retention & Termination Deviation from the recommendation of the Health Risk Manager on temporary incapacity leave and ILL health retirement	RH Corporate Services **Leave without pay** **1-7 Days** Relevant Director **8-29 Days** RH Corporate Services **30-89 Days** Deputy Regional Commissioner all types of leave except incapacity leave) Regional Commissioner More than **184** calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Regional Coordinator: HR Permanent incapacity leave DD Retention & Termination Deviation from the recommendation of the Health Risk Manager on temporary incapacity	Area Commissioner **Leave without pay** **1-7 Days** Head Correctional/ Remand Centre/ Community Corrections (minimum level DD) **8-29 Days** Area Commissioner **30-89 Days** DRC or Area Commissioner on DC level **90 days+** (all types of leave except incapacity leave) Regional Commissioner More than **184** calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Area Coordinator: Corporate Services Permanent incapacity leave DD Retention & Termination	Human Resources to verify correctness and availability of leave. Leave forms of CDC's and RC's must be recommended by the CDC HR to verify correctness and availability of leave Policy and procedure on incapacity leave and ILL- Health Retirement (PILIR) and DPSA determination on leave must be adhered to

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				Director HR A&U in consultation with the relevant Director Approval of special leave not specified in the special leave policy DC HRM	leave and ILL health retirement Director HR A&U in consultation with the RH HR Approval of special leave not specified in the special leave policy No delegation	Deviation from the recommendation of the Health Risk Manager on temporary incapacity leave and ILL health retirement Director HR A&U in consultation with the RG HR Approval of special leave not specified in the special leave policy No delegation	
42.	49(1)	Overtime (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if-- (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorization in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	Director HR Admin & Utilization	Regional Head Human Resources	No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine roles and responsibilities of role players
43.	49(2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine-- (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorized; (c) how much overtime an employee may work in a given period;	EA	NC Not delegated	Not delegated	Not delegated	NC approves overtime policy after consultation with MANCO

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		(d) how authorization for overtime is recorded; and (e) other control measures, if necessary.					
44.	51	Working hours Subject to any collective agreements and the Code of Good Practice on Arrangement of Working Time issued in terms of Section 87 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), a head of department shall determine-- (a) the work week and daily hours of work for employees; and (b) the opening and closing times of places of work of the department, taking into account - (i) the needs of the public with due regard to the department's service delivery improvement plan; and (ii) the needs and circumstances of employees, including family obligations and transport arrangements.	NC	NC Not delegated	Not delegated	Not delegated	Read with Correctional Services Regulation 32 The CDC HR provides the submission to the NC with the working hours in compliance with the BCEA and other relevant prescripts.
45.	52	Emergency work A head of department may require an employee to perform work outside normal working hours if the work is required to be performed without delay owing to circumstances which are beyond the control of the head of department and for which he or she could not reasonably have been expected to make provision.	NC	Director	Director	Area Commissioner	Read with CSR 34. DC's/DRC's/CDC and RC's have the same delegated prerogative. The BCEA must be adhered to. Emergency work does not include normal day to day administrative tasks. The overtime policy must be adhered to.
46.	53	Health and safety A head of department shall establish and maintain a safe and healthy work environment for employees of the department and a safe and healthy service delivery environment for members of the public.	NC	CDC HR	RC	AC HCC	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players
47.	54	Employee health and wellness Every department shall have a policy that promotes the health and well-being of employees	NC	CDC HR	No delegation	No delegation	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players
48.	55(1)	HIV and AIDS and other diseases (1) A head of department shall, as far as it is reasonable, ensure that the management of HIV and AIDS is mainstreamed for employees and the public to access appropriate services in line with the department's mandate and manage	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players

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		other diseases, injuries, and conditions of employees to ensure efficient, effective and sustainable delivery of services.					
49.	56	Workplace environment management A head of department shall introduce appropriate measures for the institutionalization of the Public Service Charter in his or her department.	NC	CDC HR	RC	AC	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players
50.	57(1)	General conditions for appointment (1) An executive authority-- (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to Section10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with Regulations 65 and 67.	EA	NC L13 and L14 Not delegated DC of CD: L1-10 CDC of branch: L1-12	RC L11-12 DRC L1-10	No delegation	EA approves L15-16 (Refer to Section 96(3) of the CSA in terms of SMS appointments NC approves L13-14 See general conditions for appointment set out in PSR 57(6), and 58, 60, 61 See under the topic selection PSR 67(8) and (9) See under the topic probation PSR 68
51.	57(2)	General conditions for appointment Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorized by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department;	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12 **CFO to approve funding** See general conditions for appointment is set out in PSR 57(1), (2), (3), (4), (5) and (6)

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		(c) an employee's post has been abolished and he or she cannot be transferred into another post; or (d) an employee is part of a development programme as contemplated in Regulation 58.					
52.	57(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall-- (a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12
53.	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	NC L13-14 Not delegated DDG (CDC): L1-11/12 CD: L1-9/10 Director: L1-8	CD: L1-9/10 Director: L 1-8	CD: L1-9/10 Director: L1-8	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see Sections 9, 12, 12A, 13. EA approves L15 and L16 NC approves L13-14 See general conditions for appointment set out in PSR 57(1), and (6), and 58, 60, 61 See under the topic selection PSR 67(8) and (9) See under the topic probation PSR 68
54.	58	**Developmental programmes** An executive authority may appoint persons who are part of a developmental programme, including but not limited to, interships, learnerships and apprenticeships, on such terms and conditions that shall be determined by the Minister.	EA	**CDC HR** - Approval of advertisement after approval of the recruitment and funding by the National Commissioner for	**Regional Head: Corporate Services** - Approval of student internship placement for the Regional Office	**Area Coordinator: Corporate Services** - Approval of student Internship placement for the Management Area	**National Commissioner** approves the recruitment and funding for the graduate internship, learnership and the apprenticeship programmes. **National Commissioner** approves the processes of:

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				Head Office and Regions. **Relevant DC** Approval of: - Student internship placement for chief directorate			1. Shortlisting 2. Enrolment of learners 3. Appointment of graduate interns Student internship placement must be on the recommendation of Human Resource Development.
55.	59	Utilization of unpaid voluntary workers An executive authority may utilize unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department **may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration;** (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.	EA	Director HR A&U	RH HR	AC	Departmental policy approved by the NC determine roles and responsibilities of role players **CDC HR to provide quarterly report to the NC on the number and cost of volunteers in DCS**
56.	60(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to Regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations;	EA	CDC of branch L1-12 DC HRM L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L13-15

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		(b) the appointment is made for a fixed term not exceeding three years, and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to Regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in Regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation					
57	62(3)	Secondments (3) If an employee is seconded upon his or her request in terms of Section15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.	EA	CDC of branch: L1-11/12 DC of CD: L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L13-15
58.	64(1) and (2)	Determination of requirements for employment (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	DC HRM: L1-12	Not delegated	Not delegated	HR facilitate with the assistance of heads of branches and regions NC Approves L13-15 in consultation with the Minister
59.	65(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	L2-12: DC HRM L13-15: CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of heads of branches and regions Note conditions set out in PSR 65(2) to (9)
60.	65(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service;	EA	L2-12: DC HRM L13-15: CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches, Regions and Districts Note conditions set out in PSR 65.(2) to (9)

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		(b) locally; or (c) nationwide.					
61.	66(1) and (2)	Filling of posts in office of executive authorities and Deputy Ministers (1) An executive authority may only fill vacancies in the office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of Section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years; (b) a transfer in terms of Section14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in Regulation 67(5)(b) to (d), an executive authority may fill a post in the office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with Regulations 65(1), (3) and (4).	EA	Not delegated	Not delegated	Not delegated	No delegation
62.	67(1)	Selection (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	L2-10: DC of CD L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA approves L13-15 The employee who must approve the appointment of an employee to a post L1-12 may not be the chairperson or a member of the selection committee of that post. Department operational policy to specify the composition of the selection committee for L1-12 See the conditions set out in PSR 67(2) to (9)
63.	67(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-	EA	Not delegated	Not delegated	Not delegated	NC approves L1-12 EA approves head-hunting for L13 to L15

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		hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.					
64.	67(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing.	EA	L2-10: DC of CD L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA for L13-15
65.	67(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy herself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	L2-10: DC of CD L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA for L13-15
66.	68(2)	Probation (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	L2-10: DC of CD 11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	NC for L13-14 EA for L15
67.	69(2)	Resignation (2) Subject to Section16B(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	L1-8: Director L9-10: DC L11-12: CDC	L1-8: Director L9-10: DRC L11-12: RC	L1-8: Director L9-10: DC	EA for L13 -15
68.	69(3)	Resignation (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	CDC HR	Not delegated	Not delegated	Department operational policy to specify the manner in which an employee submits his or her resignation
69.	69(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	CDC 13-14 DC: L11-12 Dir: L1-10	RC 13-14 DRC: L11-12 Dir: L1-10	DC/DRC: L11-12 Dir: L1-10	EA for L 15 HR facilitate all exit interviews and compile a report for NC at the end of each financial year
70.	69(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	CDC: L11-12 DC: L9-10 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	EA for L13-15

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71.	69(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	CDC: L11-12 DC: L9-10 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	NC L13-14 EA L15
72.	70	Employee records A head of department shall keep a record of each employee and of each post on the establishment in accordance with the information requirements as issued by the Minister.	EA	CDC HR	Not delegated	Not delegated	
73.	71(1)	Systems for performance management and development (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	CDC HR	Not delegated	Not delegated	NC approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71(3) to (8)
74.	71(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC Not delegated	Not delegated	Not delegated	NC approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71(3) to (8)
75.	71(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC Not delegated	Not delegated	Not delegated	NC approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71(3) to (8)
76.	71(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC Not delegated	Not delegated	Not delegated	NC approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA

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							See conditions set out in PSR 71(3) to (8)
77.	71(7)	(7) Heads of department shall ensure that accurate records of all performance assessments and the outcomes thereof are kept.	NC	CDC HR	Not delegated	Not delegated	
78.	72(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	CDC: L11-12 DC: L9-10 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	NC for L13-15 in consultation with the Minister
79.	72(9)	(9) The head of department shall ensure that the outcomes of the annual performance assessments are implemented by 31 December of the financial year following the year of the assessment.	NC	CDC HR	Not delegated	Not delegated	
80.	72(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	CDC HR: L13-14 DC: L11-12 Director: L9-10 DD: L1-8	DC: L11-12 Director: L9-10 DD: L1-8	DC: L11-12 Director: L9-10 DD: L1-8	The chairperson of moderation committee must provide the feedback L15 NC
81.	72(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	CDC: L14 DC: L13 Director: L1-12	RC: L14 DRC/DC: L13 Director: L1-12	DC: L13 Director: L1-12	NC for L15 HR facilitate with the co-operation of supervisors
82.	73(1)	Rewarding performance (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in subregulation (3).	EA	CDC HR	Not delegated	Not delegated	NC approve scheme after consultation with the MANCO and the EA NC monitor the implementation of the system and inform the EA DPSA directives to be complied with
83.	73(2)	(2) A head of department shall establish a written departmental performance incentive scheme - (a) determining the nature, rules and control measures of the scheme;	NC	CDC HR	Not delegated	Not delegated	NC approve scheme after consultation with the MANCO and the EA

MS Thobakgale
National Commissioner
Date: 26/07/2023

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PART B, APPENDIX B: Delegations Register - NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		(b) communicating the nature and rules of the performance incentive scheme to all employees; (c) ensuring that employees who implement the quality and quantity control measures of the scheme are not entrusted with the implementation of that scheme in relation to themselves; and (d) including provisions for the introduction of non-financial incentives, if deemed appropriate.					NC monitor the implementation of the system and inform the EA
84.	74(2)	Institutional arrangements regarding education, training and development (2) A head of department shall ensure that sufficient budgeted funds are available for the training and development of employees and shall provide training and development opportunities for employees in his or her department.	NC	CFO in consultation with CDC HR	Not delegated	Not delegated	Departmental operational policy to specify the system and roles and responsibilities of providing training and development NC approve system after consultation with MANCO The conditions for training assistance are set out in PSR 77.
85.	76	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	CDC HR	Not delegated	Not delegated	NC approve the training required after consultation with MANCO and the EA NC monitor the implementation of the training and inform EA The conditions for training assistance is set out in PSR 77
86.	77(1) to (4)	Training assistance (1) For purposes of enhancing the performance of the work of the department, a head of department may grant financial or other assistance for any study, training or research where - (a) an employee undertakes the study, training or research on the initiative of the department; or (b) the employee has requested any such assistance and the study, training or research is related to the employer's skills requirements. (2) A head of department may grant financial or other assistance to employees for part-time or full-time activities at either local or international institutions. The head of department may also grant assistance for studies and training through training interventions such as short courses, congresses, symposia, seminars,	NC	CDC HR DC HRD: L13-15 Director Policy and External Training: L1-	RC's Regional Head Corporate Service Not delegated	AC's Area Coordinator Corporate Services Not delegated	National Learning Committee endorses the workplace skills plan for a financial year and monitors the implementation thereof. International study – Not delegated

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
		conferences, workshops, lectures and study tours. (3) A head of department may - (a) grant bursaries for higher education to employees or other persons in terms of a human resources development plan contemplated in Regulation 28; (b) allocate bursaries for general education and continuing education and training to employees; and (c) require contractual service in recompense for assistance received in respect of general education or continuing education and training. (4) A head of department may defray any reasonable actual expenses associated with study, research or training. Note: - A head of the department may enroll unemployed youth graduates into the public service internship programme in line with the determination by the Minister of Public Service & Administration as incepted from 1 April 2010. - A head of component may approve the placement of students to undergo experiential learning as part of their respective curricular to fulfill the requirements of their qualification.		12 CDC HR DCHRD DC's	Not delegated DRC Regional Head Corporate Services	Not delegated Not delegated Area Coordinator Corporate Services	NC approves recruitment for programme
87.	77(6)	(6) Subject to the Treasury Regulations, a head of department may waive the whole or any part of any study debts.	NC	Not delegated	Not delegated	Not delegated	After consultation with the CFO
88.	77(9)	(9) In the case of an employee who studies or undergoes training for short periods, a head of department may, as a precondition for providing assistance, require the employee to enter into a contract with the department in terms of which he or she shall serve the department for a commensurate period.	NC	DC HRD	Not delegated	Not delegated	Operational policy for training assistance to provide specifics
89.	78(2)	Mandating and management of negotiations (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority--- (a) is responsible for managing collective bargaining on behalf of the state as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in Regulation 79.	EA	NC to provide written mandate Minimum level Director ER to sign agreement on behalf of employer	Not delegated	Not delegated	NC gives mandate on matter of mutual interest after consultation with MANCO and the EA NC to indicate who must sign the collective agreement on behalf of the employer The conditions for matters with financial implications are set out in PSR 79.

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Date: 26/07/2023

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HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
90.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
91.	93	Acquisition, management and use of information and communication technology resources The head of department shall ensure that the acquisition, management and use of information and communication technologies by the department - (a) enhances direct or indirect service delivery to the public, including, but not limited to, equal access by the public to services delivered by the department; (b) improves the productivity of the department; (c) promotes an environmentally friendly public service; and (d) ensures cost-efficiency for the department.	NC	CDC GITO in consultation with CDC's of branches	Not delegated	Not delegated	GITO facilitates
92.	95(1)	Information security vigilance (1) A head of department shall ensure the maintenance of information security vigilance at all times in the department	NC	CDC GITO	Not delegated	Not delegated	
93.	96	Incident reports A head of department shall regularly, on the basis of the threat posed by an incident, submit to the Director-General: State Security Agency, the Auditor-General and such other authorities as the head considers appropriate - (a) an incident report of every instance of non-compliance with the information security standards referred to in Regulation 94(1); and (b) a plan on how incidents of non-compliance will be corrected and how to prevent similar incidents in future.	NC	Not delegated	Not delegated	Not delegated	Director Security Standards to facilitate incident reports and plans and submit to NC
94.	97(4)	Minimum interoperability standards (4) A head of department shall - (a) include compliance with the MIOS in the project approval procedure; and (b) ensure compliance to the MIOS in the acquisition or use of information and communication technology.	NC	CDC GITO	Not delegated	Not delegated	

MS Thobakgale
National Commissioner
Date: 26/07/2023

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DEPARTMENT OF SPORTS, ARTS AND CULTURE

NO. 3787 **11 August 2023**

BUREAU OF HERALDRY

APPLICATION FOR REGISTRATION OF HERALDIC REPRESENTATIONS AND OBJECTIONS THERETO

SECTIONS 7, 7A AND 7B OF THE HERALDRY ACT, 1962 (ACT NO. 18 OF 1962)

The under-mentioned bodies and persons have applied in terms of section 7 of the Heraldry Act, 1962 (Act No. 18 of 1962), for the registration of their heraldic representations. Anyone wishing to object to the registration of these heraldic representations on the grounds that such registrations will encroach upon rights to which he or she is legally entitled should do so within one month of the date of publication of this notice upon a form obtainable from the State Herald, Private Bag X236, Pretoria, 0001.

