

BOARD NOTICE 94 OF 2005**PAN SOUTH AFRICAN LANGUAGE BOARD ACT, 1995****NORMS AND RULES FOR NATIONAL LANGUAGE BODIES**

WHEREAS the Pan South African Language Board published Norms and Rules in Government Gazette No. 21907 of 22 December 2000 to ensure that National Language Bodies are established primarily as language development agencies with specific emphasis on standardisation in respect of all official languages; and

WHEREAS a need has arisen for the Norms and Rules to be revised to bring them in line with recent developments within the operations of the Board and to address other incidental matters:

The Norms and Rules hereunder are now published to replace the Norms and Rules published in Government Gazette No. 21907 of 22 December 2000 with effect from 1 September 2005, subject to the proviso that :

- (a) Rules 5(1), 5(4) and 5(5) become effective from the end of the term of the current National Language Body;**
- (b) Rule 8 becomes effective from 1 April 2006; and**
- (c) Rules 10(1)(c) and 10(1)(d) become effective from the end of the term of the current National Language Body with any affected incumbent having to make a choice on the structure(s) where his/her membership would be crucial should the necessary nomination be obtained.**

Considering that –

- (a)** the Board wished to ensure that National Language Bodies are established primarily as language development agencies with specific emphasis on standardisation in respect of all official languages; and
- (b)** the Board wishes to clarify the relationship between National Language Bodies, Provincial Language Committees and National Lexicography Units:

the following notice on the Norms and Rules regulating National Language Bodies is hereby published for general information, and applies to the following structures established in accordance with Section 8(8)(b) of the Pan South African Language Board Act, 1995 (as amended)–

Afrikaans National Language Body;
English National Language Body;

IsiNdebele National Language Body;
IsiXhosa National Language Body;
IsiZulu National Language Body;
Khoe and San National Language Body;
National Language Body for Heritage Languages;
South African Sign Language National Language Body;
Sesotho National Language Body;
Sesotho sa Leboa National Language Body;
Setswana National Language Body;
SiSwati National Language Body;
Tshivenda National Language Body; and
Xitsonga National Language Body.

ARRANGEMENT**Rule No.**

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DEFINITIONS

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

“Board” means the Pan South African Language Board established in terms of section 2 of the Pan South African Language Board Act, **1995**, (Act **59** of **1995**);

“Chairperson” means the chairperson of the National Language Body concerned:

“Chief Executive Officer” means the Chief Executive Officer of the Pan South African Language Board appointed in terms of section **10** of the Pan South African Language Board Act, **1995**, (Act **59** of **1995**);

“National Language Body” means a National Language Body established by notice in the Government Gazette in terms of section 8(8)(b) of the Pan South African Language Board Act, **1995**, (Act **59** of **1995**);

“National Lexicography Unit” means a National Lexicography Unit established in terms of section 8(8)(c) of the Pan South African Language Board Act, **1995**, (Act **59** of **1995**);

“Provincial Language Committee” means a Provincial Language Committee established by notice in the Government Gazette in terms of section 8(8)(a) of the Pan South African Language Board Act, 1995, (Act 59 of 1995); and

“Rule” means any rule contained in this Notice.

COMPOSITION

2. (1) A National Language Body shall consist of a minimum of 13 and not more than twenty *two* (22) persons, who, unless the Board expressly approves otherwise, fulfill the following criteria –
- (a) have specialist and extensive knowledge in respect of the language concerned;
 - (b) have passion and commitment for and contribute to language development; and
 - (c) are first (home) language speakers and/or users of that language.
- (2) Not more than two of the members of every National Language Body shall represent the Provincial Language Committee ~~of~~ the province where the language concerned is spoken.
- (3) Two of the members of every National Language Body shall represent the National Lexicography Unit ~~of~~ the language concerned, subject to the proviso that one of the *two* members shall be the Editor-in-Chief.
- (4) Every National Language Body shall reflect geographical and gender representation.

