Government Gazette
Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 722 29 August Augustus 2025 No. 53243

PART 1 OF 4

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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* 2025

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

- **24 December,** Wednesday for the issue of Friday **03 January 2025**
- **03 January,** Friday for the issue of Friday **10 January 2025**
- **10 January,** Friday for the issue of Friday **17 January 2025**
- **17 January,** Friday for the issue of Friday **24 January 2025**
- **24 January,** Friday for the issue of Friday **31 January 2025**
- **31 January,** Friday for the issue of Friday **07 February 2025**
- **07 February,** Friday for the issue of Friday **14 February 2025**
- **14 February,** Friday for the issue of Friday **21 February 2025**
- **21 February,** Friday for the issue of Friday **28 February 2025**
- **28 February,** Friday for the issue of Friday **07 March 2025**
- **07 March,** Friday for the issue of Friday **14 March 2025**
- **13 March,** Thursday for the issue of Thursday **20 March 2025**
- **20 March,** Thursday for the issue of Friday **28 March 2025**
- **28 March,** Friday for the issue of Friday **04 April 2025**
- **04 April,** Friday for the issue of Friday **11 April 2025**
- **10 April,** Thursday for the issue of Thursday **17 April 2025**
- **16 April,** Wednesday for the issue of Friday **25 April 2025**
- **23 April,** Wednesday for the issue of Friday **02 May 2025**
- **02 May,** Friday for the issue of Friday **09 May 2025**
- **09 May,** Friday for the issue of Friday **16 May 2025**
- **16 May,** Friday for the issue of Friday **23 May 2025**
- **23 May,** Friday for the issue of Friday **30 May 2025**
- **30 May,** Friday for the issue of Friday **06 June 2025**
- **06 June,** Friday for the issue of Friday **13 June 2025**
- **12 June,** Thursday for the issue of Friday **20 June 2025**
- **20 June,** Friday for the issue of Friday **27 June 2025**
- **27 June,** Friday for the issue of Friday **04 July 2025**
- **04 July,** Friday for the issue of Friday **11 July 2025**
- **11 July,** Friday for the issue of Friday **18 July 2025**
- **18 July,** Friday for the issue of Friday **25 July 2025**
- **25 July,** Friday for the issue of Friday **01 August 2025**
- **01 August,** Friday for the issue of Friday **08 August 2025**
- **08 August,** Friday for the issue of Friday **15 August 2025**
- **15 August,** Friday for the issue of Friday **22 August 2025**
- **22 August,** Friday for the issue of Friday **29 August 2025**
- **29 August,** Friday for the issue of Friday **05 September 2025**
- **05 September,** Friday for the issue of Friday **12 September 2025**
- **12 September,** Friday for the issue of Friday **19 September 2025**
- **18 September,** Thursday for the issue of Friday **26 September 2025**
- **26 September,** Friday for the issue of Friday **03 October 2025**
- **03 October,** Friday for the issue of Friday **10 October 2025**
- **10 October,** Friday for the issue of Friday **17 October 2025**
- **17 October,** Friday for the issue of Friday **24 October 2025**
- **24 October,** Friday for the issue of Friday **31 October 2025**
- **31 October,** Friday for the issue of Friday **07 November 2025**
- **07 November,** Friday for the issue of Friday **14 November 2025**
- **14 November,** Friday for the issue of Friday **21 November 2025**
- **21 November,** Friday for the issue of Friday **28 November 2025**
- **28 November,** Friday for the issue of Friday **5 December 2025**
- **05 December,** Friday for the issue of Friday **12 December 2025**
- **11 December,** Thursday for the issue of Friday **19 December 2025**
- **17 December,** Wednesday for the issue of Wednesday **24 December 2025**

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)

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149 Bosman Street	Pretoria	**Account No.:** 405 7114 016
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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NO. 6552 **29 August 2025**

GENERAL NOTICE IN TERMS OF SECTION 11A (2) OF THE RESTITUTION OF LAND RIGHTS ACT, NO. 22 OF 1994 (AS AMENDED).

WHEREAS a land claim was lodged by Mr. Rammutle Johannes Kgonothi , which claim was published in terms of Section 11(1) of the Restitution of Land Rights Act, No. 22 of 1994 (as amended), hereinafter referred to as "the Act".

and

WHEREAS during further investigation of the land claim in so far as it relates to the properties referred to below, the Regional Land Claims Commissioner, has reason to believe that the criteria set out in Section 11(1) (b) of the Act, has not been met.

NOW THEREFORE NOTICE is hereby given in terms of Section 11A (2) of the Act that at the expiry of 90 days from the date of the publication of this notice in the Government Gazette, the notice of the claim previously published in terms of section 11(1) of the Act in Gazette No. 40166, under Notice 870 of 2016, dated 29 July 2016, to the extent that it relates to the properties listed below, will be withdrawn unless cause to the contrary is shown to the satisfaction of the Regional Land Claims Commissioner.

The details of the Gazette No. 40166, under Notice 870 of 2016, dated 29 July 2016, relevant for this notice include the following:

Reference No: **Z 0227**

Claimant: **Mr. Rammutle Johannes Kgonothi**

Property Description: **See below**

Total extent: **See below**

Owner: **See below**

Date Submitted: **22 December 1998**

No.	Property Description	Extent Ha	Land Owner
1	Portion 11 (remaining extent) of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR	27.4510	Nicolas Bosman van Wyk
2	Portion 20 (remaining extent) of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR	42.8266	Petrus Jacobus & Dorothea Gertruida Diedericks ABSA Bank Ltd B24291/2007 B3587/2008 B5156/2014
3	Portion 59 of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR	21.4133	Bricardi Farming Pty Ltd

4	Portion 62 of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR	21.4133	Roosendaal Family Trust Standard Bank of South Africa Ltd B173708/2006
5	Portions 88 of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR	63.7549	Van den Berg Familie Trust ABSA Bank Ltd B9487/2016

The reasons the Regional Land Claims Commissioner believes that the criteria in section 11(1) of the Act may not have been met, is that:

(a) The claimed land does not extend to portions 11 (remaining extent); 20 (remaining extent); 59; 62 & 88 of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR; and/or

(b) The ascendants of the claimants did not have rights in land (as defined in the Act) on the properties listed above; and

(c) The claimed land only affects portions 55 (remaining extent); 56; 57; 58; 60 and 61 of the farm Oog Van Boekenhoutskloof of Tweefontein 288 JR.

Any party who may have an interest in the above-mentioned land claim is hereby invited to make representations, within 90 days from the publication of this notice, as to why the claim should not be withdrawn in terms of section 11A (3) of the Act.

The representations must be forwarded to the Regional Land Claims Commissioner

MR L H MAPHUTHA
The Regional Land Claims Commissioner
Private Bag X 03
ARCADIA
0007
Tel: (012) 310-6500
Fax: (012) 323-2961

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correctional services
Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

DELEGATIONS BY THE MINISTER: 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, **Dr Petrus Johannes Groenewald MP, Minister of Correctional Services,** hereby delegate the under mentioned competencies to the person in the post indicated against the applicable competency,

With reference to the following legislation:-

1) Correctional Services Act, 1998 (Act no 111 of 1998) as amended.

PROVIDED THAT:

a) The level of 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;
c) 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.

Dr Petrus Johannes Groenewald, MP
Minister of Correctional Services
Date: 30/07/25

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correctional services
Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

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

ACT	SECTION IN ACT	SUBJECT OF DELEGATION	RESPONSIBLE FUNCTIONARY THE POWER OR DUTY DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
Act 111 of 1998 as amended	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	
	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; or	National Commissioner	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	NA
	Section 3(6)	Approval of policies in relation to the administration of the Department of Correctional Services.	National Commissioner	All policies related to the correctional system including remand detainees and the sentencing process must be submitted to the Minister for approval. The Minister may refer a policy to the NCCS for its comments and advise in terms of section 84(1) of the CSA This does not affect the provisions of section 84(2) of the CSA.
	Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	National Commissioner	

Dr Petrus Johannes Groenewald, MP
Minister of Correctional Services
Date: 30/07/25

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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) All Regions 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
Date: 06/08/2025

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.

MS Thobakgale
National Commissioner
Date: 06/08/2025

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

	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)	1. Approval of transport for school children, transport between residence and place of work 2. Approval of transport to funeral of an official	NC NC (HOD)	1. CDC Human Resources Relevant CDC where official was	1. Regional Commissioner Regional Commissioner	Not delegated Not delegated	Compliance to DPSA financial manual Compliance to prescripts issued by the DPSA and the Department of transport, as well as all relevant prescripts on cost containment.
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	

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

	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	
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 11-12 (Comply with requirements) **Relevant Branch Head (CDC)** **Any Deviation: Level 2-12** **Not delegated, remains with NC**	Level 2-10 (Comply with requirements) **Deputy Regional Commissioner in 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**	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. 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 (**Excluding** officials who are Heads of Correctional or Remand Detention Centres or Community Correction offices) DC HR Management Levels 11-12 (**Excluding** officials who are Heads of	No delegation	No delegation	Subject to the Policy on transfers and prescripts on finances and logistics. Note 1: Transfers and placement of all SMS members: Levels 13-15 not delegated. Decision maker: National Commissioner Note 2: **Officials who are Heads of Correctional or Remand Detention Centres or Community Correction offices not delegated. Decision maker remains the National Commissioner**

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

	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	
				Correctional or Remand Detention Centres or Community Correction offices) DC HR Management) CDC Human Resources			
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 equivalent), including interdepartmental transfers from DCS to other departments/ institutions.	NC	Level 2-7 Relevant Director after consultation with the Director HR A&U Level 8-12 Relevant DC after consultation with Director HR A&U	Within RC Office Levels 2-7: Relevant RH Corporate Services after consultation with the DRC Across Management Areas: Deputy Regional Commissioner after consultation with the RH Corporate Services Levels 8-10: (**Excluding** officials who are Heads of Correctional or Remand Detention Centres or Community Correction offices) Deputy Regional Commissioner (Excluding Heads of Centres and Community Correction offices) Levels 11-12: (**Excluding** officials who are Heads of Correctional or Remand Detention Centres or Community Correction offices)	Levels 2-7: Within Management Area only, Area Commissioner (including interdepartmental transfers from DCS)	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 will process the application to the relevant Directorate. Note: **Officials who are Heads of Correctional or Remand Detention Centres or Community Correction offices not delegated. Decision maker remains the National Commissioner**

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

	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	
					Regional Commissioner		
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 Relevant Director Level 13 DRC in consultation with the RC Level 14 RC in consultation with the NC.	Level 2-12 Area Commissioner Level 13 DRC 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.
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

MS Thobakgale
National Commissioner
Date: 06/08/2025

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

	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	
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 children of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
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

MS Thobakgale
National Commissioner
Date: 06/08/2025

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

	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.	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 Commissioner may classify and allocate accommodation to inmates.	NC	CDC Incarceration and Corrections to coordinate across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/ Head of Remand Detention Centre	CDC INCO to report to the NC on a quarterly basis
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	NC	No delegation	No delegation	Area 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	
		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					
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 correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	NC	No delegation	No delegation	Area Commissioner	
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	NC	No delegation	No delegation	Head of Correctional Centre	

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	Section	Topic Description		Head Office	Region	Management Area	
		criminal conduct and the risk they pose to the community.					
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	
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	

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	Section	Topic Description		Head Office	Region	Management Area	
						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	
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	NC	No delegation	No delegation	Head Community Corrections	

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	Section	Topic Description		Head Office	Region	Management Area	
		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					
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 to costs which that person must make and may adjust the period of supervision and day parole	NC	No delegation	No delegation	Probationers and Parolees: Head of Community Corrections 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	

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	Section	Topic Description		Head Office	Region	Management Area	
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; (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.	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	
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	NC	No delegation	No delegation	Head of Community Corrections	

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	Section	Topic Description		Head Office	Region	Management Area	
		to a change in circumstances beyond the control of the person concerned.					
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	
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

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	Section	Topic Description		Head Office	Region	Management Area	
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; (b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.	NC	No delegation	No delegation	Head of Correctional Centre	
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

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	Section	Topic Description		Head Office	Region	Management Area	
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 of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.	NC	Internal Auditing: Chief Audit Executive Inspections: Head Office component: NC Investigations: Departmental Investigation Unit: Director Departmental Investigation Unit	Inspections: Regional Inspectorate DRC	No delegation	The approval to carry out the functions must be read with Regulation 30(2) and (3). The approval to carry 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	**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.

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	Section	Topic Description		Head Office	Region	Management Area	
						relation to inmates/parolees/ probationers excluding escapes that must be appointed by the Area 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, 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**	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 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,**	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

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	Section	Topic Description		Head Office	Region	Management Area	
		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**					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	
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	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

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				consultation with the relevant HR Directorate Director CEU in Section 95B matters			
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 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	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 disputes. (Excluding Section 95B matters) Levels 2-12: RH Corporate Services Level 13: DRC Level 14: RC Level 15: Not delegated	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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	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	
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 <u>except</u> Section 95B matters. <u>To defend</u>: Director ER <u>To settle</u>: CDC Human Resources <u>Sections 95B matters</u>: Representatives of CEU are *ex officio*. <u>To defend</u>: Director CEU <u>To settle</u>: 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 <u>all</u> 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 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**	Regional Head Human Resources No delegation for Section 95B matters	No delegation	**<u>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 implement may lead to contempt proceedings in the Labour Court.</u>** 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.

MS Thobakgale
National Commissioner
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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 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	

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	Section	Topic Description		Head Office	Region	Management Area	
						- 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	
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	NC	Director Public Education, Stakeholder Relations and Media Services	No delegation	No delegation	

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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	
		part of the official court record where permission is not required.					
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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DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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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	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 functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Section	Topic Description		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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	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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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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	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 L 2-10** DD Retention and Terminations **Levels L 11-12** Director Human Resource Administration	No delegation	No delegation	Compliance to relevant prescripts

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				SMS L 13-15 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	

MS Thobakgale
National Commissioner
Date: 06/08/2025

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

	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	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	

MS Thobakgale
National Commissioner
Date: 06/08/2025

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

	POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	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.

MS Thobakgale
National Commissioner
Date: 06/08/2025

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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, **Dr Petrus Johannes Groenewald, MP**; **Minister of 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 30th DAY OF July 2025

NAME OF EXECUTIVE AUTHORITY: **Dr PETRUS JOHANNES GROENEWALD MP:** _____

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

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **MAKGOTHI SAMUEL THOBAKGALE:** _____

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

Executive Authority: _____
Dr PJ Groenewald, MP
Minister of Correctional Services
Date: 30/07/25

National Commissioner: _____
MS Thobakgale
Date: 06/08/2025

	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
15.	15(3)	(a) The executive authority of a department may second an employee of the department to another	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

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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
		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.					
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 has reached the age of 60 years may, subject in every	EA	NC 1-12	NC 1-12	NC 1-12	Employee to be given three calendar months' notice from date of approval. Refer to conditions in Section 16.

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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
		case to the approval of the relevant executive authority, be retired from the public service					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 of Parliament granted by resolution, exceed in the aggregate two years	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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	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
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**					
26.	30(1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her	EA	NC 1-13	NC 1-13	NC 1-13	EA approves L14-15

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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
		employment in the relevant department, except with the written permission of the executive authority of the department					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. (ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department.	EA	Not delegated NC as per s 32(2)(b)(ii) of PSA	NA NC as per s 32(2)(b)(ii) of PSA	NA NC as per s 32(2)(b)(ii) of PSA	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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MS Thobakgale
Date: 06/08/2025

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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
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 salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales;	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** 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.

Executive Authority: _____
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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
		(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					
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	NC to comply with any directive by DPSA and submit information to the MPSA via the EA 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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	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 designated employees, 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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		(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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		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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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
		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

Executive Authority: _____
PJ Groenewald, MP
Minister of Correctional Services
Date: 30/07/25

National Commissioner: _____
MS Thobakgale
Date: 06/08/2025

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) 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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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		(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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	Regulation	Topic Description		NC	Indicators for Execution/Reporting/ Consultation/ Informing
		(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

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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
		(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.

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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 06 DAY OF August 2025

MS Thobakgale
National Commissioner
Date: 06/08/2025

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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

MS Thobakgale
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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
		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- i. for a particular service or period not exceeding the prescribed period (if any); and	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12 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
		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.** (All SMS officials in DCS appointed in terms of Correctional Services Act.) **Normal retirement age of Correctional Officials appointed under the Correctional Services Act**

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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
							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 95A & B 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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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
		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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		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 Relevant Director Level 13 DRC in consultation with the RC Levels 14 RC in consultation with the NC	Levels 2 to 12 Area Commissioner Level 13 DRC in consultation with the RC Levels 14 RC in consultation with the NC	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

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	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
38.	35	**Grievances of employees**					
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	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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		(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.					
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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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
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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	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	
		Approval of payment of leave gratuity on service termination	HOD	DD Auxiliary Services	Regional Coordinator Human Resources	Area Coordinator Human Resources	Compliance to DPSA directives and all applicable prescripts.
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;	EA	NC Not delegated	Not delegated	Not delegated	NC approves overtime policy after consultation with MANCO

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		(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.					
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

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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 other diseases, injuries, and conditions of employees to ensure efficient, effective and sustainable delivery of services.	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players
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—	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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		(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.					
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)	<u>All appointments other than employment additional to the establishment</u> (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	**<u>Developmental programmes</u>** An executive authority may appoint persons who are part of a developmental programme, including but not limited to, interships, learnerships and	EA	**CDC HR** - Approval of advertisement after	**Regional Head: Corporate Services**	**Area Coordinator: Corporate Services**	**National Commissioner** approves the recruitment and funding for the graduate

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		apprenticeships, on such terms and conditions that shall be determined by the Minister.		approval of the recruitment and funding by the National Commissioner for Head Office and Regions. **Relevant DC** Approval of: - Student internship placement for chief directorate	- Approval of student internship placement for the Regional Office	- Approval of student Internship placement for the Management Area	internship, learnership and the apprenticeship programmes. **National Commissioner** approves the processes of: 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	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) 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; (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	EA	L2-12: DC HRM L13-15: CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of heads of branches and regions

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		(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.					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; (b) locally; or (c) nationwide.	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)
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	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.

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		(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					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-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	Not delegated	Not delegated	Not delegated	NC approves L1-12 EA approves head-hunting for L13 to L15
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

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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
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
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

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							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 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

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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; (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	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
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	NC	CDC HR	RC's Regional Head	AC's Area Coordinator	National Learning Committee endorses the workplace skills plan for a financial year and monitors the implementation

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		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, 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.		DC HRD: L13-15 Director Policy and External Training: L1-12 CDC HR DCHRD DC's	Corporate Service Not delegated Not delegated DRC Regional Head Corporate Services	Corporate Services Not delegated Not delegated Not delegated Area Coordinator Corporate Services	thereof. International study – Not delegated 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

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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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	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	

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National Commissioner
Date: 06/08/2025

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 Cape Town ON THIS 05 DAY OF February ~~2023~~ 2025

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

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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.

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"*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).

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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**

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							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

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				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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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)	
		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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				Head Office (5)	Region (6)	Management Area (7)	
		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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				Head Office (5)	Region (6)	Management Area (7)	
							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 Delegated	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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				Head Office (5)	Region (6)	Management Area (7)	
		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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				Head Office (5)	Region (6)	Management Area (7)	
	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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				Head Office (5)	Region (6)	Management Area (7)	
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(I) 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(I) 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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NO	DESCRIPTION	DELEGATION			
		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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NO	DESCRIPTION	DELEGATION			
		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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		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	1. Processing and payments of arbitration awards on PERSAL and BAS in Head Office.	1. DC: ER DC: HRM DC: FMA	1. Not delegated	1. Not delegated	• The delegation and limitation under section 96(2)(a) of the CSA delegation number 103 **must** be adhered to. • 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.

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	2. Furnishing of security in terms section 145 (7) of the LRA if approved that an arbitration award can be taken on review by the delegated authority (refer to delegation no 103: Decision to review arbitration award- Correctional Services Act delegations)	• DC LS	• Not delegated	• Not delegated	• DC Employee Relations must register and validate all the awards and certify in writing to DC HRM and DC FMA for 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	

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		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
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 • Head of Community Corrections for respective office	• 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 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: _____

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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** Not delegated	**Quotations** **Above R2 000-00 to R100 000.00:** Regional Head Finance	**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	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.
				Up to R500 000-00 – DC: SCM	Not delegated	Not delegated	
				Up to R1 000 000-00 – CFO	Not delegated	Not delegated	
				Exceeding R1 000 000-00 – National Commissioner	Not delegated	Not delegated	

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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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Item (1)	Section (2)	*Topic Description* (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				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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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6554 **29 August 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)

NATIONAL POLICY FOR THE MANAGEMENT OF WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT

I, Dion Travers George, Minister of Forestry, Fisheries and the Environment, hereby publish the National Policy for the management of Waste Electrical and Electronic Equipment for implementation, as set out in the Schedule hereto.



DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

National Policy for the Management of Waste Electrical and Electronic Equipment (WEEE)

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Acronyms and Abbreviations

ARO	African Reclaimers Organisation
BFR	Brominated Flame Retardant
BPEO	Best Practicable Environmental Option
CPA	Consumer Protection Act 68 of 2008
CSIR	Council for Scientific and Industrial Research
DFFE	Department of the Forestry, Fisheries, and the Environment
DCDT	Department of Communications and Digital Technologies
DSTI	Department of Science, Technology and Innovation
DTIC	Department of Trade, Industry and Competition
EEE	Electrical and Electronic Equipment
AEPR	Extended Producer Responsibility
ESM	Environmentally Sound Management
I&A Plan	Implementation and Action plan
IPR	Intellectual Property Rights
ITAC	International Trade Admission Commission
KPI	Key Performance Indicator
N&S	WEEE Norms and Standards
NCPC	National Cleaner Production Centre
NEMA	National Environmental Management Act No. 107 of 1998
NEMWA	National Environmental Management: Waste Act 59 of 2008
NDP	National Development Plan
OHSA	Occupational Health and Safety Act 85 of 1993
PRO	Producer Responsibility Organisation
SALGA	South African Local Government Association
SARS	South African Revenue Services
SAWPA	South African Waste Pickers Association

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SDG	Sustainable Development Goal
SETA	Sector Education and Training Authority
SRI	Sustainable Recycling Industries
WEEE	Waste Electrical and Electronic Equipment
WEEEPSC	WEEE Policy Steering Committee

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Glossary of Terms

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
The 'Basel Convention' is a multilateral environmental agreement that aims to protect human health and the environment against the adverse effects of hazardous wastes and other waste through the promotion of ESM and regulation of transboundary movements of hazardous wastes and other waste.

Best Practicable Environmental Option (BPEO)
The option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as the short term.

Circular economy
A regenerative system in which resource inputs and waste, emissions, and energy leakage are minimised by slowing, closing, and narrowing energy and material loops. This systemic approach contributes to sustainable development by supporting the regeneration of natural ecosystems and preventing waste and pollution. This is achieved by designing circular resource flows, minimizing the inflow of virgin resources, and keeping the value of resources as high as possible for as long as possible. To achieve circularity, people must consider all technical and natural systems throughout production, consumption and waste management practices. Systems must include durable design, maintenance, repair, reuse, remanufacturing, refurbishing, and recycling. A circular economy is in contrast to a linear economy which is a 'take, make, dispose' model of production [1]

Depollution
A process whereby authorised and trained personnel undertake selective treatment removing hazardous substances and components from WEEE or EEE. The removal can be manual, mechanical, or metallurgic treatment, resulting in hazardous substances and components as an identifiable and clearly measurable mass-balance based, separate and controllable stream at the end of the treatment process.

Electrical and Electronic Equipment (EEE)
Equipment which is dependent on electric currents or electromagnetic fields to work properly and equipment for the generation, transfer and measurement of such currents and fields and designed for use with a voltage rating not exceeding 1 000 volts for alternating current and 1 500 volts for direct current [2]

Extended Producer Responsibility (EPR)
As defined in the EPR Regulations.

Environmentally Sound Management (ESM)
Taking all practical steps to manage hazardous waste or other wastes to protect human health and the environment against the adverse effects that may result from such wastes, as outlined in Article 2 of the Basel Convention. Also defined in the NEMWA (59 of 2008) [3] as: "environmentally sound management"

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means the taking of all practicable steps to ensure that waste is managed in a manner that will protect health and the environment.

Free-rider
A producer, as defined in the EPR Regulations who benefits from the actions or efforts of another producer, in relation to an EPR scheme without fully complying with the requirements of EPR scheme;

Norms and Standards (N&S)
National Norms and Standards for the Management of Waste Electrical and Electronic Equipment (WEEE).

Producer
As defined in the EPR Regulations.

Producer Responsibility Organisation (PRO)
Non-profit organisations established by producers or any person operating in any of the industrial sectors covered in the Notices published in terms of the NEMWA (59 of 2008) [1] to support the implementation of their EPR scheme and may represent individual or collective producers.

Sustainable Development Goals (SDGs)
United Nations Member States in 2015 adopted a collection of 17 interconnected global goals as a universal call to action for global partnership on global challenges.

The Policy
The Draft National Policy for the Management of Waste Electrical and Electronic Equipment (WEEE) in terms National Environmental Management: Waste Act, 2008 (Act No 59 of 2008)

The Polluter Pays Principle

There should be life-cycle responsibility for anything that impacts the environment. The responsibility includes the costs of remedying environmental pollution and preventing, controlling and minimising environmental damage must be covered by those responsible for harming the environment.

Waste Electrical and Electronic Equipment (WEEE)
Various forms of electric and electronic equipment that have ceased to be of any value to their owners without the intent of reuse and which include all components, sub-assemblies and consumables that are part of the product at the time of discarding. The Policy covers all WEEE categories described in the NEMWA (59 of 2008) [4] namely:

Large Household Appliances

Small Household Appliances

Office, Information & Communication Equipment

Entertainment & Consumer Electronics and Toys, Leisure, Sports & Recreational Equipment, and Automatic Issuing Machines

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Lighting Equipment

Electric and Electronic Tools

Security and Health Care Equipment

Mixed WEEE

WEEE Management Chain

Any operator or facility conducting any of the WEEE-specific management activities listed below is part of the WEEE management chain:

- Collection
- Sorting and Classification
- Logistics
- Transportation
- Processing
- Preparation for reuse
- Preparation for final treatment

WEEE Value Chain

The WEEE value chain refers to the sequence of activities involved in managing and processing WEEE. Parties that provide value include suppliers, outsourced workers, contractors, and others that receive value, including customers, consumers, clients, members, and other users.

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Executive Summary

Historically there was no specific dedicated legislation framework governing the environmentally sound management (ESM) of end-of-life electrical and electronic equipment (EEE), also known as “e-waste” or waste electrical and electronic equipment (WEEE) in South Africa. However, the Waste Act (Act no. 59 of 2008) has in recent years (2021) directed extended producer responsibility (EPR) regulations [1] were introduced to South Africa, which covering, for the first time, target-defined take-back and treatment obligations for producers of various waste streams deemed “problematic”, including all types of WEEE. Therefore, the WEEE Policy calls for setting up a clear regulatory and institutional framework based on the principles of EPR, with clear roles and responsibilities laid down in law and underpinned by a financing system required for the ESM of WEEE.

Over the years and with rapidly increasing per capita WEEE generation volumes, there is mounting visible evidence that, in many instances, poor handling, mismanagement, inadequate recycling and illegal treatment practices and disposal of WEEE globally, (Global E-waste monitor, 2024) as is the case in South Africa. This status quo is leading to challenges to legally introduce circular economy principles for the cradle-to-cradle management of obsolete EEE and waste.

Consequently, the key stakeholders identified in the Policy need to ensure that any valuable, recoverable secondary resources locked in any WEEE are available again for manufacturing and not permit any hazardous substances to leak into the environment. Stakeholders must take guidance from the Policy to follow fundamental principles, such as the waste hierarchy, sustainable development, and the polluter pays principle.[5] A sustainable WEEE management system appropriate to South Africa aims to guide decisions and achieve rational outcomes according to the best practicable environmental option (BPEO).

The vision of the Policy is to be designed as a robust, integrative, harmonising and comprehensive framework for the sustainable management of all types of WEEE in South Africa and benefit all South Africans. This Policy aims to ensure the efficient, equitable, inclusive, and financially sustainable management of all WEEE that is safe for the environment, protects human health and furthers Circular Economy principles based on social and technical development opportunities in South Africa.

The Department of Forestry, Fisheries and Environment (DFFE), with guidance from the international and local stakeholders, developed the South African National Policy for the Management of Waste Electrical and Electronic Equipment (WEEE).

This WEEE Policy document sets out the framework, defines the key policy aims and describes the suggested objectives and expected outcomes required for South Africa to be able to both harness any socio-economic opportunities from WEEE management while ensuring that the protection of all South Africans and the environment is always in place while tackling the growing challenge of WEEE.

Section 24 of the Constitution of the Republic of South Africa enshrines the protection of the environment and the right of every South African to an environment that is not harmful [6]. The WEEE Policy further aligns with the critical strategic outputs from policies and guiding documents of international importance, such as the Sustainable Development Goals (SDGs) and various multilateral environmental agreements (such as the Basel Convention). Local policies and strategies that shape the face of waste management and

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local economic growth and development opportunities in South Africa include but are not limited to the following:

- National Waste Management Strategy 2020 (NWMS) [5];
- National Policy Development Framework 2020;
- National Development Plan: Vision 2030 (NDP);and,
- Waste Picker Integration Guideline for South Africa: Building the recycling economy and improving livelihoods through Integration of the informal sector, 2020.

In addition, the Policy outlines more regulations and strategies in detail in section 7.

The complex nature of this waste stream means that the development of the WEEE Policy requires a cross-cutting and collaborative management approach. The approach spans several sectors, with diverse public and private key stakeholder input. The Policy focus areas are discussed in the stakeholder's summary, including the roles and responsibilities of critical stakeholders in section 10.

The WEEE policy matrix in Appendix 1 includes the critical elements of the proposed policy-related Implementation and Action Plan (I&A Plan). The DFFE develops the I&A Plan in consultation with other government departments and a dedicated WEEE Policy Steering Committee (WEEPSC) workgroup after the final policy is established. The WEEE policy matrix in Appendix 1 does not provide for the overall budgeting of the I&A Plan and the anticipated timelines to reach all aims on a milestone basis, this is established in the Costing Framework held by the DFFE.

Appendix 1 provides further details about the activities under each policy aim, the defined objectives and how to accomplish them, and any envisaged outcomes. It establishes the critical stakeholders required, their roles and responsibilities, and the suggested Key Performance Indicators (KPIs). The KPI's allow for systematic evaluation, monitoring, and reporting geared towards continuous improvements and subsequent implementation.

The EPR Regulations provide crucial regulatory mandates to specific vital stakeholders to achieve the six Policy aims. Enforcing the EPR Regulations requires effective and expedient cooperative environmental governance and integrated environmental management. Designing an efficient EPR system of governance around WEEE management must promote circular economy initiatives. The required EPR fees can also provide financial support for actioning policy objectives

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1 Introduction

Globally, countries are increasingly adopting WEEE-specific legislation, most often based on the framework of EPR and the polluter pays principle. International conventions, treaties and protocols exist that cover various aspects of the responsible management of WEEE, and the most important ones which South Africa has signed are the following:

- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (as amended);
- Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
- Montreal Protocol: Protocol for the Protection of the Ozone Layer; and,
- Stockholm Convention on Persistent Organic Pollutants.

Section 24 of the Bill of Rights in the Constitution of the Republic of South Africa [6] states that '*Everyone has the right to an environment that is not harmful to their health or wellbeing; and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development*'. Pertinent legislation that furthers the purpose of section 24 is the National Environmental Management Act (107 of 1998) (NEMA) and the National Environmental Management: Waste Act (59 of 2008) (NEMWA). Globally, WEEE is the fastest-growing hazardous waste stream, and South Africa will need to manage WEEE to uphold the Bill of Rights and pertinent legislation.

The National Waste Management Strategy 2020 (NWMS) [5] aims to achieve the aims of NEMWA and has highlighted WEEE as an essential waste stream to manage. NWMS, in Strategy Pillar 1, "Waste Minimisation", promotes opportunities to advance WEEE as a resource and better separation at source to enable increased recycling and beneficiation of WEEE. Based on the proposed actions required in the NWMS, South Africa successfully introduced a range of EPR Regulations and specific product Notices for EEE, lighting, paper, packaging, and some single-use products, portable batteries, pesticides and lubricant oil.

Globally, the level of sound WEEE recycling is currently very low and estimated to be between 7-12%[1]. According to the Global E-Waste Monitor 2020 [7], South Africa generated 415.5 metric kilo-tons (kt) of WEEE in 2019, while reported tonnages of WEEE by most of the data sources used in the Greencape 2022 Market Intelligence report [8] suggest that the annual generation rate of WEEE for South Africa has now reached anything between 340 000 to 380 000 tons per year. Approximately 6 kg/y to 7 kg/y of WEEE is generated on average by every South African citizen. Thus, WEEE should be recovered for reuse, refurbishment, or recycling. However, the public and private sectors stockpile vast amounts of WEEE.

Lydall, Nyanjowa and James did the first thorough mapping of WEEE in 2017 [9] to establish the current WEEE dismantling, pre-processing and processing technology landscape in South Africa. The resultant

[1] https://weee-forum.org/international-waste-country/za/

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Mintek report sought to identify and promote justifiable economic and social development opportunities from WEEE. For South Africa, it is essential to strengthen local and regional WEEE dismantling, pre-processing and processing capacity and invest in additional technology, and this will require more significant efforts by the public and private sectors to divert WEEE out of the waste stream. Access to current WEEE stockpiles and controlled public and private release programmes are crucial, with the report pointing out that "*currently the main source of WEEE 'inputs' (waste) to the recycling sector in South Africa is derived from local and provincial government departments (45%), followed by the business sector (35%) and households (20%)".*[9]

In urban centres in South Africa, there are WEEE recycling activities. Gauteng is the primary hub of WEEE management. However, outside the WEEE key recycling activity areas, rural areas in South Africa typically lack a proper WEEE collection and recycling system. There is also a lack of awareness about its proper treatment instead of illegal disposal.

At the time of the study [9], 100 formally registered companies were operating across the South African WEEE recycling value chain (from collection to processing). However, 85% of volumes handled in 2015 were by a handful of processing facilities. These facilities sourced most of their materials through smaller formal operators and informal collectors. Contributions from more miniature and informal collectors have not been easily quantified and subsequently honoured in the past.

The new EPR regulations require WEEE producers and their mandated Producer Responsibility Organisation (PRO) to provide proof of informal sector integration for collection. Activities such as preparation for recycling-type processes can also be a form of integration, provided supervision and support are available. This Policy also sees informal sector integration and upskilling as cross-cutting key deliverables and touching on most of the six policy aims.

In addition, the Policy seeks to develop opportunities for local economic development from WEEE, using the secondary resources as a powerful driver for South Africa's emergence of a Circular Economy. All this while ensuring no harm is caused to the environment or any South African citizen when harnessing the value fractions from WEEE. Isolating and treating pollutants must ideally be done according to the applicable BPEO and its relevance to the waste sector and EIA processes [10].

The National Policy in Thermal Treatment of General and Hazardous Waste [11] states that properly designed and operated thermal treatment facilities are considered the best technology for various general and hazardous waste streams. The current emission standards for incineration and co-processing that align with best environmental practices are very stringent, with extremely low emission limits permissible are practical to ensure the protection of human health and the environment.

The successful implementation of the WEEE Policy requires the commitment of a range of stakeholders, and the DFFE will provide an ongoing opportunity for contributions to the implementation of this Policy.

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2 WEEE Policy Structure

The WEEE Policy document starts by providing acknowledgements, a foreword section, a list of acronyms and abbreviations used, and a glossary of terms providing key definitions. It then contains the executive summary, which summarises and synthesises the essential WEEE Policy elements described in the main body of the Policy.

The document's second section introduces the policy direction regarding policy goals, vision, aims, and objectives. The third section provides a detailed background from to the status quo of WEEE generation and management worldwide and in South Africa. Section four provides the motivation and reasons for developing a South African WEEE policy and defines the context.

In section five, the Policy provides insights into the methodology used and how it subsequently informed the design and the timeline throughout the policy development process. Section six summarises the legal landscape in South Africa while highlighting the areas of policy alignment to national legislation, regulations, guidelines and strategies, as well as regional and international conventions, instruments, policies and protocols. In section seven, international guiding principles, international trading principles, and integrated environmental management principles clarify what it means to undertake the environmentally sound management of WEEE.

Section eight provides the Implementation Framework and Institutional Arrangement, particularly establishing the WEEE Policy Steering Committee. After that, section nine provides the roles and responsibilities of all the identified key stakeholders and the suggested KPIs as reporting tools to assess progress in reaching each policy aim. Sections ten, eleven, twelve and thirteen deal with resource mobilisation; steps towards establishing a monitoring, evaluation and reporting framework; advocacy and Policy dissemination strategies; and appropriate legal arrangements.

Section ten clarifies the I&A Plan and concludes with a review and critical considerations. Notably, after the conclusion in Appendix 1, the WEEE Policy Matrix details the aims, outcomes, stakeholders and indicators for each action listed under the six aims.

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3 Policy Direction

3.1 Goal

The goal of this Policy is to:

Ensure the efficient, equitable, inclusive, and financially sustainable management of all WEEE that is safe for the environment, protects human health and furthers Circular Economy based social and technical development opportunities in South Africa.

As such, the South African WEEE Policy Goal aligns with the United Nations Agenda 2030 embedded SDGs and targets 3.9, 8.3, 8.8, 11.6, 12.4 and 12.5 as those relate directly to the issues associated with WEEE[2].

3.2 Vision

With the DFFE as the custodian of the Policy, the vision of the latter is "to provide a robust, integrative, harmonising and comprehensive legislative framework that leads to the safe and sustainable management of all WEEE in South Africa that is evidence-based, transparent and inclusive therefore responding to the needs of all South Africans".

3.3 Aims and Objectives

The aims and the defined aims related to each of the aims of this Policy are as follows:

#	Aims	Objectives
1	To create a level playing field amongst all stakeholders in the South African WEEE recycling chain that offers a value-sharing, environmentally sound and socially equitable and inclusive WEEE management solution	Active enforcement of the EPR regulations: Identification, government enforcement (see offences and penalties in Section 18, EPR Regulations), court prosecution and sentencing of EPR system free-riders (external and internal) Collaborative identification of free-riders via PROs Optimising informal sector integration
		Adoption and implementation by all relevant stakeholders (including PROs) of the WEEE N&S with minimum administrative,

[2] This relationship involves the link between deaths and illnesses, and hazardous substances across their life cycle; decent work and labour rights; air quality and municipal waste management; and the reduction of waste generation through following the waste hierarchy.

