



**MINISTRY
COMMUNICATIONS
REPUBLIC OF SOUTH AFRICA**

Private Bag X860, Pretoria, 0001, Tel: +27 12 427 6270 Fax: +27 12 427 6115
Private Bag X 9161, Cape Town, 8000 Tel: +27 21 469 5223 Fax: +27 21 462 1646
URL: <http://www.dtps.gov.za>

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 Infraeco. 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 convenor 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.