

No. R. 915**30 July 2004****CORRECTIONAL SERVICES ACT, 1998****COMMENCEMENT OF DELEGATIONS**

The Commissioner and Minister of Correctional Services has in terms of section 97 of the Correctional Services Act, 1998 (Act No. 111 of 1998) made the delegations in the Schedule to commence on 31 July 2004 or the date as specifically indicated in the delegations as 1 October 2004.

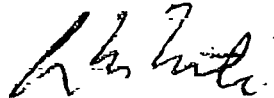
A UNDER THE POWERS VESTED IN ME IN TERMS OF DELEGATION OF AUTHORITY IN TERMS OF SECTION 97(1) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, BRYCE MATHEMBA NGCONDE BALFOUR, MINISTER OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY,

AND

B UNDER THE POWERS VESTED IN ME IN TERMS OF DELEGATION OF AUTHORITY IN TERMS OF SECTION 97(2) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, LINDA MORRIS MTI, COMMISSIONER OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY,

PROVIDED THAT:

- (a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
- (b) Any line-functionary with an equal or higher rank is also authorized to exercise the same power;
- (c) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
- (d) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, the Departmental Orders and any directives issued in this regard; and;
- (e) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
- (f) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (g) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE 29/7/2004



BRYCE MATHEMBA NGCONDE BALFOUR

MINISTER OF CORRECTIONAL SERVICES

DATE 29/07/2004

- (h) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (i) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (j) The following abbreviations may be applicable:
- CO = Correctional Official
 SCO = Senior Correctional Officer
 ASD = Assistant Director
 DIR = Director
 DC = Deputy Commissioner
 CDC = Chief Deputy Commissioner

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Section 3 (5) (f)	Grant approval for the payment of monetary rewards to personnel.	Commissioner
Section 3 (5) (f)	Grant approval for the payment of monetary rewards to private persons.	Commissioner
Section 3 (5) (g)	Appoint personnel under the post level of Assistant-Director.	<u>Management Area level:</u> Regional Commissioner <u>Regional Office level:</u> Regional Commissioner <u>Head Office level:</u> CDC Corporate Services
Section 3 (5) (g)	Appoint personnel from Assistant Director level and higher.	Commissioner
Section 3 (5) (g)	Appoint temporary correctional official.	Director Human Resource Administration and Utilization
Section 4 (2) (c)	Restrict, suspend or revise amenities for offenders of different categories.	<u>Policy:</u> Commissioner

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Section 5	Establish correctional centres for the detention and treatment of offenders or for particular purposes in relating to offenders or particular categories of offenders.	Commissioner <u>NOTE: MUST BE DD LEVEL OR HIGHER (MINISTER)</u>
Section 5 (2) (b)	Authorise that an offender be detained in a police cell for a period longer than one month if there is no correctional centre in the district.	Head of Correctional Centre
Section 6 (1) (b)	Authorisation to detain a person at any correctional centre.	Head of Correctional Centre
Section 6 (6)	Make a preliminary security classification of an offender on admission.	Divisional Head: Case Management Administration
Section 7 (2) (d)	Detain offenders of specific age, health or security risk categories separately.	Head of Correctional Centre
Section 7 (2) (e)	Accommodate offenders in single or communal cells depending on the availability of accommodation.	Head of Correctional Centre
Section 7 (2) (f)	Detain offenders apart from other offenders where there is a danger of offenders while awaiting trial or sentence, that they will defeat the ends of justice by their association with other offenders.	Head of Correctional Centre
Section 7 (2) (f)	Extension of period of detention of offenders apart from other offenders where there is a danger of offenders while awaiting trial or sentence, that they will defeat the ends of justice by their association with other offenders.	Area Commissioner
Section 13 (6) (b)	Enable an offender to notify next-of-kin of admission or after transfer to a correctional centre.	Divisional Head: Case Management Administration
Section 13 (6) (c)	In the case of an offender who is a child, notify the parents and state authorities who have statutory responsibility for the education and welfare of children of admission or after transfer to a correctional centre.	Head of Correctional Centre
Section 24 (1)	Appoint a disciplinary official in writing.	Area Commissioner
Section 24 (1)	Appoint authorized official in writing.	Head of Correctional Centre
Section 24 (7) (b)	On review, confirm or set aside a decision or penalty and substitute it with an appropriate order in any penalty other than solitary confinement in terms of the Disciplinary Procedure for offenders.	Area Commissioner/ Area Coordinator: Corrections on a level higher than the

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		chairperson of the disciplinary hearing.
Section 26 (3)	Classify and allocate accommodation to offenders in order to achieve the objective of safe custody.	<u>Policy:</u> Commissioner <u>Functional:</u> Head of Correctional Centre
Section 30 (1)	Segregation for a period of time, which may be for part of or the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in section 7 (2) (e).	Head of Correctional Centre
Section 30 (5)	Extend the period of segregation for a period more than seven days for a period not exceeding 30 days if the Head of the Correctional Centre believes it necessary to do so in terms of subsection (1) (c) to (f) and if the medical officer or the psychologist certifies that such an extension would not be harmful to the health of the offender.	Area Commissioner
Section 31 (3) (c)	Extend the minimum period necessary for the restraint of an offender by mechanical restraints for a maximum period not exceeding 30 days after consideration of a report by a medical officer or psychologist.	Area Commissioner
Section 35 (1)	Authorise the use of weapons other than non-lethal incapacitating devices or firearms as prescribed by Regulation.	<u>Policy:</u> Commissioner
Section 39 (2) (a)	Sentences of imprisonment: commencement, computation and termination of sentences.	<u>Policy:</u> DC Personnel Corrections <u>Functional:</u> Head of Correctional Centre
Section 39 (5) (a)	Determine the order in which a sentence of correctional supervision must be served other than the one after the expiration, setting aside	<u>Policy:</u> DC Personal

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	or remission of the other unless the Court specifically directs otherwise or unless the Court directs that such sentences shall run concurrently.	Corrections <u>Functional:</u> Head of Satellite Community Corrections Office
Section 39 (6) (a)	Issue a warrant for the arrest of an offender, if the offender had been released from a correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	Area Commissioner
Section 40 (4) (b)	Determine the amount of gratuity that sentenced offenders receive for their labour in concurrence with the Minister of Finance	Commissioner
Section 41 (2)	Compel sentenced offenders who are illiterate or children to take part in educational programmes offered in terms of subsection (1).	<u>Policy:</u> Commissioner <u>Functional:</u> Head of Correctional Centre
Section 41 (6)	Compel sentenced offenders to participate in programmes and use services offered in terms of sub sections (1), (3) and (4) where of the opinion that their participation is necessary having regard to the nature of their previous criminal conduct and the risk they pose to the community.	<u>Policy:</u> Commissioner <u>Functional:</u> Head of Correctional Centre
Section 43 (4)	Transfer a sentenced child to a reform school as contemplated in the Child Care Act, 1983 (Act no. 74 of 1983), in consultation with the Director General of the Department of Social Development.	Regional Commissioner
Section 44 (1)	Permit in writing on such conditions and for such periods, as specified, a sentenced offender to leave correctional centre temporarily for the purpose of: (a) Compassionate leave; (b) Treatment, development or support programmes; (c) Preparation for release; or	Area Commissioner

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	(d) Any other reason related to the successful integration of the offender into the community.	
Section 52 (1) read together with section 42 (2) (e) and section 75 (1) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (a) to (q) of this section, subject to the limitations in sub-section (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act .	<u>Up to 12 months imprisonment:</u> Head of Correctional Centre <u>Longer than 12 months imprisonment:</u> Correctional Supervision and Parole Board
Section 54 (2) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Determine the duration of placement on day parole except in cases of life imprisonment and dangerous criminals where the court will have to decide.	<u>Up to 12 months imprisonment:</u> Head of Correctional Centre <u>Longer than 12 months imprisonment:</u> Correctional Supervision and Parole Board
Section 62 (a) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Permit a person subject to community corrections who is required in terms of section 52 (1) (d) to take up and remain in employment, to change his or her employment.	Supervision Committee under whose supervision offender is.
Section 62 (c) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Permit a person to leave the place of employment during working hours for purposes unrelated to the employment when a person subject to Community Corrections is required in terms of section 52 (1)(d) to take up and remain in employment.	Supervision official under whose supervision offender is.
Section 63 (a)	Demand that a probationer or parolee submit a statement of income	Head of Satellite

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<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 63 (b)	and expenditure, as often as may be deemed necessary in order to ascertain the financial ability of a probationer or parolee.	Community Corrections Office
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 64 (4)	Demand proof as specified of payment of compensation as ordered by the court of a person subject to community corrections who is required to pay compensation.	Head of Satellite Community Corrections Office
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 65 (2)	Grant leave of absence from a session where a person must attend programmes in terms of Section 52 (1) (f).	Divisional Head: Corrections Care
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 66 (1)	Determine and adjust the contribution to costs that a person is required to make in terms of section 52 (1) (h) to the costs of the community corrections and a person on day parole during the period of supervision and day parole.	<u>Probationers and Parolees:</u> Head of Satellite Community Corrections Office <u>Day Parolees:</u> Head of Correctional Centre
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 66 (2)	Authority to be consulted with when the court, Correctional Supervision and Parole Board or other body which has the authority to impose community corrections, requires a person to live at a fixed address in terms of section 52 (1) (j), determine such address.	Head of Satellite Community Corrections Office
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 66 (2)	Declare a fixed address in terms of Section 52 (1) (j) to be unsuitable and refer the matter back to the Court, Correctional Supervision and Parole Board or other body, to stipulate another address.	Head of Satellite Community Corrections Office
<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u> Section 70 (1) (a) and (b)	Authority to be consulted with when the authorized person declare an address unsuitable and refer the matter back to the court, Correctional Supervision and Parole Board or other body to stipulate another address.	Head of Satellite Community Corrections Office
	(a) When a person subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her or	

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<u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	<p>any duty placed on him or her in terms of any section of Chapter 6 (Community Corrections) depending on the nature and seriousness of the non-compliance as stipulated in the Order—</p> <p>(i) reprimand the person.</p> <p>(ii) Instruct the person to appear before the Court, Correctional Supervision and Parole Board or other body which imposed the Community Corrections;</p> <p>(iii) Issue a warrant for the arrest of such person.</p> <p>(b) instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person if satisfied that the person has a valid excuse for not complying with any such condition or duty.</p>	<p>(i) <u>Less serious:</u> Supervision Official under whose supervision offender is. <u>Serious:</u> Supervision Committee under whose supervision offender is.</p> <p>(ii) Head of Satellite Community Corrections Office</p> <p>(iii) Head of Satellite Community Corrections Office</p> <p>(b) Head of Satellite Community Corrections Office</p>
Section 70 (3) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Instruct a person to appear before the court, Correctional Supervision and Parole Board or other body which imposed the community corrections if a person subject to community corrections has failed to meet the conditions imposed on him or her but that such failure is due to a change in circumstances beyond	Head of Satellite Community Corrections Office

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	the control of the person concerned.	
Section 70 (4) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Issue a warrant in terms of subsection (1) (c) and act in terms of subsection (2) if a person subject to community corrections fails to obey an instruction issued in terms of subsections (1) (b) or (3).	Head of Satellite Community Corrections Office
Section 71 (1) read together with section 276 A (4) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977). <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Apply to the court, Correctional Supervision and Parole Board or other body which ordered the imposition of community corrections, to amend the conditions which make up the community corrections in a particular case if it is the opinion that a change of circumstances calls for a change in the conditions.	Head of Satellite Community Corrections Office
Section 71 (3) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Issue a warrant in terms of section 70 (1)(c) for arrest if a person fails to appear when instructed to do so before a court, Correctional Supervision and Parole Board or other body in terms of subsection (2).	Head of Satellite Community Corrections Office
Section 74 (1) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	(a) Name each Correctional Supervision and Parole Board; (b) Specify the seat for each Board; (c) Determine and amend the area of jurisdiction of each Board.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 74 (2) (e) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Nominate one official of the Department to form part of the Correctional Supervision and Parole Board appointed by the Minister.	Area Commissioner
Section 74 (7) (a) (i) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Determine the period and conditions, a member of a Correctional Supervision and Parole Board holds office for.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 74 (7) (b) <u>EFFECTIVE AS FROM 1</u>	Remove a member of the Correctional Supervision and Parole Boards from office on grounds of misbehaviour, incapacity or incompetence.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF</u>

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<u>OCTOBER 2004</u>		<u>COMPETENCY IS DELEGATED</u>
Section 74 (7) (c) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Fill the vacancy by appointing a person for the unexpired portion of the term of office of the predecessor if a member of a Correctional Supervision and Parole Board resigns, is removed from office or dies.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED</u>
Section 74 (8) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Determine on recommendation of the Commission for Administration with the concurrence of the Minister of Finance the remuneration and allowances, a member of a Board who is not in the fulltime service of the State may receive.	DC: Human Resource Management
Section 75 (1) (a) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Make recommendations to the court a quo in terms of section 276 A (3) of the Criminal Procedure Act, 1977 (Act no 51 of 1977) for the conversion of an offender's term of imprisonment to any other sentence for offenders serving sentences: -of more than 12 months but less than 5 years -of more than 5 years excluding life imprisonment and dangerous criminals.	Correctional Supervision and Parole Board
Section 75 (1) (a) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Place an offender serving a sentence exceeding 12 months under correctional supervision or on day parole or parole and set the conditions for community corrections.	Correctional Supervision and Parole Board
Section 75 (1) (b) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Make recommendations to the court for placement under correctional supervision or on day parole or parole and set the conditions of community corrections regarding offenders declared as dangerous criminals.	Correctional Supervision and Parole Board
Section 75 (1) (c) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Make recommendations to the court for placement on day parole or parole and set the conditions of community corrections regarding offenders serving life imprisonment.	Correctional Supervision and Parole Board
Section 75 (1B) (a) <u>EFFECTIVE AS FROM 1</u>	Identify offences for purposes of subsection (1A) with the concurrence of the National Commissioner of the South African Police Service, the Director-General of the Department of Justice	Commissioner

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<u>OCTOBER 2004</u>	and the National Director of Public Prosecutions.	
Section 75 (7) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Despite subsections (1) to (6), authorizes: (a) Placement under correctional supervision or day parole or grant parole to an offender serving a sentence of up to 12 months imprisonment and prescribe conditions in terms of sections 52; (b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.	Head of Correctional Centre
Section 75 (8) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Refer a decision to the Correctional Supervision and Parole Review Board for reconsideration.	CDC Corrections
Section 79 <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Consider placement under correctional supervision or on parole to die a consolatory and dignified death of a person serving any sentence in a correctional centre and who, based on the written evidence of the medical practitioner treating that person, is diagnosed as being in the final phase of any terminal disease or condition.	<u>Up to 12 months imprisonment:</u> Head of the Correctional Centre <u>Longer than 12 months imprisonment excluding persons sentenced to life imprisonment:</u> Correctional Supervision and Parole Board <u>Persons sentenced to life imprisonment and dangerous criminals from date of commencement of Act 111 of 1998:</u> Court a quo

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		<u>Persons sentenced to life imprisonment prior to commencement of Act 111 of 1998</u> Minister
Section 80 <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Recommend to the Correctional Supervision and Parole Board that an offender be granted special remission of sentence not exceeding two years either unconditionally or subject to such conditions as the Board may determine when such an offender has acted highly meritoriously excluding offenders serving life sentences or declared as dangerous criminals.	Head of Correctional Centre
Section 81 (4) <u>EFFECTIVE AS FROM 1 OCTOBER 2004</u>	Release of unsentenced offenders or group of unsentenced offenders subject to such conditions as may be determined with the concurrence of the Minister of Justice.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 83 (3) (a)	Determine the period a member of the National Council holds office.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 83 (3) (b)	Terminate the appointment of a member of the National Council on valid grounds.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 83 (7)	Determine the allowances for a member of the National Council who is not in the service of the State, in consultation with the Minister of State Expenditure.	Commissioner <u>NOTE: MUST BE DD LEVEL OR HIGHER (MINISTER)</u>
Section 93 (8)	Determine remuneration and allowances to be paid to the Independent Prison Visitors who are not in the full-time service of	Commissioner

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	the State on the recommendation of the Department of Public Service and Administration and with the concurrence of the Minister of Finance.	
Section 95	Authorize the inspection of correctional facilities by personnel.	DC Executive Management
Section 95 (1) read together with regulation 30 (1) (a)	Appoint <u>inspectors</u> to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	<u>Management Area level:</u> None <u>Regional Office level:</u> None <u>For Head Office and Regional Level:</u> DC: Executive Management
Section 95 (1) read together with regulation 30 (1) (a)	Appoint <u>investigators</u> to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	<u>Management Area level:</u> None <u>Regional Office level:</u> None <u>For Head Office and Regional Level:</u> DC: Legal and Special Operations
Section 95 (1) read together with regulation 30 (1) (a)	Appoint <u>internal auditors</u> to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	Commissioner
Section 95 (3A) (b)(i)	Appoint initiators to initiate in disciplinary proceedings resulting from any investigation in terms of subsection (2) (g) and which has been submitted to the Director Code Enforcement to conduct a disciplinary hearing.	Dir. Code Enforcement
Section 95 read with paragraph 6 of the	Appoint Presiding Official for disciplinary hearings and appeal hearings emanating from investigations under section 95.	DC: Executive Management

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Disciplinary Manual in terms of Departmental Bargaining Council Resolution 1 of 2001		
Section 95 read with Departmental Bargaining Council Resolution 1/2001 Clause 7.16.4	Decisions regarding Appeals against dismissals emanating from investigations under section 95.	<u>Management Area level:</u> None <u>Regional Office level:</u> Regional Commissioner <u>Head Office level:</u> CDC: Corporate Services
Section 96 (3) (d)	Approve appointment or promotion of persons, despite the provisions of paragraph (c), subject to the conditions prescribed by regulation to promote the basic values and principles referred to in section 195 (1) of the Constitution.	Commissioner
Section 96 (3) (d)	Transfer and placement of officials: All transfers from level 13 and higher.	Commissioner
	All transfers on state cost up and to the level 12.	CDC Corporate Services
	All transfers of officials from level 8 (SCO or equivalent) to level 12 (DD or equivalent) on own time and cost	<u>Region:</u> Deputy Regional Commissioner <u>Head Office level:</u> DC Human Resource Management
	All transfers of officials from level 2 to 7 (CO III or equivalent) on own time and cost	<u>Management Area level:</u> Regional Head: Corporate Services <u>Regional Office level:</u> Regional Head:

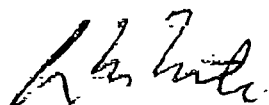
<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		Corporate Services <u>Head Office level:</u> DD Auxiliary Services
Section 96 (3) (e)	Exempt a correctional official from the requirements of the Code of Remuneration for the purposes of promotion or transfer, who is exceptionally skilled, has special training, renders exceptional service or who has successfully completed a prescribed departmental training course.	Commissioner
Section 96 (4)	Appoint unpaid voluntary workers who are not employees of the Department, and determine the extent of the powers they may exercise.	Director Human Resource Administration and Utilization
Section 99 (5)	Permit any person other than those mentioned in subsections (1) to (4) in terms of this section to visit an offender, a correctional centre or any specific section of a correctional centre for any special or general purpose.	<ul style="list-style-type: none"> - <u>International Committee of the Red Cross:</u> Regional Commissioner - <u>Visitors from overseas:</u> Regional Commissioner - <u>Politicians:</u> Regional Commissioner - <u>Orientation by community leaders, academics, senior students and other persons who are of functional</u>

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		<p><u>importance on local level:</u> Area Commissioner</p> <ul style="list-style-type: none"> - <u>Other functional visits with whom the DCS liaises, representatives of other organizations or state departments:</u> Area Commissioner - <u>Media:</u> Area Commissioner/ Dir. Communication Services
Section 101 (2) (a)	Authorise a correctional official to search another correctional official or seize his or her property without his or her consent.	<p><u>Correctional Centre level:</u> Head of Correctional Centre</p> <p><u>Community Corrections office:</u> Head of Satellite Community Corrections Office <u>Management Area level:</u> Area Coordinator: Corrections</p> <p><u>Regional Office level:</u></p>

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		<p>Regional Coordinator: Safety and Security</p> <p><u>Head Office level:</u> DD Auxiliary Services</p> <p><u>Minister and Commissioner's office:</u> Dir. Minimum Information Security Standards</p>
Section 101 (4) (a)	Sell any property seized in terms of this Act or the property of a deceased or escaped offender which is in the care of the Department, by public auction, if it is not lawfully claimed within six months after being seized or after the death or escape.	Area Commissioner
Section 101 (4) (c)	Pay over the balance of the proceeds of a sale in terms of subsection 101 (4) (a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	Regional Commissioner
Section 103 (1)	Enter into a contract to design, construct, finance and operate any correctional centre or part of a correctional centre established or to be established in terms of section 5, subject to any law governing the award of contracts by the State, with the concurrence of the Minister of Finance and the Minister of Public Works.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>
Section 105	Appoint a Controller for every joint venture correctional centre.	Commissioner
Section 107 (1)	Grant approval for the proposed appointment of Director by the Contractor to serve as head of a joint venture correctional centre.	Commissioner
Section 109 (2)	Certify the appointment of custody officials.	Dir. Human Resource Administration and

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		Utilisation
Section 109 (4)	Keep a register containing the particulars of each certified custody official.	Dir. Human Resource Administration and Utilisation
Section 109 (6)	Revoke suspension or certification of custody official, after a custody official has been suspended.	Dir. Human Resource Administration and Utilization
Section 111 (1) (b)	Authorise an employee of the Contractor or an employee of a sub-contractor to disclose information regarding the functioning of a joint venture correctional centre or any information related thereto.	DC Communications
Section 112	Appoint a Temporary Manager to act as the Head of a joint venture correctional centre and replacement of custody officials with correctional officials to the extent necessary. If in consultation with the Minister it is the opinion that the Director has lost, or is likely to lose, effective control of a joint venture correctional centre or any part of it; and it is necessary, in the interest of safety and security to take control of such correctional centre or part of it.	Commissioner
Section 123 (2) (a)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	Dir. Communication Services
Section 132 (1)	Grant approval of the establishment of canteens for the exclusive use or benefit of correctional officials, the families of such officials and other persons or categories of persons prescribed by regulation.	DC Equity and Recreation
Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	DC Equity and Recreation <u>NOTE: MUST BE DD LEVEL OR HIGHER (MINISTER)</u>
Section 133 (2)	Authorise specific services necessary or expedient and in the public interest or in the interest of any deserving charity to be rendered gratuitously.	Head of Satellite Community Corrections Office

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Section 134 (4)	Modify the application of a regulation to a correctional centre or community corrections office if it is considered not to be suited to the circumstances of a particular correctional centre or community corrections office.	Commissioner <u>NOTE: MUST BE DD LEVEL OR HIGHER (MINISTER)</u>
Section 136 (3) (c)	Grant approval that an offender be placed under day parole or parole, as the case may be, when an offender serving a sentence of life imprisonment immediately before the commencement of Chapters IV, VI, VII is entitled to be considered for day parole and parole after he or she has served 20 years of the sentence and the recommendation of the National Council is favourable.	Minister <u>NOTE: MUST BE DD LEVEL OR HIGHER IF COMPETENCY IS DELEGATED)</u>