CONDITIONS OF MEMBERSHIP

3. (1) When a person becomes a member of a National Language Body, the Board shall recognise that member by notice in the Government Gazette.
- (2) No member shall serve on a National Language Body ~~on~~ a full-time basis.
- (3) No member of a National Language Body shall be eligible for grants from the Board in their personal capacity, during their term of office within the National Language Body concerned.

APPOINTMENT OF MEMBERS

4. (1) A person's appointment ~~as~~ a member of the National Language Body shall be made in accordance with the following procedure:
- (a) An ad hoc committee of the Board shall invite the general public to nominate persons for appointment ~~as~~ members of the National Language Body.
 - (b) The ad hoc committee shall in a consensus-seeking manner
 - (i) from the nominations received compile a short-list ~~of~~ candidates with due regard to the provisions of Rule 2 provided that no short-list with more than 35 candidates shall be compiled:
 - (ii) interview, in a public and transparent manner, each of the candidates whose names appear on the short-list: and
 - (iii) compile and forward to the Board a final short-list with due regard to the provisions of Rule 2 provided that no final short-list of more than 25 candidates shall be compiled.
 - (c) The Board shall publish the short-list of the proposed members for public comment.
 - (d) After due consideration of the recommendations of the ad hoc committee and handling of any public comments received, the Board shall appoint the members of the National Language Body from the number of the persons whose names appear on the short-list mentioned in paragraph (b)(iii).
- (2) When a person has been duly appointed ~~as~~ a member of a National Language Body, the Board shall recognise that member by notice in the Government Gazette.
- (3) Any member of the public may, with good reason, object in writing to the nomination or appointment of any person to serve on a National Language Body.
- (4) The Board may terminate the membership of any person appointed in terms of this section -
- (a) if the Board is satisfied that such a person no longer complies with any of the requirements of Rule 2
 - (b) if such a person has requested the Board in writing to terminate his or her appointment; or

- (c) when such a person has been absent from more than three consecutive meetings of the National Language Body without valid reason.
- (5) The Board shall, at least six months prior to the day on which the five-year term of office of the serving members of a National Language Body expires, initiate the process referred to in Rule 4(1) for the appointment of new members of the National Language Body.
- (6) The Board may, if it deems it advisable, at least three months prior to the day on which the five-year term of office of the serving members of a National Language Body expires, extend their term of office by such period as the Board may specify but such period shall not exceed twelve (12) calendar months.

TERM OF OFFICE OF MEMBERS AND OFFICE BEARERS

- 5. (1) A member of a National Language Body shall hold office for a term of five (5) years and upon expiry of this term, the member shall be eligible for reappointment for one further term only.
- (2) If the office of a member of the National Language Body becomes vacant before the expiry of the period for which he or she was appointed, the Board may, subject to Rule 2, appoint another person to hold office for the remaining portion of his or her predecessor's term of office.
- (3) The Board shall give notice in the Government Gazette of the appointment of a member of the National Language Body and the date of his or her appointment and, in the case of a member appointed to fill a vacancy on the National Language Body, the period for which he or she is appointed.
- (4) The chairperson and the vice-chairperson shall hold office for a term of three years: provided that such chairperson and vice-chairperson shall be eligible for re-election for one further term only.
- (5) The convenors of Technical Committees shall hold office for a term of three years: provided that such convenors shall be eligible for re-election for one further term only.

ELECTION OF OFFICE BEARERS

- 6. (1) The members of the National Language Body shall, at their first meeting and thereafter when the need arises, with the Chief Executive Officer or his or her nominee presiding, elect one

amongst their number to be chairperson and another one to be vice-chairperson.

