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PERFORMANCE AGREEMENT

BETWEEN

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

AND

**THE MINISTER FOR COMMUNICATIONS AND DIGITAL
TECHNOLOGIES**

PERIOD OF AGREEMENT

JUNE 2019 TO APRIL 2024

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CONSTITUTION AND LEGISLATION

The Constitution of the Republic of South Africa, 1996, stipulates in section 91 (2) that the President appoints the Deputy President and Ministers, assigns their powers and functions, and may dismiss them. *The Constitution of the Republic of South Africa, 1996*, stipulates in section 92 (1) that the Deputy President and Ministers are responsible for the powers and functions of the executive assigned to them by the President.

Executive Members' Ethics Act (No. 82 of 1998) state that members of the Cabinet must act according to a code of ethics, created by the President pursuant to the principles and framework established by the Executive Members' Ethics Act of 1998.


The principles of natural justice apply.

MINISTERIAL KEY RESPONSIBILITY AREAS

The constitutional imperatives and obligations contained in Chapter 5 of the Constitutions including but not limited to sections 92, 93, 96, 97, 98, 99, are applicable.

The contents of this agreement set out the powers and functions assigned to you by the President in accordance with Section 91(2).

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KEY RESPONSIBILITY AREA 1: POLITICAL LEADERSHIP CONTRIBUTING TO THE COUNTRY'S TRIPLE CHALLENGES, NDP PRIORITIES AND MEDIUM TERM STRATEGIC FRAMEWORK (MTSF) 2019 – 2024

As Minister in the Cabinet you will contribute **individually and collectively** to addressing the triple challenges of poverty, inequality and unemployment and the MTSF 2019 - 2024.

Priority 2: Economic transformation and job creation

Target: Unemployment reduced to 20-24% with 2 million new jobs especially for youth; economic growth of 2-3% and growth in levels of investment to 23% of GDP

Outcome		IMPROVE COMPETITIVENESS THROUGH ICT ADOPTION		
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Spectrum licensing, broadband rollout and reducing the cost of communications	Allocate high demand 4G spectrum to reduce the cost of data and increase access to internet	Policy directive issued in July 2019	4G coverage of high demand spectrum allocated by December 2020. Implement the Performance Management System for ICASA Councillors National Radio Frequency Plan revised in line with WRC-19 Outcomes by June 2021 Implement the Broadcasting Digital Migration Programme by March 2023	Monitor and ensure that ICASA is adequately resourced in order to licence 4G spectrum

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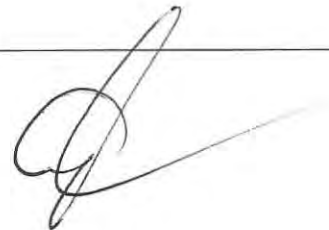
IMPROVE COMPETITIVENESS THROUGH ICT ADOPTION				
Outcome				
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
	Allocate 5G spectrum to reduce the cost of data and increase access to internet	Policy direction issued in July 2019 for ICASA to undertake an investigation on licensing of 5G	5G Spectrum licensing and commencement of roll out by March 2024	Issue a policy direction for 5G by December 2021. Introduce as part of the policy direction the conditions and obligations for the participation of youth, women and people with disability in the digital economy by December 2021
	Percentage increase in broadband penetration.	54% of population have access to internet	80% of population have access to the internet by 2024 Amendment of the Electronic Communications Act (replace it with Digital Infrastructure Bill) to ensure transformation, competition and more investment in infrastructure by among others rapid deployment Oversee the implementation of Phase 2 of SA Connect, focusing	Ensure that targets are met.

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IMPROVE COMPETITIVENESS THROUGH ICT ADOPTION				
Outcome				
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
			<p>on 42 000 government sites to 10mbs.</p> <p>Review the model of SA Connect to increase private sector participation with government as a buyer of services.</p> <p>Introduce the State Digital Infrastructure company bill including the integration of excess capacities of self-provision companies Prasa, Sanral, Eskom and Transnet.</p> <p>Develop the National Digital and Future Skills Strategy.</p>	
	Competitive reduction in data and the eradication of skewed price setting by dominant players	South Africa is ranked 31 st in Africa for the price of 1G data based on the Competition Commission (2018)	<p>Reduce the current cost of data by 50%</p> <p>South Africa will in the top 10 in Africa for the price of 1G data pricing by 2024</p>	<p>Ensure reduction in data costs.</p> <p>Amendment of the Electronic Communications Act to address issues of competition</p> <p>Engage National Treasury and DTIC on financial and non-financial incentives for</p>

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IMPROVE COMPETITIVENESS THROUGH ICT ADOPTION					
Outcome	Interventions	Indicators	Baseline	Targets	Minister's Responsibility
					<p>the industry to increase fibre rollout.</p> <p>Revise the current pricing methodology in the legislation to include direct price regulation of retail prices and shorten the time for market reviews</p>
Commercialisation of public sector funded IP	No. of disclosures which are licensed annually	15	<p>ICT SMME Development Strategy revised by March 2021</p> <p>PC4IR Report implementation plan approved by March 2021</p> <p>Digital Economy Masterplan developed by December 2020</p>	<p>Increase the number of SMMEs using local IP. 35 disclosures licensed annually</p>	<p>Enter into an SLA with Minister of Science, Technology and Innovation to ensure the release of IP held by state funded research institutions for commercialisation by SMMEs.</p> <p>Strategy to ensure market access for local IP & innovation through engagement with industry and in line with the revised SMME strategy.</p> <p>Reposition SITA to drive and use local technologies in government and society generally. Present the State</p>