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2004



BRYCE MATHEMBA NGCONDE BALFOUR

MINISTER OF CORRECTIONAL SERVICES

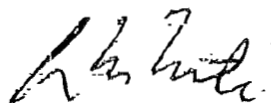
DATE

29/07/2004

UNDER THE POWERS VESTED IN ME IN TERMS OF REGULATION 41 ISSUED IN TERMS OF SECTION 134 OF THE CORRECTIONAL SERVICES ACT 111 OF 1998, I LINDA MORRIS MTI, COMMISSIONER OF CORRECTIONAL SERVICES, HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

- (a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
- (b) Any line-functionary with an equal or higher rank is also authorized to exercise the same power;
- (c) The delegation indicated hereunder, remains in force should a regulation or section of the Act, including any Amendments to the competency itself, and the number of the new regulation or section is considered to be the number of the relevant provision of the Regulations or Act;
- (d) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, the Departmental Orders and any directives issued in this regard; and;
- (e) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
- (f) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (g) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (h) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (i) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (j) The following abbreviations may be applicable:

CO	=	Correctional Official
SCO	=	Senior Correctional Officer
ASD	=	Assistant Director
DIR	=	Director
DC	=	Deputy Commissioner
CDC	=	Chief Deputy Commissioner



LINDA MORRIS MTI

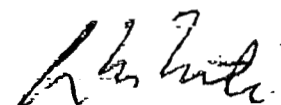
COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2000

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Regulation 5 (1)	Permit a sentenced offender to wear other clothes than clothing issued to him or her on admission to a correctional centre.	Head of Correctional Centre
Regulation 5 (3)	Permit a sentenced offender to wear clothes for religious or cultural purposes other than clothing issued to him or her on admission to a correctional centre.	Head of Correctional Centre
Regulation 7 (7) (b)	Grant approval that an offender may participate in clinical trials on application made by the offender.	Regional Commissioner
Regulation 7 (8) (a)	Grant approval on request of an offender to donate or receive an organ or tissue by donation, in accordance with the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983).	Regional Commissioner
Regulation 7 (8) (b)	Grant approval on request from a person to receive any form of artificial fertilization in terms of the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983) from an offender.	Regional Commissioner
Regulation 7 (9) (a)	Grant approval that an offender may be sterilized at State expense when the procedure is required for medical reasons as certified by the medical officer.	Regional Commissioner
Regulation 9 (1) (b)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to remove and bury the deceased at their own expense.	Head of Correctional Centre
Regulation 9 (1) (c)	Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to transport the deceased offender at State expense to another magisterial district, the cost of the burial to be born by the person requesting the transportation.	Regional Commissioner
Regulation 10 (2) (e) read with section 3 (5) (g)	Appoint a <u>temporary correctional official</u> who is qualified for the purpose, to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	Director Human Resource Administration and Utilization
Regulation 10 (2) (e)	Appoint a <u>voluntary worker</u> who is qualified for the purpose, to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	Area Commissioner

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Regulation 12 (1)	Permit an offender to consult with his or her legal practitioner in connection with legal matters subject to certain conditions.	Head of Correctional Centre
Regulation 14 (1) (b)	Appoint a Case Presenter in writing in a disciplinary hearing for offenders.	Head of Correctional Centre
Regulation 15 (2) (b)	Grant approval that when an offender temporarily removed from a correctional centre is to appear before Court, or for the purposes of a criminal investigation, that such an offender may be placed in the safe custody of a member of the South African Police Services instead.	For a period shorter than 48 hours: Area Commissioner For a period of 48 hours and longer: Regional Commissioner
Regulation 21 (5) (a)	Appointing correctional officials as members of Emergency Support Teams.	Area Commissioner
Regulation 21 (5) (a)	Authorise <u>the issue</u> (not the use) of pyrotechnical equipment to trained correctional officials appointed as members of the Emergency Support Teams and then only for the purpose of training or during emergency situations.	Area Commissioner
Regulation 22	Classification of sentenced offenders.	Case Management Committee
Regulation 23 (2) (a)	Enter into a contract with any institution or person for the utilization of the labour or service of correctional centres upon such terms and conditions as may be agreed between the parties.	Head of Correctional Centre
Regulation 23 (2) (b)	Sell the products of the labour or service in a correctional centre to any person on such conditions as may be determined.	Area Commissioner
Regulation 23 (4)	Order that a sentenced offender may be exempted from work on any day during any period in terms of a classification scheme or course of treatment or otherwise.	Head of Correctional Centre
Regulation 23 (5)	Grant approval that an offender may perform work for another offender, correctional official or a private person or body.	Head of Correctional Centre
Regulation 24 (1) (a)	Designation as chairperson of a Case Management Committee.	Area Commissioner
Regulation 24 (1) (b)	Determine the period a member of the Case Management Committee holds office for.	Area Commissioner
Regulation 26	Permit unsentenced offenders to perform other labour than duties necessary to maintain the good order and cleanliness of any cell, room or other place occupied by them.	Head of Correctional Centre
Regulation 30 (1) (a) read together with section 95	Appoint <u>inspectors</u> to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual	DC: Executive Management

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
(1)	correctional centres including joint venture correctional centres and community corrections).	
Regulation 30 (1) (a) read together with section 95 (1)	Appoint <u>investigators</u> to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	DC: Legal and Special Operations
Regulation 30 (1) (a) read together with section 95 (1)	Appoint <u>internal auditors</u> to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	Commissioner
Regulation 31	Allocate official residential accommodation to a correctional official for occupation for such period and under such conditions as may be determined.	Area Commissioner
Regulation 34	Require from a correctional official to perform emergency work outside his or her normal hours of work.	Area Commissioner
Regulation 39 (1)	Approve the establishment of a departmental canteen contemplated in section 132 of the Act.	DC Equity and Recreation
Regulation 39 (2) (b)	Determine how and when any profits, assets or any proceeds from the liquidation of a departmental canteen may be distributed by the committee for any purposes contemplated in section 132 of the Act, or for the common benefit or welfare of correctional officials, pensioners, civilian employees and their dependants.	DC Equity and Recreation
Regulation 39 (2) (c)	Authorise any expenditure for accommodation or other necessities provided by the State in consultation with National Treasury relating to a departmental canteens.	DC Equity and Recreation



LINDA MORRIS MTI

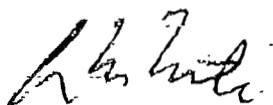
COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006

DELEGATION OF AUTHORITY: SUSPENSION OF EMPLOYEES IN THE DEPARTMENT OF CORRECTIONAL SERVICES AND THE CHAIRING OF DISCIPLINARY AND APPEAL HEARINGS AND IMPOSING OF SANCTIONS: DISCIPLINARY PROCEDURE OF THE DEPARTMENT OF CORRECTIONAL SERVICES: DBC RESOLUTION 1/2001

Under the powers vested in me in terms of section 97 (2) of the Correctional Services Act, 1998 (Act No. 111 of 1998), I, Linda Morris Mti, Commissioner of Correctional Services, hereby delegate the under-mentioned competency to the person(s), indicated against the applicable competency, provided that-

- (a) All previous delegations pertaining to the competencies mentioned hereunder are hereby repealed;
- (b) the level of delegation indicated hereunder against each competency is the lowest level at which the competency may be executed;
- (c) the presiding officer occupies a post that is at least one (1) post level higher than that of the accused;
- (d) the exercising of the delegated competency is at all times subject to the provisions of the Correctional Services Act, 1998, and the Regulations thereto and Departmental Orders and any directives issued in this regard.
- (e) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (f) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (g) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (h) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2000

(i) The following abbreviations are used:

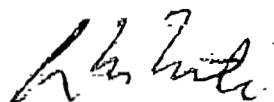
CO = Correctional Officer
SCO = Senior Correctional Officer
ASD = Assistant Director
DIR = Director
DC = Deputy Commissioner
CDC = Chief Deputy Commissioner

<u>PROVISION OF THE DISCIPLINARY PROCEDURE: DBC RESOLUTION 1/2001 ANNEXURE B</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Clause 4.1 Informal discipline	Verbal warning	Direct supervisor
Clause 4.2 Formal discipline Clause 4.2.1	Verbal warning	Second level supervisor
Clause 4.2.2	Written warning	Second level supervisor
Clause 4.2.3	Serious written warning	Second level supervisor

<u>PROVISION OF THE DISCIPLINARY PROCEDURE: DBC RESOLUTION 1/2001 ANNEXURE B</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Clause 4.2.4	Final written warning	Second level supervisor
Clause 4.2.5	Dismissal	<u>Management Area Level:</u> All managers with a minimum rank of ASD. <u>Regional Level:</u> All managers with a minimum rank of ASD. <u>Head Office Level:</u> All managers with a minimum rank of ASD <u>Office of the Commissioner</u> All managers with a minimum rank of ASD <u>Office of the Minister</u> All managers with a minimum rank of ASD

<u>PROVISION OF THE DISCIPLINARY PROCEDURE: DBC RESOLUTION 1/2001 ANNEXURE B</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		<u>Office of the Inspecting Judge</u> All managers with a minimum rank of ASD
Clause 7.16.4	Chairing and deciding of non- dismissal appeals	One post level higher than the chair of the disciplinary hearing
Clause 7.16.4	Chairing appeals against dismissals	One post level higher than the chair of the disciplinary hearing
Clause 7.16.4	Decisions regarding appeals against dismissals	DC: Human Resource Management/equivalent/higher regarding employees in DCS Head Office; and Deputy Regional Commissioner/ equivalent/higher regarding employees in the region.
Clause 5 Suspension policy.	Suspension of employees	<u>Management Area Level:</u> All managers with a minimum rank of ASD. <u>Regional Level:</u> All managers with a minimum rank of ASD.

<u>PROVISION OF THE DISCIPLINARY PROCEDURE:</u> <u>DBC RESOLUTION 1/2001</u> <u>ANNEXURE B</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
		<u>Head Office Level:</u> All managers with a minimum rank of ASD <u>Office of the Commissioner</u> All managers with a minimum rank of ASD <u>Office of the Minister</u> All managers with a minimum rank of ASD <u>Office of the Inspecting Judge</u> All managers with a minimum rank of ASD



LINDA MORRIS MTI

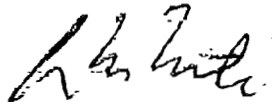
COMMISSIONER: CORRECTIONAL SERVICES

DATE 29/7/2006

DELEGATION OF AUTHORITY: CONDITIONS OF CONTRACTS FOR JOINT VENTURE PRISONS

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97 (2) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I LINDA MORRIS MTI, COMMISSIONER OF CORRECTIONAL SERVICES, HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

- (a) the level of delegation indicated hereunder is the lowest level at which the competency may be exercised;
- (b) the delegation indicated hereunder, remains in force should a clause of the contract be renumbered in terms of an amendment of the contract, precluding any amendments to the competency itself, and the new number of the clause is considered to be the number of the relevant provision of the Contract;
- (c) the exercising of the delegated competency is at all times subject to the provisions of the Correctional Services Act, 1998 and the Regulations thereto the Conditions of Contract, the Departmental Orders and any directives issued in this regard.
- (d) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (e) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (f) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (g) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (h) The following abbreviations are used:
 - CO = Correctional Officer
 - SCO = Senior Correctional Officer
 - ASD = Assistant Director
 - DIR = Director



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2006

DC = Deputy Commissioner
 CDC = Chief Deputy Commissioner
 CFO = Chief Financial Officer

<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
3.1	Approval of maximum amount of Lender Liabilities	CFO
3.1	Approval of any amendment of the Financing Agreement which increases or may increase the Lender Liabilities	CFO
4.10(c)	Approval for settlement of any claim by a third party not exceeding R50 000-00 to which the Department is not likely to become a party.	CFO, with written recommendations from the Dir : Legal Services
5.2	Approval of terms of Insurances taken by the Contractor with Insurers.	CFO
5.7	Approval of any insurance claim above R50 000 or any insurance claim whatsoever relating to the infringement of an offender's rights.	Commissioner
7.1	Granting approval for any of the Contractor's obligations under the Contract to be performed or undertaken by any other person.	Commissioner
7.4	Granting approval for the appointment of a replacement Construction Sub-contractor or Operating Sub-contractor.	Commissioner
8.1	Granting approval in the case of the Contractor Change, or where the Independent Engineer reasonably determines that an application by the Contractor for Design Development under Part 3 of Schedule A constitutes a Contractor Change.	CDC : Corrections
9.	Granting of- and subsequent approval of Departmental changes.	CDC Central Services CDC Corrections CDC Corporate Services
9.9	Acceptance/approval of estimates of the increase or decrease in the Contract fee which occurs as a result of the changes set out in the Notice to Change.	CFO
12.2	Assisting the Contractor in connection with the obtaining of all requisite planning permissions.	DC Facilities and Security
16.2	Effecting variation in accordance with Clause 62 (Variations).	Named Representative
19.1	A dilapidation survey for the purpose of determining the physical condition and state of maintenance of the Correctional Centre Assets and	Dir Buildings and Maintenance

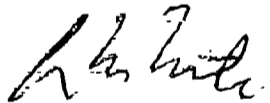
<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
	the road	
19.2	Notifying the Contractor of the work the Department reasonably believes is required to be done consequent to the survey referred to in Clause 19.1 or Clause 52.1	Named Representative
19.3	Carrying out such unremedied repairs and/or maintenance itself, or to procure same, at the Contractor's reasonable cost, where the latter has failed to effect any and all repairs and/or maintenance required pursuant to Clause 19.2	Dir Buildings and Maintenance
20.2	Approval of such part of the Operation Proposals as do not comply with the Contract	Dir of Function
20.3 and 20.6	Approval of the operation proposals.	Dir of Function
20.5	Approval of the Operation Proposals subject to satisfactory completion of the tests in accordance with Clause 20.6	Dir of Function
22.1(b)	Electing, at his discretion to utilize available offender places made available by the Contractor.	Dir Offender Administration
22.2	Suspending the Phase-in-Period by issuing a Rectification Notice in accordance with Clause 44 (default).	CDC : Corrections
24.	Granting the Delay Notice:	
	0-90 days	Dir : Contract Management
	91 days and more	Commissioner
31.3	Approval of any change to the person occupying the position of a Director. <u>NB:</u> Appointment of a Director is regulated by section 107 of the Correctional Services Act, No. 111 of 1998.	Commissioner
33.3	Approval of uniforms or standard of dress to be used by the Contractor or the Operating Sub-contractor.	Dir : Human Resource Administration and Utilisation In consultation with CDC : Corporate Services
33.4	Approval of the appointment of members of staff who are not required to	Dir : Human Resource

<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
	be certified as custody officials.	Administration and Utilization In consultation with CDC : Corporate Services
33.6 (b) and (c)	Consent to the varying of the numbers of Staff as referred to in the table headed "Staffing Summary" in Schedule D (the "Staffing Summary Table") and the table headed "Minimum Staffing Levels" in Schedule D.	Dept. Representatives
33.8	Granting approval to the Contractor to engage a new member of staff who has not been a subject of prior approval or certification in accordance with clause 31 and 32.	Dir : Human Resource Administration and Utilization In consultation with CDC : Corporate Services
41.	Approval of the Contractor's strategic development plan to operate the Prison.	Dir : Contract Management
45.1	Granting the Rectification Notice:	
	0 - 30 days	DD Contract Compliance
	31 - 90 days	Dir : Contract Management
	90 days and more	Commissioner
45.1	Granting a Termination Notice.	Commissioner
49.1 and schedule F	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 45 (Termination for Contractor Default).	CFO
49.2	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 47 (Termination of Department Default) of Clause 44.2 (Material Adverse Governmental Action).	CFO
49.3 Schedule H	Determination of payment and/or set-off amounts owing under the Contract prior to termination in the event of a termination under Clause 48 (Force Majeure) or Clause 5.13 (a) and (b) (Insurance)	CFO
49.5	Granting consent to an agreement, acceptance or settlement of any claim or issue or dispute relating to any liability for Taxation.	Commissioner
50.	Change in the beneficial ownership of the Contractor. Approval of such	Commissioner

<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
	change of control or exercising the right to terminate the Contract at its election, if such approval is not obtained.	
57.2	Approval of communication with representatives of the press, television, radio or other communication media on any matter concerning the Contract by the Contractor.	Dir: Communications Services with prior consent by Dir Contract Management.
57.3	Approval for photographing or taking film of the correctional centre.	DC : Communications
62.	Any appointment / replacement of the named Representative of the Department.	Commissioner
62.2.2	Approval of any amendment to the Contract which is to the financial detriment of the State. (This will also require Treasury approval under Section 76(1)g of the Public Finance Management Act (Act 1 of 1999) read with Treasury Regulation 8.7.1 and 16.10	Commissioner
64.3	Review whether the Contractor has complied with the provisions of Schedule N, and, where appropriate impose penalties on the Contractor as set out in Part II and Part III of Schedule M.	Supervisory Committee
Part 2 Schedule B	Approval of the Data Collection and Reporting Plan	CDC: Corrections
Schedule C Paragraph C.1	Approval of a Maintenance Programme	Dir. Building and Maintenance
Schedule D Goal 1	Approval of the security manual and contingency planning manual	Dir Facilities and Security
Goal 1.3	Approval of system of monthly review of offenders, to include categorization and further allocation.	DC: Personnel Corrections
Goal 1.4.1	Approval of Emergency Services	Dir Security Management
Goal 1.8.5	Approval of a full movement control policy to be included in the general operational instructions	CDC : Corrections Management
Goal 1.14.1	Approval of a detailed policy on arrangement for patrols	CDC : Corrections Management
Goal 1.15	Approval of proceedings for emergencies situations as part of contingency planning	Dir Security Management
Goal 2.1	Approval of a system of incentives and earned privileges based on the	Dir: Corrections Administration

<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
	minimum standards of the DCS programme.	
Goal 2.5.2	Approval of a procedure, which specifies when and what action is to be taken as a result of any loss or damage.	DC: Facilities and Security
Goal 2.8.2	Approval of a policy which covers the following aspects.	
	➤ Staff training in conflict resolution techniques	Dir: Core Curriculum
	➤ The role of Correctional Services Controller ("CSC") concerning disciplinary action policies, and procedures as they relate to offenders	DC: Personnel Corrections
	➤ Under what circumstances an offender can be housed in the segregation unit.	Dir : Offender Administration
Goal 2.9.1	Approval of anti-bullying policy and procedure.	Dir :Security Management
Goal 2.10.1	Approval of the control and restraint techniques.	Dir :Security Management
Goal 3.1.4	Approval of a system of screening those at risk of self-harm or suicide.	DC Personal Corrections
Goal 3.1.7	Approval of a means of communication for offenders to contact a relative or friend on admission	Dir : Offender Administration
Goal 3.16.2	Approval of the induction programme.	Dir : Corrections Programmes
Goal 3.16.7.3	Approval of provision (for maintaining ties with family, etc.) for those offenders who cannot read or write.	Dir :Corrections Programmes
Goal 3.18.7	Approval of comprehensive programmes for pest control	Dir : Health Care Services
Goal 3.30.11	Approval of a comprehensive programme for management of acute mental disorders	Dir Psychological Services
Goal 3.30.29	Approval of the deaths (natural and unnatural) policies and procedures.	Dir : Health Care
Goal 4.1	Approval of system for security risk assessment and	Dir: Risk Assessment.
Goal 4.8	Approval of the policy for Religious Care Services	Dir: Spiritual Care.
Goal 4.15	Approval of a full schedule of fostered attendance at the library as part of the development programme.	Dir : Formal Education
Goal 6.4.3	Approval of the Equal Opportunities policy and Affirmative Action Policy.	Dir : Equity
Goal 6.5.2	Approval of the Contractors policy statement on drug and alcohol free work place.	Dir : Human Resource Administration and Utilisation In consultation with CDC : Corporate Services

<u>PROVISION OF THE CONTRACT</u>	<u>COMPETENCY WHICH IS DELEGATED</u>	<u>DELEGATION LEVEL</u>
Goal 6.7.1	Approval of the policy on uniform and dress code for custodial and non-custodial staff.	Dir : Human Resource Administration and Utilisation In consultation with CDC : Corporate Services
Goal 6.7.2	Approval of samples of all uniforms to be worn by the staff of the correctional centre.	Dir: Human Resource Administration and Utilisation. In consultation with CDC : Corporate Services
Goal 6.8.12	Approval of media statements relating to personnel issues.	Dir: Communication Services In consultation with CDC : Corporate Services
Goal 6.9	Approval of all training curricula.	Dir : Core Curriculum
Goal 6.9	Approval of all Control and Restraint trainers.	Dir : Core Curriculum
Goal 7.3	Approval of all community involvement activities.	Dir : Community Liaison
Schedule M 1.1	Ruling on whether; and to what extent, penalties should be imposed for breaches of the Contract by the Contractor.	Supervisory Committee
2.8	Waiving of fixed penalties	Supervisory Committee
2.8	Decision to sue the Contractor for breach of Contract.	Commissioner



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2006

DELEGATIONS OF AUTHORITY AND RESPONSIBILITIES IN TERMS OF THE PUBLIC SERVICE REGULATIONS

It has pleased the Minister and Commissioner of Correctional Services, under the powers granted to them by the provisions of the Public Service Regulations, 2001 to delegate the under mentioned competencies to the post incumbent against the applicable competency, provided that:

- (a) The level of delegation indicated hereunder against each competency, is the lowest level at which the competency may be exercised;
- (b) Where a delegation is not linked to a specific post, any functionary responsible for the specific function on a higher post level, is authorized to exercise that competency;
- (c) A functionary cannot exercise a discretion to approve of any matter in respect of a functionary on a higher or equivalent post level;
- (d) The delegations indicated hereunder, remains in force should a regulation be renumbered in terms of an amendment of the regulation, precluding any amendments to the competency itself, and the number of the new regulation is considered to be the number of the relevant Regulation;
- (e) The summary of the competencies herein does not necessarily reflect the full details of the competencies contained in the Regulations and the exercise of the delegated competencies are at all times subject to the provisions of the Regulations and any directives issued in this regard;
- (f) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)
- (g) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (h) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (i) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (j) The following abbreviations are used:
 - CO = Correctional Officer
 - SCO = Senior Correctional Officer
 - ASD = Assistant Director
 - DIR = Director
 - DC = Deputy Commissioner
 - CDC = Chief Deputy Commissioner
 - DPSA = Department of Public Service and Administration
 - DBC = Departmental Bargaining Chamber

LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2004

BRYCE MATHEMBANGCONDE BALFOUR

MINISTER OF CORRECTIONAL SERVICES

DATE: 29/07/2004

<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART I/H.1	Enquiries to Minister of DPSA through DG of DPSA.	<u>Policy:</u> Commissioner <u>Functional:</u> Dir. Human Resource Administration and Utilization
PART I/H.3	Consultation with DG: DPSA which impacts on the power or duties of the Minister of Public Services and Administration on legislation.	Commissioner
PART I/H.4	Establish policy on how employees may communicate in the media.	DC: Executive Manager
PART II/C.3	Ensure compliance with Regulations, Collective Agreements and any other Statutory obligations and deal with any breach thereof.	DC: Executive Manager
PART II/CS	Ensure prior Treasury approval for any decision that involves expenditure from revenue.	CFO
PART III/B.1	Prepare a strategic planning for the department.	DC: Executive Manager
PART III/B.2(b)	Decision on the grading of proposed new jobs: -Up to level of salary level 14 -Up to level of salary level 15	CDC Corporate Services Commissioner
PART III/B.2(c)	Determine posts necessary and constitute the department's approved establishment.	Commissioner
PART III/B.2(d)	Based on strategic plan engage in human resource planning to meet Human Resource.	CDC Corporate Services
PART III/B.2(c)	Defining of posts	CDC Corporate Services
PART III/C.1	Establishment and sustaining of service delivery improvement programme.	CDC Management Services
PART III/C.2	Publication of annual statement of public service commitment.	CDC Management Services

<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART III/D.1 (a)	Assess human resources which is necessary (needs) with reference to: <ul style="list-style-type: none"> • Number of employees • Competencies of the employees • Capacities in which appointed 	CDC Corporate Services
PART III/D.1 (b)	Assess existing human resources by race, gender and disability as well as by occupational category, organizational component and grade.	CDC Corporate Services
PART III/D.1 (c)	Plan within the available budgeted funds, including funds for the remaining period of the relevant medium-term expenditure framework, for the recruitment, retention, deployment and development of human resources.	CDC Corporate Services
PART III/D.1(d)	Addressing the position of employees affected by the elimination of unnecessary posts.	CDC Corporate Services
PART III/D.2	Development and implementation of affirmative action programme	DC Equity and Recreation
PART III/D.3	Communication of Human Resources Plan and Affirmative Action Plan within the Department	CDC Corporate Services
PART III/E. (a)	Establishment of an information plan that supports the strategic planning process of the Department	DC: Executive Manager
PART III/E. (b)	Establishment of an information technology plan that supports the information plan of the Department	CDC Central Services
PART III/E.1 (c)	Establishment of an information plan for implementation of information technology plan and information management	CDC Central Services
PART III/F. (b)	Evaluation of newly defined jobs in terms of the job evaluation system	DC: Human Resource Management
PART III/F. (c)	Evaluation of job in case of vacant post in grade 9 or higher, if not evaluated before.	DC: Human Resource Management
PART III/F. (d)	Ensuring that sufficient funds are available for filling a post	Dir. Human Resource Administration and Utilization
PART III/G	Employment of persons additional to approved establishment	Dir. Human Resource Administration and Utilization

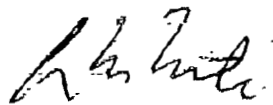
<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART III/I.1	Establishment of job descriptions and job titles.	Dir. Human Resource Planning
PART III/I.2	Review job descriptions and titles every 3 years.	Dir. Human Resource Planning
PART III/I.5	Linking of posts to relevant CORE and occupation	Dir. Human Resource Planning
PART III/J	Publication of Annual Report to the relevant legislature, the media and public	DC Communication
PART IV/B.3	Job evaluation and re-evaluation.	DC Human Resource Management
PART V/A.2	Determination of employee's salary.	CDC Corporate Services
PART V/C.1	Determination of grading of a post and setting of commencing salary (minimum notch)	CDC Corporate Services
PART V/C.2	Determination of relevant salary range in the case of a job weight applying to more than one salary range.	CDC Corporate Services
PART V/C.3	Setting of salary for a post above the minimum notch of salary range indicated by the job weight.	CDC Corporate Services
PART V/C.4	Effecting changes to work organization or regrading of post if job weight demonstrates that the post is over-/under-graded.	CDC Corporate Services
PART V/C.5	Increase in salary of a post to a higher salary range to accord with job weight -Up to level 14. -Level 15	CDC Corporate Services Commissioner
PART V/C.6	Employment of incumbent employee in higher graded post without advertising post -Up to level 12 -Level 13 and higher	CDC Corporate Services. Commissioner
PART V/C.8	Redesigning job or/ transfer of incumbent to another job when salary range of an occupied post exceeds the range indicated by job weight.	DC Human Resource Management

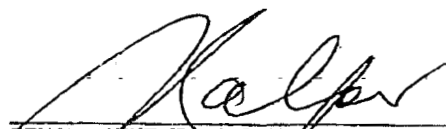
<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART V/C.9	Setting of salary of part-time, sessional or temporary employees.	DC HR Management
PART V/D.2	Compensation of employees for abnormal overtime work	DC Human Resource Management
PART V/D.3	Compensation of senior management services for overtime	CDC Corporate Services
PART V/D.5	Establishment of employee overtime policy.	CDC Corporate Services
PART V/E.3	Provide cash equivalent of benefits received by permanent employees to employees on fixed-term contracts.	CDC Corporate Services
PART VI/		
PART V/G.3	Provide salary advice to employees	Dir: Financial Administration
PART V/F	Manage leave and sick leave	Dir: Human Resource Administration and Utilisation
PART VI/D	Health and Safety Establish and maintain safe and healthy work environment for employees	CDC Corporate Services
PART VII/B.4	Secondments	CDC Corporate Services
PART VII/C.1.1	Determination of composite requirements for employment.	CDC Corporate Services
PART VII/C.2	Advertising of vacant posts (Up to and including level 12)	DC Human Resource Management
	Advertising of vacant posts from level 13 and higher	Commissioner
PART VII/C.2.5	Deviation in filling of vacant posts	Commissioner
PART VII/C.2.6	Utilising appropriate agency to identify candidates for posts.	DC Human Resource Management –
PART VII/D.1	Appointment of selection committee : -Up to level 12	DC Human Resource Management –/Regional Commissioner
	-Level 13 and higher	Commissioner

<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART VII/D.7	Recording of reasons for not approving the recommendation of a selection committee: -Up to level 12 -Level 13 -Level 14 and higher	CDC Corporate Services Commissioner Minister
PART VII/G.2.1	Prescribing the manner to submit resignation.	DC Human Resource Management –
PART VII/G.2.2	Recording reasons for resignation.	Dir Human Resource Planning.
PART VII/H	Keeping of employee records.	DC Human Resource Management
PART VIII/B.1	Determination of system for performance management and development below senior management level	CDC Corporate Services
PART VIII/B.2	Designation of performance cycle, annual date for written performance assessment.	Dir: Human Resource Support–
PART VIII/C.1	Establishment of performance assessment instruments for different occupational categories or levels	CDC Corporate Services
PART VIII/C.3	Complying with conditions for utilizing a performance management and development system.	DC Human Resource Management
PART VIII/E.1(a)	Provision of remedial and systematic support in the case of unacceptable performance	<u>Management Area Level:</u> All second level managers <u>Regional office level</u> All second level managers <u>Head office level:</u> All Directors DC + CDC for their offices.

<u>STIPULATION IN PUBLIC SERVICE REGULATIONS</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
PART VIII/F.1	Establishment of financial incentive scheme	CDC Corporate Services
PART VIII/F.2	Determining the nature, rules and control measures of a financial incentive scheme, and communication thereof	CDC Corporate Services
PART VIII/G	Rewards for purposes of suggestions, improvement and innovations	CDC Corporate Services
PART IX/D	Determination of occupational specific competencies and prescription of training for those.	CDC Corporate Services
PART IX/E.1	Granting of financial or other assistance for study, training	CDC Corporate Services
	Research, international	CDC Central Services
PART IX/E.2	Granting of financial or other assistance for part time or full time activities at International Institutions (courses, symposia, congress etc.)	CDC Corporate Services
PART IX/E.4	Defrayment of any genuine expense associated with study, research or training.	DC Human Resource Development
PART IX/E.6	Waiving of study debts.	DC Human Resource Development
PART IX/E.7	Requiring of persons who study (Part IX, par. E.3) to enter into a contract with the Department.	Dir Policy and External Training
PART IX/E.9	Requiring of an employee who studies or undergoes training for short periods, to enter into a contract as precondition for assistance.	Dir Policy and External Training.
PART X/B	Implementation of collective agreements	Commissioner
PART X/C.1	Entering into agreements on a matter of mutual interest.	Deputy Director Collective Bargaining
PART X/C.5	Provisioning of copies of collective agreements concluded in the DBC to the DPSA.	Deputy Director Collective Bargaining
PART X/D.	Entering into agreements on matters with financial implications	Deputy Director Collective Bargaining
<u>CHAPTER 2</u>		
B.2	Supplementing the Code of Conduct provided for by the Public Service.	Commissioner

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 LINDA MORRIS MTI
 COMMISSIONER: CORRECTIONAL SERVICES
 DATE: 29/7/2004

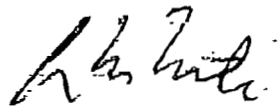

 BRYCE MATHEMBANGCONDE BALFOUR
 MINISTER OF CORRECTIONAL SERVICES
 DATE: 29/07/2004

By virtue of the authority vested in me in terms of section 44 (1) (a) of the Public Finance Management Act, I Linda Morris Mti, Commissioner of Correctional Services hereby delegate or assign the powers and duties imposed on me in terms of the Public Finance Management Act (*Act 1 of 1999 as amended with Act 29 of 1999*), to the 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 there from.
- 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 post, to which a duty is assigned, is the lowest level of execution (either a do action or a managing action) of the task.
- 1.5 The exercising of delegated powers is at all times subject to the conditions set, as well as the stipulations of the Act and Regulations, the Departmental orders and any directives issued in this regard.
- 1.6 The delegation of powers and the assignment of duties as mentioned in this document, remain in force should a section of the Act be renumbered in terms of an amendment of the Act, precluding any amendments to the competency itself, and the numbering of the new section is considered to be the number of the relevant provision of the Act.
- 1.7 If an official has exercised a delegated power, a higher level official, [with the exception of the Accounting Officer, section 44 (3)] is not allowed to amend or change the decision.
- 1.8 "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)
- 1.9 "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- 1.10 "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)
- 1.11 "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006

1.12 The following abbreviations are used:

CO	=	Correctional Officer
SCO	=	Senior Correctional Officer
ASD	=	Assistant Director
DIR	=	Director
DC	=	Deputy Commissioner
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer

2. Purpose of Delegations/Assignments to Regional Offices and Management Areas

The delegation/assignment of the mentioned powers is aimed to promote efficiency in the following manner:

- 2.1 Promotion of management independence and fostering of a sense of responsibility and accountability;
- 2.2 Duties can be executed on the lowest effective level and therefore eliminate time-consuming handling of cases;
- 2.3 Training and development of personnel on all levels.

3. Knowledge of Directives

It is important that the matter, which is delegated, is exercised according to the relevant conditions in order to fulfil the aim of the delegation thereof. It implies that those assigned with these matters, should be familiar with the stipulations of the concerned manuals and authorisations as well as with any other precautions and directives that refer to it.

4. Specific Conditions

- 4.1 When exercising a power, the delegated person must print or stamp his/her initials, surname and post designation beneath his/her signature.
- 4.2 The delegation levels refer to normal DCS post designations. Use the comparative table on page 4 to determine the equivalent financial post designations when the provision column on the different pages is marked in the following way:
 - Use Financial Post Designations.
- 4.3 Where there is a reference to all "Officials" the personnel of the Minister and Inspecting Judge are included.

5. Distinguish between delegated powers [section 44 (1) (a)] and assigned duties [section 44 (1) (b)]

- 5.1 The document is divided in the following two parts to distinguish as indicated:
- Part 1: Delegated powers
 - Part 2: Assigned duties
- 5.2 Some duties are assigned to “supervisors”. Any official who observes and directs the work of another official is a supervisor.
6. Office of the Minister
- 6.1 The DC Ministerial Services will function as Loss Control Officer in accordance with departmental procedures.
- 6.2 The DC Ministerial Services will function as Activity Manager in accordance with departmental procedures.
7. Office of the Inspecting Judge
- 7.1 The Director of the Office will function as Loss Control Officer in accordance with departmental procedures.
- 7.2 The Director of the Office will function as Activity Manager in accordance with departmental procedures.

Financial Post Designation	DCS Post Designations:		
	Head Office	Regional Office	Management Areas
Accounting Officer	Commissioner in person	None	None
Chief Financial Officer	Chief Financial Officer	Head Finance	Area Coordinator Finance
Loss Control Officer	CFO for Department/ / OH Office Services.	Head Finance	Area Coordinator Finance
Programme Managers	Different Chief Deputy Commissioners	None	None
Sub-programme Managers	Different Chief Deputy Commissioners or Deputy Commissioners	None	None
Activity Managers	Different Directors	Third level managers	None
Budget Controller	Director Management Accounting	None	None
Programme Controllers	None	Regional Heads	<i>Second level managers: Only applies where different responsibilities were not created ***</i>
System Controller	Assistant Director Systems Control	None	None
Responsibility Managers	Different Directors, Deputy Commissioners and Chief Deputy Commissioners with individual responsibilities in respect of Head Office	Regional Commissioner in person: <i>Responsibility Level 1: For the Region.</i> Responsibility Level 2: For the regional office	<i>Area Commissioner: Responsibility Level 2; and Second level managers: Responsibility Level 3. Only applicable where individual responsibilities were created ***</i>
Activity Controller	Official in control of an activity with regard to Head Office	Official in control of an activity, only with regard to the Regional Office	Official in control of an activity, only with regard to the Management Area. (Third Level Managers where possible)
Responsibility Controller	Official in control of an responsibility where the activity is divided between different responsibilities in respect of Head Office: Responsibility Level 3,4 or 5	None	Official in control of an responsibility where the activity is divided between different sections/ workshops: Responsibility Level 4

Chief User	Official appointed in writing by the relevant CDC, DC or Director	Official appointed in writing by the Regional Head Finance	Official appointed in writing by the Head: Area Coordinator Finance
Chief User Clerk	Official appointed in writing by the relevant Chief User	Official appointed in writing by the relevant Chief User	Official appointed in writing by the relevant Chief User

Part 1: Delegated Powers

[Section 44 (1) (a)]

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
38 (1) (a) (ii)	Ensure that the Department has and maintains a system of internal audit under the control and direction of an audit committee complying with and operating in accordance with regulations and instructions prescribed in terms of sections 76 and 77.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir.Internal Audit	
38 (1) (a) (iii)	Ensure that the Department has and maintains an appropriate procurement and provisioning system, which is fair, equitable, transparent, competitive and cost-effective.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ DC Supply Chain Management	
38 (1) (a) (iv)	Ensure that the Department has and maintains a system for proper evaluation of all major capital projects prior to a final decision on the project.	<u>Management Area Level:</u> ❖ None	

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
		<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Facilities Planning	
38 (1) (i)	Ensure that when transferring funds in terms of the annual Division of Revenue Act that the provisions of that Act are complied with.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
38 (1) (j)	Obtain a prior written assurance, <i>before transferring any funds (other than grants in terms of the annual Division of Revenue Act or to a constitutional institution) to an entity within or outside government</i> , from the entity to whom funds are transferred, that the entity implements effective, efficient and transparent financial management and internal control systems, <i>or, if such written assurance is not or cannot be given, render the transfer of the funds subject to conditions and remedial measures requiring the entity to establish and implement effective, efficient and transparent financial management and internal control systems;</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
38 (1) (k)	Enforce compliance with any prescribed conditions if the Department, trading entity or constitutional institution gives financial assistance to <u>any entity</u> or person;	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	Dir. Management Accounting must facilitate the process

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ CFO	
38 (1) (l)	Take into account all relevant financial considerations; including issues of propriety, regularity and value for money, when policy proposals affecting the accounting officer's responsibilities are considered, and when necessary, bring those conditions to the attention of the responsible executive authority.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ CFO	
38 (1) (m)	Promptly consult and seek the prior written consent of the National Treasury on any new entity which the Department intends to establish or in the establishment of which it took the initiative.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
39 (2) (b)	Report to the executive authority and the relevant treasury any impending: (i) under collection of revenue due; (ii) shortfalls in budgeted revenue; and (iii) overspending of the Department's vote or a main division within the vote.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ CFO	
40 (1) (f)	Submit all reports, returns, notices and other information to Parliament, an executive authority, the relevant treasury or the Auditor-General, as may be required by this Act.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> Chief Financial Officer <u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
40 (4) (a)	Each year before the beginning of a financial year, provide the Treasury in the prescribed format with a breakdown per month of the anticipated revenue and expenditure of the Department for the financial year under review.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
40 (4) (b)	Each month <i>submit</i> information in the prescribed format on actual revenue and expenditure for the preceding month and the amounts anticipated for that month in terms of 40 (4) (a).	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management Accounting	
40 (4) (c)	Within 15 days of the end of each month submit to the relevant treasury and the executive authority responsible for the Department: (i) information for that month; (ii) a projection of expected expenditure and revenue collection for the remainder of the current financial year; and (iii) when necessary, an explanation of any material variances and a summary of the steps that are taken to ensure that the projected expenditure and revenue remain within budget.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Management	

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
		Accounting	
41	Submit to Treasury or Auditor-General, such information, returns, documents, explanations and motivations as may be prescribed or required.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> CFO	
42 (1) (a)	Draw up an inventory of the assets and liabilities that are transferred to another Department.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Logistics (Moveable assets) ♦ Dir. : Building and Maintenance (Immovable assets)	
42 (1) (b)	Provide the accounting officer for the receiving Department with substantiating records, including personnel records of staff to be transferred.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> <u>Logistical Records</u>	

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>	<u>NOTES</u>
		<ul style="list-style-type: none"> ♦ Dir. Logistics (Movable assets) ♦ Dir. Building and Maintenance (Immovable assets) <u>Personnel Records</u> <ul style="list-style-type: none"> ♦ Dir. Human Resource Administration and Utilisation 	
42 (2)	Sign the inventory when assets and liabilities are transferred and ensure that the accounting officer or delegate of the receiving Department signs the inventory.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ CFO (DC Supply Chain Management should facilitate the process).	DC Supply Chain must facilitate the process
42 (3)	File a copy of the signed inventory with the relevant treasury and the Auditor-General within 14 days of the transfer.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Logistics (Movable assets) ♦ Dir. Building and Maintenance (Immovable assets)	

Part 2: Assigned Duties

Section 44 (1) (a)

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
38 (1) (c) (i)	Take effective and appropriate steps to collect all money due to the Department.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
38 (1) (c) (iii)	Take effective and appropriate steps to manage available working capital efficiently and economically. * Use Financial Post Designations.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
38 (1) (e)	Comply with any tax, levy, duty, pension and audit commitments as may be required by legislation.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with

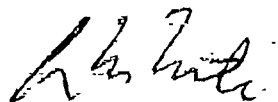
STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
		<u>Head Office Level:</u> ♦ All Supervisors	Departmental Policy
38 (1) (f)	Ensure that all contractual obligations are settled and payments of all money owed, including intergovernmental claims, are made within the prescribed or agreed period.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
38 (1) (g)	Report immediately, in writing, the discovery of any unauthorised, irregular or fruitless and wasteful expenditure in accordance with Departmental procedures, to the relevant treasury and in the case of irregular expenditure involving the procurement of goods or services, also to the relevant tender board.	<u>Management Area Level:</u> ❖ All Officials: <i>Report to the next level of authority</i> <u>Regional Level:</u> All Officials: <i>Report to the next level of authority</i> <u>Head Office Level:</u> ♦ All Officials: <i>Report to the next level of authority</i> ♦ CFO (<i>Report to Treasury</i>)	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
38 (1) (h)	Take effective and appropriated disciplinary steps, in accordance with Departmental procedures, against any official in the service of the Department who: (i) contravenes or fails to comply with a provision of this Act; (ii) commits an act which undermines the financial management and internal control system of the Department; or (iii) makes or permits an unauthorised expenditure, irregular expenditure or fruitless and wasteful expenditure. NB: Report all disciplinary actions in accordance with	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
	Departmental procedures to the next level of management. All cases will be reported to treasury and the Auditor-General in accordance with TR 4.3		
38 (1) (n)	<ul style="list-style-type: none"> Comply with the provisions of this act. 	<u>Management Area Level:</u> ❖ All Officials <u>Regional Level:</u> All Officials <u>Head Office Level:</u> ♦ All Officials	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
	<ul style="list-style-type: none"> Ensure compliance by all officials of the Department, with the provisions of this act. 	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
39 (1) (a) and (b)	(a) Ensure that expenditure of the Department is in accordance with allocated funds and in accordance with the Activity Delimitation, and (b) ensure that effective and appropriate steps are taken to prevent unauthorised expenditure. * Use Financial Post Designations.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
39 (2) (a)	Take effective and appropriate steps to prevent any overspending of allocated funds. * Use Financial Post Designations.	<u>Management Area Level:</u> ❖ All Supervisors <u>Regional Level:</u> All Supervisors <u>Head Office Level:</u> ♦ All Supervisors	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
39 (2) (c)	Comply with any remedial measures imposed by the	<u>Management Area Level:</u>	The duty must be executed

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
	relevant treasury in terms of this Act to prevent overspending of the vote or a main division within the vote.	❖ All Officials <u>Regional Level:</u> All Officials <u>Head Office Level:</u> ♦ All Officials	within the area of responsibility of the different officials in accordance with Departmental Policy
40 (1) (a)	Keep full and proper records of financial affairs of the Department in accordance with any prescribed norms and standards.	<u>Management Area Level:</u> ❖ All Officials <u>Regional Level:</u> All Officials <u>Head Office Level:</u> ♦ All Officials	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental Policy
40 (1) (b)	Prepare financial statements for each financial year in accordance with generally recognised accounting practices (GRAP).	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	
	(a) Balance sheet.	<u>Head Office Level:</u> ♦ Dir. Financial Accounting	
	(b) An income statement.	<u>Head Office Level:</u> ♦ Dir. Financial Accounting	
	(c) Cash flow statement.	<u>Head Office Level:</u> ♦ Dir. Financial Accounting	

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
	(d) Notes to the annual financial statements.	<u>Head Office Level:</u> ♦ Dir. Financial Accounting	-All CDC 's according to their responsibility and submit it to the Dir. Financial Accounting -All DC's according to their area of responsibility and submit it to ASD Accounts and Financial Statements -All Directors and Deputy Directors according to their area of responsibility and submit it to Dir. Financial Accounting -Dir. Financial Accounting consolidates in prescribed format.
40 (1) (c)	Submit financial statements (<i>under the signature of the Accounting Officer</i>) within two months after the end of the financial year to: (i) The Auditor-General for auditing; and (ii) The Treasury to enable to prepare consolidated financial statements.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Financial Accounting	
40 (1) (d)	Submit (<i>under the signature of the Accounting Officer</i>) within five months of the end of a financial year to the treasury and also to the executive authority responsible for the Department: (i) An annual report on the activities of the Department during that financial year; (ii) The annual financial statements for that financial year after they've been audited; (iii) The auditor-general's report on these	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Deputy Commissioner Communication Services	DC Financial and Management Accounting

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION	NOTES
	statements.	♦ CFO will provide copies of the audited financial statements and the Auditor-General's report on these statements to the DC Communication Services	
40 (5)	Promptly report (<i>under the signature of the Accounting Officer</i>) to the relevant executive authority and treasury the inability to comply with any of the responsibilities determined in this Act.	<u>Management Area Level:</u> ♦ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ CFO (<i>Ensure that the matters are reported to the executive authority and treasury</i>)	



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006

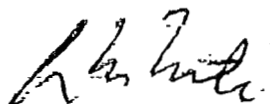
TREASURY REGULATIONS

By virtue of the authority vested in me in terms of section 44 (1) (a) of the Public Finance Management Act, I Linda Morris Mti, Commissioner of Correctional Services hereby delegate or assign the powers and duties imposed on me in terms of the Public Finance Management Act (Act 1 of 1999 as amended with Act 29 of 1999), to the 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 there from.
- 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 post, to which a duty is assigned, is the lowest level of execution (either a do action or a managing action) of the task.
- 1.5 The exercising of delegated powers is at all times subject to the conditions set, as well as the stipulations of the Act and Regulations, the Departmental orders and any directives issued in this regard.
- 1.6 The delegation of powers and the assignment of duties as mentioned in this document, remain in force should a section of the Act be renumbered in terms of an amendment of the Act, precluding any amendments to the competency itself, and the numbering of the new section is considered to be the number of the relevant provision of the Act.
- 1.7 If an official has exercised a delegated power, a higher level official, [with the exception of the Accounting Officer, section 44 (3)] is not allowed to amend or change the decision.
- 1.8 "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)
- 1.9 "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- 1.10 "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2000

1.11 "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).