- (2) If the chairperson is absent from a meeting of a National Language Body, the vice-chairperson shall preside at that meeting and if both the chairperson and the vice-chairperson are absent from a meeting, the members present shall elect one person amongst their number to preside at that meeting.
- (3) The vice-chairperson or the person elected to preside, when acting as chairperson as contemplated in sub-rule (2), shall have all the powers and duties of the chairperson.
- (4) The office of chairperson or vice-chairperson shall become vacant
 - (a) at the expiry of the incumbent's term of office as chairperson or vice-chairperson;
 - (b) when the incumbent tenders his or her resignation as chairperson or vice-chairperson in writing;
 - (c) when the incumbent ceases to be a member of the National Language Body; or
 - (d) when a resolution to that effect is passed by the National Language Body.
- (5) The election of a new chairperson or vice-chairperson shall, in the case of a vacancy arising as contemplated in paragraphs 4(a), (b), (c) and (d), be conducted by the Chief Executive Officer or his or her nominee.
- (6) The members of a Technical Committee shall, at their first meeting and thereafter when the need arises, elect a convenor from amongst their number.
- (7) A member of one Technical Committee shall oversee the election of a convenor of another Technical Committee.

EXECUTIVE COMMITTEE

- 7. (1) The Chairperson, Vice Chairperson and the Convenors of the various Technical Committees shall constitute the Executive Committee of the National Language Body concerned.
- (2) The Executive Committee of the National Language Body shall meet twice a year or when necessary to:
 - (a) execute any urgent task on behalf of the National Language Body.

- (b) prepare for the meetings of the National Language Body and the respective Technical Committees;
- (c) prepare and finalise the annual report of the National Language Body.

CHAIRPERSONS' FORUM

- 8, (1) The Chairpersons of the various National Language Bodies shall constitute a Chairpersons' Forum and shall elect one amongst their number to be chairperson and another one to be vice-chairperson of the Chairpersons' Forum.
- (2) The Chairpersons' Forum shall meet twice a year or when necessary to discuss matters of mutual interest relating to their respective National Language Bodies.

FILLING OF VACANCIES

9. (1) Any vacancy on a National Language Body or a Technical Committee shall be filled with nominations previously received in respect of that term, and the appointee shall hold office for the remaining portion of the period for which the member who has vacated the office was appointed, with due regard to the field of expertise required.
- (2) If an insufficient number of nominations was received to fill the vacant seat, the seat shall be filled in the manner in which the member who has vacated the office was required to be appointed, and any member so appointed shall hold office for the remaining portion of the period for which the member who has vacated the office was appointed.

TERMINATION OF MEMBERSHIP

10. (1) The Board shall terminate membership by notice in the Government Gazette of any member of a National Language Body as soon as it becomes aware that the member concerned –
- (a) is or has been convicted, whether in the Republic or elsewhere, of theft, fraud, forgery, uttering a forged statement, perjury, corruption or any offence involving dishonesty;
 - (b) is or becomes a political office bearer;
 - (c) is or becomes a member of the Board or any of its Provincial Language Committees and/or National Lexicography Units unless such membership arises as a result of secondment and provided that it does not result in direct membership of more than two structures.

- (d) is or becomes a member of the administrative staff of the Board;
 - (e) is or becomes an unrehabilitated insolvent or commits an act of insolvency;
 - (f) is or has been removed from an office of trust on account of misconduct;
 - (g) is or has been declared by a competent court to be of unsound mind;
 - (h) fails or has failed in material respects to execute his or her duties as set out in these Norms and Rules;
 - (i) is guilty of conduct that brings the Board or the National Language Body concerned into disrepute;
 - (j) failed to attend three (3) consecutive meetings and/or activities of a National Language Body or any of its Technical Committees without valid reasons being provided and prior written notification to the Chairperson or Convenor of a Technical Committee as noted in the minutes of those meetings: or
 - (k) has been or becomes unable to perform his or her functions of office effectively due to ill-health continuing for longer than six (6) months.
- (2) The Board may not terminate membership of any member, unless that member has had a reasonable opportunity to make a submission to the Board in respect of any allegation based on Rule 10(1).
- (3) The Board may terminate the membership of any person -
- (a) if the Board is satisfied that such a person no longer complies with any of the requirements for membership as set out in Rule 2 or
 - (b) if such a person has requested the Board in writing to terminate his or her appointment.