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		operational, and technical requirements as a future legal requirement
2	To support/acknowledge the necessity for collaborative and partnership approaches that address the inherent complexities of the more extensive system towards sustainable impact economically, socially and environmentally while creating employment opportunities, particularly for the youth and historically disadvantaged.	Actively support public and private sector programmes that offer mutual benefits regarding the opportunity for large-scale value-maximising job creation in a safe, designated industrial space.
3	To create a legally compliant, public and private sector enabling environment that encourages sustainable investment and infrastructure and technology development.	Promote and develop both public and private sector-led harmonised[3] large-scale WEEE asset release programmes and initiatives combined with establishing grassroots community-based collection and consolidation services and any necessary treatment technology investment and related academic research required.
4	To further knowledge, foster awareness, grow skills, and build human capacity to provide the public education and professional expertise required to ensure responsible management of all WEEE in South Africa.	Support the development, improvement, and population of the WEEE training curriculum (for different levels of education and with the goal of quality job creation) by the South African accreditation and qualification requirements and based on any applicable legal, technical, and operational minimum requirements.
		Develop public WEEE education campaigns in close collaboration with WEEE PROs.
		Support of existing (e.g., STI roadmap) and future research activities within South Africa with a focus on problematic WEEE types within South Africa.
5	To introduce a circular economy-inspired legal and institutional framework for managing WEEE in which the EPR regulations and other relevant	Align and harmonise existing legal documents, policy requirements, strategies, terminology, and implementation timelines at national, regional, and local levels through

[3] A harmonised approach entails agreeing on an integrative yet controlled modus operandi that provides defined opportunities for safe formal and informal sector collaboration

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	legislation, standards and guidelines can be embedded in and harmonised.	multi-level or inter-institutional collaboration.
		Develop an adaptive I&A Plan with a practical monitoring and controlling system.
		Agile and responsive institutional framework to deal with everchanging developments in the WEEE recycling value chain.
6	To support resource mobilisation from the relevant parties to drive the activities outlined in the Policy I&A Plan.	Develop the I&A Plan to ensure full buy-in by PROs and IPR-type producers and fully supported and actively driven by the Government.
		Design a plan as the official blueprint to show support and commitment (including the dedication of funds to drive any action underpinning any WEEE Policy aim) related to their legally mandated EPR obligations.
		All actions required according to the plan must be costed, and a policy-specific budget must be drawn up by the WEEPSC to allocate the required funds from public and private sources.

Table 1: South Africa's WEEE Policy Aims and Objectives

4 Background

WEEE is one of the world's fastest-growing waste streams, and that is also the case for South Africa. Apart from imports of end-of-life equipment set to become WEEE quickly, in most countries, increased consumer demand, access to electrical and electronic equipment, and perceived and planned equipment obsolescence have caused the waste stream's rise. Rapid technological advancements [12], exclusive ownership claims, and poorly designed products promote the growth of WEEE as a global waste stream. The adoption of EEE by more prominent sections of the population due to greater access and affordability has led to a growing stock of discarded WEEE in South Africa.

Generally, WEEE management is a process that presents an opportunity to recover secondary resources such as metals, plastics, and glass. The possibility of recovering valuables from WEEE has yielded significant employment and economic opportunities in developed and developing countries.

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Despite these opportunities, poor handling, mismanagement, inadequate recycling, illegal treatment practices, and disposal of WEEE in South Africa are taking place and are exacerbated by the rapidly increasing per capita WEEE generation and consumption volumes. The unsound disposal of WEEE affects environmental and human health. For example, improperly disposed refrigerants significantly contribute to greenhouse gas emissions, and dumped appliances can leach pollutants into the soil and water, impacting life-sustaining systems. Many South Africans have been subject to unsound WEEE management practices, such as open-air cable burning that pollute the air with dangerous toxins [13].

The status quo requires a legal framework driven by circular economy principles. These principles must first ensure the value-preserving cradle-to-cradle management of any EEE and, second, minimise WEEE from the outset by applying the Waste Management Hierarchy. The hierarchy includes the promotion of reductions in WEEE through smart procurement and reasonable maintenance of ICT/EEE, reuse of well-functioning electronic equipment that can be donated or sold, and recycling of materials as the last resort if the functionality of equipment and its key components cannot be restored.

Some of the essential envisaged outcomes of this Policy are ensuring ESM of WEEE by:

1. defining "Minimum Technical and Operational Requirements" for all WEEE value chain partners and as per the Norms and Standards (N&S)[4]; and,
2. encouraging the use of BPEO in line with feasible environmental practices globally, thereby eliminating or mitigating any negative impact on the environment and human health.

The South African legal policy framework also draws inspiration and guidance from several international and regional conventions (such as the Basel and Rotterdam Conventions) designed to control the transboundary movement of hazardous substances.

Through this Policy[5], all stakeholders, including producers, consumers, recyclers and the Government (as the policy custodian), are guided on how to drive the changes required for the ESM of WEEE in South Africa going forward. Therefore, an appropriate legal, regulatory and institutional framework is required to cover the critical administrative, technical, social and economic aspects to mandate stakeholders to participate in the ESM of WEEE. Introducing a feasible financing mechanism is another critical component required for a WEEE management system that is desirable, appropriate, and affordable in the South African context.

The Policy defines clear goal-oriented aims which seek aim to retain the financial value of WEEE and the benefits of related economic opportunities in South Africa while at all times ensuring the ecological preservation and the protection of the human health of every South African. South Africa is taking a first step by adopting a national policy covering all types of WEEE and its responsible management. As such, the Policy also encompasses all categories of EEE which have reached their end of life, including all components, sub-assemblies and consumables that are part of the product at the time of discarding.

[4] These N&S will be developed by the DFFE and have not been gazetted.

[5] Successful policy implementation needs to be linked closely to the requirements of the recently introduced EPR regulation and its separate notices on WEEE, lighting waste and portable batteries e.g., requesting detailed collection and recycling performance evidence).

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5 Rationale

The rationale of the Policy is to outline the intention of the Government of the Republic of South Africa to address future WEEE management in a way that yields triple-bottom-line benefits. The triple-bottom-line aims to create:

1. New economic opportunities[6],
2. Offering decent and safe working conditions, and
3. Ensuring the protection of the environment and people who depend on it.

The Policy seeks to guide WEEE management and align with laws such as EPR regulations and respective WEEE-related notices. The Policy also seeks to guide the appropriate N&S for legally mandated, minimum technical and operational requirements for compliant WEEE operators.

The Policy seeks to balance the problems and the potential management solutions of WEEE. Depending on the degree of depollution, WEEE can have the characteristics of both general and hazardous waste. Therefore, WEEE has a transient legal nature and can be legally classified accordingly [14]. WEEE has both hazardous and general components and valuable materials, such as gold and copper. Therefore, aside from the environmental benefits of redirecting end-of-life WEEE from landfill, the recovery and processing of WEEE in South Africa represent an essential source of secondary metal supply, particularly for critical metals [9]. The primary rationale for effective WEEE management remains with circular economy principles and assuring product stewardship throughout the value chain, thus keeping the triple bottom line regarding sustainable resource management in mind.

Stakeholders and their respective roles and responsibilities are identified and required to implement the I&A Plan jointly. The Policy clearly defines stakeholders and their respective roles and responsibilities in the overall value chain of WEEE management in South Africa. The Policy aims to create a level playing field amongst all types of WEEE operators guided by the N&S and the Waste Picker Integration Guidelines.

With the ban on end-of-life EEE and lighting waste to landfill, the Policy must enable supportive mechanisms for EEE consumers to “bring back” discarded EEE, e.g., to a private collection site or a municipal drop-off. From there, it must be passed on transparently and safely to a legally compliant recycler (also called a “processor”). The legally compliant recycler must make sure that:

1. All WEEE gets depolluted,
2. Valuable secondary resources are recovered,
3. The amount of non-recoverable residues generated in the process that need to enter a safe final treatment[7] process in line with emerging global best practices and standards are kept to an absolute minimum.

[6] Especially significant opportunity to expand and diversify the small- and medium-sized business sector [9]
[7] Final treatment for WEEE residuals would be incineration (with or without energy recovery) or landfill disposal.

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6 Methodology

The development of the South African WEEE policy followed a structured methodology based on transparent, inclusive public/private multi-stakeholder engagement and the application of "systemic design thinking." The method to obtain consensus on the critical building blocks and strategic components required for a successful policy was introduced first and documented by SRI for establishing a WEEE Policy in Columbia [15]. The systems approach considers the integrated management of WEEE to be a sociotechnical system constituted by the interaction between human factors—e.g., decision-making, interests, and habits or customs—and technical elements—e.g., waste as a resource, treatment technologies, and infrastructure. The Policy is developed following a sequence of stakeholder workshops and through focus group engagements. The stakeholders assumed the role of designers while including the following elements in their WEEE policy development decisions:

1. understanding the various aspects of the real problem, including social, technical, environmental, economic, legislative, and other aspects;
2. involving different actors and taking their points of view and interests into account;
3. including different system processes from the perspective of the life cycle (such as the production, retail, and consumption of EEE and the collection, treatment, utilisation, and final disposal of WEEE) to design the solution; and,
4. devising solutions based on causal and temporal logic, i.e., analysing causes and effects, learning from past experiences, and visualising possible future effects of present decisions.

The first workshop in August 2021 agreed on how the five key planning aspect areas, namely social, environmental, economic, technical, and legal, should be addressed in the WEEE policy. How these aspects are addressed is based on the current challenges and opportunities in these areas and deliverables that participants expected in the WEEE policy. The general nature and key deliverables for the five key planning aspect areas are described in the sections below.

After the first workshop, the designers established an overall policy goal and the six aims informing the envisaged goal. The policy goal and six aims formed the foundation to develop an expanded "matrix". The expanded matrix assigns targeted objectives to each aim and the respective envisaged outcomes related to the objectives. The required stakeholders, their roles, responsibilities, and suitable KPIs to assess the relative proximity to the targets are linked to each aim. Finally, the matrix informed ongoing extensive work group input and public participation commenting periods preceding the WEEE Policy. The matrix forms the departure point for the DFFE to formulate a detailed I&A Plan.

6.1 General

As part of the first workshop outcomes, consensus was reached on the following general type of policy requirements as follows:

1. From an evolutionary perspective, the WEEE policy development was inspired by the "Plan, Do, Check, Act / Plan, Do, Study, Act cycle", which is a continuous loop of planning, doing, checking (or studying) and followed the vision of applying the four phases of:
    a. policy formulation,

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b. policy adoption,
c. policy implementation, and
d. policy evaluation.

2. The Policy must strengthen and align with other (DFFE) government strategies and planning priorities while reflecting the operational and financial realities of the broader South African WEEE recycling industry.
3. The Policy must be designed to:
    a. Serve as an overall framework that can house any WEEE-specific regulations and policies and,
    b. Harmonise:
        i. existing national, provincial or local "WEEE relevant" by-laws,
        ii. local economic growth plans,
        iii. development plans, and
        iv. municipal Integrated Development Plans (IDPs) and Integrated Waste Management Plans (IWMPs) accordingly.
4. All formulated aims end related to envisaged outcomes must be:
    a. practically achievable; and,
    b. described in detail through an I&A Plan. The plan must allow optimal stakeholder integration and clearly define each party's role and responsibilities.
5. As described in the I&A Plan, an independent coordinating body must adopt the policy deliverables to oversee compliance and adherence to the specified timelines.

6.2 Social aspects

The informal sector plays a significant role in WEEE management, and there is a need to integrate informal sector workers into the formal economy. This integration should be done to provide meaningful employment opportunities and ensure that workers are protected and empowered. Disadvantaged communities, women and the youth are essential demographics to consider to align with the EPR regulations [1] and the Waste Picker Integration Guideline for South Africa 2020 [16].

Training and upskilling workers in both the formal and informal sectors is crucial. Accredited training materials should be developed to ensure workers have the skills to manage WEEE in an environmentally sound and financially feasible manner. Developing accredited training materials will aid in developing jobs (direct and indirect) for unskilled, semi-skilled and qualified labour.

Assurance and interventions must be provided to assist and protect existing members of the South African legally compliant formal recycling industry from ungainful financial advantages of illegal and non-compliant operators. Creating an enabling environment for expanding legal WEEE operations also increases formal, high-skill-based employment levels. This protection should be done in a way that does not limit the growth of the formal legal sector.

Promoting a truly inclusive WEEE value chain can provide employment opportunities at various levels of formality. The Policy should prevent monopolisation or market domination by any stakeholder and ensure all stakeholders have an equal opportunity to participate in the value chain. Job creation is at the forefront

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of South African socio-economic development aims; inclusivity is a crucial social aspect to consider in any policy intervention.

Responsible consumption of EEE and fulfilling end-user "bring back" responsibilities need to be promoted. The Government and other stakeholders, such as EPR-obligated parties (producers and PROs), must collaborate with the media to encourage environmental awareness among consumers to ensure collection points are widely advertised and subsequently used as intended by any consumer of EEE. Environmental awareness targeted at all sectors of society is needed. However, starting awareness at a young age is vital to ensure product stewardship informs future generations buying decisions.

6.3 Environmental aspects

For the management of WEEE to be environmentally sound, knowledge of the dangers of improper equipment management is needed. For example, waste reclaimers, informal dismantlers and entire communities (indirectly exposed to pollution from improper WEEE management) are often unaware of the hazards associated with liberating specific components of WEEE in an unprotected environment. If WEEE is dismantled in an uncontrol and uninformed manner, toxic and hazardous materials such as lead, cadmium, and mercury can be released and subsequently accumulate in the environment, impacting all biotic life.

The concepts of the Best Environmental Practice, Best Available Technology, and BPEO need to be incorporated into any intervention to ensure that the management of WEEE is as environmentally sound as possible. The use of Best Available Technology for the processing and disposal of WEEE is a vital component of WEEE management. BPEO principles require that the most appropriate environmental option is selected based on a holistic assessment of environmental, social, and economic factors. Alongside Best Environmental Practice, Best Available Technology and the BPEO considerations, the Policy must ensure WEEE is managed according to the waste hierarchy, which prioritises waste prevention and minimisation, reuse, recycling, and other recovery options before disposal as described in the National Waste Management Strategy 2020 [5]. In this regard, BPEO is encouraged to handle and process WEEE.

The N&S for WEEE, once developed, is intended to set minimum operational requirements. These requirements will apply to all operators in the WEEE management chain that conduct risk-based activities. Part of the WEEE Policy's first aim is the adoption and mandatory implementation of these normative requirements (N&S for WEEE). The Policy also seeks to strengthen and motivate the introduction of the Circular Economy principle based on cradle-to-cradle business models and minimisation strategies such as green procurement and leasing as part of a more equitable, sharing economy approach.

In accordance with the Norms and Standards for Disposal of Waste to Landfill (2013), the ban of all WEEE to landfills since 23 August 2021 is a key departure point for policy development. The ban demands practical policy outcomes supporting a future where all WEEE enters the WEEE management chain and does not get discarded with any other waste by any end-user. The Policy should also require reporting any non-recoverable residues from the processed WEEE to the DFFE to explore further beneficiation opportunities that can reduce the amount and types of WEEE residues that require final treatment.

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6.4 Economic aspects

Economic aspects must be considered to ensure the economic feasibility and financial sustainability of the envisaged practical outcomes of this Policy. Aim 3 of the Policy seeks to create a legally compliant, private sector enabling environment that encourages sustainable investment, infrastructure, and technology development and embeds economic sustainability in the Policy.

It is important to note that there are high upfront financial costs associated with implementing the aims of the Policy, including the depollution of materials through selective treatment steps during which hazardous substances and components are removed from WEEE. Therefore, a substantial initial investment is required for the legally compliant take-back (collection) and required processing infrastructure for all types of WEEE. However, improper management's environmental and social costs are incalculable, and developing countries must have the infrastructure to manage these hazards.

On the other hand, WEEE also has the potential for valuable materials recovery, such as precious and rare earth metals. Therefore, incentivising local recovery processes encourage industry development and avoids the export of valuable secondary minerals while securing the resources needed for South Africa's circular and just energy transition, such as in the renewable energy sector.

Policy implementation must support and promote the recovery of still functional equipment and its components over any exclusive material recovery through conventional recycling. Additionally, any opportunities for WEEE material beneficiation (re-purposing) should be higher ranked than conventional material recycling in the waste hierarchy to stimulate and grow local product innovation.

The Policy supports an EPR-based take-back system for all types of WEEE and cross-cutting for all obligated producers and their representative PROs. The take-back systems need to include incentives to consumers "to bring back" and retailers and other collection points and service providers to "take back".

6.5 Technical aspects

The effective management of WEEE requires special processing treatment for certain hazardous materials. These fractions require higher levels of regulation than WEEE of "general waste nature". South Africa has limited capacity for the ESM of specific outgoing WEEE components, such as CRTs, and new incoming types of WEEE, such as solar panels and lithium-ion batteries. The Policy needs to address the need to treat all types of legacy WEEE while being flexible enough to support the introduction and effective management of newer technologies with different designs and reuse potential required for an entirely new generation of WEEE types that are currently emerging in the context of building the renewable energy sector in South Africa. The management technologies for these components exist, and the major bottleneck to increasing current treatment capacity is the financial implications of capital expenditure to localise the required technologies.

The Policy needs to support the development and implementation of dedicated N&S for "problematic" WEEE types and constituents such as Compact Fluorescent Lamps, transformer oil, Brominated Flame Retardant (BFR) plastics, cooling gas, mercury switches which are formulated over and above the general N&S.

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The Policy must support academic and private sector-based research and development to address better management of complex WEEE fractions. Public-private partnership initiatives such as eco-industrial parks can provide a test bed for new technologies. For example, the Policy can be used as a guide, informing grant funding proposals for these new initiatives.

The Policy must create an enabling environment for the private sector to invest in technologies that maximise the value of raw materials extracted in South Africa via primary mining and recovered as secondary materials in South African-based WEEE recycling operations. For example, systems to separate BFR-treated WEEE plastics from untreated ones could create substantial supplies of fully recyclable plastic.

The Policy needs to support the public and private sector-based development of WEEE collection/small-scale treatment facility-based infrastructure, specifically in rural areas. Rural areas are often plagued by poor waste management. Public and private initiatives to set up collection and management systems for WEEE in hard-to-reach areas must also be considered when implementing the Policy.

6.6 Legal aspects

The WEEE Policy and I&A Plan must be developed in alignment with all existing key national, provincial and local laws and policies related to WEEE management. The laws include, but are not limited to the:

- The Constitution of the Republic of South Africa, 1996,
- NEMA,
- NEMWA,
- Customer Protection Act (CPA),
- Second Hands Goods Act,
- Norms and Standards for the Storage of Waste,
- Waste Classification and Management Regulations,
- EPR regulation and notices for WEEE, Lighting Waste and Portable Batteries,
- Waste Information Regulations,
- Environmental Impact Assessment Regulations,
- Occupational Health and Safety Act; and,
- National Norms and Standards for the Disposal of Waste to Landfill.

The WEEE Policy must also comply with international conventions and existing WEEE-related import and export trade obligations to which it is a signatory, such as the Basel Convention, Stockholm Convention, and the Montreal Protocol. The Policy also needs to allow for the phased introduction of all current and future WEEE-related regulations in a manageable process. A significant concern for implementing the Policy is the import of poorly designed EEE that is soon to become WEEE and falsely declared EEE as “second-hand goods”. South Africa imports soon-to-be hazardous waste by importing poorly designed EEE and receiving near-to-end-of-life second-hand EEE. The EEE falsely declared as “second-hand goods” forms part of the WEEE entering South Africa, thereby adding to the local WEEE generation volumes.

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7 Alignment

Given the inter-disciplinary nature of WEEE management, including economic, social, environmental, technical and legal aspects, the alignment of this Policy with other laws and development strategies is paramount [17]. The following domestic and international laws and policies for managing waste provide a sound basis for formulating specific instruments for WEEE management [17].

7.1 National Legislation

The main pieces of legislation that currently govern waste in South Africa and thus also may impact the South African WEEE management industry are according to the DFFE and as listed on the SAWIC website[8] as follows: The South African Constitution (Act 108 of 1996), Hazardous Substances Act (Act 5 of 1973); Health Act (Act 63 of 1977); National Road Traffic Act (93 of 1996); Environment Conservation Act (Act 73 of 1989); Occupational Health and Safety Act (Act 85 of 1993); National Water Act (Act 36 of 1998), The National Environmental Management Act (Act 107 of 1998), Municipal Structures Act (Act 117 of 1998), Municipal Systems Act (Act 32 of 2000), Mineral and Petroleum Resources Development Act (Act 28 of 2002), and the Air Quality Act (Act 39 of 2004).

The section below further describes the most relevant national laws, guidelines and strategies concerning WEEE management in South Africa which includes some of the ones listed above and adds additional ones per perceived importance and relevance.

7.1.1 The Constitution of the Republic of South Africa (7 of 1996)

The Constitution of South Africa is the country's supreme law, and all legislation and policies are subject to it. Section 24 of the South African Constitution provides environmental rights. Other Constitutional rights, such as the right to just administrative action (section 33), the property right (section 25), and the constitutional division of public power according to national, provincial, and local competencies, also play an essential role. The Policy reinforces and supports the progressive realisation of the Bill of Rights and cooperative governance in pursuing WEEE product stewardship.

7.1.2 National Environmental Management Act (107 of 1998)

NEMA is the principal environmental protection act per Section 24 of the Constitution. The Act aims to provide for cooperative environmental governance by providing decision-making principles and establishing institutions coordinating environmental functions exercised by state organs. NEMA provides for certain aspects of the administration and enforcement of other environmental management laws and related matters.

NEMA provides key principles in section 2 that guide sound environmental management practices for all development activities. Key NEMA principles related to WEEE management and EEE product stewardship include, but are not limited to:

[8] http://sawic.environment.gov.za/?menu=13

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a) Environmental management must place people and their needs at the forefront of its concern and equitably serve their physical, psychological, developmental, cultural, and social interests. (s2(2))
b) Sustainable development requires the consideration of all relevant factors, including the following:
    - that pollution and degradation of the environment are avoided, or, where they cannot be altogether avoided, are minimised and remedied; (s2(4)(a)(ii))
    - that waste is avoided, or where it cannot be altogether avoided, minimised, and reused or recycled where possible and otherwise disposed of in a responsible manner; (s2(4)(a)(iv))
    - that a risk-averse and cautious approach is applied, which considers the limits of current knowledge about the consequences of decisions and actions; (s2(4)(a)(vii))
    - that negative impacts on the environment and people's environmental rights be anticipated and prevented, and where they cannot be altogether prevented, are minimised and remedied. (s2(4)(a)(viii))
c) Environmental justice must be pursued so that adverse environmental impacts shall not be distributed so as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons. (s2(4)(c))
d) Responsibility for the environmental health and safety consequences of a policy, programme, project, product, process, service, or activity exists throughout its life cycle. (s2(4)(e))
e) The costs of remedying pollution, environmental degradation, and consequent adverse health effects and of preventing, controlling, or minimising further pollution, environmental damage or adverse health effects must be paid for by those responsible for harming the environment. (s2(4)(p))

NEMA does not explicitly refer to WEEE or EEE but provides mandates to consider when managing waste. For example, in section 31, NEMA grants anyone access to publicly held environmental information, e.g., concerned with activities that pose an environmental threat related to pollution/hazardous waste management activities. Section 31 also grants protection to whistle-blowers reporting environmental crimes. The Policy aims to align with the Act's principles and related waste management sections.

7.1.3 National Environmental Management: Waste Act (59 of 2008)

The NEMWA regulates all waste management-related activities (i.e., collection, storage, treatment, and disposal) and includes the licensing requirements for waste management activities. All WEEE management activities are subject to this Act and related regulations.

Schedule 3 of the NEMWA defines hazardous waste and general waste. The Schedule states that the hazardous portion of wastes from EEE is categorised as hazardous and that wastes from EEE not otherwise specified as hazardous are classified as general waste. The National Waste Information Regulations [18], to report to SAWIS, defines WEEE as hazardous waste (HW18) unless decontaminated with all hazardous substances removed (GW18). This suggests that a GW18 classification also applies to any WEEE mix or fraction not containing any hazardous components/materials. With the above definition, the hazardous components of WEEE are required, from a precautionary principle perspective, to be handled, stored, transported, and disposed of per national legislation applicable to hazardous waste management.

The storage, reuse, recycling or recovery, treatment, and disposal of WEEE is conducted in terms of the List of Waste Management Activities that have, or are likely to have, a detrimental effect on the environment (List of Waste Management Activities) [19]. Where the waste management activity meets the specific

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technical qualifications provided in the List, such as the process, volume, area, and type of waste (general or hazardous), either a waste management license is required, or the person wishing to commence, undertake or conduct a waste management activity must comply with the following relevant norms or standards:

- Norms and Standards for Storage of Waste, 2013; or,
- National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017.

Parallel to the development of the WEEE policy, the DFFE is developing a dedicated set of N&S for the management of WEEE with specific reference to the hazardous portion found within WEEE. N&S intends to establish minimum technical and operational requirements for WEEE practitioners and their operations and provide specificity regarding management of hazardous portion. The DFFE-mandated requirements will ease the current operational waste license requirements and remove operational bottlenecks hindering the growth of SMME-type WEEE operators in South Africa, whilst strengthening environmental stewardship and BPEO.

7.1.4 Occupational Health and Safety Act (85 of 1993)

The Occupational Health and Safety Act 85 of 1993 (OHSA) [20] is designed to provide a broad framework for improving workplace health and safety standards by reducing work-related injury and illness. The Act extends its protections to persons other than the persons at work against health and safety hazards arising from the activities of the person at work. Therefore, OHSA applies to those exposed to thehazards during the processing of WEEE and people impacted indirectly by the processing of WEEE.

It endeavours to establish an Advisory Council for Occupational Health and Safety, a Health and Safety Policy, technical committees, health and safety representatives, and health and safety committees. The Act provides duties of chief executive officers, inspectorates, employers, and employees.

The overarching aim is to:

- secure employees' health, safety, and welfare;
  protect people from health and safety risks of business activities; and
- ensure the participation of employers, employees, and the organisations that represent them, in formulating and implementing health, safety, and welfare standards.

Hence, WEEE Policy seeks to instill the same aims. The OHSA is a guiding document to formulate any specific Health and Safety interventions dealing with WEEE management.

7.1.5 Hazardous Substances Act (15 of 1973)

The Hazardous Substances Act provides regulations to control the management of hazardous substances and disposal of hazardous waste, including the control of substances which may cause injury, ill health, or death to human beings because of their toxic, corrosive, irritant, or explosive nature.

The Act provides for the substances to be divided or classified concerning the degree of the danger they pose. In addition, the Act also provides for the prohibition and control of the importation, manufacture,

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sale, use, operation, application, modification, disposal and dumping of hazardous substances. The Act controls certain electronic products. Specifically, any manufactured products that:

- emit radiation, or
- because of a breakdown, may cause a hazard or excessive temperature, pressure, or ignition of flammable material, which may result in ill-health or death to human beings.

7.1.6 Second-Hand Goods Act (6 of 2009)

The Second-Hand Goods Act regulates the buying and selling of second-hand goods to reduce theft incidents and promote ethical practices within the sector. ID registration requirements of sellers help to ensure that criminal electronic sales can be identified and distinguished from regular WEEE trading activities. The Act impacts and plays a vital role in the reuse of EEE to avoid waste.

7.1.7 Precious Metals Act (37 of 2005)

The Precious Metals Act regulates the permitted conditions and requires licenses for extracting, refining and trading precious metals such as gold, platinum, and palladium. Based on this act, unless specifically authorised, no South African WEEE processor is allowed to conduct any end-processing activities in chemical leaching or hydro or pyro-metallurgical processing that would yield such metals without a permit and licence, depending on the activity.

7.1.8 The Consumer Protection Act (68 of 2008)

CPA of South Africa aims to protect consumers' rights and interests against unfair business practices. The Act aims to promote a fair, accessible and sustainable marketplace for consumer products and services. It applies to all goods and services offered in South Africa, including WEEE. Consumer rights are also crucial in the enforcement of EPR. The responsibility lies with producers, not consumers. It is essential to protect consumers from bearing the costs of EPR.

The CPA requires that suppliers of EEE take responsibility for the disposal of WEEE and ensure that it is disposed of in an environmentally friendly way. According to section 59 of the CPA, read in conjunction with the e-waste landfill ban, any person who, in the ordinary course of business, supplies goods of that kind to consumers must accept the return of any such goods, components, remnants, containers, or packaging from any consumer, without charge to the consumer, irrespective of whether that person supplied the object to that particular consumer. Suppliers must also inform consumers about the environmental impact of their products, including the potential WEEE generated.

The National Consumer Commission, the Consumer Goods Council, and the consumer ombudsman are key national role players. Within the provincial sphere of Government, the Provincial Consumer Protection Authority deals with consumer protection matters. First and foremost, the CPA empowers consumers to hold suppliers accountable for any harm caused by the products they sell, including the disposal of WEEE. Therefore, the CPA is crucial in promoting sustainable consumption and responsible WEEE management in South Africa.

7.1.9 The South African National Roads Agency Limited and National Roads Act (7 of 1998)

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The South African National Roads Agency Limited and National Roads Act of South Africa primarily focuses on establishing and regulating the country's national road network, and it does not have a direct relationship with WEEE. However, the proper transport of WEEE is crucial for the management of the national road system.

WEEE can contain hazardous materials that can harm the environment and public health if improperly handled and disposed of. Therefore, it is vital to regulate the transport and disposal of WEEE according to both the Act and local By-laws to minimise any negative impacts. The Act can indirectly support the proper management of WEEE by facilitating the development of infrastructure and regulations that ensure the safe and efficient transportation of WEEE to recycling or disposal facilities. Another consideration is the sustainability of the transportation system in South Africa, which relies heavily on electronic equipment and devices. WEEE management is regulated by the various laws that impact its movement in society, and law enforcement must be done in a manner consistent with the ESM of WEEE.

7.1.10 The Public Finance Management Act (1 of 1999)

The Public Finance Management Act is a legal framework that governs financial management and accountability in the national and provincial spheres of Government. While the act does not explicitly address WEEE management, it can indirectly impact the management of WEEE in government agencies and public institutions by ensuring that all revenue, expenditure, assets, and liabilities of those governments are managed efficiently and effectively.

The Act requires public institutions to responsibly and accountably manage their finances and assets, including correctly disposing of assets such as EEE. The requirements can ensure that WEEE is managed responsibly and does not pose a risk to human health or the environment. Additionally, the act strongly emphasises transparency and reporting, which can promote greater accountability in WEEE management practices.

Furthermore, the Act must be read with NEMA, NEMWA and the Prevention and Combating of Corrupt Activities Act (12 of 2004) to encourage public institutions to consider environmental and social sustainability in their decision-making processes. Certain restrictions on persons and enterprises convicted of corrupt activities relating to tenders and contracts are necessary. These restrictions help guide towards more sustainable procurement practices that prioritise the use of socially conscious and environmentally friendly products and services, including those that reduce EEE's environmental and social impacts.

As mentioned above, while the PFMA does not directly address WEEE management, read alongside pertinent acts, its requirements for responsible financial management and transparency, as well as its encouragement of sustainable decision-making, can indirectly support more responsible management of e-waste in government agencies and public institutions in South Africa and aid the development of targeted transparent and safe WEEE asset release programmes.

7.1.11 Local Government: Municipal Finance Management Act (53 of 2003)

The Municipal Finance Management Act of South Africa is an essential piece of legislation that provides the framework for the sound and sustainable financial management of municipalities and other institutions that function in the local sphere. The Act aims to promote sound financial management, accountability, and

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transparency in the local sphere of Government by establishing treasury norms and standards for financial management, budgeting, and reporting.

The proper management and disposal of WEEE can have an impact on the financial management of municipalities. The disposal of WEEE requires significant resources, including labour, equipment, and disposal fees. By implementing proper WEEE management practices, municipalities can reduce the financial burden associated with waste management and allocate resources to other essential services.

The Act's legal framework primarily impacts EEE as an asset, of which procurement and disposal should align with NEMA and NEMWA. The Act guides municipalities through asset and liability management, supply chain management, and the conditions and process for public-private partnerships. Complying with the prescribed framework would support the proper management of WEEE by ensuring that municipalities have the financial resources and management capacity to implement effective waste management practices and aid the development of targeted transparent and safe WEEE asset release programmes.

7.1.12 Protection of Personal Information Act (4 of 2013)

The Protection of Personal Information Act of South Africa is a comprehensive data protection law that regulates the processing of personal information by public and private bodies. The Act aims to protect the privacy rights of individuals by requiring organisations to obtain consent before collecting, processing, and sharing personal information.

The improper disposal of EEE can lead to the disclosure of personal information. The Act requires organisations to take reasonable steps to safeguard personal information. As a result, security safeguard includes the secure disposal of EEE by the responsible party. By implementing proper WEEE management practices, organisations can reduce the risk of access to personal information and comply with the Act's data protection requirements.

7.1.13 Cybercrimes Act (19 of 2020)

The Cybercrimes Act of South Africa criminalises various forms of cybercrime, including computer-related offences such as unlawful access, data interception, cyber fraud, and cyber extortion. The act aims to provide effective legal mechanisms to combat cybercrime, protect critical information infrastructures, and promote cybersecurity in the country. The Act seeks to impose obligations to report cybercrimes; to provide capacity building; to provide that the Executive may enter into agreements with foreign States to promote measures aimed at detecting, preventing, mitigating, and investigating cybercrimes.

Cybercriminals often target EEE, including any form of data storage medium, to gain access to information or install malware. The improper disposal of such EEE can pose a risk of data breaches or theft, as cybercriminals can retrieve sensitive information from disposed devices. By implementing proper WEEE management practices, individuals and organisations can reduce the risk of data breaches and prevent cybercriminals from accessing sensitive information. Hardware data security is globally significant, and the Cybercrimes Act supports the proper disposal of WEEE to combat cybercrime and promote cybersecurity in South Africa.

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7.2 Regulations, Guidelines and Strategies

7.2.1 EPR Regulations and Notices (Section 18 of NEMWA)

The DFFE established mandatory EPR in November 2020 with the EPR Regulations and accompanying product-specific notices for EEE, lighting and paper, packaging and some single-use products. [1] The mandatory EPR system established collection and recycling targets for WEEE and lighting waste.

EPR extends a producer's responsibility to the post-consumer stage of a product's life cycle. The fundamental purposes of the South African EPR Regulations are to:

1. provide the framework for the development, implementation, monitoring, and evaluation of EPR schemes by producers;
2. ensure the effective and efficient management of the identified product at the end of its life; and,
3. encourage and enable the implementation of the circular economy initiatives.

The responsibility to achieve the purpose of the EPR Regulations regarding EEE and the resultant waste lies with producers, not consumers. It is vital to ensure that the costs of production and managing the resultant waste are not externalised to the consumer. Enabling the implementation of the circular economy initiatives requires producers to innovate in design to encourage durability and repairability throughout the product life cycle. Consumer rights are also crucial in the enforcement of EPR.

The EPR Regulations make producers legally responsible for the take-back and safe disposal of EEE they manufacture or import. In cases of non-compliance, producers would face penalties. As part of the EPR Regulation, a broad-based economic empowerment transformation charter must be developed and implemented. Transformation must happen within all levels of the value chain, establishing secondary markets for recyclable materials and taking back all products at the end of life.
The minimum requirement for the EPR includes the following:

- List of products which will be regulated;
- Registration of producers;
- EPR measures to be implemented by producers or PRO;
- Financial arrangements for the EPR scheme (including the determination of a fair EPR fee)
- Promoting the empowerment of waste collectors, reclaimers, and pickers by integrating them where safe and feasible in the WEEE value chain
- Collaboration with municipalities;
- Monitoring, evaluation, and reporting; and
- Performance review.

7.2.2 National Waste Management Strategy (2020)

The National Waste Management Strategy [5] has the primary purpose of establishing aims, plans, guidelines, systems and procedures relating to the protection of the environment and the generation (including the avoidance and minimisation of such generation), reuse, recycling, recovery, treatment, disposal, use, control and management of waste to achieve the objects of NEMWA. The Strategy must also affect international agreements, such as the Basel Convention (see international alignments), and provide measures for cooperative governance, awareness raising, compliance enforcement and monitoring.

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In 2020, an updated version of the NWMS was published. While minimal mention is made regarding WEEE, the overall concept of the strategy is firmly hinged on a Circular Economy based strategy framework and is based on three pillars of focus.

Three overarching pillars of the 2020 NWMS are:

1. Waste Minimisation
   Prevent waste where possible. Where waste cannot be prevented, 40% should be diverted from landfill within five years through reuse, recycling, recovery, and alternative waste treatment: 25% of waste reduction in waste generation, and 20% waste reused in the economic value chain;
2. Effective and sustainable waste services
   Effective and sustainable waste services for all South Africans living in clean communities with waste services that are well-managed and financially sustainable. The strategy comes with an implementation plan which aims to create jobs in the waste sector and allow for waste picker integration which is a significant alignment area for the WEEE policy; and,
3. Compliance, Enforcement and Awareness
   Waste Awareness and Compliance aimed at creating a culture of compliance with zero tolerance of pollution, litter, and illegal dumping.

WEEE is recognised as a potential source of secondary resources around waste beneficiation as part of the circular economy. The tonnage of WEEE is relatively low in comparison to other hazardous wastes. However, the lack of effective management and the stream's fastest percentage growth in volume has been highlighted by the NWMS. The WEEE policy has the potential to further the NWMS's goals of reusing reusable components, reclaiming economically valuable materials, and managing environmentally harmful ones. NWMS also set the target of an EPR Scheme for WEEE that includes measures of cleaner production, industrial symbiosis and EPR. The WEEE Policy aims to support and align with the NWMS and the EPR Scheme.

7.2.3 Local Municipal Integrated Development Plans and Integrated Waste Management Plans

Local Municipal Integrated Development Plans (IDPs) and Integrated Waste Management Plans (IWMPs) are two central planning documents within the local sphere in South Africa. The IDPs and IWMPs need to align and relate to each other to impact WEEE management in the country significantly.

Municipalities establish IDPs according to the Local Government: Municipal Systems Act (32 of 2023) legal framework. The IDPs are comprehensive plans that provide a framework for development and service delivery at the municipal level. The Plans need to be developmentally orientated and contribute to the progressive realisation of the Bill of Rights, a fundamental right being the right to a safe environment. Similarly, orientated are the IWMPs established by municipalities according to NEMWA. However, the IWMPs are plans that focus specifically on waste management, including the reduction, reuse, recycling, and safe disposal of waste. Both plans are required by law to be written by every municipality and must be regularly updated and reviewed to ensure they remain relevant and practical.

Effective WEEE management requires a comprehensive approach that includes the development of infrastructure and regulations that ensure the safe and efficient transportation and disposal of WEEE. The IWMPs can include specific WEEE management provisions, such as establishing WEEE collection points or

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promoting WEEE recycling programs. These provisions can be aligned with the broader development goals outlined in the IDPs, which may include promoting sustainable development or reducing the carbon footprint of municipalities.

The IDPs and IWMPs are complementary planning documents that can be used to address the challenges of WEEE management in South Africa. By ensuring that WEEE management is integrated into broader development and waste management plans, municipalities can promote sustainable development and reduce the negative environmental and health impacts of WEEE.

7.2.4 National Waste Picker Integration Guidelines

Building on the requirements of creating inclusive waste management opportunities in the NWMS, a national Waste Picker Integration Guideline was published by the DFFE in 2019.

The Guideline defines integration as: “the creation of an official recycling system that values and improves the present role of waste pickers, builds on the strengths of their informal system to collect and revalue materials, and includes waste pickers as key partners in its design, implementation, evaluation and revision.”

7.2.5 South African Plastics Pact

The South African Plastics Pact is a voluntary agreement between various stakeholders to create a circular economy for plastics in South Africa. The pact sets targets for reducing plastic waste and increasing the amount of reused, recycled, or composted plastic. While the pact does not explicitly address e-waste, it can indirectly impact e-waste management in South Africa.