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Outcome	IMPROVE COMPETITIVENESS THROUGH ICT ADOPTION			
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
				<p>Company Bill in Cabinet, and table in Parliament.</p> <p>Coordinate the integration of the report of the 4IR Commission into the action plans of the department throughout the three spheres</p>

Priority 6: Social Cohesion and Safe Communities

Target: Fostering Constitutional Identity

Outcome	A DIVERSE SOCIALLY COHESIVE SOCIETY WITH COMMON NATIONAL VALUES			
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Promote Constitution and its values in schools, awareness campaigns (print & electronic media), public engagements and dialogues	Number of constitutional awareness activations (dialogues, theatre, public engagement) focusing in constitutional awareness	10 activations utilised to promote constitutional awareness	10 activations utilised to promote constitutional awareness per annum	Promote awareness programmes
	Number of marketing platforms (radio/digital/outdoor/TV/print) utilised to promote constitutional awareness	16 marketing platforms utilised to promote constitutional awareness	16 marketing platforms utilised to promote constitutional awareness per annum	Promote awareness programmes

Target: Promoting social cohesion through increased interaction across space and class

Outcome				
A DIVERSE SOCIALLY COHESIVE SOCIETY WITH A COMMON NATIONAL IDENTITY				
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Promote the celebration of national days on an intercultural basis, fully inclusive of all South Africans	Number of digital campaigns showcasing significance of national days	12 Digital media campaigns	12 digital campaigns showcasing the significance of national days	Support digital campaigns through advocating government message as a messenger
	Number of programming on television and radio showcasing national days and constitutional values	7 national days celebrated on SABC platforms annually	12 interviews (radio and television) showcasing national days and constitutional values annually	Support digital campaigns through advocating government message as a messenger
Media digital campaigns to contribute towards social cohesion by promoting pride and patriotism	Number of digital campaigns showcasing national days	12 digital media campaigns showcasing national days	12 digital media campaigns showcasing national days annually	Support awareness programmes
Use international events to promote advocacy amongst South Africans living abroad	Number of Global South Africans (GSA) activations implemented	17 GSA Activations	19 GSA Activations annually	Ensure that the target is met

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Target: Promoting active citizenry and leadership

A DIVERSE SOCIALLY COHESIVE SOCIETY WITH COMMON NATIONAL VALUES				
Outcome				
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Promote participation in community-based governance processes (Active citizenship bodies)	Number of Play Your Part (PYP) activities that promote nation brand values implemented to encourage South Africans to use their time, money, skills or goods to contribute to a better future for all	New indicator	9 PYP Provincial activities implemented per annum	Promote participation in community-based governance processes

Target: Equal opportunities, Inclusion and Redress

A DIVERSE SOCIALLY COHESIVE SOCIETY WITH A COMMON NATIONAL IDENTITY				
Outcome				
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Produce and coordinate implementation of a national strategic plan (NSP) to end gender-based violence	Level of implementation of the NSP	Integrated Government POA on addressing violence against women and children and persons with disabilities	100 % implementation of NSP by 2024	Develop and coordinate the implementation of the NSP

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KEY RESPONSIBILITY AREA 2: PRIORITY 1: CAPABLE, ETHICAL AND DEVELOPMENTAL STATE

This MTSF priority has a few transversal interventions that apply to all Ministers as per the table below:

Targeted impact: Public value and trust; Active citizenry and partnerships in society

Outcome	FUNCTIONAL, EFFICIENT AND INTEGRATED GOVERNMENT			
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
Measures taken to eliminate wasteful, fruitless and irregular expenditure in the public sector	Percentage elimination of wasteful and fruitless expenditure in public sector institutions	2018 Baseline	100% elimination of wasteful and fruitless expenditure incrementally from baseline of 2019 by 2024	Eliminate wasteful and fruitless expenditure
	Percentage reduction of irregular expenditure in public sector institutions	2018 Baseline	75% reduction of irregular expenditure incrementally from baseline of 2019 by 2024	Ensure irregular expenditure is reduced and where it occurs make sure action is taken
	Percentage reduction of qualified audits in the public sector	2018 Baseline	75 % reduction of qualified audits incrementally from baseline of 2019 by 2024	To maintain at least an unqualified audit opinion in your department/s and entities
Programme to prevent and fight corruption in government	Percentage resolution of reported incidents	Trends from the Anticorruption Hotline and	95% resolution of reported incidents of corruption by 2024 via disciplinary and criminal interventions	Enforce consequences for corruption and misconduct