1.12 The following abbreviations are used:

CO	=	Correctional Officer
SCO	=	Senior Correctional Officer
ASD	=	Assistant Director
DIR	=	Director
DC	=	Deputy Commissioner
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer

2. Purpose of Delegations/Assignments to Regional Offices and Management Areas

The delegation/assignment of the mentioned powers is aimed to promote efficiency in the following manner:

- 2.1 Promotion of management independence and fostering of a sense of responsibility and accountability;
- 2.2 Duties can be executed on the lowest effective level and therefore eliminate time-consuming handling of cases;
- 2.3 Training and development of personnel on all levels.

3. Knowledge of Directives

It is important that the matter, which is delegated, is exercised according to the relevant conditions in order to fulfil the aim of the delegation thereof. It implies that those assigned with these matters, should be familiar with the stipulations of the concerned manuals and authorisations as well as with any other precautions and directives that refer to it.

4. Specific Conditions

- 4.1 When exercising a power, the delegated person must print or stamp his/her initials, surname and post designation beneath his/her signature.

- 4.2 The delegation levels refer to normal DCS post designations. Use the comparative table on page 4 to determine the equivalent financial post designations when the provision column on the different pages is marked in the following way:
- Use Financial Post Designations.
- 4.3 Where there is a reference to all "Officials" the personnel of the Minister and Inspecting Judge are included.
5. Distinguish between delegated powers [section 44 (1) (a)] and assigned duties [section 44 (1) (b)]
- 5.1 The document is divided in the following two parts to distinguish as indicated:
- Part 1: Delegated powers
 - Part 2: Assigned duties
- 5.2 Some duties are assigned to "supervisors". Any official who observes and directs the work of another official is a supervisor.
6. Office of the Minister
- 6.1 The DC Ministerial Services will function as Loss Control Officer in accordance with departmental procedures.
- 6.2 The DC Ministerial Services will function as Activity Manager in accordance with departmental procedures.
7. Office of the Inspecting Judge
- 7.1 The Director of the Office will function as Loss Control Officer in accordance with departmental procedures.
- 7.2 The Director of the Office will function as Activity Manager in accordance with departmental procedures.

Financial Post Designation	DCS Post Designations:		
	Head Office	Regional Office	Management Areas
Accounting Officer	Commissioner in person	None	None
Chief Financial Officer	Chief Financial Officer	Head Finance	Area Coordinator Finance
Loss Control Officer	CFO for Department/ / OH Office Services.	Head Finance	Area Coordinator Finance
Programme Managers	Different Chief Deputy Commissioners	None	None
Sub-programme Managers	Different Chief Deputy Commissioners or Deputy Commissioners	None	None
Activity Managers	Different Directors	Third level managers	None
Budget Controller	Director Management Accounting	None	None
Programme Controllers	None	Regional Heads	<i>Second level managers: Only applies where different responsibilities were not created ***</i>
System Controller	Assistant Director Systems Control	None	None
Responsibility Managers	Different Directors, Deputy Commissioners and Chief Deputy Commissioners with individual responsibilities in respect of Head Office	Regional Commissioner in person: <i>Responsibility Level 1: For the Region.</i> Responsibility Level 2: For the regional office	<i>Area Commissioner: Responsibility Level 2; and Second level managers: Responsibility Level 3. Only applicable where individual responsibilities were created ***</i>
Activity Controller	Official in control of an activity with regard to Head Office	Official in control of an activity, only with regard to the Regional Office	Official in control of an activity, only with regard to the Management Area. (Third Level Managers where possible)

Responsibility Controller	Official in control of an responsibility where the activity is divided between different responsibilities in respect of Head Office: Responsibility Level 3,4 or 5	None	Official in control of an responsibility where the activity is divided between different sections/ workshops: Responsibility Level 4
Chief User	Official appointed in writing by the relevant CDC, DC or Director	Official appointed in writing by the Regional Head Finance	Official appointed in writing by the Head: Area Coordinator Finance
Chief User Clerk	Official appointed in writing by the relevant Chief User	Official appointed in writing by the relevant Chief User	Official appointed in writing by the relevant Chief User

TREASURY REGULATIONS

<u>TREASURY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>Part Two: Management Arrangements</p> <p>Chapter Three: Internal Control</p>		
3.1.2	<p>The assigned official must appoint an audit committee in consultation with the executive authority.</p> <p><i>Read with sections 38 (a)(ii) and 76 (4)(d) and 77 of the PFM Act</i></p>	None	<p>Accounting Officer is responsible for execution of this task.</p> <p>May not be a political office bearer.</p>

<u>TREASURARY REGULATIONS</u> T.R	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
3.1.12	<p>The assigned official must implement the recommendation of the audit committee.</p> <p><i>Read with sections 38 (a)(ii) and 76 (4)(d) and 77 of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> ♦ The responsible Chief Deputy Commissioner</p>	
3.2.1	<p>The assigned official must ensure that a risk assessment is conducted at least annually to identify emerging risks of the institution. A risk management strategy, which must include a fraud prevention plan, must be used to direct internal audit effort and priority, and to determine the skills required of managers and staff to improve controls and to manage these risks. The strategy must be clearly communicated to all officials to ensure that the risk management strategy is incorporated into the language and culture of the institution.</p> <p><i>Read with sections 38 (a)(i) and 76 (4)(e) of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> ♦ All Chief Deputy Commissioners ♦ DC Executive Management ♦ DC Ministry ♦ Director Inspecting Judge</p>	Director Internal Audit needs to coordinate for the Department.
	Part Two: Management Arrangements		

<u>TREASURARY REGULATIONS</u> T.R	<u>A. AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	Chapter Four: Financial Misconduct		
4.1.1	<p>The assigned officials ensure that an investigation is conducted into the matter and if confirmed must ensure that, disciplinary hearing is held in accordance with the relevant prescripts if an official is alleged to have committed financial misconduct.</p> <p><i>Read with sections 38 (1)(h) and 85 (1)(b),(c) and (d) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers <p><u>Regional Level:</u></p> <p>Regional Commissioner Deputy Regional Commissioner All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC 	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors ♦ Heads of Training Colleges	
4.1.2	The assigned official must ensure that the investigations regarding financial misconduct is instituted within 30 days from the date of discovery. <i>Read with sections 38 (1)(h) and 85 (1)(b),(c) and (d) of the PFM Act</i>	<u>Management Area</u> <u>Level:</u> ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers <u>Regional Level:</u> Regional Commissioner Deputy Regional Commissioner	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy

<u>TREASURARY REGULATIONS</u> T.R	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<p>All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors ♦ Heads of Training Colleges 	
4.2.1	<p>The assigned official must advise the executive authority, relevant treasury and the Auditor-General of any criminal charges laid against any person in terms of section 86 of the Act.</p> <p><i>Read with sections 86 of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ None <p><u>Regional Level:</u></p> <p>None</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Chief Financial 	All levels need to report all criminal charges in accordance with departmental procedures to the next level of management up to the level of

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Officer	Director Labour Relations, who should compile a co-ordinated document for signature of Chief Financial Officer.
4.3.1	<p>□ As soon as the disciplinary proceedings are completed, the assigned official must report to the executive authority (Minister of DCS), the Department of Public Service and Administration and the Public Service Commission on the outcome.</p> <ul style="list-style-type: none"> • See the Treasury Regulation for more detail. <p><i>Read with sections 85 (1)(a) and (e) of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer</p>	All levels need to report all criminal charges in accordance with departmental procedures to the next level of management up to the level of Director Labour Relations, who should compile a co-ordinated document for signature of Chief Financial Officer.
4.3.3	<p>On an annual basis, the assigned official must <i>submit</i> to the National Treasury and Auditor-General a schedule of–</p> <p>(a) the outcome of any disciplinary proceedings and/or criminal charges;</p> <p>(b) the name and rank of officials involved; and</p> <p>(c) the sanctions and any further action taken against these official.</p> <p>Such a report must refer to any changes to the institution's systems of financial and risk management or any other matter dealt with in the Act, as a result of the</p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u></p>	Director Human Resource Administration and Utilization should compile a consolidated document for signature of Chief

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>investigation.</p> <p><i>Read with sections 85 (1)(a) and (e) of the PFM Act</i></p>	<p>♦ Chief Financial Officer</p>	<p>Financial Officer.</p>
	<p>Part Three: Planning and Budgeting</p> <p>Chapter Five: Strategic Planning</p>		
5.1.1	<p>The assigned official must prepare a strategic plan for the Medium Term Expenditure Framework period commencing 1 April 2002 for approval by the Minister Correctional Services.</p> <p><i>Submit to Minister of DCS under Signature of the Accounting Officer.</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ Director Strategic Planning, Management and Monitoring</p>	<p>All the CDC's must be on route CDC Corporate Services must ensure that the Minister submits it to Parliament</p>
□ 5.3.1	<p>The assigned official must establish procedures for quarterly reporting to the executive authority to facilitate effective performance monitoring, evaluation and corrective action.</p> <p><i>Read with sections 27 (4) and 36 (5) of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ CDC Management</p>	<p>Director Corporate Planning should coordinate the process.</p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Services	
	<u>Part Three: Planning and Budgeting</u> <u>Chapter Six: Budgeting and Related Matters</u>		
6.1.1	The assigned official must comply with any annual budget circulars issued by the National Treasury.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Management Accounting	Heads of Finances on regional level and Area Coordinator Finance should assist on the different levels.
6.1.3	The assigned official of a budget vote must ensure that the budget submission for that vote includes appropriate supporting information in respect of constitutional institutions and public entities receiving transfer payments on that vote.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Management Accounting	Whenever the need arises.
6.5.3	Before seeking formal approval from the Minister of Public Service and Administration for any transfer of functions to another sphere of government, the	<u>Management Area Level:</u>	In the case of assets the

<u>TREASURY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>assigned official of the transferring Department must first seek the approval of the National Treasury on any funding arrangements.</p> <p><i>Read with sections 42 of the PFM Act</i></p>	<p>❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer</p>	<p>Director Logistics and in the case of funds transfers the Director Management Accounting should support the Chief Financial Officer.</p>
	<p>Part Four: Revenue and Expenditure Management</p> <p>Chapter Seven: Revenue Management</p>		

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
7.2.1	The assigned officials must manage revenue efficiently and effectively by developing and implementing appropriate processes that provide for the identification, collection, recording, reconciliation and safeguarding of information about revenue.	<u>Management Area Level:</u> ❖ Area Coordinator Finance <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> <u>Finance</u> ♦ Director Financial Accounting <u>Persal</u> ♦ Director Human Resources Administration & Utilisation <u>Prisoner Labour</u> Director Correction Administration <u>Workshops Industries</u> ♦ Director Production Workshop and Agriculture	Head Office develops National Policy.

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
		<u>Logistics</u> ♦ Director Logistics	

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
7.3.1	<ul style="list-style-type: none"> No structural changes <p>Accounting officer review, at least annually when finalising the budget, all fees, charges or the rates, scales or tariffs of fees and charges that are not or cannot be fixed by law and that relate to revenue accruing to revenue fund.</p>	None	DC Financial & Management Accounting is responsible to coordinate the new tariffs.
	<p>a) Structured changes</p> <p>□ The assigned official must obtain approval from National Treasury for the proposed structured changes.</p> <p>NB: See also the delegation of Treasury Regulation 10.2.4</p>	<p><u>Management Area Level:</u></p> <p>❖ None</p> <p><u>Regional Level:</u></p> <p>None</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Director Financial Accounting (General tariffs) ♦ Director Production Workshop and Agriculture (Production tariffs) 	DC Financial & Management Accounting is responsible to coordinate the new tariffs.
	Part Four: Revenue and Expenditure Management		
	Chapter Eight: Expenditure Management		
8.1.1	<p>The assigned official must ensure that internal procedures and internal control measures are in place for payment, approval and processing.</p> <p><i>Read with sections 76 (4)(b) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <p>❖ None</p>	DC Financial & Management Accounting and DC Supply Chain

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	Management should assist.
8.2.1	An official of an institution may not spend or commit public money except with the approval (either in writing or by duly authorised electronic means) of the delegated official. <i>Read with sections 38 (1)(f) and 76 (4)(b) of the PFM Act</i>	<u>Management Area Level:</u> ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers <u>Regional Level:</u> Regional Commissioner Deputy Regional Commissioner All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner	The duty must be executed within the area of responsibility of the different officials

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors ♦ DD Auxiliary Services ♦ Heads of Training Colleges 	
8.3.2	<p>The assigned official must ensure that the personnel cost of all appointees, as well as promotion and salary increases can be met within the budgetary allocation of the department.</p> <p><i>Read with sections 76 (4)(b) of the PFM Act</i></p>	<u>Management Area Level:</u> <ul style="list-style-type: none"> ❖ None <u>Regional Level:</u> <p>None</p> <u>Head Office Level:</u> <ul style="list-style-type: none"> ♦ CDC Corporate Services 	Director Human Resource Administration and Utilization need to coordinate this function
□ 8.3.5	The Accounting Officer must ensure that all pay-point certificates have been received on a monthly basis by the CFO. (Within ten (10) days of being certified).	None	Coordination should take place

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<ul style="list-style-type: none"> Reporting to the CFO should be done through the current procedure manual. <p><i>Read with sections 76 (4)(b) of the PFM Act</i></p>		by the Area Commissioner for Management Area level, Regional Commissioner for region and DC Human Resource Management should provide a consolidated certificate to the CFO
8.4.1	<p>The assigned official must maintain appropriate measures that grants and other transfer payments are applied for their intended purpose.</p> <ul style="list-style-type: none"> (a) Regular reporting procedures (b) Internal and external audit requirements and where appropriate, submission of audited statements; (c) Regular monitoring procedures (d) Scheduled or unscheduled inspection visits or reviews of performance; and (e) Any other control measure deemed necessary. <p><i>Read with sections 38 (1)(i) and (j) of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> Dir. Management Accounting</p>	Director Management Accounting needs to coordinate
8.4.2	<p>The assigned official may withhold a transfer payment or grant, other than division of revenue grant, if he or she is satisfied that:</p> <ul style="list-style-type: none"> Conditions attached to the transfer or grant have not been complied with; Financial assistance is no longer required; The agreed objectives have not been attained; and The transfer payment or grant does not provide value for money in relation to its purpose or objectives. <p><i>Read with sections 38 (1)(i) and (j) of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ Dir Management</p>	Director Management Accounting should coordinate

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Accounting	
	<p>Part Four: Revenue and Expenditure Management</p> <p>Chapter Nine: Unauthorised, Irregular, Fruitless and Wasteful Expenditure</p>		
9.1.1	<ul style="list-style-type: none"> The assigned officials must exercise all reasonable care to prevent and detect unauthorised, irregular, fruitless and wasteful expenditure. <p><i>Read with sections 45(c) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ All officials <p><u>Regional Level:</u></p> <ul style="list-style-type: none"> All officials <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ All officials 	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy
□	<ul style="list-style-type: none"> The assigned official must implement, for the purpose to prevent and detect unauthorised, irregular, fruitless and wasteful expenditure the following: <ul style="list-style-type: none"> effective, efficient and transparent processes of financial and risk management. <p><i>Read with sections 38 (1)(g) and (h) and 76 (2)(e) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers <p><u>Regional Level:</u></p>	

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<p>Regional Commissioner Deputy Regional Commissioner All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors ♦ DD Auxiliary Services ♦ Heads of Training Colleges 	

<u>TREASURY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
9.1.2	<p>Assigned official must immediately report:</p> <ul style="list-style-type: none"> • Unauthorised, irregular or fruitless and wasteful expenditure discovered. • Such expenditure must also be reported in the monthly report, as required by section 40(4)(b) of the Act. • Irregular expenditure incurred by a department in contravention of tender procedures must also be brought to the notice of the relevant tender board or procurement authority, whichever applicable. 	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ All officials <p><u>Regional Level:</u></p> <p>All officials</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ All officials 	
9.1.3	<p>The assigned officials take the following into account when determining the appropriateness of disciplinary steps against an official in terms of section 38(1)(g) of the Act:</p> <p>(a) the circumstances of the transgression;</p> <p>(b) the extent of the expenditure involved; and</p> <p>(c) the nature and seriousness of the transgression.</p> <p><i>Read with sections 38 (1)(g) and (h) and 76 (2)(e) of the PFM Act.</i></p> <p>NB: See also the delegation of Treasury Regulation 4.1.1</p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers <p><u>Regional Level:</u></p> <p>Regional Commissioner</p>	<p>The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy</p>

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<p>Deputy Regional Commissioner All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors ♦ Heads of Training Colleges 	
10.1.1	<p>The assigned officials take full responsibility and ensure that proper control systems exist for assets and that–</p> <p>(a) preventative mechanisms are in place to eliminate theft, losses, wastage and misuse; and</p> <p><i>Read with sections 38 (1)(d) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ Loss Control Officer <p><u>Regional Level:</u></p>	The duty must be executed within the area of responsibility of the different officials in

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Loss Control Officer <u>Head Office Level:</u> ♦ Loss Control Officer <u>National Level:</u> ♦ Departmental Loss Control Officer	accordance with the FAP Manual and PAS Manual
	(b) stock levels are at an optimum and economical level. <i>Read with sections 38 (1)(d) of the PFM Act</i>	<u>Management Area Level:</u> ❖ Area Coordinator Finance <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ DC Supply Chain Management	The duty must be executed within the area of responsibility of the different officials in accordance with the PAS Manual
	Part Five: Assets and Liabilities Management Chapter Ten: Asset Management		
10.1.2	The assigned official must ensure that processes (whether manual or electronic) and procedures are in place for the effective, efficient, economical and transparent use of the department's assets. <i>Read with sections 38 (1)(d) of the PFM Act</i>	<u>Management Area Level:</u> ❖ Area Coordinator Finance	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ DC Supply Chain Management for movable assets ♦ DC Facilities & Security for immovable assets	
10.2.4	<ul style="list-style-type: none"> No Structured changes <p>Accounting officer review, at least annually when finalising the budget, all fees, charges, rates, tariffs or scales of fees or other charges relating to the letting of state property to ensure sound financial planning and management. <i>Read with sections 38 (1)(g) and (h) and 76 (2)(e) of the PFM Act.</i></p>	None	DC Financial & Management Accounting is responsible to coordinate the new tariffs.
	<p>b) Structured changes</p> <p><input type="checkbox"/> The assigned official must obtain approval from National Treasury for the proposed structured changes.</p> <p><input type="checkbox"/> NB: See also the delegation of Treasury Regulation 7.3.1</p>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Financial Accounting	<p>DC Financial & Management Accounting is responsible to coordinate the new tariffs.</p> <p>Handle in co-operation with relevant Directors,</p>

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
		(General tariffs) ♦ Director Production Workshops and Agriculture (Production tariffs)	especially Logistics as part of income tariffs.
	Part Five: Assets and Liabilities Management Chapter Eleven: Management of Debtors		
11.2.1	The assigned officials must take effective and appropriate steps to timeously collect all money due to the department including, as necessary: (a) Maintenance of proper accounts and records for all debtors, including amounts received in part payment. Read with sections 38 (1)(c)(i) and (d) of the PFM Act.	Management Area Level: ❖ Area Commissioner ❖ All second level Managers who reports to the Area Commissioner ❖ All third level Managers who reports to the second level Managers Regional Level: Regional	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy, which will determine where/ how/ what kind of record should be kept.

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<p>Commissioner Deputy Regional Commissioner All Heads All Managers who reports to second level Heads and Deputy Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Offices of the Minister: DC Ministerial Services ♦ Offices of the Inspecting Judge: Secretary of Judicial Inspectorate ♦ All Chief Deputy Commissioners ♦ All Deputy Commissioners ♦ All Directors Heads of Training Colleges 	

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
11.2.1	<p>(b) Referral of a matter to State the Attorney where economical, to consider legal demand and possible legal proceedings in a court of law.</p> <p><i>Read with sections 38 (1) (c) (i) and (d) of the PFM Act.</i></p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> Coordinator Legal services</p> <p><u>Head Office Level:</u> ♦ Legal Administration Officer</p>	<p>Assigned officials at 11.2.1 (a) must refer cases that they can't solve themselves to the applicable Loss Control Officer.</p> <p><i>The Loss Control Officer will register and refer the matter to the relevant Legal Service Official as assigned here in 11.2.1 (b).</i></p> <p><u>The assigned Legal Service Official will negotiate with the State Attorney and report back in the same manner.</u></p> <p>Effective communication between the Loss Control Officers and the Legal Services officials are of utmost</p>

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
			importance to ensure timeous handling of all applicable cases. Contact with the State Attorney regarding legal matters should be handled through the Legal Offices
11.3.1 <i>Read with 11.5.1 and Section 80 of the PFM Act</i>	(a) The delegated officials approve instalments regarding debts owing to the State to a maximum of 12 months.	<u>Management Area Level:</u> ❖ Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Dir Financial Accounting <u>Office of the Minister:</u> ❖ DC Ministerial Services <u>Office of the Inspecting Judge:</u> Secretary of Judicial	The duty must be executed within the area of responsibility of the different officials in accordance with the FAP Manual

<u>TREASURY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Inspectorate <u>Training Colleges:</u> ♦ Heads of Training Colleges	
	(b) The delegated official approves instalments regarding debts owing to the State for more than 12 months.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> Chief Financial Officer	The duty must be executed within the area of responsibility of the different officials in accordance with the FAP Manual
11.4.1	The delegated officials write off debts owed to the State under certain conditions as specified in the regulations:		
	(a) Debts up to a maximum amount of R10 000 per case. <i>Read with sections 76 (1)(e) and 76 (4)(a) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial	The duty must be executed within the area of responsibility of the different officials in accordance with the FAP Manual. The Coordinator Legal Services

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Officer	must provide written recommendation to the Regional Commissioner.
	(b) Debts more than R10 000 per case. <i>Read with sections 76 (1)(e) and 76 (4)(a) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <input type="checkbox"/> <u>Head Office Level:</u> ♦ Chief Financial Officer	The duty must be executed within the area of responsibility of the different officials in accordance with the FAP Manual. Director Legal Services must provide written recommendations to the CFO.
11.4.2	The delegated officials mentioned in 11.4.1, must ensure that all debts written off are done in accordance with a write off policy determined by the delegated official.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial Officer	Debt write of policy to be developed by Head Office

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES				
	Part Five: Assets and Liabilities Management Chapter Twelve: Management of Losses and Claims						
12.1	General						
12.1.2	<p>Notwithstanding paragraph 12.1.1 of the Treasury Regulation, (if deemed economical and based on a risk assessment) the delegated official may:</p> <ul style="list-style-type: none">♦ insures motor vehicles including hired vehicles or such other movable assets determined by the relevant treasury,<ul style="list-style-type: none">♦ but the insurance premium cost may not exceed R250 000 a year on that vote,♦ unless otherwise approved by the relevant treasury. <p><i>Read with sections 76 (1)(h) of the PFM Act</i></p> <p>12.2 Claims against the state through acts or omissions</p>	<p><u>Management Area Level:</u></p> <p>❖ None</p> <p><u>Regional Level:</u></p> <p>None</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none">♦ Chief Financial Officer					
	<table><tr><td>Very Important Information for the Management of Losses against the State</td><td></td></tr><tr><td>Accounting Officer's Instructions</td><td>A number of Accounting Officer's Instruction is included as items 35, 36, 37, 38, and 39. The full procedures will be included in either the FAP, Legal Services or PAS Manuals.</td></tr></table>	Very Important Information for the Management of Losses against the State		Accounting Officer's Instructions	A number of Accounting Officer's Instruction is included as items 35, 36, 37, 38, and 39. The full procedures will be included in either the FAP, Legal Services or PAS Manuals.		
Very Important Information for the Management of Losses against the State							
Accounting Officer's Instructions	A number of Accounting Officer's Instruction is included as items 35, 36, 37, 38, and 39. The full procedures will be included in either the FAP, Legal Services or PAS Manuals.						

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>		<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	Why is it included here?	A number of aspects are not covered in the current Treasury Regulation but need to be executed by specifically appointed officials. It is included in this document to give the user of this document a full picture when managing losses and claims.		
	The basis for the instruction	Treasury Regulation 12.2 forms the basis for this instruction.		
12.2.2 read with 12.2.1	<p>If in doubt, the assigned officials must consult with the State Attorney on questions of law regarding the implementation of paragraph 12.2.1 of the Treasury Regulation when there are claims against the state, against an official and against the state and an official which arose from an act or omission of an official with the objective to dispute the claim and / or to act on behalf of the defendant / co-defendant.</p> <p><i>Read with sections 76 (1)(h) of the PFM Act</i></p>		<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> Coordinator Legal Services</p> <p><u>Head Office Level:</u> ♦ Legal Administration Officer</p>	<p>Refer all cases to the applicable Loss Control Officer.</p> <p><i>The Loss Control Officer will register and refer the matter to the relevant Legal Service Official as assigned here in 12.2.2.</i></p> <p><u>The assigned Legal Service Official will negotiate with the State Attorney and report back in the same manner.</u></p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
			<p>Effective communication between the Loss Control Officers and the Legal Services officials are of utmost importance to ensure timeous handling of all applicable cases.</p> <p>Contact with the State Attorney regarding legal matters should be handled through the Legal Offices</p>
12.2.4	<p>The assigned officials provide written approval to the State Attorney to:</p> <ul style="list-style-type: none"> • obligate funds of the department regarding: <ul style="list-style-type: none"> • claims against the state, • claims against an official • claims against the state and an official • which arose from an act or omission of an official. <p><i>Read with sections 76 (1)(h) of the PFM Act</i></p>		
	(a) Amount up to and including R3 000 per settlement case.	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u></p>	Contact with the State Attorney regarding legal matters should be handled through

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Coordinator Legal Services <u>Head Office Level:</u> ♦ Senior Legal Administration Officer	the Legal Offices
	(b) Amount up to and including R5 000 per settlement case. □	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ Director Legal Services	The Coordinator Legal Services must provide written recommendation to the Head Finance.
	(c) Amount up to and including R20 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ DC Financial & Management Accounting (Only	The Coordinator Legal Services must provide written recommendation to the Regional Commissioner. The Director Legal Services must provide written recommendation

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		losses from Head Office)	to DC Financial & Management Accounting
	<input type="checkbox"/> (d) Amount up to and including R50 000 per settlement case. <input type="checkbox"/>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	The Director Legal Services must provide written recommendation to CFO
	(e) Amount exceeding R50 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	The Director Legal Services and the CFO must provide written recommendation to Accounting Officer
General Instruction in accordance with TR 12.2.3	<u>Claims against the State</u> Where an official has forfeited his or her state cover in terms of paragraph 12.2.1, the amount paid for the loss, damage or claim (including legal cost) arising from an act or omission must be recovered from the official concerned. Recover in accordance with TR 12.7.2, which will result in the institution of a Debt	This General instruction only serves as a link between TR 12.2.3 and other Treasury Regulations and no levels are allocated.	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>Account.</p> <ul style="list-style-type: none"> • If it happen that the debt is irrecoverable because of a specific reason, the amount should be written off in accordance with TR 11.4.1. • <i>When an official who was instructed to compensate for a loss or a damage, produces new information for reconsidering as proof that the conditions in TR 12.2.1 were met, the matter should be handled in accordance with TR 12.7.3 and</i> • the debt account should be cancelled. 		
	<p>12.3 CLAIMS BY THE STATE AGAINST OTHER PERSONS VERY IMPORTANT INFORMATION FOR THE MANAGEMENT OF LOSSES BY THE STATE</p> <p><u>Accounting Officer's Instructions</u> A number of Accounting Officer's Instruction is included as items 41 and 42. The full procedures will be included in either the FAP, Legal Services or PAS Manuals.</p> <p><u>Why is it included here?</u> A number of aspects are not covered in the current Treasury Regulation but need to be executed by specifically appointed officials. It is included in this document to give the user of this document a full picture when managing losses and claims.</p> <p><u>The basis for the instruction</u> Treasury Regulation 12.3 forms the basis for this instruction</p>		

<u>TREASURARY REGULATIONS</u> T.R	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
12.3.1	<p>The assigned officials refer the matter to the State Attorney for legal action including the recovery of the value of the loss or damage, when the state suffers a loss or damage and the other person (<i>excluding officials</i>) denies liability, if deemed economical.</p> <ul style="list-style-type: none"> • <u>Cases of Claims by the State and by an official and where the official desires the State Attorney to deal with his / her claim should also be addressed here</u> 	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> Coordinator Legal Services</p> <p><u>Head Office Level:</u> ♦ Legal Administration Officer</p>	<p>Refer all cases to the applicable Loss Control Officer.</p> <p><i>The Loss Control Officer will register and refer the matter to the relevant Legal Service Official as assigned here in 12.3.1</i></p> <p><u>The assigned Legal Service Official will negotiate with the State Attorney and report back in the same manner.</u></p> <p>Effective communication between the Loss Control Officers and the Legal Services officials are of utmost importance to ensure timeous handling of all</p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
			applicable cases. Contact with the State Attorney regarding legal matters should be handled through the Legal Offices
General Instruction in addition to TR 12.3.1	The assigned official must make a decision on: <ul style="list-style-type: none"> the acceptance of a settlement offer, and if it is less than the actual claim (loss or damage amount) that the difference should be written off. 		Necessary Administrative decision See Accounting Officer's instruction for full detail
	(a) Actual claim amount up to and including R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial Officer	The Coordinator Legal Services must provide written recommendation to the Regional Commissioner. The Director Legal Services must provide written recommendation to CFO

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	(b) Actual claim amount exceeding R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	The Director Legal Services and the CFO must provide written recommendations to Accounting Officer
	12.4 CLAIMS BY OFFICIALS AGAINST THE STATE VERY IMPORTANT INFORMATION FOR THE MANAGEMENT OF CLAIMS BY OFFICIALS AGAINST THE STATE <u>Accounting Officer's Instructions</u> A number of Accounting Officer's Instruction is included as items 44 and 45. The full procedures will be included in either the FAP, Legal Services or PAS Manuals. <u>Why is it included here?</u> A number of aspects are not covered in the current Treasury Regulation but need to be executed by specifically appointed officials. It is included in this document to give the user of this document a full picture when managing losses and claims. <u>The basis for the instruction</u> Treasury Regulation 12.4 forms the basis for this instruction.		
12.4.1	If an official sustains a loss or damage in the execution of official duties and is not compensated, the assigned officials may make good the loss or damage provided that the official can prove such loss or damage.		Not referring to injury on duty

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	Amount up to and including R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial Officer	<i>The Coordinator Legal Services must provide written recommendation to the Regional Commissioner.</i> <i>The Director Legal Services must provide written recommendation to CFO</i>
	(a) Amount exceeding R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	<i>The Director Legal Services and the CFO must provide written recommendations to Accounting Officer</i>
General Instruction in addition to TR 12.4.1	<u>When the legal practitioners is in doubt,</u> <ul style="list-style-type: none"> the assigned officials must consult with the State Attorney on questions of law and / or instruct the State Attorney to act on behalf of the department. <i>In addition to TR 12.4.1</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Coordinator Legal Services	See Accounting Officer's instruction for full detail

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Legal Administration Officer	
General Instruction in addition to TR 12.4.1	The assigned officials provide written approval to the State Attorney to obligate funds of the department regarding: • claims by officials. <i>Read with sections 76 (1)(h) of the PFM Act</i>		See Accounting Officer's instruction for full detail
	□ (a) Amount up to and including R20 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	<i>The Coordinator Legal Services must provide written recommendation to the Regional Commissioner.</i> <i>The Directorate Legal Services must provide written recommendation to DC Financial & Management Accounting</i>
	(b) Amount exceeding R20 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	<i>The Directorate Legal Services must provide written recommendation to CFO</i>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ None (Only Accounting Officer)	<i>The Directorate Legal Services and the CFO must provide written recommendation to Accounting Officer</i>
General Instruction in addition to TR12.4.1	When the claim is settled the assigned official gives approval to write off the amount in accordance with the State Attorney's recommendation.		See Accounting Officer's instruction for full detail
	(a) Amount up to and including R20 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	<i>The Coordinator Legal Services must provide written recommendation to the Regional Commissioner.</i> <i>The Directorate Legal Services must provide written recommendation to DC Financial & Management Accounting</i>
	(b) Amount exceeding R20 000 per settlement case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	<i>The Directorate Legal Services must provide written recommendation to CFO</i>

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ None (Only Accounting Officer)	<i>The Directorate Legal Services and the CFO must provide written recommendation to Accounting Officer</i>
General Instruction in addition to TR12.4.1	When the claim is settled the assigned official gives approval to write off the amount in accordance with the State Attorney's recommendation.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>12.5 LOSSES OR DAMAGES THROUGH CRIMINAL ACTS OR OMISSIONS VERY IMPORTANT INFORMATION</p> <p><u>ACCOUNTING OFFICER'S INSTRUCTION</u> The following is an Accounting Officer's Instruction and the full procedures are included in the FAP and PAS Manuals.</p> <p><u>Why is it included here?</u> It is included in this document to give the full picture when managing losses and claims.</p> <p><u>The basis for the instruction</u> Treasury Regulation 12.5.2 Treasury Regulations 12.5 and 12.7 forms the basis for this instruction. The objective with Treasury Regulations 12.5 is to regulate the writing off of losses or damages arising from criminal acts or omissions, if after a thorough investigation, it is found that the loss or damage is irrecoverable.</p> <p><u>Treasury Regulation 12.7.3</u> The objective with TR 12.7.3 is to waive a claim against an official if the conditions of TR 12.2.1 (b) to (e) are met.</p> <p>See this as an appeal procedure. <u>Very Important</u></p> <ul style="list-style-type: none"> ▪ If a claim is waived it must still be written off in accordance with TR 12.5.2. 		
12.5.1	<ul style="list-style-type: none"> ▪ When it appears that the state has suffered losses or damages through criminal acts or possible criminal acts, the matter must be reported, in writing, to the assigned officials and the South African Police Service. ▪ If liability can be determined, the assigned official must recover the value of the loss or damage from the person responsible. 	<p><u>Management Area Level:</u> ❖ Loss Control Officer</p> <p><u>Regional Level:</u> Loss Control Officer</p>	<p>The Loss Control Officer instructs an investigation. Route of the investigation report:</p> <ul style="list-style-type: none"> ▪ Investigator ▪ Supervisor

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<i>Read with sections 76 (1)(f) of the PFM Act</i>	<u>Head Office Level:</u> ♦ Loss Control Officer	<ul style="list-style-type: none"> ▪ Area Coordinator Finance ▪ Provincial Head Finance ▪ Applicable Loss Control Officer for a recommendation <p>Applicable Legal Official who make a final recommendation to the assigned official as indicated in 12.5.2 who have to decide on <u>recovery or writing off</u></p>
12.5.1 read with 12.7.1 and 12.7.2 and 12.7.3	<p>Whether or not the person is still in the employ of the state, the assigned officials must recover the value of the loss or damage from the person responsible.</p> <ul style="list-style-type: none"> ▪ <i>Before the Loss Control Officer may recover the amount, the actions under "Notes" must be executed to determine if the official has forfeited the cover of 12.2.1.</i> <p>Recover in accordance with TR 12.7.2, which <u>may</u> result in the institution of a Debt Account.</p> <ul style="list-style-type: none"> • If it happen that the debt is irrecoverable because of a specific reason, the amount should be written off in accordance with TR 11.4.1 if a Debt Account 	<u>Management Area Level:</u> ❖ Loss Control Officer <u>Regional Level:</u> Loss Control Officer <u>Head Office Level:</u> ♦ Loss Control Officer	

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>was opened.</p> <ul style="list-style-type: none"> When an official who was instructed to compensate for a loss or a damage, produces new information for reconsidering as proof that the conditions in TR 12.2.1 were met, the matter should be handled in accordance with TR 12.7.3 and <p>the debt account should be cancelled if it was opened.</p>		
12.5.2	<p>The assigned officials may write off losses or damages arising from criminal acts or omissions if, after a thorough investigation, it is found that the loss or damage is irrecoverable.</p> <ul style="list-style-type: none"> Applicable on all inventory and equipment losses Applicable on all financial losses where debt accounts were not instituted. <p>Read with sections 76 (1)(h) of the PFM Act</p>		<p>If the official has forfeited the cover of 12.2.1, the assigned official must instruct the Loss Control Officer to recover the value of the loss or the damage in accordance with the second part of 12.5.1 and 12.7</p>
	<p>(a) Amount up to and including R20 000 per case.</p>	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> Regional Head Finance</p> <p><u>Head Office Level:</u> ♦ DC Financial & Management Accounting (Only)</p>	<p>The Coordinator Legal Services must provide written recommendation to the Head Finance.</p> <p>The Directorate Legal Services must provide written</p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		financial losses from Head Office) ♦ DC Supply Chain Management (Only logistical losses from Head Office)	recommendation to the two mentioned Deputy Commissioners
	(b) Amount up to and including R40 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial Officer (Only losses from Head Office)	The Coordinator Legal Services must provide written recommendation to the Regional Commissioner. The Directorate Legal Services must provide written recommendation to CFO
12.5.2	(c) Amount up to and including R50 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer (All cases)	The Directorate Legal Services must provide written recommendation to CFO

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	(d) Amount exceeding R50 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	The Directorate Legal Services and the CFO must provide written recommendations to Accounting Officer
General Instruction in addition to TR 12.5.2	<u>When the legal practitioners is in doubt,</u> <ul style="list-style-type: none"> the assigned officials must consult with the State Attorney on questions of law, and make a final recommendation on the submission for the writing off of the amount. <i>In addition to TR 12.4.1</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Co-ordinator Legal Services <u>Head Office Level:</u> ♦ Legal Administration Officer	
12.6.1	The delegated officials may write off losses and damages that result from <i>vis major</i> and other unavoidable causes. <i>Read with sections 76 (1)(e) of the PFM Act</i>		
	(a) Amount up to and including R20 000 per case.	<u>Management Area Level:</u>	The Coordinator Legal Services

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<p>❖ None</p> <p><u>Regional Level:</u> Regional Head Finance</p> <p><u>Head Office Level:</u> ♦ DC Financial & Management Accounting ♦ DC Supply Chain Management</p>	<p>must provide written recommendation to the Head Finance.</p> <p>The Directorate Legal Services must provide written recommendation to the two mentioned Deputy Commissioners</p>
	(b) Amount up to and including R40 000 per case.	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer (Only losses from Head Office)</p>	<p>The PH Legal Services must provide written recommendation to Regional Commissioner.</p> <p>The Directorate Legal Services must provide written recommendation to CFO</p>
12.6.1	(c) Amount up to and including R50 000 per case.	<p><u>Management Area Level:</u> ❖ None</p>	The Directorate Legal Services must provide written

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer (All cases)	recommendation to CFO
	(d) Amount exceeding R50 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	The Directorate Legal Services and the CFO must provide written recommendations to Accounting Officer
12.7.2 Read with 12.7.1 and 12.7.4	▪ When instructed in accordance with 12.2.3, 12.5.1 and 12.7.1 to recover the value of the loss or the damage: ▪ the assigned officials must determine the amount of the loss or damage and, in writing, request that official to pay the amount within 30 days or in reasonable instalments. <i>Read with sections 76 (1)(b) and 76 (4)(a) of the PFM Act</i>	<u>Management Area Level:</u> ❖ Loss Control Officer <u>Regional Level:</u> Loss Control Officer <u>Head Office Level:</u> ♦ Loss Control Officer	
	If the official fails to comply with the request, the matter must be handed to the State Attorney for the recovery of the loss or damage.	<u>Management Area Level:</u> ❖ None	Refer all cases to the applicable Loss Control

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
	Read with sections 76 (1)(b) and 76 (4)(a) of the PFM Act	<p>Regional Level: Coordinator Legal Services</p> <p>Head Office Level: ♦ Legal Administration Officer</p>	<p>Officer.</p> <p><i>The Loss Control Officer will refer the matter to the relevant Legal Service Official as assigned here.</i></p> <p><u>The assigned Legal Service Official will negotiate with the State Attorney and report back in the same manner.</u></p> <p>Effective communication between the Loss Control Officers and the Legal Services officials are of utmost importance to ensure timeous handling of all applicable cases.</p> <p>Contact with the State Attorney regarding legal</p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
			matters should be handled through the Legal Offices
General Instruction regarding TR 12.7.3 Read with 12.7.1 and 12.7.2 and 12.7.4	<p><i>When an official who was instructed to compensate for a loss or a damage, produces new information for reconsidering as proof that the conditions in TR 12.2.1 were met:</i></p> <ul style="list-style-type: none"> ▪ The assigned officials may waive the claim against an official if the conditions in 12.2.1 (a) to (g) are met. 	<ul style="list-style-type: none"> ▪ The incumbent of the same post who initially instructed recovery from the official must do this. ▪ If the official is still not satisfied with the second decision he/she may request submission to the CFO as a final departmental option to solve the dispute. 	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	(a) Amount up to and including R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ DC Financial & Management Accounting ♦ DC Supply Chain Management	The Coordinator Legal Services must provide written recommendation to the Head Finance. The Directorate Legal Services must provide written recommendation to the two mentioned Deputy Commissioners
	(b) Amount up to and including R40 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> ♦ Chief Financial Officer (Only losses from Head Office)	The Coordinator Legal Services must provide written recommendation to the Regional Commissioner. The Directorate Legal Services must provide written recommendation to CFO
12.7.3	(c) Amount up to and including R50 000 per case.	<u>Management Area</u>	The Directorate

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
Read with 12.7.1 and 12.7.2 and 12.7.4		<u>Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer (All cases)	Legal Services must provide written recommendation to CFO
	(d) Amount exceeding R50 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ None (Only Accounting Officer)	The Directorate Legal Services and the CFO must provide written recommendations to Accounting Officer
12.7.4	<p>If the assigned officials of 12.7.3 are in doubt, they refer the matter to the officials assigned here in 12.7.4 to consult the State Attorney on questions of law in the implementation of paragraphs 12.7.1 and 12.7.3 of the Treasury Regulations.</p> <p><i>Read with sections 76 (1)(b) and 76 (4)(a) of the PFM Act</i></p>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Coordinator Legal Services <u>Head Office Level:</u> ♦ Legal Administration	<p>Refer all cases to the applicable Loss Control Officer.</p> <p><i>The Loss Control Officer will refer the matter to the relevant Legal Service Official as assigned here.</i></p>

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Officer	<p><u>The assigned Legal Service Official will negotiate with the State Attorney and report back in the same manner.</u></p> <p>Effective communication between the Loss Control Officers and the Legal Services officials are of utmost importance to ensure timeous handling of all applicable cases.</p> <p>Contact with the State Attorney regarding legal matters should be handled through the Legal Offices</p>

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	Part Five: Assets and Liabilities Management		
	Chapter Thirteen: Loans, guarantees and other commitments		
13.1.2	<p>(a) The assigned official must ensure that no official in the department borrows money on behalf of the department, or issues an unauthorised guarantee, security or indemnity.</p> <p><i>Read with sections 66 of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer</p>	
	<p>(b) The assigned official must ensure that misconduct and criminal proceedings are instituted against any official responsible in (a) above.</p> <p><i>Read with sections 66 of the PFM Act</i></p>	<p><u>Management Area Level:</u> ❖ Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer</p>	
13.1.4	The assigned official must report on all known contingent liabilities of the department in its annual report.	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p>	Regional Commissioners and Chief Deputy Commissioners should facilitate

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Chief Financial Officer	the information to be included in the Annual Report
	Part Five: Assets and Liabilities Management Chapter Fourteen: Money and Property Held in Trust		
14.2.2	The assigned official is responsible for the safekeeping and proper use of trust money and property, in accordance with the relevant deed of trust or equivalent instrument. <i>Read with sections 76 (1)(c) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	Prisoners cash is not considered as trust money
	The assigned official must, for each separate portion of trust money— (a) open and maintain a separate bank account, called a trust account; (b) assign the trust account a name or title that clearly identifies the account; (c) maintain separate accounting records for each trust account, of the transactions, including investment transactions, undertaken; and (d) annually prepare separate financial statements that comply with GRAP.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	Prisoners cash is not considered as trust money
14.4.1	The assigned officials may, provided that it does not conflict with the terms of the trust arrangement, invest any trust money on such terms and conditions as may seem appropriate—	<u>Management Area Level:</u> ❖ None	Prisoners cash is not considered as trust money