Many EEE contains plastic components that can contribute to plastic waste volumes. By promoting the reduction and recycling of plastics, the South African Plastics Pact can help reduce the overall environmental impact of EEE, especially considering the hazardous nature of some of the plastics used. Additionally, the pact's emphasis on circular economy principles, such as EPR and product design for recycling, align with the EPR Regulations and show a willingness from the industry to participate in effective WEEE management.

7.3 Key National Development and Economic Growth Strategies

The WEEE Policy must align with the critical national development and economic growth strategies. Alignment between the Policy and national strategies means the Policy and the strategies have common aims and aims for the development of South Africa. The Policy focuses on achieving more significant development and economic aims within WEEE management.

7.3.1 National Development Plan: Vision 2030

The NDP aims to eliminate poverty and reduce inequality by 2030. Chapter 3 begins by emphasizing that the New Growth Path represents the government’s critical programme to launch the economy onto a higher growth trajectory towards more employment opportunities through government investment, microeconomic reforms that lower the costs of business, competitive and equitable wage structures, and the unblocking of constraints to investment in these sectors. The need for economic growth, specifically in rural environments, is also taken up again in Chapter 6. Chapter 5 discusses elements that strengthen South

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Africa's environmental sustainability and resilience. One of the key aims to reach is the absolute reduction in the total volume of waste disposed to landfills each year while upscaling any recycling efforts.

The other key alignment area with the WEEE policy is the call for education, training and innovation improvement. This is a crucial element of policy aim four, where outcomes require the development of accredited entry-level and advanced WEEE operator training.

7.3.2 The Seven Priorities of Government

In 2019 as part of his annual "State of the Nation" address, the President noted that to ensure that Vision 2030 of the NDP is achieved, seven priority areas must be developed in close alignment with all national departments and other key stakeholders. These priority themes focus, therefore, on the following:

- Economic transformation and job creation;
- Education, skills, and health;
- Consolidating the social wage through reliable and quality basic services;
- Spatial integration, human settlements, and local government;
- Social cohesion and safe communities;
- A capable, ethical, and developmental state and
- A better Africa and World.

Looking at the aims and the envisaged outcomes under each of the aims, it becomes evident that the WEEE Policy is built on providing strong alignment on all aspects related to economic growth, job creation, and, in particular, aiding to build social cohesion, e.g., through pro-actively building key deliverables and reporting indicators on informal sector integration.

7.3.3 National Spatial Development Framework

The National Spatial Development Framework (NSDF) is a strategic long-term spatial plan towards 2050. The NSDF is legally mandated by the Spatial Planning and Land Use Management Act, 2013 and has to be aligned with the NDP.

7.4 International and Regional Alignments

7.4.1 Basel Convention on the Control of Transboundary Movements of hazardous wastes and their Disposal of 1989, 'The Basel Convention.'

The Basel Convention is an international treaty that intends to reduce and regulate the international shipment of hazardous waste. Its main aim is protecting human health and the environment from the potential impacts associated with the disposal and treatment of hazardous. In the South African waste classification system, any WEEE that is not depolluted or free of hazardous constituents is hazardous waste; thus, all treaty declarations apply to it. South Africa has ratified the Convention and should follow all its guidelines.

7.4.2 Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 'The Rotterdam Convention.'

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The Rotterdam Convention aims to promote shared responsibility and cooperative efforts among Parties in the international trade and use of such substances. South Africa became a signatory to the Rotterdam Convention in 2002. The Rotterdam Convention entered into force on 24 February 2004, becoming legally binding on all signatories.

In South Africa, the Rotterdam Convention is considered one of the multilateral environmental agreements dealing with ESM of certain hazardous chemicals and resulting wastes. National Regulations to domesticate the requirements of the Rotterdam Convention were published in 2021. The Regulations purposed to outline the prior informed consent procedure for obtaining and exchanging information on banned or restricted hazardous chemicals, pesticides and industrial chemicals. The Regulations promote cooperative efforts between states and seek to contribute to information exchange and national decision-making processes.

7.4.3 Stockholm Convention

The Stockholm Convention on Persistent Organic Pollutants is a global treaty to protect human health and the environment from chemicals that remain intact in the environment for long periods. South Africa signed the Stockholm Convention on 23 May 2001 and entered into force on 17 May 2004. According to the provisions of the Convention, each party must develop a plan to implement its obligations under the Stockholm Convention. Consequently, South Africa must put in place measures and report on its efforts via a National Implementation Plan to meet the aims of the Convention.

7.4.4 Montreal Protocol

South Africa is one of only 46 countries to have signed the Montreal Protocol since its enactment in 1989. Only a few have ratified the Kigali Amendment to the Montreal Protocol, which came into force on 1 January 2019. South Africa, as a party to the Vienna Convention for the protection of the Ozone Layer, is also committed to the Kigali amendment, which focuses on phasing down hydrofluorocarbons (HFCs), potent climate-warming gases.

7.4.5 ISO IWA 19: Guidance Principles for the Sustainable Management of Secondary Metals

IWA 19:2017 provides a global framework for the sustainable management of secondary metals derived from typical stocks[9] such as WEEE. The framework includes sustainability and traceability requirements for metals recovered and guides economic operators of secondary metals value chains, including those engaged in the informal sector, in the efficient and credible implementation of improved recycling practices, particularly in emerging and developing economies[10]. As such, the WEEE Policy aims speak powerfully to all aspects of the five sustainability principles that are further described below:

- enabling safe, healthy and equitable working conditions;
- building and strengthening local community relations and resilience;

[9] https://www.iso.org/standard/69354.html
[10] https://www.iso.org/standard/69354.html

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- conserving and protecting the environment and natural resources;
- improving the recovery of secondary metals; and,
- implementing a sustainable management approach (toward continuous improvement of the four principles previously listed.

7.4.6 UN Sustainable Development Goals

The SDGs of the United Nations 2030 Agenda provide much inspiration for formulating and aligning the "goal" statement expressed in the South African WEEE policy with a range of SDG-described targets. As such, the South African WEEE Policy Goal speaks directly to these SDG targets as those relate directly to the issues associated with WEEE:

- 3.9: substantially reduce the number of deaths and illnesses from hazardous chemicals and air, water, and soil pollution and contamination,
- 8.3: promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services,
- 8.8: protect labour rights and promote safe and secure working environments for all workers, including migrant workers, particularly women migrants, and those in precarious employment,
- 11.6 reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality, municipal and other waste management,
- 12.4 achieve the ESM of chemicals and all wastes throughout their life cycle, following agreed international frameworks, and significantly reduce their release to air, water and soil to minimize their adverse impacts on human health and the environment and
- 12.5 substantially reduce waste generation through prevention, reduction, recycling, and reuse.

7.4.7 Bamako Convention

The Bamako Convention is an international treaty that aims to prevent the dumping of hazardous waste, including e-waste, in Africa. It was created in response to concerns about the negative environmental and health impacts of hazardous waste dumping in Africa, and it prohibits the import of hazardous waste into African countries for any reason, including recycling.

The convention places a special emphasis on WEEE, recognizing that EEE contain hazardous substances that can pose a significant risk to human health and the environment. Although South Africa has not ratified the convention, most African states have. Therefore, the Bamako Convention is a notable treaty when considering regional integration and management of EEE and WEEE flows in Southern Africa.

The Bamako Convention provides exemptions for importing used EEE that is functional and not considered hazardous waste. These exemptions can help support the repair and refurbishment of EEE in South Africa

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and other African countries. It is crucial to consider the convention when developing more regional initiatives.

7.4.8 Global Treaty on Plastics

The Global Treaty on Plastics is a proposed international treaty addressing the global plastic pollution crisis. While the treaty does not explicitly address e-waste, it can impact e-waste management in South Africa and other countries by promoting more sustainable consumption and production patterns. Like the South African Plastics Pact, there is an emphasis on EPR and product stewardship. Consequently, the Treaty can help address the challenge of managing e-waste, which requires specialized knowledge and equipment.

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8 Environmentally Sound Management of WEEE

The ESM of WEEE is a cornerstone of the WEEE Policy. Supporting the cornerstone would be the international guiding principles, international trading principles, and cooperative environmental governance. The international guiding principles are sourced from international environmental law and prominent waste-management scholarship moving towards 'waste as a resource' and circular economy ideals. The international trading principles highlight the international flows of EEE and WEEE and the potential SADC regional collaboration. Integrated environmental management relies on intergovernmental cooperation stipulated in integrated environmental management plans.

8.1 International Guiding Principles

The following internationally acknowledged guiding principles to protect the environment and human health are also informing the South African WEEE Policy, and they are listed further below:

Precautionary principle: requires decision-makers to adopt preventive measures when scientific evidence about an environmental or human health hazard is uncertain. A point in case is the DFFE's classification system [14] for waste, where all WEEE is defined as hazardous waste (HW18) unless depolluted.

Waste Hierarchy: South Africa's National Waste Management Strategy [5] places waste prevention over waste minimisation, and only if any of those options are not available is waste explored according to its recoverable resource potential. Green procurement, good maintenance of EEE as well as the reuse, refurbishment and repair of any WEEE are favoured. WEEE processing for the recovery of secondary materials occurs after all reasonable measures of repair and reuse have been exhausted. The least preferred method of waste management is disposal to landfill. However, the DFFE has banned WEEE from landfill; therefore, in the context of WEEE, the least preferred method is 'waste-to-energy' as the landfill is prohibited. 'Waste-to-energy' refers to a process by providers to generate energy from non-recoverable WEEE residuals.

Polluter pays principle: The polluter pays principle is an environmental principle which requires that the costs of pollution and any measures to reduce the latter causing damage to the society or the environment must be borne by those who cause it. The polluter pays principle has received support from most of the Organisation for Economic Co-operation and Development countries and the European Community. International environmental law mentions it in Principle 16 of the 1992 Rio Declaration on Environment and Development [23]. Upholding the polluter pays principle is crucial for EPR and enforcing the EPR Regulations.

EPR principle: EPR means that a producer's responsibility for an identified product is extended to the post-consumer stage of an identified product's lifecycle [21]. Producers of EPR-obligated waste streams are assigned responsibilities (either of financial or operational nature) to ensure the safe take-back and treatment of their post-consumer stage products. In South Africa, the EPR regulations make these assigned responsibilities mandatory. EPR policy elements in South Africa include the product's sustainable (lifecycle-based) design and circular economy-based "cradle to cradle" producer liability for the product. Producers can organize themselves into individual or collective systems, also known as producer responsibility organizations (PROs).

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Circular Economy principles: According to the Ellen MacArthur Foundation, the circular economy has three principles driven by design:

- Design the system so that waste is no longer present
- Circulate (intensify and prolong the use of) products and materials (at their highest value)
- Regenerate natural systems

A transition to renewable energy and materials underpins it. A circular economy decouples economic activity from the consumption of finite resources. It is a resilient system that benefits businesses, people and the environment.

Resource conservation principle: Producers aim to conserve resources by extending the product, component, and material use, where possible, by upgrading or maintaining the function and integrity based on the best environmental outcome from a life cycle perspective. They are committed to the sustainable production of their goods and services through non-polluting systems, conserving energy and natural resources.

Sustainable consumption and production principle: Any EEE must be produced and consumed in a manner that has a minimal impact on the environment and provides socially equitable and safe access to products and services for consumers.

8.2 International Trading Principles

Fundamental international trading principles highlight the governance of the transboundary movement of WEEE and the potential for regional SADC collaboration to establish economies of scale for WEEE valorisation. The Basel Convention governs the transboundary movement of WEEE. SADC-wide collaboration would require WEEE trade agreements that follow Basel Convention protocols and consider the objects of the Bamako Convention. Although South Africa is not a signatory to the Bamako Convention, regional collaboration would require the consideration of the Convention if trading states were party to the Convention.

8.2.1 Transboundary Movement of WEEE

The Basel Convention has tightened controls on global hazardous waste trade. [24] The Basel Convention defines WEEE as any waste electrical or electronic equipment, including all components, sub-assemblies and consumables that are part of the equipment when the equipment becomes waste. The Basel Convention governs all transboundary movement of WEEE.

At COP15, in June 2022, the Parties adopted amendments to Annexes II, VIII and IX to the Basel Convention to list both hazardous and non-hazardous types of WEEE in the Annexes of the Convention. Non-hazardous e-wastes are listed in Annex II with the code Y49, and hazardous e-wastes are listed under a new code in Annex VIII. The amendments will become effective on 1 January 2025. After this date, both hazardous and non-hazardous e-waste transboundary movements will be subject to the Prior Informed Consent Procedure according to the Basel Convention.

Any WEEE pre-processed in the exporting country to a “safe, non-hazardous” concentration of metals or plastics is exempted from the Basel Convention to protect legitimate recycling” and “enable more

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electronics to be recycled into commodity-grade secondary resources rather than getting incinerated or landfilled.

However, exporters of WEEE who claim that their exports are to be repaired can also avoid the Convention's rules on the transboundary movement of waste, which is considered a major remaining loophole in the Convention that needs urgent addressing.

8.2.2 SADC Wide Collaboration

The DFFE is committed to strengthening the establishment of Southern African WEEE trade agreements strictly governed by the Basel application process through establishing a focused and transparent "green channel" import of WEEE to South Africa to legally compliant recyclers through a centralised office for the application for transfer of WEEE within SADC.

The objective is the creation of economies of scale and financial incentives (or, where required, funds e.g., through EPR obligations) that promote private sector investment in technologies and infrastructure needed for safe and financially viable end-processing opportunities (both on positive and hazardous/negative WEEE value fractions) in South Africa. Such collaboration will ensure value retention from secondary resources of WEEE in Africa for the benefit of Africans.

8.3 Integrated Environmental Management

In implementing this policy, the DFFE will consult other ministries and stakeholders to establish an appropriate regulatory framework governing WEEE's complete life cycle management. Integrated waste management plans can support and align with the WEEE Policy and its various aims. The aims include supporting any potential economic opportunities that WEEE management and related secondary resource recovery could yield.

The Policy Aims include promoting jobs and entrepreneurship opportunities from WEEE and setting South Africa as a regional centre of expertise and excellence for responsible and state-of-the-art WEEE treatment. As such, the DFFE is committed to remaining closely involved with the Department of Trade, Industry and Competition (dtic), the Department of Science, Technology and Innovation (DSTI) and the Department of Communications and Digital Technologies (DCDT) as identified key departmental stakeholders to consult and plan going forward. Research partners such as the Council for Scientific and Industrial Research (CSIR), Mintek, and the NCPC are vital contributors to future intergovernmental collaboration initiatives. All stakeholders will ensure adequate public awareness about the policy, promoting awareness of safely handling and disposing of WEEE.

9 Implementation Framework and Institutional Arrangement: WEEE Policy Steering Committee

The policy implementation is mandated and delivered under the leadership of the DFFE with solid support from other governmental and civil society and private sector key stakeholders. There is a need for a dedicated, influential and inclusive WEEE Policy Stakeholder Committee (WEEEPSC) representing diverse

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interests and stakeholders. The DFFE will promptly establish a WEEEPSC to oversee, coordinate and provide technical direction and monitoring of the progress of the policy implementation phase.

The purpose of the WEEEPSC is to serve as a platform for negotiation, debate, problem-solving, and information dissemination. The WEEEPSC may also provide information about the regulatory changes and expectations. Focus areas for the WEEEPSC task teams should include identifying research aims focused on finding feasible solutions for the value chain management and treatment of WEEE and filling in the data gaps within the EEE value chain. Another focus area would be on good governance processes between all the parties and how to ensure transparency and accountability throughout the EPR implementation process.

9.1 Establishing the WEEE Policy Steering Committee

The WEEEPSC will be set up after the approval of this policy, and the Minister of Environment will appoint the relevant parties. DFFE, in collaboration with the dtic, DCDT and the DSTI, will establish the WEEEPSC. The DFFE will chair will the WEEEPSC.

In its first meeting, the WEEEPSC shall determine the mode of operation consistent with the aimaims of the Policy, and it is equally finalised and approved I&A Plan and assign to the various task team members any related development and monitoring activities to be able to report back along the set KPIs assigned to each aim based outcome. The DFFE will establish these modalities.

In particular, the WEEEPSC shall ensure the effective implementation and sustainable funding of South Africa's EPR Regulations since most of the WEEE policy aims (such as informal sector integration, public WEEE education, strengthening of WEEE-related research as well as the development and support of the WEEE industry sector as a whole) are strongly aligned with the EPR Regulations.

An example of industry governance is existing and future WEEE-related[11] PROs can ally to represent industry interests in the WEEPSC. A cooperative relationship between the PROs will build long-term leadership and drive systemic changes to ensure the ESM of WEEE in South Africa. Such a relationship should fully consider the South African waste hierarchy and favour any recovery of WEEE products or their components for reuse, repair, refurbishment or remanufacturing over recycling of the materials.

A cooperative PRO structure will have ownership of coordinating the operational aspects as contained within the I&A Plan. This structure will include coordinating activities and monitoring the efficiency of the WEEE management system in alignment with the Government and as part of their standard EPR target reporting duties to the DFFE.

Quarterly, a task team will report on progress towards each policy aim to the WEEEPSC. There will be task team-based stakeholder representation from all relevant parties along South Africa's WEEE value chain governed through this WEEE Policy.

9.2 Representation in the WEEE Policy Steering Committee

[11] This includes all types of WEEE including lighting waste, batteries, and renewables

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Adequate representation on the WEEEPSC of pertinent stakeholders is necessary to inform and legitimise the decisions made. However, the WEEEPSC must remain effective and not result in frequent gridlocks. The WEEEPSC must further the purpose of the Policy in all decisions. A balance is necessary between consideration of individual stakeholder interests, active stakeholder involvement and effective policy implementation. There must be a balance between private and public sector-based stakeholders. All WEEPSC members must have the relevant expert knowledge of the EEE value chain; such as expertise in EEE production, consumption and waste management, education and training. It is vital that, where possible, representatives remain consistent and abreast of new policy developments. Frequent turnaround of participants within the WEEEPSC should be avoided will hamper the committee's effectiveness.

Regarding the national government-based representation, there should be at least one individual each from the DFFE, DTIC, DSTI and DCDT. Further representation can be considered from other departments such as the Treasury, the Ministry of Health, and the Department of Higher Education and Training. Provincial representation should be secured. In addition, municipal support would be crucial. All spheres of government need to be represented to promote cooperative government relations regarding the WEEE Policy implementation and the larger EPR Project. The private sector and civil society must also ensure this policy's effective and sustainable implementation. Hence stakeholders are foreseen to include EPR responsible parties such as producers (including retailers), PROs, recyclers, informal waste collectors (both from the South African Waste Pickers Association or 'SAWPA' and the African Reclaimers Organisation or 'ARO'), WEEE research institutes, the National Consumer Commission and civil/environmental protection agencies.

Different types of producer representation, such as brand owners, retailers, importers, distributors, and OEMs (represented by PROs and National Consumer Commission), are required within the WEEEPSC as they all have different processes, challenges and interests in the implementation process. Entire supply chain representation is required – or at least people qualified to understand and represent various interests. Regarding PRO representation, individual PROs may not have representation but instead have a collective representative to further the purpose of PROs in the context of the Policy. However, each might have their interest. It is preferable to have an organisation jointly represent PRO stakeholder interests.

Those that are the most impacted by the Policy should be represented. This would include the most significant contributors to WEEE generation, which are those that need to pay per the Polluter Pays Principle, and thus need to be included in the proceedings. Top EEE producers are the most likely to cause the most waste if not abated.

9.3 Funding the WEEE Policy Steering Committee

A comprehensive funding strategy for the WEEEPSC is required. Various potential funding sources are available. Other methods of securing funding include voluntary contributions from PROs and funds from industry, private sector, non-governmental organisations and other government l initiatives.

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10 Roles of Key Stakeholders

Table 2 below provides a high-level overview of identified key stakeholders. However, additional stakeholders will likely be required when implementing the policy. This section provides more detailed roles and responsibilities that key stakeholders will assume regarding adopting and implementing the Policy in all aspects.

CATEGORY	STAKEHOLDER	INTEREST
International Development Partners	International Telecommunication Union, Solving the e-Waste Problem, Deutsche Gesellschaft für Internationale Zusammenarbeit, SRI, UNEP, and other international organisations	Support the establishment of WEEE policy, WEEE normative requirements and WEEE curriculum development and training in South Africa
South African Government (National)	DFFE, dtic, DSTI, DCDT, Stats SA.	Jointly develop a legal framework that protects people and creates research, employment, and investment opportunities. Stats SA can focus on finding an evidentiary base for initiatives by collecting WEEE related data.
Government (Provincial and Local)	All provinces and municipalities, including the South African Local Government Association (SALGA), are required.	Their interest regarding WEEE is a national legal framework implemented via harmonised WEEE provincial strategies and by-laws to protect human health and the environment.
Formal WEEE Waste Value Chain Partners: Producers, PROs, Recyclers, Transporters, Collectors	WEEE PROs affiliated EEE Producers, and affiliated recyclers, transporters, or collectors	A clear roadmap will standardize the framework of WEEE management in South Africa on national, provincial, and local levels, thus creating consistency while introducing mandatory minimum technical and operational requirements for each type of value chain operator.

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Informal WEEE Practitioner Interest Groups	SALGA, SAWPA, ARO	Opportunities for safe, fair, and feasible integration into the WEEE Value Chain based on fulfilling minimum requirements
Academia	UJ Peets, UWC, UCT, UKZN and any other interested institution of higher learning.	They provide policy research, analysis, and development expertise. Assist in collecting and analysing data as well as facilitating stakeholder engagement.
Consumer Protection	National Consumer Commission, Environmental Protection Groups	Consumer rights include the right to return and repair, product quality and safety etc.
Higher Education and WEEE Training on the Job	MICTSETA, EWSETA, UJ Peets, TUT, Appliance Bank	Development of Sector Education and Training Authority (SETA)-based accredited WEEE training curriculum to be taught at the TVET level Demand, need, and opportunity-driven unaccredited training material development linked to skills development programmes
Public Protection	NPOs: Groundwork, Greenpeace, recyclers.	A clean and healthy environment free from any WEEE management-related pollution

Table 2: Categories and Interest Angle of Key Policy Stakeholders

10.1 Department of Forestry, Fisheries and the Environment

The DFFE is the custodian of the National WEEE Policy. DFFE's responsibilities include the official approval of the WEEE Policy I&A Plan and the costing thereof (including expenses for the plan into the annual budget). DFFE's responsibilities also include agreement on the timelines attached to the plan. As such, the DFFE will also assign any required responsibilities to other government entities and actively identify any additional stakeholders required to put the WEEE Policy in motion. The DFFE will create and oversee the proposed establishment of the WEEEPSC, including the successful formation of any technical workgroups required to reach the aims of the I&A Plan. The DFFE will also have the vital role of reviewing the WEEE Policy to ensure

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the Policy responds to the rapidly changing dynamics in the WEEE value chain, for example the introduction of new EEE, such as renewable energy equipment, to the South African market.

The WEEE Policy will provide the more significant legal framework under which WEEE-related regulations, such as NEMWA Section 18-based EPR regulations and notices for all WEEE types, fall. The DFFE must create an enabling environment for producers and PROs to fulfil their EPR obligations. An enabling environment includes enforcing the law, prosecuting and fining individuals, and sentencing free-riders. DFFE is committed to specific communication strategies discussed to address free-riders, including reporting mechanisms and warnings. Enforcement will require close collaboration with all customs regulation-affiliated parties (South African Revenue Services or 'SARS', International Trade Admission Commission or 'ITAC', and Treasury) as this will be the first control point for identifying free-riders.

The DFFE is committed to aiding the development of future mandatory WEEE N&S and the subsequent establishment of a Conformity Assessment and Verification Protocol. The N&S and Protocol will provide a benchmark against which independent third parties can audit various WEEE operators and their facilities. The development of the N&S and Protocol includes a commitment to integrate or replace the current WEEE management relevant legal requirements if needed. The aim is to harmonise and unblock bottlenecks and actively facilitate government-based WEEE asset release, thus allowing for and supporting the safe growth of the entire WEEE service sector.

The DFFE is further required to enforce informal sector integration EPR regulation-based requirements while also assisting the existing formal recycling industry is thriving. Consequently, the national processing capacities could expand significantly, increasing employment levels. The regulations also ensure that the DFFE establishes, monitors and gradually adjusts realistic targets for the collection and recovery for both reusing and recycling purposes of all WEEE in alignment with the national waste management hierarchy.

The DFFE has established EPR Fee Determination Guidelines to provide clarity and consistency for different product categories. PROs need from DFFE a uniform pricing model that applies to all PROs, and then PROs can consider what fees they charge based on their internal costing models. Therefore, the DFFE and all PROs must communicate openly on establishing effective EPR fees and also clarify the price setting rationale to producers.

10.2 Department of Trade, Industry and Competition

The DTIC must collaborate closely with the DFFE and strongly support enforcing the EPR regulation. The DTIC is also pivotal in reporting on the number of registered WEEE management-related small businesses and entrepreneurs as part of the DTIC SMME development initiative. Reporting includes the number of WEEE management-related sustainable income opportunities created. Development must focus on women, youth and persons with disabilities from DTIC records. The DTIC must assist in identifying free-riders.

Through its current solid focus on the United Nations Industrial Development Organisation-funded Eco-Industrial Parks programme, the DTIC must actively support the development of local WEEE collaboration and co-working facilities in such areas, supporting the expansion of existing recycling facilities.

The Eco-Industrial Parks programme can include investment towards WEEE enterprises focusing on recycling and the reuse of EEE, thus promoting the economic utilization of WEEE and bridging the digital

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divide. It also includes the design of subsidies and other incentive-based mechanisms to support entrepreneurs in the WEEE sector.

10.3 Department of Science, Technology and Innovation

In collaboration with the CSIR and any relevant academic research institute, the DSTI can create and support any programmes that focus on the development of research within South Africa, specifically in the areas of developing local end-processing technology solutions to retain the wealth in WEEE in South Africa and treatment solutions for hazardous WEEE residuals. The DSTI can also support by collecting, analysing and providing data regarding the WEEE sector in South Africa and regionally. Support is not limited to finances but includes collaborations, knowledge sharing and business development.

10.4 Council of Scientific and Industrial Research

In collaboration with the DSTI, the CSIR will define required WEEE research areas and provide grant funding for academic institutions accordingly. The CSIR is also responsible for establishing and further developing the National Registration Database for Informal Waste Pickers. The DSTI and the CSIR are crucial stakeholders in establishing evidence-based interventions in the WEEE sector. Research is specifically required to understand the impacts and target EPR measures. Primary data is required.

10.5 Department of Statistics: Stats SA

Stats SA plays a crucial role by providing data collection, analysis, and reporting expertise. Working collaboratively with the CSIR and the DSTI, dtic, Stats SA can provide invaluable insights and evidence-based information to drive effective decision-making processes. Firstly, Stats SA can conduct comprehensive surveys and studies to assess the current state of EEE consumption and production practices, WEEE generation, disposal practices, and associated environmental impacts in South Africa. This data will serve as a foundation for policy formulation and target setting.

Stats SA can assist in designing monitoring and evaluation frameworks to track the progress and effectiveness of the Policy over time. By regularly collecting and analysing relevant data, they can identify trends, gaps, and areas that require further attention, enabling policymakers to make informed adjustments and improvements.

Stats SA can collaborate with other stakeholders, such as environmental agencies and industry experts, to gather data on recycling rates, economic implications, and potential job creation opportunities. By providing accurate statistical information, Stats SA can empower policymakers, advocacy groups, and industry stakeholders to make evidence-based decisions and prioritize resources effectively guided by circular economy principles.

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10.6 Department of Communications and Digital Technologies

On its website,[12] the DCDT points out that "*the National Development Plan indicates that by 2030, ICTs will underpin the development of a dynamic information society and knowledge economy that is more inclusive and prosperous*" and that the *"DCDT will therefore play a specific role in fostering broader economic and social participation by all citizens through digital transformation underpinned by the Fourth Industrial Revolution (4IR)."*

Therefore, the DCDT must play a crucial role in strengthening the development of a sharing (circular) economic model where South Africans are encouraged to have widespread access to ICT equipment over individual ownership.

DCDT should actively drive the early release of end-of-life equipment from the South African private and public telecommunication sector that still has the option of functionality recovery either by direct reuse, repair, refurbishment or remanufacturing.

10.7 Treasury

Treasury is crucial to securing the financial sustainability of the policy I&A Plan by establishing funding mechanisms for policy outcomes not covered via producer-based EPR obligations. Treasury is also an essential stakeholder in communicating to PROs and the DFFE essential data including product placed on the market and collaborating towards the consistency of HS-based import codes.

Regarding improved asset disposal measures in the future, Treasury also plays a crucial leading role. Section 16A.7 of the treasury regulations provide the framework that all government supply chain asset managers must follow regarding the disposal of all assets from the asset register. The section states that the Department of Education is the first entity contacted for the potential re-use of assets. If the Department of Education indicates that the said assets are unnecessary, then that department may sell, auction, or donate the assets. The fate of the assets after the donation or auctions when the assets become waste is, however, unmanaged and unknown, and the DFFE strives to change this by ensuring a sustainable management approach for each disposed asset.

Treasury considers disposal as removing all assets from the asset registers by the asset committee. It does not consider what happens after donation/selling, or auction. Treasury plays a crucial role in enabling the release of assets to ensure ESM of WEEE. Assets auctioned or donated must follow specific processes such as fate determination and disposal certification. The waste management hierarchy needs to guide these processes, prioritising reduction, reuse, and repair practices.

10.8 Department of Health

This department is a vital collaboration partner for the scientific evidence-based development of any WEEE education and awareness materials or training curriculum that outlines the human health and safety impact primarily related to the mismanagement of WEEE.

[12] https://www.dcdt.gov.za/about-us/mandates.html

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10.9 Department of Employment and Labour

This department must advise DFFE on any aspects of the OHSA that must be integrated into the WEEE policy and its I&A Plan. The OHSA prescribes the conditions that all employers and managing staff must enforce to protect the well-being of workers and employees.

10.10 South African Revenue Services, Customs and the International Trade Admission Commission

SARS's Customs division plays an integral role in facilitating the movement of goods, including all new and used EEE entering or exiting the borders of the Republic. ITAC is responsible for trade remedies in South Africa, including investigation of alleged dumping, subsidised imports and other incidences and irregularities following domestic legislation and consistent with World Trade Organisation Rules. Together these organisations monitor and regulate all imports and are, therefore, the parties that obtain the relevant primary data in import codes placed on the South African markets.

Customs and ITAC are in the ideal position to contribute to the identification of free-riders. They have the responsibility to report them to the DFFE and could assist the protection of the state by withdrawing any import permits to South Africa until importers provide proof that they have registered with a PRO and are contributing to the EPR fund. Customs and ITAC should identify free-riders at the point of import. Customs and ITAC shall remain open and transparent about their role and current procedures regarding EEE importers and their responsibilities towards PROs.

10.11 Department of Higher Education and Training

The department is a crucial collaboration partner in the WEEEPSC-based required task team, which is responsible for driving the agenda to further knowledge, foster awareness, grow skills, and build human capacity to provide the public education and professional expertise required to ensure responsible management of all WEEE in South Africa.

10.12 Department of Small Business Development

MSME’s are a crucial component of the WEEE Management value chain in South Africa, with the bulk of the management occurring in small operations. The Department of Small Business Development would be key in the development of programmes for the growth of MSMEs in the WEEE management sector. WEEE MSMEs would promote entrepreneurship, growth and support in line with the NDP targets to assist small business and the green economy.

10.13 Municipalities

Municipalities will be responsible for identifying where gaps are present and where challenges and opportunities exist. Municipalities will also support implementing an appropriate WEEE consolidation system on the local government level. The role of municipalities is to ensure that WEEE does not end up in the domestic, municipal solid waste stream. Diverting WEEE can be facilitated by the provision of drop-off sites accepting WEEE. Municipal interest must be represented by an elected municipal stakeholder,

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specifically SALGA, on the relevant WEEEPSC work group(s).

Municipalities are encouraged to reach out to EPR-obligated producers via all PROs to explore opportunities for public-private partnerships that aid more collection schemes for all EPR-obligated waste streams (including next to WEEE also Lighting Waste and Batteries) create economies of scale and one-stop solution set-ups for citizens. Municipalities should also actively seek collaboration with producers, PROs and the DFFE when developing public education materials or hosting collection events.

Municipalities are needed to support the mobilisation of communities and to raise awareness about the WEEE regulatory development and the required societal changes to manage WEEE responsibly. Awareness and education start by approaching schools and supporting households through separation at source initiatives in the various municipalities to be able to manage their WEEE responsibly.

Any WEEE recovered by municipalities must be adequately recorded (to inform PROs/DFFE and avoid double-counting) and then handed over to the relevant EPR system-compliant service provider. Municipalities shall not get involved with preparing for recycling, recycling, or further processing WEEE.

10.14 South African Local Government Association

The South African Local Government Association (SALGA) plays a vital role in implementing the WEEE National Policy by articulating common policy positions and representing local government interests while delivering solutions to broader municipal challenges. Through its established position in local governance, SALGA is uniquely equipped to facilitate capacity building programmes focused on WEEE management at the municipal level, addressing both institutional waste management and household WEEE collection within municipal jurisdictions.

Furthermore, SALGA serves as a crucial intermediary between various stakeholders, particularly PROs, and local municipalities. This intermediary role enables the development of coordinated logistics strategies for effective WEEE management across multiple municipal boundaries. As a central knowledge hub, SALGA is also well-positioned to maintain and disseminate essential information regarding WEEE management practices to municipalities, ensuring consistent and efficient implementation of waste management protocols.

10.15 Provinces

Under Section 24 of the Constitution, provinces have the responsibility and authority to ensure a healthy environment through effective waste management, including WEEE. The provinces' mandate includes licensing of waste management activities, monitoring compliance with national norms and standards, and coordinating the implementation of EPR schemes within their jurisdictions.

Provincial authorities are specifically empowered by NEM:WA to develop and implement Provincial Integrated Waste Management Plans that must include provisions for WEEE management. These plans must align with the National Waste Management Strategy while addressing province-specific challenges and opportunities in WEEE management. The provinces serve as regulatory intermediaries, ensuring that municipality-level collection and management of WEEE meets national standards, while also maintaining provincial records of WEEE volumes and flows. Additionally, under the Industry Waste Management Plans framework, provinces have oversight responsibilities for the

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implementation of industry-led WEEE management initiatives, including the authorisation of collection points, recycling facilities, and monitoring the achievement of prescribed targets for WEEE recovery and recycling within their boundaries.

10.16 Producers

Producers must join any PRO authorised to fulfil EPR obligations or set up their own (IPR) scheme. The EPR Regulations establish the scope of a producer.[13] Producers need to comply with the Regulations. Mandates include updating the information system of both the PRO and the DFFE (SAWIC) databases, financing the EPR system, including any collection infrastructure required, establishing and meeting targets, reporting results, working on eco-design improvement, and conducting LCA research related to their products.

In collaboration with DFFE and the PROs, producers need to assist with identifying and reporting free-riders. They must be truthful about their products placed on the South African market and not underpay the EPR fees due. Producers must also provide information relevant to optimal product recovery to both WEEE recyclers and consumers. Producers also have an essential role to inform consumers that they abide by their EPR obligations.

Producers must agree on and appoint a representative for their stakeholder group reflecting their interests whilst participating and contributing to the relevant WEEEPSC-defined workgroups.

10.17 Producer Responsibility Organisations

PROs must use their current members as system advocates and encourage reporting of noncompliance and whistleblowing of identified free-riders. PROs need to ensure that the licensed recyclers appointed by them meet stringent quality procedures and any regulatory requirements (e.g., the future mandatory WEEE-specific N&S). This is usually ensured through technical controls on recyclers by external auditors. Legislation must ensure that the collection and associated actors are obligated to ensure proper take-back, treatment, and lawful export for disposal.

All PROs fulfilling EPR obligations on behalf of their producer members must adhere to the EPR regulation-based informal sector integration targets, e.g., through encouraging collaborative agreements of PRO WEEE management partners, including co-working spaces for informal sector representatives in supervised environments. They also must fulfil the annual and biannual reporting requirements to the DFFE.

All PROs should assist the DFFE in developing public education materials and Sector Education and Training Authorities (SETAs) with the development of accredited training curricula. PRO producer members and critical service providers (e.g. recyclers) must be involved in curricula development. PROs should be the

[13] "producer" means any person or category of persons, including a brand owner, who is engaged in the commercial manufacture, conversion, refurbishment (where applicable) or import of new or used identified products.

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primary report-back structures, this can happen in a form of monthly newsletter, websites (or any other means of communication).

Regarding the EPR fee allocation, PROs must be transparent and have a sufficient flow of capital to remain operationally compliant. PROs should make reports available to producers to understand the impact of their contributions. EPR fees should reflect specific costs associated with processing different product types. When determining the EPR fees, PROs should factor in the complexity and required technical processes needed for waste management and how often the item can be recovered for reuse.

Finally, PROs must earmark a certain percentage of the EPR budget to affect action items in the WEEE policy I&A plan that are aiding to meet Section 18-based PRO or Individual producer obligations.

10.18 WEEE Processors

WEEE Processors must remain compliant with all relevant legal requirements. Should a WEEE recycler be found to engage in non-ESM recycling or is otherwise non-compliant they will have to be given a grace period by PROs to rectify matters. If no required changes are made, their contracts with PROs must be cancelled, and material supplies cut off.

10.19 Informal WEEE Collectors

All informal WEEE collectors shall register on the National Database as a non-negotiable requirement to become eligible for EPR-driven informal sector integration activities and resulting financial benefits (such as getting paid for collection services). WEEE collectors shall not use any treatment or processing to aid selective recovery of value fractions. All WEEE collected must be handed over to a duly authorised processor. Supervised dismantling at a safe location (e.g., in the form of a co-working facility or on the premises of a recycler) might be an option but is strictly subject to special arrangement and approval via the DFFE.

10.20 EEE Retailers

According to SRI experience [25], retail outlets should insist that their upstream wholesale vendors and suppliers who generate the first point of sale by importing EEE to South Africa are registered in the EPR system before carrying their products. That will pressure producers to register with a PRO for a collective take-back system or introduce an individual Take-Back system to secure their market access. EEE Retailers are also mandated to take back any EEE unwanted by consumers as part of the CPA.

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10.21 EEE Consumer

All consumers, private sector (households or businesses) or public sector-based (institutions or government departments), must reduce WEEE through responsible consumption. Sustainable consumption means businesses and the public sector must actively develop and adopt sustainable procurement strategies.

All consumers should be aware of their rights (e.g., as enshrined in the Consumer Protection Act [26]) as well as their responsibilities to return WEEE or end-of-life EEE to operators and their collection infrastructure that are part of the EPR system and can therefore guarantee proper handling along the entire value chain. Consumers should choose producers that abide by their EPR obligations.

10.22 Auditors

Any third-party auditor must ensure transparency and openness regarding the recycling quality, including the overall compliance status of recycling facilities and all operations and activities conducted. They must identify any recycler that has a service level agreement with a PRO and does not follow environmental, health and safety standards and illegally export their waste to other countries for processing or dumping. Auditors must remain independent and impartial.

10.23 Academia

Academia will support any necessary research studies to implement this policy and realise WEEE policy aims. Key research areas must aim to support new business opportunities related to the pre-treatment of value fraction before the end -processing. These opportunities should create more value (through concentration) before secondary materials are exported. Ideally, opportunities researched should encourage the processing of WEEE in South Africa to avoid the export of valuable materials. The other key research area in the context of the recent ban of all WEEE to landfill disposal is finding feasible treatment and ideally beneficiation options for any residues resulting from WEEE processing in the form of currently “non-recoverable resources” thereby limiting the need for any incineration as well.