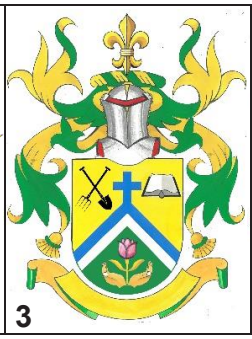
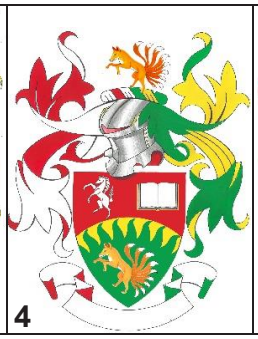
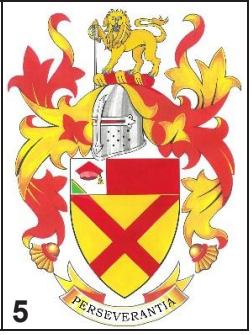
1. APPLICANT: **South African Special Forces Association** (H4/3/1/4157)
BADGE: (HALO – HAHO) Issuant from an open rectangular parachute Argent, the canopy Vert (military green), charged with a compass-rose Sable and Argent, a set of eagle wings displayed Or; below the badge a ribbon Gules, bearing the letters HALO -- HAHO in letters Sable.

2. APPLICANT: **South African Special Forces Association** (H4/3/1/4157)
BADGE: (HALO – INSTR – HAHO) Issuant from an open square parachute Argent, the canopy Vert (military green), charged with a compass-rose Sable and Argent, a set of eagle wings displayed Or; below the badge a ribbon Gules, bearing the letters HALO INSTR HAHO in letters Sable (INSTR being Argent).

3. APPLICANT: **Pieter Jacobus Theron** (H4/3/4/1058)
ARMS: Per chevron Or and Vert, a chevron, per chevron Azure and Argent the peak terminating in a Latin cross; between in chief dexter a fork and shovel in saltire Sable, sinister an open book proper, and in base issuant from two open hands proper a Tulip Murray, slipped and leaved Or. CREST: A Fleur-de-Lis Or. WREATH AND MANTLING: Vert and Or. MOTTO: VOLHARD IN GELOOF

4. APPLICANT: **Danté Estehan Rossouw** (H4/3/4/1059)
ARMS: Per fess enarched Gules and Vert, a fess enarched rayonne to base Or, between in chief dexter a horse salient Argent, sinister an open book Argent, edged Or, and in base a nine-tailed fox salient proper. CREST: A nine-tailed fox salient proper. WREATH AND MANTLING: Dexter: Gules and Argent; Sinister: Vert and Or. Motto: IN PERSUIT OF TRUTH I SEEK TO FIND MY WAY.

5. APPLICANT: **Johannes Conradie Bruce** (H4/3/4/1063)
ARMS: Or, a saltire Gules; on a chief of the last; a canton Argent, charged in chief sinister of an academic cap Gules, tasselled Or, and in dexter base an isosceles triangle Vert, its ninety degree corner to base and its diagonal side bendwise, edged Or. CREST: A lion statant guardant Or, armed and langued Azure, holding in its dexter claw a naval officer's sword inverted proper. WREATH AND MANTLING: Gules and Or. MOTTO: PERSEVERANTIA

1	2	 3	 4	 5

DEPARTEMENT VAN SPORT, KUNS EN KULTUUR

NO. 3787 **11 Augustus 2023**

BURO VIR HERALDIEK

AANSOEK OM REGISTRASIE VAN HERALDIESE VOORSTELLINGS EN BESWARE DAARTEEN

ARTIKELS 7, 7A EN 7B VAN DIE HERALDIEKWET, 1962 (WET NO. 18 VAN 1962)

Ondergenoemde instansies en persone het kragtens artikel 7 van die Heraldiekwet, 1962 (Wet No. 18 van 1962), aansoek gedoen om die registrasie van hulle heraldiese voorstellings. Enigeen wat teen die registrasie van hierdie heraldiese voorstellings beswaar wil aanteken op grond daarvan dat sodanige registrasie inbreuk sal maak op regte wat hom of haar wettiglik toekom, moet dit binne een maand na die datum van publikasie van hierdie kennisgewing doen op ’n vorm wat van die Staatsheraldikus, Privaat Sak X236, Pretoria, 0001, verkrygbaar is.

1. AANSOEKER: **Suid-Afrikaanse Spesiale Magte Assosiasie** (H4/3/1/4157)
KENTEKEN: (HALO – HAHO) Uitkomend uit ‘n oop vierkantige silwer valskerm, die skerm van groen (militêre groen), belaai van 'n swart en silwer kompasroos, 'n stel gespreide goue vlerke; benede die kenteken 'n rooi lint, daarop die letters HALO – HAHO van swart.

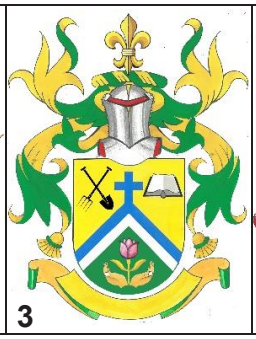
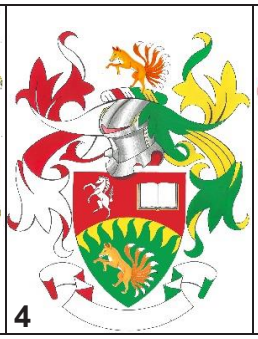
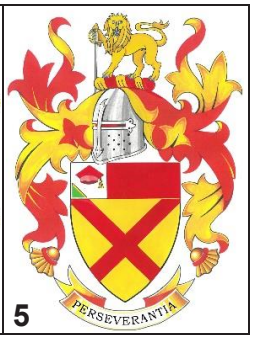
2. AANSOEKER: **Suid-Afrikaanse Spesiale Magte Assosiasie** (H4/3/1/4157)
KENTEKEN: (HALO – INSTR – HAHO) Uitkomend uit ‘n oop vierkantige silwer valskerm, die skerm van groen (militêre groen), belaai van 'n swart en silwer kompasroos, 'n stel gespreide goue vlerke; benede die kenteken 'n rooi lint, daarop die letters HALO – INSTR - HAHO van swart (INSTR van silwer).

3. AANSOEKER: **Pieter Jacobus Theron** (H4/3/4/1058)
WAPEN: Kepersgewys verdeel van goud en groen, 'n keper, kepersgewys verdeel van blou en silwer die piek eindigend in 'n Latynse kruis, tussen in die skildhoof regs 'n skuinsgekruiste swart vurk en graaf, links 'n oop boek van natuurlike kleur en in die skildvoet uitkomend uit twee oop hande van natuuurlike kleur 'n maroen Tulp, goud gesteel en geblaar. HELMTEKEN: 'n Goue fleur de lis. WRONG EN DEKKLEDE: Groen en goud. WAPENSPREUK: VOLHARD IN GELOOF.

4. AANSOEKER: **Danté Estehan Rossouw** (H4/3/4/1059)
WAPEN: Geboë deusnede van rooi en groen, 'n geboë dwarsbalk vlamvormig na benende van goud, tussen in die skildvoet regs 'n klimmende silwer perd, links 'n oop silwer boek, goed gerand, en in die skildvoet 'n klimmende negestert vos van natuurlike kleur . HEMTEKEN: 'n Klimmende negestert vos van natuurlike kleur. WRONG EN DEKKLEDE Regs: Rooi en Silwer; Links: Groen en Goud. WAPENSPREUK: IN PERSUIT OF TRUTH I SEEK TO FIND MY WAY.

5. AANSOEKER: **Johannes Conradie Bruce** (H4/3/4/1063)
WAPEN: In goud 'n rooi skuinskruis, op 'n rooi skildhoof 'n silwer kanton belaai, bo links, met 'n rooi akademiese hoed, goud getossel en onder regs, met 'n gelykbenige groen driehoek die negentig grade hoek na benede en die diagonale sy skuinsbalksgewys, goud gerand. HELMTEKEN: 'n Staande aansiende goue leeu, blou genael

en getong, wat in sy regterklou 'n omgekeerde vlootoffisier-swaard van natuurlike kleur vashou. WRONG EN DEKKLEDE: rooi en goud. WAPENSPREUK: PERSEVERANTIA

1	2	 3	 4	 5

DEPARTMENT OF TRANSPORT

NO. 3788 **11 August 2023**

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Railway Safety Regulator @Rail_Safety

RAILWAY SAFETY REGULATOR
RAIL SAFETY ON THE RIGHT TRACK

RAILWAY SAFETY REGULATOR GENERAL NOTICE

REF: 12\6\2-2023/2024

NOTIFICATION OF PUBLICATION OF THE INTERFACE AGREEMENTS MANAGEMENT STANDARD FOR PUBLIC COMMENTS BY ALL INTERESTED AND AFFECTED RAILWAY STAKEHOLDERS

I, Mmuso Selaledi, Acting Chief Executive Officer of the Railway Safety Regulator (RSR), in terms of the Railway Safety Regulator Act No. 16 of 2002, as amended ("the Act"), hereby publish the Draft Interface Agreements Management Standard for Public Comments.

All interested and affected Stakeholders are hereby invited to submit their written comments within 60 days from the Publication of this Draft Interface Agreements Management Standard in the Government Gazette, for Comments.

Once published for compliance, all Interfacing Railway Operators would be required to comply by implementing the requirements which are specified in the Standard, which aim to contribute to improved Safe Railway Operations

All written comments are to be addressed to: Mrs M A Makwela, E-Mail: matselanyanem@rsr.org.za, Tel: 087 284 6596, OR Mr R Ntshingila, E-Mail: reginald.ntsgingila@rsr.org.za, Tel: 087 284 6628.

Signed at Waterfall on this 03 August 2023

Yours faithfully

Digitally signed by
Mmuso Selaledi
Date: 2023.08.03
13:49:27 +02'00'

Mmuso Selaledi
Acting Chief Executive Officer: Railway Safety Regulator

Mr Boy Johannes Nobunga (Chairperson), Ms Yongama Pamla (Deputy Chairperson), Mr Mmuso Selaledi (Acting Chief Executive Officer), Adv Johannes Collen Weapond, Mr Sisa Lunga Mtwa, Ms Nompumelelo Sibongile Ekeke, Adv Frans Johannes Van Der Westhuizen, Ms Dineo Mathibedi, Mr Christiaan Johan de Vos, Mr Godfrey Maluleke

RAILWAY SAFETY REGULATOR
RAIL SAFETY ON THE RIGHT TRACK

RSR 00-2-6-1:2023
Edition 1.0

REGULATOR STANDARD

RAILWAY SAFETY MANAGEMENT

Part 2-6-1: Interface Agreements

RSR 00-2-6-1:2023

Edition 1.0

REGULATOR STANDARD

Railway Safety Management

Part 2-6-1: Interface Agreements

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Regulator Standards are updated by amendment or revision. Users of Regulator Standards should ensure that they possess and are using the latest amendments or editions.

This Regulator Standard was researched and developed by the *Railway Safety Regulator's Standards Technical Committee* (TC RSR-001) and the *Working Group on Interface Agreements Standard* (WG RSR 00-2-6-1).

The RSR logo is a trademark of the Railway Safety Regulator.

Edition 1.0: Sep 2023

Published by:
Railway Safety Regulator
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Cnr Waterfall and Woodmead Drive,
Waterfall City, Midrand,
1685
Telephone: +27 10 495 5391
Website: *http://www.rsr.org.za*

RSR 00-2-6-1:2023

This gazette is also available free online at **www.gpwonline.co.za**

Edition 1.0

REGULATOR STANDARD

Railway Safety Management

Part 2-6-1: Railway Safety – Interface Agreements

NOTE: It is essential that this standard document is read together with the South African National Standards, SANS 3000-1 and SANS 3000-2-6.

DRAFT

Table of changes

Edition and version number	Date	Scope
1.0	2023.09.30	First published edition

This gazette is also available free online at www.gpwonline.co.za

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The Railway Safety Regulator wishes to acknowledge the invaluable assistance of the following organizations during the preparation of this document:

PASSENGER RAIL AGENCY OF SOUTH FRICA

BOMBELA OPERATING COMPANY

TRANSNET SOC LTD

IMPALA

TRADEKOR

TRAXTION

Foreword

This Regulator Standard was developed and approved by the Railway Safety Regulator's *Technical Committee for the Development of Regulator Standards for Railway Safety* (TC RSR-001), in accordance with the *National Railway Safety Regulator Act* (NRSRA) (Act No. 16, 2002), as amended, the *Safety Standards Development Regulations, 2022* and the *RSR Procedure for the Development of Regulator Standards*.

This Standard extends and augments the *SANS 3000* series of standards pertaining to railway safety that are published by the South African Bureau of Standards (SABS) on behalf of the Railway Safety Regulator and, in particular, Technical Requirements for Engineering and Operational Standards - Interface and intraface management, and interoperability, the Railway Safety Regulator Standards, and the Standards for Transport of Dangerous Goods by Rail.

The *SANS 3000* series of standards presently consists of the following parts, under the general title of *Railway Safety Management*:

SANS 3000-1:2016 – Part 1: General.

SANS 3000-2-1:2017 – Part 2-1: Requirements for systemic engineering and operational safety standards - Electrical distribution and overhead traction systems

SANS 3000-2-2:2016 – Part 2-2: Requirements for systemic engineering and operational standards: Track and civil infrastructure.

SANS 3000-2-2-1:2012 – Part 2-2-1: Technical requirements for engineering and operational standards – Track, civil and electrical infrastructure – Level crossings.

SANS 3000-2-3:2017 – Part 2-3: Requirements for systemic engineering and operational safety standards - Rolling Stock

This gazette is also available free online at www.gpwonline.co.za

SANS 3000-2-4:2013 – Part 2-4: Technical requirements for engineering and operational standards – Train authorization and control, and telecommunications.

SANS 3000-2-5:2013 – Part 2-5: Technical requirements for engineering and operational standards – Operational principles for safe movement on rail.

SANS 3000-2-6:2013 – Part 2-6: Technical requirements for engineering and operational standards – Interoperability, and interface and intraface management.

SANS 3000-4:2011 – Part 4: Human Factors Management.

The RSR 00 series of standards presently consists of the following parts, under the general title of Railway Safety Management:

RSR 00-2-3-1:2016 – Part 2-3-1: Requirements for systemic engineering and operational safety standards – Rolling stock – Wheels, axles and bearings.

RSR 00-2-7:2016 – Part 2-7: Requirements for systemic engineering and operational safety standards – Railway Stations.

RSR 00-3:2016 – Part 3: Occurrence Management.

RSR 00-4-1:2016 – Part 4-1: Human factors management – Fatigue management.

RSR 02-5-1:2023: Verbal Safety-Critical Communication

The standard on the Transportation of Dangerous Goods by Rail is the following:

SANS 10405:2014 - Transport of Dangerous Goods by rail.

