



**OFFICIAL
GUIDE TO**
South Africa
2020/21

GOVERNMENT

South Africa is a constitutional democracy with a three-tier system of government and an independent judiciary. The national, provincial and local levels of government all have legislative and executive authority in their own spheres, and are defined in the Constitution of the Republic of South Africa of 1996 as distinctive, interdependent and interrelated.

Operating at both national and provincial levels are advisory bodies drawn from South Africa's traditional leaders. It is a stated intention in the Constitution that the country be run on a system of cooperative governance.

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

The Constitution

The Constitution is the supreme law of the land. No other law or government action can supersede the provisions of the Constitution. It was approved by the Constitutional Court on 4 December 1996 and took effect on 4 February 1997.

Government

Government consists of national, provincial and local spheres. The powers of the legislature, executive and courts are separate.

Parliament

Parliament consists of the National Assembly and the National Council of Provinces (NCOP). Parliamentary sittings are open to the public. Several measures have been implemented to make Parliament more accessible and accountable.

National Assembly

The National Assembly consists of no fewer than 350 and no more than 400 members, elected through a system of proportional representation for a five-year term. It elects the President and scrutinises the executive.

National Council of Provinces

The NCOP is constitutionally mandated to ensure that provincial interests are taken into account in the national sphere of government. This is done through participation in the national legislative process and by providing a national forum for consideration of issues affecting provinces. The NCOP consists of 90 provincial delegates, which is 10 delegates for each of the nine provinces.

Government clusters

Government clusters are groupings of government departments with cross-cutting programmes. Clusters foster an integrated approach to governance that is aimed at improving government planning, decision making and service delivery.

The objective is to ensure proper coordination of all government programmes at national and provincial levels. The main functions of the clusters are to ensure the alignment of government-wide priorities, facilitate and monitor the implementation of priority programmes and to provide a consultative platform on cross-cutting priorities and matters being taken to Cabinet.

The clusters of the Forum of South African Directors-General (FOSAD) mirror the Ministerial clusters. The FOSAD clusters provide technical support to the Ministerial Clusters. The Director-General in the Presidency is the chairperson of FOSAD.

The clusters are as follows:

- Economic Sectors, Investment, Employment and Infrastructure Development
- Social Protection, Community and Human Development
- Governance, State Capacity and Institutional Development
- Justice, Crime Prevention and Security
- International Cooperation, Trade and Security.

Izimbizo

The Izimbizo programme is a communication platform that enables the citizenry to have a meaningful and direct engagement with members of the national, provincial and local executive. It promotes unmediated face-to-face communication with the public.

It provides an opportunity to political principals to share government plans to improve service delivery and to listen to issues facing communities.

Inter-Ministerial Committees (IMCs)

The President of the Republic of South Africa (and in certain instances the Cabinet) appoints IMCs for specific purposes that require the attention and dedication of a team of certain Ministers. The mandate of the IMCs is limited to the matter that they are established to execute. Some of the past and present IMCs include the following:

- IMC on the Prevention and Combating of Corruption
- IMC on Information and Publicity
- IMC on State Funerals
- IMC on the Revitalisation of Distressed Mining communities
- IMC on Immigration Regulations

- IMC on Investment Promotion
- IMC on Local Government Elections
- IMC on the Centenaries of Mama Albertina Sisulu and Tata Nelson
- IMC on the South Africa Investment Conference
- IMC on Land Reform
- IMC on Illegal Mining
- IMC on Climate Change
- IMC on Comprehensive Social Security
- IMC on Electricity Reticulation
- IMC on Energy
- IMC on the South African National AIDS Council
- IMC on District-Level Service Delivery
- IMC on Gender-Based Violence and Femicide
- IMC on Vaccines.

The Presidency

The Presidency is the executive manager of government. It is situated in the Union Buildings, Pretoria, and has a subsidiary office in Tuynhuys, Cape Town.

The NDP offers a long-term socio-economic development road map. The NDP: Vision for 2030 focuses on the following strategic areas of development:

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

The Deputy President

The President appoints the Deputy President from among the members of the National Assembly.

The Presidency - Appointed since June 2018

- President Cyril Matamela Ramaphosa.
- Deputy President David Dabede Mabuza.

Cabinet

Cabinet consists of the President, as head of the Cabinet, the Deputy President and Ministers. The President appoints the Deputy President and Ministers, assigns their powers and functions and may dismiss them. No more than two Ministers may be appointed from outside the National Assembly.