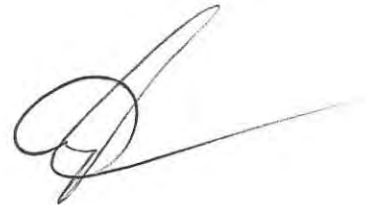
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Outcome	FUNCTIONAL, EFFICIENT AND INTEGRATED GOVERNMENT			
Interventions	Indicators	Baseline	Targets	Minister's Responsibility
	of corruption in the government	Crime Statistics		
	Ensure functionality of ethics structures and adequate capacity	New	Establish ethics committees and adhere to terms of reference	Oversee the implementation of the ethics structures
Develop and implement district/metro joined-up plans	% joined-up plans	New	100% joined-up plans	Contribute to the development of the economic development component of the joined-up plan

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KEY RESPONSIBILITY AREA 3: INSTITUTIONAL OVERSIGHT OF THE HOD AND DEPARTMENT

Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
Executive Authority oversight over the Deputy Minister							
Executive Authority oversight over the Deputy Minister	Delegation of powers and functions to the Deputy Minister	Annual updated delegations	Updated delegations	Updated delegations	Updated delegations	Updated delegations	Updated delegations
Executive Authority oversight over the Accounting Officer							
Executive Authority oversight over the Accounting Officer	Management of the performance of the Director General	Implementation of Head of Department Performance Management and Development System	Conclusion of the Performance Agreement, Implementations of the midterm review and Annual Assessment of the DG	Conclusion of the Performance Agreement, Implementations of the midterm review and Annual Assessment of the DG	Conclusion of the Performance Agreement, Implementations of the midterm review and Annual Assessment of the DG	Conclusion of the Performance Agreement, Implementations of the midterm review and Annual Assessment of the DG	Conclusion of the Performance Agreement, Implementations of the midterm review and Annual Assessment of the DG

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Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
	Delegation of Public Service Act powers of the Minister to DG	Annual updated delegations	Updated delegation register	Updated delegation register	Updated delegation register	Updated delegation register	Updated delegation register
	Monitor compliance to 30 day payments requirement	Monitoring report with corrective measures where applicable	Annual 30 day payment report with corrective measures implemented where applicable	Annual 30 day payment report with corrective measures implemented where applicable	Annual 30 day payment report with corrective measures implemented where applicable	Annual 30 day payment report with corrective measures implemented where applicable	Annual 30 day payment report with corrective measures implemented where applicable
<i>The oversight and achievement of departmental strategic goals and annual performance plans and budget</i>							
Political oversight on strategic planning and reporting	Oversee the development of departmental Strategic and	Approval of Strategic Plan, Annual Performance Plans	Approved Strategic Plan and Annual Performance Plan	Approved Annual Performance Plan	Approved Annual Performance Plan	Approved Annual Performance Plan	Approved Annual Performance Plan

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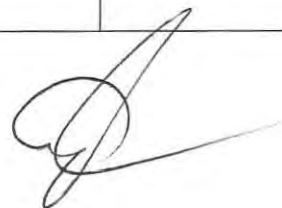
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Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
	Annual Performance Plans and monitor the implementation thereof.	Consideration and approval of Quarterly Performance Reports and Annual report	4 Quarterly and Annual report reports approved	4 Quarterly and Annual report reports approved	4 Quarterly and Annual report reports approved	4 Quarterly and Annual report reports approved	4 Quarterly and Annual report reports approved
<i>The oversight and achievement of gender responsive departmental strategic goals and annual performance plans and budget as per the Gender responsive planning, budgeting, monitoring, evaluation and auditing framework</i>							
Political oversight on gender responsive strategic planning and reporting	Oversee the development of gender responsive departmental Strategic and Annual Performance Plans and monitor the	Approval of gender responsive Strategic Plan, Annual Performance Plans Consideration and approval of gender responsive	Approved gender responsive Strategic Plan and Annual Performance Plan 4 Quarterly and Annual gender responsive	Approved Annual gender responsive Performance Plan 4 Quarterly and Annual gender responsive	Approved Annual gender responsive Performance Plan 4 Quarterly and Annual gender responsive	Approved gender responsive Annual Performance Plan 4 Quarterly and Annual gender responsive	Approved Annual gender responsive Performance Plan 4 Quarterly and Annual gender responsive

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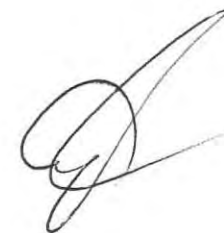
Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
	implementation thereof.	Quarterly Performance Reports and Annual report	report(s) approved	report(s) approved	report(s) approved	report(s) approved	report(s) approved
<i>National Department facilitates public involvement, participation and service delivery improvement initiatives</i>							
Support good governance through leading participatory governance and social compacts with stakeholders	Ensure optimal functioning of sectoral participatory governance mechanisms	Development and implementation of Public/Stakeholder Participatory Strategies and Plan	80% implementation of Public/Stakeholder Participatory Plan	80% implementation of Public/Stakeholder Participatory Plan	80% implementation of Public/Stakeholder Participatory Plan	80% implementation of Public/Stakeholder Participatory Plan	80% implementation of Public/Stakeholder Participatory Plan