10.24 Civil Rights Organisations

These organisations will be responsible for representing and advocating on behalf of society, informal actors and consumers regarding implementing this policy and its aims. Their role is to uncover and, where required, whistle-blow without any fear of repercussions to do so, any environmental or human rights violations observed in the context of WEEE management.

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11 Resource Mobilization

The required resources for a comprehensive, safe, and equitable WEEE management system in South Africa are mainly provided under the EPR regulations via the EPR funds generated. Hence, these funds should cover any aims and outcomes that speak directly to EPR deliverables in the I&A plan. It is submitted that all PROs must earmark a certain percentage (which would be subject to further discussions in a workgroup under the WEEEPSC) of the producer fees to assist with delivering the envisaged policy outcomes.

WEEE policy outcomes that go over and above directly EPR-mandated action requirements depend on developing a feasible funding mechanism primarily estimated to come from other government sources such as Treasury, and the dtic and could also include fines levied against free-riders caught at the customs level. For the successful implementation, it is crucial to first identify and tap into the various policy plan funding sources required by WEEEPSC to ensure the policy yields tangible action via the I&A Plan. The WEEEPSC "would also have to pool existing resources of government ministries under relevant programmatic funding, with additional support from multilateral and bilateral development agencies as well as leveraging private sector funds where possible".

12 Monitoring and Evaluation Framework and Reporting

For effective policy implementation, consistent monitoring and evaluation is required to maintain momentum and ensure the timeline, aims, and outcomes are met as planned.[17] Being the custodian of the WEEE policy, the DFFE would lead the monitoring and evaluation of the implementation of the policy aims. The provincial department will assist the national government regarding monitoring and evaluation.

Monitoring and evaluation of this policy will use a result-based management approach, focussing on tracking progress towards the overall goal, aims, aims and outcomes for the defined stakeholders, their roles and responsibilities with the KPIs as part of the policy matrix summary contained in. For this, the DFFE will develop a specific methodology that is then shared with all relevant parties required in a systematic monitoring, evaluation, and reporting framework.

Existing DFFE-based engagement platforms, such as the Industry Waste Management Forum, will be invaluable for regular reporting and trouble-shooting purposes. However, an established monitoring, evaluation, and reporting body may be required. The DFFE and the WEEEPSC will communicate the progress through existing information dissemination platforms such as SAWIC.

Disseminating the Policy and I&A Plan is essential for effective monitoring and evaluation.

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13 Advocacy and Dissemination

To encourage effective advocacy and dissemination of the WEEE Policy, a Dissemination Strategy is required. The dissemination strategy will include multiple communication channels through digital platforms and print media, in-person consultation workshops and community roadshows. Various information channels include the DFFE website, Environment Quarterly, Google search, waste management forum, PRO websites, and newsletters.

The strategy would recognise the importance of targeted communication through popular news outlets and stakeholder engagement. Visually appealing pictorials, posters, or other forms of information sharing should align with the specific target audience's interests. Accessible images can assist in simplifying and focusing critical information. It would be necessary to relate all media (with individual messages relevant to key stakeholders) to the five lenses of policy development- economic, social, legal, technical and environmental. It would be advisable to have a template approved according to DFFE design principles to avoid repetitive approval processes. The aim is to ensure the effective dissemination of information promptly.

The strategy will focus on disseminating information and advocating for the benefits of ESM of WEEE through the Policy implementation. Information to disseminate includes but is not limited to:

- the importance of the roles and responsibilities of all actors in the WEEE value chain;
- the economic, environmental, and social benefits of environmentally sound WEEE management;
- specific EPR deliverables such as:
    - quantifiable informal sector integration,
    - the marked increase in all WEEE-related economic activities related to local infrastructure,
    - and introduce technologies that can retain more value from secondary resources in WEEE in South Africa;
- the consequences for non-compliance and effective enforcement of the policy

Potential platforms to disseminate information include the following:

- websites of professional associations, government departments websites, ICT websites, STI4CE website, PRO websites, Organisation websites such as GreenCape, and sector industry websites;
- potential publication locations: Chambers of commerce (national and local and it will go to all their members;
- SALGA for their publication (Voice Magazine);
- the NCPC has an Expanded Industrial Symbiosis Initiative that could be of interest to the dissemination process;
- the International Association for Impact Assessment (IAIA) South African branch;
- the Department of Public Service and Administration;
- the Department of Government Communications and Information Technology;
- State IT Agency's GovTech; and,
- all institutions of higher learning.

Recommendations proposed to enhance stakeholder engagement:

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- ✓ **Tailored Communication:** Customise communication strategies for different stakeholder groups, considering their preferences and characteristics.
- ✓ **Proactive Engagement**: Initiate engagement activities early in the project lifecycle to ensure stakeholder involvement.
- ✓ **Regular Updates:** Provide timely and transparent updates on project progress, addressing concerns and highlighting achievements.
- ✓ **Relationship Building:** Organize networking events or workshops to foster stakeholder relationships and encourage collaboration.
- ✓ **Continuous Feedback Loop:** Implement mechanisms for ongoing feedback collection, allowing stakeholders to provide input at various project stages.

14 Legal Arrangements

A regulatory framework for managing WEEE in South Africa has been developed through this Policy in line with the aims of existing regulations (including EPR), policies and national legislation. Where applicable, it continues to put local economic development strategies and by-laws into account to harmonise all those envisioned outcomes so that the cross-cutting mandates of human health protection, environmental protection, economic growth, trade opportunities, the introduction of minimum operational and technical standards via the WEEE N&S etc. are all addressed as critical deliverables from the Policy's I&A plan.

As outlined, DFFE is the custodian of the WEEE Policy but can only activate all elements in the I&A plan through collaboration with other key government institutes (including but not limited to the dtic, Treasury, the DSTI, the DCDT) and the relevant private sector partners required as identified in stakeholder analysis in Chapter 10.

Any legal instrument governing the management of WEEE in South Africa must align with the guiding principles of the Policy and the defined goal.

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15 Implementation & Action Plan

The I&A Plan forms a separate document from the Policy and is built on the matrix elements described in Appendix. The matrix elements (namely for each of the six aims) include:

- objectives;
- outcomes;
- relevant Stakeholders;
- roles & responsibilities; and,
- KPIs.

The complete I&A Plan will also include the costs and timelines needed to achieve all aim-related objectives. The six aims, the costs, and the timelines need to be reviewed by the WEEPSC as frequently as necessary to remain relevant within the rapidly changing dynamics of the WEEE value chain.

The DFFE will complete the I&A Plan after the approval of the WEEE policy in consultation with other government departments and possibly through a dedicated WEEEPSC-driven workgroup. The DFFE's high-level budget estimates for each aim will be broken down by WEEEPSC by the date of implementation and duration required to reach critical milestones.

The I&A Plan must include clear procedures for the handover and acceptance of roles and responsibilities that key stakeholders have to assume. The Plan must also provide clarity on how stakeholders are to institutionalise the expected aims. For example, with the landfill ban in place for WEEE, the I&A Plan can guide how municipalities can adapt operations accordingly.

Stakeholder engagement on the I&A Plan rollout must be held with their particular interest and challenges in mind to get the policy and its envisaged outcomes into the mainstream of sharing knowledge. There is a need to clearly understand the roles required and assign the responsibility to the relevant parties without any ambiguity.

There is a need for consistency regarding I&A Plan engagements. Parties presenting the Policy and I&A plan must be the same people. Otherwise, various interpretations from different people will promote confusion. If someone different presents in every province, there will be a proliferation of understanding of the document. Information sharing should be consistent, and having the same individuals embark on a country-wide information campaign is preferable.

Each custodian entity described in the matrix and later in the I&A Plan will ensure the timely completion of the action items according to the KPIs. The KPIs are used to assess the level of implementation that could be achieved.

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16 Conclusion

The recent introduction of EPR regulation affects Section 18 of NEMWA for managing all WEEE. The Regulation is accompanied by the relevant product-specific Notices such as the Notice for EEE, Lighting and batteries. The Regulation provides much of the required value-chain-based stakeholder identification. It demands a level of accountability required to drive the goal and reach any of the six aims in the WEEE Policy. The NEMA and NEMWA are the overarching legislative framework structures under which the WEEE regulation and any other WEEE-related legislation are embedded. The legislative framework ensures the responsible and safe management of WEEE from an environmental, social and economic sustainability perspective in South Africa.

The DFFE, as the custodian of the Policy, has taken the lead in devising an I&A Plan designed to fulfil the policy goal and builds on the vision and achievement of the six identified and formulated aims. Therefore, the DFFE, has established a dialogue between public and private stakeholders. The DFFE will organise further consultations with crucial WEEE value chain actors to implement the policy successfully in all the strategic aspects linked to the various environmental, economic and societal goals. Therefore, the Policy and its aims are designed to assist the DFFE in collaborating with all EPR value chain partners to build a robust, lucrative, inclusive, and sustainable WEEE management infrastructure that creates an enabling environment and incentivises producers to produce and consumers to discard, their EEE and WEEE responsibly.

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Appendix 1: WEEE Policy Matrix

WEEE Policy				
Topic 1: Encourage a level playing field				
Aim 1: To create a level playing field amongst all stakeholders in the South African WEEE recycling chain that offers a value-sharing, environmentally sound and socially equitable and inclusive WEEE management solution				
Objectives	Outcome	Relevant Stakeholders	Roles & Responsibilities	KPIs
Active enforcement of the EPR regulations, including: • **Identification,** • **government enforcement (see offences and penalties in Section 18, EPR Regulations)** • **court prosecution and sentencing of EPR system free-riders (external and internal)**	EPR scheme responsibilities are shared amongst all obligated parties The EPR system continues to get strengthened from a producer responsibility perspective, and all existing and future WEEE industry stakeholders are also included and strengthened. Development of dignified and safe working conditions and workplaces for the informal sector	Producers	Join PRO to fulfil EPR obligations or set up their own (IPR) scheme Assist with identification and reporting of free-riders	Number of producers who register with the DFFE Number of producers joining PROs Number of producers setting up their scheme and meeting all required outcomes in EPR regulations listed under section 5B The number of external and internal free-riders reported to the DFFE.
		PROs	Fulfil all EPR obligations on behalf of producer members	Meet all stated targets in EPR regulation as listed under **section 5A**

WEEE Policy				
• **collaborative identification of free-riders via PROs** • **optimising informal sector integration**			Assist with the identification and reporting of free-riders (external and internal)	Numbers of external and internal free-riders reported to the DFFE (external and internal)
		DFFE	Create an enabling environment for producers/PROs to fulfil their EPR obligations. Enforce the law where required, identification and communicating with free riders. Numbers – e.g., hand over to courts for prosecution and sentencing of free-riders	Number of producers and PROs listed with DFFE for WEEE/Lighting Waste EPR scheme Number of producers implementing EPR reporting measures as stipulated in EPR regulation under section 5 Number of external and internal free-riders prosecuted and sentenced
		dtic	Collaborate with the DFFE on the enforcement of the EPR regulation, through identification of free-riders Enable a business environment that enhances SMME and entrepreneur participation in the sector	Number of importers/ businesses of electronic goods Number of registered WEEE-management-related small businesses and entrepreneurs as part of the dtic SMME development initiative

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WEEE Policy				
				Number of WEEE management-related sustainable income opportunities created with a particular focus on women, youth and persons living with disabilities from dtic records
Adoption and implementation by all relevant stakeholders (including PROs) of the WEEE N&S with minimum administrative, operational, and technical requirements as a future legal requirement	Clear guidance of the legal requirements and resulting roles and responsibilities for WEEE operator (covered under the scope of the WEEE N&S) is available and understood Collection, transportation and processing facilities and third-party auditable activities are compliant with all existing and future N&S concerning practical	SRI	Overall responsibility for driving the WEEE N&S development process Overall responsibility for driving the conformity assessment and verification protocol process Overall responsibility for setting up pilot audit events	Level of adherence (in per cent) to SRI set WEEE N&S timeline, including deliverables/milestones Level of compliance (in per cent) to future WEEE N&S based on developed protocol and as determined by the future auditing body Number of service providers and facilities willing to participate in pilot auditing events

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WEEE Policy				
	aspects of WEEE management. A systematic conformity assessment is developed and validated, and a verification process is implemented.	DFFE	Use the development process of future WEEE N&S to integrate/replace other relevant legal requirements toward harmonisation and unblocking bottlenecks allowing for the safe growth of the entire WEEE service sector. Assist in identifying and consulting with the correct additional stakeholders to help make the WEEE N&S mandatory. Adopt the WEEE N&S (including undergoing all public consultation processes legally required after gazetting) and make them mandatory. Assist in identifying and consulting with the relevant parties required to implement a conformity assessment and verification protocol. Integrate systems with those of CIPC (Companies and	Percentage participation of identified stakeholders that DFFE brings into consultation Number and type of parties (ranked according to the level of importance) that DFFE engages to assist with the development of a conformity assessment and verification protocol Official approval of the WEEE N&S Integrated system developed and implemented

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WEEE Policy				
			Intellectual Property Commission) and SARS (South African Revenue Service), as well as PRO databases.	
		PROs	Support the development of the WEEE N&S by providing required stakeholder input on behalf of its producer members.	Number of PROs engaged in WEEE N&S development process
		Processing and Treatment Facilities	Support the development of the WEEE N&S by providing the required stakeholder input. Willingness to participate in pilot audits to test against/refine in an ongoing manner the newly developed WEEE N&S	Number of processors according to a measured level of compliance (in per cent) Number of processors willing to participate in pilot audits
		Relevant Standard Accreditation	Convert the future WEEE N&S and their conformity assessment and verification	Evidence of new SANAS/SABS registered and accredited standards

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WEEE Policy				
		Authority: SANAS	protocol into accredited auditable standards.	
Topic 2: Enable collaborative partnership approaches				
Aim 2: To support/acknowledge the necessity for collaborative and partnership approaches that address the inherent complexities of the larger system towards sustainable impact economically, socially, and environmentally while creating employment opportunities, particularly for the youth and historically disadvantaged				
Objectives	Outcome	Relevant Stakeholders	Roles & Responsibilities	KPIs
Actively support public and private sector programmes that offer mutual benefits regarding the opportunity for large-scale value-maximising job creation in a safe, designated industrial space.	Optimal and complimentary collaboration amongst WEEE operators, community-based buy-back centres, take-back facilities, municipal drop-off sites, emerging WEEE entrepreneurs and SMMEs close to the same industrial WEEE generation hubs is encouraged. They should be developed as a practical training hub for the future learners of	SRI	Develop WEEE N&S to allow for compliant activity and location-based informal sector integration.	Number and type of informal sector representatives that conduct clearly defined activities permitted for the informal sector-based WEEE collectors and entry-level dismantlers (the latter in conjunction with utilising a safe co-working space/or having to compare working conditions only).
		DFFE	Enforce informal sector integration EPR regulation-based requirements	Number of waste pickers benefitting from the EPR

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WEEE Policy				
	WEEE-based curricula (see also aim 4) Platforms for Circular Economy based partnerships are emerging, harnessing unique industrial symbiosis and broader skills development potential for surrounding communities. WEEE-based Local Economic Development programmes are embedded in existing economic acceleration strategies, programmes, and initiatives.		Assist the existing formal recycling industry with expansion to increase capacity and, as a result of this, increase employment levels	integration requirements as reported to DFFE Number of recyclers and publicly funded spaces that offer safe, compliant co-working amenities for the informal sector Number of formal recycling industries engaged by the DFFE to assess operational/technical or financial bottlenecks
		PROs	Adhere to EPR regulation-based informal sector integration targets, e.g., through actively encouraging collaborative agreements of PRO value chain partners, including co-working informal sector representatives in supervised environments. Support the expansion of existing recycling facilities.	Compliance level of required informal waste picker integration regarding EPR informal sector integration targets
		dtic	Support the development of WEEE collaboration and co-working facilities focusing on	Number of co-working facilities publicly established

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WEEE Policy				
			Eco-Industrial Park-based opportunities. Support the expansion of existing recycling facilities	
		MICT SETA/EWSETA/SAQA	Teach and test-drive (practical component) of WEEE entry-level and advanced curriculum in private-sector based (recyclers) and government-established (dtic) co-working spaces.	Number of informal sector representatives (either registered via SAWPA or ARO) as well as entrepreneurs and staff of existing processing facilities which would benefit from access to training and training facilities required for the practical training component
Topic 3: Encourage sustainable investment				
Aim 3: To create a legally compliant, private sector enabling environment that encourages sustainable investment together with infrastructure and technology development				
Objectives	Outcome	Relevant Stakeholders	Roles & Responsibilities	KPIs

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WEEE Policy				
Promote and develop both public and private sector-led harmonised[14] large-scale WEEE asset release programmes and initiatives combined with establishing grassroots community-based collection and consolidation services and any necessary treatment technology investment and related academic research required.	Large-scale release of historical and future WEEE stocks offering safe data removal where applicable is encouraged/facilitated, ensuring regular availability of large-scale material input into processing facilities. Prevention of future stock-pile build-ups so that more of the released WEEE assets (including some of their components) can be restored for functionality next to secondary materials recovery from WEEE	DFFE	Develop guidelines for WEEE asset release in close cooperation with Vuthela LED and SRI.	Availability of guidelines that can be used as a nationwide blueprint
		Vuthela LED	Lead pilot WEEE asset disposal project for iLembe DM, including the development of future EEE green procurement specs	Amount and type of WEEE recovered for refurbishment, reuse, and recycling Amount of hazardous WEEE components recovered through depollution Number of iLembe-based government institutions participating
		iLembe pilot project affiliated recyclers	Collection, sorting and documentation according to Vuthela LED KPIs	Number and type of recyclers participating
		iLembe LMs and DMs	Introduction of a Vuthela/SRI-developed Green Procurement Policy (GPP) for new EEE.	Number of suppliers chosen according to GPP
Topic 4: Further knowledge				

[14] A harmonised approach entails agreeing on an integrative yet controlled modus operandi that provides defined opportunities for safe formal and informal sector collaboration

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WEEE Policy				
Aim 4: To further knowledge, foster awareness, grow skills, and build human capacity to provide the public education and professional expertise required to ensure responsible management of all WEEE in South Africa				
Objectives	Outcome	Relevant Stakeholder	Roles and Responsibilities	KPIs
Support the development, improvement, and population of the WEEE training curriculum (for different levels of education and with the ultimate goal of quality job creation) following the South African accreditation and qualification requirements and based on any applicable legal, technical, and operational minimum requirements.	Approved and fully developed curriculum (theory, practice and training on the job based) for an entry-level pitched WEEE Entrepreneur qualification as well as for an advanced WEEE operator qualification Qualified and experienced training personnel delivering the curriculum on the required levels	SETAs (MICT/EW)	Develop QTCO approved training curriculum outline	QTCO approved outlines for an entry-level WEEE entrepreneur and an advanced WEEE operations controller
		SRI	Based on accredited curriculum outlines, assist the SETAs in populating actual SAQA-accredited training content.	Training material completed six months after outline approval and by collaborating intensely with other SRI countries and their currently developed WEEE curricula.
		SAQA	Develop the capacity of SAQA-accredited trainers to teach curriculum	Number of trainers registered to provide future SAQA-accredited training services for any WEEE qualifications
		TVET Colleges	Offer WEEE entry-level and advanced-level courses at the facility	Number of colleges offering entry-level EWSETA or advanced MICTSETA-based WEEE training

WEEE Policy				
		Recyclers	Collaborate with TVET colleges to host learners for training on the job/practical skills development.	Number of recyclers providing facilities and capacity-building programmes
Development of public WEEE education campaign in close collaboration with WEEE PROs	Enhanced public awareness of WEEE for all levels of education and various educational institutions (from school to tertiary level)	DFFE	Set up/convene the WEEE PRO workgroup to jointly develop a harmonised educational campaign.	Number of WEEE PROs joining the DFFE workgroup Number of meetings held
		PROs	Assist DFFE in the development of public education materials in consultation with their PRO producer members and critical service providers (recyclers)	Percentage of EPR fee dedicated to the creation of public awareness /education campaign
		SRI	Assist PROs with SETA curriculum information relevant to public education purposes.	Number of critical educational messages extracted from curricula
Support of existing (e.g., STI roadmap) and future research activities within South Africa with a focus on problematic WEEE types within South Africa	Increased research outputs from South Africa in the field of WEEE management	DFFE DSTI CSIR	Create and support programmes that focus on developing research within South Africa. Support is not limited to financial support alone but also collaborations, knowledge sharing and business development	Number of locally developed waste management processes, patents in the field of WEEE management, Journal articles and Conference papers

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WEEE Policy				
Topic 5: Improve the legal framework				
Aim 5: To introduce a circular economy-inspired legal and institutional framework for the management of WEEE in which the EPR regulations and other relevant legislation, standards and guidelines can be embedded in and harmonised with each other				
Objectives	Outcome	Relevant Stakeholder	Roles and Responsibilities	KPIs
Alignment and harmonization between existing legal documents, policy requirements, strategies, as well as terminology and implementation timelines at national, regional, and local levels through multi-level or inter-institutional collaboration **Development of an adaptive I&A Plan with a practical monitoring and controlling system**	A WEEE Policy and embedded I&A Plan that is workable and strongly supported by all key stakeholders affected	National/ DFFE	Identification of all national documents requiring harmonisation on terminology, strategy, scope etc., with future WEEE policy	Availability of a dedicated regulatory framework governing all aspects of WEEE management without gaps or overlaps and integrating existing legislative/industry-specific vital terms and definitions
		SRI Local Team/Vuthela LED	Local by-law, essential local development strategy harmonisation with the future national policy with an aim to action policy elements according to critical aims in iLembe	Amount of iLembe pilot projects that follow WEEE policy aims and ultimate policy goal and are thereby an integral part of the future WEEE I&A Plan
		National Policy Development Workgroup	Development of a Draft WEEE policy I&A Plan	Availability of a plan with suggested actionable projects nationwide that align with WEEE policy

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WEEE Policy				
				targets and meet any (or several) of its aims
		DFFE	Approval of WEEE policy I&A Plan and the cost thereof, as well as agreement on timelines Including expenses for I&A Plan into an annual budget	Evidence of dedicated budget in DFFE household earmarked to effect the policy I&A plan Budgeting line items listed for a short, medium, and long-term planning horizon, including relevant KPIs
Topic 6: Improve resource mobilization				
Aim: To provide for resource mobilization from the relevant parties that will drive the activities as outlined in the Policy I&A Plan				
Objectives	Outcome	Relevant Stakeholder	Roles and Responsibilities	KPIs
Develop the I&A Plan to ensure full buy-in by PROs and IPR-type producers and	Sufficient funding was raised to drive all aspects of the WEEE I&A Plan	SRI with official mandate via DFFE	Engage with all PROs/obligated individual producers and convene an I&A Plan finance workgroup.	Establishment of finance development workgroup

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WEEE Policy				
fully supported and actively driven by Government. **Design a plan as the official blueprint to be able to show support and commitment (including the dedication of funds to drive any action underpinning any WEEE policy aim) related to their legally mandated EPR obligations.** **All actions required according to the plan must be costed, and a policy-specific budget needs to be drawn up to allocate the required funds from public and private sources.**			Include PRO and their deliverables that align with policy aims as key enables/responsible parties in the I&A Plan. Engage Treasury to find and obtain funds for activities not directly linked to EPR-type obligations.	Amount of PRO/producer IPR funds secured to drive EPR-related aspects in the I&A plan. Amount of additional funding made available to drive all policy I&A plan aspects that are not part of any EPR financing obligations
		PROs	Earmark a certain percentage of the EPR budget to effect action items in the I&A plan that are aiding to meet Section 18 based PRO/IPR producer obligations.	Report to DFFE portion of EPR fund that is directly ring-fenced with action deliverables from the policy I&A plan Specify line items in the I&A plan for which these funds are utilised and in what

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WEEE Policy	quantities as part of the DFFE reporting.

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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6555 **29 August 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008)

REVISED DRAFT ORANGE RIVER MOUTH ESTUARINE MANAGEMENT PLAN

I, Dion Travers George, Minister of Forestry, Fisheries and the Environment, hereby invite members of the public to comment on the revised draft Orange River Mouth Estuary Management Plan (EMP) in terms of section 34(1)*(a)* read with section 53(1)*(c)* of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) (ICM Act). Copies of the draft EMP can be downloaded from the website: **https://www.dffe.gov.za/legislation/gazetted_notices** or can be obtained electronically upon request by email to **ygalada@dffe.gov.za**.

On 30 July 2017 the former Minister of Environmental Affairs formally approved the Orange River Mouth EMP for implementation. This EMP established measures aimed at improving the functionality of the estuary and is an integrated management planning tool used to understand the ecological health conditions of estuaries, as well as conservation and biodiversity aspects, and key pressures experienced. Its primary intention is to coordinate the implementation of the identified management actions to improve the estuary's ecological health status and ensure goods and services are maintained to support socio-economic benefits.

In 2023 the Department, in partnership with Orange River Senqu River Commission (ORASECOM), initiated the process of reviewing the EMP to determine its effectiveness in meeting its objectives. The revised draft EMP seeks to facilitate cooperative management by key sector departments and relevant stakeholders through the implementation of a shared vision and objectives to improve the overall state of the Orange River Mouth Estuary.

Members of the public are invited to submit written representations or objections on the revised draft EMP, within 30 (thirty) days after the publication of this notice in the *Gazette*, or newspaper whichever is the later date. Written representations on or objections on the revised draft EMP received after this time may be disregarded. All representations and comments must be submitted in writing to the Deputy Director-General of the Department of Forestry, Fisheries and the Environment, Branch: Oceans and Coasts.

By hand: The Deputy Director-General
Department of Forestry, Fisheries and the Environment

Attention: Yolokazi Galada
Branch: Oceans and Coasts
2 East Pier Building, East Pier Road
Victoria & Alfred Waterfront, Cape Town
By e-mail to: ygalada@dffe.gov.za

By post to: The Deputy Director-General
Department of Forestry, Fisheries and the Environment
Attention: Yolokazi Galada
Branch: Oceans and Coasts
PO Box X4390
CAPE TOWN
8000

Any queries relating to the EMP or this process can be directed to Ms. Yolokazi Galada at 021 493 7063 or via email at ygalada@dffe.gov.za.

DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 6556 **29 August 2025**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

STRATEGY FOR REDUCING FOOD LOSSES AND WASTE

I, Dion Travers George, Minister of Forestry, Fisheries, and the Environment, hereby publish the Strategy for Reducing Food Losses and Waste for implementation, as set out in the Schedule hereto.

DR DION TRAVERS GEORGE
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

SCHEDULE

STRATEGY FOR REDUCING FOOD LOSSES AND WASTE

2025-2030



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ABBREVIATIONS AND ACRONYMS

ARB	**Advertising Regulatory Board**
ARC	Agricultural Research Council
BSF	Black Soldier Fly Industry
CGCSA	Consumer Goods Council of South Africa
CNG	compressed natural gas
CSIR	Council for Scientific and Industrial Research
CWE	Chemicals and Waste Economy
DBE	Department of Basic Education
DCOGTA	Department of Cooperative Governance and Traditional Affairs
DALRRD	Department of Agriculture, Land Reform and Rural Development
DEA&DP	Western Cape Department of Environmental Affairs and Development Planning
DFFE	Department of Forestry, Fisheries, and the Environment
DFI	Development Finance Institution
DHET	Department of Higher Education and Technology
DMRE	Department of Mineral Resources and Energy
DoEL	Department of Employment and Labour
DoH	Department of Health
DoT	Department of Transport
DPME	Department of Planning, Monitoring and Evaluation
DSD	Department of Social Development
DSI	Department of Science and Innovation
The dtic	Department of Trade, Industry & Competition
EPR	Extended Producer Responsibility
FAO	Food and Agriculture Organisation
FEFO	First Expired First Out
FIFO	First In First Out
FLW	Food Loss and Waste
FLWS	Food Loss and Waste Strategy
FLWVA	Food Loss and Waste Initiative
FRH	Food Recovery Hierarchy
FSC	Food Supply Chain
GHG	Green House Gas
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
HFNSP	Household Food and Nutrition Security Programme
ICAO	International Civil Aviation Organisation
ICT	Information and Communication Technologies
IDC	Industrial Development Corporation
IRL	Retail Laboratory
IS	Industrial Symbiosis
ITAC	International Trade Administration Commission of South Africa
IVC	In-vessel composting
IWMP	Integrated Waste Management Plans
LSFO	Least Shelf life, First Out'
NAMC	National Agricultural Marketing Council
NCPC-SA	National Cleaner Production Centre – South Africa
NDA	National Development Agency
NDP	National Development Plan

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NEMA	National Environmental Management Act
NERSA	National Energy Regulator of South Africa
NOWCS	National Organic Waste Composting Strategy
ORASA	Organics Recycling Association of South Africa
PBO	Public Benefit Organisation
PRO	Producer Responsibility Organisations
SABS	South African Bureau of Standards
SALGA	The South African Local Government Association
SANBI	The South African National Biodiversity Institute
SAWIS	South African Waste Information System
SDG	Sustainable Development Goal
SMEs	Small and medium enterprises
TIA	Technology and Innovation Agency
WISP	Western Cape Industrial Symbiosis Programme

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ACKNOWLEDGEMENTS

This Strategy is based on papers produced by expert groups and other additional information gathered by the project team. Every effort has been made to contact and acknowledge copyright holders.

We extend our gratitude for the valuable contributions from various government departments, industry, labour, civil society, academia, and researchers. The Strategy was peer reviewed by the Council for Scientific and Industrial Research.

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EXECUTIVE SUMMARY

Food waste is a recognised global and South African issue. An estimated 10.3 million tonnes[1] of food is wasted per year in South Africa. This in a context where approximately 60% of South African households are food insecure (30%[2] at risk of and 31%[3] experiencing hunger), and more than 13 million children live in poverty[4]. Food waste also has a significant impact on the environment – precious water resources and energy are wasted, and biodiversity is impacted. If food wastage were a country, it would be the third largest greenhouse gas emitting country in the world. This has become unsustainable and continue to have compounding impacts on the economy of the country.

With about 31 million tonnes of food being produced every year, a staggering 10 million tonnes of that food ends up on landfills before it even makes it to consumer's shopping trolleys. This massive loss in produce is largely attributed to the production process – either before or during the harvesting process – and processing and packaging – whereby perfectly nutritious food items are set aside due to these not meeting strict specification requirements. As a result, millions of people are left with empty plates[5].

South Africa is a signatory to the United Nations Sustainable Development Goals (SDGs) with specific focus on SDG12 which seeks to "ensure sustainable consumption and production patterns. Target 12.3 calls for cutting in half per capita global food waste at the retail and consumer level and reducing food losses along production and supply chains (including post-harvest losses) by 2030.

The United Nations estimated that the global population will increase from approximately 8 billion in 2022 to 8.6 billion in 2030 and 9.8 billion in 2050. In line with this population growth, it is projected that global food production must increase by 70% by 2050. However, this upsurge in food production needs to be accompanied by food losses and waste reduction. Globally, about one-third of food produced for human consumption is lost or wasted each year (Gustavsson et al., 2011). Food waste comes with food insecurity in addition to economic and environmental impacts. In addition to reducing the associated economic and environmental impacts, food waste reduction therefore provides an attractive opportunity to improve food security in South Africa, the Department of Forestry, Fisheries and the Environment (DFFE) has developed the Food Losses and Waste Strategy as one of the key interventions of the National Waste Management Strategy (NWMS) 2020. NWMS, 2020 is a waste management policy directive that

[1] Oelofse, Polasi, Haywood, & Musvoto 2021
[2] South African National Health and Nutrition Examination Survey
[3] Statistics South Africa General Household Survey 2016
[4] Statistics South Africa 2015
[5] WWF, 2017. *Food Loss and Waste: Facts and Futures.* WWF South Africa

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assimilates the department's strategic approach to waste management with the commitments and directives of the SDGs, South Africa's National Development Plan: Vision 2030 and the Chemicals and Waste Economy Phakisa Outcomes. NMWS creates an enabling policy environment and provide support to the private sector on opportunities for waste prevention and minimisation through product design, innovation and the adoption of new technologies and standards in relation to waste streams of concern due to their toxicity or volume and organic waste is one of those waste streams. As per NWMS (2020) organic waste contributes more than 50% of general waste disposed and has a comparative recycling rate of 49% and almost one third of organic waste consists of food waste. It is envisaged that the effective implementation of the FLWS will contribute to the waste diversion targets set out in the NWMS, 2020.

Food waste occurs at all stages of the food supply chain (FSC) from production, through packaging, storage and processing, distribution, and retail, up to the consumer level. Although high-level information was available, there has been a lack of research and data which identifies exactly where and why these losses are occurring, this FLWS therefore addresses that gap and gives effect to the findings and recommendations in the conclusion and implementation plan of this strategy.

The Food Losses and Waste Strategy was developed based on current research, reviews from sector experts and inputs from industry stakeholders, the result of this translated into a focused implementation plan building on the established FLWI with four strategic outcomes backed by strong legislative instruments and best practices, as follows:

- Outcome 1: Creating enabling environment for the implementation of FLWS interventions
- Outcome 2: FLW Beneficiation and Circular Economy
- Outcome 3: Collaboration, Capacity Building Awareness Raising
- Outcome 4: Food Waste Diversion and GHG Emission Reduction

The scene is set through an approach which is highly collaborative. Consultation was undertaken extensively and fundamental to the implementation and oversight of the plan across all stakeholders. The strategy will be valid for five (5) years from the date of approval and gazetting for implementation and will be reviewed periodically. The review of the strategy will be triggered by the need and submissions from sector experts and stakeholders involved in the food production and distribution value chain. This strategy is developed with an implementation plan to ensure successful implementation and risk reduction.

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BACKGROUND AND RATIONALE

The United Nations Environment Programme's 2021 Food Waste Index reported that an estimated 931 million tonnes of food end up in the trash every year (UNEP, 2021). Approximately 33% of the food produced for human consumption in the world is lost or wasted. Approximately half of the 33% loss which is 16.5 tonnes take place during harvesting, with processing, packaging, distribution, and retail accounting for a further 45% of wasted food – the remaining 5% of food waste is the responsibility of consumers. The impact of food waste includes waste of resources such as water and energy through the supply chain, socio economic impact in respect of food security. Due to the growing environmental challenge but also social and economic concerns, food waste is increasingly acknowledged as an urgent issue among governments, businesses, NGOs, academics, and the general public.

Statistics South Africa (2022) reported that 11.6% South African households were experiencing hunger in 2021. It has also been documented that around 10 million tonnes of the food produced in South Africa goes to waste each year (Oelofse, 2021 and WWF, 2017). With the high levels of poverty and food insecurity in South Africa, this level of food waste does not make sense and unless addressed it could prove to be a threat to stability in South Africa. Firstly, the food produced could be consumed by people and secondly, the resources used to produce the food would not be lost. Food production involves the use of water, energy, labour, and other financial resources, which if wasted negatively impact both the environment and the economy. Packaging material and related issues, as well as damage to the environment should also be considered. As the number of people living in South Africa continues to grow, it is key that we produce and consume food in a way that means that South Africa will be food secure for generations to come. South Africa has committed to taking action to achieve the United Nations' Sustainable Development Goal 12.3, which stated that "by 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains" (Food and Agriculture Organisation (FAO), 2015).

In 2017, South Africa generated approximately 54 million tonnes of general waste (DEA, 2018). Of this waste, more than 50% was classified as organic waste; and it was reported that food waste might account for about one-third of the organic waste (DEFF, 2020). In 2012, it was estimated that food waste cost South Africa R 61.5 billion per annum across the FSC, which translates to 2.1% of the annual gross domestic product (Nahman & de Lange, 2013). Food loss and waste have negative implications on the environment, human health and on food security in South Africa. Environmental and health impacts are associated with the large volumes of waste disposal in landfills, emissions of harmful gases, human toxicity, waste of resources, deforestation, and pollution.

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The main drivers of food waste include population growth and urbanisation, which require both increased agricultural production and more complex distribution, processing, and retail value chains to be in place. Changes in diet and food preferences in middle-income countries such as South Africa tend towards more resource intensive production. Lack of capacity and awareness on the impact of food waste and the disparity in service between urban and rural areas exacerbate the food waste problem.

Within the Waste Minimization pillar of the NWMS, 2020, food waste was identified as one of the areas that require intervention due to the growing environmental but also social and economic concerns, associated with food waste. One of the focus areas of the NWMS under the Waste Minimisation Pillar calls for advancing organic waste as a resource through the development and implementation of focused strategy on preventing food waste that:

- Includes increasing awareness on the impact of food waste,
- Is aligned to implementation of the Chemicals and Waste Economy Lab Outcomes,
- Strongly integrates different disciplinary perspectives, and
- Maps the determinants of food waste generation to deepen the understanding of household practices and helps design food waste prevention strategies.

The FLW is a complex issue requiring sustainable solutions and synergies among a wide range of stakeholders, where new and existing networks, platforms, and initiatives on FLW must be streamlined and integrated. Empirical data on FLW suggest policy foci and strategic actions that stakeholders such as governments, the private sector, the donor community, research institutions, and international development organisations can and should take. From a governance standpoint, clear directional guidance and implementable interventions are imperative and should be benchmarked on strategic outcomes in achieving success.

PURPOSE

The overall purpose is to develop an action plan/policy instrument that seeks to address food loss and waste as a key intervention of the NWMS, 2020 while responding to other strategic priorities of government including NDP Vision 2023 and Multilateral Environmental Agreements such as the United Nations SDGs.

The idea of this policy instrument is to highlight the food losses and waste occurring along the entire Food Supply Chain (FSC) with the aim of contributing to the reduction of food wastage through the adoption of

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new technologies, circular economy approaches and ultimately improving food security and mitigating the negative environmental impacts associated with food losses and waste, taking into consideration the best practices and policies that are best suited for the South African context.

The Food Losses and Waste Strategy will be applicable for implementation to:

- All organs of the State that have a responsibility for waste management;
- Private sector organisations, including Small, Medium and Micro Enterprises (SMME's) and Co-operatives (co-ops) that are involved in, and constitute the waste management sector;
- Civil society organisations involved in waste management, environmental awareness, environmental sustainability, and sustainable development; and
- Academia and research institutions that are involved in waste management, research and academic work relating to the three Pillars of the Strategy.

STRATEGIC FOCUS

VISION

Food losses along production and supply chains, including post-harvest losses and food waste at all levels line with the NWMS, 2020 food waste reduction target of 30% and the SDG 12.3 target of 50% reduction in per capita global food waste at the retail and consumer levels.

STRATEGIC OUTCOMES

The five strategic outcomes identified as the cornerstones for achieving the FLW reduction are as follows:

- Outcome 1: Creating enabling environment for the implementation of FLWS interventions
- Outcome 2: FLW Beneficiation and Circular Economy
- Outcome 3: Collaboration, Capacity Building and Awareness Raising
- Outcome 4: Food Waste Diversion and GHG Emission Reduction

The FLWS targets which are in line with the strategic outcomes are tabled under the Implementation Plan.

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ALIGNMENT OF THE FLWS WITH EXISTING INSTRUMENTS

OPERATION PHAKISA: CHEMICALS AND WASTE ECONOMY

Operation Phakisa is a government initiative that aims to reduce the negative environmental impacts of waste, formalise, and protect informal workers in the waste sector, and contribute to South Africa's Gross Domestic Product (GDP) and economic transformation. It is a unique initiative that addresses issues highlighted in the NDP (2030), such as poverty, unemployment, and inequality, and is strategically designed to fast-track the implementation of solutions to critical development issues. The Chemicals and Waste Phakisa was launched in 2019 and Food Waste was identified as one of the priority waste streams as part of the initiatives that focused on improving product design and waste minimization.

SOUTH AFRICAN FOOD LOSS AND WASTE INITIATIVE

In 2020 the Consumer Goods Council of South Africa (CGCSA), in partnership with the National Department of Trade, Industry and Competition (***the dtic***) and the DFFE, launched the Food Loss and Waste Initiative (SA FLWI), an initiative to prevent food loss and waste from happening in the first place and when food loss and waste is unavoidable, it must be minimised and beneficiated or recovered in line with the food recovery hierarchy (CGCSA, 2020a). The South African Food Loss and Waste Initiative brings stakeholders across the food value chain together to reduce food loss and waste in South Africa by half by 2030 in line with SDG 12.3, to adopt the food utilisation hierarchy, and to identify food surplus and waste management solutions that respond to a circular economy and sustainable food systems agenda. As of 29 September 2023, there were 74 core and 41 associate signatories to the FLWI. Efforts to reduce food waste requires active involvement of all the stakeholders across the food supply chain. The initiatives such as the SA FLWI are very important in reducing food loss and waste.

FOOD WASTE PREVENTION & MANAGEMENT GUIDELINE FOR SOUTH AFRICA

Launched in 2021, the guideline[6] focuses on the drivers and possible actions that can be taken to prevent and manage food waste throughout the food supply chain. In this guideline, food waste is considered to include pre-consumer food losses and post-consumer food waste. The guideline aims to assist South Africa to decouple economic development and food wastage at the consumer level. The guideline raises awareness on food wastage throughout the supply chain, but specifically at consumer level and helps role

[6] https://www.csir.co.za/sites/default/files/Documents/Food%20waste%20prevention_LANDSCAPE%28EDMS%29%20-%2005-02-2021.pdf

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players in the food supply chain to identify pain points where food waste is likely to occur and advises on what can be done to prevent avoidable food waste and minimise unavoidable food waste.

SA FLWI FOOD DONATION BEST PRACTICE GUIDELINE

The Food Donation Best Practice Guideline[7] was developed by a working group established as part of the South African Food Loss and Waste Initiative (SA FLWI). The working group was tasked with finding solutions and overcome barriers faced by those who are willing to donate food. Before this guideline was developed, the food Industry raised concerns that while there is willingness to donate surplus food, it is not easy to do so in South Africa for various reasons. The purpose of this guideline is to inspire farmers, food manufacturers and retailers that have surplus food to donate this food to people or organisations, in line with what is recommended by the Food Waste Management Hierarchy (CGCSA, 2022).

NATIONAL FOOD AND NUTRITION STRATEGIC PLAN

The National Food and Nutrition Strategy Plan (NFSP) envisions to see optimal food security and enhanced nutritional status for all South Africans. The FLWS strategy guards against food waste and loss thus contributing to food security in the country. This is in line with SDG 1 which calls for an end to poverty in all its manifestations by 2030.

LEGISLATIVE AND REGULATIVE FRAMEWORK

THE CONSTITUTION

The management of waste and food loss prevention in South Africa falls within the mandates of the Department of Environment, Forestry and Fisheries (DEFF) and the DALRRD . This mandate is derived from sections 24 (Environment) and 27 (Food Security) of the Constitution of the Republic of South Africa (Act 108 of 1996) which states:

"Everyone has the right (section 24) –
(a) to an environment that is not harmful to their health or wellbeing; and
(b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that –
(i) prevent pollution and other degradation;

[7] https://www.csir.co.za/sites/default/files/Documents/Food%20waste%20prevention_LANDSCAPE%28EDMS%29%20-%2005-02-2021.pdf

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(ii) promote conservation; and
(iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development."

"Everyone has the right (section 27)
(b) sufficient food and water."

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT AND NATIONAL WASTE MANAGEMENT STRATEGY

To give effect to the Constitutional mandate, the DEFF has developed and promulgated policies, legislation, strategies, and programmes. Key amongst these is the National Environmental Management: Waste Act, 2008 (Act No 59, 2008) (hereinafter referred to as "the Waste Act") as amended and the National Waste Management Strategy (NWMS). The NWMS is a statutory requirement of the Waste Act and provides a coherent framework and strategy for the implementation of the Waste Act, NWMS outlines government's policy and strategic approach to waste management within the South African government's context and agenda of socio-economic development that is "equitable, inclusive, sustainable and environmentally sound". NWMS 2020, which revises and updates the 2011 strategy:

- Assimilates our strategic approach to waste management with the commitments and directives of the SDGs 2030 and South Africa's National Development Plan: Vision 2030;
- Unequivocally locates waste management as one of the key underpinnings of South Africa's economy and social fabric; and
- Integrates and provides an enabling environment for the DEFF's 2017 Chemicals and Waste Economy Phakisa and government's 2019 Good Green Deeds Programme.

South Africa's legal framework governing waste management is robust and underpins the country's food waste management. The following listed national legislative instruments and Multilateral Environmental Agreement (MEA) inform and guide the approach and directives of the FLWS (**Table 1**).

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Table 1: Legislative Framework, International Standards and Multilateral Environmental Agreement

LEGISLATIVE FRAMEWORK	LOCAL & INTERNATIONAL STANDARDS, INITIATIVES AND MULTILATERAL ENVIRONMENTAL AGREEMENTS
▪ **Constitution of South Africa Act, 1996** ▪ **Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)** ▪ **Marketing of Agricultural Product Act, 1996 (Act No. 47 of 1996)** ▪ **National Health Act, 2003 (Act No 61 of 2003)** ▪ **Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972)** ▪ **Perishable Products Export Control Act 9 of 1983** ▪ **National Environmental Management Act, 1998 (Act 107 of 1998)** ▪ **National Environmental Management: Waste Act, 2008 (Act No 59 of 2008)** ▪ **National Waste Management Strategy (NWMS, 2020)** ▪ **Climate Change Act, 2024 (Act No 22 of 2024)** ▪ **National Environment Management: Air Quality Act** ▪ **Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996)** ▪ **Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1984)** ▪ **Animal Improvement Act, 1998 (Act. No. 62 of 1998)**	▪ Sustainable Development Goals (SDGs) ▪ National Development Plan (NDP: Vision 2030) ▪ Codex Alimentarius Commission (CAC) ▪ South African Bureau of Standards (SABS) ▪ International Standardization Organization (ISO) ▪ Global Food Safety Initiative and Consumer Goods Council of South Africa (CGCSA-GFSI) ▪ Food Loss and Waste Initiative (FLW). ▪ Basel Convention on Transboundary Movements of Hazardous Wastes and their Disposal ▪ Rotterdam Convention on Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade

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NATIONAL DEVELOPMENT PLAN (2030): VISION 2030

The National Development Plan (NDP), Vision 2030, aims to boost economic growth, create jobs, reduce inequality, and alleviate poverty. NWMS 2020 and the FLWS respond to the NDP directive of "implementing a waste –management system through the rapid expansion of recycling infrastructure and encouraging the composting of organic domestic waste to bolster economic activity in poor urban communities" and to the need to "cut down on solid waste disposal".

SUSTAINABLE DEVELOPMENT GOALS

The United Nations Sustainable Development Goals (SDGs) were launched in 2015 as the 2030 Agenda for Sustainable Development to end poverty and set the world on a path of peace, prosperity, and opportunity for all on a healthy planet. The SDGs include Goal 12 which focuses on ensuring Sustainable Consumption and Production patterns. SDG 12 has a number of indicators including indicator 12.3 which states that "by 2030 halve per capita global food waste at the retail and consumer level and reduce food losses along production and supply chains including post-harvest losses". This target will not only help countries identify where food loss and waste occur but can also provide information which Governments, citizens and the private sector can consider in order to reduce food waste. As South Africa has committed to taking action to achieve SDG 12.3, the FLWS can be used as a vehicle to achieve this goal.

CONTEXTUALISING FOOD LOSSES AND WASTE IN SOUTH AFRICA

WHAT IS FOOD LOSS AND FOOD WASTE

The FSC typically includes various stages such as agricultural production, harvesting, post-harvest storage or handling, processing, packaging or distribution, retail and finally, consumption (**Figure 1**).

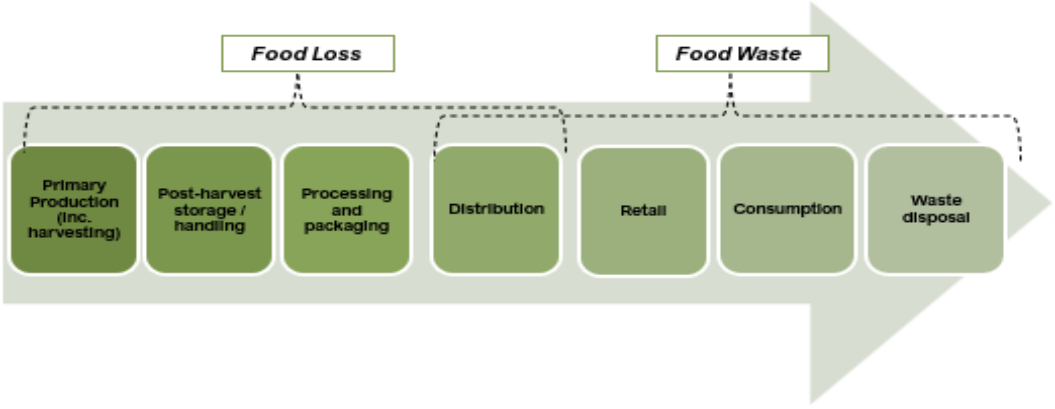


Figure 1: Stages of the food supply chain showing interconnected terms "food loss" and "food waste".

Food spoilage upstream of the FSC, usually at the post-harvest stage and processing stages, is termed 'food losses', while further downstream, towards the end of the FSC, usually at the retail and

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consumption stages, is termed 'food waste' is used, and often links to the retailer or consumer practices and behavioural issues (Parfitt, 2010; Gustavsson J. C., 2011). Food loss and waste (FLW) is evaluated only for products destined for human consumption and excludes animal feed and food residues, parts of which are not recognised as edibles (Green Cape, 2020). Food intended for human consumption but exits the FSC is considered FLW (Green Cape, 2020).

AESTHETICALLY UNAPPEALING FOOD

This refers to fruits and vegetables that might not appear deformed or with defects but are still safe to eat with same nutritional value and taste as the normal appearing fruits and vegetables but often displaying imperfections such as bumps, bruises, discoloration, or odd shapes. These defects may be due to environmental factors, such as weather conditions or from transportation.

UNDERSTANDING THE FOOD SYSTEM

MECHANISMS OF THE FOOD SYSTEM

The food system consists of several activities within the FSC: production, processing, distribution, access (sale/purchase), consumption, and waste (WWF-SA, 2019). Food production processes result in several environmental impacts, such as biodiversity loss, deforestation, desertification, and soil degradation, intensifying water scarcity, reducing water quality and damaging marine ecosystems (WWF-SA, 2019). This leads to the advocacy for new sustainable food systems that consider trade-offs between nutritional value, the economy, and the environmental and social impacts of the food produced (Rediscoverdairy, 2021). According to the WWF-SA (2019), should the current agri-food system persist without due consideration and implementation of relevant policies, including the NDP (2030), the SDGs and avoiding an average temperature increase of 2°C, poverty will continue to persist by 2050. In addition, over a third of food would continue to be wasted, resulting in an increase in the number of people who go hungry and those who are obese and natural resources would continue to be depleted (WWF-SA, 2019). For implementable structural transformation, the WWF-SA (2019) proposed a socio-ecological approach, where the social, economic, and political dimensions are entrenched with the ecological component (nature). Several critical actors whose behaviour influences the complex socio-ecological system are identified, including smallholder farmers, commercial farmers, the food industry, government, consumers, and research institutions (WWF-SA, 2019). To achieve this, it proposes that priority should be on the following five areas, one of which the FLWS addresses. They include:

1. Inclusive regenerative farming
2. Optimal water use
3. Responsible sourcing (promotion of responsible procurement practices)

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4. Reducing food loss and waste *(this strategy)* (evidence-based action)
5. Dietary shift (institute consumption patterns with positive environmental and health outcomes)

FOOD RECOVERY HIERARCHY

The SA FLWI promotes the use of the Food Recovery Hierarchy (FRH), which was developed by the United States Environmental Protection Agency (USEPA) (**Figure 2**).

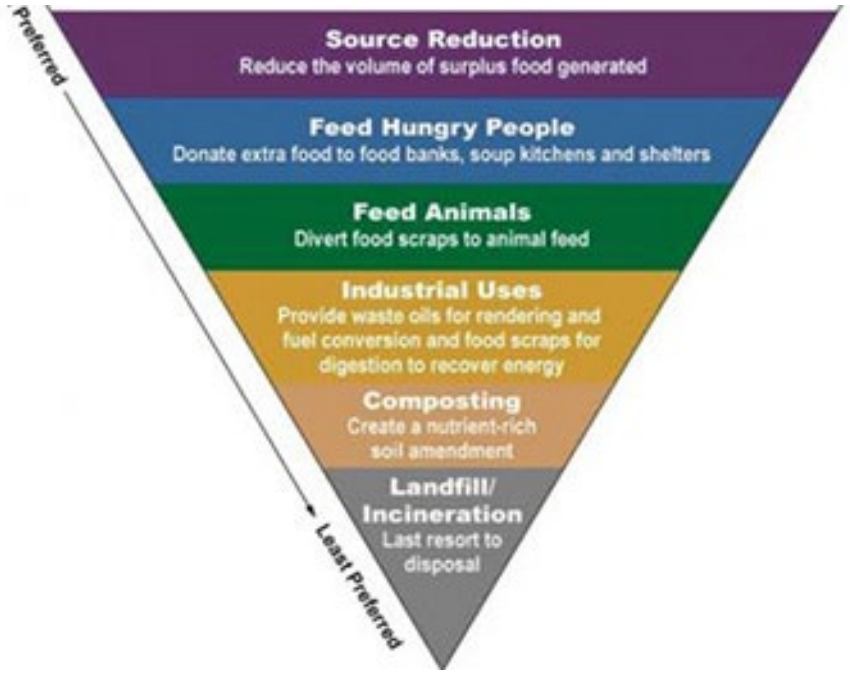


Figure 1: The Food Recovery Hierarchy adopted by the United States Environmental Protection Agency[8]

The FRH was created to depict the most to least preferred destinations for surplus food. This includes the reduction in the loss of natural resources such as water and energy, improved revenue potential through the conversion of waste into value-added inputs and the reduction in financial loss because of food loss and waste (Shai, 2021). It prioritises actions for diverting FLW from landfill, thus ensures *(i)* improved food utilisation and food loss and waste prevention and reduction and *(ii)* the redistribution of edible, nutritious surplus food for human consumption and enabling secondary markets for surplus food within the FSC. est practices begin at the top tier of the pyramid, where the aim is to reduce surplus food generated first before moving to next tier, with the bottom tier being preferable.

[8] https://19january2017snapshot.epa.gov/sustainable-management-food/food-recovery-hierarchy .html

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STATUS QUO ASSESSMENT

This section presents the results of the quantifications of FLW at each stage of the FSC, existing issues impacting the food losses and waste in South Africa and also present environmental and socio-economic results of the evaluation done as part of the FLW status quo analysis. More information on the FLW status quo relating to existing initiatives, opportunities, and barriers of FLW are presented under Appendix A.

QUANTITIES OF FLW AT EACH STAGE OF THE F IN SOUTH AFRICA

The quantities of food waste at each stage of the FSC for South Africa are presented in Figure **3**. This is comparable to the result published by Oelofse, Polasi, Haywood, & Musvoto, (2021), indicating that 10.3 million tonnes or 45.4% of food materials are lost or wasted annually.

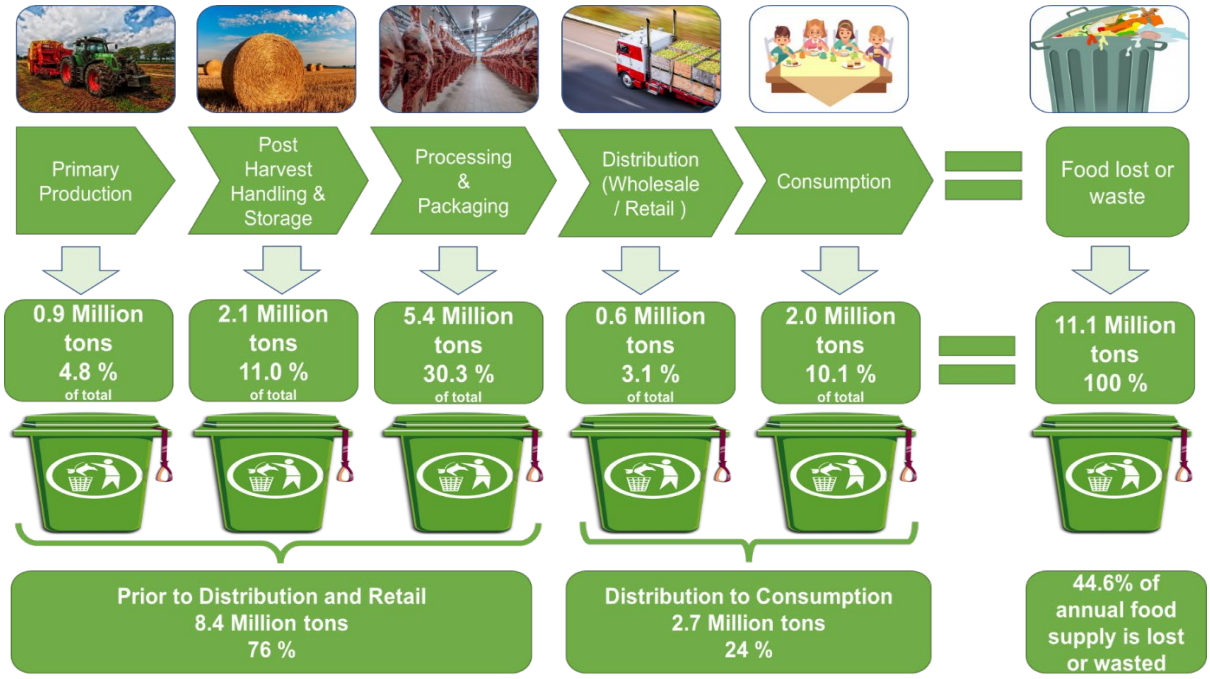


Figure 3: Average annual food losses and waste along food supply chain in South Africa (2010 to 2019)

In quantifying food loss and waste at each stage of the FSC, the percentage of food waste entering each stage of the supply chain was adopted from Oelofse *et al.*, (2021). According to Oelofse *et al.*, (2021), this was calculated by multiplying the quantity of food entering each stage of the FSC for each commodity group (as per FAO data) by the lost percentage or wasted. For example, the quantity of food entering the post-harvest stage of the supply chain was calculated as the quantity of food entering the agricultural production stage, less food waste at the agricultural stage, and so on for each stage in the FSC.

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IDENTIFIED ISSUES IMPACTING FOOD LOSSES AND WASTE

The issues impacting FLW have been grouped into three broad sectors, ranging from practices at the industrial level to behaviour at the household level and access to tools, infrastructure, and technologies. Evidence provided in each subsection is based on published data sourced from peer-reviewed articles and, in some cases, supported by input from stakeholders.

INDUSTRY PRACTICE

Smallholder farmers, have been negatively affected by the Private standards (best practices and standards by retailers) which are used to source agricultural produce, making it difficult to access supply chains and sell their produce. Agricultural producers, typically smallholder farmers, have also been negatively affected by the Agricultural Product Standards Act (APS Act), making it challenging to access supply chains and sell their produce (Mensah & Karriem, 2021). Stakeholder consultation with a major retail group in the local food industry, as part of the FLWS development, suggested that the specifications around class 1, 2 and 3 groups of produce might become a barrier to reducing FLW because the economic value of lower classes of produce (class 2 and 3) are so low, that storing and transporting them for sale becomes economically impractical and they might run at a loss. The conduct of market agents who source primarily from established agricultural producers to the exclusion of smallholder farmers is also hindrance towards food accessing wholesale fresh produce markets. Market agents are regulated in the Agricultural Produce Agents Council 12 of 1992.

FOOD LABELLING

The South African Regulations relating to the Labelling and Advertising of Foodstuffs (2020) require pre-packaged foodstuff and products to have date markings indicating the quality and safety in terms of suitability for consumption, such as “use by” or “best before” date. The interpretation of these dates has been reported to cause some confusion which may result in food waste generation (WWF, 2017). Engagement with a major retail group in the local food industry, as part of the FLWS, suggested a misunderstanding among stakeholders and consumers regarding the interpretation of “best before” and “use by dates. The foodstuff may still be edible past the “best before” date displayed in all these cases. More awareness among consumers is required in this regard.

A policy drive towards creating more guidance, support, awareness and educating consumers is anticipated to help to reduce FLW significantly.

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Awareness On The Amount Of Food Being Lost And Wasted

The lack of public awareness of FLW is an issue relevant to both industry and household levels. According to Le Roux, van der Laan, Vahrmeijer, & Annandale (2018), it is erroneously believed that more food losses and waste occur at the market and retail stages of the FSC when compared to those at the processing and packaging stage when in fact, this was not the case. A policy drive towards creating more awareness and educating producers, traders and consumers will significantly help to reduce FLW.

Waste Management Alternatives

In South Africa, the choice of waste management option is driven mainly by economic factors rather than environmental factors (Adeleke, Akinlabi, Jen, & Dunmade, 2021). Consequently, the potential to implement reuse and recycling concepts over disposal in landfills is influenced by the high demand for materials, low labour costs, a high rate of unemployment, and advanced recycling skills.

The cost of landfilling, as well as cost of associated logistics, combined with the environmental and climate change impacts, land use (availability) issues present opportunities for diverting food waste to safer alternatives such as composting and anaerobic digestion.[9]. In recent years, on-site waste management alternatives such as composting and anaerobic digestion have demonstrated a cost-effective, environmentally friendly alternative to disposal in landfills. Policy reviews must therefore consider mechanisms to assist agricultural producers through the provision of incentives and/or subsidies to encourage them to apply waste management improvement strategies and alternatives on their farms.

Behavioural Issues at Household Level

At the household level, behavioural issues are centred around attitude towards waste (indifference); cultural beliefs or practices regarding food purchase, preparation, and consumption; the cost of the alternatives to waste disposal; an overall lack of awareness and information regarding food waste; reuse, recycle and waste management options available to the public. Several other behavioural issues affecting FLW are related to retail, one being the confusion in labelling issues such as sell-by-dates, use-by-dates and what they mean to the consumer at home (WWF (2017)).

[9] *Available at: biocycle.net/cost-environmental-impacts-of-food-waste-recycling-options/*

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Policy review must consider various mechanisms to drive awareness, information dissemination, and alternative waste management service delivery within the retail and consumption supply chain. This may also require consideration for incorporating food waste information into the school curriculum at the primary and secondary level to educate children from a young age and increase awareness of the implications of unsustainable food practices.

Tools, Infrastructure, And Technology

Tools, infrastructures, and Information & Communication Technologies (ICT) that promote market access are crucial for reducing postharvest losses, food security, and poverty. Through these means, producers (farmers) can manage postharvest loss issues, enhance food retention, and have a broader motivation to engage in food loss reduction strategies with expanded market access. However, governments and development partners must adopt the appropriate policies to create successful and efficient market access systems (FAO, 2015).

Tools and Machinery

Inadequate access to tools and technology is a significant barrier to expanding the agricultural sector and reducing food loss and waste, especially in rural areas. Policy options must consider mechanisms to drive cost reduction and cushion the effect of price and exchange rate volatility within the sector.

Infrastructure

Infrastructure such as roads, rails and storage facilities are essential for the bulk distribution and storage of food materials and for reducing FLW in the FSC. Two main areas of logistics within the agricultural sector are Farm to factory (primary freight) and Factory to wholesale/retail (secondary freight). One of the focal points of concern for South African farmers and a barrier to reducing FLW is farmers' ability to access markets where their goods will be sold (Dewey & Nelson, 2022). This is because an efficient and cost-effective transport system affects farmers in getting their products to the market on time, consequently reducing FLW.

Rail And Road

Poor rural and inaccessible rail and road transport infrastructures are significant obstacles to free market operation. It also limits market access as logistics companies do not have the incentive to collect produce from farmers in areas where there is poor transport infrastructure. A significant barrier to the use of rail networks is the failing infrastructure and inadequate access for producers. Infrastructure improvement,

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especially rural transport infrastructure, is necessary to ensure that farmers can transport their produce to the retail sector or consumers.

Another significant barrier farmers face in South Africa includes high transport costs incurred at their own expense. A solution would be creating support groups/associations whereby they transport their fresh produce together as a unit, thereby subsidising individual transport costs (Greenberg , 2016). The conception and establishment of such groups coupled with efficient and accessible transport infrastructures could be facilitated at district, provincial and national levels, ensuring cohesion and consistency of the structures across the supply chain.

Storage Facilities

Many agricultural producers (especially in rural areas) have limited access to storage facilities, thereby promoting food losses during distribution. Interventions to facilitate the introduction of a network of small players hosting storage facilities should be considered to encourage the reduction of FLW during storage and distribution. Storage conditions are also important to requirements as prescribed by legislation and good practices

Information And Communications Technologies

Implementing ICT strategies that link farmers to markets is crucial, especially to the final customer. To this end, farmers can predict customer demand, establish professional relationships with consumers, communicate directly and provide relevant information about food availability, quality, and other important food-related information. Online resources like websites and apps connecting farmers to markets could also benefit farmers and local communities (FAO, 2015). These apps connecting farmers to markets already exist and could be expanded.

Assessing The Environmental And Socio-economic Impact of FLW

The FSC requires the intensive use of land, water, energy, and other finite natural resources. The use of these resources generates direct and indirect environmental impacts. Thus far, however, few (if any) studies have performed a standardised and fully comprehensive environmental footprint assessment detailing the potential impacts of FWL for South Africa. This strategy section seeks to establish a foundation that assesses environmental and social impacts, including climate changes and general human health indicators and translates them into an enhanced understanding of the cost of food wastage.

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ASSESSING THE ENVIRONMENTAL FOOTPRINT OF FLW

In assessing the environmental footprint of FLW in South Africa, the FRESH Food Loss and Waste Value Calculator version 1.2 was used. These environmental indicators include greenhouse gas emissions (kg CO_2 eq), water scarcity footprint (m^3-eq), soil quality index (points), freshwater eutrophication (kg P eq), and marine eutrophication (kg N eq). In quantifying environmental impacts for these indicators, the total footprint considered production impacts, other relevant life cycle impacts, and impacts due to destination activities of food material lost or wasted. **Figure 4** below illustrates the footprint equivalence of FLW in South Africa between 2010 and 2019.

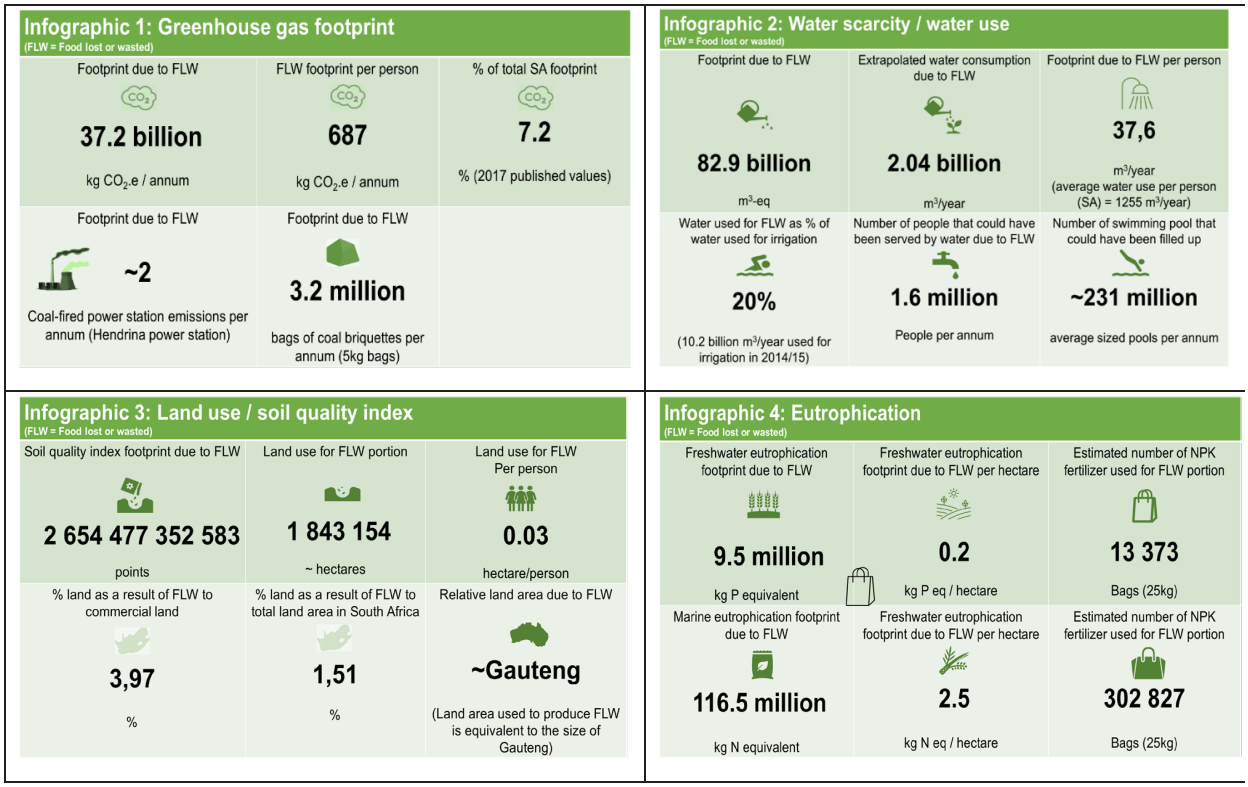


Figure 4: The footprint equivalence of FLW in South Africa between (2010 – 2019)

GREENHOUSE GAS (GHG) EMISSIONS

The food supply system is considered a significant contributor to anthropogenic GHG emissions. This stems from the inefficiencies in the entire lifecycle of food, encompassing production, processing, transportation, preparation, and storage, which result in significant waste. Additionally, when food ends up in landfills and decomposes, it releases methane, a potent greenhouse gas that has a greater impact on global warming than CO2 emissions from agricultural production represent the most substantial source of GHGs, followed by emissions from landfills, while animal feed plays a crucial role in both emissions

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and potential sinks for GHGs. Addressing these aspects strategically is key for comprehensive GHG reduction efforts within the food supply system.

Water Scarcity Footprint

The water scarcity footprint measures the impact of water consumed throughout the life cycle of producing the food material, including water to irrigate crops, input during manufacturing processes, and preparing and cooking food. It considers water scarcity and quality within a region. Agricultural production usage contributed significantly, while the "other" category (fish, seafood, milk, sugars etc.) substantially reduced the water scarcity footprint. Water consumptive use was extrapolated from the footprint using characterisation factors.

Soil Quality Index

The soil quality index, or land use indicator, shows the deterioration of soil quality. This impact is measured in points, a relative indicator of the aggregating effects on land related to biotic production capacity, erosion, mechanical filtration of water, and groundwater replenishment.

Freshwater And Marine Eutrophication

Freshwater and marine eutrophication results from the discharge of nutrients (primarily nitrogen, (N) and phosphorus, (P)) into water bodies due to concentrated animal feeding operations and the application of pesticides and fertilizers. This causes increased activity by organisms such as cyanobacteria and algae, ultimately leading to a relative loss of aquatic organisms. Agricultural production usage was the most significant contributor for both marine and freshwater eutrophication.

Biodiversity Loss

Nationally about 80% of the land in South Africa is used for agriculture (Biodiversity International, 2019). Agriculture has a direct impact on deforestation, resulting in about 60% to 80% deforestation globally, thus food that ends up being loss or wasted forms a portion of biodiversity that is lost (CEC, 2019). Globally, food production is estimated to result in about 70% of terrestrial biodiversity loss, 50% freshwater biodiversity loss and about 52% of agricultural land being degraded, making it the main driver of biodiversity loss and water pollution (WWF, 2020).

According to the WWF Living Planet report (2020) the biggest anthropogenic threat to nature and our ecosystem is the way we produce and consume food, thus calling the need for the transformation of our global food system. This could be achieved through food waste reduction and diet shifts (Read, Hondula,

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& Muth, 2022). According to the CEC (2019), only the FAO study conducted in 2013 had attempted to determine the impact of food waste on biodiversity loss using three indirect variables namely; (1) the effect on deforestation thus land use, (2) Impact on the International Union for Conservation of Nature (IUCN) Red List of critically endangered, endangered and vulnerable species of mammals, birds and amphibians (IUCN 2018) and (3) Impact on the Marine Trophic Index (Biodiversity Indicators Partnership 2018) using qualitative and semiqualitative approaches.

Assessing Socio-economic Impacts

Production Value Of FLW

The gross value of agricultural production for 2016 was quantified using the 2022 FAOSTAT food balance sheet data. **Figure 5** presents the quantification results.

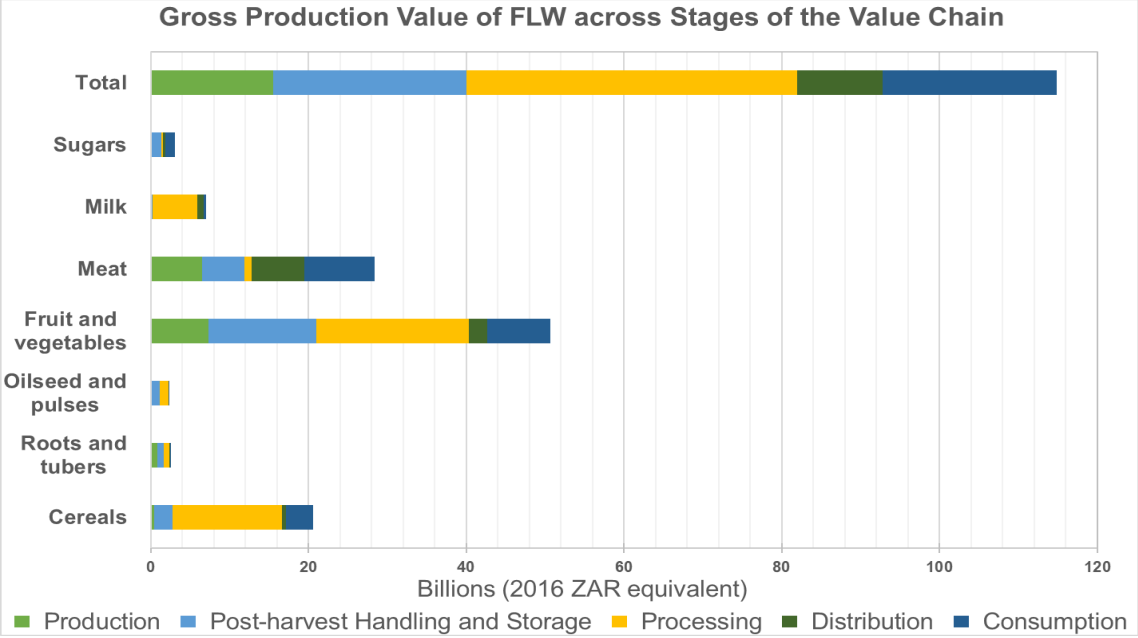


Figure 5: Gross production value of FLW across stages of the supply chain (2016 ZAR equivalent)

National Gross Domestic Product

The economic burden of FLW value chain in South Africa is equivalent to 2.1% or R61.5 billion of the national GDP WWF report 2017.

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Food Security

South Africa is generally a food-secure country at the national level and is a net exporter of agricultural and processed food products[10]. However, food insecurity exists at the household level since food security goes beyond sufficient supplies to ensure food accessibility, affordability, utilisation, nutrition, and stability over time. The reduction of food loss and waste along the supply chain, from production to consumption, is essential to improve food security while reducing pressure on natural resources, as indicated in the Sustainable Development Goals Target 12.3, which aims to halve global per capita food waste by 2030.

Food Access In South Africa

The chart indicates that out of almost 17,9 million households in SA in 2021, almost 80 percent (14,2 million) reported that they had adequate access to food, while 15 percent (2,6 million) and 6 percent (1,1 million) stated that they have inadequate and severe inadequate access to food, respectively.

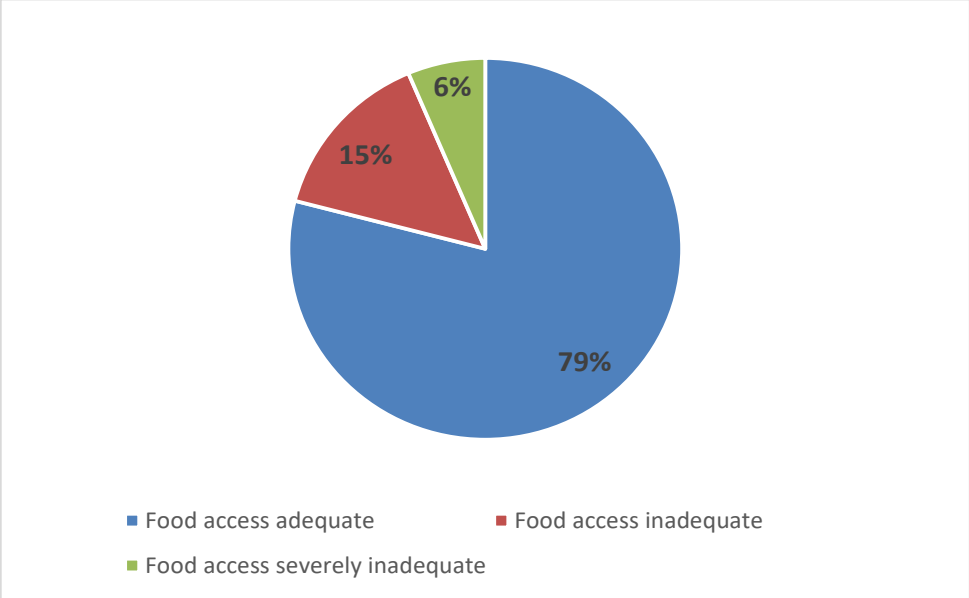


Figure 6: Distribution of households by the level of adequacy in accessing food (STATS SA 2021)

Employment

The agricultural sector plays a vital role in South Africa's economy, offering employment and business opportunities to sustain livelihoods. There are strong 'upstream' and 'downstream' linkages between the sector and the rest of the economy, enhancing foreign exchange reserves, providing raw materials for the industrial sector, and serving as a market for goods and services from other sectors.

[10] Report available here.