Cabinet Ministers and Deputy Ministers, as at October 2021

Portfolio	Minister	Deputy Minister
Agriculture, Land Reform and Rural Development	Thoko Didiza	Mcebisi Skwatsha Rosemary Capa
Basic Education	Angie Motshekga	Reginah Mhaule
Communications and Digital Technologies	Khumbudzo Ntshavheni	Philly Mapulane
Cooperative Governance and Traditional Affairs	Nkosazana Dlamini Zuma	Obed Bapela Thembi Nkadimeng
Defence and Military Veterans	Thandi Modise	Thabang Makwetla
Employment and Labour	Thulas Nxesi	Boitumelo Moloji
Finance	Enoch Godongwana	David Masekela
Forestry, Fisheries and the Environment	Barbara Creecy	Magdeline Soty
Health	Joe Phaahla	Sibongiseni Dhlomo
Higher Education, Science and Innovation	Blade Nzimande	Buti Manamela
Home Affairs	Aaron Motsoaledi	Njabulo Nzuza
Human Settlements	Mmamoloko Kubayi	Pamela Tshwete
International Relations and Cooperation	Naledi Pandor	Alvin Botes Candith Mashego-Dlamini
Justice and Correctional Services	Ronald Lamola	John Jeffery Inkosi Patekile Holomisa
Mineral Resources and Energy	Gwede Mantashe	-
Police	Bheki Cele	Cassel Mathale

Public Enterprises	Pravin Gordhan	Phumulo Masualle
Public Service and Administration	Ayanda Dlodlo	Chana Pilane-Majake
Public Works and Infrastructure	Patricia de Lille	Noxolo Kiviet
Small Business Development	Stella Ndabeni-Abrahams	Sdumo Dlamini
Social Development	Lindiwe Zulu	Hendrietta Bogopane-Zulu
Sport, Arts and Culture	Nathi Mthethwa	Nocawe Mafu
The Presidency (State Security)	-	Zizi Kodwa
The Presidency	Mondli Gungubele	Thembi Siweya Pinky Kekana
Presidency for Women, Youth and Persons with Disabilities	Maite Nkoana-Mashabane	-
Tourism	Lindiwe Sisulu	Fish Mahlalela
Trade, Industry and Competition	Ebrahim Patel	Nomalungelo Gina
Transport	Fikile Mbalula	Sindisiwe Chikunga
Water and Sanitation	Senzo Mchunu	David Mahlobo

Provincial government

Each of the nine provinces has its own legislature of 30 to 80 members. They elect the premiers who head the executive councils.

Premiers, as at November 2021	
Eastern Cape	Oscar Mabuyane
Free State	Sefora Ntombela
Gauteng	David Makhura
KwaZulu-Natal	Sihle Zikalala
Limpopo	Stanley Mathabatha
Mpumalanga	Refilwe Mtshweni

Northern Cape	Zamani Saul
North West	Bushy Maape
Western Cape	Alan Winde

Traditional leadership

The National House of Traditional Leaders (NHTL) was established in terms of the then NHTL Act of 1997. Its objectives and functions are to promote the role of traditional leadership within a democratic constitutional dispensation, enhance unity and understanding among traditional communities and advise national government.

Provincial houses of traditional leaders were established in all six provinces that have traditional leaders, namely the Eastern Cape, Free State, KwaZulu-Natal, Limpopo, Mpumalanga and North West.

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

Local government

Local government is the sphere of government closest to the people. In accordance with the Constitution and the Organised Local Government Act of 1997, which formally recognises organised local-government associations, organised local government may designate up to 10 part-time representatives to represent municipalities and participate in proceedings of the NCOP.

Municipalities

There are 257 municipalities in South Africa comprising eight metropolitan, 44 district and 205 local municipalities.

Municipalities govern on a four-year term basis and run local affairs subject to national and provincial legislation. They focus on growing local economies and providing infrastructure and services.

The eight metropolitan municipalities are:

- Buffalo City (East London)
- City of Cape Town
- Ekurhuleni Metropolitan Municipality (East Rand)
- City of eThekweni (Durban)
- City of Johannesburg

- Mangaung Municipality (Bloemfontein)
- Nelson Mandela Metropolitan Municipality (Port Elizabeth)
- City of Tshwane (Pretoria).

DEPARTMENT OF COOPERATIVE GOVERNANCE (DCOG)

The DCoG is mandated to develop and monitor the implementation of national policy and legislation aimed at transforming and strengthening key institutions and mechanisms of governance in national, provincial and local government to fulfil their developmental role; develop, promote and monitor mechanisms, systems and structures to enable integrated service delivery and implementation within government; and promote sustainable development by providing support to and exercising oversight of provincial and local government.