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Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
<i>National Departments' and entities' involvement and contribution to the District Development Model</i>							
Involvement and contribution to the District Development Model (DDM)	Participation in the DDM where applicable	Contribute to the development of the "One Plan" and monitor the implementation against the plan	80% achievement of own commitments in the "One Plan"	80% achievement of own commitments in the "One Plan"	80% achievement of own commitments in the "One Plan"	80% achievement of own commitments in the "One Plan"	80% achievement of own commitments in the "One Plan"

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KEY RESPONSIBILITY AREA 4: POLITICAL LEADERSHIP AND OVERSIGHT

Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
Government structures							
Active participation in Inter-Ministerial Committees, MINMEC's, Cabinet Clusters and other Executive Structures	Attendance of Executive structure meeting and performing the tasks related to the structures	Participation in Executive Structures	Attend and implement 80% of tasks associated to member	Attend and implement 80% of tasks associated to member	Attend and implement 80% of tasks associated to member	Attend and implement 80% of tasks associated to member	Attend and implement 80% of tasks associated to member
Parliamentary Accountability							
Accountability to the Parliament	Responding to Parliamentary Questions and ensuring accountability of own departments and entities to Parliament	Timely response to Parliamentary Questions and tabling of Plans, Budget and Reports	100% accountability to the Parliament	100% accountability to the Parliament	100% accountability to the Parliament	100% accountability to the Parliament	100% accountability to the Parliament
Oversight on State Owned Companies and Public Entities/Agencies							

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Management Area	Key activities	Performance indicators	Targets				
			2019/20	2020/21	2021/22	2022/23	2023/24
Oversight over Public Entities	Perform oversight over the governance and performance of entities	Enter into shareholder compacts and oversee the development of Annual Plans and regular governance and performance of the Entities	Shareholder compact updated, plans approved and performance monitored	Shareholder compact updated, plans approved and performance monitored	Shareholder compact updated, plans approved and performance monitored	Shareholder compact updated, plans approved and performance monitored	Shareholder compact updated, plans approved and performance monitored

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SIGNATURES

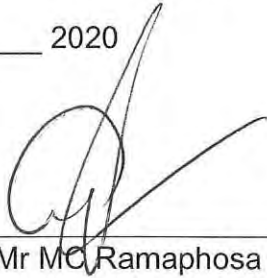
I _____ hereby declare that the information provided in this performance agreement has been agreed upon by myself and the President of South Africa. This is a legal and binding performance agreement that will **be used for assessment purposes**.



Hon: Ms Stella Tembisa Ndabeni-Abrahams MP

Minister of Communications and Digital Technologies

23 / 10 2020



His Excellency Mr MC Ramaphosa

President of the Republic of South Africa

23 / 10 2020

ANNEXURE 1: EXPLANATORY GUIDELINE

1. CONSTITUTION AND LEGISLATION

This aspect highlights constitutional imperatives, obligations, powers and functions of the President relating to the implementation of Ministerial Performance Agreements. It also points out key legislation in this regard.

2. BACKGROUND AND CONTEXT

In October 2019, Cabinet considered and approved the 2019 – 2024 Medium-Term Strategic Framework (MTSF). The MTSF translates the electoral mandate and the National Development Plan into a 5-year programme of government and comprises the 5-Year Implementation Plan and the Integrated Monitoring Framework, containing clear targets, interventions, resource implications and impacts.



In his State of the Nation Address (SONA) on 20 June 2019, the President confirmed the 7 national priorities, based on the electoral mandate, as follows:

Priority 1: A capable, ethical and developmental state

Priority 2: Economic transformation and job creation

Priority 3: Education, skills and health

Priority 4: Consolidating the social wage through reliable and quality basic services

Priority 5: Spatial integration, human settlements and local government

Priority 6: Social cohesion and safer communities

Priority 7: A better Africa and world

In his reply during the SONA debate, the President further elaborated on why the above 7 priorities are important and demonstrated that government has a clear plan for the road ahead. The key task is speedy and effective implementation. The new Cabinet has a central role in ensuring that the commitments made in the SONA are implemented with the necessary urgency and vigour.

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To this end the Ministerial Performance Agreements (MPAs) will be based on the commitments in the State of the Nation Address and selected priority actions from the 2019 - 24 MTSF. Each annual MPA contains a set of specific targets backed by measurable performance indicators to be achieved over the 5- year electoral period, the purpose of which is to put the country on a positive path towards our national development goals and objectives.

As you are aware, upon the announcement of the new Cabinet, the President made the following undertaking to the people of South Africa:

The people who I am appointing today must realise that the expectations of the South African people have never been greater and that they will shoulder a great responsibility. Their performance – individually and collectively – will be closely monitored against specific outcomes. Where implementation is unsatisfactory, action will be taken

It is the aim of this Performance Agreement to give effect to this undertaking.

2. KEY RESPONSIBILITY AREA 1: POLITICAL LEADERSHIP CONTRIBUTING TO THE COUNTRY'S TRIPLE CHALLENGES, NDP PRIORITIES AND MEDIUM TERM STRATEGIC FRAMEWORK (MTSF) 2019 – 2024

This aspect draws directly from the content of the MTSF and SONA and highlights specific responsibilities of the Minister in relation to a particular priority, indicator and target. This will help focus the work of the Minister concerned to the strategic agenda of government. As Minister in the Cabinet you will contribute **individually and collectively** to addressing the triple challenges of poverty, inequality and unemployment and the MTSF 2019 - 2024.

