



# Government Gazette

**REPUBLIC OF SOUTH AFRICA**

**Vol. 455    Pretoria    16    May    2003    No. 24875**



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

---

## GOVERNMENT NOTICE

---

### DEPARTMENT OF CORRECTIONAL SERVICES

**No. 671****16 May 2003****DELEGATION OF AUTHORITY IN TERMS OF SECTION 38 OF THE PUBLIC SERVICE ACT, 1994**

By virtue of the authority vested in me through delegated powers by the Minister of Finance, I, Linda Mti, Commissioner of Correctional Services, hereby delegate the same powers to posts and in the manner as indicated below:

**CONDITIONS AND DIRECTIVES BY WHICH DELEGATIONS CAN BE EXERCISED****1. General precautions**

- 1.1 An authorized person who acts in a higher post, dispose of powers attached to that post (position) unless he/she is specifically excluded therefrom.
- 1.2 Any line-functionary with a higher rank is also authorized to exercise the same power.
- 1.3 The delegation level indicated against each power, is the lowest level by which the delegation can be exercised and can't be further delegated.
- 1.4 The exercising of delegated powers is at all times subject to conditions set, as well as the stipulations of the Act and Regulations, the departmental orders and any directives issued in this regard.
- 1.5 The delegation of powers as mentioned in this document, remains in force should a section of the Act be renumbered in terms of an amendment of the Act, precluding any amendments to competency itself, and the numbering of the new section is considered to be the number of the relevant provision of the Act.
- 1.6 If an official has exercised a delegated power, a higher level official [with the exception of the Accounting Officer, section 44 (3)] of the PMFA is not allowed to amend or change the decision.

**L. MTI****Commissioner: Correctional Services**

Item	Public Service Act	Provision	Delegation/Assigned level	Notes
1	Section 38 (2) (b) read with TR 11.3.1, TR, 11.5.1 and section 80 of the PFMA	(a) <b>The delegated officials approve</b> instalments to be deducted from any official's salary as a result of wrongly granted remuneration to a <b>maximum of 12 months.</b>	<b>Management Area Level:</b> <ul style="list-style-type: none"> <li>❖ Area Manager</li> <li>❖ Principals of Youth Development Centres</li> </ul> <b>Provincial Level:</b> <ul style="list-style-type: none"> <li>Φ Provincial Commissioner</li> </ul> <b>Head Office Level:</b> <ul style="list-style-type: none"> <li>◆ Area Manager</li> </ul> <b>Office of the Minister</b> <ul style="list-style-type: none"> <li>◆ Director Administration</li> </ul> <b>Office of the Inspecting Judge:</b> <ul style="list-style-type: none"> <li>◆ Secretary of Judicial Inspectorate</li> </ul> <b>Training Colleges:</b> <ul style="list-style-type: none"> <li>◆ Heads of Training College:</li> </ul>	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy
		(b) <b>The delegated official approves</b> instalments to be deducted from any official's salary as a result of wrongly granted remuneration for more than 12 months.	<b>Management Area Level:</b> <ul style="list-style-type: none"> <li>❖ None</li> </ul> <b>Provincial Level:</b> <ul style="list-style-type: none"> <li>Φ None</li> </ul> <b>Head Office Level:</b> <ul style="list-style-type: none"> <li>◆ Chief Financial Officer</li> </ul>	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy

Item	PSA	Provision	Delegation/Assigned level	Notes
2	Section 38 (3) read with TR 11.4.1 and TR 22.1.1	<b>The delegated officials</b> may remit the amount, of an overpayment to be recovered in terms of sub-section 38 (2) (b) of the PSA, in whole or in part:		
		(a) Up to a maximum amount of R10 000 per case. <i>Read with sections 76 (1) (e) and 7 (4) (a) of the PFM Act</i>	<b>Management Area Level:</b> ♦ None <b>Provincial Level:</b> Φ Provincial Commissioner <b>Head Office Level:</b> ♦ Chief Financial Officer	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy
		(b) More than R10 000 per case. <i>Read with sections 76 (1) (e) and 7 (4) (a) of the PFM Act</i>	<b>Management Area Level:</b> ♦ None <b>Provincial Level:</b> Φ None <b>Head Office Level:</b> ♦ Chief Financial Officer	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy