

<u>TREASURARY REGULATIONS T.R</u>	<u>AUTHORITY DELEGATED OR ASSIGNED</u>	<u>LEVEL OF EXECUTION</u>	<u>NOTES</u>
	<b>Part Five: Assets and Liabilities Management</b>		
	<b>Chapter Thirteen: Loans, guarantees and other commitments</b>		
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

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		<u>Head Office Level:</u> ♦ Chief Financial Officer	the information to be included in the Annual Report
	<b>Part Five: Assets and Liabilities Management</b> <b>Chapter Fourteen: Money and Property Held in Trust</b>		
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

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	(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	
	<b>Part Six: Frameworks</b>  <b>Chapter Fifteen: Banking, Cash Management and Investment</b>		
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>	

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		♦ 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	

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		<b><u>Head Office Level:</u></b> ♦ 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.	<b><u>Management Area Level:</u></b> ❖ None  <b><u>Regional Level:</u></b> None  <b><u>Head Office Level:</u></b> ♦ 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.	<b><u>Management Area Level:</u></b> ❖ Area Commissioner  <b><u>Regional Level:</u></b> Deputy Regional Commissioner  <b><u>Head Office Level:</u></b> ♦ Office of the Minister: DC Ministerial Services ♦ Office of the Inspecting Judge: Secretary of	

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		<b>Judicial Inspectorate</b> ♦ <b>DD Auxiliary Services</b> ♦ <b>Heads of Training Colleges</b>	
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>	<b><u>Management Area Level:</u></b> ❖ None  <b><u>Regional Level:</u></b> None  <b><u>Head Office Level:</u></b> ♦ <b>Director Financial Administration</b>	

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	<ul style="list-style-type: none"> <li>approve electronic payments.</li> </ul> <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"> <li>❖ Area Commissioners</li> </ul> <p><u>Regional Level:</u></p> <p>Regional Commissioner</p> <p><u>Head Office Level:</u></p> <ul style="list-style-type: none"> <li>♦ Director of Function</li> </ul>	
	<p><b>Part Six: Frameworks</b></p> <p><b>Chapter Sixteen: Public-Private Partnership</b></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"> <li>❖ None</li> </ul> <p><u>Regional Level:</u></p> <p>None</p>	

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		<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	



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	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.	<b>Head Office Level:</b> ♦ 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.	<b>Management Area Level:</b> ❖ None  <b>Regional Level:</b> None  <b>Head Office Level:</b> ♦ 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.	<b>Management Area Level:</b>	

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		❖ None  <u>Regional Level:</u> None  <u>Head Office Level:</u> ♦ Chief Financial Officer	
	<b>Part Seven: Accounting and Reporting Requirements</b>  <b>Chapter Seventeen: Basic Accounting Records and Related Issues</b>		
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

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	<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
	<b>Part Seven: Accounting and Reporting Requirements</b>  <b>Chapter Eighteen: Monthly and Annual Reports</b>		
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	

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		<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

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		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
	<b>Part Eight: Miscellaneous</b>		
	<b>Chapter Nineteen: Trading Entities</b>		
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	

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		<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	

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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	

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	<b>Part Eight: Miscellaneous</b>  <b>Chapter Twenty: Commissions and Committees of Inquiry</b>		
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	



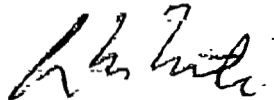
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	<p><b>Part Eight: Miscellaneous</b></p> <p><b>Chapter Twenty-One: Gifts, Donations and Sponsorships</b></p>		
21.1.1	<p>Granting of gifts, donations and sponsorships by the state</p> <p>The assigned officials may approve gifts and donations and sponsorships 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>	

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		<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

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	(c) Amount exceeding R50 000 per case.	<b>Management Area Level:</b> ❖ None  <b>Regional Level:</b> None  <b>Head Office Level:</b> ♦ 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.	<b>Management Area Level:</b> ❖ None  <b>Regional Level:</b> None  <b>Head Office Level:</b> ♦ Chief Financial Officer	
	<b>Part Eight: Miscellaneous</b>  <b>Chapter Twenty-Two: Payments, Refunds and Remissions as an Act of Grace</b>		
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.	<b>Management Area Level:</b> ❖ None  <b>Regional Level:</b> None	

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		<u>Head Office Level:</u> ♦ Chief Financial Officer	
	<b>Part Eight: Miscellaneous</b>  <b>Chapter Twenty-three: Government Payroll Deductions</b>		
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	

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	<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

<b>1.</b>	<b>INTRODUCTION</b>
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	<b>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.</b>

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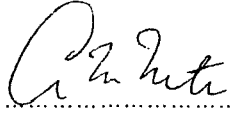


## DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

### PROCUREMENT AND PROVISIONING OF GOODS, WORKS AND SERVICES

2.	<b><u>TERMINOLOGY</u></b>
2.1	<p><b><u>Case</u></b></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><b>Note:</b> 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><b><u>Price quotation</u></b></p> <p>A verbal/written offer, which is not necessarily subject to the General Conditions of Contract (GCC).</p>
2.3	<p><b><u>Bid</u></b></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><b><u>Bidder</u></b></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><b><u>Contract</u></b></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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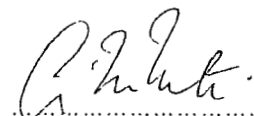
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# DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

## 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><b>National Bid Committee</b></u></p> <p>The National Bid Committee of the department must at least consist of the following :</p> <ul style="list-style-type: none"> <li>- Chairperson appointed by the Accounting Officer, with the rank of Chief Deputy Commissioner.</li> <li>- Three other members of whom at least one is a Supply Chain Management Practitioner.</li> </ul> <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><b>Sub-Bid Committees</b></u></p> <p>The Sub-Bid Committees of the department must at least consist of the following :</p> <ul style="list-style-type: none"> <li>- Chairperson appointed by the Accounting Officer, with the rank of at least a Director.</li> <li>- Three other members of whom at least one is a Supply Chain Management Practitioner.</li> </ul> <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><b>Note:</b> 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>

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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	<b>INVITATION AND ACCEPTANCE OF PRICE QUOTATIONS UP TO THE VALUE OF R100 000-00.</b>			
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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## 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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## 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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### 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"> <li>o The PPPFA and its Regulations must be applicable.</li> <li>o Utilization of Evaluation criteria as approved by the National Bid Committee.</li> <li>o Functional approval by the relevant Head Correctional Centre/Area Commissioner/relevant Director at Regional Office or at Head Office</li> <li>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.</li> <li>o On instruction of South Africa Revenue Services, a copy of the Tax Clearance Certificate of the successful quoter must be submitted to them.</li> </ul>			

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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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4.	<b>INVITATION OF BIDS (Exceeding R100 000-00 per case)</b>			
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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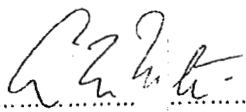
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# DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

## 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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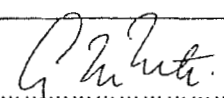
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## DELEGATED POWERS OF THE DEPARTMENT OF CORRECTIONAL SERVICES

## 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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# 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
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.  <b>NOTE : A supply, service or sale may not be purposely sub-divided in order to bring the estimated value within the limit.</b>			
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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<b>5.</b>	<b>CONSIDERATION AND ACCEPTANCE OF BIDS (Exceeding R100 000-00 per case)</b>			
<b>5.1</b>	<i>The consideration and acceptance of bids comprises, where applicable</i>			
<b>5.1.1</b>	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
<b>5.1.2.</b>	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
<b>5.1.3</b>	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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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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