- **Priority:** indicates which of the 7 priorities are directly applicable to the Minister concerned. The Minister is still expected to contribute to the rest of the MTSF as part of the National Executive collective.
- **Target:** provides context to the medium to long-term impact we are seeking to achieve e.g. economic growth.
- **Outcome:** highlights the broad result area we want to make a difference within a year up to 5 years.
- **Indicators, baselines and targets:** are measures that are directly taken from the MTSF.
- **Minister's responsibility:** this column emphasizes the specific contribution that the Minister must make towards delivery of the intervention in the short to medium term. Where a Minister is mentioned as a lead, he or she must take responsibility to convene other relevant stakeholders towards the implementation of a particular intervention. Where a Minister is mentioned as contributing department, it indicates a need for the Minister to take initiatives towards working with Cabinet colleagues

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and stakeholders to deliver on the specific intervention. The Cluster system will help with further clarification of these roles and responsibilities.

3. KEY RESPONSIBILITY AREA 2: PRIORITY 1: CAPABLE, ETHICAL AND DEVELOPMENTAL STATE

This MTSF priority has a few transversal interventions that apply to all Ministers, hence it must be included in all Ministerial Performance Agreements. Its content also ties in closely with the next key responsibility areas.

4. KEY RESPONSIBILITY AREA 3: INSTITUTIONAL OVERSIGHT OF THE HOD AND DEPARTMENT

*Shows how you will **provide strategic leadership, direction and oversight** to own departments through the DG in the following areas:*

- *Show how you will manage the performance of Heads of Department and Department.*
- *Describe how in executing your role and responsibility you will provide oversight in performing the functions below.*

5. KEY RESPONSIBILITY AREA 4: POLITICAL LEADERSHIP AND OVERSIGHT

- *Describe how in executing your role and responsibility you will provide oversight in performing the functions below.*
- *Show how you will actively participate and contribute to the different governance structures, for example, the Cluster/Committee/s system; to Inter-Ministerial Committees and MinMecs.*
- *Show how you will provide leadership and oversight to State Owned Entities/Agencies that you are responsible for*
- *The oversight and achievement of departmental strategic goals and annual performance plans and budget.*
- *National Department facilitates public involvement, participation and Service Delivery Improvement Initiatives.*
- *National Department involvement, participation in the District Planning Model.*

6. IMPLEMENTATION

To improve the likelihood of achieving the targets above, you are advised to ensure that senior managers in your department translate the priority actions and targets in this agreement into a delivery plan with the following elements:

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- Formulating the aspiration: A clear statement of goals, outcomes and targets to be achieved for each priority arising out of a rigorous problem analysis, needs assessment and diagnosis;
- A coherent theory of change – articulating the best way to achieve the aspiration based on relevant theoretical literature and research on local and international cases as well as an assessment of current policies and whether they are enablers or constraints. If the latter, then they should be revised and amended accordingly. To note is that in many instances policy development is not a problem, implementation is. However, in some cases revisions to policies may be required and in rare situations new policies may be required to enable the achievement of the priority;
- Setting specific milestones to be reached with leading indicators.
- Interventions (addressing inhibitors/constraints and identifying drivers of performance). Agreeing on who is involved and how those involved will go about contributing to the priority and
- A delivery trajectory mapping out the points from current performance (base line) and showing how implementation of initiatives will shift performance towards the set outcome and target. Points along the delivery trajectory will be used to conduct rapid impact assessments to establish whether real improvement is happening on the ground.

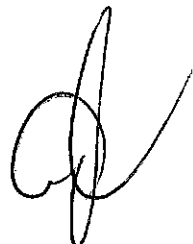
The delivery plan therefore essentially specifies what will be achieved (impact, outcome, target), where it will be achieved, who is involved and how those involved will go about achieving the priority.

Where cooperation from and or coordination with other parties (provincial MECs, National Ministers, Executive Mayors) is required to achieve the priority actions and targets, it is your responsibility to seek out this cooperation and bind the other party/parties to the commitments necessary to achieve the targets. In the event that cooperation was not forthcoming, details to this effect as well as how the non-cooperation and coordination failure affected the achievement of the target should be reported on at the bi-annual meeting with President.

Senior officials in your department/s are required to reflect the priority actions and targets in the Strategic Plans and Annual Performance Plans of the Department to ensure they are planned for and properly resourced. Moreover, I also expect that you will enter into a performance agreement with your Director-General that will reflect the priority actions and targets contained in this agreement, in addition to the other key performance areas of the Department.

I expect that you will formally delegate specific areas of responsibility to your Deputy Minister(s) to provide some support to you regarding the priority actions and targets in this agreement, in addition to the other key performance areas of the Department.