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FOOD LOSSES AND WASTE STRATEGY IMPLEMENTATION PLAN

The National FLWS Implementation Plan is structured according to the four strategic outcomes that this strategy aims to address. These include:

- Outcomes1: Creating enabling environment for the implementation of FLWS interventions
- Outcomes 2: FLW Beneficiation and Circular Economy
- Outcomes 3: Collaboration, Capacity Building and Awareness Raising
- Outcomes 4: Food Waste Diversion and GHG Emission Reduction

The outcomes are subdivided into implementable and measurable action plans that are achieved in alignment with the government Mid-Term Development Plan (MTDP) timeframes (2025/2026 – 2029/2030). Monitoring and review will be conducted in the third financial year of the MTDP. The Department of Forestry, Fisheries and the Environment (DFFE), as the main coordinator, will lead the oversight role through a committee comprising all relevant government departments and various stakeholders. Table 2 below outlines the FLWS implementation plan.

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Table 2: Food Losses and Waste Strategy Implementation Plan

OUTCOME 1: CREATING ENABLING FOR THE IMPLEMENTATION OF THE FOOD LOSSES AND WASTE STRATEGY

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
1.1. Food losses and waste prevention and minimisation	Guidelines/Norms and Standards for prevention and of food losses and waste at different levels of the food supply chain developed/reviewed and adopted	Develop/review and adopt Guidelines/Norms and Standards for prevention of food losses and waste at different levels of the food supply chain	2027/2028	DFFE, DALRRD and relevant Provincial Departments
	National FLW Prevention Plan towards achieving SDG 12.3 developed and adopted	Develop a mandatory National FLW Prevention Plan towards achieving SDG 12.3. The plan should include a breakdown of national targets on FLW Circularity and a roadmap for provincial and local authorities towards achieving the set goals in their areas of influence.	2027/2028	DALRRD and DFFE

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
	Number of municipalities implementing the bin system allowing separation of source	Strengthening the existing Separation at Source Programme to facilitate the introduction of a proper bin system in all municipalities for allowing separation at source	2026/27	DFFE and Municipalities
1.2. Promotion of regenerative/climate-smart agriculture	Regulations to enable the adoption and implementation of regenerative/climate-smart agriculture developed / reviewed and adopted	Regulations to enable the adoption and implementation of regenerative/climate-smart agriculture developed/reviewed and adopted for implementation	2027/2028	DALRRD
1.3. Facilitating access to organic treatment technologies/facilities	Permitting regulations for organic treatment technologies/facilities reviewed, and adopted	Review and adopt permitting regulations for organic treatment technologies/facilities adopted for implementation	2027/2028	DALRRD and DSI

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OUTCOME 2: FOOD LOSSES AND WASTE BENEFICIATION AND CIRCULAR ECONOMY

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
2.1Strengthen the existing Industrial Symbiosis (IS) initiatives (refer to Outcome 3: Adoption of the Food Recovery Hierarchy)	Number of Districts with added Programmes on FLW Industrial Symbiosis.	Strengthen and expand FLW Industrial Symbiosis in various districts	2027/2028	DFFE, the dtic & NCPC-SA
2.2. Employ Science and Technology in Reducing FLW circularity	The number of indigenous technologies identified and developed industrial scale	▪ Establish scientific interventions to identify, adopt, further develop, and industrialise indigenous and contemporary technologies for the reduction and treatment of FLW (Refer to Outcome 3: FLW	2027/2028	DALRRD, DSI
2.3. Investigate and develop a strategic intervention framework aimed at establishing: ▪ **Favourable biogas industry sector-specific tariff** ▪ **Subsidies/tax exemption for the biogas industry**	Strategic Intervention Framework comprising of favourable biogas tariffs, subsidies and industry-specific Norms & Standards developed and adopted.	Establish and adopt of: ▪ Favourable biogas industry-specific tariff. ▪ Subsidies/tax exemption. ▪ Biogas industry-specific Norms and Standards (this may include reviewing the Atmospheric Emission Licence	2027/2028	The dtic, DALRRD, DFFE

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
▪ Less stringent regulatory requirements for biogas facilities.		(AEL) requirements for consideration and adoption as Norms and Standards)		
2.4. Review existing Resource Efficient and Cleaner Production (RECP) methodologies for agriculture and agro-processing sectors to consider mainstream FLW and Circular Economy initiatives applicable to South Africa.	RECP methodologies reviewed and adopted for implementation	Review and adopt RECP for agriculture and agro-processing sectors	2027/2028	DFFE, the dtic & NCPC-SA
2.5. Access to FLW Treatment /Technology	Number of established forums per province / per local community / per annum Framework implemented	Establish communal forums made up of large and small-scale holders within proximity of each other in a district. These forums should be inclusive of women and youth (See Outcome 3: Community Engagement towards FLW policy development)	2027/2028	DALRRD

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OUTCOME 3: COLLABORATION, CAPACITY BUILDING AND AWARENESS RAISING

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
3.1. Awareness campaign programme on Date Labelling	Awareness raising programme on various food labels and their implication developed and implemented	Develop and implement and awareness raising programme on various food labels and their implication	2027/2028	The dtic and DoH
3.2. Awareness campaign on Food Recovery Hierarchy (FHR)	National awareness campaign on the Food Recovery Hierarchy (FRH) developed and implemented	Develop and implement a national awareness campaign on the FRH, showcasing: ▪ Availability of cost-effective possibilities, destinations, initiatives, and solutions for waste management that are present within the FRH. ▪ The effects of poor planning and implementation of food waste management solutions. ▪ The following may also be considered for incorporation in the awareness campaigns:	2027/2028	The dtic and DFFE

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		○ Engagements to be made in local languages ○ Collaborated efforts by government departments on food losses and waste and economic opportunities (including relevant industries) ○ Target events such as the world food day or world consumer rights month (March) to raise awareness on food recovery hierarchy for example and the relevant stakeholders. GCIS, CGCSA Food Waste Initiative. ○ Key organisations to communicate common/one message through GCIS and social media platforms ▪ Integrate food waste awareness and education into school curricula,		

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		empowering future generations to adopt sustainable food practices.		
3.3. Establishment of Finance and Investment Schemes	▪ Increase in the Public and Private sector investment in FLW development in rural areas. ▪ Functioning pre- and post-harvest finance and investment schemes for smallholder farmers ▪ Accessibility of financial instruments for small-scale farmers.	▪ Develop a funding strategy that creates affordable financial & investment schemes/instruments for large-scale and smallholder farmers, particularly for members of established communal forums. ▪ Provide incentives for small financial service providers who promote innovative tools for reducing FLW. ▪ Increase investments in local input and climate resilience. ▪ Provide incentives to encourage the private sector to invest in research and development programmes for pre-harvest loss reduction, particularly in early-stage funding of innovations. Introduce a farm	2027/2028	The dtic /DCOGTA/ SALGA/Communal Forums

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		mechanisation program to leverage small-scale farmers.		
3.4. Community Engagement Towards FLW Policy	▪ The number of established Communal Forums per province / per local community / per annum. ▪ Number of women and youth involved in communal forums on FLW Annual Reports on Communal Forums and FLW Policy Interventions	Develop and adopt a policy strategy for FLW reduction aimed to: ▪ Establish Communal Forums made up of large and small-scale holders within proximity of each other in a district. These forums should be inclusive of women and youth. ▪ Promote FLW community-led policy formulation. Expand grower associations at the district/local level through which famers can engage in group price negotiation and obtain training and other essential services.	2027/2028	DALRRD/DCOGTA/SALGA /DBSA
3.5. Public-Private Partnership Building and Sensitisation	▪ An established public-private partnership on FLW stakeholder	▪ Establish multi-dimensional and cross-sectoral partnerships for FLW baseline measurement.	2027/2028	DALRRD /NCPS-SA/DCOGTA/SALGA/CGCSA/ /DSD/Communal Forums

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
	▪ Established public-private collaborations in FLW intervention projects and awareness programs	▪ Enhance infrastructural development, (risk sharing) through public-private partnerships for processing and value addition. ▪ Promote multi-stakeholder partnerships to engage small-scale traders in post-harvest technology adoption. ▪ Create alliances on food waste reduction. ▪ Develop a public-private sector joint agenda on innovation. ▪ Initiate food waste sensitisation programmes in the workplace of food industry. ▪ Develop educational campaigns for FW reduction. ▪ Support digital social innovations to reduce food waste.		

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		▪ Create a global coalition of actors advocating on food loss and waste reduction. Build synergies, support policy coherence and coordination on FLW.		

OUTCOME 4: FOOD WASTE DIVERSION AND GREENHOUSE GAS (GHG) EMISSION REDUCTION

INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
4.1. Carbon Offset as an Incentive for FLW Baseline Reduction	FLW Carbon offset strategy developed and adopted	▪ Conduct a case study to determine-baseline for FLW ▪ Develop a FLW Carbon offset strategy to promote carbon offset as an incentive for diverting waste from landfill to other destination projects within the FRH. Strategy to include measures for capacity development	2027/2028	DALRRD , DFFE/DSI/NRF Research in Waste and Climate Change

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		awareness raising and management of existing data gaps on quantity. ▪ Develop and implement specific mechanisms/protocols to determine qualified FLW offset projects		
	Number of established FLW carbon offset projects qualified per annum.	Develop and implement specific mechanisms/protocols to determine qualified FLW offset projects	2027/2028	DALRRD & DFFE
4.2. Food Redistribution/Donation Programmes	▪ Established Liability protection on food donations ▪ A National food distribution programme implemented as part of NSNP. ▪ Developed Food Donations Norms and Standards.	Government intervention in support of organisations that feed the hungry to include: ▪ Review and identify possible interventions such as amendment of relevant regulations to enable food donation without jeopardising food safety and developing National norms and standards for food donation.	2027/2028	DSD

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		▪ Create an enabling and supportive environment for food donors to access edible food. ▪ Promote food donation as a Corporate Social Responsibility (CSR). ▪ Promote partnerships between companies and organisations distributing donated food. ▪ Identify and provide incentives to companies that adopt, and fund organisations involved in distributing donated food to the hungry. ▪ Develop and adopt a food redistribution programme/framework/strategy that is aligned with the established Communal forums ▪ **Establish** Food distribution warehouses as a natural part of society's infrastructure. Such can be		

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INTERVENTION	KEY PERFORMANCE INDICATOR	TARGET	TIMEFRAME	ORGANISATION LEADING IMPLEMENTATION
		incorporated in the National School Nutrition Programme (NSNP) implemented by the Department of Basic Education (DBE) ▪ **Provide** liability insurance protection for brand owners, food service establishments and retail stores donating directly to final recipients ▪ **Provide** liability protection on food donations that includes guidance on limitations on liability protection and any steps the donor (including brand owner) or food recovery organisation must follow to receive such protection.		

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ROLES AND RESPONSIBILITIES

The DFFE is the primary custodian of the FLWS and its implementation. However, implementing the FLWS Implementation Plan requires a high degree of cooperation and synergies among government departments, spheres of government, the private sector, academia, research institutions and civil society. Table 3 outlines roles and responsibilities with regards to the FLWS implementation plan.

Table 3: Roles and Responsibilities regarding the Food Losses and Waste Strategy Implementation Plan

ENTITY	RESPONSIBILITY
Department of Forestry, Fishery, and the Environment (DFFE)	The Department is the custodian of the FLWS and is responsible for coordinating and ensuring the implementation of the National FLWS Implementation Plan.
Department of Planning, Monitoring and Evaluation (DPME)	The DPME is responsible for government wide monitoring and evaluation of national outcomes in line with the National Development Plan 2030. In collaboration with the DFFE, the DPME monitors and evaluates the NWMS 2020 targets and will equally be responsible for monitoring and evaluating the FLWS implementation.
Provincial Environmental Departments	The provincial environmental authorities are responsible for developing Provincial Integrated Waste Management Plans (IWMPs), planning and guiding public and private investment in regional waste management facilities (including landfills, material recovery facilities and recycling processing plants) that may draw waste from multiple local municipalities and/or districts. They are also responsible for addressing waste management issues specific to the provincial economic, social, and environmental profile and ensuring support for District and Local Municipalities in waste data collection for SAWIS/provincial Waste Information System, waste monitoring, reporting and evaluation of IWMPs. Management, monitoring and reporting on greenhouse gas ("GHG") emissions.

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Department of Health (DoH)	The DoH is responsible for regulating food safety and quality that potentially affects food during production, handling, storage, processing, and distribution as a waste prevention measure. By ensuring the proper storage, collection, transportation, handling, treatment, and disposal of food as a waste.
Department of Trade, Industry & Competition (The dtic)	The dtic has an interest in the socio-economic impact of FLWS and a critical role to play in promoting waste minimisation and the circular economy through cleaner production and industrial symbiosis, as well as an interest in industries associated with a secondary economy around waste, such as the recycling industry.
The Department of Agriculture, Land Reform and Rural Development (DALRRD)	The DALRRD regulates the agriculture sector and is an essential partner to the DFFE in implementing the National FLWS, reducing food losses and managing agricultural waste, representing a significant volume of organic waste, including food waste. The role of the DALRRD is critical in ensuring the beneficiation opportunities of organic waste, especially around waste-to-energy projects involving biogas and other waste-derived fuels with the FRH.
Producer Responsibility Organisations (PRO), Food & Packaging Industry, Associations, Stakeholders and Entrepreneurs	Food packaging industries are vital in formalising the food packaging industry EPR plans, evaluating quality standards and packaging best practices for manufacturing food packaging materials to prevent FLW generation.
National Cleaner Production Centre South Africa (NCPC-SA)	The NCPC-SA has an interest in the socio-economic impact of FLWS and a critical role to play in promoting waste minimisation and circular economy through cleaner production and industrial symbiosis, as well as an interest in industries associated with a secondary economy around waste, such as the recycling industry.

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Department of Science and Innovation (DSI). **Council of Scientific and Industrial Research (CSIR).** **Technology and Innovation Agency (TIA).** **Agricultural Research Council (ARC).** **Department of Higher Education and Technology (DHET), including Universities.**	These entities are role players in research, development, and innovation. They contribute to the Waste Research, Development, and Innovation Roadmap (Waste RDI Roadmap). They build technical capacity within the waste sector while undertaking research to support development and innovation. In particular, the TIA has a critical role in supporting innovation and the uptake of new technologies within the FLW reduction.
Local Municipalities	Local Municipalities are the primary custodian of waste management within local communities. Working closely with the compliance monitoring and enforcement arm of the DFFE, they play a central role in implementing the FLWS. Local Municipalities are critical in the establishment of the FLW Communal Forums within their jurisdictions and are responsible for waste compliance and enforcement as dictated in their Bylaws.
Communal Forum	Relevant stakeholders in the grass-root implementation of the FLWS.
Food Recovery Hierarchy Related Industries (FRH), (e.g., Biogas Industry, Black Soldier Fly Industry (BSF) etc.), Industry Associations, Stakeholders, and Entrepreneurs	Industries operating within the FRH, such as the biogas and BSF industries, are critical in advancing FLW circularity and adopting and rolling out novel FLW recovery technologies.
Department of Employment and Labour (DoEL)	Performing an oversight function for all FLWS processes impacting on H&S activities to ensure compliance with all occupational health and safety regulations.
Department of Social Development (DSD)	The Household Food and Nutrition Security Programme (HFNSP) is a DSD national initiative. Through its established network of Provincial Food Distribution Centers (FDCs) it supplies food sourced from bulk procured food, donated

	food, and local producers. FDCs supplies the Community Food Depots which then distribute to Community Nutrition Development Centers (CNDCs) and Food Agencies. The HFNSP is vital for the role-out of the Feed Hungry People (Tier 2 of the FRH) and can be used to redirect "food"
Tourism Department and its entities	Perform an oversight function for all FLWS processes, particularly within the hospitality industries.
Private Sector, including Civil Society, NGOs	The awareness of this group of role players is critical in achieving a culture of compliance and civic responsibility around food waste, impacting significantly on FLW circularity. The private sector is involved throughout the waste sector as generators of waste, providers of waste-related services, recyclers of waste and consumers of recycled materials – as well as providing an important interface to consumers. The involvement of the private sector is therefore critical to the implementation of the FLWS and the National Waste Management Strategy.
Financial Institutions, including commercial banks and Private Equity (PE) Firms.	As part of the CASP, financial institutions such as the Land Bank and DBSA can provide financial services through the Micro Agricultural Financial Institution of South Africa. Private investors, such as PE firms, can invest in R&D of novel FLW technologies that feed into the FRH.
Food producers and generators of FLW.	Ensure the adoption and implementation of interventions to reduce the generation of FLW within their operations.
Consumer Goods Council of South Africa (CGCSA)	The CGCSA is critical in advancing the South African Food Loss and Waste Initiative with a vision to adopt and achieve the UN SDG 12.3 (*By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses*).
South African Food Loss and Waste Initiative (SA FLWI) signatories	SA FLWI signatories are central to advancing the SA FLWI and ensuring, through collective measures, to reducing food loss and waste in South Africa by 50% by 2030. As of 29 September 2023, there were 74 core signatories and 41 associate signatories to the Voluntary Agreement.
South African Bureau of Standards (SABS)	The SABS is a role player in standard setting. It has an interest in the socio-economic impact of FLWS and a critical role to play in promoting waste minimisation and the circular economy through cleaner production and industrial

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	symbiosis, as well as an interest in industries associated with a secondary economy around waste, such as the recycling industry.
Organisation &involved in food donation	Critical role players in advancing the Food Redistribution/donation Programmes.
Department of Basic Education (DBE)	The BDE is critical in implementing the National School Nutrition Programme (NSNP), an initiative which aims to provide a healthy meal to poorer primary and secondary schools in the country. It is a national initiative which has over 9 million beneficiaries from about 20 000 schools. Food for this initiative is usually procured through the Government Bulk
	Procurement Programme. The NSNP is vital for the role-out of the Feed Hungry People (Tier 2 of the FRH) and can be used to redirect " The DBE also has a role to play in educating learners about prevention and reduction of FLW.
Department of Transport (DoT)	The DoT is responsible for regulating the transportation of goods and services and a role player in regulating the safe haulage and distribution of food. It is also involved in regulating and tracing transboundary waste including maritime services (waste from airborne cargo and maritime cargo and dumping at sea.
Statistics South Africa (Stats SA)	Collates and provides national statistics on food security and tracks compliance with SDG 12.3.
Department of Cooperative Governance and Traditional Affairs (DCOGTA) South African Local Government Association (SALGA)	DCOGTA and SALGA play vital roles in collaborations with the DFFE and Local Municipalities to develop models for the financing of waste infrastructures, such as drop-off/buy back centers and storage facilities for recyclables, which may leverage EPR Schemes, Industrial Waste Management Plans, and/or additional fiscal transfer mechanisms such as conditional grants.

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MONITORING AND EVALUATION

The Food Losses and Waste Strategy will be revised every 5 years. Monitoring and evaluation measures are aligned with NWMS 2020 as follows:

- Annual reporting systems will be aligned with existing instruments to review progress – and where necessary, to adjust targets or actions based on new information or new developments within the sector;
- Databases that record compliance and enforcement activities, such as the National Environmental Compliance and Enforcement Report will also be utilised for reporting; and
- Several national departments have a significant role to play in the implementation plan of the FLW Strategy. The DEFF will establish the relevant institutional mechanism for ongoing engagement with these departments and government entities and where required, develop MoUs to provide for transparent reporting and intergovernmental cooperation around the relevant aspects of the FLW Strategy.

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ANNEXURES

ANNEXURE A: CURRENT FOOD LOSSES AND WASTE INITIATIVES IMPLEMENTED IN SOUTH AFRICA

Several initiatives directed at reducing FLW exist in South Africa. These FLW initiatives are presented below in line with the Food Recovery Hierarchy (FRH).

PROGRAMME	INITIATIVE
FOOD RECOVERY HIERARCHY: TIER 1 - SOURCE REDUCTION	
Research Initiatives	Research and Technological Innovation; Production, Processing and Packaging: Tools and Apps: PurEst®; STALKGRO; Susfarms® Progress Tracker; Mechanisation Reports; NCPC-SA Western Cape Industrial Symbiosis Programme (WISP)
CGCSA led Voluntary Agreement	The South African Food Loss and Waste Agreement
Umoya Dryers	Umoya Dryers promotes on-farm dehydration of out-graded fruit and vegetables for conversion to commercial foods or food ingredients. They design, build, and commercialize on-farm dehydration solutions and equipment, focusing on smallholder rural farmers and supporting commercial or industrial farming businesses.
FOOD RECOVERY HIERARCHY: TIER 2 - FEED HUNGRY PEOPLE	
FoodForward SA	They recover good quality and edible surplus food from the consumer goods supply chain and send it to community organisations serving the needy.
NOSH Food Rescue	An initiative that diverts, repurposes, and redistributes surplus food (prepared and perishable) to reduce food insecurity.
The Household Food and Nutrition Security Programme (HFNSP)	Supplies food sourced from bulk procured food, donated food, and local producers.
Food on the Table	This initiative donates food to feed the poor, disadvantaged, destitute and marginalised (Food on the Table, 2022)
Food Masters South Africa	Dehydrates edible fruits and vegetables, which are unsuitable for the market.
Foodeez	An initiative that purchases non-perishable goods that are short-dated, damaged, and surplus food (Foodeez, 2022).

Memcon	Recovers proteins, lactose, and mineral from cheese whey. Thus, reducing food waste in the dairy industry (Memcon, 2022).
Woolworths and WWF partnership	Waste management efforts include fit-for-purpose packaging, on-pack information, donations of surplus food to more than 1 000 charities every year and promoting supply chain efficiency and sustainable farming practices.
FOOD RECOVERY HIERARCHY: TIER 3 - FEED ANIMALS	
Maltento	Produces regenerative products and uses regenerative processes in creating insect-based protein products (Maltento, 2020)
Oricol Environmental Services	Divert over 60% of waste from going to landfill by either converting it to resource, recycling, or waste treatment
FOOD RECOVERY HIERARCHY: TIER 4 - INDUSTRIAL USE	
EnviroServ	Assists the food industry in reducing dough waste at bakeries (EnviroServ Waste Management, 2022).
Biochar from sawmills	The recovery of energy and biochar production offers a potential solution to managing these sources of waste, which also recovers value from an otherwise wasted resource.
Elgin Fruit Juice Anaerobic Digester	Collects approximately 21 tonnes of fruit and vegetable waste per week from Cape Town Market to supplement its feedstock, potentially saving R550 000 each year in landfill gate fees, as its waste is being diverted to an anaerobic digester (GreenCape, 2020)
Bronkhorstspruit Biogas Plant	The plant uses about 120 000 tonnes of organic waste, producing about 20 000 of fertiliser per year. BMW is the off-taker of the generated electricity (Bio2Watt, 2022).
Cape Dairy Project (Pty) Ltd	It uses feedstock from Vyvlei farm, the largest dairy farm in the country, to produce electricity with a capacity of 4.2 MW (Bio2Watt, 2022).
New Horizons Waste-to-Energy Facility	It uses about 480 tonnes of municipal solid (organic) waste per day to produce a capacity of 4 MW (GIZ, 2016; FGE, 2022)
iBert	**iBert** has several small biogas plants, namely Bredasdorp (4 tonnes), Cavalier (20 tonnes), Jan Kemdorp (5.5 tonnes) and Riverdale (4 tonnes). These plants use abattoir waste. (GIZ, 2016)
FOOD RECOVERY HIERARCHY: TIER 5 – COMPOSTING	
Bokashi Bran	Divert food waste from landfill to produce high-quality Bokashi Bran compost of high quality. This solution is suitable for homes and commercial kitchens in managing food waste.
Compost Kitchen	Composite kitchen supplies their client with organic bins collected weekly (for a monthly fee), and the client receives 2kg of vermicompost every month, which they can use for farming

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iCompost	**iCompost** is a product which consumers could buy for their households or companies. A kitchen waste composting appliance that turns food waste into compost in three steps (iCompost, 2019)
Ywaste	**Ywaste** produces compost from fruit and vegetables supplied by Cape Town Market (Ywaste Recycle, 2016).
Earth Bokashi	**Earth Bokashi** produces bokashi using food waste. Suitable for households, hotels and lodges, offices and canteens, supermarkets, and malls.
Compost Kitchen	An initiative that collects food waste from homes for a monthly fee and provides the household with vermicompost, which is used to grow fresh food.
Green Events	**Green Events** provides a waste diversion solution for companies/organisations. Waste is collected and used as feedstock for vermiculture (MadamWaste, 2022)
FOOD RECOVERY HIERARCHY: TIER 6 - LANDFILL/INCINERATION	
Sebenza Waste Site- Ekhurhuleni Municipality	This landfill site captures landfill gas from the decomposing waste.

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ANNEXURE B: FOOD LOSSES AND WASTE OPPORTUNITIES, BARRIES AND ENABLERS

The existing opportunities, barriers, and enablers of FLW reduction that are evident in the FSC in South Africa are shown below in line six tiers of the Food Recovery Hierarchy (FRH).

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
FOOD RECOVERY HIERARCHY: TIER 1 - SOURCE REDUCTION					
1.1 Creation of circular farms/ circular economies	**Enabler:** The White Paper on Science, Technology, and Innovation (2019) and the National Waste Management Strategy (NWMS), 2020, introduces and promotes the use of circular economy. The Extended Producer Responsibility (EPR) Regulations could be used as a tool for circular economy. **Barrier:** Currently there is no legislative framework for circular economy. Thus, there are inadequate systems that regulate or	Legal Framework for Circular economy which speaks to how companies prior to retail could achieve circular economy. This could also be achieved through: - Voluntary Agreements (Collaboration between government and private sector) / Voluntary Initiatives - Cradle-to-Cradle certification (promotes record-keeping, understanding the lifecycle of products and recognition of companies/organisations which practice circular economy) - Industrial Symbiosis Programme (Collaboration between stakeholders, promoting linkages and synergies). Documentation of circular economies – Record keeping Opportunity for Research and Innovation in determining how companies/organisations could shift to circular economy	- White Paper on Science, Technology, and Innovation - NWMS (2020) - National Environmental Management: Waste Amendment Act 26 of 2014 (NEM: WAA). - Policy Framework relating to green economy. - The NEM: WA Regulations. Regarding EPR (No.1184 of 2020). - NDP. - SDGs. - Nationally Determined Contributions (NDCs). - Integrated Resource Plan 2019 (IRP 2019). - The Carbon Tax Act 15 of 2019. - The Carbon Offsets Regulations 2019.	DALRRD, , DSI, DFFE, DMRE, GreenCape, SALGA, Farmers Associations, Food Industry and Retail, CGCSA.	Across FSC

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	promote circular economy.	Various practices, tools, and technologies which companies can utilise to shift to a circular economy - Regenerative farming Systems - Recycling of materials - Food Waste Upcycling - Use of renewable materials - Precision Farming o Global Positioning System (GPS) receivers o Differential Global Positioning System (DGPS) o Geographical Information Systems (GIS) o (CSIR, 2019) o Variable-rate application (VRA) (SA Grain, Author Blaker, 2021) Government could implement awareness campaigns for industry. Providing Case studies, workshops, and other means of disseminating of information. - Educating industry on impacts of food waste and loss and the need to move towards a circular economy. - Tools and technologies that could promote circular economy - Processes and products which promote circular economy			

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
		Creation of new food products or non-food products e.g., protein shakes using edible food waste and cosmetics for inedible food waste.			
1.2 Market Access for food products (e.g., fruits and vegetables)	**Enabler:** Marketing of Agricultural Products Act 47 of 1996 **Barrier:** Insufficient strategies to connect farmers to markets (end-user)	Forge professional relationships between farmers and consumers. Develop farmer-to-consumer connection mechanisms (e.g., through online tools, applications, and websites). Employ Information and communication technologies (ICTs) in marketing. Online resources like apps connecting farmers to markets already exist and could be expanded. Building the capacity of farmers' groups to facilitate appropriate communal storage, acquiring postharvest handling technologies and collective marketing of products that an individual farmer or household may not be able to afford. Strengthening of producer organisations in terms of structuring, collective infrastructure, equipment, and group marketing. Government and development partners/stakeholders to design appropriate sets of policies that result in	Agricultural Product Standards Act (No 119 of 1990). Marketing of Agricultural Products Act 47 of 1996	DoH, DALRRD, NAMC, NDA, ITAC, ARB, CGCSA, Food Retailers, Farmers,	Post-harvest

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
		effective and efficient market access systems.			
	Barrier: Products which are edible but do not make it to the market due to market standards	Use of Food Hierarchy - Secondary products (juicing, canned fruits) - Secondary Markets - Food Donation Market solutions, e.g., relaxed cosmetic marketing standards on agricultural products. Food should not be rejected based on superficial cosmetic issues rather should be about safety/quality standards (Stakeholder engagement document-WRC) Consumer campaigns: awareness and information			Post-harvest
	Barrier: Cost of compliance Expensive certification Efficient and cost-effective transport system/ transport cost Processing costs	Lowering of costs could result in more products in the market Adding more value to product. Assistance to small scale farmers through training and workshop, bring awareness on best practice methods			Post-harvest
1.3 Food safety and Quality		Government programmes which promote food safety and quality e.g., the SA-GAP certification programme for small holder farmers	The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972. Regulations Fertilisers, Farm Feeds, Agricultural Remedies and	DFFE, DoH, DALRRD , tic, SABS	Across supply chain

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
			Stock Remedies Act, 1947 (Act no. 36 of 1984) Agricultural Product Standards Act, 1990 (Act No. 119 Of 1990) Codex Alimentarius International Food Standards Animals Protection Act, 1962 (Act No. 71 of 1962) Meat Safety Act, 2000 (Act No.40 of 2000) Veterinary and Para-Veterinary Professions Act, 1982 (Act No. 19 of 1982) Liquor Products Act, 1989 (Act 60 of 1989) General Hygiene Requirements for Food Premises, the Transport of Food and Related Matters (No. R. 638 of 2018) Animal Identification Act, 2000 (Act No. 6 of 2002) Animal Improvement Act, 1998 (Act. No. 62 of 1998) Animals Protection Act, 1962 (Act No. 71 of 1962) Performing Animals Protection Act, 1935 (Act No. 24 of 1935)		

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
			FSSC 22000 food safety systems certification The Cartagena Protocol on Biosafety Genetically Modified Organisms Act 15 of 1997 International Food Safety Authorities Network (INFOSAN) European Union Rapid Alert System for Food and Feed (RASFF) Animal Disease Act (Act 35 of 1984)		
1.4 Food Labelling	**Barrier: Yes** The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972. Regulations Relating to the Labelling and Advertising of Foodstuffs (No. R.146 of 2010) requires date markings such as "best before", "sell by" and "use by" on the packaging of foodstuffs. These date	Compile or update of packaging design guidelines Smart Packaging technologies. Awareness programmes: education on food labels from farmers/ manufacturers to consumers (Stakeholder engagement document) Awareness programmes: Food safety versus Food quality. education on food labels from farmers/ manufacturers to consumers (Stakeholder engagement document). Awareness around what constitutes and unsuitable food (Stakeholder engagement document)	Codex Alimentarius International Food Standards The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972. Regulations Relating to the Labelling and Advertising of Foodstuffs (No. R.146 of 2010) Agricultural Product Standards Act, 1990 (Act No. 119 Of 1990) The Consumer Protection Act (No. 68 of 2008)	DFFE, DoH, DALRRD , The dtic, SABS	Manufacturing , Retail, Consumption

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	markings are standardised, differentiating between safety-based and quality-based labels. The date for the quality-based labels ("best before", "sell by") means the quality of food would have been reduced but may still be safe for consumption while past the safety label ("use by") the food should not be consumed or sold. There is still confusion regarding these labels, thus may be contributing to food loss and waste. Differences in International standards Codex Alimentarius International Food Standards and Labelling and Advertising of	Training and capacity building of government officials			

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	Foodstuffs (No. R.146 of 2010)				
1.5 Research and Innovation	**Barrier: Yes/No** Lack of capital to invest in research and development channelled towards pre-harvest losses. **Enabler: Yes** **Legislation:** Research institutions formulated by government which could assist in finding ways and methods to prevent and manage food waste. e.g., Agricultural Research Council (ARC) through the Agricultural Research Act, 1990 (Act No. 86 of 1990)	Private sector investment in research and development programmes for pre-harvest loss reduction. Develop subsidy schemes to promote innovation. Develop and implement policies that promote research and development in postharvest loss technologies, practices, and management. Opportunity for research in innovative solution to prevent and manage food waste - Management/prevention of outbreaks and pest disease which also play a role in food loss and waste - Modified Atmosphere Packaging - Food security - 4th industrial revolution technology such as Big data marketing (IoT, Big data, Artificial intelligence) to help farmers connects to the consumers - Increase farmers' market access - Farmers will be better able to anticipate consumers' demand while informing consumers directly about the availability of produce and its quality.	Agricultural Research Act, 1990 (Act No. 86 of 1990) Fertilizers, Farm Feeds Agricultural Remedies and Stock Remedies, 1947 (Act No. 36 of 1947)	DSD, DALRRD, DSI, DoH, CSIR	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
		- Product improvement and extension of shelf life - Crop protection - Biotechnology - Type of farming (e.g., organic farming, regenerative farming, conservation agriculture, precision agriculture etc.)			
1.6 Farming Practices	**Barrier: Yes** The country has been experiencing load shedding since 2008, which has resulted in costly disruptions and has potentially resulted in loss of food for farmers which depend on Eskom for their refrigeration.	Postharvest tools and technologies Cooling technologies. - Smallholder's farmers access to refrigerated units for food transportation (e.g., trucks and train containers). - Distribution technologies, e.g., food packaging; inventory management systems, temperature control systems and tracking, development of new produce varieties with improved shelf life. - Increase access to ecological cooling systems for grain. - Popularize a multi-system approach to bio-control systems across the supply chain. Storage resources (e.g., metal silos, airtight bags) Digital apps (e.g., connected to sensors the can sense odour)	Foodstuffs, Cosmetics and Disinfectants Act (No. 54 of 1972)	DALRRD , DFFE,	Distribution

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
		Alternative pest treatment strategies (e.g., botanical pesticides) Improved inventory systems Capacity building (e.g., on reducing technical malfunctions, including inventory management; spillages). Establish an institution/programmes that can be responsible for the coordination of all activities in the promotion of the postharvest sector.			
1.7 Funding	**Barrier: Yes** Lack of access to affordable finance for agricultural investments especially for rural communities/ small scale farmers. Lines of credit are increasingly difficult for small and rural farmers	Create affordable financial instruments for smallholder farmers. Enable farmers to access and adopt post-harvest technologies. Credit schemes that are smallholder-friendly, built on public and private partnerships with banks. Funding to Improves storage and pest management practices, thus reducing post-harvest losses. Government grants to cover the incremental cost related to climate risk management. Climate resilience and local input investment. Formulate policies that can cover credit services to facilitate farmers' uptake of postharvest technologies.		DFFE, DBSA, GEF, DFI, The dtic,	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
		Promote multi-stakeholder partnerships to engage small-scale traders in postharvest technology adoption.			
FOOD RECOVERY HIERARCHY: TIER 2 - FEED HUNGRY PEOPLE					
2.1 Food donation of surplus edible food.	**Enabler: Yes** The South African Constitution (Act 108 of 1996) (section 27) requires every person to have access to sufficient food in a dignified manner: **Enabler: Yes** The Food Waste Voluntary Agreement (FWVA) promote the use of the Food Recovery Hierarchy. Food donation is good for corporate conscience and public	Employ Information and communication technologies (ICTs) - Allowing for the timely linkage of the donor and recipient (thus linking surplus food to those who are in need) Government collaboration with farmers, manufacturers, and retailers to get their excess food products to any NGO, PBO, food banks and homeless shelters for distribution to the food insecure. Government to develop guidelines for those who donate and those who receive the donation, in this way removing any confusion and ensuring that the surplus food is kept in a manner that it is safe for consumption.	The South African Constitution (Act 108 of 1996) (section 27) South Africa's Income Tax Act of 1962 VAT Act and the Tax Administration Act Consumer Protection Act (No. 68 of 2008)	DFFE, DSD, DoH, SARS, The dtic	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	relations and shows that companies are socially responsible. **Enabler:** The VAT Act and the Tax Administration Act provides for Tax Incentives for Businesses which donate their surplus food. **Barrier:** The Consumer Protection Act (No. 68 of 2008) section 61, of strict liability for damage caused by goods. Thus, the Liability is on the donor. Some donors may be reluctant in donating in attempts to safeguard or protect their brand.	Creation of food networks Liability protections for food donors Partnership with small farms to large retail stores as food donors. Community-based storage centres for excess food (community warehouse that collect food from a variety of sources, warehouse it, and then distribute it to food pantries, soup kitchens, shelters, and individuals through mobile distribution trucks) Awareness campaigns (hunger in our community and how we can all help make a difference).			
2.2 Secondary Products for	**Enabler:** Food that is edible and safe for	Creates environment for Industrial Symbiosis thus promoting circular economy.	Standards Act (Act 8 of 2008) Consumer Protection Act (Act 68 of 2008)	DFFE, DoH, The dtic, SABS	Post-Harvest

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
Human Consumption	consumption but not suitable for the market and viewed as waste	Upcycling/remanufacturing - Use of bakery waste and bran to make other edible products using insect farming. - Canned foods, Juicing Income stream diversification of small-scale producers.	National Regulator for Compulsory Specifications Act (Act 5 of 2008)		
2.3 Creation of Secondary Markets: No suitable market for edible produce. Thus, requiring for the creation of secondary markets	**Barrier:** The Regulations Relating to the Grading, Packing and Marking of Fresh Vegetables (R364 of 2013) intended for sale in the republic of South Africa. Grade 3 food may have no value when distribution costs are factored in, resulting in the farmer opting to not sell the fruits in the market. **Enabler: Yes** The creation of secondary market could provide access	Income stream diversification of small-scale producers Market diversification will ensure lesser produce has access to trade if high-end markets reject it. Incentivize entrepreneurship in the recovery and redistribution of food Increase in market participation for both producers and consumers Shared economy (e.g., commercial food surplus recovery network built on social networks)	Consumer Protection Act (Act 68 of 2008). Regulations Relating to the Grading, Packing, and marking of Fresh Vegetables (R364 of 2013).	DFFE, the dtic, SABS, ARC, CSIR	Post-Harvest

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	to farmers whose products where not suitable (safe for human consumption) to the primary market thus also allowing those who cannot afford primary markets to participate in the secondary market.				
FOOD RECOVERY HIERARCHY: TIER 3 - FEED ANIMAL					
3.1 Insect farming to manage food waste: animal feed protein	**Enabler:** The Fertilizers, Farm Feeds Agricultural Remedies and Stock Remedies, 1947 (Act No. 36 of 1947) allows for the registering to manufacture, import, or sell farm feed or pet feed. However, the regulation is not specific or does not refer to insects though it is assumed that its referral to "animal" also includes insects.	The insect farming industry is new in South Africa and could create a number of jobs. Cost savings as it is a cheaper method in making animal protein Incentivize entrepreneurship in the recovery and redistribution of food. Government to promote insect farming industry incentives, funding, awareness, training. Policy development or guideline for best practice methods for the industry. Legal framework for the insect farming industry Creation of new markets, products, and by-products of the insect farming industry	The Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act (Act 36 of 1947): The South African Policy on Animal Feeds (GN 511 in GG 31005 of 30 April 2008) The Foodstuffs, Cosmetics and Disinfectants Act 54 of 1972 Municipal by-laws The Agricultural Product Standards Act (Act 119 of 1990) The Marketing of Agricultural Products Act (Act 47 of 1996) Standards Act (Act 8 of 2008)	DoH, DALRRD , the dtic, SABS, DFFE, SANBI	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	The Feeds and Pet Food Bill (2019) does not include invertebrates as part of "animals" **Enabler**: Protein Feed (Animal Feed) Water vapour by product Reduction of greenhouse gas emissions if waste had done to Landfill **Barrier:** The South African Policy on Animal Feeds (GN 511 in GG 31005 of 30 April 2008) highlights the importance of "food safety through feed safety" and the adoption of several global quality standards in the animal feed industry (Niassy, Ekesi,	- Protein shakes (human consumption, promoting industrial symbiosis) - Organic Fertilizer/compost (promoting circular economy) - Oils (promoting industrial symbiosis) Food security Awareness to the relevant authorities about what the process entails Awareness to those who could form part of the industry. Potential for training courses and capacity building Creation of New Local Markets (New agricultural products) Growth of the industry Carbon credits Opportunities for routing suitable organic waste for insect farms Medium risk waste could be used for animal feed Regulations/Standards that farmers should adhere to	SANS 489:2009 Edition 1 SANS 898:2011 Edition 1 SANS 909:2018 Edition 1 SANS 10049:2012 Edition 4.1 SANS 22005:2009 SANS 289:2016 Consumer Protection Act (Act 68 of 2008) National Norms and Standards for the Storage of Waste (Government Notice 926 of 2013) Agricultural Pests Act Agricultural Product Standards act National Climate Change Response Policy		