DEPARTMENT OF TRADITIONAL AFFAIRS (DTA)

The DTA is mandated to oversee issues related to traditional affairs and support the development of stable and cohesive interfaith communities. The 2003 *White Paper on Traditional Leadership and Governance* sets out a national framework, and the norms and standards that define the role of the institutions of traditional leadership in South Africa.

It seeks to support and transform the institutions in accordance with constitutional imperatives, and restore the integrity and legitimacy of traditional leadership in line with the African indigenous law and customs subject to the Constitution.

DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION (DPSA)

The DPSA draws its mandate from Section 195(1) of the Constitution of the Republic of South Africa of 1996, which sets out basic values and principles the Public Service should adhere to, and the Public Service Act of 1994.

In terms of the Act, the Minister of Public Service and Administration is responsible for establishing norms and standards relating to:

- the functions of the Public Service;
- organisational structures and establishments of departments, and other organisational and governance arrangements in the Public Service;
- the conditions of service and other employment practices for employees;
- labour relations in the Public Service;
- the health and wellness of employees;

- information management in the Public Service;
- electronic government;
- integrity, ethics, conduct and anti-corruption in the Public Service; and
- transformation, reform, innovation and any other matters to improve the effectiveness and efficiency of the Public Service and its service delivery to the public.

PUBLIC SERVICE COMMISSION (PSC)

The PSC is an independent institution established in terms of Chapter 10 of the Constitution and derives its mandate from sections 195 and 196 of the Constitution, which set out the values and principles governing public administration.

The commission is vested with custodial oversight responsibilities for the Public Service, and monitors, evaluates and investigates public administration practices. It has the power to issue directives on compliance with personnel procedures relating to recruitment, transfers, promotions and dismissals.

NATIONAL SCHOOL OF GOVERNMENT (NSG)

The NSG derives its mandate from the Public Service Amendment Act of 2007. In terms of the Act, the institution is mandated to provide training or effect its provision. The school responds to its mandate by developing relevant training and development programmes for delivery to South African public service officials at all levels.

Through education and training, the school promotes the progressive realisation of the values and principles governing public administration, and enhances the quality of human resource capacity in public service institutions.

Over the medium term, the NSG was expected to continue to focus on contributing towards the fulfilment of the educational, training and development needs of the Public Service. Other specific focus areas over the period ahead include increasing the school's active online learning interventions, and revising the trading account's funding model to ensure that the school generates more revenue. The NSG aims to continue revising its funding model to generate more revenue through training projects.

CENTRE FOR PUBLIC SERVICE INNOVATION (CPSI)

The responsibility for innovation in the public sector is vested in the Minister of Public Service and Administration, in terms of Section 3(1)(i) of the Public Service Act of 1994. The CPSI is tasked by the Minister to fulfil this mandate, which includes establishing norms and standards relating to transformation, reform and innovation to improve the effectiveness and efficiency of the Public Service

and its service delivery to the public. Over the medium term, the centre aimed to use innovation to solve service delivery challenges. This will be done through initiatives such as the annual public sector innovation awards, which serve as a means for identifying innovative solutions that can be replicated or upscaled in government institutions.

The centre also partners with other government departments, non-governmental organisations, the private sector, tertiary institutions, academics and international entities to unearth innovative solutions for identified service delivery challenges. Where existing solutions cannot be found, new solutions will be developed through these innovation partnerships.

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE (DPWI)

As set out in the Government Immovable Asset Management Act of 2007, the DPWI is mandated to be the custodian and portfolio manager of government's immovable assets.

Since the creation of the Property Management Trading Entity in 2015/16, the department's role includes policy formulation, coordination, regulation and oversight relating to the provision of accommodation and expert built environment services to client departments at the national level; and, through the entity, the planning, acquisition, management and disposal of immovable assets in the department's custody.

The department is further mandated to coordinate and provide strategic leadership in initiatives for the creation of jobs through the implementation of the expanded public works programme. Public Works is constitutionally designated as a concurrent function exercised by the national and provincial levels of government.

DEPARTMENT OF HOME AFFAIRS (DHA)

The mandate of the DHA is derived from the Constitution and various acts of Parliament and policy documents. The department's services are divided into two broad categories: civic services and immigration services.

As such, the department is mandated to manage citizenship and civic status; and manage international migration, which includes providing refugee protection.

The execution of this mandate means that the department is a key enabler of national security, citizen empowerment, efficient administration and socio-economic development. Accordingly, these functions must be managed securely and strategically. Over the medium term, the DHA planned to establish and incrementally operationalise the Border Management Authority to secure

international migration, continue with its IT modernisation programme to expand its client interface, and ensure the timeous issuing of permits and visas.