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7. PERFORMANCE MONITORING AND REVIEW

The process of performance monitoring, evaluation and reporting against the targets will be as follows:

- i. The DPME will prepare a report card on progress with the targets in the respective agreements for the benefit of the President
- ii. In preparation of the scorecard, DPME will obtain initial progress reports with supporting evidence from your department.
- iii. The progress report should provide a succinct summary of progress, current and emerging issues, key actions required or key actions taken, early warning of risks as well as decisions or recommendations to be taken forward and any other comment on progress.
- iv. The report and data will be analysed and validated and a draft scorecard will be produced by DPME. This will be discussed with your department to resolve queries before finalisation. Validation will also include random onsite visits by DPME to verify if delivery took place and within the specifications as set out in the agreement.

The DPME will prepare the scorecard which includes key issues affecting delivery, early warning risks and emerging policy issues for the President a copy of which will be sent to you prior.

In the instance where performance is sub-optimal, a meeting between the President and Minister will be convened. The outcome of the dialogue will be an agreement between the President and Minister on areas of improvement (the remedial actions). These will be incorporated in the performance score-card of the next performance review. It is only in the case of under-performance that the President may take any action he deems necessary.

Over and above this Cabinet will closely monitor the overall implementation of the 2019 - 24 MTSF. In this regard you are expected to table bi-annual progress reports to Cabinet on progress with regards to your commitments in the MTSF. It will not be sufficient to state in these reports that a particular action has been implemented. What must also be reported on is what the implementation of the action led to in terms of a result or the likely value it would create for society.

Your officials will need to collect administrative data that will allow oversight on progress and make these available to DPME when requested. DPME will triangulate this data with budget expenditure data and output level indicators, where available, and provide its own progress reports to Cabinet. The bi-annual progress reports will also form the basis of the meetings between the President and Ministers to identify and tackle obstacles to implementation.



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8. POLITICAL OVERSIGHT OF THE DEPARTMENT

Beyond the priority actions and targets that you will be responsible for (which is the subject of this agreement), your Ministerial responsibilities also extend to:

1. Ensuring an optimal political – administrative interface;
2. Political leadership and oversight: providing strategic leadership to the department for the implementation of the relevant aspects of the electoral mandate/ oversee implementation of MTSF priorities relevant to the sector;
3. Support international and regional integration programmes and commitments (where applicable); and
4. Support good governance in the department by providing institutional oversight of the HOD and Department


9. SPIRIT AND INTENT

There is no question that given the prevailing social, political and economic dynamics and environment, our actions require greater urgency and focus. While (and as I have stated before) there are no short-cuts and quick fixes, it is within our grasp to do the important things, to do them well and to do them without delay.

We have a duty to follow-through on our policy promises to the nation and make greater advances in terms of closing the gap between our development vision and the realities on the ground. The spirit and intent of the MPAs is to keep us focused on achieving our important targets.

10. PROFESSIONAL DEVELOPMENT

While the MPAs seek to promote results-oriented performance and accountability, the aim of the performance agreements is also to facilitate the professional development of all Ministers as leaders in government tasked with driving the development agenda of the country. In this regard you are encouraged to pursue programmes and initiatives that will provide you with the necessary competencies and tools to carry out your tasks and responsibilities. The Presidency and DPME will endeavour to provide Ministers with support and technical advice should the need exist.



ADDENDUM A

LIST OF SOES FOR THE DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

1. za Domain Name Authority (ZADNA)
2. Broadband Infracore SOC Ltd
3. Film and Publication Board (FPB)
4. Independent Communications Authority of South Africa (ICASA)
5. National Electronic Media Institute of South Africa (NEMISA)
6. Sentech
7. South African Broadcasting Corporation SOC Ltd (SABC)
8. South African Post Office SOC Ltd (SAPO)
9. State Information Technology Agency SOC Ltd (SITA)
10. Telkom SOC Ltd
11. Universal Service and Access Agency of South Africa (USAASA)

A handwritten signature in black ink, consisting of a stylized, cursive letter 'd' followed by a long horizontal stroke.

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ADDENDUM 2

LIST OF SOES FOR THE DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

1. za Domain Name Authority (ZADNA)
2. Broadband Infracore SOC Ltd
3. Film and Publication Board (FPB)
4. Independent Communications Authority of South Africa (ICASA)
5. National Electronic Media Institute of South Africa (NEMISA)
6. Sentech
7. South African Broadcasting Corporation SOC Ltd (SABC)
8. South African Post Office SOC Ltd (SAPO)
9. State Information Technology Agency SOC Ltd (SITA)
10. Telkom SOC Ltd
11. Universal Service and Access Agency of South Africa (USAASA)



**MINISTRY
COMMUNICATIONS
REPUBLIC OF SOUTH AFRICA**

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02 September 2019

HE MC Ramaphosa

President of the Republic of South Africa

Private Bag X 1000

Pretoria

Dear Mr. President

**RE: MINISTRY OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES: DELEGATIONS
AND ALLOCATION OF RESPONSIBILITIES: MINISTER AND DEPUTY MINISTER**

The above matter refers.