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	Hendriks, & Haller-Barker, 2018). **Barrier:** Ammonia production in the system due to microbial growth. **Barrier:** Not all food waste can be used, especially those that have been contaminated (e.g., salmonella contamination).				
3.2 Recovery of inedible food for animals	**Enabler:** The Animal Disease Act (Act 35 of 1984) allows for food scraps/waste to only be feed to animals following treatment (ensuring that the food is safe for consumption and will not spread pathogens) of the food waste. **Barrier:** This option has a potential to be	-Promotion of circular economy and sustainable food production (Dame-Korevaar, Boumans, Antonis, van Klink, & de Olde, 2021)	Animal Disease Act (Act 35 of 1984 Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947) The Feeds and Pet Food Bill (2019)	DoH, DALRRD	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	harmful due to microbial health hazards which may result in more food loss and waste rather than curbing the situation (Dame-Korevaar, Boumans, Antonis, van Klink, & de Olde, 2021).				
FOOD RECOVERY HIERARCHY: TIER 4 - INDUSTRIAL USE					
4.1 Converting food waste to Energy (e.g., Biofuel, Biogas, Landfill Gas to Energy, Plasma gasification, Gasification, Pyrolysis)	**Enabler:** The industry is well regulated and depending on various factors such as capacity, location, waste generated, construction and storage a number of licences or permits may be required. Either a basic assessment (BA) or a full Environmental Impact Assessment (EIA) may be required. The current legislation caters for the	Protection of the Environment (prevention of pollution, ecological degradation, reduction in incidents) Skills development in new technology. -Programs at university level. Government could provide for support in funding of this industry, providing incentives as it would decrease the use of fossil fuels. Promotion of the Sector Government support (incentives, funding, training, government programmes, capacity building) - Government could provide for support in funding of this industry, providing incentives as it would decrease the use of fossil fuels. - Promotion of the Sector	National Water Act, 1998 (Act 36 of 1998) Section 28 NEMA National Environmental Management: Waste Amendment Act 26 Of 2014 (NEM: WAA) National Environmental Management: Air Quality Act (NEM: AQA) National Environmental Management: Biodiversity Act (NEM:BA) National Environmental Management: Protected Areas Act (NEM: PAA) National Environmental Management: Integrated	DWS, DFFE, DoH, Local Government Departments Local Municipality, SAHRA, NERSA, ICAO, DMRE, GIZ	Across the FSC

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	following technologies to be used in the south African landscape: - Biogas - Landfill Gas to Energy - Plasma gasification - Gasification - Pyrolysis **Barrier:** Skills required for these technologies may not be currently available, thus making it difficult to enter the industry **Barrier:** High Capital Costs to use these technologies. The process of licencing and permitting prior to construction is costly. for example, requires employment of relevant persons	- Awareness to potential investors and financer's - Awareness to government officials about the licencing and permitting process to provide better assistance for the biogas industry. - Awareness to those interested in the industry on what process should be followed and what services would be required Opportunity for infrastructure development. (e.g., Harvesting of gas on landfill sites)	Coastal Management Act (NEM: ICMA) National Forests Act (No. 84 of 1998) National Health Act 61 Of 2003 Hazardous Substances Act 15 of 1973 (HSA) National Heritage Resources Act (Act 36 Of 1998) Subdivision of Agricultural Land Act (SALA, Act 70 Of 1970) Conservation of Agricultural Resources Act (CARA, Act 43 of 1983) National Gas Act GAS ACT (Act 48 Of 2001) Electricity Regulation (Act 4 of 2006) Spatial Planning and Land Use Management Act, 2013 (SPLUMA) Civil Aviation Act (Act 13 of 2009) Civil Aviation Regulations 2011		

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	e.g., employing legal practitioners and environmental practitioners. Following this process, it is not guaranteed that one will get the Environmental Authorisation (EA).		National Policy in Thermal Treatment of General and Hazardous Waste GN 777 of 24 July 2009 National Domestic Waste Collection Standards 2010 Local Government: Municipal Finance Management Act 56 of 2003 Infrastructure Development Act 23 of 2014 National Building Regulations and Building Standards Act 103 of 1977 Biofuels Industrial Strategy		
	Enabler Use of Green Energy Technologies: The country has been experiencing load shedding since 2008, which has resulted in costly disruptions. The main power sauce currently uses fossil fuels, the use of alternative green energy will aid South Africa in reducing	- Facilities or industries which are off the national grid, thus self sufficient - Promotion of Circular economy - Reduction of the use of fossil fuels. Thus, reduction in greenhouse gas emissions. - Generating electricity that will be added to the national grid thus assisting with load shedding - Government support (incentives, funding, training, government programmes)	National Energy Act (Act 34 of 2008) Electricity Regulation (Act 4 of 2006) Municipal Financial Management Act & Municipal System Act (Section 78). Integrated Resource Plan 2019 (IRP 2019) The Carbon Tax Act 15 of 2019 The Carbon Offsets Regulations 2019	Eskom, DMRE, the dtic, DSI, DFFE, NERSA, IDC	Across the FSC

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	greenhouse gas emissions and towards achieving their targets - e.g., Kyoto protocol **Enabler:** There are several government incentives/funding for green energy technologies - Tax incentives - The Industrial Development Corporation (IDC) provides funding through the AFD Green Energy Fund - 12I Tax Allowance Incentive through the Department of Trade, Industry and Competition (***the dtic***) - Renewable Independent Power Producer		National Development Plan NDP Green Economy Accord National Climate Change Response Policy (NCCRP) Biofuels Industrial Strategy draft position paper on the South African Biofuels Regulatory Framework REIPPPP		

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	Programme (REIPPP) through the Department of Mineral Resources and Energy (DMRE) - The Manufacturing Competitiveness Enhancement Programme (MCEP) through the Department of Trade, Industry and Competition (the dtic)				
4.2 Organic fertiliser	**Enabler:** Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act (Act No. 36 of 1947): GNR 732 of 10 September 2012 provides the provision for the creation, use and sale of organic fertilisers Section3 (1) of the Act requires for the	Promotion of Circular economy: Organic fertilizer could be used to enhance soil, which is used to grow crops, which their waste was used as feedstock to the digester thus creating loops. Nutrients readily available when compared to compost. Thus, healthier soils, less water use and thus improved quality of crops Creation of new markets Creation of new markets could mean job creation. The conversion of digestate to organic fertilizer and the selling of the product could create more jobs. Skills development	The Fertiliser, Farm Feeds, Agricultural Remedies and Stock Remedies Act (Act 36 of 1947) (Fertilizer Act, 2018) ISO 17025 Fertilizer Bill	DFFE, DALRRD , Local Municipality, NGOs, GreenCape, ARC, CSIR	Production

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	application for registering a fertilizer DFFE (2018) provides a guideline for registration of digestate derived from abattoir waste used as a soil conditioner or amendment.	Promotion of organic fertilizer rather than synthetic could provide an opportunity to decrease water pollution as a resultant of fertilizer Government support (incentives, funding, training, government programmes)			
FOOD RECOVERY HIERARCHY: TIER 5 - COMPOSTING					
5.1 Converting food waste to compost	**Enabler: Yes**/No The National Environmental Management: Waste Act (Act 59 of 2008 and 2014 Amendments; NEM: WA) imposes a general duty of care, in respect of waste management, that all waste producers should implement reasonable measures to reduce, re-use, recycle and recover waste	Tools and Technologies which could be used: - In-vessel composting (IVC) • Relatively low capital costs vs. large compost sites' ancillary purchases (turners, shredders, screeners) • Low to zero malodour emitted • Small footprint - can be located on-site thus reducing logistic costs and related carbon emissions. • Automated system requires minimal manual input. • Off ground enclosed system reduces site setup costs (leachate barriers) and easily meet EIA requirements - Open Window composting	National Waste Management Strategy (NWMS), 2020 The National Organic Waste Composting Strategy, 2013 Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act (Act No. 36 of 1947): GNR 732 of 10 September 2012 The National Environmental Management: Waste Act (Act 59 of 2008 and 2014 Amendments; NEM: WA) The National Environmental Management: Air Quality Act (Act No 39. Of 2004) National Waste Information Regulations (GNR 625, 2012)	DFFE, DALRRD , ARC, CSIR, NGOs, GreenCape	Post-harvest to Consumption stage

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SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	The National Organic Waste Composting Strategy, 2013. **Enabler: Yes** The National Environmental Management: Air Quality Act (Act No 39. Of 2004) is used to manage the offensive odour from composting.	- Controlled environment open composting - Anaerobic fermentation - Anaerobic digestion (AD) - Biological mechanical processing			
FOOD RECOVERY HIERARCHY: TIER 6 - LANDFILL/INCINERATION					
6.1 Waste to Landfill/Incineration	**Barrier: Yes** Disposal of organic waste to landfill is permitted as per National Norms and Standards for Disposal of Waste to Landfill; GN No. 636. This does not promote the beneficiation and circularity of food waste and loss. **Enabler:** Through the Local Government	An opportunity to declassify material that are currently classified as organic waste (GW20) in terms of the GNR 625 of 2012. Such organic materials should be deemed resources and redirected to promote IS and Zero Waste Concept. An opportunity to introduce a phased approach to restrict the disposal of other organic materials onto landfill which is currently permitted as only garden waste is restricted in terms of GNR 636. Electricity generation due to the heat generated during the combustion process or may be used for hydropower.	The National Environmental Management: Waste Act (Act 59 of 2008 and 2014 Amendments; NEM: WA) National Waste Information Regulations (GNR.625 of 2012) Norms and Standards for the Treatment of Organic Waste Norms and Standards for Organic Waste Composting (GN 561 IN GG 44762 OF 2021) Waste Classification and Management Regulations; GN No R 634.	DFFE, DoH, DALRRD , Waste Management Facilities.	Across the FSC

SCENARIO	BARRIER/ENABLER	OPPORTUNITY	APPLICABLE LEGISLATION	STAKEHOLDERS	FOOD SUPPLY CHAIN
	Municipal Systems Act (Act 32 of 2000), Municipalities can implement fees or tariffs for the landfills. Currently it is still cheaper to send waste to landfill. However other factors such as access or awareness regarding other options of the FRH.	Least preferred option on the food recovery hierarchy (FRH). Should only be when other options are not suitable or have been exhausted. Thus, there is opportunity for the government to investing in research of other suitable alternatives/innovative solutions for the treatment of waste or the promotion (through awareness programs) for exiting alternatives. An increase in landfill tariffs could assist in reducing the amounts of waste that come to landfill, thus forcing other options on the food recovery hierarchy to be used.	National Norms and Standards for the Assessment of Waste for Landfill Disposal; GN No. R 635 National Norms and Standards for Disposal of Waste to Landfill; GN No. 636		
6.2 Unavoidable organic waste/ harmful (pathogens)/ contaminated food	**Enabler: Yes** Incineration ensures that the harmful food products (e.g., pathogens) are no longer in circulation (Stakeholder report_ Mérieux NutriSciences meeting)	Infrastructure (e.g., Build plants that can generate electricity at the landfill site) Harvest methane gas produced to create electricity. Use of alternative methods to treat hazardous waste.	The National Environmental Management: Waste Act (Act 59 of 2008 and 2014 Amendments; NEM: WA) Fertilizers, Farm Feeds Agricultural Remedies and Stock Remedies, 1947 (Act No. 36 of 1947)	DMRE, DFFE, DoH, DALRRD	Food processing/ manufacturing

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ANNEXURE C: FOOD LOSSES AND WASTE STRATEGY COMMUNICATION PLAN

POLICY / LEGISLATION / PROGRAMME	
1. Name of policy / legislation / Strategy:	Strategy for Reducing Food Loss and Waste
2. Objective:	• To provide the progress made on the development of Strategy for Reducing Food Loss and Waste. • To request the cluster and cabinet to approve the Strategy for Reducing Food Loss and Waste to be published for implementation
3. Key elements:	• The Strategy for Reducing Food Loss and Waste is developed in terms of Section 6 of the National Environmental Management Waste Act, Act No. 59 of 2008. • Through the implementation of the Strategy for Reducing Food Loss and Waste goals and objectives, the strategy intends to divert waste from going to landfill by increasing reuse through beneficiation through which new products can be produced. • By implementing the Strategy for Reducing Food Loss and Waste, new economic
COMMUNICATION PLANNING	
4. Communication objective(s):	5. To inform the public about coming into effect of the Strategy for Reducing Food Loss and Waste. 6. To request stakeholders to participate during the implementation of the Strategy
COMMUNICATION ISSUES AND KEY MESSAGES	

5. Potential communication issues and response / mitigation:	• The Strategy for Reducing Food Loss and Waste is the key policy document for waste management in South Africa • The Strategy for Reducing Food Loss and Waste will be published in the Gazette and published through print and electronic media for the general public including interested and concerned parties to access it using the gazette, website, South African Waste Information Centre (SAWIC), and social media channels. • Email will be also used to provide assistance and respond to queries quicker should
6. What is the key message; and supporting facts?	• The Strategy for Reducing Food Loss and Waste is the key policy document for waste management in South Africa and part of National Waste Management Strategy Implementation. • The strategy as a part of policy document for waste management in South Africa will facilitate coordination, streamlining and provide policy guidance on the regulatory framework and implementation initiatives meant for effective waste management and circular economy in the country.
TARGET AUDIENCES, MESSENGERS AND STAKEHOLDERS	
7. Target audiences:	General Public, industry, academia, civil society, government, etc
8. Primary messengers:	Department of Forestry, Fisheries and the Environment (DFFE)
10. Key stakeholders: Municipalities, Provinces, National Government Departments, Industry, Civil Society Organisations, Academia, Research Institutions and the Public in general.	
INFORMATION PRODUCTS	
11. Information products	Strategy for Reducing Food Loss and Waste
CHANNELS	
FREE CHANNELS	
12. Development / unmediated communication	None
13. Media liaison / PR	Department of Forestry, Fisheries and the Environment (DFFE)

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14. Digital / social media	Facebook, Twitter, Instagram
PAID FOR CHANNELS	
15. Television	None
16. Commercial print	Government Gazette and normal SCM process to be followed for print media.
17. Radio: (SABC, commercial)	None
18. Community media: (radio, print & TV)	Print Media: Government gazette, Departmental Lekgotla newsletter, Waste Information Today newsletter and National Waste Management Booklet.
19. Outdoor	None
20. Online / Social media	The Strategy will be made available through the following; • Online through Departmental Website • Online through South Africa Waste Information Centre (SAWIC)
FINANCIAL IMPLICATIONS	
21. Budget	None, as the implementing Departments will be expected to fund the implementation within their current budget.

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DEPARTMENT OF MINERAL RESOURCES AND ENERGY

NO. 6557 **29 August 2025**

Erratum

It is hereby notified for general information that Notice No. 6512 published in Government Gazette No.53155 of 15 August 2025 regarding the authorisation fee increase in respect of the National Nuclear Regulator is hereby corrected as follows:

1. The Annexure A containing the prescribed fees was inadvertently omitted from the original publication.

The said Annexure A is hereby published and should be read as part of the Notice.

National Nuclear Regulator
+27 (0) 12 674 7100
enquiry@nnr.co.za
www.nnr.co.za

ANNEXURE A

PROPOSED NOTICE OF AUTHORISATION FEES FOR 2025/2026

GOVERNMENT NOTICE
DEPARTMENT OF ELECTRICITY AND ENERGY

NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999)

NOTICE IN TERMS OF SECTION 28 OF THE NATIONAL NUCLEAR REGULATOR ACT, 1999 (ACT NO. 47 OF 1999), ON FEES FOR NUCLEAR AUTHORISATIONS

Under section 28 of the National Nuclear Regulator Act, 1999 (Act No. 47 of 1999), the Minister, on the recommendation of the Board of Directors of the National Nuclear Regulator and in consultation with the Minister of Finance, hereby determine in the Schedule, the fees payable to the Regulator in respect of-

(a) any application for the granting of a nuclear authorisation;
(b) an annual nuclear authorisation fee for the financial year 2025/26

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MINISTER OF ELECTRICITY AND ENERGY

SCHEDULE

Definitions

1. In these regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned.

   Fees payable to the Regulator in respect of any application for the granting of authorisation for the financial year 2025/26 are proposed as indicated below.

2. For new applications:

   R 2,774 per hour per person charged to process application documents and site verification visits until application is approved.

3. For Certificate of Exemptions:

   R 2,774 per hour per person charged for all regulatory activities executed by the regulator under the issued certificate of exemption.

4. Nuclear Installation licenses

Nuclear Installation / Site	**Authorisation Fee 2025/26**
Eskom KNPS - Normal operation	R 117,967,194
Eskom - Nuclear Installation Site license Thyspunt	R 3,030,224
Eskom - Nuclear Installation Site license Duynefontien	R 9,090,671
Eskom - Long Term Operation application	R 11,769,618
South African Nuclear Energy Corporation, Phelindaba	R 62,197,804
South African Nuclear Energy Corporation, Vaalputs	R 9,580,322

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5. Certificates of Registration

Categories of facilities	Type of facility	Authorisation Fee 2025/26
Category 1	Small users, laboratories and refurbishes	R 85,158
Category 2	Scrap processors, scrap smelter and service providers	R 106,448
Category 3	Fertilizers and other lesser mineral processing facilities	R 596,110
Category 4	Medium operators and other lesser mining and mineral processing facilities	R 680,809
Category 5	Large operators which include major mining and mineral processing facilities	R 1,618,011

6. The annual authorisation fee as contemplated in terms of Section 28(b) of the NNR Act in respect of new authorisations to be issued between 01 April 2025 and 31 March 2026 in terms of section 22 of the NNR Act shall be calculated on a pro rata basis according to the following formula:

Annual Fee (0/12) x N

Where 0 = the annual authorisation fee for the relevant category of the operation (i.e. large, medium or small operator): and

N= the number of full calendar months from 01 April 2025 until 31 March 2026.

For the calculation of authorisation fees for 2025/26 financial year, the person-effort for each of the authorisations categories have been revised taking into account the past operational experiences and the expected increase in the workload.

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

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8. Interest shall be calculated on the daily balance owing and compounded monthly. The interest 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.

9. For clarification on any matter relating hereto please be at liberty to contact:

The Chief Executive Officer
National Nuclear Regulator
P 0 Box 7106
Centurion, 0046.

Tel: 012-674 7100.

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DEPARTMENT OF TRANSPORT

NO. 6558 **29 August 2025**

CIVIL AVIATION ACT, 2009 (ACT NO. 13 OF 2009)

CIVIL AVIATION REGULATIONS, 2011

The Minister of Transport intends, in terms of Section 155(1) of the Civil Aviation Act, 2009 (Act No. 13 of 2009) and on the recommendation of the Civil Aviation Regulations Committee (CARCom), to amend the Civil Aviation Regulations, 2011, by the Amendment of the following Parts set out in Schedules below:

Schedule 1	Part	1	Definitions and Abbreviations (Aeroplane Operator)
Schedule 2	Part	1	Definitions and Abbreviations (LVP)
Schedule 3	Part	12	Aviation Accidents and Incidents
Schedule 4	Part	66	Aircraft Maintenance Engineer Licence
Schedule 5	Part	101.05.6	Remotely Piloted Aircraft Systems
Schedule 6	Part	139	Aerodomes and Heliports
Schedule 7	Part	185	Enforcement
Schedule 8	Part	187	Fees and Charges (5-year audit)
Schedule 9	Part	187	Fees and Charges

The Director of Civil Aviation intends, in terms of Section 163 of the Civil Aviation Act and on recommendation of CARCom, to amend the Technical Standards by the Amendment of the following Parts set out in the Schedules below:

Schedule 10	SA-CATS	12	Aviation Accidents and Incidents
Schedule 11	SA-CATS	66.01.11	Designation of Examiners
Schedule 12	SA-CATS	66.02.3	Theoretical Knowledge Examination
Schedule 13	SA-CATS	67	Medical Certification
Schedule 14	SA-CATS	91.07.33	Head-up Displays and Vision Systems
Schedule 15	SA-CATS	93.07.23	Operations with Head-up Displays, Enhanced Vision Systems and Night Vision Goggles
Schedule 16	SA-CATS	101	Remotely Piloted Aircraft Systems
Schedule 17	SA-CATS	121.07.31	Operations with Head-up Displays or Vision Systems
Schedule 18	SA-CATS	135.07.29	Operations with Head-Up Displays or Vision Systems
Schedule 19	SA-CATS	139	Aerodomes and Heliports

Electronic copies of the draft Amendments are available on the South African Civil Aviation Authority website at www.caa.co.za and may also be requested from Susan Ndlovu at Ndlovus@caa.co.za. Interested persons are hereby invited to submit written comments on these draft Amendments on or before **28 September 2025** to the Chairperson of CARCom, for the attention of:

Ms. Jessie Jantjies
Ikhaya Lokundiza
Byls Bridge office Park, Boulevard
Doornkloof
Centurion, 0157
Email: RDSecretariat@caa.co.za or JantjiesJ@caa.co.za
Tel: 0115451095

DEPARTMENT OF WATER AND SANITATION

NO. 6559 **29 August 2025**

NATIONAL WATER ACT, 1998

RESERVE DETERMINATION FOR WATER RESOURCES OF THE BERG CATCHMENT IN THE BERG-OLIFANTS WATER MANAGEMENT AREA

I, Pemmy Castelina Pamela Majodina, Minister of Water and Sanitation, in terms of section 16(1) and (2) of the National Water Act, 1998 (Act No. 36 of 1998) hereby determine the Reserve for water resources for the Berg catchment in the Berg-Olifants Water Management Area, as set out in the Schedule.



MS PEMMY C.P. MAJODINA, MP
MINISTER OF WATER AND SANITATION
DATE: 05 - 08 - 2025

SCHEDULE

RESERVE DETERMINATION FOR WATER RESOURCES OF THE BERG CATCHMENT IN THE BERG-OLIFANTS WATER MANAGEMENT AREA

1. DESCRIPTION OF WATER RESOURCE

(1) The Reserve is determined for all or part of every significant water resource within the Berg catchment, as set out below:

Water Management Area:	Berg-Olifants
Drainage Regions:	G1 and G2 secondary drainage regions including G30A and G40A quaternary catchments.
River(s):	The Berg River is the largest river in the study area, which also includes several smaller catchments within the City of Cape Town Metropolitan area such as the Diep, Kuils, Eerste, Lourens, Sir Lowry's, Steenbras, as well as various small catchments on the Cape Peninsula and along the West Coast.
Groundwater Resource Units	Adamboerskraal, Atlantis, Cape Flats, Cape Peninsula, Cape Town Rim, Darling, Drakensteinberge, Eendekuil Basin, Elandsfontein, Groot Winterhoek, Langebaan Road, Malmesbury, Middle-Lower Berg, Northern Swartland, Paarl-Franschhoek, Piketberg, Steenbras-Nuweberg, Stellenbosch-Helderberg, Tulbagh, Voëlvlei-Slanghoek, Vredenburg, Wellington, Wemmershoek, Witzenberg, Yzerfontein.

(2) The Reserve is hereby determined for all, or part of the water resource referred to in sub-paragraph (1), which classes have been determined in Government Notice No. 43872 of 06 November 2020.

2. ACROYNMS AND DEFINITIONS

2.1 Acronyms used in Annexure B

BHN	Basic Human Needs
EIS	Ecological Importance and Sensitivity
EWR	Ecological Water Requirements
GRUs	Groundwater Resource Units
MCM	Million Cubic Metres
NMAR	Natural Mean Annual Runoff
PES	Present Ecological Status
REC	Recommended Ecological Category
TPC	Threshold of Potential Concerns

CONTINUES ON PAGE 386 OF BOOK 4

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2.2.1 Definitions

In this Notice unless the context indicates otherwise –

"baseflow" means sustained low flow in rivers during dry or fair-weather conditions, potentially including contributions from delayed interflow and groundwater discharge, but not solely reliant on groundwater;

"Ecological Water Requirements" means the necessary flow patterns (magnitude, timing, and duration) and water quality to maintain a riverine ecosystem. This term encompasses both quantity and quality considerations;

"Groundwater Resource Unit" means the smallest groundwater delineation unit based on similar hydrogeologic characteristics, demarcated for management purposes;

"groundwater contribution to Basic Human Needs" means the groundwater component considered in calculating Basic Human Needs supply for individuals living beyond 500 meters from a perennial river, meeting a daily water demand of 25 ℓ/p/d;

"groundwater contribution to Ecological Water Requirements" means the groundwater contribution to Ecological Water Requirements determined using a baseflow separation technique with monthly flow data. This data is adjusted to match Target Ecological Categories for all river nodes and priority estuaries, considering both incremental and cumulative downstream flow;

"recharge" means the addition of water to the zone of saturation facilitated by precipitation percolation and surface water infiltration;

"the Act" means the National Water Act, 1998 (Act No. 36 of 1998).

3. COMMENCEMENT

The Reserve determinations contained in this Notice take effect on the date of publication of this Notice. The Annexure to this Notice containing the Reserve for the Berg catchment can be accessed from:

https://www.dws.gov.za/wem/currentstudies/gazettedreserves.aspx

or requested from

Director: Reserve Determination
Attention: Mr Yakeen Atwaru
Ndinaye Building
Private Bag X313
PRETORIA
0001
Email: atwaruy@dws.gov.za

ISAZISO SIKARHULUMENTE

ISEBE LEZAMANZI NOGUTYULO

UMTHETHO WAMANZI WESIZWE, 1998

UHLELO LWEMISELE YAMANZI KWINDAWO YOBONISELO NGAMANZI I-BERG KUMMANDLA WOLAWULO LWAMANZI I-BERG-OLIFANTS

Mna, Pemmy Castelina Pamela Majodina, uMphathiswa wezaManzi noGutyulo, ngokwemiqathango yesiqendu 16(1) no- (2) yoMthetho waManzi weSizwe, ka1998 (Mthetho No. 36 ka1998) ndiqingqa amahlelo emisele yamanzi kwindawo yoboniselo ngamanzi i- Berg kuMmandla woLawulo lwaManzi i-Berg-Olifants, njengoko kubhaliwe kule Shedyuli ilandelayo.



MS PEMMY C.P. MAJODINA, MP
UMPHATHISWA WESEBE LEZAMANZI NOGUTYULO
UMHLA: 06 - 08 - 2025

ISHEDYULI

UHLELO LWEMISELE YAMANZI KWINDAWO YOBONISELO NGAMANZI I-BERG KUMMANDLA WOLAWULO LWAMANZI I-BERG-OLIFANTS

1. INKCAZO YOMSELE WAMANZI

(1) Amahlelo aqingqelwa yonke imisele yamanzi ewela phakathi kwindawo yoboniselo ngamanzi i- Berg, njengoko kubonisiwe apha ngezantsi:

UMmandla woLawulo lwaManzi:	I-Berg-Olifants
Ingingqi yoFunxo:	Iinginngqi zofunxo ezilawulwayo, u-G1 no-G2 – oko kuquka iindawo zoboniselo u-G30A no-G40A ezime ngobune bazo.
Imilambo:	Umlambo i-Berg ngoyena mlambo mkhulu kummandla wophando, apho uquka nezinye iindawana zoboniselo eziliqela phakathi kummandla kaMasipala oMbaxa osiSixeko saseKapa – njenge-Diep, i-Kuils, i-Eerste, i-Lourens, i-Sir Lowry's, Steenbras, ndawonye neendawana zoboniselo eziliqela kwiPeninsula yaseKapa nangakuNxweme lwaseNtshona.
UMsele waManzi angaphantsi komhlaba:	I-Adamboerskraal, i-Atlantis, ii-Cape Flats, iPeninsula yee-Yunithi zaseKapa, i-Cape Town Rim, i-Darling, i-Drakensteinberge, i-Eendekuil i-Basin, i-Elandsfontein, i-Groot Winterhoek, indlela i-Langebaan, i-Malmesbury, i-Middle-Lower Berg, i-Northern Swartland, i-Paarl-Franschhoek, i-Piketberg, i-Steenbras-Nuweberg, i-Stellenbosch-Helderberg, i-Tulbagh, i-Voëlvlei-Slanghoek, i-Vredenburg, i-Wellington, i-Wemmershoek, i-Witzenberg, i-Yzerfontein.

(2) AmaHlelo aqingqelwa yonke imisele, okanye indawana nje yayo ekuthethwe ngayo kumhlathana (1), mahlelo lawo angqingqiweyo kwiSaziso sikaRhulumente esinguNo. 43872 somhla we- 06 Nkanga ku2020.

2. IZISHUNQULELO NEENKCAZO ACROYNMS

2.1 Izishunqulelo ezisetyenzisiweyo kwiSihlomelelo B

BHN	Basic Human Needs – Iimfuno zoluntu ezisisiseko
EIS	Ecological Importance and Sensitivity- Ukubaluleka kwendawo yokuphilisana nemvakalelo
EWR	Ecological Water Requirements – Iimfuno zamanzi kwindawo yokuphilisana
GRUs	Groundwater Resource Units – Iiyunithi zemisele yamanzi angaphantsi komhlaba
MCM	Million Cubic Metres – ii- Million Cubic Metres
NMAR	Natural Mean Annual Runoff – Amanzi emvula endalo ngobuncikane
PES	Present Ecological Status – Isimo sangoku sendawo yokuphilisana
REC	Recommended Ecological Category – Ibakala lendawo yokuphilisana elindululwayo
TPC	Threshold of Potential Concerns - Umyinge weenkathazo ezinokuvela

2.2 linkcazo

Kwesi Saziso (ngaphandle kokuba imeko ibonisa ngolunye uhlobo) –

“baseflow – amanzi abetha ezantsi” uthetha ukuba amanzi ahamba kancinci emlanjeni kangangexesha elide ngamathuba eemeko zokoma nokutyhila kwemzulu, apho kusenokubakho igalelo lamanzi abambezelekileyo angena emilanjeni nasekutsitseni kwamanzi angaphantsi komhlaba (kodwa ke oko kungaxhomekekanga kuphela kumanzi angaphantsi komhlaba;

“Ecological Water Requirements- limfuno zamanzi kwiindawo zokuphilisana” uthethetha izimbo eziyimfuneko zokubetha kwamanzi means (ubuninzi, ixesha, nethuba alithathayo) kunye nekwaliti yamanzi eya kugcina impilo yasemanzini. Esi sigama siquka iingcamango ngomthamo nekwaliti yamanzi;

“Groundwater Resource Unit – Iyunithi yomsele wamanzi angaphantsi komhlaba” uthetha iyuniti yokubonakala kwamanzi angaphantsi komhlaba, oko kuxhomekeke kwiimpawu ezibufana zobumanzi nobume bomhlaba, owahlulwe ngeenjongo zolawulo lwawo;

“groundwater contribution to Basic Human Needs – igalelo lamanzi angaphantsi komhlaba kwiimfuno ezisisiseko zomntu” uthetha ibakala lamanzi angaphantsi komhlaba elingqalwayo xa kubalwa uhanjiso lweemfuno ezisisiseko zomntu ezikhutshelwa iqaqobana labantu abahlala ngaphaya komgama oyi- 500 meters ukusuka kumlambo from a perennial river, apho zihlangabezana nemfuno yamanzi yemihla ngemihla engu- 25 ℓ/p/d;

“groundwater contribution to Ecological Water Requirements – Igalelo lamanzi angaphantsi komhlaba kwiimfuno zamanzi kwiindawo zokuphilisana” uthetha igalelo lamanzi angaphantsi komhlaba kwiimfuno zamanzi kwiindawo zokuphilisana eziqingqwa ngokuthi kusetyenziswe iqhinga lokwahlula amanzi ahamba kancinci neenkcukacha zokuhamba kwamanzi ngenyanga. Ezi nkcukacha ziyalungelelaniswa khonukuze zihambelane namabakala angqaliweyo eendawo zokuphilisana kuzo zonke iindibano

zemilambo nemiwonyo yongxamiseko, apho kungqalwa ukuhamba kwamanzi ngendlela eyandayo neziphindaphindayo;

"recharge - Vuselela" uthetha ukongezwa kwamanzi kumda owomileyo obangelwa nga manzi alahleka ngokunyuka komphunga nangokufunxwa kwawo ngumhlaba;

"the Act - UMthetho" uthetha uMthetho waManzi weSizwe, ka1998 (uMthetho No. 36 ka1998).

3. UKUQALA KOKUSEBENZA KWAMAHLELO AQINGQIWEYO

Amahlelo aqingqiweyo emisele aqulathwe kwesi Saziso aza kuqala ukusebenza ngomhla woshicilelo lwesi Saziso. ISihlomelelo sesi Saziso esiqulathe aMahlelo aqingqelwe indawo yoboniselo ngamanzi i-Berg ayafumaneka kwesi sikhundla: :

https://www.dws.gov.za/wem/currentstudies/gazettedreserves.aspx

okanye ke singacelwa kuMphathi kwezi nkcukacha ziandelayo:

Director: Reserve Determination
Attention: Mr Yakeen Atwaru
Ndinaye Building
Private Bag X313
PRETORIA
0001
Email: atwaruy@dws.gov.za

4. UQINGQO LWAMAHLELO EMISELE

(1) Ibakala lomthamo wamanzi angaphantsi komhlaba, eliquka igalelo lamanzi angaphantsi komhlaba kwiimfuno zamanzi kwiindawo zokuphilisana (i-Ecological Water Requirement (EWR) nomsele weemfuno ezisisiseko zomntu (i- Basic Human Needs Reserve (BHN) ngeYunithi nganye yomsele wamanzi angaphantsi komhlaba (i-Groundwater Resource Unit (GRU) kwindawo yoboniselo ngamanzi i-Berg lixeliwe **kuTafile 5.1.**

(2) Ibakala lekwaliti yamanzi angaphantsi komhlaba, eliquka iimfuno zekwaliti yamanzi angaphantsi komhlaba ne-BHN ngeYunithi nganye yomsele wamanzi angaphantsi komhlaba (i-Groundwater Resource Unit (GRU) lixeliwe **kuTafile 6.2.**

(3) Amahlelo aqingqiweyo ngebakala lomthamo wemilambo ekwindawo yoboniselo i-Berg, oko kuquka i- EWR ne- BHN, axeliwe **kuTafile 7.1.**

(4) Amahlelo aqingqiweyo ngebakala lekwaliti yemilambo ekwizikhundla ze- EWR kwindawo yoboniselo ngamanzi i- Berg ixeliwe **kuTafile 8.1.**

(5) Iimfuno zamanzi kwiindawo zokuphilisana kwimiwonyo ekwindawo yoboniselo i- Berg zixeliwe **kuTafile 9.1.** Iimfuno zamanzi kwiindawo zokuphilisana kwimiwonyo yongxamiseko zixeliwe **kuTafile 9.2.** Iinqobo zovavanyo zeendawo zokuphilisana kunye nomda weenkathazo ezisenokuvela (ii-Potential Concerns (TPC) zixeliwe **kooTafile 10.1 – 10.8.**

(6) Isishwankathelo sesimo sangoku sendawo yokuphilisana (i-Present Ecological State (PES) nebakala elindululwayo lendawo yokuphilisana (i-Recommended Ecological Category (REC) kwimiwonyo echongiweyo ixeliwe **kuTafile 11.1.**

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3447 OF 2025

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

Any party who may have an interest in the above-mentioned Application is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Agriculture, Land Reform & Rural Development
Private Bag X9081, Ermelo, 2350; or 23 Taute Street, Ermelo
File Reference: ET6/ SH 5/ L

SCHEDULE

Applicant:

No.	Name and Surname	Identity Number
1.	Mfana Aaron Maseko	630801 5371 082

Property:

No.	Property Description	Locality (District)	Current Title Deed No	Current Owner	Bonds and Restrictive Conditions (Interdicts)
1	PORTION 2 OF KLIPSTAPEL 243 IS	Gert Sibande	T7131/2014 T7132/2024	GLENCORE OPERATIONS PTY LTD & MSOBO COAL PTY LTD	N/A

For **DIRECTOR-GENERAL: DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**
SIGNED BY: _____
DEPUTY DIRECTOR: TENURE REFORM IMPLEMENTATION / LABOUR TENANTS
DULY AUTHORISED

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3448 OF 2025

LAND REFORM (LABOUR TENANTS) ACT, 1996 (ACT NO. 3 OF 1996)

Notice is hereby given, in terms of Section 17 (2) (c) of the Land Reform (Labour Tenants) Act, 1996 (Act No 3 of 1996) ("the LTA"), that an Application for acquisition of land was lodged with the Director General of the Department of Land Affairs by the Applicants, and in respect of the Property set out in the Schedule.

Any party who may have an interest in the above-mentioned Application is hereby invited to make written representations to the Director General, within 30 days from the publication of this Notice. The representations must be forwarded to:

The Director General
c/o Deputy Director: Tenure Reform Implementation
Department of Agriculture, Land Reform & Rural Development
Private Bag X9081, Ermelo, 2350; or 23 Taute Street, Ermelo
File Reference: ET6/5/SH L

SCHEDULE

Applicant:

No.	Name and Surname	Identity Number
1.	Dodi George Khoza	550619 5513 081

Property:

No.	Property Description	Locality (District)	Current Title Deed No	Current Owner	Bonds and Restrictive Conditions (Interdicts)
1	**Portion 2 of the farm Weltevreden 104 IT**	Msukaligwa	T28775/2005	**Giel Beukes Aandele Trust**	N/A

For **DIRECTOR-GENERAL: DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM**
SIGNED BY: _____
DEPUTY DIRECTOR: TENURE REFORM IMPLEMENTATION / LABOUR TENANTS
DULY AUTHORISED

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3449 OF 2025

Form 2

(Regulation 2(1))

UPGRADING OF LAND TENURE RIGHTS ACT, 1991 (ACT NO. 112 OF 1991):
SECTION 2

Notice of an application for conversion of a land tenure right by the Minister

I, Mzwanele Nyhontso Minister of Land Reform and Rural Development, has received an application for the conversion of a land tenure right described below.

Interested persons are hereby informed of the application for the conversion of the land tenure right.

Any person interested in the application may object to such application within a period of (30) thirty days from the publication of this notice. An objection to the application must be lodged at the address below.

1. The name, surname, identity number and residential address of the applicant:
   Sicelo Mdeke: Identity Number: 5506066077083
   ERF NUMBER: 5325 Etwatwa Ext 7.
   The nature of the land tenure right:
   Leasehold
3. The location of the property by stand number, known name for the area; name of local municipality and the province:
   House Number 5325 Etwatwa. City of Ekurhuleni Metropolitan Municipality, in the Gauteng Province.

