
BOARD NOTICE RAADSKENNISGEWING

NOTICE 112 OF 2001

PAN SOUTH AFRICAN LANGUAGE BOARD ACT, 1995

SUBSTITUTION OF NOTICE 120 OF 1997 CONCERNING THE NORMS AND RULES FOR PROVINCIAL LANGUAGE COMMITTEES

Considering that –

- (a) provinces are competent to adopt their own language policy and legislation in terms of the Constitution of South Africa, 1996 (Act No. 108 of 1996) Schedule 4 Part A “Functional Areas of Concurrent National and Provincial Legislative Competence”;
- (b) the Western Cape Province adopted a Western Cape Provincial Languages Act, 1998 (Act No. 13 of 1998) and the Board wishes to encourage other Provinces to follow suit;
- (c) in terms of the Pan South African Language Board Act, 1995, Provincial Language Committees established by the Board are advice structures of the Board;
- (d) Board Notice 120, *Government Gazette* No. 18554 of 15 December 1997, requires to be updated; and
- (e) the advisory role of Provincial Language Committees in relation to the Board requires clarification,

the following notice on the rules regulating the advisory role of Provincial Language Committees, is hereby published in terms of section 8(11) of the Pan South African Language Board Act, 1995, for general information:

Arrangement

Rule No.

1. Definitions
2. Meetings of Provincial Language Committee
3. Recognition
4. Assistance in respect of Provincial Legislation
5. Advisory Function of Provincial Language Committee
6. Guidelines
7. Reports
8. Communication and Records

9. Non-compliance with Board Request for Advice
10. Remuneration and Allowances
11. Funds
12. Conflict of Interest
13. Withdrawal of Recognition of Provincial Language Committee

Definitions

1. In these rules, unless the context otherwise indicates –

“Chairperson” means the chairperson of the Provincial Language Committee concerned;

“Language Committee” means the provincial language committee established by notice in the *Government Gazette* in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995;

“MEC” means the Member of the Executive Council of a Province who is responsible for matters related to language; and

“Rule” means any rule contained in this Notice.

Meetings of Provincial Language Committee

2.(1) A Language Committee may meet for the specific purpose of preparing advice on language matters for the Board, if the chief executive officer has approved of the meeting.

(2) Notwithstanding rule 2(1), the Language Committee may deal with matters pertaining to the preparation of advice to the Board during meetings convened to deal with matters pertaining to the Province.

(3) The chairperson may convene a special meeting of a Language Committee to prepare advice to the Board, if the chief executive officer has approved of such a meeting.

(4) The chairperson shall determine the time and the place of a meeting convened to prepare advice to the Board.

(5) The Board may designate one of its members or a member of its staff to attend a meeting of a Committee, and this person shall have the right to take part in the deliberations of the meeting but shall not have the right to vote.

(6) The Board shall consider the advice of a Language Committee only if the advice was prepared in a meeting that fulfilled the requirements in respect of quorum, and had the support of the majority of its members present at any meeting of the Committee.

(7) The Board shall designate a person to provide administrative support for the meetings of the Language Committee which may be required to prepare advice to the Board, which includes, but is not limited to –

- (i) inviting members to an approved meeting;
- (ii) keeping minutes of every meeting that takes place, in respect of the advice given by a Committee;
- (iii) keeping copies of reports and records of expenditure; and
- (iv) making available to Committee members and the Board, upon request, reports and records.

Recognition

3. The Board may recognise a Language Committee established in terms of provincial language legislation by notice in the *Government Gazette*.

Assistance in respect of Provincial Legislation

4.(1) The Board may assist MECs to prepare Provincial Language Legislation for their particular Province in instances where no such legislation exists.

(2) Provincial Language Legislation may include provisions regulating the Language Committee of that Province.

Advisory function of Provincial Language Committee

5.(1) In order to enable the Board to make or publish a report, findings, point of view, advice or recommendation on any language matter in or affecting the province concerned or any part thereof or any local authority within the jurisdiction of that province, a Language Committee shall advise the Board concerning –

- (a) the promotion of multilingualism;
- (b) language policy and legislation, including the language policy, practices and legislation of the province and of the local authorities in that province;
- (c) language in education; translation and interpreting, development and promotion of literature and previously marginalised languages; language rights and mediation; lexicography and terminology development; status language planning;
- (d) research;
- (e) projects;
- (f) co-operation with other bodies; or
- (g) any other matter pertaining to language issues affecting the province or part thereof.

- (2) A Language Committee shall supply the Board with written advice on matters contemplated in subsection (1) within six (6) weeks of receipt of a request for advice.
- (3) If a Language Committee wishes to initiate advice to the Board, it shall do so in writing.
- (4) A Language Committee that supplies advice or renders assistance to provincial and local government, shall supply the Board with either copies of the written advice forwarded, or a report on any assistance rendered upon request.
- (5) A Language Committee may not co-opt any person to render any form of assistance to the Language Committee in order to prepare advice to the Board if such co-option has financial implication, without prior approval from the Board.
- (6) A Language Committee shall assist the Board to raise awareness concerning language rights and may bring alleged language rights violations to the attention of the Board.
- (7) A Language Committee may not initiate or conduct investigations into any language rights violation complaints, but may be approached to advise the Board on any aspect pertaining to a case investigated by the Board.

Guidelines

6. For purposes of preparing advice for the Board, a Language Committee shall adhere to the guidelines of the Board, issued through its chief executive officer.

Reports

- 7.(1) The chairperson is responsible for submitting reports on behalf of a Language Committee regarding advice to the Board whenever required to do so, and shall do so within the time frame agreed upon between the Language Committee and the chief executive officer.
- (2) The chairperson may delegate his or her reporting responsibilities.
- (3) For the purpose of preparing a report regarding advice for the Board, a Language Committee shall adhere to the guidelines of the Board, issued through its chief executive officer.
- (4) In the interest of good co-operation, Language Committees are encouraged to also report to the Board on meetings undertaken in terms of provincial language legislation.

Communication and records

8.(1) A Language Committee shall supply the Board with records and reports of meetings held to prepare advice for the Board, as required by the chief executive officer.

(2) The Board shall keep –

- (a) a record of recommendations and advice emanating from every Language Committee; and
- (b) separate records in respect of the expenditure of each Language Committee.

Non-compliance with Board Request for Advice

9. In the event that a Language Committee fails to advise the Board on a language-related matter, the Board may go ahead with its decision in respect of that matter.

Remuneration and Allowances

10.(1) No member of a Language Committee is entitled to remuneration for advisory services rendered.

(2) A member of a Language Committee is entitled to claim travel and accommodation expenses incurred in the course of executing his or her advisory duties as a member of the Committee.

(3) Expenses of a personal nature will be for the account of the individual member of the Language Committee concerned.

Funds

11.(1) The Board shall bear the reasonable costs incurred by a Language Committee for the purposes of arranging and holding a meeting to prepare advice to the Board, including the cost involved in booking a venue, catering, travelling, accommodation and subsistence where circumstances render payment necessary: Provided that the chief executive officer has approved the expenses prior to their being incurred.

(2) No reimbursement for approved expenses shall be arranged before the Board receives claim forms and reports of a meeting within the time frame set by Rule 8.

Conflict of Interest

12.(1) If a spouse, immediate family member, life partner or business associate of any Language Committee member has any direct or indirect financial interest in any project in respect of which the Board has provided funds, that member must, immediately after that

interest has come to his or her attention, disclose that interest and the extent thereof in a written statement addressed to the chairperson concerned, who shall –

- (a) table that statement in the next consecutive meeting; and
- (b) communicate such disclosure to the Board.

(2) Any member of a Language Committee or the general public, who has valid evidence that a decision taken by a Committee may lead to the personal or financial advancement of another member of that or another Committee, shall disclose the interest and the extent thereof in a written statement addressed to the chairperson of the Committee concerned, who shall –

- (a) table that statement in the next consecutive meeting; and
- (b) communicate such disclosure to the Board.

(3) The Board may decide on the steps that shall be taken in a case that has come under its attention in accordance with rule 12(1) or (2).

Withdrawal of Recognition of Provincial Language Committee

13.(1) If the Board decides to withdraw recognition of a Language Committee on the basis that it fails to be representative in terms of the languages of the Province concerned, the MEC shall be notified accordingly.

(2) If the MEC decides to dissolve a Committee and notifies the Board accordingly, the Board shall withdraw recognition of that Committee by publication of a notice to that effect in the *Government Gazette* and *Provincial Gazette*.

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