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	(a) on deposit with any bank within or outside South Africa as approved by the National Treasury; (b) in public securities issued by the government; or (c) in other securities approved by the National Treasury.	<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
	Part Six: Frameworks Chapter Fifteen: Banking, Cash Management and Investment		
15.7.1	When requesting the transfer of appropriated funds, the assigned official must submit such requisitions to the National Treasury, in accordance with approved cash flow estimates, at least four full working days before the end of the month preceding the month in which the funds are required.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Financial Accounting	
15.8.1	The assigned officials must surrender any unexpended voted money at the end of the financial year to the Treasury for re-depositing into the Exchequer bank account of the relevant revenue fund.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u>	

<u>TREASURY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		♦ DC Financial & Management Accounting	
15.10.1.1	The assigned official establishes systems, procedures, processes and training and awareness programmes to ensure efficient and effective banking and cash management. <i>Read with sections 7 and 21 of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
15.10.2.1	The assigned official must annually submit to the National Treasury a breakdown of anticipated revenue and expenditure in the format determined by the National Treasury, no later than the last working day of February preceding the financial year to which it relates. <i>Read with sections 40 (4)(a) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ DC Financial Management & Accounting	
15.10.2.3	Once such amounts have been approved, modified as necessary after consultation with National Treasury, the assigned official may not draw from the revenue fund more than the amount approved for a month, without prior written approval from the relevant treasury.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	

TREASURARY REGULATIONS T.R	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Director Financial Accounting	
15.10.2.4	Should the assigned officials need to adjust the approved projections, the proposed adjustments must be motivated to the National Treasury for evaluation against the availability of funds in the Exchequer.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ DC Financial & Management Accounting	
15.11.2	The delegated officials approve arrangements for safeguarding personal effects reasonably held on official premises in the course of official duty.	<u>Management Area Level:</u> ❖ Area Commissioner <u>Regional Level:</u> Deputy Regional Commissioner <u>Head Office Level:</u> ♦ Office of the Minister: DC Ministerial Services ♦ Office of the Inspecting Judge: Secretary of	

<u>TREASURY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		Judicial Inspectorate ♦ DD Auxiliary Services ♦ Heads of Training Colleges	
15.12.1	The delegated official assign authority in writing to officials to: • approve warrant vouchers and cheques; and <i>Read with sections 76 (2)(h) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Financial Administration	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<ul style="list-style-type: none"> approve electronic payments. <p><i>Read with sections 76 (2)(h) of the PFM Act</i></p>	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ Area Commissioners <p><u>Regional Level:</u></p> <p>Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> ♦ Director of Function 	
	<p>Part Six: Frameworks</p> <p>Chapter Sixteen: Public-Private Partnership</p>		
16.2.1	Only the accounting officer or an accounting authority may enter into a PPP agreement on behalf of the Department.	None	Prior written approval from Treasury is necessary
16.3.1	The accounting officer or an accounting authority may not proceed with a PPP agreement without the prior written approval of the National Treasury.	None	Prior written approval from Treasury is necessary.
16.3.4	As soon as an institution identifies a PPP, the assigned official must inform the National Treasury accordingly and if the National Treasury so requests, must appoint a specialist consultant for this purpose.	<p><u>Management Area Level:</u></p> <ul style="list-style-type: none"> ❖ None <p><u>Regional Level:</u></p> <p>None</p>	

<u>TREASURARY REGULATIONS</u> <u>T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Chief Financial Officer	
16.4.1	The assigned officials must undertake a feasibility study of a proposed PPP in accordance with the stipulations of this regulation.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director of the function	The different directors are the specialists regarding the functions of their work field
16.5.2	If any time during the project, any of the assumptions in the feasibility report differ materially from the feasibility study approval, especially with regard to affordability, value for money and appropriate technical, operational and financial risk transfer, the assigned official must immediately:- c) Notify the relevant treasury of the intended revision; d) Submit details of the revision to the relevant treasury; e) Indicate the impact of the revision of the feasibility study relating to affordability, value for money and appropriate technical, and financial risk transfer; and f) Ensure that the relevant treasury is provided with a revised feasibility study after which the relevant treasury may grant a revised treasury approval.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
16.7.1	After the procurement procedure has been concluded but before the accounting officer or an accounting authority enters into a PPP agreement, the assigned official must obtain approval from National Treasury. a) That the PPP agreement contains the affordability, value for money and appropriate technical, operational and risk transfer in regulation 16.4.2 or revised in terms of paragraph 16.5.2; and	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
	b) For a management plan that explains the capacity of the institution to effectively enforce the agreement including, to monitor and regulate implementation of and performance in terms of the agreement.	Head Office Level: ♦ Chief Financial Officer	
16.8.1	The assigned official is responsible for ensuring that a PPP agreement is properly enforced, and must establish mechanisms and procedures for– (a) monitoring and regulating the implementation of, and performance in terms of, the agreement; (b) liaising with the private party; (c) resolving disputes and differences with the private party; (d) generally overseeing the day-to-day management of the agreement; and (e) reporting on the management of the agreement in the institution's annual report.	Management Area Level: ❖ None Regional Level: None Head Office Level: ♦ Director Contract Management ♦ Director of function ♦ DCS Controller ♦ Chairperson of Supervisory Committee	The different directors are the specialists regarding the functions of their work field. Teamwork is of utmost importance.
16.8.2	A PPP agreement does not divest the accounting officer of the responsibility for ensuring that the relevant institutional function is effectively and efficiently performed in the public interest.	None	
16.9.1	Only the accounting officer or an accounting authority may enter into an agreement to amend a PPP agreement.	None	Prior written approval from Treasury is necessary
16.9.4	The assigned official must substantially follow the procedure prescribed by clauses 16.3 and 16.5 for obtaining Treasury approval.	Management Area Level:	

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
		❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
	Part Seven: Accounting and Reporting Requirements Chapter Seventeen: Basic Accounting Records and Related Issues		
17.1.2	<p>Should it be necessary, in exceptional cases, to account for revenue and expenditure transactions in a clearing and suspense account because the classification has not been resolved, the assigned official must ensure that—</p> <p>(a) the sources of the transactions are readily identifiable;</p> <p>(b) amounts included in the clearing and suspense accounts are, each month, cleared and correctly allocated to the relevant cost centres;</p> <p>(c) monthly reconciliation are performed to confirm the balance of each account; and</p> <p>(d) reports are provided to the accounting officer about un-cleared items on a monthly basis.</p> <p><i>Read with sections 40 (1)(a) of the PFM Act</i></p>	<u>Management Area Level:</u> -Area Coordinator Finance <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ Director Financial Accounting Director Logistics	Submit the monthly report via the CFO to the Accounting Officer.
17.1.3	In each month's section 40(4) report, the assigned official must certify that the forecast/projection for the remainder of the financial year adequately makes provision for all amounts not yet cleared from clearing and suspense accounts.	<u>Management Area Level:</u> ❖ None	Amounts regarding the suspense accounts should

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
	<i>Read with sections 40 (1)(a) of the PFM Act</i>	<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Director Management Accounting	be provided by Director Financial Accounting
17.2.1	The assigned officials must, subject to the provisions of the relevant national or provincial legislation, retain <i>all</i> financial information in its original form, as follows— (a) information relating to one financial year – for one year after the audit report for the financial year in question has been tabled in Parliament or the provincial legislature; or (b) information relating to more than one financial year – for one year after the date of the audit report for the last of the financial years to which the information relates. <i>Read with sections 40 (1)(a) of the PFM Act</i>	<u>Management Area Level:</u> ❖ All Officials <u>Regional Level:</u> All Officials <u>Head Office Level:</u> ♦ All Officials	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy
	Part Seven: Accounting and Reporting Requirements Chapter Eighteen: Monthly and Annual Reports		
18.1.1	The assigned official must comply with the reporting requirements of the annual Division of the Revenue Act. <i>Read with sections 32 (2) and 40 (4)(b) and (c) of the PFM Act</i>	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	

<u>TREASURY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Director Management Accounting	
18.3.1	In preparing the annual report of the department, the assigned officials must–	Read with sections 40 (1)(b) of the PFM Act. <u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None	
	(a) comply with the requirements prescribed in Chapter 1, Part III J of the <i>Public Service Regulations, 2001;</i>	<u>Head Office Level:</u> ♦ Director Management Accounting	
	(b) include, after information about the department's efficiency, economy and effectiveness in delivering programmes and achieving its objectives and outcomes against the measures and indicators set out in any strategic plan for the year under consideration;	<u>Head Office Level:</u> ♦ Director Management Accounting	
	(c) information on transfer payments per organisation for the entire financial year as well as a report on compliance with Section 38(1)(j) of the Act;	<u>Head Office Level:</u> ♦ Director Management Accounting	
	(d) include all information required in terms of the annual Division of revenue Act;	<u>Head Office Level:</u> ♦ Director Management Accounting	
	(e) include any additional information required by Parliament;	<u>Head Office Level:</u> ♦ Director	Relevant CDC provides the

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
		Management Accounting	information
	(f) report on the use of foreign aid assistance, detailing the source and intended use of the assistance (including the value of any aid-in-kind in rand), performance information on the department's use of the assistance, and any pending applications for assistance; and	<u>Head Office Level:</u> ♦ Director Management Accounting	
	(g) a report from the audit committee, as required by paragraph 3.1.13 and	<u>Head Office Level:</u> ♦ Director Management Accounting	Director Internal Audit provides the information
	(h) include information on the management of PPP agreements as required by paragraph 16.8.1 (e).	<u>Head Office Level:</u> ♦ Director Management Accounting	Relevant Director provides the information
	Part Eight: Miscellaneous		
	Chapter Nineteen: Trading Entities		
19.2.2	Where the department is operating a trading entity, the assigned official must ensure that the head of the trading entity complies with the Act and these <i>Treasury Regulations</i> .	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
19.2.3	Trading entities allowed to open bank accounts may not borrow for bridging purposes and may not run overdrafts on their banking accounts.	<u>Management Area Level:</u> ❖ None	

<u>TREASURY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
19.3.1	The assigned official of a department operating a trading entity must formulate a policy and reporting framework for the head of the trading entity.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
19.7.1	The assigned official of a department operating a trading entity must, at the end of each financial year and after books of account have been closed, declare any surplus or deficit to the <i>National Treasury</i> .	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	

<u>TREASURARY REGULATIONS</u> T.R	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
19.7.2	Where a trading entity suffers a deficit in trading, the assigned official of the department operating the trading entity must investigate whether— (a) the head of the trading entity mentioned any foreseeable potential over expenditure in his or her monthly reports; (b) appropriate steps were taken to address the deficit; and (c) financial misconduct sanctions should be instituted if (a) and (b) above were not adhered to.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
19.7.3	In the event of a trading entity incurring a deficit, the assigned official of the department controlling the trading entity must disclose the financial impact of such a deficit on the department in its annual report.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	
19.8.1	The assigned official of a controlling department must provide the monthly information as required by section 40(4)(b) and (c) of the Act in respect of such a trading entity in the monthly report of the department.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	Part Eight: Miscellaneous Chapter Twenty: Commissions and Committees of Inquiry		
20.2.3	Should the delegated official deem it necessary, the delegated official can, in consultation with the <i>executive authority</i> , determine other remuneration provided that— (a) the terms of reference are properly defined in terms of time and cost; and (b) if applicable the remuneration is considered taking into account the tariffs as determined by the institute that regulates the profession that non-official member belongs to.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Deputy Commissioner Corporate Services	Director Human Resource Administration and Utilization needs to prepare such documentation
20.3.1	Should the chairperson request a non-official member of a commission or committee to render services in his or her private time, other than the normal preparations for meetings, the person may be paid an honorarium (within the budget), as determined by the delegated official and the <i>executive authority</i> . In the case of official members, section 30 of the <i>Public Service Act, 1994</i> must be complied with.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Deputy Commissioner Corporate Services	

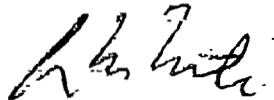
<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>Part Eight: Miscellaneous</p> <p>Chapter Twenty-One: Gifts, Donations and Sponsorships</p>		
21.1.1	<p>Granting of gifts, donations and sponsorships by the state</p> <p>The assigned officials may approve gifts and donations and sponsorships and state money and other movable property in the interest of the state</p>		When such cash amounts exceed R100 000, the approval of the relevant legislature must be sought by including the item separately in the estimates of expenditure.
	(a) Amount up to and including R50 000 per case.	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ Chief Financial Officer</p>	
	(b) Amount up to and including R100 000 per case.	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p>	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ None (Only Accounting Officer)	
21.2.1	Accepting of gifts, donations and sponsorships to the State The assigned officials may approve the acceptance of any gift, donation or sponsorship to the state, whether such gifts, donations or sponsorships are in cash or kind.		
	(a) Amount up to and including R20 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> Regional Head Finance <u>Head Office Level:</u> ♦ Director Logistics: Kind ♦ Director Financial Accounting: Cash	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy
	(b) Amount up to and including R50 000 per case.	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Chief Financial Officer	The duty must be executed within the area of responsibility of the different officials in accordance with Departmental policy

TREASURARY REGULATIONS T.R	AUTHORITY DELEGATED OR ASSIGNED	LEVEL OF EXECUTION	NOTES
	(c) Amount exceeding R50 000 per case.	Management Area Level: ❖ None Regional Level: None Head Office Level: ♦ None (Only Accounting Officer)	Accounting Officer is responsible for execution of this task
21.4.1	When a donor or sponsor requests to remain anonymous, the assigned official must submit to the relevant treasury a certificate from both the Public Protector and the Auditor-General, which states that the identity of the donor or sponsor has been revealed to them, that they have noted it and have no objection.	Management Area Level: ❖ None Regional Level: None Head Office Level: ♦ Chief Financial Officer	
	Part Eight: Miscellaneous Chapter Twenty-Two: Payments, Refunds and Remissions as an Act of Grace		
22.1.1	Where no legislative authority exists, the assigned official may approve an act of grace or favour for- (a) the remission of money due to a revenue fund; and (b) payments from a vote.	Management Area Level: ❖ None Regional Level: None	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
		<u>Head Office Level:</u> ♦ Chief Financial Officer	
	Part Eight: Miscellaneous Chapter Twenty-three: Government Payroll Deductions		
23.2.2	Before a benefit, collective agreement, state or statutory deduction is processed on Persal, the assigned official must certify that the deduction is due and that no portion of it is a discretionary deduction	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ Dir. Persal Management	
23.2.3	Where such certification is for an emoluments attachment order issued against an official in terms of section 65J of the Magistrates Court Act (Act 32 of 1944), the assigned official must be satisfied that- (a) the documentation presented by the judgement creditor or his or her <i>inter alia</i> reflects, as contemplated in this Act - (i) that the official has given written consent to the issuing of the order or that a court has authorised it and that this authorisation has not been suspended; or (ii) that the official has first been sent a registered letter advising him or her of the amount of the judgement debt and costs, and warning that an emoluments attachments order will be issued if the amount is not paid	<u>Management Area Level:</u> ❖ None <u>Regional Level:</u> None <u>Head Office Level:</u> ♦ ASD Administrative Controller	

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<p>within ten days of the date of its posting;</p> <p>(b) After the deduction, the official will have sufficient means for maintenance for him or herself and any dependants.</p>		
23.2.4	Should the deduction not leave the official with sufficient means for maintenance or for that of his or her dependants, the assigned official must request the judgement creditor or his or her attorney to approach the court to either rescind the order or amend it to affect only the balance of the salary after provision for such maintenance?	<p><u>Management Area Level:</u> ❖ None</p> <p><u>Regional Level:</u> None</p> <p><u>Head Office Level:</u> ♦ ASD Administration Controller</p>	



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006

DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

1.	INTRODUCTION
1.1	By virtue of the authority vested in me in terms of Sections 44(1)(a) and 56 of the Public Finance Management Act, I Linda M. Mti, Commissioner of Correctional Services hereby delegate the powers and duties assigned to me in terms of the Public Finance Management Act (Act 1 of 1999 as amended with Act 29 of 1999) and the Regulations in terms of the Public Finance Management Act : Framework for Supply Chain Management, to the post levels as indicated in this annexure.
1.2	As far as procedures and administrative actions are concerned, all procurement units are bound to comply with the conditions contained in the Government Procurement : General Conditions of Contract (GCC) and the Supply Chain Management User Manual : Directives in respect of Procurement in so far as they are not in conflict with the directives and limitations stipulated herein
1.3	At any time the powers may be withdrawn or the conditions, under which they have been granted, may be amended.
1.4	Any delegated power in connection with the arrangement of a <u>specific service, goods, works or sale</u> will lapse automatically as soon as a contract for the relevant service, supply or sale has been arranged.
1.5	Where any doubt exists with regard to the interpretation or application of any power or condition, the Directorate : Procurement must be approached through normal service channels for a decision or finalization.
1.6	Services, with which other departments are functionally charged, must be left to such departments unless exemption from other financial or any other directives have been granted.
1.6.1	These powers are granted subject to the provisions of any other Act of Parliament, as amended from time to time. Armaments (firearms, ammunition, etc.) may therefore not be acquired in terms of these delegated powers.
1.7	These powers are also applicable as far as sales/disposals are concerned.
1.8	Regional Commissioners must certify annually to the Directorate : Procurement that all officials concerned with the procurement of goods, works and services are well acquainted with the delegated powers and conditions and are being applied correctly by them. Regional Commissioners must also indicate what control measures have been established in order to determine whether the delegated powers are being exercised correctly.

AUTHORISED BY :


COMMISSIONER LM MTI

DATE :

17/6/2004

Only authorized Supply Chain Management Practitioners may execute these delegations

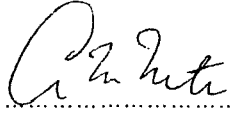


DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

2.	<u>TERMINOLOGY</u>
2.1	<p><u>Case</u></p> <p>In respect of the Procurement Unit concerned, a "case" is the consolidated requirement of a specific category of items, which requirement exists at a given point in time and at the time of consolidation, is known to the specific Procurement Unit and has been quantified. It covers the estimated total value (VAT included) of all the items concerned for the complete service or supply and not only the value of any individual item in that specific category.</p> <p>Note: Whenever requirements are obtained within the delegated powers, Procurement Units must as far as possible consider the break-out of such requirements into smaller manageable segments with due consideration to the quality of the goods required, time to administrate the process and cost-effectiveness of the ensuing contracts. This can be achieved by providing for different items on a single bid invitation, bearing in mind the cost of the requirement per case. Should the estimated cost for the total requirement, i.e. for the case, exceed the delegated authority applicable to the specific Procurement Unit, then the principle of break-out procurement should still be applied but it should be forwarded to the next level of authority with the request to invite the bids.</p>
2.2	<p><u>Price quotation</u></p> <p>A verbal/written offer, which is not necessarily subject to the General Conditions of Contract (GCC).</p>
2.3	<p><u>Bid</u></p> <p>A written offer on a prescribed or stipulated form in response to an invitation by an organ of state for the provisioning of goods, works, services or the sale and letting of assets, and unless otherwise determined, has been advertised in the Government Tender Bulletin.</p>
2.4	<p><u>Bidder</u></p> <p>Any natural or legal person who makes an offer in response to a request to submit a bid or a price quotation</p>
2.5	<p><u>Contract</u></p> <p>Written agreement entered into between the purchaser and the supplier, as recorded in the contract form signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.</p>

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DATE :

17/06/2004

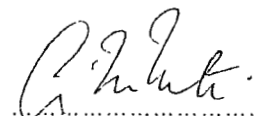
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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

2.6	<p><u>Transversal contracts</u></p> <p>A contract arranged by the Common Service Provider (National Treasury) for the supply, over a specified period of time, of the repetitive requirements of various participating organisations for goods, works or services, the hiring or letting of anything, the acquisition or granting of any right, or the disposal of movable State property</p>
2.7	<p><u>General period contract</u></p> <p>A contract arranged by the Directorate : Procurement for the supply, over a specified period of time, for the repetitive requirements of various participating Procurement Units for goods, works or services, the hiring or letting of anything, the acquisition or granting of any right, or the disposal of movable State property.</p>
2.8	<p><u>Ad hoc contract</u></p> <p>A contract arranged for a once-off requirement for goods, works or services, the hiring or letting of anything, the acquisition or granting of any right, or the disposal of movable State property</p>
2.9	<p><u>Specific period contract</u></p> <p>A contract for the supply, over a specified period of time, for the repetitive requirements of only one Procurement Unit for goods, works or services, the hiring or letting of anything, the acquisition or granting of any right or the disposal of movable state property.</p>
2.10	<p><u>GCC</u></p> <p>General Conditions of Contract</p>
2.11	<p><u>Standard Special Conditions</u></p> <p>Approved special conditions on standardized forms, applicable to certain commodities.</p>

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

2.12	<p><u>National Bid Committee</u></p> <p>The National Bid Committee of the department must at least consist of the following :</p> <ul style="list-style-type: none"> - Chairperson appointed by the Accounting Officer, with the rank of Chief Deputy Commissioner. - Three other members of whom at least one is a Supply Chain Management Practitioner. <p>Where considered necessary, additional members may be co-opted on account of their specialized knowledge. In the event of an equal vote, the chairperson's decision will be final.</p>
2.13	<p><u>Sub-Bid Committees</u></p> <p>The Sub-Bid Committees of the department must at least consist of the following :</p> <ul style="list-style-type: none"> - Chairperson appointed by the Accounting Officer, with the rank of at least a Director. - Three other members of whom at least one is a Supply Chain Management Practitioner. <p>Where considered necessary, additional members may be co-opted on account of their specialized knowledge. In the event of an equal vote, the chairperson's decision will be final.</p> <p>Note: All members of the Bid Committees should be cleared at the level of "CONFIDENTIAL" and should be required to declare their financial interest annually</p>

AUTHORISED BY :

C. White

COMMISSIONER LM MTI

DATE :

17/06/2004

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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3.0	INVITATION AND ACCEPTANCE OF PRICE QUOTATIONS UP TO THE VALUE OF R100 000-00.			
3.1	<u>Acceptance of price quotations up to an estimated value of R5 000-00 per case</u> Procurement of goods, works or services, the hiring or letting of anything, the acquisition or granting of any right or the disposal/sales of movable State property, without inviting competitive bids or price quotations by obtaining at least three verbal quotations from where applicable, a list of prospective suppliers. The order should, however, be placed against written confirmation of the price by the selected supplier.	UP TO R5 000-00 – CO II/APAO	UP TO R5 000-00 – CO II/APAO	UP TO R5 000-00 – CO II/APAO
3.1.1	Consideration and approval of reasons/motivation where it is not possible to obtain at least three (3) price quotations	UP TO R5 000-00 – CO II/APAO	UP TO R5 000-00 – CO II/APAO	UP TO R5 000-00 – CO II/APAO
3.2	<u>Acceptance of price quotations up to an estimated value of R30 000-00 per case</u> Procurement of goods, works or services, the hiring or letting of anything, the acquisition or granting of any right or the disposal/sales of movable State property, by inviting competitive price quotations for requirements up to an estimated value of R30 000-00 from as many as possible suppliers, that are registered on the list of prospective suppliers.	UP TO R30 000-00 – CO I/PAO	UP TO R30 000-00 – CO I/PAO	UP TO R30 000-00 – CO I/PAO
3.2.1	Consideration and approval of reasons/motivation where it is not possible to obtain at least three (3) price quotations	UP TO R30 000-00 – CO I/PAO	UP TO R30 000-00 – CO I/PAO	UP TO R30 000-00 – CO I/PAO
3.3	<u>Invitation and acceptance of price quotations between an estimated value of R30 000-00 and R100 000-00 per case</u> Procurement of goods, works or services, the hiring or letting of anything, the acquisition or granting of any right or the disposal/sales of movable State property, by inviting competitive price quotations for requirements up to an estimated value of R100 000-00 from as many as possible suppliers, that are registered on the list of prospective suppliers.			