Where reference is made to a specific published date, version or edition of a document that version of the document shall apply. Where reference is made to a document without specifying a date, version or edition, it should be assumed that the latest published version shall apply.

Reference is made in this document in clause ….to the “relevant national Legislation”. In South Africa and for the purpose of this document, this shall mean the “Railway Safety Regulator” (RSR) as established in terms of *National Railway Safety Regulator Act* (NRSRA) (Act No. 16 of 2002), as amended

Annexure A is provided for information only.

This gazette is also available free online at **www.gpwonline.co.za**

Introduction

This Standard was developed with a primary aim to achieve uniform, seamless and safe interoperability through the implementation of appropriate Interface Agreements within the railway operations in South Africa. The railway industry in South Africa has seen itself conducting railway operations which include Interfaces, Intrafaces and interoperability with each other. Non-adherence to Interface Agreements and related processes contributed to significant railway occurrences, including collisions at interfaces and on the railway network.

The management of operational interfaces, intrafaces and interoperability therefore remains a crucial component of safe railway operations, and consequently non-adherence has contributed to, and has a potential to cause railway occurrences.

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This gazette is also available free online at www.gpwonline.co.za

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1. Purpose and Scope

1.1. Purpose

1.1.1. To describe the Interface Agreement management and approach applicable to safe railway operations;

1.1.2. To provide the minimum requirements of Interface Agreements;

1.1.3. To contribute to the reduction of railway occurrences attributed to management of interfaces;

1.1.4. To provide a standardised approach to the development and management of Interface Agreements within the railway operations in South Africa; including those of the neighbouring States whose rail operations enter South Africa.; and

1.1.5. To amplify and augment the Interface, intraface and interoperability requirements outlined in SANS 3000-2-6.

1.2. Scope

1.2.1. This Standard is applicable to all railway operators as defined in the NRSR Act 16 of 2002 as amended.

1.2.2. It is designed for use by railway operators when they develop, review, implement or amend interface agreements to enhance safe railway operations.

2. Normative References

2.1. The following referenced documents are indispensable for the understanding and application of this Standard. For undated references, the latest edition of the Standard (including any amendments) shall apply:

- SANS 3000-1: Railway safety management – Part 1: General.
- SANS 3000-2-4: Part 2-4: Technical requirements for engineering and operational standards – Train authorization and control, and telecommunications.
- SANS 3000-2-5: Part 2-5: Technical requirements for engineering and operational standards – Operational principles for safe movement on rail.

This gazette is also available free online at www.gpwonline.co.za

- SANS 3000-2-6:2013 – Part 2-6: Technical requirements for engineering and operational standards – Interoperability, and interface and intraface management.
- SANS 3000-4: Railway safety management – Human factors management.
- SANS 10405 - Transport of Dangerous Goods by rail.

2.2. Current railway related national and international standards can be obtained from the South African Bureau of Standards (SABS), Standards Division. Website: https://www.sabs.co.za/.

2.3. Regulator Standards can be obtained from the Railway Safety Regulator, South Africa. Website: http://rsr.org.za/.

RSR 00-2-3-1:– Part 2-3-1: Requirements for systemic engineering and operational safety standards – Rolling stock – Wheels, axles and bearings.

RSR 00-2-7: – Part 2-7: Requirements for systemic engineering and operational safety standards – Railway Stations.

RSR 00-3: – Part 3: Occurrence Management.

RSR 00-4-1: – Part 4-1: Human factors management – Fatigue management.

RSR 02-5-1:Part 2-5-1: Verbal Safety-Critical Communication

3. Definitions and Abbreviations

3.1. Definitions

3.1.1 interface

physical or organisational area, point or location where the activities or assets, or activities and assets of two or more railway Operators or a railway Operator and another organisation meet and interact or have the potential to affect one another or both.

3.1.2 intraface

physical or organisational area, point or location where the activities or assets or activities and assets of two or more functional disciplines within a railway Operator meet and interact or have the potential to affect one another.

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3.1.3 interface agreement

A contractual agreement between two or more railway Operators that relates to the management of safe railway operations at interfaces.

3.1.4 handshaking

exchange of information between an individual, group or device (or any combination of these) such that the sender and receiver(s) are in agreement that the information received is identical to that sent and that the interpretation of the information by the receiver(s) is the same as that intended by the sender.

3.1.5 operator's working instructions

instructions issued normally in writing by the operator as defined by the operator's internal processes.

3.1.6 serviceworthy

condition of the rolling stock, track, station, infrastructure network or, any structure intended for the movement of a train at the desired level of service to allow safe movement.

3.1.7 trainworthy

ability of the railway network infrastructure elements to ensure and sustain a safe movement of rolling stock over the network portion.

3.2. Abbreviations

ALARP: As low as reasonably practicable

RSR: Railway Safety Regulator

ISO: International Standards Organisation

SANS: South African National Standards

SOP: Standard Operating Procedures

SPAD: Signal passed at danger

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VSCC: Verbal Safety-Critical Communication

WG: Working Group

4. Requirements for Interface Agreements

4.1. Operators must have processes and procedures developed, approved and implemented for the development, documentation and implementation of Interface Agreements as envisaged in the SANS 3000, RSR series of standards, the SMS and SMSR Determination.

5. Identification of Interfaces

5.1. Network Operators shall identify areas where:

5.1.1. their network or any part thereof meet the network of another Operator, and

5.1.2. part(s) of their network is used or is to be used by another railway Operator.

5.2. Network Operators shall identify areas where their operations have risks which may impact or are impacted by risks emanating from other Operators within close proximity to their operations.

5.3. Station Operators shall identify areas where they interface with other Operator(s) and indicate which parts of a station are used or are to be used by another Train Operator.

5.4. Train Operators shall identify and indicate which part/s of their operations interface with other Operator(s).

6. Minimum Requirements to be Included in an Interface Agreement

6.1. The following shall be the minimum requirements for Interface Agreements (refer to Annexure A):

6.1.1. Scope of the Agreement

6.1.2. Parties involved in the Agreement

6.1.3. Commencement, Variation And Termination Of The Agreement

6.1.4. Notices and *Domicilium citandi et executandi*

6.1.5. Definitions and Acronyms

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6.1.6. Roles and Responsibilities of each Party to the Interface Agreement;

6.1.7. Processes and Procedures for risk assessment(s) relevant to the interface(s)

6.1.8. Contingency Plans

6.1.9. The procedures for monitoring compliance with Interface Agreement

6.1.10. The exchange of information and cooperation between the Parties in relation to their obligations under the Interface Agreement

6.1.11. The procedures for managing operational changes affecting the interfaces including changes in technology

6.1.12. Review of the Interface Agreement

6.1.13. Dispute Resolution

6.1.14. List of Reference Documents (Annexes)

7. Risk management

7.1. Interface Risk Assessment

7.1.1. Operators shall identify risks related to operational interfaces and implement applicable risk control measures.

7.1.2. The joint Interface Risk Assessment shall be conducted at least annually or due to the following circumstances:

(a) Within 60 calendar days post an operational railway occurrence relating to interfaces, which resulted in a fatality;

(b) Following 3 reportable occurrences (as defined in the relevant legislation) at the specific area of interface within one calendar year;

(c) Introduction of additional operator(s) affected by the interface(s);

(d) As a result of change in legislation that affects interface(s);

(e) Where there are significant change(s) in the parameters of SMS that relates the interfaces;

(f) Following the recommendations from occurrence investigation(s), audits and/or inspections that relates to interface(s); and

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(g) As directed by the RSR.

7.2. Interface Risk Controls

7.2.1. The Operators shall implement and maintain control measures to manage the identified risks related to area(s) of interface, and this shall be considered in the following order:

(a) Elimination of the risk;

(b) Isolating the hazard from the process/person put at risk;

(c) Substituting the hazard giving rise to the risk with means that gives rise to a lesser risk;

(d) Minimising the risk by engineering means;

(e) Minimising the risk by administrative means (for example, by adopting safe working practices or providing appropriate training, instruction or information);

(f) Using personal protective equipment; and

(g) Use a combination of abovementioned controls to manage risk.

Note: New required control measures may be identified through the process of identifying and assessing safety risks. Where these risk controls cannot be implemented immediately, an action plan with specific timeline should be agreed upon, recorded and implemented accordingly.

7.3. Monitoring of Interface Risks

7.3.1. The Operators shall incorporate the monitoring requirements in accordance with the signed Interface Agreements.

7.3.2. The Operators shall continuously monitor and review the risks related to operational interfaces on regular intervals, as well as the measures to manage the risks agreed upon in the joint risk assessment.

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7.3.3. Any new risks identified through the process of monitoring and review of interface risks, shall be considered for revision of joint risk assessments and/or the Interface Agreement.

7.4. Exchange of information

7.4.1. The Operators shall develop and manage processes and procedures for the exchange of information required for operational interfaces,

7.4.2. The information to be exchanged shall include the following, but not limited to:

(a) Details of the Operators' representatives for the purposes of the interface management;

(b) Occurrence related information;

(c) Contingency plans related information;

(d) Business Continuity Plans;

(e) Safety Critical information such as normal, degraded and abnormal mode; and

(f) Other train operations related matters (train configurations, axle mass loads, train technical instructions).

7.5. Management of Change

7.5.1. The Operators shall develop and manage processes and procedures to ensure management of change that impact operational interfaces.

7.5.2. The introduction of change shall be in a safe manner and free from any risks. The risks shall be mitigated to a level as low as it is reasonably practicable.

7.5.3. Prior implementation, the change shall be communicated, agreed upon and signed off by all Parties involved.

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7.6. Roles and Responsibilities of Operators

7.6.1. Network Operators

7.6.1.1. The Network Operator shall ensure that relevant Interfaces Agreement is documented, signed and implemented between the Network Operator and the relevant Interfacing Operator, in accordance with clause 6.

7.6.1.2. The documented Interface Agreement must include the factors referred to in SANS 3000-2-6, clause 6.2.3.

7.6.1.3. Applicable operational rules, procedures and specifications shall form part of the Interface Agreement and shall be implemented.

7.6.1.4. The signed Interface Agreement shall be submitted to the RSR for review and or recommendations.

7.6.2. Train Operators

7.6.2.1. The Train Operator shall ensure that relevant interface agreement is documented, signed and implemented between the Train Operator and the relevant interfacing Operator in accordance with clause 6.

7.6.2.2. The documented Interface Agreement must include the factors referred to in SANS 3000-2-6, clause 6.3.3.

7.6.2.3. The implementation of the Interface Agreement requirements must include the integration of the train operations with the relevant network or station operations (or both).

7.6.2.4. It shall also consider the activities of other train operators into a seamless safe working system.

7.6.2.5. All site-specific documents shall be included and implemented; Other relevant technical and operating Standards shall be referenced.

7.6.2.6. The signed Interface Agreement shall be submitted to the RSR for review and/or recommendations.

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7.6.3. Station Operators

7.6.3.1. The Station Operator shall ensure that relevant Interfaces Agreement is documented, signed and implemented between the Station Operator and the relevant Interfacing Operator.

7.6.3.2. The documented Interface Agreement must include the factors referred to in SANS 3000-2-6, clause 6.4.3.

7.6.3.3. The implementation of the Interface Agreement requirements must include the integration of the train operations with the relevant station operations and other train operations into a seamless safe working system.

7.6.3.4. Applicable operational rules, procedures and specifications shall form part of the Interface Agreement and shall be implemented.

7.6.3.5. The signed Interface Agreement shall be submitted to the RSR for review and possible comments and/or recommendations.

8. Reviews of Interface Agreements

8.1. The review of Interface Agreements shall be conducted as follows:

- At least not longer than 5 (five) years.
- As per the circumstances specified in clause 7.1.2, 7.5 & 8.2.
- As the Parties deem it necessary.
- As directed by the RSR based on the identification of a potential safety risk.

8.2. Validity of the Interface Agreement

- The Interface Agreement shall be valid for a period of no longer than 5 (five) years.

8.3. Circumstances that necessitate the review and renewal of Interface Agreements

- Within 180 days following 3 reportable operational railway occurrences (as defined in the relevant legislation) that relates to the interface area within one calendar year.

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- Within 180 days following an interfaces related occurrence which resulted in a fatality.
- In line with the outcome of risk assessments that relates to interfaces Introduction of additional Operator(s) affected by the interface.
- Change in legislation that affects interfaces.
- Major changes in the parameters of SMS that relates to the interfaces.
- As directed by the RSR.

9. Dispute Resolution

9.1. Parties to agree on a dispute resolution mechanism and/or process.

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ANNEXURE A

Interface Agreements Standard

Template

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INTERFACE AGREEMENT

CONCLUDED BETWEEN

Operator A
(a company duly incorporated in accordance with the laws of South Africa)

AND

Operator B
(a company duly incorporated in accordance with the laws of South Africa)

AND

Operator C
(where applicable)
(a company duly incorporated in accordance with the laws of South Africa)

Signed at ……., on this ……. day of …… 2xxx

_____
Operator A Representative

Signed at ……., on this ……. day of …… 2xxx

_____
Operator B Representative

Signed at ……., on this ……. day of …… 2xxx

_____
Operator C Representative

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1. SCOPE OF THE AGREEMENT

In this section of the agreement, the interfacing operators are required to provide overall scope of the agreement.

2. PARTIES INVOLVED IN THE AGREEMENT

In this section of the agreement, the interfacing operators shall provide full detail of all parties involved.

3. COMMENCEMENT, VARIATION AND TERMINATION OF THE AGREEMENT

In this section of the agreement, the interfacing operators are required to provide the following:

- the commencement date of the agreement,
- terms and conditions for variation, and
- terms and conditions for termination of the agreement

4. NOTICES AND *DOMICILIUM CITANDI ET EXECUTANDI*

In this section of the agreement, the interfacing operators shall provide their nominated physical addresses where notice shall be sent. The interfacing operators shall outline a process of notifying another operator of any changes to the physical address for the purpose of sending/receiving any notice in terms of this Agreement.

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5. DEFINITIONS AND ACRONYMS

Word/ Abbreviation/ Acronyms	Meaning

6. ROLES AND RESPONSIBILITIES OF EACH PARTY TO THE INTERFACE AGREEMENT

In this section of the agreement, the interfacing Operators shall provide and clearly defined roles and responsibilities of each Party at interfaces in accordance with the requirements of this Standard.

7. PROCESSES AND PROCEDURES FOR RISK ASSESSMENT(S) RELEVANT TO THE INTERFACE(S)

In this section of the agreement, the interfacing Operators shall provide relevant and clearly outlined processes and procedures developed for management of risks at interfaces.

8. CONTINGENCY AND EMERGENCY PLANS

In this section of the agreement, the interfacing Operators shall provide agreed and clearly outlined plans relating to management of contingencies and emergencies at interfaces.

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9. THE PROCEDURES FOR MONITORING COMPLIANCE WITH INTERFACE AGREEMENT

In this section of the agreement, the interfacing Operators shall provide clearly outlined procedures for monitoring compliance with this Interface Agreement.

10. THE EXCHANGE OF INFORMATION BETWEEN THE PARTIES IN RELATION TO THEIR OBLIGATIONS UNDER THIS INTERFACE AGREEMENT

In this section of the agreement, the interfacing Operators shall provide all information to be exchanged in relation to their obligation related to their interfaces.

11. THE PROCEDURES FOR MANAGING OPERATIONAL CHANGES AFFECTING THE INTERFACES

In this section of the agreement, the interfacing Operators shall provide and clearly outline procedures for managing operational changes affecting the interfaces including changes in technology.

12. REVIEW OF THE INTERFACE AGREEMENT

In this section of the agreement, interfacing Operators shall provide full details for the review of the interface agreement such as expected date of review, circumstances that require the Agreement to be reviewed

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13. DISPUTE RESOLUTION

In this section of the agreement, interfacing Operators shall agree on, and provide a dispute resolution mechanism and/or process for the management of disputes that relate to this Agreement.