4. The description of the property:
   House

No	Name & Surname	Erf Number	Title Number	Identity Number
1.	Kedibone Constance Mashego	Erf 14166 Masango Str, Daveyton.	TL061527/07	720802****084
2.	Sindisiwe Khuzwayo	Erf 1730 Mofolo North, SOWETO.	TL28350/07	800828****089
3.	Kenneth Fikile Magwaza	Erf 5286, Orlando East, SOWETO.	TL13820/2004	460722****080
4.	Linda Judah Nkosi Anna Evelyn Nkosi	Erf 62, Moseleke East, Katlehong	TL32497/1988	450625****080 47/05/22
5.	Sesana Getrude Mthembu	Erf 23 Mofolo South, SOWETO.	TL41915/1988	44/06/21
6.	Keitumetse Gloria Matsie	Erf 13742 Kagiso EXT 8	TL33369/2005	741018****088
7.	Nthabiseng Ruth Mahapeloa	Erf 1139, Diepkloof Ext, SOWETO	TL27581/1985	390504****086
8.'	Dintjane William Mmaboko	Erf 10778 Vosloorus EXT 14	TL19623/1990	510507****080
9.	Lucas Hlatshwayo Duduzile P. Hlatshwayo	Erf 5582 Emdeni EXT 1 SOWETO	TL1873/190	481014****084 550606****087
10.	Nosaini Sylvia Sebi	Erf 3105 Katlehong South	TL56199/1997	390929****081
11.	Paulus Modiga	Erf 20232 Meadowlands SOWETO	TL19611/1991	530701****085
12.	Collen Tshepo Mohale	Erf 11643 Kagiso EXT 6	TL20576/2010	840103****084
13.	Mbonayini R. Masanabo	Erf 6955 Moleleki EXT 2 Katlehong	TL16890/1992	400325****084
14.	Matseliso A. Sehloho Mary M. Sehloho	Erf 6062 Kagiso	TL7828/1992	490415****089 571215****089
15.	Oupa Martin Mphongoa Ntshintsane J. Mphongoa	Erf 5026 Kagiso Township	TL 80665/1998	550201****085 550825****086
16.	Nolubabalo Jidana	Erf 3536 Kagiso Township	TL64803/2007	820302****087

17.	Wellington Mvula Motshidi Mvula	Erf 3863 Emdeni, SOWETO	TL 75994/2001	421020****085 400421****080
18.	Ruth Diakanyo	Erf 7394, Protea Glen EXT11 SOWETO	TL8798/1998	560805****081
19.	Mhlupheki Herbet Chawe Nomasonto Elizabeth Chawe	7000, Moleleki Ext 2 Katlehong	TL16859/1992	540621****888 530925****089
20.	Sabetha Makgato	Erf 16072 Kagiso EXT 12	TL21079/1994	590913****081
21.	Namachina A Ngwenya	Erf 401 Tokoza	TL79109/2003	340727****089
22.	Boy Livy Sikhosana Nana Agnes Sikhosana	Erf 3997 Daveyton	TL47107/1998	310101****082 320101****085
23.	Reginald S. Mboniswa Motlalepula M. Mboniswa	Erf 4334 Mohlakeng EXT 3	TL6188/1989	570618****087 600123****081
24.	Ditsietsi Matilda Mokoena	6268 Kagiso	TL14109/2004	570919****082
25	Susan Kabelo Motaung	Erf 545 Phake Sec, Katlehong	TL53400/1993	181202****087
26.	Khehla Morgan Nhlapho Nomhle Nhlapho	Erf 3293 Tokoza Ext 1	TL 21894/2011	500220****083 561210****083
27.	Senjengani Caroline Zungu	Erf 6268 Orlando East, SOWETO	TL18685/1989	280521****080
28.	Pinkie Jacobeth Maseko	Erf 31859, Tsakane, Ext 15	TL37209/1998	620910****084
29.	Sikayi Mohapi	Erf 20364, Vosloorus, Ext 30	TL49075/1997	440205****083
30.	Mali Philemon Nhlapo	Erf 1082, Tsakane	TL29327/1992	440211****082
31.	Petrus Dire Magosane	Erf 5368, Kagiso	TL18776/1998	620624****089

32.	Nyemeka Cynthia Mzimela	Erf 5608, Daveyton.	TL7765/2000	531126****084
33.	Joseph Bruce Msimango Nombulelo Audrey Msimango	Erf 8158 Tsakane	TL12771/1991	60/07/18 650811****088
34.	William Bhutibhuti Hadebe	Erf 2136, Dhlamini Ext 5, SOWETO.	TL5744/1989	52/10/12
35.	Seja Herman Tease Tsakane Angelinah Tease	Erf 20006, Vosloorus Ext 30.	TL 28670/2007	771022****080 791105****087
36.	Jerobs Jabulane Shabangu	Erf 33851, Tsakane, Ext 1.	TL 80376/1998	650602****081
37.	Morongoe Pauline Ngakane	Erf 11443 Daveyton	TL6807/1998	290716****088
38.	Patrick Fana Motsema	Erf 2892 Wattville	TL15527/2000	560210****080
39.	Mahatina Genge Mcunu Letia May Mcunu	Erf 2114 Orlando East, SOWETO.	TL5073/2000	520404****080 510508****087
40.	Aaron Mtutuzeli Cakata	Erf 30340 Daveyton	TL35810/2005	620615****081
41.	Petrus Masilela	Erf 356 Vosloorus	TL42035/2003	471007****087
42.	Gloria Nomvula Mweli Elliott Thembinkosi Mweli	Erf 24088 Diepkloof	TL58986/2004	660918****089 620203****087
43.	Kgomoaraga Piet Thobejane Dorothy Mmaphefo Motshabi	Erf 18258 Vosloorus Ext 25.	TL41542/1991	580509****084 610528****081
44.	Camp Themba Dladla Elizabeth Sibongile Dladla	Erf 17509 Kagiso Ext 12	TL23369/1994	620907****084 671020****082
45.	Noge Jacob Dipiere Motlalepule Magdaline Dipiere	Erf 1944 Wattville	TL26108/1991	341213****081 431024****082

46.	Jupi Angelina Motloung	Erf 214 Mokoena Sec, Katlehong.	TL7109/1999	420820****087
47.	Raphuthi John Modiselle Madikeke Caroline Modiselle	Erf 2898 Wattville	TL62150/1997	270101****089 271106****085
48.	Emmanuel Mogomotsi Nzilo	Erf 29969 Meadowlands, SOWETO	TL24645/2009	840207****080
49.	Washington B. Nkabinde Lovey N.Nkabinde	Erf 358 Mofolo North, SOWETO.	TL9152/1993	291107****089 350916****084
50.	Thomas Manana	Erf 5715, Pimville, Zone 5, SOWETO.	TL2928/1986	1918/08/12
51.	Peter Wilfred Bopape Naomi Portia Moabelo	Erf 12937, Vooslorus, Ext 23	TL 41803/2008	660509****080 710629****083
52.	Antonio Pfumo Mmaditsibana Pfumo	Erf 10971, Tokoza	TL39298/2010	420307****085 560530****081
53.	Daglas Boy Dlamini Dimakatso Maureen Dlamini	Erf 67 Dlamini, SOWETO.	TL12094/2008	430627****082 441124****084
54.	River Lucas Matsikidi Ntsabeleng Zanele Ruth Ntsabeleng	1766, Kabelo Crescent, Etwatwa Ext 2.	TL45340/1996	630202****089 631013****088
55.	Thamsanqa Frederick Mbambo	Erf 14314, Diepkloof, SOWETO	TL23668/2004	491130****084
56.	Rabatoro Raffinous Tlhakanye Josephine Mafonti Tlhakanye	Erf 16776, Meadowlands, SOWETO.	TL31580/2003	351118****082 390926****083
57.	Benjamin Mapapa Kharametsane Nthokwa Betty Kganyago	1321, Likole, Ext 1, Katlehong.	TL8149/1988	540907****083 580105****082

58.	Itumeleng Gilbert Phakedi	13060, Kagiso, Ext 8	TL36304/2006	740423****087
59.	Michael Ramoseki Sehume	Erf 1362, Kwa-Thema.	TL23994/1989	100101****081
60.	Sicelo Mdeke	Erf 5325, Etwatwa Ext 7	TL4088/2000	550606****083
61.	Nomgidi Grace Masuku Sabelo Simon Gabela	Erf 5442 Etwatwa Ext 7	TL7545/1990	670615****083 350706****085
62.	Elizabeth Phadi	Erf 11388, Orlando East	TL48946/2002	470618****087
63.	Mcelwa Eleck Nkabinde Makhosazana Gladys Nkabinde	Erf 2870 Zonkizizwe Township	TL51671/2003	481216****085 480726****083
64.	Vukani Asherry Sicongwana Thelma Lala Sicongwana	Erf 3537 Vosloorus	TL14752/1987	550821****082 590204****087
65.	Johanna Mapule Letsolo	Erf 1468, Wattville	TL4638/2003	470422****086
66.	Johannes Mkhipheni Mkhatshwa Nomvula Sophie Mkhatshwa	Erf 3631, Vosloorus	TL14752/1989	410523****088 581211****089
67.	Morgan Khehla Nhlapho Nomhle Nhlapho	Erf 3293, Tokoza Ext 1	TL21894/2011	500220****083 561210****083
68.	Petrus Nzabambe Mabuza Matijobo Elsie Mabuza	Erf 30291, Daveyton	TL8812/1993	610115****081 631002****089
69.	Nomakhwezi Mgole	Erf 21375, Vosloorus	TL17318/1996	580228****082
70.	Ngobozane Stephen Ndaba Coshiwe Martha Sithole	Erf 21393 Etwatwa Ext 33	TL4692/2001	290115****087 420426****088
71.	Alfred Daniel Nyendeni	Erf 4003, Daveyton	TL26253/1987	370602****087

72.	Elias Jonas Mashiane	ERF 18881, Kwa-Thema	TL24084/1992	460601****080
73.	Lazarus Kleinboy Ntuli Nobayeni Ntuli	Erf 708, Vosloorus, Ext 2	TL6812/2000	240321****082 310628****088
74.	Harry Simanga Memela Jacobeth Nomasonto Memela	Erf 5679, Etwatwa, Ext 3	TL37695/2008	591205****086 650822****089
75.	Teboho Mary Kekana	Erf 6261 Etwatwa Ext 3	TL 39036/2006	721206****089
76.	Sibongiseni Zikepe	Erf 10974 Tokoza Ext 2	TL 46028/2015	750618****083
77.	TX Motors CC	Erf 5643 Etwatwa Ext 3	TL 44002/2002	199400549423
78.	Zakhele Livikele Johnson Ngcobo	Erf 20947 Vosloorus Ext 28	TL48957/1992	710914****088
79.	Mdunela S. Mkhize Thoko G. Mkhize	Erf 8328, Vosloorus EXT 9	TL 29335/1989	461129****081 570620****088
80.	Matu H. Makgabutlana Martha M. Makgabutlana	Erf 14497 Kwa-Thema	TL88591/1998	491210****085 500218****082

5. The capacity in which the land tenure right is being held or could have been held by the applicant:

   Owner

6. If the application is made on behalf of more than one-person, personal particulars of such other persons:

   N/A

7. Address at which objection can be lodged:

   (Physical address): Department of Agriculture, Land Reform and Rural Development
   600, Lilian Ngoyi, Berea Park
   Pretoria
   0001
   (Email address): queen.filani@dlrrd.gov.za
   thabani.motaung@dlrrd.gov.za



Mr. Mzwanele Nyhontso (MP)
Minister: Land Reform and Rural Development
Date: 21/08/2025

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3450 OF 2025

AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 880 of 2008 published in *Government Gazette* No. 31232 on 18 July 2008 in respect of the claim lodged by Ahmed Timol, under Reference No. **KRN6/2/3/E/8/817/2716/4304** to **EXCLUDE** the properties listed in the schedule below:

SCHEDULE

NO.	REFERENCE NUMBER	NAME OF CLAIMANT	PROPERTY DESCRIPTION	EXTENT	PREVIOUS TITLE DEED NUMBER	DATE OF LODGEMENT
11	KRN6/2/3/E/8/817/2716/4304	Ahmed Timol	1. Remainder of Lot 2 of Lot AA of the farm Cato Manor No. 812 2. Remainder of Lot 3 of Lot AA of the farm Cato Manor No. 812	1. 0, 0855 ha 2. 0, 0826 ha	1. T2003/1971 2. T2003/1971	23-12-1998

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3451 OF 2025

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	:	**Portion 0 of Erf No. 207 Mpungamhlophe A Township**
Extent of property	:	**0, 2007 hectares**
Magisterial District	:	**Babanango**
Administrative District:	:	**KwaZulu-Natal**
Current Title Deed No.	:	**T37318/2017**
Current Owner	:	**Fikile Maria Zwane**
Bonds & Restrictive Conditions (Interdicts)	:	**VA966/2017**
Claimant	:	**Samson Sibaya and Moses Nhlapho on behalf of the Sibaya Family**
Date claim lodged	:	**29 December 1998**
Reference number	:	**KRN6/2/2/E/2/0/0/34**

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

NOTICE 3452 OF 2025

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 A (Road) of 6 of E of A of Lot 18B No. 1539, now known as Portion 1 of Erf 3234 Durban North**
	2.	**Remainder of Sub 6 of E of A of 18B No. 1539, now known as Portion 0 (Remaining Extent) of Erf 3234 Durban North**
Extent of property:	**1.**	**0, 1264 hectares**
	2.	**0, 1273 hectares**
District Municipality:	**eThekwini District Municipality**	
Local Municipality:	**eThekwini Local Municipality**	
Administrative District:	**KwaZulu-Natal**	
Current Title Deed No.:	**1.**	**T11447/1956**
	2	**T2314/1980 and T9327/2021**
Current Owner:	**1.**	**eThekwini Municipality**
	2.	**eThekwini Municipality**
Bonds & Restrictive Conditions (Interdicts):	**1.**	**I-267/1990LG**
	2.	**None**
Claimant:	**Rooplall Sewraj**	
Date claim lodged:	**20 December 1998**	
Reference number:	**KRN/2/3/E/8/817/1970/125**	

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

NOTICE 3453 OF 2025

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	:	**see attached schedule**
Extent of property	:	**see attached schedule**
District Municipality	:	**Harry Gwala District Municipality**
Local Municipality	:	**Ubuhlebezwe Local Municipality**
Administrative District	:	**KwaZulu-Natal**
Current Title Deed No.	:	**see attached schedule**
Current Owner	:	**see attached schedule**
Bonds & Restrictive Conditions (Interdicts)	:	**see attached schedule**
Claimant	:	**Nyangayezizwe Vincent Ngongoma**
Date claim lodged	:	**10 December 1998**
Reference number	:	**KRN6/2/2/E/16/0/0/74**

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.

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

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:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 0 of the farm Sikaka No. 14234	240 ha	G62/1958	National Government of the Republic of South Africa	VA2929/2016
2	Portion 0 of the farm Lot BZ1 No. 8360	20 ha	T19283/1990	Diocese of Marianhill of the Archdiocese of Durban	None
3	Portion 0 of the farm lot BZ2 No. 8359	60 ha	T19283/1990	Diocese of Marianhill of the Archdiocese of Durban	None

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3453 OF 2025

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	:	**see attached schedule**
Extent of property	:	**see attached schedule**
District Municipality	:	**Harry Gwala District Municipality**
Local Municipality	:	**Ubuhlebezwe Local Municipality**
Administrative District	:	**KwaZulu-Natal**
Current Title Deed No.	:	**see attached schedule**
Current Owner	:	**see attached schedule**
Bonds & Restrictive Conditions (Interdicts)	:	**see attached schedule**
Claimant	:	**Nyangayezizwe Vincent Ngongoma**
Date claim lodged	:	**10 December 1998**
Reference number	:	**KRN6/2/2/E/16/0/0/74**

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.

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AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 541 of 2005 published in *Government Gazette* No. 27470 on 15 April 2005 in respect of the Ngome/Ntendeka Community, under Reference No. **KRN6/2/2/E/50/0/0/1523** to **EXCLUDE** the properties listed in the schedule below:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	The farm Klipfontein No. 729	10, 1175 ha	T7958/1986	Ngomi Timbers (Pty) Ltd	None
2	Remainder of the farm Legerplaats No. 634	831, 2700 ha	T7956/1986	Republic of South Africa	None
3	Portion 2 of the farm Legerplaats No. 634	643, 4162 ha	T37547/2000	Republic of South Africa	None
4	The farm Zaagkuil No. 777	683, 2767 ha	T2435/2000	Republic of South Africa	VA1065/1994 VA766/1993
8	Portion 3 of the farm Mooiplaats No. 537	2, 0235 ha	T486/1926	Zululand Diocesan Trusts Board-Trustees	EX23/1987-22/1/87-486/926T
9	Remainder of Portion 4 of the farm Mooiplaats No. 537	194, 3953 ha	T8641/1960	Republic of South Africa	None
10	Portion 5 of Portion 1 of the farm Mooiplaats No. 537	79, 6063 ha	T2435/2000	Republic of South Africa	None
11	Portion 6 of Portion 2 of the farm Mooiplaats No. 537	24, 6382 ha	T2435/2000	Republic of South Africa	None
12	Portion 7 of Portion 4 of the farm Mooiplaats No. 537	54, 4709 ha	T37548/2000	Republic of South Africa	None
13	The farm Squebez No. 702	800 dum	Not Registered		

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

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3455 OF 2025

AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 408 of 2019 published in *Government Gazette* No. 42608 on 2 August 2019 in respect of the claim lodged by Paulos Velangasho Mtungwa on behalf of the Mtungwa Family, under Reference No. **KRN6/2/3/E/8/817/2716/1211** to:

1. EXCLUDE THE PROPERTY IN SCHEDULE BELOW

NO.	REFERENCE NUMBER	NAME OF CLAIMANT	PROPERTY DESCRIPTION	LODGMENT DATE
5	KRN6/2/3/E/8/817/2716/1211	Paulos Velangasho Mtungwa	That portion of Durban commonly known as 83 New Look, Cato Manor	27-06-1998

2. INCLUDE THE PROPERTY IN SCHEDULE BELOW

NO.	REFERENCE NUMBER	NAME OF CLAIMANT	PROPERTY DESCRIPTION	LODGMENT DATE
5	KRN6/2/3/E/8/817/2716/1211	Paulos Velangasho Mtungwa	That portion of Durban commonly known as 209 New Look, Cato Manor	27-06-1998

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

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AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 2138 of 202 published in *Government Gazette* No. 49603 on 3 November 2023, in respect of the claim lodged by **Mndeni Ambrose Mtshali**, under Reference No. **KRN6/2/2/E/50/0/0/180** to:

1. REPLACE

Property	:	**A portion of Portion 0 (remaining extent) of the farm Rooipoort No. 565**
Current Title Deed No.	:	**T26293/2022**
Current Owner	:	**Bhekithemba J. Mncwango and Ntombikanina H. Mncwango**

2. WITH

Property	:	**A portion of Portion 5 of Portion 4 of the farm Weltevreden No. 490**
Current Title Deed No.	:	**T39428/2005**
Current Owner	:	**Zamokuhle Ntabankulu Communal Property Association**

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3457 OF 2025

AMENDMENT NOTICE

GENERAL NOTICE IN TERMS OF SECTION 11 A (4) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Amending Notice 2138 of 202 published in *Government Gazette* No. 49603 on 3 November 2023, in respect of the claim lodged by **Felokwakhe John Mtshali**, under Reference No. **KRN6/2/2/E/50/0/0/70** to:

1. REPLACE

Property : **A portion of Portion 0 (remaining extent) of the farm Rooipoort No. 565**

Current Title Deed No. : **T26293/2022**

Current Owner : **Bhekithemba J. Mncwango and Ntombikanina H. Mncwango**

2. WITH

Property : **A portion of Portion 1 (remaining extent) of the farm Rooipoort No. 565**

Current Title Deed No. : **T14334/2014**

Current Owner : **Imfolozi Timbers Proprietary Limited**

LEBJANE MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

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NOTICE OF WITHDRAWAL IN TERMS OF SECTION 11 A (3) OF THE RESTITUTION OF LAND RIGHTS ACT, 1994 (ACT NO. 22 OF 1994)

Notice is hereby given in terms of Section 11 A (3) of the Restitution of Land Rights Act, 1994 (Act No. 22 of 1994) as amended:

1. that the notice for the withdrawal of a claim which was published in the Government Gazette No. 50105 dated 9 February 2024 under Notice No. 2306 of 2024 under reference number **KRN6/2/2/E/30/0/0/54** is hereby **WITHDRAWN** by the Regional Land Claims Commissioner.

2. that a claim for the restitution of land rights lodged on the 28 December 1998 by Ntombikayise Emma Chamane in the District of New Hanover, KwaZulu-Natal which was published in the Government Gazette No. 27712 dated 1 July 2005, Notice No. 993 of 2005 under reference number **KRN6/2/2/E/30/0/0/54**, that the properties described in the schedule attached to this notice are no longer subject to the land claim published in the aforesaid notice and are hereby **WITHDRAWN** by the Regional Land Claims Commissioner:

SCHEDULE

NO.	PROPERTY DESCRIPTION	EXTENT	CURRENT TITLE DEED NO.	CURRENT OWNER	BONDS & RESTRICTIVE CONDITIONS (INTERDICTS)
1	Portion 16 of the farm Dalton No. 2366	16, 3406 ha	T21159/1997	Werner Meyer Family Trust-Trustees	K2562/1999s
2	Portion 18 of the farm Dalton No. 2366	32, 3797 ha	T21159/1997	Werner Meyer Family Trust-Trustees	None
3	Portion 19 of the farm Dalton No. 2366	11, 7642 ha	T21159/1997	Werner Meyer Family Trust-Trustees	None
4	Remainder of Portion 20 of the farm Dalton No. 2366	800 dum	T21159/1997	Werner Meyer Family Trust-Trustees	K2562/1999s

LEBJANE H. MAPHUTHA
REGIONAL LAND CLAIMS COMMISSIONER: KWAZULU NATAL
DATE:

DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3459 OF 2025

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 : **see attached schedule**

Magisterial District : **Ethekwini**

Administrative District : **KwaZulu-Natal**

Claimant : **see attached schedule**

Date claim lodged : **see attached schedule**

Reference number : **see attached schedule**

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:

SCHEDULE

NO.	REFERENCE NUMBER	NAME OF CLAIMANT	PROPERTY DESCRIPTION	LODGMENT DATE
1	KRN6/2/3/E/8/817/2716/387	Virginia Mkhize	That portion of Durban commonly known as 83 Mgangeni	
2	KRN6/2/3/E/8/817/2716/4881	Dolly Annacletta Mavundla	That portion of Durban commonly known as Two Stick, Matatiele	
3	KRN6/2/3/E/8/817/2716/4909	Mpapa Douglas Sabela	That portion of Durban commonly known as 159 Booth Road, Draaihoek	
4	KRN6/2/3/E/8/817/2716/5333	Busisiwe Kumalo	That portion of Durban commonly known as117 Road 4 Sharpville	

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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3460 OF 2025

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 : **see attached schedule**

Magisterial District : **Ethekwini**

Administrative District : **KwaZulu-Natal**

Claimant : **see attached schedule**

Date claim lodged : **see attached schedule**

Reference number : **see attached schedule**

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:

SCHEDULE

NO.	REFERENCE NUMBER	NAME OF CLAIMANT	PROPERTY DESCRIPTION	LODGMENT DATE
1	KRN6/2/3/E/8/817/2716/387	Virginia Mkhize	That portion of Durban commonly known as 83 Mgangeni	
2	KRN6/2/3/E/8/817/2716/4881	Dolly Annacletta Mavundla	That portion of Durban commonly known as Two Stick, Matatiele	
3	KRN6/2/3/E/8/817/2716/4909	Mpapa Douglas Sabela	That portion of Durban commonly known as 159 Booth Road, Draaihoek	
4	KRN6/2/3/E/8/817/2716/5333	Busisiwe Kumalo	That portion of Durban commonly known as117 Road 4 Sharpville	

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DEPARTMENT OF AGRICULTURE, LAND REFORM AND RURAL DEVELOPMENT

NOTICE 3461 OF 2025

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	:	**Sub 34 (a subdivision of Subdivision K) of the farm Garibaldi No. 2161, now known as Portion 34 of the farm Garibaldi No. 2161**
Extent of property	:	**1, 6187 hectares**
District Municipality	:	**uMgungundlovu District Municipality**
Administrative District	:	**KwaZulu-Natal**
Current Title Deed No.	:	**T13148/1985**
Current Owner	:	**Regional and Land Affairs**
Bonds & Restrictive Conditions (Interdicts)	:	**None**
Claimant	:	**Suryakumarie Beharie**
Date claim lodged	:	**16 October 1998**
Reference number	:	**KRN62/2/E38/0/0/65**

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:

NATIONAL TREASURY

NO. 3462 **29 August 2025**

RATE OF INTEREST ON GOVERNMENT LOANS

It is hereby notified that the Minister of Finance has, in terms of Section 80(1)(a) and (b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), fixed the Standard Interest Rate applicable, from **1 September 2025** and until further notice, to loans granted by the State out of a Revenue Fund, and /or to all other debts which must be paid into a Revenue Fund, at ten, fifty percent **(10,50%)** per annum.

The above-mentioned Standard Interest Rate is applicable from **1 September 2025** and until further notice, to all drawings of loans from State money, except loans in respect of which other rates of interest are specifically authorized by legislation or the Minister of Finance.

PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA

NO. 3463 29 August 2025

DR TEBOGO KGOSIETSILE SOLOMON LETLAPE, MP

NOTICE OF INTENTION TO INTRODUCE A PRIVATE MEMBER'S BILL AND INVITATION FOR COMMENT ON THE DRAFT PARLIAMENTARY AND PROVINCIAL MEDICAL AID SCHEME AMENDMENT BILL, 2025

Dr Tebogo Kgosietsile Solomon Letlape, MP, acting in accordance with section 73(2) of the Constitution of the Republic of South Africa, 1996 ("Constitution"), intends to introduce the Parliamentary and Provincial Medical Aid Scheme Amendment Bill, 2025 ("draft Bill"), in Parliament. An explanatory summary of the draft Bill is hereby published in accordance with Rule 276(1)*(c)* of the Rules of the National Assembly (9th Edition).

The draft Bill seeks to amend the Parliamentary and Provincial Medical Aid Scheme Act, 1975 (Act No. 28 of 1975) ("principal Act"), so as to substitute compulsory membership of the Parmed Medical Aid Scheme ("PARMED") with voluntary membership.

The escalating costs of PARMED are a significant concern, as the substantial deductions from the salaries of PARMED members, to cover medical aid contributions, place a financial burden on such members. PARMED's one-size-fits-all approach fails to accommodate the diverse needs of its members, who have varying family sizes and healthcare requirements. This lack of flexibility results in inconsistencies and reinforces the argument that a single, compulsory scheme cannot effectively cater to all members, yet they have no alternative but compulsory contributions to PARMED.

These factors collectively highlight the necessity of legislative amendments to address these shortcomings, ensuring greater fairness, affordability, and choice in the provision of medical services for affected PARMED members.

The draft Bill therefore seeks to amend the principal Act by—

(a) substituting compulsory membership of the PARMED with voluntary membership;
(b) substituting certain outdated terminology;
(c) ensuring that deductions for contributions to PARMED are only made from the salaries of persons who have elected to be members of PARMED;

(d) providing for transitional arrangements; and
(e) providing for matters connected therewith.

Interested parties and institutions are invited to submit written representations on the proposed content of the draft Bill to the Speaker of the National Assembly within 30 days of the publication of this notice. Representations can be delivered to the Speaker, New Assembly Building, Parliament Street, Cape Town; mailed to the Speaker, P O Box 15 Cape Town 8000, or emailed to speaker@parliament.gov.za and copied to parliament@actionsa.org.za.

Copies of the draft Bill may be accessed at this link: https://www.actionsa.org.za/policy/healthcare/

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 3464 **29 August 2025**

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
CRP061Jul25	Mothothebe Trading Enterprise CC	Competition Commission	24/07/2025	5(1),8(1)(a),8(d)(ii),8(1)(d)(vi),9(1)
CRP064Jul25	Qiniso Steven Mkhatshw	Supa Mohale	24/07/2025	-
CRP060Jul25	Verve LNG Domes	Standard Bank SA	25/07/2025	4(1)(b)(i),4(1)(b)(iii),8(1)(c),9(1),5(1)

The Chairperson
Competition Tribunal

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NO. 3465 **29 August 2025**

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
LM029May25	Open Learning Holdings (Pty) Ltd	Fundi Capital (Pty) Ltd	04/08/2025	Approved
LM015Apr25	K2024528179 (South Africa) (Pty) Ltd	Barloworld Ltd	15/08/2025	Approved Subject to Conditions

The Chairperson Competition Tribunal

PROCLAMATION 282 OF 2025

BY THE

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

THE SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL ACT; 2014 (ACT NO. 8 OF 2014)

In terms of section 43 of the South African Language Practitioners' Council Act; 2014 (Act No. 8 of 2014), I hereby determine **the date of publication** as the date on which the South African Language Practitioners' Council Act; 2014 (Act No. 8 of 2014) comes into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this the 23 day of July Two Thousand and Twenty-five.

President

Minister of the Cabinet

XITIVISO

HI

PHURESIDENTE WA RIPHABLIKI YA AFRIKA DZONGA

NAWU WA HUVO YA AFRIKA DZONGA YA VATIRHI VA SWA TINDZIMI; 2014 (NAWU WA NO. 8 WA 2014)

Hi ku ya hi xiyenge xa 43 xa Nawu wa Huvo ya Afrika Dzonga ya Vatirhi va swa Tindzimi; 2014 (Nawu wa No. 8 wa 2014)), Hi mukhuva lowu ndzi veka siku ra ku kandziyisiwa tanihi siku leri Nawu wa Huvo ya Afrika Dzonga ya Vatirhi va swa Tindzimi; 2014 (Nawu wa No. 8 wa 2014) wu sungulaka ku tirha harona.

Lowu sayiniweke hi mina na Xitempe xa Riphabliki ya Afrika Dzonga e Cape Town, hi 23 siku ra Mawuwani Magidimbirhi na Makumembirhi Ntlhanu.

Phuresidente

Holobye wa Khabinete

PRESIDENT'S MINUTE NO. 150 / 2025

In terms of section 43 of the South African Language Practitioners' Council Act, 2014 (Act No.8 of 2014) ("the Act"), I hereby, by means of the accompanying proclamation in English and Tsonga, determine **the date of publication** as the date on which the said Act comes into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this 23 July day of Two Thousand and Twenty-Five.

PRESIDENT

MINISTER OF THE CABINET

PROCLAMATION 283 OF 2025

BY THE

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

COMMENCEMENT OF THE INDEPENDENT POLICE INVESTIGATIVE DIRECTORATE AMENDMENT ACT, 2024 (ACT NO. 15 OF 2024)

Under section 24 of the Independent Police Investigative Directorate Amendment Act, 2024 (Act No. 15 of 2024), I hereby determine the date on which this signed Proclamation is published in the Government *Gazette* as the date on which sections 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 15, 17, 19, 20, 21, 22, 23 and 24 of this Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this 23 day of July Two Thousand and Twenty-Five.

PRESIDENT

By Order of the President-in-Cabinet

MINISTER OF THE CABINET

ISIMEMEZELO
SIKAMONGAMELI WERIPHABHULIKI YASENINGIZIMUAFRIKA

UKUQALA UKUSEBENZA KOMTHETHO OCHIBIYELA UPHIKO LOMQONDISI WEZAMAPHOYISA OLUPHENYA NGOZIMELE WEZI-2024 (UMTHETHO 15 WEZI- 2024)

Ngaphantsi kwesigaba sesi- 24 soMthetho Ochibiyela uPhiko loMqondisi WezamaPhoyisa Oluphenya Ngokuzimele, wezi – 2024 (uMthetho 15 wezi- 2024), Ngakho-ke nginquma umhla we ziyi- usuku lapho lo mthetho owusayiniwe ushicilelwa khona kugazethi katlulumeni, njengosuku izigaba 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 15, 17, 19, 20, 21, 22, 23, kanye 24 zalomthetho eziyoqala ngalo ukusebenza.

Sisayinywe ngesandla sami kanye Nophawu lweRiphabhuliki yaseNingizumi Afrika e..Cape.Town ngomhlaka..23..July..wonyaka Wezinkulungwane Ezimbili Namashumi Amabili Nane.

UMONGAMELI

Ngomyalelo kaMongameli KwiKhabhinethi

UNQGQONGQOSHE WEKHABHINETHI

BOARD NOTICE 827 OF 2025

BEFORE THE DISCIPLINARY TRIBUNAL OF THE ENGINEERING COUNCIL OF SOUTH AFRICA HELD AT JOHANNESBURG ON 24 APRIL 2025 VIA MS TEAMS

In the matter between:

Engineering Council of South Africa (Complainant)

And

Chikomborero Shambare
Registration number 2019401578 (Respondent)

Publication in terms of section 32(5) of the Engineering Profession Act, 46 of 2000 ("The Act") of the finding and sanction imposed by a Disciplinary Tribunal at a disciplinary hearing, into the alleged improper conduct of a registered person.

NATURE OF CONTRAVETION

Guilty of contravention of Rule 3.2(a), 3.2(c), 3.2(g) and 3.5(a) of the Rules of the Code of Conduct for Registered Persons promulgated under Board Notice 41 of 2017, Government Gazette number 40961 of 17 March 2021.

SANCTION

1. The Respondent, in terms of the provisions of section 32(3)(a)(i), be reprimanded not to conduct himself in the manner which he did, in the future; and

2. The respondent, in terms of the provisions of section 32(3)(a)(ii), is fined in the amount of R 2 500.00 (two thousand five hundred rand) per charge, amounting· to a total of R 10 000.00 (ten thousand rand), of which half, being R 5 000.00, shall be suspended for a period of five years.

3. In terms of section 32(3)(a)(iii), should the Respondent be found guilty of a same or similar offence within 5 years of the Council's date of the acceptance of the settlement agreement, that the Council may suspend the respondent's registration for a period not exceeding one (1) year.

4. The Respondent shall proceed to remit payment in the amount of R 5,000.00 (five thousand rand), which payment shall be made to the Council after having received the bank account number of the Council and the appropriate reference number by the respondent, in the following manner:

    4.1 The amount of R 5,000.00 (five thousand rand) shall be paid to Council in two (2) equal instalments; and

    4.2 The first of the two instalments, each in the amount of R 2,500.00 (two thousand five hundred rand), being due on or before 30 April 2025, and the second and final instalment due on or before 31 May 2025.

5. The Respondent's previous application for ECSA registration in respect of Professional Engineer (Pr. Eng.), being the registration application in question, shall be considered as null and void, with the Respondent required to apply for such, afresh.

6. The Respondent is disqualified from being appointed or taking up any position, temporary or permanent, within ECSA or any of its boards or committees for a period of five (5) years of the Council's date of the acceptance of the settlement agreement.

BOARD NOTICE 828 OF 2025

The Allied Health Professions Council of South Africa
Ensuring quality complementary and alternative healthcare of choice

ALLIED HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

6 CASTELLI, IL VILLAGGIO, 5 DE HAVILLAND CRESCENT SOUTH, PEREQUOR TECHNOPARK, PRETORIA, 0184

Telephone: (012) 349 2331 Facsimile: (012) 349 2327

Email: registrar@ahpcsa.co.za

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ALLIED HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA: DEREGISTRATIONS OF PRACTITIONERS / THERAPISTS 1 FEB 2024 - 31 JAN 2025

In terms of section 21 of the Allied Health Professions Act, Act 63 of 1982 ("the Act"), the following names have been removed or added or restored to or from the relevant registers after consultation with the relevant professional boards in terms of Section 21(5) of the Act.

AHPCSA DEREGISTRATION 1 FEB 2024 – 31 JAN 2025					
NUMBER	LASTNAME	FIRSTNAME	PROFESSION	REASON	DATE
A00064	Augoustatos	Eleftheria	Chinese Medicine and Acupuncture	NPF	10/6/2025
A08121	Baasch	Marianne	Homeopathy	NPF	10/6/2025
A12200	Becker	Francis	Chiropractic	NPF	10/6/2025

A00523	Booyse	Paul	Homeopathy	NPF	10/6/2025
A12652	Cassim	Shazia	Unani Tibb	NPF	10/6/2025
A12324	Chego	Leganate	Therapeutic Reflexology	NPF	10/6/2025
A11253	Chhiba	Ujaswee	Homeopathy	NPF	10/6/2025
A11864	Chien	Li-Fen	Therapeutic Reflexology	NPF	10/6/2025
A12446	De Bruin	Twainette	Therapeutic Reflexology	NPF	10/6/2025
A12293	De Sousa	Raquel	Chiropractic	NPF	10/6/2025
A12493	Dlangalala	Daphne	Therapeutic Reflexology	NPF	10/6/2025
A12382	Dowelani	Fhatani	Therapeutic Reflexology	NPF	10/6/2025
A12645	Farland	Sue-Ellen	Therapeutic Reflexology	NPF	10/6/2025
A12167	Flatela	Sandisiwe	Therapeutic Reflexology	NPF	10/6/2025
A02123	Francis	Taryn	Homeopathy	NPF	10/6/2025
A02472	Gassner	Beatrix	Chinese Medicine and Acupuncture	NPF	10/6/2025
A02559	Gu	Xiao-Ying	Chinese Medicine and Acupuncture	NPF	10/6/2025
A02506	Gqola	Sarah	Therapeutic Massage Therapy	NPF	10/6/2025
A02846	Halliday	Michael	Chiropractic	NPF	10/6/2025
A12406	Inder	Antalaya	Chiropractic	NPF	10/6/2025
A12613	Jacobs	Reynard	Naturopathy	NPF	10/6/2025
A12172	Kingham	Mark	Chiropractic	NPF	10/6/2025
A11895	Kupane	Bontle	Therapeutic Reflexology	NPF	10/6/2025
A11939	Labuschagne	Larisha	Chiropractic	NPF	10/6/2025
A10685	Loots	Tamsin	Chiropractic	NPF	10/6/2025
A11049	Long	Bryan	Homeopathy	NPF	10/6/2025
A12647	Mabona	Nomhle-Khabo	Phytotherapy	NPF	
A10850	Meekel	Claire	Chiropractic	NPF	10/6/2025
A05378	Naidoo	Salatchee	Therapeutic Reflexology	NPF	10/6/2025
A01479	Pretorius	Nellie	Homeopathy	NPF	10/6/2025
A11684	Piquet	Samantha	Therapeutic Reflexology	NPF	10/6/2025
A03082	Roebuck	Bronwyn	Homeopathy	NPF	10/6/2025
A10851	Scharffenorth	Fazlin	Phytotherapy	NPF	10/6/2025
A12092	Treurnich	Jennifer-Sue	Therapeutic Reflexology	NPF	10/6/2025
A07709	Tun	Fabian	Chinese Medicine and Acupuncture and Homeopathy	NPF	10/6/2025
A10599	Van Rensburg	Hendrika	Therapeutic Reflexology	NPF	10/6/2025
A08618	Van Wyk	Juan	Therapeutic Massage Therapy	NPF	10/6/2025

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