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
	The prescripts of the Procurement Preferential Policy Framework Act (Act 5 of 2000) and its associated Regulations should be made applicable.			
3.3.1	Determining of contract period	UP TO R100 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR)	UP TO R100 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R100 000-00 - SCO/SPAO (PERIOD NOT EXCEEDING TWO (2) YEARS)	UP TO R100 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R100 000-00 - SCO/SPAO (PERIOD NOT TWO (2) YEARS) UP TO R100 000-00 - ASD (PERIOD IN EXCESS OF TWO (2) YEARS)
3.3.2	Signing the covering letter of the price quotation document.	UP TO R60 000-00 - PAO UP TO R100 000-00 - SPAO	UP TO R60 000-00 - PAO UP TO R100 000-00 - SPAO	UP TO R60 000-00 - PAO UP TO R100 000-00 - SPAO
3.3.3	Acceptance of price quotations.	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD
3.3.4	Consideration and approval of reasons/motivation where it is not possible to obtain at least three (3) price quotations.	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD	UP TO R60 000-00 - SPAO UP TO R100 000-00 - ASD

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DATE: 17/06/2004

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
3.4	Signing of agreements/contracts in addition to a quotation.	UP TO R100 000-00 - ASD	UP TO R100 000-00 - ASD	R100 000-00 - ASD
3.5	<u>Conditions applicable to invitation and acceptance of price quotations.</u>			
3.5.1	Price quotations must only be invited from possible suppliers registered on the list of prospective suppliers (data base). Where no suitable suppliers are available from the list of prospective suppliers, quotations may be obtained from other possible suppliers, who must then be added to the list.			
3.5.2	Price quotations must be accepted before expiry of validity by means of a facsimile or an order.			
3.5.3	In instances where a single price quotation was received the price quotation may be accepted provided that the prices are proved and certified to be fair and reasonable. Proof of reasonableness must be determined as follows :			
3.5.3.1	Comparison with prices, after discounts, to its other normal clients and the relative discount that the State enjoys ;			
3.5.3.2	Where this is not possible, profit before tax based on a full statement of relevant costs ; and			
3.5.3.3	Comparison with previous prices where these are available.			
3.5.4	Proof of reasonableness of prices where only one price quotation is received, must be available for audit purposes.			
3.5.5	Approval must be done by the delegated official on the price quotation itself, with reference to the applicable delegation number and date. Please note that the official involved with the invitation of the price quotation may not approve the price quotation.			
3.5.6	Price quotations from sole suppliers must be considered by the delegated official upon receipt of proper motivated reasons/evidence.			
3.5.7	Price quotations that are equal in all respects, must be dealt with by means of drawing of lots by the delegated official in the presence of at least two (2) witnesses.			
3.5.8	Where further documentation is signed by all parties concerned as an agreement in addition to a price quotation, the Directorate : Legal Services'/ Regional Co-ordinator : Legal Services' approval of the agreement/contract is also required prior to the signing thereof.			
3.5.8.1	Agreements/contracts of this nature may not exceed a period of one year for supplies and two years for services.			

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
3.5.9	<p>The following is applicable to invitation and acceptance of quotations exceeding R30 000-00 per case :</p> <ul style="list-style-type: none"> o The PPPFA and its Regulations must be applicable. o Utilization of Evaluation criteria as approved by the National Bid Committee. o Functional approval by the relevant Head Correctional Centre/Area Commissioner/relevant Director at Regional Office or at Head Office o Should a quoter omit to submit an original Tax Clearance Certificate, even after being granted a second opportunity, a recommendation to decline such a quoter, must be made to the delegated official. o On instruction of South Africa Revenue Services, a copy of the Tax Clearance Certificate of the successful quoter must be submitted to them. 			

AUTHORISED BY :
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COMMISSIONER LM MTI

DATE :

17/06/2004

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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4.	INVITATION OF BIDS (Exceeding R100 000-00 per case)			
4.1	The department may invite bids to an unlimited value per case for the procurement of goods, works or services, the hiring or letting of anything, the acquisition or granting of any right or the disposal/sale of movable State property. Particulars of the requirement must be advertised in the Government Tender Bulletin and bids may close at the office concerned.			
4.1.1	The invitation of any bid is subject to the prior functional approval by Regional Commissioners/Chief Deputy Commissioners			
4.1.2	All invitations of bids are subject to the Preferential Procurement Policy Framework Act and its Regulations as well as the General Conditions of Contract.			
4.2	The invitation of bids, as set out in paragraph 4.1, comprises, where applicable			
4.2.1	Determining of contract period	UP TO R1 000 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR)	UP TO R1 000 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R3 000 000-00 - SCO/SPAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R5 000 000-00 - ASD (PERIOD NOT EXCEEDING TWO (2) YEARS)	UP TO R1 000 000-00 - CO I / PAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R3 000 000-00 - SCO/SPAO (PERIOD NOT EXCEEDING ONE (1) YEAR) UP TO R5 000 000-00 - ASD (PERIOD NOT EXCEEDING TWO (2) YEARS) UNLIMITED - DD (PERIOD NOT EXCEEDING TWO (2) YEARS)

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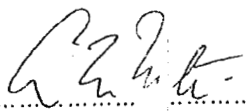
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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
				UP TO R5 000 000-00 - SUB-BID COMMITTEE (PERIOD IN EXCESS OF TWO (2) YEARS) EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE (PERIOD IN EXCESS OF TWO (2) YEARS)
4.2.2	Consideration of the shortening of the closing date due to the urgent nature of the requirement (deviation from thirty (30) days)	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
4.2.3	Determine whether only firm prices, or whether non-firm prices, such as prices subject to Rate of Exchange variations are applicable to bid invitation.	UP TO R1 000 000-00 - CO I/PAO	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD UNLIMITED - DD

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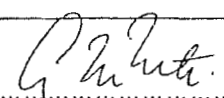
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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
4.2.4	Approval of the bid documents by signing the bid covering letter as well as the notification (advertising) of invitations to bid.	UP TO R1 000 000-00 - CO I/PAO	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD UNLIMITED - DD
4.2.5	Approval for the invitation of bids from selected/sole suppliers for a specific brand or trade mark product only.	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
4.2.6	Before closing date, in the event of serious mistakes and amendments in the bid document, to grant approval that such invitation to bid be cancelled and fresh bids be invited or those amendments to the invitation to bid be issued.	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
4.2.7	Supervising the receiving and processing of bids	UP TO R1 000 000-00 - CO I/PAO	UP TO R5 000 000-00 - ASD	UNLIMITED - ASD
4.2.8	Considering late bids for admission	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 -

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
				NATIONAL BID COMMITTEE
4.2.8.1	Considering any appeals for the admission (or non-admission) of late bids, which were not admitted.	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
4.3	<u>Conditions applicable to invitation of bids</u>			
4.3.1	The stipulated monetary limit per case must be taken into account before bids are invited. If the estimated value (VAT included) exceeds the delegated limits, it must be submitted to the next level of authority.			
4.3.1.1	In exceptional cases it may happen that the bids received exceeded the delegated limits. In such cases motivated recommendations must be forwarded to the next level of authority. NOTE : A supply, service or sale may not be purposely sub-divided in order to bring the estimated value within the limit.			
4.3.2	Conditions not yet contained in the General Conditions of Contract (GCC) or standard Special Conditions may not be stated as conditions in bids without prior approval of the Directorate : Procurement. Where necessary, such conditions must also be submitted to the Directorate : Legal Services beforehand, for consideration and recommendation.			
4.3.3	Where additional special conditions apply in respect of specific goods/works/services, these must also be included in the bid documentation.			
4.3.4	Bids must be opened in public as soon as possible after the closing time, and, if so requested, the names of the bidders as well as the total amount of each bid must be read aloud.			

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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5.	CONSIDERATION AND ACCEPTANCE OF BIDS (Exceeding R100 000-00 per case)			
5.1	<i>The consideration and acceptance of bids comprises, where applicable</i>			
5.1.1	Written communication with bidders may take place in cases where information is incomplete, where a lack of clarity exists regarding technical aspects of the offer, or to obtain confirmation of prices or preference claims in cases where it is obvious that a written, typed or transcription error or an error in the unit price has been made	UP TO R1 000 000-00 - CO I/PAO	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD EXCEEDING R5 000 000-00 - DD
5.1.2.	Bidders may be approached in writing with regard to the increases/decrease of quantities to a maximum of 20% of the original value of the bid.	UP TO R1 000 000-00 - CO I/PAO	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD	UP TO R1 000 000-00 - CO I/PAO UP TO R3 000 000-00 - SCO/SPAO UP TO R5 000 000-00 - ASD EXCEEDING R5 000 000-00 - DD
5.1.3	Consideration of escalation of prices when the validity period is extended	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 -

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
5.1.4	The acceptance of quantities other than those specified in the bid documents	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	NATIONAL BID COMMITTEE UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.5	Approval or rejection of a bidder's own conditions	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.6	Consideration of minimum quantities for new and unproven products	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.7	Consideration of a bid with acceptable deviations from the specification	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
5.1.8	Consideration of alternative offers	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	COMMITTEE UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.9	Consideration of a bid, which is not the highest in points but represents an improvement on the specification	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.10	Acceptance of bids	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
5.1.11	The signing of the formal contract (SBD 7.1 to 7.3) after approval has been granted by the relevant Bid Committee for the acceptance of a bid.	NO DELEGATION	UP TO R5 000 000-00 - ASD	UP TO R5 000 000-00 - ASD EXCEEDING R5 000 000-00 - DD
5.1.12	Cancellation of bids or items thereof, in cases where : - due to changed circumstances, there is no longer need for the	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE

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DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
	<ul style="list-style-type: none"> goods, works or services that were bidden for; funds are no longer available to cover the total envisaged expenditure; no acceptable bids have been received; if the preference point system stipulated in the bid document turns out not to be applicable as a result of the actual value; errors in the bidding invitations; bid price is certified as being exorbitant; bid was accidentally not advertised in the Government Tender Bulletin. 			EXCEEDING R5 000 000-00 – NATIONAL BID COMMITTEE
5.1.13	Signing of agreements/contract, in addition to a bid and in line with the conditions of the bid.	NO DELEGATION	UP TO R5 000 000-00 – CHAIRPERSON OF THE SUB-BID COMMITTEE	UP TO R5 000 000-00 – CHAIRPERSON OF THE SUB-BID COMMITTEE EXCEEDING R5 000 000-00 – CHAIRPERSON OF THE NATIONAL BID COMMITTEE
5.2	<u>Conditions applicable to the consideration and acceptance of bids</u>			
5.2.1	Consideration of bids will at all times be in accordance with the policy and directives of the Department as contained in the Supply Chain Management User Manual: Directives in respect of Procurement and must be strictly adhered to.			
5.2.2	<p>Where there is communication with a bidder after closing time regarding :</p> <ul style="list-style-type: none"> incomplete offer or lack of clarity confirmation of prices or preference claims in cases where it is obvious that an error or an error in the unit price has been made. <p>Additional information or specific explanations requested in terms of this power can be requested. Such confirmation or information must be furnished in writing and must be attached to the relevant bid. Full particulars of the aspects, regarding which the bidder concerned was approached, must be furnished</p>			

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	in the recommendations for the acceptance of a bid.			
5.2.3	In instances where a single bid was received the bid may be accepted provided that the prices are proved to be and certified as fair and reasonable. Proof of reasonableness must be determined as follows :			
5.2.3.1	Comparison with prices, after discounts, to the supplier's other normal clients and the relative discount that the State enjoys ;			
5.2.3.2	Where this is not possible, profit before tax based on a full statement of relevant costs ; and			
5.2.3.3	Comparison with previous bid prices where these are available.			
5.2.4	Proof of reasonableness of prices where only one bid is received, must be available for audit purposes.			
5.2.5	Bids must be duly scheduled and brought on a comparative basis and submitted together with a motivated recommendation to the relevant Bid Committee for consideration.			
	Note : It is of prime importance that recorded reasons for the acceptance/rejection of a bid are comprehensive and accountable so that they may be conveyed verbatim in writing to the bidder concerned whenever written requests are received. In a court case these reasons will have to be provided and proof will be required that the relevant Bid Committee has taken a reasonable decision on the grounds of the information available to it and that anger or prejudice did not play a role in the decision. Therefore, in the interests of sound administration and accountable decision making, the Department is always prepared to give reasons for its decisions.			
5.2.6	Bids, which qualify for acceptance, that are equal in all respects must be dealt with by the drawing of lots.			
5.2.7	If a supply chain management practitioner or other role player, or any close family member, partner or associate of such official or other role player, has any private or business interest in any contract to be awarded, that official or other role player must –			
	(a) disclose that interest; and			
	(b) withdraw from participating in any manner whatsoever in the process relating to that bid/contract.			
5.2.8	Bids must be accepted, before expiry of validity, by means of a formal contract (SBD 7.1 to 7.3). If this is not possible, extension of validity must be requested timeously. If a bid cannot be finalised within the validity period, the formal contract must be held in abeyance until such time as the extension			

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NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
5.2.9	is confirmed in writing. Bid Committees, in all their proceedings, must comply with the directives and procedures contained in the Supply Chain Management User Manual. : Directives in respect of Procurement. Minutes must be taken and electronically recorded. All the decisions of the bidding committees and the signatures of the chairperson and secretary of the committee must confirm these minutes. Copies of the submissions to committees, their minuted decisions, the electronic recording as well as copies of formal contracts must be placed on record for audit purposes.			
5.2.10	Where further documentation is signed by all partner concerned as an agreement in addition to a bid, the Directorate : Legal Services' /Regional Co-ordinator : Legal Services' approval of the agreement/contract is also required prior to the signing thereof.			

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NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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6.	URGENT AND EMERGENCY CASES			
6.1	<u>Urgent cases to an estimated value of R500 000,00 per case</u> Goods, works or services may be procured by preferably making use of the list of prospective suppliers in cases where early delivery is of critical importance and the invitation of competitive bids is either impossible or impractical.	UP TO R200 000-00 – SCO/SPAO	UP TO R200 000-00 – SCO/SPAO UP TO R500 000-00 – ASD	UP TO R200 000-00 – SCO/SPAO UP TO R500 000-00 – ASD
6.2	<u>Emergency cases up to an estimated value of R1 000 000,00 per case</u> Goods, works or services may be procured by preferably making use of the list of prospective suppliers in cases of emergency where immediate action is necessary in order to avoid a dangerous or risky situation/ misery.	UP TO R200 000-00 – SCO/SPAO	UP TO R200 000-00 – SCO/SPAO UP TO R500 000-00 – ASD UP TO R1 000 000-00 – DD	UP TO R100 000-00 – SCO/SPAO UP TO R500 000-00 – ASD UP TO R1 000 000-00 – DD
6.3	<u>Conditions applicable to urgent and emergency cases</u>			
6.3.1	In these cases it is permissible to deviate from the bid process and to invite price quotations. The relevant parties must confirm their offers in writing as soon as possible. The General Conditions of Contract (GCC) must be made applicable to the purchase.			
6.3.2	Depending on circumstances, all attempts should be made to obtain an original Tax Clearance Certificate before acceptance. Proof of all such attempts must be placed on record.			
6.3.3	The reasons for the urgency or emergency and the losses or consequences that will follow if action was not taken must be certified by at least a Director in the line function and placed on record for audit purposes. However, a lack of proper planning should not be constituted as an urgent case and therefore, it must also be certified that the case is not a result of a lack of proper planning.			
6.3.4	Where only one price quotation is received and accepted, and taking the circumstances into account, all reasonable steps must be taken to ensure that a fair price is obtained.			

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
6.3.5	The PPPFA and its Regulations must be applicable in all price quotations.			
6.3.6	The principle of competition should be adhered to as far as possible.			
6.3.7	Statistics of all urgent and emergency cases, must be recorded and placed on file in order to make them available upon request thereof.			

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PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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7.	CONTRACT ADMINISTRATION			
7.1	<p><u>Increase/decrease in quantities for contracts</u></p> <p>In cases where the estimated value of the envisaged change in purchases does not exceed 20% of the total value of the original contract, the contractor may be approached to increase/decrease the quantities and to reduce the unit price, and such offers may be accepted provided that there is no escalation in price and on condition that the total value of the original contract plus the additional purchases, does not exceed the relevant delegated powers</p> <p>NB: This authority may be exercised only if the commodity is already available on a contract. A contract may under no circumstances be increased by the addition of commodities not already provided for on a contract.</p>	NO DELEGATION	UP TO R5 000 000-00 - ASD	UP TO R5 000 000-00 - ASD EXCEEDING R5 000 000-00 - DD
7.2	<p>Large over-deliveries (initiated by supplier), but still not exceeding 20 % of the total value of the original contract, may be accepted provided that a discount for the larger quantities has been satisfactorily negotiated with the supplier and the value of the original contract plus the over-delivery does not exceed the relevant delegated powers</p> <p>NB: This authority may be exercised only if the commodity is already available on a contract. A contract may under no circumstances be increased by the addition of commodities not already provided for on a contract.</p>	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE

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NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
7.3	<u>Price and exchange rate adjustments</u>			
7.3.1	<u>Contractual price adjustments</u> Subject to the conditions of a contract, price adjustments may, with the exception of transversal contracts or contracts not arranged at the relevant office, be approved in accordance with contract conditions.	NO DELEGATION	UP TO R3 000 000-00 - ASD UP TO R5 000 000-00 - DD	UP TO R3 000 000-00 - ASD UNLIMITED - DD
7.3.2	<u>Non-contractual price adjustments</u> Consideration of requests for price adjustments which are not according to contract conditions.	NO DELEGATION	NO DELEGATION	UNLIMITED - NATIONAL BID COMMITTEE
7.4	<u>Extension of delivery periods</u> Requests received from contractors for the extension of delivery periods may be approved provided the price remains unchanged.	UP TO R1 000 000-00 - CO1/PAO	UP TO R1 000 000-00 - CO1/PAO UP TO R5 000 000-00 - SCO/SPAO	UP TO R1 000 000-00 - CO1/PAO UP TO R5 000 000-00 - SCO/SPAO UNLIMITED - ASD
7.5	<u>Transfer of contracts</u> A transfer of a contract may be allowed provided that the conditions below are adhered to.	NO DELEGATION	UP TO R5 000 000-00 SUB-BID COMMITTEE	UP TO R5 000 000-00 SUB-BID COMMITTEE EXCEEDING R5 000 000-00 - NATIONAL BID COMMITTEE
7.5.1	the contract has been arranged by the relevant Bid Committee within delegated powers;			
7.5.2	The transfer is not to the detriment of the State			
7.5.3	If a contract was awarded as a result of the application of the point preference system for equity ownership, etc, the transferee should also similarly qualify under the same principle, to obtain such a contract. (This is to prevent fronting)			

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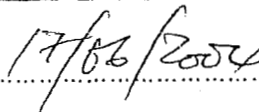
PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
7.5.4	The transferee is capable of executing the contract and has complied with all initial conditions of the contract.			
7.6	<u>Transfer of contract payments</u> Approval may be granted, that contract payments may be transferred under certain circumstances.	NO DELEGATION	UP TO R5 000 000-00 SUB-BID COMMITTEE	UP TO R5 000 000-00 SUB-BID COMMITTEE UNLIMITED – NATIONAL BID COMMITTEE
7.7	<u>Cancellation of contracts</u> A contract may be cancelled subject to the conditions mentioned below.	NO DELEGATION	UP TO R5 000 000-00 SUB-BID COMMITTEE	UP TO R5 000 000-00 SUB-BID COMMITTEE UNLIMITED – NATIONAL BID COMMITTEE
7.7.1	Transversal contracts arranged by the Common Service Provider and contracts arranged by other Bidding Committees are specifically <u>excluded</u> from these delegated authority.			
7.7.2	In the event of the department requesting the cancellation, the contractor or supplier must certify in writing his willingness to cancel the contract without any cost to the State.			
7.7.3	In the event of the contractor or supplier requesting the cancellation, it must –			
7.7.3.1	be without any cost to the State;			
7.7.3.2	be accepted in writing by the contractor or supplier that responsibility is accepted to reimburse the department for any additional cost, in the event that re-bidding to satisfy the requirement should bring about additional cost; and			
7.7.3.3	not be a case of repeated requests of such nature by the said contractor or supplier.			
7.7.4	The reasons for the cancellation and the losses or consequences that will follow if the contract is not cancelled, must be certified and placed on record for audit purposes.			

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7.7.5	In all cases, the cancellation must not be to the detriment of the State			
7.7.6	The case refers to the total value of the contract or order and not only the part of the contract to be cancelled.			
7.7.7	All cancellations should be reported to the Director : Procurement for verification purposes and in order to identify possible cases where bidders should be restricted.			
7.8	<u>Inspections</u> Subject to the provisions of paragraph 8 of General Conditions of Contract, in cases where it is considered necessary, approval may be granted for an inspection to be carried out.	NO DELEGATION	UP TO R5 000 000-00 - DD	UNLIMITED - DD
7.9	<u>Amendment of specifications</u> Where a binding contract has been concluded, an amendment of the specification, whether initiated by the contractor or the State, can be made but only after negotiation between the contractor and the State and at no additional cost	NO DELEGATION	UP TO R5 000 000-00 - SUB-BID COMMITTEE	UP TO R5 000 000-00 - SUB-BID COMMITTEE UNLIMITED - NATIONAL BID COMMITTEE

AUTHORISED BY :

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COMMISSIONER LM MTI

DATE :

17/06/2004

Only authorized Supply Chain Management Practitioners may execute delegations

DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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* *Where a power has been delegated to a holder of a specific rank, that power may be executed by the acting official or the holder of an equivalent or any higher rank*

CO III : CORRECTIONAL OFFICER GRADE III

CO II : CORRECTIONAL OFFICER GRADE II

APAO : ASSISTANT PROVISIONING ADMINISTRATION OFFICIAL

CO I : CORRECTIONAL OFFICER GRADE I

PAO : PROVISIONING ADMINISTRATION OFFICIAL

SCO : SENIOR CORRECTIONAL OFFICER

SPAO : SENIOR PROVISIONING ADMINISTRATION OFFICIAL

ASD : ASSISTANT DIRECTOR

DD : DEPUTY DIRECTOR

AUTHORISED BY :
11100

COMMISSIONER LM MTI

DATE

17/07/2004

Only authorized Supply Chain Management Practitioners may execute delegations

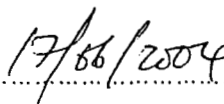
SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES
PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

1.	INTRODUCTION
1.1	I, Linda M. Mti, Commissioner of Correctional Services, hereby approve the specific delegated powers contained in this document, in accordance with paragraph 6(4) of the Regulations in terms of the Public Finance Management Act, 1999 : Framework for Supply Chain Management, which reads as follows : "If in a specific case it is impractical to invite competitive bids, the accounting officer or accounting authority may procure the required goods or services by other means, provided that the reasons for deviating from inviting competitive bids must be recorded and approved by the accounting officer or accounting authority"
1.2	By virtue of the authority vested in me in terms of Sections 44(1)(a) and 56 of the Public Finance Management Act, I hereby delegate the powers and duties assigned to me in terms of the Public Finance Management Act (Act 1 of 1999 as amended with Act 29 of 1999) and the Regulations in terms of the Public Finance Management Act : Framework for Supply Chain Management, to the post levels as indicated in this annexure.
1.3	As far as procedures and administrative actions are concerned, all procurement units are bound to comply with the conditions contained in the Government Procurement : General Conditions of Contract (GCC) and the Supply Chain Management User Manual : Directives in respect of Procurement in so far as they are not in conflict with the directives and limitations stipulated herein
1.4	At any time the powers may be withdrawn or the conditions, under which they have been granted, may be amended.
1.5	Where any doubt exists with regard to the interpretation or application of any power or condition, the Directorate : Procurement must be approached through normal service channels for a decision or finalization.
1.6	These powers are granted subject to the provisions of any other Act of Parliament, as amended from time to time.