14. LIST OF REFERENCE DOCUMENTS (ANNEXES)

Annexure A: List all legislative documents (e.g. Act, Regulations, Standards etc)

Annexure B: List of all relevant documents other than legislative documents (e.g. specification, rules, plans)

Annexure C: List of other related documents

END

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

GENERAL NOTICE 1953 OF 2023

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of section 11A(3) of the Restitution of Land Rights Act, 1994(Act No.22 of 1994) that the notice of the claim Fana Stanley Duma on behalf of the Qoqisizwe Community in the district of Underberg, KwaZulu-Natal which was published under Notice No. 394 of 2005 in Government Gazette No. 27352 dated 11 March 2005 and Notice No. 1455 of 2008 published in Government Gazette No. 31625 dated 28 November 2008 is hereby withdrawn by the Regional Land Claims Commissioner: KwaZulu-Natal in terms of a Court Order dated 4 February 2022 for purposes of further research.

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

_____
HARRY LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

GENERAL NOTICE 1954 OF 2023

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**A portion of the consolidated Lot 877 Palm Beach, known before consolidation as Lot 363 Palm Beach**
Extent of property	:	**0, 2164 hectares**
Magisterial District	:	**Ugu District Municipality**
Administrative District	:	**KwaZulu-Natal**
Previous Title Deed No.	:	**T17127/1983**
Current Title Deed No.	:	**T238884/1992** **T24408/2012**
Current Owner	:	**Provincial Government of Province of KwaZulu-Natal**
Bonds & Restrictive Conditions (Interdicts)	:	**VA2230/2013; VA2367/2013; VA4972/2010**
Claimant	:	**Jaynene Coward**
Date claim lodged	:	**18 September 1995**
Reference number	:	**KRN6/2/2/E/41/0/0/122**

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

GENERAL NOTICE 1955 OF 2023

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 (1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) that a claim for the restitution of land rights on the following properties have been lodged with the Regional Land Claims Commissioner: KwaZulu-Natal and that the Commission on Restitution of Land Rights will further investigate the claim in terms of provisions of the Act in due course:

Property	:	**1.**	**Sub 39 (of 11) of the farm Groeneberg No. 844**
		2.	**Sub 41 (of 10) of the farm Groeneberg No. 844, now Portion 41 of the farm Groeneberg No. 844**
Extent of property	:	**1.**	**0, 1886 hectares**
		2.	**4, 6674 hectares**
Magisterial District	:	**Inanda / Ethekwini**	
Administrative District:	:	**KwaZulu-Natal**	
Previous Title Deed No.	:	**T23594/1987**	
Current Title Deed No.	:	**1.**	**Not Registered**
		2.	**T23594/1987**
Current Owner	:	**1.**	**Not Registered**
		2.	**Provincial Government of KwaZulu-Natal**
Bonds & Restrictive Conditions (Interdicts)	:	**None**	
Claimant	:	**Muniser Mathura on behalf of the Mathura Family**	
Date claim lodged	:	**7 December 1998**	
Reference number	:	**KRN6/2/2/E/14/0/0/91**	

Any party/parties who have an interest in the above-mentioned properties is hereby invited to submit, within **30 days** from the date of publication of this notice, any representations and/ or information which shall assist the Commissioner in proving or disproving this claim.

Should no information and/ or representations from the affected party/ parties be forthcoming within the stipulated period, the affected party/parties shall be *ipso facto* barred from further doing so and the Commission shall continue with the subsequent processes towards completion of the investigation.

Any comments and information should be submitted to:

The Regional Land Claims Commissioner: KwaZulu-Natal
Private Bag X9120
Pietermaritzburg 3200

Tel: (033) 355 - 8400
Fax: (033) 342 - 3409

Submissions may also be delivered to Second Floor, African Life Building, 200 Church Street, Pietermaritzburg.

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

GENERAL NOTICE 1956 OF 2023

GENERAL NOTICE IN TERMS OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11(1) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994), as amended. This claim for the restitution of land rights has been submitted to the Regional Land Claims Commissioner for the Western Cape. The particulars regarding this claim is as follows:

Project Name : Halim Family

Number of Claims : 1

Area : District Six

Type : Tennant

Date submitted : 29 December 1998

Current Owner : City of Cape Town

No.	Ref No.	Surname & Initial	Property Description	Area	Extent	Dispossessed Person
1.	H577	Mogamad Halim	Corner of College Street and Cambridge Street (Erf 9065)	District Six	677m^2	Abdul Mohamed Halim

The Regional Land Claims Commission will investigate this claim in terms of provisions of the Act in due course. Any party who has an interest in the above-mentioned land is hereby invited to submit, within 90 days from the publication of this notice, any comments / information to:

The Regional Land Claims Commission: Western Cape
Private Bag X9163
Cape Town
8000
Tel: 021-409 0300
Fax: 021-424-5146
Mr. L.H. Maphutha
Regional Land Claims Commissioner

CHECKED.....
DATE .....08/6/2023....

APPROVED .....
DATE....2023/07/20.....

DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

GENERAL NOTICE 1957 OF 2023

INVITATION OF NOMINATIONS OR APPLICATIONS FOR APPOINTMENT AS MEMBERS OF THE EVALUATION PANEL TO ASSESS THE PERFORMANCE OF THE CHAIRPERSON, OTHER COUNCILLORS, AND THE COUNCIL OF THE INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA (ICASA)

The Minister of Communications and Digital Technologies invites nominations/applications of interested and suitably qualified persons to serve as members of the Evaluation Panel to monitor and evaluate the performance of the Chairperson, and other Councillors of the **Independent Communications Authority of South Africa (ICASA).**

The Independent Communications Authority of South Africa (ICASA) is a Constitutional Institution, established through section 192 of the Constitution of the Republic of South Africa, Act No. 108 of 1996. Section 192 states that national legislation must establish an independent authority to regulate broadcasting in the public interest and ensure fairness and diversity of views broadly representing South African society.

To promote good governance and accountability by ensuring that Councillors' performance enables the achievement of organisational goals and targets, there is a need to obtain a mixed set of competencies, experiences, and skills to improve performance and ensure that the Authority achieves its objectives.

The nominated persons or applicants must be people with a high degree of integrity, honesty, transparency, ethical leadership, professional competence, and due care, confidentiality, accountability and must understand the public sector governance and legislative requirements. Candidate must have a proven/ successful track record of board/council performance evaluation as an added advantage.

Requirements: The nominated persons or applicants must have proven skills, knowledge, qualifications, and experience that would add value, and are suitable to serve on the Evaluation Panel by virtue of their qualifications and experience in any of the following disciplines: -

- Accounting and Auditing;
- Corporate Governance, Legal, and Corporate Law; and
- Civil society or Academia

Nominated persons or applicants must have a minimum of 10 years of Board/Council performance evaluation and at least 10 years of experience in an Executive or Senior Management role in the private and public sector preferably regulatory environment. Candidates must understand the mandate of ICASA.

Nominated persons or applicants must have a bachelor's degree; a post-graduate qualification will be an added advantage.

The nominated persons must provide the following:
A comprehensive curriculum vitae (CV) supported by a motivation why the candidate is suitable to serve on the Evaluation Panel; certified proof of academic qualifications and an identity document (ID). The CV must include the following information: physical and postal addresses; telephone and e-mail address, previous experience quoting dates, and institutions or organisations concerned and references to the successful board/council performance evaluation.

Preferred candidates will be subjected to security clearance and disclosure of business interests. Correspondence will be limited to short-listed candidates only.

Nominations/Applications must be addressed to:
The Director-General, Department of Communications and Digital Technologies
For attention: Thapelo Mokwana, Deputy Director: Ground Floor, Block B, iParioli Office Park, 1166 Park Street, Hatfield, Pretoria Or Private Bag X860, Pretoria, 0001

Email Address for nominations:
nedappointmenticasa@dcdt.gov.za Enquiries: Ptsolo@dcdt.gov.za or TMokwana@dcdt.gov.za
The Minister of Communications and Digital Technologies reserves the right not to appoint applicants to the Evaluation Panel.

CLOSING DATE FOR APPLICATIONS: 08 September 2023

DEPARTMENT OF HEALTH

GENERAL NOTICE 1958 OF 2023

IMPOSITION OF LEVIES ON MEDICAL SCHEMES ISSUED IN TERMS OF SECTION 2 OF THE COUNCIL FOR MEDICAL SCHEMES LEVIES ACT (ACT 58 OF 2000)

The Council for Medical Schemes referred to in Section 1 of the Council for Medical Schemes Levies Act, 2000 (Act No. 58 of 2000), after consultation with the Minister of Health, hereby confirms the imposition of levies on medical schemes.

The notice on the imposition of levies in the government gazette dated 12 May 2023 (no. 48589) notified that once approval has been received for the new levy, the Council for Medical Schemes will make adjustment to the levy already levied to schemes. The above gazette imposed a levy of **R44.06** and the new approved levy is **R46.40**. CMS now imposes a levy amount of **R2.34** being an adjustment to the levy published in the above gazette.

By order of the Council for Medical Schemes

Memela Makiwane
03/08/2023 09:45:49(UTC+02:00)
Signed by Memela Makiwane,
m.makiwane@medicalschemes.co.za
SIGNIFLOW.COM

Dr M Makiwane

Chairperson: Council for Medical Schemes

August 2023

SCHEDULE

Definitions

1. In this notice, unless the context indicates otherwise –

   i. "Council" means the Council for Medical Schemes referred to in the Act;

   ii. "Levy year" means the period from **01 April 2023 to 31 March 2024** and, subject to the provision of this Notice and any amendments, substitution or repeal thereof, such corresponding period in succeeding year in respect of which levies are imposed;

   iii. "Registrar" means the Registrar of Medical Schemes, appointed in terms of Section 18 of the Medical Schemes Levies Act, 1998 (Act No. 131 of 1998);

   iv. "The Act" means the Council for Medical Schemes Levies Act, 2000 (Act No. 58 of 2000).

Imposition

2. In respect of a medical scheme registered in terms of section 20 of the Medical Schemes Act, 1998 (Act No. 131 of 1998), the adjusted levy is an amount of **R2.34** per member per year, which shall be paid together with the second installment of the levies no later than 30 September 2023 of the levy year. Invoices to schemes will be adjusted accordingly for this payment.

3. In respect of the levy year, the number of members referred to in item 2 shall correspond with the latest statistics furnished to the Registrar in terms of or by virtue of the Medical Schemes Act, 1998 (Act No. 131 of 1998) or with the latest certified number of members sent to the Registrar by the medical scheme. If a transfer of members is in process and not finalized on **31 December 2022**, the transferor must pay the levy in respect of the members to be transferred.

Payment/Interest on overdue Levies

4. On amounts of overdue levies, interest will be charged at a rate applicable to a debt owing to the state, as determined by the Minister of Finance in terms of section 80(1) (b) of the Public Finance Management Act.

5. The levies and interest (if any) referred to in this Notice shall be paid by a medical scheme directly in the bank account of the Council, the details of which are:

Bank	:	ABSA
Account Holder	:	Council for Medical Schemes
Branch Name	:	ABSA Corporate Branch
Branch Code	:	517 245
Account Number	:	405 116 3394

6. A deposit advice slip issued by the aforementioned Bank in respect of a deposit contemplated in item 5, received by the Council for Medical Schemes, and bearing the name of the relevant medical scheme, shall serve as *prima facie* proof of payment of a levy.

LEGAL PRACTICE COUNCIL

GENERAL NOTICE 1959 OF 2023

NATIONAL OFFICE
Thornhill Office Park
Building 20
94 Bekker Road
Vorna Valley, Midrand
Tel: 010 001 8500

THE SOUTH AFRICAN LEGAL PRACTICE COUNCIL

NOTICE IN TERMS OF SECTION 95(1) & (4) OF THE LEGAL PRACTICE ACT, 28 OF 2014

The South African Legal Practice Council ("the Council") hereby issues a notice under the authority of sections 95(1)(a) of the Legal Practice Act, 28 of 2014 (as amended) proposing a minimum remuneration for candidate legal practitioners undergoing practical vocational training under a practical vocational training contract in terms of Rule 22 of the Legal Practice Council Rules, in accordance to Rule 22.3 and 22.4 of the Legal Practice Council Rules, as required by Section 27(2) of the Legal Practice Act 28 of 2014.

Candidate Attorneys

The Council is of the view that applying a uniform minimum remuneration for candidate attorneys would be impractical due to the diversity of law firms taking on candidate legal practitioners in the different areas around the country and would further result in attorneys taking fewer candidate legal practitioners to undergo practical vocational training under their supervision, and this may apply particularly to attorneys who are practising in rural areas.

In determining the minimum proposed remuneration, the Council took into consideration the current economic climate and the challenges faced particularly by legal practitioners practising in rural areas, and the Council has resolved to propose a different minimum remuneration for candidate attorneys in urban and rural areas.

Schedule 2A below contains the proposed minimum remuneration for candidate attorneys in terms of section 27(2) of the Legal Practice Act.

Pupils

The Council believes that pupils should be remunerated, but it appreciates that they are not employed by their supervisors, and that imposing an obligation on a supervisor to remunerate a pupil will discourage many advocates from becoming a supervisor.

The Council therefore proposes that a levy be imposed on practising advocates to establish a fund from which pupils will be remunerated.

The Council proposes that:

- Senior counsel pays a once of levy of **R 8 400** per year, or **R 700** per month; and

Executive Committee: Ms Janine Kim Myburgh – Chairperson, Adv. Kennedy Tsatsawane SC - Deputy Chairperson, Ms Kathleen Matolo-Dlepu, Mr Miles Carter,
Mr Priyesh Daya, Adv. Brenton Joseph SC, Mr Pritzman Busani Mabunda, Executive Officer: Ms. Charity Nzuza

- Junior counsel of 10 years standing and more pays a once of levy of **R 4 800** per year or **R 400** per month.

Schedule 3A below contains the proposed minimum remuneration for pupils in terms of section 27(2) of the Legal Practice Act.

In terms of Section 95(4)(a) of the Legal Practice Act, interested persons are called upon to comment to the Council in writing on the proposed minimum remuneration for candidate legal practitioners undergoing practical vocational training under a practical vocational training contract in terms of Rule 22 of the Legal Practice Council Rules.

Please note that all comments must be sent by email to rules@lpc.org.za by no later than 11 September 2023.

Signed at Midrand on 3 August 2023.

Ms. C Nzuza

Executive Officer: Legal Practice Council

Executive Committee: Ms Janine Kim Myburgh – Chairperson, Adv. Kennedy Tsatsawane SC - Deputy Chairperson, Ms Kathleen Matolo-Dlepu, Mr Miles Carter,
Mr Priyesh Daya, Adv. Brenton Joseph SC, Mr Pritzman Busani Mabunda, Executive Officer: Ms. Charity Nzuza

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PART 3 OF 3

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SCHEDULE 2A

Candidate attorney minimum remuneration in terms of Rule 22.3 of the Legal Practice Council Rules

A candidate attorney undergoing practical vocational training in terms of a practical vocational training contract shall be entitled to not less than the minimum remuneration as determined by the Council below, which remuneration shall be payable not less frequently than monthly and shall in any event not be less than the amount determined by the Council.

	DEMOGRAPHICS	Minimum remuneration per annum	Minimum remuneration per month
1.	Minimum remuneration for candidate attorneys situated in **rural areas**	R72 000	R6 000
2.	Minimum remuneration for candidate attorneys situated in **urban areas**	R96 000	R8 000

**Please note that the Basic Conditions of Employment Act No. 75 of 1997 ("BCEA") applies in terms of working hours in so far as candidate attorneys are concerned.*

SCHEDULE 3A

Pupil minimum remuneration in terms of Rule 22.4 of the Legal Practice Council Rules

The Council proposes that, if the abovementioned proposal is implemented, a pupil undergoing practical vocational training in terms of a practical vocational training contract shall be entitled to not less than the minimum remuneration as determined by the Council, which remuneration shall be payable by the Council not less frequently than monthly and shall in any event not be less than the amount determined by the Council below.

	Minimum remuneration per annum	Minimum remuneration per month
Minimum remuneration for pupils	R96 000	R8 000

Executive Committee: Ms Janine Kim Myburgh – Chairperson, Adv. Kennedy Tsatsawane SC - Deputy Chairperson, Ms Kathleen Matolo-Dlepu, Mr Miles Carter,
Mr Priyesh Daya, Adv. Brenton Joseph SC, Mr Pritzman Busani Mabunda, Executive Officer: Ms. Charity Nzuza

DEPARTMENT OF MINERAL RESOURCES AND ENERGY

GENERAL NOTICE 1960 OF 2023

The fees payable by new applicants to the Nuclear Regulator for its regulatory services have increase from an hourly rate of R2,331 for the 2022-23 financial year to an hourly rate of R2,446 for the 2023-24 financial year.

Authorisation fees shall be billed annually in advance and payment of such fees shall be due within thirty (30) days of issuance of invoice. interest shall accrue on the outstanding amount after 30 days of the issuance of the invoice.

Furthermore, interest shall be calculated on the daily balance owing and compounded monthly. The rate determined by the Minister of finance in terms of section 80 of the Public Finance Management Act 1999, (Act no. 1 of 1999) shall be applicable.

Facilities	Type of Facility	Authorisation holders per category	Authorisation fees @5,7% for the 2022-23 R0,00	Authorisation fees for the 2023-24 f/y @ 4,9%. R0,00	Total authorization fees R0,00
Category 1	Small users, laboratories and refurbishes	43	R71, 573	R75,080	R3,228,443
Category 2	Scrap processors, scrap smelter and service providers	32	R89,467	R93,851	R3,003,228
Category 3	Fertilizers, other lesser mining and mineral processing facilities	5	R501,016	R525,566	R2,627,829

Facilities	Type of Facility	Authorisation holders per category	Authorisation fees @5,7% for the 2022-23 R0,00	Authorisation fees for the 2023-24 f/y @ 4,9%. R0,00	Total authorization fees R0,00
Category 4	Medium operators, other lesser mining, mineral processing facilities	33	R572,204	R600,242	R19,807,986
Category 5	Large operators, major mining and mineral processing facilities	9	R1,359,899	R1,426,534	R12,838,806
Total		**122**	**R2,594,159**	**R2,721,273**	**R41,506,294**
Eskom KNPS-normal operation		1	R99,148,591	R104,006,872	R104,006,872
Eskom KNPS-Steam generator replacement		1	R24,217,975	R25,404,656	R25,404,656
Eskom-Thyspunt-Nuclear installation site license application		1	R10,187,321	R10,686,500	R10,686,500
Eskom - Long Term Operation application		1	R14,838,121	R15,565,189	R15,565,189
Necsa-Pelindaba		1	R52,275,759	R54,837,271	R54,837,271
Necsa- Vaalputs		1	R8,052,030	R8,446,579	R8,446,579
Sub-total		**6**	**R208,719,797**	**R218,947,067**	**R218,947,067**
Total accumulated fees		**128**	**R211,313,956**	**R221,668,340**	**R260,453,360**

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

GENERAL NOTICE 1961 OF 2023

COMPETITION TRIBUNAL

NOTIFICATION OF COMPLAINT REFERRAL

The Competition Tribunal gives notice in terms of Section 51(3) & (4) of the Competition Act 89 of 1998 as amended, that it received the c COVCR074Jul20omplaint referrals listed below. The complaint(s) alleges that the respondent(s) engaged in a prohibited practice in contravention of the Competition Act 89 of 1998.

Case No.	Complainant	Respondent	Date received	Sections of the Act
CR049Jul23	Competition Commission	Sasol Gas (Pty) Ltd	10/07/2023	8(1)(a)
CRP052Jul23	eMedia Investments (Pty) Ltd	Multichoice (Pty) Ltd	12/07/2023	8(1)(c),8(1)(d)(ii)
CR053Jul23	Competition Commission	Allbro (Pty) Ltd	14/07/2023	8(1)(d)(i),8(c)

The Chairperson
Competition Tribunal

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

GENERAL NOTICE 1962 OF 2023

COMPETITION TRIBUNAL
NOTIFICATION OF DECISION TO APPROVE MERGER

The Competition Tribunal gives notice in terms of rules 34(b)(ii) and 35(5)(b)(ii) of the "Rules for the conduct of proceedings in the Competition Tribunal" as published in Government Gazette No. 22025 of 01 February 2001 that it approved the following mergers:

Case No.	Acquiring Firm	Target Firm	Date of Order	Decision
LM054Jun22	Takatso Aviation (Pty) Ltd	South African Airways State Owned Company Ltd	25/07/2023	Approved Subject to Conditions
LM016May23	Auto Industrial Investment Holdings (Pty) Ltd	Auto Industrial Group (Pty) Ltd	26/07/2023	Approved Subject to Conditions
LM140Oct22	Lief 853 (Pty) Ltd	Zimco Group (Pty) Ltd	27/07/2023	Approved Subject to Conditions

The Chairperson Competition Tribunal

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

GENERAL NOTICE 1963 OF 2023

STANDARDS ACT, 2008
STANDARDS MATTERS

In terms of the Standards Act, 2008 (Act No. 8 of 2008), the Board of the South African Bureau of Standards has acted in regard to standards in the manner set out in the Schedules to this notice.

SECTION A: DRAFTS FOR COMMENTS

The following draft standards are hereby issued for public comments in compliance with the norm for the development of the South Africa National standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title, scope and purport	Closing Date
SANS 4427-1 Ed 2	*Plastics piping systems for water supply and for drainage and sewerage under pressure – Polyethylene (PE) – Part 1: General*. Specifies the general aspects of polyethylene (PE) piping systems (mains and service pipes) intended for the conveyance of water for human consumption, including raw water prior to treatment and water for general purposes.	2023-09-26
SANS 4427-2 Ed 2	*Plastics piping systems for water supply, and for drainage and sewerage under pressure – Polyethylene (PE) – Part 2: Pipes*. Specifies the pipes made from polyethylene (PE) intended for the conveyance of water for human consumption, including raw water prior to treatment and water for general purposes.	2023-09-26
SANS 4427-3 Ed 2	*Plastics piping systems for water supply, and for drainage and sewerage under pressure – Polyethylene (PE) – Part 3: Fittings*. Specifies the general aspects of fittings made from polyethylene (PE) for piping systems intended for the conveyance of water for human consumption, including raw water prior to treatment and water for general purposes.	2023-09-26
SANS 4427-5 Ed 2	*Plastics piping systems for water supply, and for drainage and sewerage under pressure – Polyethylene (PE) – Part 5: Fitness for purpose of the system*. Specifies the characteristics of the fitness for purpose of assembled piping systems made from polyethylene (PE) intended for the conveyance of water for human consumption, including raw water prior to treatment and water for general purposes.	2023-09-26
SANS 16775 Ed 1	*Packaging for terminally sterilized medical devices – Guidance on the application of ISO 11607-1 and ISO 11607-2*. Provides guidance for the application of the requirements contained in ISO 11607-1 (published in South Africa as an identical adoption under the designation SANS 11607-1) and ISO 11607-2 (published in South Africa as an identical adoption under the designation SANS 11607-2).	2023-09-27
SANS 10255 Ed 3	*Health, safety and environmental guidelines for the construction and operation of timber treatment plants*. Serves as a practical guide on occupational health and safety and environmental aspects in and around timber treatment plants with the intention to reduce health and safety and environmental risks.	2023-09-28

SCHEDULE A.1: AMENDMENT OF EXISTING STANDARDS

The following draft amendments are hereby issued for public comments in compliance with the norm for the development of the South African National Standards in terms of section 23(2)(a) (ii) of the Standards Act.

Draft Standard No. and Edition	Title	Scope of amendment	Closing Date
SANS 1314 Ed 2.1	*Industrial fuel oil for burner applications.*	Amended to update referenced standards, and the table on shipping documents.	2023-09-25
SANS 1913 Ed 3.1	*Kerosene for domestic cooking, heating and illuminating.*	Amended to update referenced standards.	2023-09-25
SANS 1601 Ed 2.4	*Structured wall pipes and fittings of unplasticized poly(vinyl chloride) (PVC-U) for buried drainage and sewerage systems.*	Amended to update the apparatus on the clause on determination of dimension, to delete reference to by-laws, and the annex on notes to purchasers.	2023-09-26
SANS 5197 Ed 3.1	*Determination of turbidity in water matrix using Nephelometric method.*	Amended to update the title and the clauses on interference, storage of samples, reagents, and on procedure.	2023-09-27

SCHEDULE A.2: WITHDRAWAL OF THE SOUTH AFRICAN NATIONAL STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following published standards are issued for comments with regard to the intention by the South African Bureau of Standards to withdrawn them.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date

SCHEDULE A.3: WITHDRAWAL OF INFORMATIVE AND NORMATIVE DOCUMENTS

In terms of section 24(5) of the Standards Act, the following documents are being considered for withdrawal.

Draft Standard No. and Edition	Title	Reason for withdrawal	Closing Date

SECTION B: ISSUING OF THE SOUTH AFRICAN NATIONAL STANDARDS

SHEDULE B.1: NEW STANDARDS

Standard No. and year	Title, scope and purport
SANS 61466-2:2023 Ed 1	*Composite string insulator units for overhead lines with a nominal voltage greater than 1 000 V – Part 2: Dimensional and electrical characteristics*. Applies to composite string insulator units with a specified mechanical load (SML) of 40 kN to 600 kN for AC overhead lines with a nominal voltage greater than 1 000 V and a frequency not greater than 100 Hz.
SATS 60079-39:2023 Ed 1	*Explosive atmospheres – Part 39: Intrinsically safe systems with electronically controlled spark duration limitation*. Specifies the construction, testing, installation and maintenance of Power-i apparatus and systems which utilise electronically controlled spark duration limitation to maintain an adequate level of intrinsic safety.
SATS 60079-42:2023 Ed 1	*Explosive atmospheres – Part 42: Electrical Safety Devices for the control of potential ignition sources from Ex-Equipment*. Provides guidance for equipment manufacturers where electrical safety devices are used to reduce the likelihood of potential ignition sources becoming effective in Ex Equipment located in Explosive Atmospheres.

Standard No. and year	Title, scope and purport
SANS 20344:2023 Ed 3	*Personal protective equipment – Test methods for footwear*. Specifies methods for testing footwear designed as personal protective equipment.
SANS 20347:2023 Ed 3	*Personal protective equipment – Occupational footwear*. Specifies basic and additional (optional) requirements for occupational footwear used for general purpose.
SANS 55010:2023 Ed 1	*Asset management – Guidance on the alignment of financial and non-financial functions in asset management*. Provides guidelines for the alignment between financial and non-financial asset management functions, in order to improve internal control as part of an organization's management system.
SANS 1524-1:2023 Ed 6	*Electricity payment systems – Part 1: Payment meters for active energy (classes 0,5, 1 and 2)*. Specifies characteristics of single and polyphase payment meters for indoor use, and requirements for meters used in reticulation subsystems which require meters to have integrated additional protection, safety and control functionality.
SANS 60079-10-1:2023 Ed 3	*Explosive atmospheres – Part 10-1: Classification of areas – Explosive gas atmospheres*. Concerns the classification of areas where flammable gas or vapour hazards may arise and may then be used as a basis to support the proper design, construction, operation and maintenance of equipment for use in hazardous areas.
SANS 9809-2:2023 Ed 3	*Gas cylinders – Design, construction and testing of refillable seamless steel gas cylinders and tubes – Part 2: Quenched and tempered steel cylinders and tubes with tensile strength greater than or equal to 1 100 MPa*. Specifies minimum requirements for the material, design, construction and workmanship, manufacturing processes, examination and testing at time of manufacture for refillable seamless steel gas cylinders and tubes with water capacities up to and including 450 l.
SANS 1363:2023 Ed 3	*Young people's shoes (stuck-on and stitch-down constructions*). Specifies requirements for shoes made according to the stuck-on and the stitch-down constructions and supplied in size ranges 7 150) to 1½(205) or size range 2(210) and larger.
SANS 7811-1:2023 Ed 4	*Identification cards – Recording technique – Part 1: Embossing*. Specifies requirements for embossed characters on identification cards.

SCHEDULE B.2: AMENDED STANDARDS

The following standards have been amended in terms of section 24(1)(a) of the Standards Act

Standard No. and year	Title, scope and purport
SANS 292:2023 Ed 3.2	*Wooden handles for hammers. Consolidated edition incorporating amendment No. 2.* Amended to delete the annex on notes to purchasers.
SANS 1854:2023 Ed 1.2	*The design and manufacture of trestles. Consolidated edition incorporating amendment No. 2.* Amended to update referenced standards.
SANS 877:2023 Ed 3.1	*Woven cotton tapes. Consolidated edition incorporating amendment No. 1.* Amended to delete the annex on notes to purchasers.
SANS 930:2023 Ed 3.1	*Processed cotton duck. Consolidated edition incorporating amendment No. 1.* Amended to update the title, and to delete the annex on notes to purchasers.
SANS 1324:2023 Ed 2.3	*Upholstery fabrics. Consolidated edition incorporating amendment No. 3.* Amended to delete the annex on notes to purchasers.
SANS 1326:2023 Ed 1.5	*Sodium lauryl ether sulphate. Consolidated edition incorporating amendment No. 5.* Amended to delete the appendix on notes to purchasers.
SANS 3001-AG4:2023 Ed 1.3	*Civil engineering test methods – Part AG4: Determination of the flakiness index of coarse aggregate. Consolidated edition incorporating amendment No. 3.* Amended to update introduction, the clause on apparatus, the tables, the clause on preparation of samples, and the clauses on procedure and on calculations.

SCHEDULE B.3: WITHDRAWN STANDARDS

In terms of section 24(1)(C) of the Standards Act, the following standards have been withdrawn.

Standard No. and year	Title
SANS 5956:2007 Ed 3	*Acid gas evolved during combustion of cable materials.*
SATR 10228:2012 Ed 2	*Supplement to SANS 10228:2012 – Variations between SANS 10228 (aligned with UN Model Regulations, edition 16) and UN Model Regulations, edition 17.*

SCHEDULE B4: ESTABLISHMENT OF TECHNICAL COMMITTEES

In terms of the South African Norm for the development of South African National Standards, the following technical committee has been established:

Committee No.	Title	Scope

If your organization is interested in participating in these committees, please send an e-mail to Dsscomments@sabs.co.za for more information.

SCHEDULE B5: RETRACTION OF PREVIOUSLY GAZETTED ITEMS

Notice is hereby given that the following standards gazetted for public enquiry have been retracted.

Standard No.	Title	Scope	Date gazetted

SCHEDULE B6: GENERAL

Notice is hereby given that the following standards/draft standard have been renumbered.

Standard/draft No.	Title	Scope	New number/designation

SCHEDULE B7: ADDRESS OF THE SOUTH AFRICAN BUREAU OF STANDARDS HEAD OFFICE

Copies of the standards mentioned in this notice can be obtained from the Head Office of the South African Bureau of Standards at 1 Dr Lategan Road, Groenkloof, Private Bag X191, Pretoria 0001.

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

GENERAL NOTICE 1964 OF 2023

AIR SERVICE LICENSING ACT, 1990 (ACT NO.115 OF 1990) APPLICATION FOR THE GRANT OR AMENDMENT OF DOMESTIC AIR SERVICE LICENCE

Pursuant to the provisions of section 15 (1) (b) of Act No. 115 of 1990 and Regulation 8 of the Domestic Air Regulations,1991, it is hereby notified for general information that the application detail of which appear in the appendix, will be considered by the Air Service Licensing Council. Representation in accordance with section 15 (3) of the Act No.115 of 1990 in support of, or in position, an application, should reach the Air Service Licensing Council. Private Box X 193, Pretoria, 0001 or by email at: domesticcouncil@dot.gov.za within 21 days of date of the publication thereof.

APPENDIX I (New Applications)

(A) **Full name and trade name of the applicant.** (B) Full business or residential address of the applicant. (C) Class of license applied for. (D) Type of air service to which application applies. (E) Category of aircraft to which application applies.