Establishing and operationalising the Border Management Authority (BMA), and securing international migration

As part of the DHA's commitment to adopting an integrated approach to border management, the BMA Act of 2020 was assented to by the President of South Africa in 2020/21. It was expected to be established in 2021/22.

As the authority is operationalised incrementally over the period ahead, the department plans to redevelop and modernise six priority land ports of entry (Beitbridge, Maseru Bridge, Kopfontein, Lebombo, Oshoek and Ficksburg).

As part of the iBorders strategy, which entails adopting a risk-based approach to managing migration, the department aims to implement systems to record passenger names and process passengers effectively.

These will enable the department to identify unknown threats based on passenger profiles and known suspects such as those on watchlists.

Timeous issuing of permits and visas

The timeous issuing of permits and visas enables economic growth and removes impediments to foreign investment. As such, the department plans to continue implementing the visa simplification process, through which certain low-risk countries will benefit from visa waivers and relaxed conditions; and rolling out electronic visas.

As a result, the department intends to maintain the percentage of business and general work visa applications per year that are adjudicated within eight weeks at 90% over the medium term.

The department is also targeting an increase in the percentage of critical skills visa applications per year adjudicated within four weeks from 82% in 2021/22 to 95% in 2023/24.

Modernising IT infrastructure

Since implementing the IT modernisation programme, the DHA has been able to automate its business processes and products. Most significantly, this has made capturing information and images, digitising supporting documents, and issuing enabling documents more efficient. The department will continue with the modernisation programme over the period ahead.

GOVERNMENT PRINTING WORKS (GPW)

The GPW is mandated to provide security printing and ancillary services to all organs of state in all spheres of government. The entity was converted to a full government component in 2009 in terms of the Public Service Act of 1994, enabling it to operate on sound business principles.

The entity fulfils its mandate subject to policies as prescribed by the Minister of Home Affairs. Over the medium term, the entity was expected to continue focusing on producing security printed material, including identity documents/smart identity cards and travel documents; coordinating and distributing government gazettes; completing ongoing capital works projects; motivating for the adoption of its newly proposed organisational structure; and ensuring alignment with new technological developments in the printing industry.

Ongoing capital works projects include the construction of the GPW precinct and the refurbishment of the existing building. The envisaged precinct will comprise a number of campuses with self-contained and product-oriented processing centres that will allow for secure and efficient operations. The project was expected to resume in 2021/22.

DEPARTMENT OF EMPLOYMENT AND LABOUR (DEL)

The DEL derives its legislative mandate from the Constitution, particularly the Bill of Rights, which is given effect through a number of acts that regulate labour matters in South Africa.

The most important of these are the Labour Relations Act of 1995, the Basic Conditions of Employment Act of 1997, the Employment Equity Act of 1998, the Occupational Health and Safety Act of 1993, and the Employment Services Act of 2014.

The department is mandated to regulate the labour market through policies and programmes developed in consultation with social partners. These aim to:

- improve economic efficiency and productivity;
- facilitate the creation of decent employment;
- promote labour standards and fundamental rights at work;
- provide adequate social safety nets to protect vulnerable workers;
- promote and enforce sound labour relations;
- promote equity in the workplace;
- eliminate inequality and unfair discrimination in the workplace;
- enhance occupational health and safety awareness and compliance in the workplace; and
- give value to social dialogue in the formulation of sound and responsive legislation and policies to attain labour market flexibility for the competitiveness

of enterprises, balanced with the promotion of decent employment. Over the medium term, the department was expected to focus on providing support to work seekers, increasing safety and fairness in the workplace, and regulating the workplace to establish minimum working conditions and fair labour practices.

Providing support to work seekers

Over the medium term, the DEL planned to collaborate with relevant stakeholders to develop legislation to regulate the employment of foreign nationals in South Africa; and improving the placement of work seekers in registered employment opportunities.

Increasing safety and fairness in the workplace

Over the period ahead, the DEL planned to introduce updates to the case management system in 2021/22 to ensure that business processing is modernised in line with developments in IT, conducting employment law inspections and improving compliance rates for various sectors while formulating the most appropriate service offering for the informal and small, medium and micro enterprises sectors.

Regulating the workplace

The National Minimum Wage (NMW) was introduced in 2019 to protect the most vulnerable, benefiting some six million workers. The NMW Commission and the DEL review the quantum of the NMW annually, which was increased by 4.5% to R21, 69 per hour, with effect from the 1 March 2021.

The department planned to develop monitoring mechanisms to measure the impact of the NMW on the economy, collective bargaining and the reduction of income differentials; and to gauge the proposed adjustment to the NMW.