AUTHORISED BY :


 COMMISSIONER L. M. MTI

DATE :



Only authorized Supply Chain Management Practitioners may execute these delegations

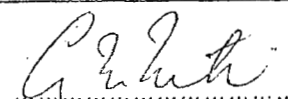
SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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2.0	SPECIFIC DELEGATED POWERS			
2.1	Invitation of bids for perishable provisions	UP TO R1 000 000-00	UNLIMITED	NOT APPLICABLE
2.2	Purchasing of perishable provisions to an unlimited value per price quotation in cases where the internal source of supply that normally produce this commodity, cannot supply the commodity, and if it is impractical to invite competitive bids.	UP TO R100 000-00 – ASD	UP TO R100 000-00 – ASD UP TO R5 000 000-00 – SUB-BID COMMITTEE	UP TO R100 000-00 – ASD UP TO R5 000 000-00 – SUB-BID COMMITTEE EXCEEDING R5 000 000-00 – NATIONAL BID COMMITTEE
2.2.1	The period may not be longer than three (3) months.			
2.2.2	The General Conditions of Contract must be applied.			
2.2.3	The PPPFA and its Regulations must be applied to all requirements exceeding R30 000-00 per case.			
Note	Before the specific delegation is applied, it should first be ascertained whether the commodity cannot be provided by the nearby internal source of supply and if the item after consultation with the caterer, cannot be replaced with another item for the period.			
2.3	Purchases to an unlimited value per quotation outside contract as a result of unsatisfactory performance by suppliers of perishable provisions, until a new contract is arranged.	UP TO R100 000-00 – ASD	UP TO R100 000-00 – ASD UP TO R5 000 000-00 – SUB-BID COMMITTEE	UP TO R100 000-00 – ASD UP TO R5 000 000-00 – SUB-BID COMMITTEE EXCEEDING R5 000 000-00 –

AUTHORISED BY :
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COMMISSIONER LM MTI

DATE :

17/06/2004

Only authorized Supply Chain Management Practitioners may execute delegations

SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
				NATIONAL BID COMMITTEE
2.3.1	The General Conditions of Contract must be applied.			
2.3.2	The PPPFA and its Regulations must be applied to all requirements exceeding R30 000-00 per case.			
2.4	Purchases per price quotation outside contract when a transversal contract/general period contract has not been renewed timeously, for the amounts exceeding R100 000-00 per case.	NO DELEGATION	UP TO R1 500 000-00 - SUB-BID COMMITTEE	UP TO R1 500 000-00 - SUB-BID COMMITTEE
2.4.1	Prior to the invitation of price quotations, confirmation must be obtained that such a contract is not yet available.			
2.4.2	The delegation may only be utilized to satisfy immediate needs until such contract is available.			
2.4.3	The General Conditions of Contract must be applied.			
2.4.4	The PPPFA and its Regulations must be applied to all requirements exceeding R30 000-00 per case.			
2.5	Repair of technical equipment of which the defect is not known to the value of R200 000-00 per case by inviting price quotations only from the manufacturer, his agent or a qualified institution on the list of prospective suppliers.	UP TO R30 000-00 – CO IPAO UP TO R60 000-00 – SCO/SPAO UP TO R200 000-00 – ASD	UP TO R30 000-00 – CO IPAO UP TO R60 000-00 – SCO/SPAO UP TO R200 000-00 – ASD	UP TO R30 000-00 – CO IPAO UP TO R60 000-00 – SCO/SPAO UP TO R200 000-00 – ASD
2.5.1	If the machinery is still under guarantee, repair should take place in accordance with the stipulations of the guarantee.			
2.5.2	Should the manufacturer or his agent not be utilised, rotation of qualified institutions on the list of prospective suppliers should take place.			
2.5.3	Reasonableness of price should be determined.			
2.5.4	The General Conditions of Contract must be made applied.			

AUTHORISED BY :

(Name)

COMMISSIONER LM-MTI

DATE

17/04/2004

Only authorized Supply Chain Management Practitioners may execute delegations

SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
2.5.5	It should be determined whether it is economic to repair the equipment.			
2.6	<u>Purchasing of breeding animals up to a financial limit of R100 000-00 per case</u>			
2.6.1	Production Auctions	UP TO R100 000-00 – CO LPAO	NOT APPLICABLE	NOT APPLICABLE
2.6.1.1	The departmental agriculturists, in co-operation with the state veterinarian, should make preliminary surveys of the available breeding animals that comply with the established requirements with a view to purchase. Recommendations must be made to the Director : Agriculture and Production Workshops, for a final decision. A departmental agriculturist, (irrespective of rank), should be delegated to bid on the identified breeding animals, on behalf of the department, with reference to confidential guidelines regarding the estimated value of the livestock			
2.6.2	Dogs and breeding animals that are not available at production auctions	UP TO R30 000-00 – CO LPAO UP TO R60 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	UP TO R30 000-00 – CO LPAO UP TO R60 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	NOT APPLICABLE
2.6.2.1	<u>Breeding Animals</u> Departmental agriculturists, in co-operation with the state veterinarian, should make preliminary surveys of available breeding animals that comply with the stated requirements with a view to purchase. Recommendations are made to the Director : Agriculture and Production Workshops for a final decision. A departmental agriculturist (irrespective of rank) should be delegated to negotiate with the breeders, on behalf of the department, for the purchase of the identified breeding animals, with reference to confidential guidelines regarding the estimated value of the livestock.			
2.6.2.2	<u>Dogs</u> The departmental dog-handlers, in co-operation with the state veterinarian, should make preliminary surveys of available breeding animals that comply with the stated requirements with a view to purchase. In the case of dogs, only the Departmental Head of the Dog Training Centre has the authority to decide on the purchase of dogs and he/she is authorised to negotiate with the breeder, on behalf of the department, for the purchase of the identified dogs, with reference to confidential guidelines regarding the estimated value of the dogs.			

AUTHORISED BY :

COMMISSIONER LM MTI

DATE :

17/6/2004

Only authorized Supply Chain Management Practitioners may execute delegations

SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
	In both the above-mentioned cases, the transaction must be formalised by means of price quotations, in which the breeder commits himself/herself to the conditions as contained in the General Conditions of Contract. The PPPFA and its Regulations must be applied to requirements exceeding R30 000-00.			
2.7	Purchasing of medicament up to R100 000-00 per month (each month must be viewed as a case) from wholesalers registered on the list of prospective suppliers without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.	UP TO R15 000-00 – CO I/PAO UP TO R30 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	UP TO R15 000-00 – CO I/PAO UP TO R30 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	NOT APPLICABLE
2.7.1	Only the quantities required to satisfy the immediate need and not to maintain stocklevels must be procured.			
2.7.2	Such requests must be recommended by the Pharmacist.			
2.7.3	Purchases must take place on a rotation basis, per month, by rotating all wholesalers registered on the list of prospective suppliers.			
2.8	Purchasing of medicament for prisoners per prescription without inviting price quotations up to R100 000-00 per month (each month must be viewed as a case)	UP TO R15 000-00 – CO I/PAO UP TO R30 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	UP TO R15 000-00 – CO I/PAO UP TO R30 000-00 – SCO/SPAO UP TO R100 000-00 – ASD	NOT APPLICABLE
2.8.1	Only applicable where no accessible departmental pharmacy is available.			
2.8.2	Purchases to be done on a monthly rotation basis from the different pharmacies registered on the list of prospective suppliers.			
2.8.3	Pharmacies must be approached for discount on items supplied.			

AUTHORISED BY :

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COMMISSIONER LM MTI

DATE :

17/06/2004

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SPECIFIC DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

NUMBER	DELEGATION	AREA COMMISSIONER/ CORRECTIONAL CENTRE LEVEL	REGIONAL OFFICE LEVEL	HEAD OFFICE LEVEL
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* *Where a power has been delegated to a holder of a specific rank, that power may be executed by the acting official or the holder of an equivalent or any higher rank.*

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 SCO : SENIOR CORRECTIONAL OFFICER
 SPAO : SENIOR PROVISIONING ADMINISTRATION OFFICIAL
 ASD : ASSISTANT DIRECTOR
 DD : DEPUTY DIRECTOR

AUTHORISED BY :
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R. White
COMMISSIONER LM MTI

DATE :

17/08/2004

Only authorized Supply Chain Management Practitioners may execute delegations

SPECIFIC DELEGATED POWERS : REASONS FOR DEVIATING FROM INVITING COMPETITIVE BIDS

DELEGATION NUMBER	DESCRIPTION	REASON
2.1	Invitation of bids for perishable provisions	<p>In this specific case competitive bids will be invited in accordance with the prescribed procedure. The only deviation from the delegated powers will be that Regional Offices may invite bids to an unlimited value. The delegation applicable to Regional Offices in respect of the invitation if bids for other goods, works or services, is R5 000 000-00 per case. The main reasons for deviating is the following :</p> <ul style="list-style-type: none"> ▪ Bid documents are more easily available to the local community at these offices. ▪ Bidders can attend advisory sessions without any cost ▪ The National Office does not have the capacity to handle bids of this magnitude. <p>Although invited by the Regional Offices, bids exceeding the amount of R5 000 000-00 are still referred to the National Bid Committee for consideration and approval.</p>
2.2	Purchasing of perishable provisions to an unlimited value per price quotation in cases where the internal source of supply that normally produce this commodity, cannot supply the commodity, and if it is impractical to invite competitive bids.	<p>During the arrangement of contracts for perishable provisions for the various Area Commissioners/Correctional Centres, certain Area Commissioners/Correctional Centres, where the requirements for example meat, vegetables and eggs, are produced and provided internally at prison farms, are excluded.</p> <p>As a result of unforeseen circumstances for example, continuous increase in prison population, drought conditions, failure of crops, mortalities of livestock, etc., it sometimes occurs that prison farms cannot generally provide self-produced products to prisons for certain periods.</p> <p>Since the periods for which the prison farms cannot provide supplies, varies between one (1) and three (3) months, it is impractical to arrange contracts for such short periods in accordance with the prescribed bidding process.</p> <p>In view of the afore-mentioned, price quotations should be invited by those Area Commissioners/ Correctional Centres for whom contracts have not been arranged, irrespective the limit per case, in cases where self produced products cannot be provided for periods shorter than three (3) months.</p> <p>In cases where the internal provisioning of self-produced products cannot be provided for periods longer than three (3) months, contracts will be arranged in accordance with the prescribed bidding procedures.</p>

SPECIFIC DELEGATED POWERS : REASONS FOR DEVIATING FROM INVITING COMPETITIVE BIDS

DELEGATION NUMBER	DESCRIPTION	REASON
2.3	Purchases to an unlimited value per quotation outside contract as a result of unsatisfactory performance by suppliers of perishable provisions, until a new contract is arranged.	<p>Perishable provision contracts for prisons in this Department were predominantly awarded to upcoming Entrepreneurs out of the historically disadvantaged group.</p> <p>These companies, who are not always acquainted with the practice of business, sometimes experience execution problems and are left in breach of contract.</p> <p>When delivery cannot be effected, commodities necessary for daily rations of prisoners have to be purchased per price quotation in order to ensure continuity. The value to procure the requirement often exceeds R100 000-00 per case per month, especially at larger Area Commissioners/ Correctional Centres.</p> <p>In view of the above-mentioned, specific powers are an absolute necessity to purchase perishable provisions per price quotations to an unlimited value in cases where a buy-out transaction is in process and a new contract has not been finalised yet.</p>
2.4	Purchases per price quotation up to a value of R1 500 000-00 per case outside contract when a transversal contract/general period contract has not been renewed timeously, for the amounts exceeding R100 000-00 per case.	<p>It happens continuously that transversal contracts/general period contracts are not renewed timeously, whether by the Common Service Provider or other institutions. As a result, for the interim, specific commodities (foodsstuff, animal feed, fertilizer, etc.) must be purchased accordingly within delegated powers (R100 000-00 per case) in accordance with price quotations.</p> <p>Seeing that R100 000-00 is not in all cases sufficient to satisfy the need, it is not practical and cost-effective to handle these needs for goods, works or services within the R100 000-00 limit.</p>
2.5	Repair of technical equipment of which the defect is not known to the value of R200 000-00 per case by inviting price quotations only from the manufacturer, his agent or a qualified institution on the list of prospective suppliers.	<p>Various problems are experienced in practice when price quotations need to be invited for the repair of technical equipment such as television sets, water pumps, large machinery, etc. Should the normal procedures be followed, the following problems will be experienced :</p> <ul style="list-style-type: none"> When equipment is defective, full particulars of the defect are normally not known and competitive price quotations/bids cannot be invited. As a result it is necessary to take the item to various possible suppliers, who need to take the item apart in order to determine the defect, put the item back together, after which the repair cost can be determined. All these actions normally take place at a cost. <p>In order to ensure competitiveness, and to remain within the parameters of the prescripts, the item also needs to be taken to other possible suppliers, with the involved transport cost, where the process needs to be repeated.</p>

SPECIFIC DELEGATED POWERS : REASONS FOR DEVIATING FROM INVITING COMPETITIVE BIDS

DELEGATION NUMBER	DESCRIPTION	REASON
		<p>After the afore-mentioned process has been completed, a lot of time will have lapsed and cost incurred.</p> <p>In view of the afore-mentioned, it is evident that this is a cumbersome process and definitely not cost-effective and at time impractical to execute. It is also impractical to invite competitive bids.</p>
2.6	<u>Purchasing of breeding animals up to a financial limit of R100 000-00 per case</u>	
2.6.1	Production Auctions	It happens from time to time that the Departmental Agriculturist request to procure especial breeding animals on production auctions. As a result, a Departmental Agriculturist is delegated to bid on identified breeding animals on behalf of the Department. It is therefore impossible to invite bids in accordance with the prescribed bidding process.
2.6.2	Dogs and breeding animals that are not available at production auctions	The requirement sometimes exists to procure breeding animals and dogs (patrol dogs) that need to comply with certain requirements. Seeing that it is impractical to invite competitive price quotations/bids, the Agriculturist will beforehand make a survey of the available breeding animals/dogs that comply with the requirements. After making a decision on which supplier the animals will be procured from, the transaction is formatted by means of a price quotation in which the supplier commits himself to the General Conditions of Contract.
2.7	Purchasing of medicament up to R100 000-00 per month (each month must be viewed as a case) from wholesalers registered on the list of prospective suppliers without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.	Notwithstanding the fact that the department procure medicine in accordance with transversal contracts at the larger Area Commissioners and take this medicine into stock (departmental pharmacies for issuance to inmates), it sometimes happens that an inmate urgently needs medicament that is normally not kept in stock or is not in stock at that specific moment. Seeing that immediate dispensing is necessary, there is not sufficient time to invite price quotations and is it also impractical and not cost-effective to issue an order for a single item. In order not to favour one supplier, to avoid prejudice against other suppliers and to receive maximum advantage, suppliers are used on a rotation basis without the invitation of price quotations.
2.8	Purchasing of medicament for prisoners per prescription without inviting price quotations up to R100 000-00 per month (each month must be viewed as a case)	No departmental pharmacies are situated at the smaller Correctional Centres. With the result that should a doctor issue the inmate with a prescription, such medicine needs to be obtained from another source. Seeing that this department is not aware of what will be prescribed, price quotations cannot be invited prescriptively beforehand, and medicine needs to be issued to the inmate immediately. It is therefore impractical to invite price quotations and not cost-effective to issue an order for each prescription. The pharmacies within the area that are listed on the list of prospective suppliers will be used on a rotation basis in order not to favour any pharmacy.

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 17 (3) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000), I LINDA MORRIS MTI, COMMISSIONER OF CORRECTIONAL SERVICES, APPOINTED AS INFORMATION OFFICER IN TERMS OF THE ACT HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

- (a) The Information Officer (the Commissioner) has direction and control over every Deputy Information Officer.
- (b) Any delegation does not prohibit the Information officer (Commissioner) from exercising the power concerned or performing the duty concerned himself or herself.
- (c) Any delegation may at any time be withdrawn or amended in writing by the Information Officer.
- (d) Any right or privilege acquired, or any obligation or liability incurred, as a result of a decision in terms of a delegation of this Act is not affected by any subsequent withdrawal or amendment of that decision.
- (e) The delegation indicated hereunder, remains in force should a section of the Promotion of Access Act be renumbered in terms of an amendment, precluding any amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
- (f) The exercise of a delegated authority is at all times subject to the provisions of the Correctional Services Act and Regulations, the Departmental Orders and any directives issued in this regard; and;
- (g) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
Section 9	<p>9 Objects of Act</p> <p>The objects of this Act are-</p> <p>(a) to give effect to the constitutional right of access to-</p> <p>(i) any information held by the State; and</p> <p>(ii) any information that is held by another person and that is</p>	

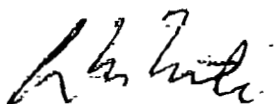

LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
	<p>required for the exercise or protection of any rights;</p> <p>(b) to give effect to that right-</p> <p>(i) subject to justifiable limitations, including, but not limited to, limitations aimed at the reasonable protection of privacy, commercial confidentiality and effective, efficient and good governance; and</p> <p>(ii) in a manner which balances that right with any other rights, including the rights in the Bill of Rights in Chapter 2 of the Constitution;</p> <p>(c) to give effect to the constitutional obligations of the State of promoting a human rights culture and social justice, by including public bodies in the definition of 'requester', allowing them, amongst others, to access information from private bodies upon compliance with the four requirements in this Act, including an additional obligation for certain public bodies in certain instances to act in the public interest;</p> <p>(d) to establish voluntary and mandatory mechanisms or procedures to give effect to that right in a manner which enables persons to obtain access to records of public and private bodies as swiftly, inexpensively and effortlessly as reasonably possible; and</p> <p>(e) generally, to promote transparency, accountability and effective governance of all public and private bodies by, including, but not limited to, empowering and educating everyone-</p>	

<u>STATUTORY PROVISION</u>	<u>AUTHORITY DELEGATED</u>	<u>LEVEL OF DELEGATION</u>
	<p>(i) to understand their rights in terms of this Act in order to exercise their rights in relation to public and private bodies;</p> <p>(ii) to understand the functions and operation of public bodies; and</p> <p>(iii) to effectively scrutinise, and participate in, decision-making by public bodies that affects their rights.</p> <p><u>All authority and competencies provided for in terms of the Promotion of Access to Information Act 2 of 2000</u></p>	<p>Dir. Legal Services and all Legal administration officers (All Deputy Information officers)</p>



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2006

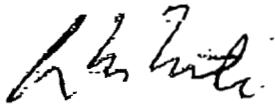
ASSIGNMENT IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

By virtue of the authority vested in me in terms of section 16 (2) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended, I Linda Morris Mti, Commissioner of Correctional Services, hereby assign the duties imposed on me in terms of the Occupational Health and Safety Act, to the person serving in the posts as indicated below. The assignment is to the person occupying the relevant post and will include a person serving in that post in an acting capacity:

Please note:

- (a) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (b) "Correctional centre" means "prison" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (c) "Offender" means "prisoner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998)
- (d) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
- (e) The following abbreviations are used:

CO	=	Correctional Officer
SCO	=	Senior Correctional Officer
ASD	=	Assistant Director
DIR	=	Director
DC	=	Deputy Commissioner
CDC	=	Chief Deputy Commissioner
HO	=	Head Office



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE

29/7/2006

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
8 (1)	<p>Provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees:</p> <p>A Draft Policy and coordinate application thereof.</p> <p>B Functional provision and maintenance of working environment that is safe and without risk.</p>	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>
8 (2) (a)	Provisioning and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u></p>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		<p>Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>
8 (2) (b)	Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
8 (2) (c)	Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances.	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>
8 (2) (d)	Establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery, which is used in the Department, and as far as is reasonably practicable further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
	persons, and to provide the necessary means to apply such precautionary measures.	<u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
8 (2) (e)	Providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety of employees at work.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
8 (2) (f)	As far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in items prescribed, have been taken.	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>
8 (2) (g)	Taking all necessary measures to ensure that the requirements of the Occupational Health and Safety Act are complied with by every person in the employment of the Department or on premises under departmental control where plant or machinery is used.	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		<u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
8 (2) (h)	Enforcing such measures as may be necessary in the interest of health and safety.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
8 (2) (i)	Ensuring that work is performed and that plant or machinery is used under the general	<u>A Policy:</u>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
	supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the Department are implemented.	<p>CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u> Regional Commissioner</p> <p><u>Head Office Level:</u> DD Auxiliary services</p>
8 (2) (j)	Causing all employees to be informed regarding the scope of their authority as contemplated in section 37 (1) (b) of the Occupational Health and Safety Act.	<p><u>A Policy:</u> CDC Corporate Services</p> <p><u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner</p> <p><u>Regional Level:</u></p>

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
9 (1)	Conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who are directly affected by his activities are not thereby exposed to hazards to their health or safety.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
12 (a)	Identify the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employees, and the steps to be taken to comply with the	<u>A Policy:</u> CDC Corporate Services

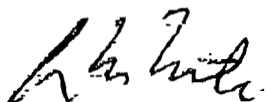
STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
	provisions of the Act.	<u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
12 (b)	As far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		<u>Head Office Level:</u> DD Auxiliary services
12 (c)	Carry out an Occupational Hygiene Programme and biological monitoring and subject such employees to medical surveillance.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
13	Duty to inform	<u>A Policy:</u> CDC Corporate Services

STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		<u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner <u>Head Office Level:</u> DD Auxiliary services
13 (a)	Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	<u>A Policy:</u> CDC Corporate Services <u>B Functional:</u> <u>Management Area Level:</u> Area Commissioner <u>Regional Level:</u> Regional Commissioner



STATUTORY PROVISION	AUTHORITY ASSIGNED	LEVEL OF EXECUTION
		<u>Head Office Level:</u> DD Auxiliary services



LINDA MORRIS MTI

COMMISSIONER: CORRECTIONAL SERVICES

DATE: 29/7/2006