(A) African Wings (Pty) Ltd trading as African Wings. (B) Spaces Office 302, 50 Long Street, Cape Town, 8000, Western Cape. (C) Class III. (D) Type G3, G4, G8 & G16 (Flipping). (E) Category A3 & A4.

(A) Aerios Global Aviation trading as AGA Charters. (B) Hanger 2 Douglas Road, Cape Town International Airport. (C) Class II. (D) Type N1 & N2. (E) Category A3 & A4.

(A) Aerios Global Aviation trading as AGA Charters. (B) Hanger 2 Douglas Road, Cape Town International Airport. (C) Class III. (D) Type G3, G4, G7, G8, G10 & G11. (E) Category A3 & A4.

(A) Kago Entle Group (Pty) Ltd. (B) Rockfields Precint, Unit 16B, Rooihuiskraal North, Centurion, 0157. (C) Class III. (D) Type G3, G4 & G16 (RPAS). (E) Category H1.

(A) Eagle Eye Security Specialist (Pty) Ltd. (B) Room 15, Lower Roof, Office West Wing, OR Tambo International Airport, 2001. (C) Class III (D) Type G3, G4, G5, G8, G10, G13, G15 & G16 (RPAS) (E) Category H1.

(A) Dragonflight (Pty) Ltd. (B) 11 Crossberry Close, Brenton on Lake, Knysna, 6571. (C) Class III (D) Type G3, G4, G5, G8, G10, G13, G15 & G16 (RPAS) (E) Category H1.

(A) Suid Cargo Airlines (Pty) Ltd trading as Suid Cargo. (B) Block I, Clearwater Office Park, Cnr Atlas & Park Roads, Parkhaven, Boksburg, Gauteng, 1459. (C) Class II. (D) Type N2. (E) Category A1.

APPENDIX II (Amendment Applications)

(A) Full Name and trade name of the applicant. (B) Full business or residential address the applicant. (C) The Class and number of license in respect of which the amendment is sought (D) Type of air service and the amendment thereto which is being applied for (E) Category of aircraft and the amendment thereto which is being applied for. (F) Amendment referred to in section 14(2) (b) to.

(A) GC Geofly (Pty) Ltd trading as GC Geofly. (B) 1193 Frederik Ave, King Fisher Close, Wilderness East, Wilderness, Western Cape. (C) Class III (G1238D) (D) Type G3, G4 & G16 (RPAS) (E) Category A4. (F) Addition of Category H1 and Type G5.

(A) Henley Air (Pty) Ltd trading as Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class III (G576D) (D) Type G2, G3, G4, G5, G7, G8, G10, G11, G13, G15 & G16 (RPAS, Ship to Shore Operations, Night Vision Goggles, Powerline Erecting and Stringing Operations) (E) Category H1 & H2. (F) Changes to Management Plan: H. H Dippenaar is appointed as Chief Executive Officer, S. A Gonclaves Ponte Shiel appointed as Responsible Person: Flight Operations, C. S Teubes appointed as Air Safety Officer.

(A) Henley Air (Pty) Ltd trading as Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class II (N596D) (D) Type N1 & N2. (E) Category H1 & H2. (F) Changes to Management Plan: H. H Dippenaar is appointed as Chief Executive Officer, S. A Gonclaves Ponte Shiel appointed as Responsible Person: Flight Operations, C. S Teubes appointed as Air Safety Officer.

(A) Henley Air (Pty) Ltd trading as Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class III (G576D) (D) Type G2, G3, G4, G5, G7, G8, G10, G11, G13, G15 & G16 (RPAS, Ship to Shore Operations, Night Vision Goggles, Powerline Erecting and Stringing Operations) (E) Category H1 & H2. (F) Addition of Category A4.

(A) Indwe Aviation (Pty) Ltd trading as Indwe Aviation. (B) ERF 22490, P W Botha Boulevard, George, 6529. (C) Class III (G1117D) (D) Type G2, G3, G10, G10, G15 & G16 (Powerline inspections, ship to shore and Offshore Operations) (E) Category H1. (F) Changes to Management Plan: B. A Adebayo appointed as Responsible Person: Flight Operations, I. V Spence appointed Responsible Person: Aircraft, J. F Erasmus appointed as Air Safety Officer.

(A) Indwe Aviation (Pty) Ltd trading as Indwe Aviation. (B) ERF 22490, P W Botha Boulevard, George, 6529. (C) Class II (N1116D) (D) Type N1 & N2 (E) Category H1. (F) Changes to Management Plan: B. A Adebayo appointed as Responsible Person: Flight Operations, I. V Spence appointed Responsible Person: Aircraft, J. F Erasmus appointed as Air Safety Officer.

(A) African Wings (Pty) Ltd trading as African Wings. (B) Spaces Office 302, 50 Long Street, Cape Town, 8000, Western Cape. (C) Class II (N707D). (D) Type N1 & N2. (E) Category A4. (F) Addition of Category A3, Changes in Shareholding: 100% shareholding transferred from David Austin to Lornasync (Pty) Ltd and Changes to Management Plan: M. Ismail replaces E.G Austin as Chief Executive Officer/ Accountable Manager, P.J.W Pedlar replaces B. D Wesely-Colley as Responsible Person: Aircraft, D. Hacquebord replaces P.J.W Pedlar as Air Service Safety Officer and D. Hacquebord replaces P.J.W Pedlar as Quality Assurance Manager.

(A) Peakfull 1181 CC. (B) 13 Batchelor Street, Top Town, Queenstown, South Africa, 5320 (C) Class III (G1409D) (D) Type G3, G4 & G16 (RPAS) (E) Category A4 & H1 (F) Changes to Management Plan: Charlie Hansen appointed as Accountable Manager.

(A) Wooding Geospatial Solutions (Pty) Ltd trading as WGS AIR. (B) #203 Worlds vie Office Park, 1 Worlds view drive, Gillitts, 3610. (C) Class III (G1095D). (D) Type G3 & G4. (E) Category A4. (F) Change of License name from "Flatdog Project Management trading as Wooding Geospatial Solutions" to "Wooding Geospatial Solutions (Pty) Ltd". Changes to Changes to Management Plan: Kyle D.S. Pratt appointed Safety Manager, Natasha Joubert neé Greeff appointed as Quality Manager.

(A) Leading Edge Aviation CC. (B) Hangar A1, Nelspruit Airfield, Nelspruit, 1200, Mpumalanga. (C) Class II (G1385D). (D) Type G3, G8 & G15 (E) Category H1 & H2. (F) Changes to Management Plan: DL Graham appointed as Responsible Person: Aircraft, SM Jackson appointed as Safety Manager, C van Zyl appointed as Quality Manager and PT Jackson appointed as Security Manager.

INTERNATIONAL AIR SERVICE ACT, (ACT NO.60 OF 1993)
GRANT /AMENDMENT OF INTERNATIONAL AIR SERVICE LICENSE

Pursuant to the provisions of section 17 (12) of Act No.60 of 1993 and Regulation 15 (1) and 15 (2) of the International Air Regulations,1994, it is hereby notified for general information that the applications, detail of which appear in the Schedules hereto, will be considered by the International Air Services Council (Council) representation in accordance with section 16(3) of the Act No. 60 of 1993 and regulation 25(1) of International Air Services Regulation, 1994, against or in favour of an application, should reach the Chairman of the International Air Services Council at Department of Transport, Private Bag X 193, Pretoria, 0001 or by email at: internationalcouncil@dot.gov.za within 28 days of the publication hereof. It must be stated whether the party or parties making such representation is / are prepared to be represent or represented at the possible hearing of the application.

APPENDIX I (New Applications)

(A) Suid Cargo Airlines (Pty) Ltd trading as Suid Cargo. (B) Block I, Clearwater Office Park, Cnr Atlas & Park Roads, Parkhaven, Boksburg, Gauteng, 1459. (C) Class II. (D) Type N1, N3 & N4. (E) Category A1. (F) N/A. (G) Worldwide-Cargo Only. (H) N/A.

APPENDIX II (Amendment Applications)

(A) Full name, surname and trade name of the applicant. (B) Full business or residential address of the applicant. (C) Class and number of license in which the amendment is made. (D) Type of International Air Service in respect of which the amendment was made. (E) Category or kind of aircraft to which license was made. (F) Airport in respect of which the amendment was made. (G) Area to be served. (H) Frequency of flight.

(A) Henley Air (Pty) Ltd trading as Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class II (I/N417). (D) Type N1 & N4. (E) Category H1 & H2. (F) N/A (G) Worldwide. (H) N/A.

(A) Henley Air (Pty) Ltd trading as Henley Air. (B) Hangar 6, Rand Airport, Germiston. (C) Class III (I/G418) (D) Type G2, G3, G4, G5, G7, G8, G10, G11, G13, G15 & G16 (RPAS, Ship to Shore Operations, Night Vision Goggles, Powerline Erecting and Stringing Operations). (E) Category H1 & H2. (F) N/A. (G) Worldwide. (H) N/A.

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 471 OF 2023

South African Council for the Architectural Profession

Guideline for Professional Fees in terms of Section 34 (2) of the Architectural Profession Act, 2000 Act 44 of 2000 ("the Act")

The guideline for professional fees indicated in table 1, 2, 3 and 4 below must be read in the context of the Framework Guideline for Professional Fees. The guidelines for professionals' fees repeal the Board Notice 307 of 2022. The guidelines for professional fees describe the two methods of fee calculation: project cost based and time based. Both methods use the definitions of complexity of the project type derived from the SACAP Identification of Work (IDoW) published under Board Notice 27 of 2021 as set out below:

1) **"Low complexity projects"** means simple buildings or groups of buildings in an uncomplicated grouping with low impact on the environment:

   These are structures with low performance requirements. Structures of simple utilitarian character, design and detail. The structures are constructed utilizing standard low technology building methods. They require a minimum of mechanical and electrical services or equipment, and basic civil works infrastructure;

2) **"Medium complexity projects"** means buildings or groups of buildings in a relatively uncomplicated grouping with a medium impact on its environs:

   These are structures with medium performance requirements. The structures are of average character and design or detail. The structures require non-complex structural and civil works and an average level of mechanical or electrical equipment as could normally be handled by design- supply specialist contractors;

3) **"High complexity projects"** means a building or buildings in a large or complicated grouping with a significant impact on its environs:

   These are structures with high performance requirements and demanding a sophisticated level of design and detail content to respond to specialized requirements. Complex buildings will usually incorporate comparatively large or specialised mechanical, electrical and other specialist installations, or be of complex structural or civil design.

4) Further to the complexity ratings of Building Types as listed in Schedule 1 of the IDoW, the levels of complexity must be measured on project-by-project basis.

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South African Council for the Architectural Profession

METHOD 1: Project Cost Based Fee

The project cost-based fee in Tables 1-3 is based on the full scope of standard services provided.

Table 1: Low Complexity

LOW COMPLEXITY					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1	200 000,00	11 341,85	17,53%	**1**
2.	200 001,00	650 000,00	46 393,33	16,85%	**200 001,00**
3.	650 001,00	2 000 000,00	122 193,97	12,43%	**650 001,00**
4.	2 000 001,00	4 000 000,00	289 927,74	10,83%	**2 000 001,00**
5.	4 000 001,00	6 500 000,00	506 559,80	10,55%	**4 000 001,00**
6.	6 500 001,00	13 000 000,00	770 251,28	9,16%	**6 500 001,00**
7.	13 000 001,00	40 000 000,00	1 365 321,64	8,86%	**13 000 001,00**
8.	40 000 001,00	130 000 000,00	3 755 421,23	8,85%	**40 000 001,00**
9.	130 000 001,00	260 000 000,00	11 717 437,86	8,28%	**130 000 001,00**
10.	260 000 001,00	520 000 000,00	22 475 739,42	8,08%	**260 000 001,00**
11.	520 000 001,00	1 040 000 000,00	43 501 431,14	7,88%	**520 000 001,00**
12.	1 040 000 001,00	0	84 483 711,59	7,28%	**1 040 000 001,00**

Table 2: Medium Complexity

MEDIUM COMPLEXITY					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1	200 000,00	13 570,07	20,96%	**1**
2.	200 001,00	650 000,00	55 507,74	20,16%	**200 001,00**
3.	650 001,00	2 000 000,00	146 200,15	14,87%	**650 001,00**
4.	2 000 001,00	4 000 000,00	346 886,84	12,96%	**2 000 001,00**
5.	4 000 001,00	6 500 000,00	606 078,35	12,62%	**4 000 001,00**
6.	6 500 001,00	13 000 000,00	921 574,57	10,95%	**6 500 001,00**
7.	13 000 001,00	40 000 000,00	1 633 552,23	10,60%	**13 000 001,00**
8.	40 000 001,00	130 000 000,00	4 493 209,93	10,59%	**40 000 001,00**
9.	130 000 001,00	260 000 000,00	14 019 441,47	9,91%	**130 000 001,00**
10.	260 000 001,00	520 000 000,00	26 891 315,09	9,68%	**260 000 001,00**
11.	520 000 001,00	1 040 000 000,00	52 047 706,61	9,43%	**520 000 001,00**
12.	1 040 000 001,00	0	101 081 351,13	8,71%	**1 040 000 001,00**

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Table 3: High Complexity

HIGH COMPLEXITY					
Cost Bracket	Value of works		Primary Fee	Plus, secondary fee	
	From	To		Add %	On balance over
	A	B	C	D	E
1.	1	200 000,00	15 798,28	24,41%	1
2.	200 001,00	650 000,00	64 622,16	23,47%	200 001,00
3.	650 001,00	2 000 000,00	170 206,35	17,31%	650 001,00
4.	2 000 001,00	4 000 000,00	403 845,93	15,09%	2 000 001,00
5.	4 000 001,00	6 500 000,00	705 596,92	14,69%	4 000 001,00
6.	6 500 001,00	13 000 000,00	1 072 897,87	12,76%	6 500 001,00
7.	13 000 001,00	40 000 000,00	1 901 782,84	12,33%	13 000 001,00
8.	40 000 001,00	130 000 000,00	5 230 998,63	12,33%	40 000 001,00
9.	130 000 001,00	260 000 000,00	16 321 445,09	11,52%	130 000 001,00
10.	260 000 001,00	520 000 000,00	31 306 890,75	11,26%	260 000 001,00
11.	520 000 001,00	1 040 000 000,00	60 593 982,10	10,98%	520 000 001,00
12.	1 040 000 001,00	0	117 678 990,65	10,16%	1 040 000 001,00

Method of Fee Calculation

- Primary Fee (C) for applicable Cost Bracket of Value of Works.
- Secondary Fee (D) for applicable Cost Bracket of Value of Works.
- Calculated as (Applicable Value of Works minus Column E) x % in terms of Column D.

Example: Fee Calculations – From tables above.

Complexity	Low Complexity	Medium Complexity	High Complexity
Value of Works	R3 000 000	R3 000 000	R3 000 000
Primary Fee	R289 927,74	R346 886,84	R403 845,93
Secondary Fee	(R 3 000 000 - R 2 000 001) x 10,83% R 999 999 x 10.83% R108 316,51	(R 3 000 000 - R 2 000 001) x 12,96% R 999 999 x 12,96% R129 602,87	(R 3 000 000 - R 2 000 001) x 15,09% R 999 999 x 15,09% R150 889,22
Professional Fee	Primary Fee + Secondary Fee R289 927,74 + R108 316,51 R398 244,25	Primary Fee + Secondary Fee R346 886,84 + R129 602,87 R476 489,71	Primary Fee + Secondary Fee R403 845,93 + R150 889,22 R554 735,15

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METHOD 1: Time Based Fee

Description – Estimate the number of hours needed to carry out the agreed scope of work using the table below and the preferred method.

Table 4: Hourly Rates Table

Principal / Staff Category	Experience/ Work Context	Rate Per Hour (excluding VAT)	Rate Per Hour (excluding VAT)	Rate Per Hour (excluding VAT)
		Method 1 - Gross Annual Remuneration	Method 2 - Guideline Rate Calculated by SACAP	Method 3 - DPSA Hourly Fee Rates for Consultants
1. Principals	Specialist	22.5% per R100.00 or part thereof of total annual cost of employment	R3 149	Commensurate with Level 14, 15 and 16 salary bands
	>10 years' experience	20% per R 100.00 or part thereof of total annual cost of employment	R2 531	Commensurate with Level 14 and 15 salary bands
	<10 years' experience	18.5% per R100.00 or part thereof of total annual cost of employment	R1 893	Commensurate with Level 12, 13, 14 salary bands.
2a. Salaried Staff	Associates and managers	17.5% per R100.00 or part thereof of total annual cost of employment	R1 350	Commensurate with Level 11, 12, 13 salary bands
2b. Salaried Staff	Registered architectural professionals performing work of an architectural nature and carrying direct responsibilities for activities related to a project.	16.5% per R100.00 or part thereof of total annual cost of employment	R913	Commensurate with Level 9, 10, 11, 12 salary bands

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2c. Salaried Staff	Registered architectural professionals performing work of an architectural nature under direction and control.	15% per R 100.00 or part thereof of total annual cost of employment	R543	Commensurate with Level 7, 8, 9, 10 salary bands
2d. Salaried Staff	Staff performing work under direction and control to support architectural work outputs.	12.5% per R100.00 or part thereof of total annual cost of employment	R388	Commensurate with Level 6, 7, 8 salary bands

Example of Time-Based Fee Calculation

Total Annual Cost of employment			
Divided by R100,00			
Multiply with guideline percentage			
Example: Time based Fee Calculations – From tables above.			
	1. Principal with more than 10 years' experience	2b. Salaried Staff	2d Salaried Staff
Monthly Cost of Employment	R80 000	R40 000	R15 000
Annual cost of Employment	R960 000,00	R480 000,00	R180 000,00
R100 or part thereof (Annual cost divided by R100,00)	R9 600,00	R4 800,00	R1 800,00
	x	x	x
Percentage to be applied	20%	16,50%	12,50%
Hourly Rate	R1 920,00	R792,00	R225,00

Guidelines of reimbursement of expenses

Disbursement Expense Item	Guiding Principle for disbursements expenses
Specialised Professional and other services	
Payments made on behalf of client for fees and other charges for specialized professional and other services.	At cost plus, a minimum of 10% for attendance where a project cost-based fee applies and/or where there is no time-based reimbursement for attendance.
Travel	

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Travel time	For a time-based fee, rates issued by the National Department of Public Works & Infrastructure, or similar.
	For a project cost-based fee, 100% of hourly rate for travel greater than 30 minutes and 50km per trip (being 1 hours and 100km per return trip) or as negotiated between the client and the architectural professional.
Travel mileage	Rates for reimbursable expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the National Department of Transport, or employee guidelines issued by the South African Revenue Services, or the vehicle rates calculator of the Automobile Association (AA}, or similar.
Parking	At cost
Toll fees	
Car hire	
Airfare	
Train	
Bus	
Taxi	
Substance	
Accommodation	At cost, as per the standard prescribed by the client, at least a 3 stars hotel/lodge
Subsistence allowance	Rates for Reimbursable Expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the National Department of Transport, or employee guidelines issued by the South African Revenue Services, or similar.
Special daily allowance	
Postage	
Postage	At cost
Special postage	At cost plus a minimum of 10% attendance where project cost- based fee applies and/or where there is no time-based reimbursement for attendance.
Courier	
Documentation	
Typing of original/master per A4	
Duplicating on white paper (A3 & A4 sizes)	

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Duplicating on colored paper (A3 & A4 sizes)	Rates for Reimbursable Expenses issued by the National Department of Public Works and Infrastructure, or the disbursement tariffs issued by the National Department of Transport, or similar.
Duplicating in colour (A3 & A4 sizes)	
Document binding	
Duplicating of drawings (A3 to A0 sizes)	
Plotting on 80g plain paper (A3 to A0 sizes)	
Plotting on 80g plain paper in colour (A3 to A0 sizes)	
Plotting on quality paper (A3 to A0)	
Plotting on quality paper in colour (A3 to A0)	
Purchase of document required for the project	
Removal, portable data storage medium with project-related information	
Special Quotes	
Maps	At cost, plus a minimum of 10% for attendance where a project cost base fee applies and/or where there is no time-based reimbursement for attendance.
Models	
Presentation materials	
Photography	
Artwork	
Other	
Any other disbursement requested by and/or agreed to by the client.	At cost, plus a minimum of 10% for attendance where a project cost base fee applies and/or where there is no time-based reimbursement for attendance.

Framework for guidelines for professional fees in respect of architectural services rendered by the registered architectural professionals published in terms section 34 (2) of the Act.

1. **Introduction**

a) In terms of section 34 (2) of the Act, the South African Council for the Architectural Profession, hereafter referred to as SACAP, must annually, after consultation with the Voluntary Associations, determine guideline for professional fees and publish those fees in the *Gazette.*

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b) The Guidelines for professional fees shall be in line with the principles referred to in section 4*(k)*(v) of the Council for the Built Environment Act 43 of 2000 which stipulate that "the principles upon which Council must base guideline for professional fees should be in accordance with any legislation relating to the promotion of competition".

c) The guideline for professional fees is published annually in the Government Gazette as a guideline only and does not amount to direct or indirect price fixing. The guideline professional fees are deemed as a guide to provide a fair and reasonable remuneration to the architectural professional in order to provide for an appropriate level and quality of service in terms of the Standard of Service.

2. Purpose

a) The Council of the Built Environment (CBE) Policy Framework on determination and review of guideline for professional fees for built environment professions stipulates that the guideline for professional fees is determined and published as a guide only and not as prescribed fees which registered professionals are entitled to charge.

b) Guideline for professional fees is, for the purpose of guidance required to promote market efficiency and redress consumers and the public information deficit, relative to the professional's knowledge and expertise. The guideline for professional fees is not prescribed or set as maximum or minimum mandatory fees to be charged for professional services rendered, but serve as guideline.

3. Principles

a) The guideline for professional fees is based on cost of works as per fee survey undertaken by SACAP, Building Costs Index and inflation rate. As per the CBE Policy Framework on determination and review of guideline for professional fees for built environment professions, the guideline for professional fees takes into consideration reasonable rate of return on investment, intellectual capital, effort and, most importantly, risk.

b) The guideline for professional fees tables have been split into 3 complexities to align with the Identification of Work policy Board Notice 27 of 2021.

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c) The guideline for professional fee tables represents the fees for a full service by a hypothetical average sized architectural practice, practising in a responsible and sustainable manner. This means that the tables are not meant to fit any one specific project perfectly and, in almost all cases, should be adjusted up or down in relation to specific project conditions.

d) Unless otherwise agreed, in writing, by the architectural professional, the information produced in relation to a single project is authorised for use only on that project and may not be used for another project, in whole or in part.

e) The guideline for professional fees is expressly not suitable for use in a basket of professional fees calculation, where all professional fees are reduced to fit a required overall fee basket. Reduction of fees in this manner, without due regard to a concurrent agreed reduction of service, is strongly discouraged because the quality of service will be impacted negatively to the detriment of a client.

4. General provisions

The guideline for professional fees published under Gazette No. 47019 Board Notice 307 of 2022 is hereby repealed. The provisions of the board notice shall only apply in respect of existing projects. The new board notice shall apply to all new projects.

5. Definitions and interpretations

In this document, unless the context otherwise indicates, an expression or word hereunder shall mean:

SACAP means the South African Council for the Architectural Profession;

Act means the Architectural Profession Act 44 of 2000;

Agreement means a written agreement between a client and the registered professional;

Alteration in terms of Clause 23 means a change in a building or facility that affects or could affect the usability of a building or facility or portion thereof;

Addition in terms of Clause 24 means projects that increase, expand, or extend a facility's gross floor area or height of a facility are considered additions.

Registered Person means a person registered in one of the categories of professionals and candidates referred to in section 18 of the Act;

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Architectural professional means a person registered in one of the categories of professionals referred to in section 19(2)(a) and (b);

Architectural Practice means a juristic person appointed to provide the architectural service for the project;

Board notice means the notice containing the guidelines for professional fees which, in terms of section 34(2) of the act, is published annually by SACAP in the Government Gazette;

Budget means the anticipated cost of the project and/or works, provided that estimates on which the budget is based shall be deemed to be valid for a period not exceeding 3 months;

Building contract means the Joint Building Contracts Committee (JBCC) Principal Building Agreement or any other building contract entered into between the client and the contractor;

Client means the party appointing the architectural professional or practice to perform the services or any part thereof referred to in this document

Consultant means a professional person/s or entity/entities appointed by the client to provide services in respect to the project;

Construction documentation means graphic representations, plans, sections, elevations, site plans, specifications, construction details, service co-ordination information, schedules and such other details and descriptions as are within the reasonable competence of an architectural professional which are sufficient to indicate the scope of the works;

Contract means an agreement entered into by the client with a contractor for the execution of the works or part thereof; it may also be referred to as the building contract;

Contractor means the entity or entities contracting with the client for the execution of the works or part thereof;

Inspection means such periodic visits to, or in connection with the works, by the architectural professional as are necessary to establish conformity of the work to the contract documentation and quality in terms of the acceptable industry standards, and to provide on-site clarification and further information during the progress of the work. **Inspect** shall carry the same meaning;

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Practical completion means the stage of completion where the works or a section thereof are certified by the principal agent as substantially complete, free of patent defects other than minor defects and can effectively be used for the purpose intended;

Principal Agent means the person appointed and authorised to fulfil the obligations of the principal agent in the agreed form of construction contract;

Principal consultant means the person appointed and authorised by the client to lead the consultants in all matters including design and technical co-ordination;

Project means the development for which the architectural professional and consultants are appointed and may not be limited to the works;

Specialist means an architectural professional highly skilled in a specific and restricted field;

Principal means the proprietor, partner, director or member who bears the risks of practice and takes full responsibility for the potential liabilities of practice;

Works means all work executed or intended to be executed according to the building contract.

6. Interpretation

The hourly rates shall be deemed to include establishment charges and charges for time expended by clerical staff;

The words "advise", "appoint', "approve", "authorise", "certify", "consent', "decide", "delegate", "designate", "instruct', "issue", "notify", "object, "reply", "request', and "specify" shall indicate an act required to be carried out in writing;

All monetary amounts exclude VAT which shall be added to any amounts which become due and payable, provided the service provider is registered for VAT.

Notice in terms of service agreements shall be deemed to have been duly received when delivered by hand on the day of the delivery; sent by registered post 7 (seven) days after posting; and sent by e-mail on delivery/read receipt confirmation or 3 (three) days after transmission.

7. The Architectural professional service

7.1 A client appoints an architectural professional to provide a service for a project as contemplated by the Architectural Profession Act, the National Building Regulations and Building Standards Act 103 of 1977 as amended and the South African National Standards SANS 10 400 and other applicable statutory legislation.

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7.2 The architectural professional accepts the appointment to exercise reasonable professional skill, care and diligence in the performance of obligations, for a fee as defined in a written agreement.

7.3 Registered persons may be appointed for a standard service as architectural professionals, principal consultants and principal agents. Furthermore, services additional to the standard service may be included, and these non-exhaustive additional services may be included as the parties may deem appropriate.

8. Fees description

The calculation of fees based on a percentage of project cost is the standard basis for determining professional fees and represents the accepted basis by the Built Environment Professions for remuneration of professional services. Such fees are referred to as project cost-based fees. An alternative to project cost-based fee can be negotiated; for example, time-based fees or cost per building area fees.

9. Project cost-based fee

9.1 A project cost-based fee is appropriate when there is a well-defined scope of service for the architectural professional. Such fee is based on a budget for the works for fee calculation purposes, and shall be adjusted on the final cost of the works.

9.2 The project cost-based fee results in a sliding scale, which arises from the series of percentages related to the value of the works and its complexity – low, medium or high – as defined in guideline profession fees board notice. The primary fee is stated as an appropriate value to smooth the sliding scale.

9.3 The adjustment provided for in the guidelines for professional fee is based on the reduced aggregate of the value of the works and/or project from which the budget for the works for fee purposes is derived. This arises from the provision that fees for architectural services are calculated on the total value of the works and represent an average over all elements of the works and/or project.

9.4 Where a fee is calculated as a project cost-based fee, the fee consists of a primary fee (Column C) plus a secondary fee. The secondary fee is calculated as a percentage (Column D) of the value of the works per cost bracket indicated in Column E. *Refer to guideline for professional fees.*

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9.5 Whenever the project cost base fee structure is revised and published as a Board Notice in a gazette, the new rates shall apply to work performed after the effective date of the new annual guidelines for professional fees. Alternatively, in terms of a written agreement between the architectural professional and the client.

9.6 The formula and examples thereof are in the guidelines for professional fee.

9.7 Where an architectural professional has undertaken work, to change the agreed design and the fee is not covered by an increase in fees relative to the construction cost, a time-based fee may be agreed for this change.

10. Time-based fee

10.1 Where the scope of service is not clearly defined, or the service relates to small scale projects, or the service is of an unusual or specialised nature, a time-based fee is recommended to be used as the basis of remuneration. Where fees for architectural professional services are time based, such fees may be based on an hourly rate as set out in the guidelines for professional fee board notice.

10.2 Where an architectural professional has undertaken work to change the agreed design and the fee is not covered by the agreed time-based fee, additional fees may be agreed upon.

10.3 Where the Architectural Professional is required to redo or alter work already completed in order to give effect to a cost saving, there shall be an additional fee for this work calculated on a time charge basis. This additional fee shall be agreed prior to the carrying out of the work.

11. The Standard Service is generally divided into 6 work stages.

The essential functions of each work stage relevant to the service are identified hereafter as follows:

Stage 1: Inception

a) Receive, appraise and report on the client's requirements with regard to the client's brief;
b) Determine the site and rights and constraints;
c) Determine budgetary constraints;
d) Determine the need for consultants;

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e) Determine indicative project timelines;
f) Determine methods of contracting; and
g) whether other statutory authority applications are required or desirable.

Stage 2: Concept and viability (concept design)

a) Prepare an initial design concept and advise on:
   i the intended space provisions and planning relationships;
   ii proposed materials and intended building services; and
   iii the technical and functional characteristics of the design.
b) Check for conformity of the concept with the rights to the use of the land.
c) Consult with local and statutory authorities.
d) Review the anticipated costs of the project.
e) Review the project programme.

Stage 3: Design Development

a) Develop all aspects of the design from concept to full development including, but not limited to, construction systems, materials, fittings, and finishes selections;
b) Review the programme and budget with the client, principal consultant or other consultants;
c) Coordinate other consultants designs into building design;
d) Prepare design development drawings including drafting technical details and material specifications;
e) Discuss and agree on the building plan application and approval requirements with the local authority;

Stage 4: Documentation and procurement

Stage 4.1

a) Prepare documentation required for local authority building plan application submission;
b) Co-ordinate technical documentation with the consultants and complete primary co-ordination sufficient to support building plan submission;
c) Review the costing and programme with the consultants;
d) Obtain the client's authority, and submit documents for approval at the local authority.

Stage 4.2

a) Prepare specifications for the works;
b) Complete technical documentation sufficient for tender;
c) Obtain offers for the execution of the works;

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d) Evaluate offers, and recommend a successful tenderer for appointment;
e) Prepare the contract documentation and arrange the signing of the building contract by the client and the successful tenderer;
f) Complete all remaining technical and construction documentation and coordinate same with the consultants;

Stage 5: Construction

a) Administer the building contract;
b) Give possession of the site to the contractor;
c) Issue construction documentation;
d) Review sub-contractor designs, shop drawings and documentation for conformity of design intent;
e) Inspect the works for conformity with the contract documentation and acceptable quality in terms of industry standards;
f) Administer and perform the duties and obligations assigned to the principal agent in the building contract;
g) Manage the completion process of the project;
h) Assist the client to obtain the required documentation necessary for the client to obtain the occupation certificate.