Pursuant to our appointment in the sixth (6th) administration as Minister and Deputy Minister of Communications and Digital Technologies, we have deemed it necessary to advise His Excellency that we have discussed and agreed on the delegations and allocation of responsibilities in respect of the Executive Oversight regarding the work of the Department and its State Owned Entities (SOE).

Outlined below is division and allocation of responsibilities between Minister and Deputy Minister:

Minister	Deputy Minister
Oversight on the following Departmental Activities	
<ol style="list-style-type: none"> 1. Department's Human Capital Management. 2. Programs on development of Youth and SMMEs 3. Reconfiguration of the Department, State-Owned Entities, including related legislation reform and amendments to existing legislation. 4. Broadband Infrastructure rollout programme. 5. Programs on Digital Skilling, Training and Development. 6. Completion of the Broadcasting Digital Migration Program 	<ol style="list-style-type: none"> 1. Department's Financial Management and Accountability. 2. Programs on development of Women and People Living with Disabilities. 3. Cybersecurity Awareness and related Programs 4. Reconfiguration of the Department, State-Owned Entities, including related legislation reform and amendments to existing legislation.
International Engagements	
<ol style="list-style-type: none"> 1. World Radio Conference 2019 2. African Union Communication and ICTs (AU CICT) Ministerial Meeting 3. Smart Africa 2020 4. BRICS 2019 5. WEF Africa 6. G7 2019 7. Broadband Commission 	<ol style="list-style-type: none"> 1. ITU Telecom World 2019 2. Universal Postal Union 2019 Extraordinary Congress 3. SADC Ministers responsible for ICTs and Postal 4. Africa Internet Governance Forum 5. Internet Governance Forum
Executive oversight on the following State Owned Entities and their related activities	
<ol style="list-style-type: none"> 1. Broadband InfraCo. 2. Independent Communications Authority of South Africa (ICASA). 3. National Electronics Media Institute of South Africa (NEMISA). 4. Sentech. 5. South African Post Office. 6. State Information Technology Agency 7. Universal Service and Access Agency of South Africa. 	<ol style="list-style-type: none"> 1. Film and Publication Board (FPB). 2. South African Broadcasting Corporation (SABC). 3. .za Domain Name Authority (ZADNA). 4. Development of the Creative Industries sector.
Parliament	
<ol style="list-style-type: none"> 1. Participate in Study Groups 2. Respond to written Parliamentary Questions emanating from both the National Assembly and National Council of Provinces. 3. Respond to oral Parliamentary Questions emanating from both the National Assembly and National Council of Provinces. 	<ol style="list-style-type: none"> 1. Participate in Study Groups 2. Respond to oral Parliamentary Questions emanating from both the National Assembly and National Council of Provinces 3. Participate in Budget Vote Debates. 4. Attend the Portfolio and Select Committee Meetings.

Minister	Deputy Minister
4. Participate in Budget Vote Debates. 5. Attend the Portfolio and Select Committee Meetings. 6. Attend Party Caucus meetings	5. Attend Party Caucus meetings
Cabinet	
1. Cabinet 2. Cabinet Committees	1. Cabinet Committees 2. Extended Cabinet Meeting
Other	
1. Inter-Ministerial Committee on the Fourth Industrial Revolution. 2. Other Inter-Ministerial Committees 3. Attend Ministerial Clusters	1. Inter-Ministerial Committee on the Fourth Industrial Revolution 2. Other Inter-Ministerial Committees 3. Deputy Minister's Forum responsible for Regulation and Interception of Communications and provision of communication-related Information Act (RICA).

Yours sincerely



Ms Pinky Kekana, MP
 Deputy Minister of Communications and Digital Technologies
 Date: 22 AUGUST 2019



Ms Stella Ndabeni-Abrahams, MP
 Minister of Communications and Digital Technologies
 Date: 22 AUGUST 2019

DELEGATIONS AND ALLOCATION OF RESPONSIBILITIES FROM MINISTER TO DEPUTY MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES.

1. GENERAL

- 1.1. The Executive Oversight will include engagement with relevant stakeholders and the media regarding matters that fall within the authority of the relevant SOE or its programs.
- 1.2. The Minister may, in circumstances when she is not able to attend to matters of Parliament and other structures of government or government stakeholders, request the Deputy Minister to attend on her behalf.
- 1.3. These delegations are reviewable at any given time subsequent to discussions between the Minister and Deputy Minister and, as and when the work and other needs of the Department makes it necessary, subject to necessary concurrence with the Honourable President.
- 1.4. The overall Legal and Executive oversight for the Department and SOCs over which the Department has Shareholder oversight will remain with the Minister.

2. OUTLINE OF DELEGATIONS AND ALLOCATION OF RESPONSIBILITIES

2.1. SHAREHOLDER OVERSIGHT IN RESPECT OF SABC:

- 2.1.1. Shareholder oversight in respect of SABC including the repurposing of the entity in line with the mandate of the Department.
- 2.1.2. In view of the financial difficulties the SABC is currently facing, the Deputy Minister must exercise oversight in addressing these challenges including the implementation of the turn-around strategy for the broadcaster.
- 2.1.3. Exercise shareholder oversight and ensure quarterly engagements to align with the entity's quarterly performance reporting and governance matters.

2.2. SHAREHOLDER OVERSIGHT IN RESPECT OF FPB:

- 2.2.1. Shareholder oversight in respect of FPB including the reconfiguration of the entity to align with the mandate of the department.
- 2.2.2. Strengthen legislation and policy challenges within the entity, including the mandate of the entity.
- 2.2.3. Strengthen the Human Capital Management relations between the general staff and the management of the entity.

- 2.2.4. Exercise shareholder oversight and ensure quarterly engagements to align with the entity's quarterly performance reporting and governance matters.
- 2.3. EXECUTIVE OVERSIGHT AND LEADERSHIP IN RESPECT OF ZADNA**
- 2.3.1. Shareholder oversight in respect of ZADNA including the reconfiguration of the entity to align with the mandate of the department.
- 2.3.2. Stability in the Board and Executive management of the entity.
- 2.3.3. Exercise shareholder oversight and ensure quarterly engagements to align with the entity's quarterly performance reporting and governance matters.
- 2.4. EXECUTIVE OVERSIGHT AND LEADERSHIP IN RESPECT OF CREATIVE INDUSTRIES**
- 2.4.1. In view of the concerns regarding the Copyrights Amendment Bill, there is a need to address the challenges foreseen as well as engage the relevant departments in resolving the challenges.
- 2.4.2. In view of the disputes regarding the payment of royalties to the collecting societies in respect of royalties due to the artists, there is a need to engage the SABC as well as the collecting societies to address the disputes.
- 2.4.3. In line with the mandate of the department, to engage the industry to consider utilisation of digital platforms for revenue generation.
- 2.5. EXECUTIVE LEADERSHIP AND OVERSIGHT IN RESPECT OF THE DEPARTMENT'S PROGRAMS REGARDING WOMEN EMPOWERMENT AND PEOPLE LIVING WITH DISABILITIES.**
- 2.5.1. There are departmental programmes relating to women empowerment and people living with disabilities that need to be monitored on regular basis in accordance with the set timeframes together with any additional projects that advance the cause of these often side-lined categories of people.
- 2.6. EXECUTIVE LEADERSHIP AND OVERSIGHT IN RESPECT OF CYBERSECURITY PROGRAMS.**
- 2.6.1. The Deputy Minister will champion the advocacy programme to bring awareness of the work of the cyber-security hub as well as align its activities to the mandate of the department.
- 2.7. THE DEPUTY MINISTER'S RICA FORUM.**
- 2.7.1. The previous Deputy Minister of Communications was the convener for the Deputy Minister's Forum responsible for RICA implementation. This included other departments and state entities in the security cluster.

2.7.2. It is crucial that the forum is resuscitated to ensure effective implementation of the RICA legislation in the country, including the necessary reforms that are required to ensure that the state effectively responds to emerging technological challenges.

2.8. EXECUTIVE LEADERSHIP AND OVERSIGHT IN RESPECT OF THE DEPARTMENT'S FINANCIAL MANAGEMENT AND ACCOUNTABILITY.

2.8.1. Deputy Minister shall exercise Executive Oversight in respect of the finances of the Department and entities, including ensuring compliance with Parliament, National Treasury or any other legislative requirements in utilisation of the allocated budget.

3. REPORTING

3.1. In order to allow the Minister and the Deputy Minister to discharge their obligations in terms of their performance agreements, the Deputy Minister and the Minister shall meet every two weeks and the Deputy Minister shall report on her areas of responsibility.

3.2. Where necessary, the reports shall be in writing and shall, *inter alia*, include defined targets and challenges relating to the entity. Notwithstanding, the Deputy Minister's obligations to report, the reporting envisaged shall take the form of interaction from both parties taking note that the Minister remains accountable.

3.3. In the event that the Deputy Minister encounters any urgent or serious challenges in the areas of responsibility assigned to her, this shall immediately be brought to the attention of the Minister.

3.4. Should the Deputy Minister be unable to attend to any of the obligations set out herein, she shall forthwith inform the Minister.

4. ORGANISATION AND MANAGEMENT COORDINATION

4.1. It is important that an enabling environment is fostered for the Deputy Minister to deliver on her responsibilities and commitments. In this regard the following should be adhered to:

4.1.1. There is a need for a closer collaboration between the Department, Office of the Deputy Minister and Office of the Minister in planning to avoid clashes and to ensure fair allocation of resources. This will ensure that each of the political principals receive optimal support for their programs and activities.

- 4.1.2. There should be monthly meetings between the Minister, Deputy Minister and Director-General to jointly plan for their respective activities and also to deal with any constraints or other impediments that are impacting either party's ability to deliver on their commitments in order to seek agreement on how to resolve those constraints.
- 4.1.3. Although reporting is expected to be in writing, however, it is encouraged that this must be characterised by direct engagements with or among the principals.
- 4.1.4. Interactions on reporting should not impede other interactions that might need to take place occasionally to deal with urgent issues that cannot wait for the scheduled meetings.
- 4.1.5. The routing of the documents, memoranda or other submission for processing and decision making shall be channelled from the Director-General, to Deputy Minister for recommendation and ultimately to Minister for approval.