Stage 6: Close-out

a) Facilitate the project close-out including the collation of the necessary documentation to effect completion, handover and operational manual of the project.
b) When the contractor's obligations with respect to the building contract have been fulfilled, the architectural professional shall issue the certificates related to the contract completion.
c) Provide the client with construction record documentation and the relevant technical and contractual undertakings by the contractor and sub-contractors.

12. Partial services and additional services

a) The Act provides for the appointment of various architectural professionals for fulfilling each or any stage of a standard service or parts thereof.
b) Partial and additional services may be agreed on, and the options most regularly utilised are the following:

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i. Appointment as architectural professional and principal consultant (not as principal agent);
ii. Appointment as a design architectural professional (design only);
iii. Appointment as architectural professional of record (design by others, can be principal agent);
iv. Appointment as principal agent only; and
v. Appointment to perform additional services.
vi. Any combination of the above appointment may also be agreed

13. Additional services

The following non-exhaustive services are additional to the standard service and qualify for additional fees and these services may be added individually or in varying combinations, and shall be provided by prior agreement between the client and the architectural professional:

13.1 Special design services

The preparation of special designs within, or in relation to, the facilities which are contemplated in a standard service, may include the following:

i. Rational design and Green Star design; participation in the preparation of rational designs and green star design and document format conversion of other consultants' designs;
ii. Town-planning and/or urban design including participation in the application for the establishment and/or amendment of regional and local town-planning and urban design schemes and the amendment of title conditions, negotiations with interest groups and authorities;
iii. Sectional titles plans, submissions, alteration and registration;
iv. Master planning — defining and planning the layout of future development of buildings and/or services on the same site;
v. Landscape design — participation in landscape planning and construction;
vi. Interior design — the design of interiors and the selection of furnishings, fixtures and special finishes;
vii. Specialized equipment lay-out and consequential coordination requirements;
viii. Liaison with special designers and specialist consultants;
ix. Purpose-made items: the design and documentation of purpose made items;

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x. Promotional material, art work and immersive digital experiences, participation in the preparation of promotional material;
xi. Plant operation and production layouts, participation in the definition of plant operation layouts;
xii. Building Information Modelling (BIM) services beyond design and construction documentation. This includes BIM services intended for asset maintenance and/or facilities management.
xiii. Submit documents for approval to the local authority, and attend to referrals if any and resubmit.

13.2 Special management services

a) Elaboration of architectural professionals' services including inter alia:
   i. the preparation of broad project parameters;
   ii. project scope statements;
   iii. project milestones;
   iv. budget and cash-flow forecasts;
   v. tender enquiry documentation;
   vi. contractor and supplier selection;
   vii. adjudication and tender awards;
   viii. progress status monitoring;
   ix. variations management;
   x. quality management over and above the industry norms;
   xi. communication management;
   xii. payment processing and
   xiii. final account close-outs.
b) *Cost and valuation services*: participation in the administration of costs and payments where a quantity surveyor has not been appointed.
c) *Special inspections*: more intensive inspections and assessment of the works than the norm for assessing compliance with specifications and design intent.
d) *Special Project Management Functions*: more extensive project management of the works than the norm for complex projects, including the preparation of the BIM protocol document and the management thereof.

13.3 Special studies

a) *Preparation of the client's brief* — assist the client in the preparation of his requirements with regard to the purpose, scope, use and operation of the project;

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b) *Site selection* —research the suitability and location of a site for a proposed project;
c) *Feasibility studies* — participation in technical and/or economic feasibility studies;
d) *Environmental studies* —participation in environmental studies;
e) *Energy analysis, studies and planning* – Green Star Ratings;
f) *Market surveys* — participation in market surveys;
g) *Traffic studies* — participation in traffic-flow studies.
h) *Drone studies*; specialised photography for technical application and marketing material.
i) *Specialist survey*- Point Cloud and Liddar Survey
j) *As built measured survey*- required for verification of portions of construction undertaken during the works

13.4 Special Submissions to Statutory Authorities

a) Land Use;

b) Environment;

c) Heritage;

d) Trading Licences/Liquor Licences etc.

13.5 Work on existing premises

a) *Surveys and inspections* — inspect, survey, measure and prepare documentation of existing premises, with other consultants as needed;
b) *Restorations and renovations* — services in connection with work on existing buildings;
c) *Heritage sites* — services in connection with work on heritage buildings, structures and sites;
d) Services in connection with demolition permits of existing buildings and structures.

13.6 Other services

a) Participation in litigation and dispute resolution (where a concurrent service is provided;
b) Additional services as may be mutually agreed on.

14. Basis of fees agreement

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a) The client agrees to pay the architectural professional the fees for the services as recorded in the formal agreement entered into by the parties;
b) Where a project cost-based fee is applied, the final fee is calculated on the final cost of the works. The initial fee is based on a budget for the works for fee calculation purposes, and shall be adjusted on the final cost of the works.
c) Where a project time-based fee is applied, the fee is based on estimate of the skills, hours, and resources necessary to complete the works. Accurate costing to be kept and reported on.

15. Project cost-based fees for standard and partial services

a) The architectural professional shall refer to the annexure on the guidelines for professional fees to determine whether a project is of low, medium or high complexity. Different fee scales apply to different complexities of a project.
b) These are derived from bracketed project values, and are determined annually by SACAP and published in the Government Gazette.
c) For a partial service, assuming the fee is a project cost-based fee, the percentage of the fee for each complete work stage to be performed is as set out under clause 21. Where the work stage is only partially completed, the percentage of the fee shall be agreed between the parties.
d) The construction budget for fee purposes excludes VAT, contingencies, fees for other consultants and specialist as well as the provision for escalation.

16. Project cost-based fees for a reduced service

a) Where the architectural professional is not the principal agent, a reduction of the fee for the work not exceeding 10% of the fee for stages 5 and 6 may be considered.
b) Where the architectural professional is not the principal consultant, a reduction of the fee for the work not exceeding 10% of the fee for stages 1 to 4 may be considered.

17. Apportionment of fees between work stages and interim payments.

a) The fee applicable to each work stage is apportioned according to the table below, and may be adjusted by agreement.
b) The architectural professional is entitled to render interim fee accounts during stages as agreed between the parties.

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c) The fees payable for stage 5 are related to the duration of the contract period and not performance of the contractor. Interim claims during this stage will be contract time lapsed and not progress made by the contractor.

Work stages 1 to 6	Proportion of fee	Cumulative total
1	2%	2%
2	15%	17%
3	20%	37%
4.1	10%	47%
4.2	20%	67%
5	30%	97%
6	3%	100%

18. Guideline for professional fees for additional services;

Unless otherwise agreed, the fee for additional services is time based, and it is based on hourly rates as in the current guideline for professional fees.

19. Time-based fees

Where fees for the architectural professional services are time-based fees, the hourly rates as set out in the guideline for professional fees may apply. Whenever these rates are revised, the new rates may apply to work performed after the effective date of such revision.

20. Guideline for professional fees for alterations

The fee for work that includes alterations is based on the total project cost and increased for that portion of the work comprising or affected by alterations by 30% (130% of the fee).

21. Guideline for professional fees for additions

The fee for work associated with an addition to an existing building may not attract additional fees, except for that portion of work associated with the parts of the addition interfacing with the existing building. The fee for this latter work is increased by 30% (130% of the fee). Should it be necessary that the architectural professional survey, assess and/or prepare documentation for the existing building, the cost of this shall be charged on a time basis.

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22. Guideline for professional fees for services provided with respect to the restoration of buildings subject to heritage legislation

The fee for work that includes restoration of buildings subject to heritage legislation is based on the total project cost and increased for that portion of the work comprising or affected by heritage considerations by 40% (140% of the fee).

23. Guideline for professional fees for a project that includes repeated buildings

For a project consisting of a number of repeated buildings erected under a single building contract for a single client, the fee may be adjusted by agreement, subject to the architectural professional being retained for a full service and the repeated buildings being built on one site or a series of adjoining or closely related sites;

a) either entirely apart from each other or linked with screen walls, common walls or other similar means; and repetitions of one or more prototype designs for units, blocks or elements and built from the repeated use of one or more sets of drawings and related documents with nominal or no modification for each re—use. This does not apply to similar floors or divisions in a multi storey building;

b) The guideline for professional fee for repeated buildings provides for a full fee applicable to the origination of the first building/s, referred hereafter as prototypes. Thereafter the fee adjustment is applied to each of the repeated prototypes.

c) The adjusted fee applies to work stages 1 to 4 inclusive. The adjusted fee apportionment is 35% of the guideline professional fee for stages 1 to 4 inclusive;

d) The adjusted fee does not apply to work stages 5 and 6. The full guideline professional fee for these stages shall apply.

24. Guideline for professional fees for buildings repeated under separate building contracts.

An architectural professional is entitled to be paid full fees on the original building designs. Unless otherwise agreed, where repeated buildings are erected under separate building contracts and the drawings and related documents for a project are re-used for subsequent projects with nominal or no modification, the fee may be adjusted.

25. Guideline for professional fees for an appointment where the architectural professional takes over work of another professional

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The stage of completion shall be agreed upon, and an appropriate budget for the works agreed upon, and the fee for the work stages or the stage in which the service is commencing may be subject to an increase of 25%.

26. Guideline for professional fees for deployment of employees

Where an employee of the architectural professional is deployed on site for extended inspection or other agreed purposes, the amount of the reimbursement shall be the total cost of employment plus 30%.

27. Payment of fees

The payment of fees for stages 1 to 4.2 shall be in line with deliverable as set out in the stages of work. The payment of fees for stage 5 shall be in equal monthly instalments in line with the initial construction duration.

Example

Stage 5 cost	R100 000.00
Initial construction duration	12 months
R100 000.00/12	R 8.333,33
Monthly invoice	R 8.333,33

28. Extended initial contractual contract period

a) In the event that the initial construction period is exceeded by more than 10% through no fault of the architectural professional, the architectural professional shall be remunerated for all additional work resulting from the extension of time at the hourly rates according to the guidelines for professional fees together with related reimbursable expenses. The architectural professional shall inform the client in writing that the allocated period for providing professional services has been exceeded by 10% and therefore the services shall be charged at the hourly rates according to the current guidelines for professional fees together with related reimbursable expenses.

b) The fee for the services of the architectural professional during the contract period shall not be linked to a contractor performance or progress. The fees shall be assessed entirely independently.

29. Adjustment of guideline for professional fees and disbursements

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a) The guideline for professional fees and disbursements are based on the following parameters:
   i. Scope of services;
   ii. Scope of the project/works;
   iii. Project programme;
   iv. Cost of the works;
   v. Cost of the project;
   vi. Appointment of other consultants;
   vii. Appointment of contractors.
b) Should any material variation to the parameters as stated occur, the guideline professional fees and disbursements shall be adjusted.

30. Fast Tracking

a) Adjustment to the project programme, commonly known as 'fast tracking', that requires the application of additional resources by the architectural professional, may attract an additional fee. The architectural professional shall motivate to the client the additional resource needed to complete the project within the allocated time and shall be at the total cost of additional resources plus 30%.

31. Travelling time

a) Where the fee is a project cost-based fee, time charges shall apply at 100% of hourly rate for travel greater than 1 hour and 50 km per trip (being 2 hours and 100 km per return trip) or as negotiated between the client and the architectural professional.

b) Where the fee is on a time basis, time charges shall apply to the full round trip regardless of distance.

32. Guideline for professional fees on termination by the client

a) Where the agreement between the client and the architectural professional is terminated, the client shall pay for that portion of the service that has been executed by the architectural professional.
b) Termination of the project shall attract an additional fee equal to 20% of the remaining fee that would have been payable had the project not been terminated.

33. Guideline for professional fees for dispute resolution services

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a) For acting as expert witness, adjudicator, mediator or arbitrator, the fee shall be in line with specialists' fees charged at the hourly rates published in the guideline for professional fees.

b) Where a project is referred to dispute resolution, architectural professionals retained on that project are to be reimbursed for the additional service required in relation to the dispute resolution processes according to the hourly rates published in the board notice as necessary.

34. Payment of professional accounts

a) The architectural professional's accounts are due and payable on presentation. The architectural professional shall be entitled to render interim accounts. Fee and reimbursement invoices may be invoiced separately.

35. Reimbursement of expenses

a) In addition to the fees set out in this schedule, the client shall reimburse the architectural professional for all reasonable disbursements properly incurred and accounted for.

b) The expenses contemplated may include the following:

i Specialised professional and other services;

ii Payments made on behalf of client for fees, submission fees for local authority and other statutory approvals as well as other charges for specialised professional and other services.

iii **Travel**

- Travel mileage;
- Parking;
- Toll fees;
- Car hire;
- Airfare;
- Train;
- Bus;
- Taxi;
- Uber/Bolt or the likes

iv **Subsistence**

- Accommodation;
- Subsistence allowance;
- Special daily allowance;

v **Postage**

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- Special postage;
- Postage
- Courier;

vi **Documentation**

- Typing of original/master per A4;
- Duplication in white paper (A3 & A4 sizes);
- Duplicating in coloured paper (A3 & A4 sizes);
- Duplication in colour (A3 & A4 sizes;
- Document binding;
- Scanning of drawings and documents;
- Duplicating of drawings (A3 to A4);
- Plotting on 80g plain paper (A3 to A0);
- Plotting on 80g plain paper in colour (A3 to A0);
- Plotting on quality paper (A3 to A0;
- Plotting on quality paper in colour (A3 to A0);
- Purchase of documents and research material required for project;
- CD with project-related information;

vii **Special quotes**

- Maps;
- Models;
- Presentation;
- Photography;
- Artwork

viii **Specialised computer software**

ix **Time limited software subscriptions incurred specifically for the project**

x **Other**

- Any other disbursement requested by and/or agreed to by the client.

c) A relevant guideline rate may be applied. Refer to Guideline for professional fees.

d) A minimum of 10% of the cost of the disbursement may also be claimed for attendance where a project cost-based fee applies and/or where there is no time-based reimbursement for attendance

36. Claims to be separate and not set-off

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c) Should a client allege a claim against the architectural professional, a contractor or any other party involved in the project, such claim shall be dealt with on its own merits.

d) A client is not entitled to withhold payment of fees or disbursements or part thereof due to the architectural professional, based on the alleged claim, the client shall make payment without any set-off and waives all rights to any such set-off.

e) Should a professional error, omission and/or negligence be implied, dispute resolution or litigation shall be used to claim from the architectural professional.

f) No penalties shall be applied on professional service agreement contracts.

37. Regular invoicing

Invoicing in line with the completed work stages as required by the Value-Added Tax Act, 1991 (Act No. 89 of 1991) is accepted as good practice and is deemed to be the basis of the agreement between the client and architectural professional. Additionally, regular invoicing as agreed with the client may be considered.

38. Engagement of architectural professionals

a) A professional service is deemed to be subject to an appropriate formal written agreement in which the rights and obligations of the parties and the terms and conditions of service are clearly recorded.

b) The specific service is agreed on, and the basis for the calculation of professional fees is recorded.

c) The parties shall also agree on the following:

- the agreed service to be provided;
- authority of the architectural professional;
- the architectural professional's ownership of the intellectual property or copyright;
- limits to responsibility;
- limit to professional liability to a term of five (5) years;
- payment of invoices;
- interest on overdue invoices;
- disputed invoices;
- suspension or deferment;
- termination of engagement;

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- damage to; or destruction of the works and
- dispute resolution provisions.

d) The expectation is that the agreed fees are based on a budget for the works to ensure that the fees are calculated on the anticipated final project cost. A realistic value of the work has to be done to determine fees.

e) Where a Professional Architect registered with SACAP is employed in a standard service, such Professional Architect shall be appointed to fulfil architectural services, principal consultant and principal agent services. The services shall be described as a 'full service', partial and/or additional services as may be agreed.

f) Where an architectural professional other than a Professional Architect is employed in a project. The services and functions to be provided should be in line with the Identification of Work. Such an appointment may be for a standard service. Partial and/or additional services may be agreed.

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