POWERS AND FUNCTIONS OF NATIONAL LANGUAGE BODIES

11. (1) In order to enable the Board to make or publish a report, findings, point of view, advice or recommendations on any matter in or affecting a particular language, the advice of the National Language Body may be sought concerning -
- [a] language standards, dictionaries, terminology and literature, where applicable; and
 - (b) language promotion, development and maintenance.
- (2) A National Language Body shall supply the Board with written advice on matters contemplated in rule 8(1) within six (6) weeks of

receipt of a request for advice and approval of a meeting by the Chief Executive Officer.

- (3) A National Language Body shall initiate advice to the Board in the form of written recommendations aimed at empowering, promoting and developing languages.
- (4) A National Language Body shall be the final quality control authority on all matters pertaining to language including the standardisation, orthography, the production of signs and spelling rules of the language concerned.
- (5) A National Language Body shall have the power:
 - (a) to authenticate learning support materials for use in the General Education and Training (GET) as well as the Further Education and Training (FET) bands in schools in consultation with the Department of Education;
 - (b) to appoint Technical Committees and Task Teams to assist them in carrying out their functions and to achieve their strategic objectives;
 - (c) to liaise and partner with any other person(s) or organisations to further the aims of the National Language Body or the Pan South African Language Board;
 - (d) to review any product published in the language on which the National Language Body has jurisdiction; and
 - (e) to initiate projects aimed at language development.

POWERS AND FUNCTIONS OF TECHNICAL COMMITTEES

12. (1) Every National Language Body shall have various Technical Committees to fulfill functions in the following areas –
- (a) standardisation;
 - (b) lexicography;
 - (c) terminology;
 - (d) literature;
 - (e) language in education; and
 - (f) any other area considered necessary by the National Language Body concerned.
- (2) Each Technical Committee shall be constituted from among the membership of the National Language Body concerned and shall appoint one member to be the convenor.
- (3) Each Technical Committee may co-opt members from outside the membership of the National Language Body concerned and such

co-option shall be subject to approval and on terms to be stipulated by the Board.

- (4) The establishment of Technical Committees shall be subject to Board approval.
- (5) Where it exists or has been established, the Technical Committee for Standardisation shall advise the National Language Body on -
 - (a) standardisation of spelling and orthography:
 - (b) generation of standards in all the functions of the language; and
 - (c) popularisation of the standards generated.
- (6) The Terminology Committee, where established, shall advise the National Language Body on -
 - (a) the development and authentication of new terminology:
 - (b) stabilisation of new terminology:
 - (c) popularisation of new terminology:
 - (d) management of terminology in conjunction with the National Department of Arts and Culture:
- (7) The Literature Committee, where established, shall advise the National Language Body on -
 - (a) strategies to develop and promote literature:
 - (b) the acceleration of the publication of literature: and
 - (c) the evaluation and screening of literature in conjunction with the National and Provincial Departments of Education.
- (8) The Lexicography Committee, where established, shall advise the National Language **Body** on a variety of dictionary products in consultation with existing National Lexicography Units.
- (9) The Language in Education Committee, where established, shall advise the National Language Body on -
 - (a) the recommendation of appropriate learning support material:
 - (b) the review and approval of learning support-material in conjunction with the National and Provincial Departments of Education;
 - (c) the promotion and encouragement of the use of mother-tongue in schools; and
 - (d) the development and monitoring of the language in education policy.

- (10) In those communities where a body of proven ability and record already exists and performs any of the functions contemplated in Rule 12(1) to the satisfaction of the Board and the National Language Body concerned, the Board shall recognise that body as the body responsible for that specific function.

MEETINGS AND MEETING PROCEDURES

13. (1) A National Language Body shall meet not less than four times a year on a quarterly basis and shall spend an average of three days per meeting; provided that the Chief Executive Officer's approval shall be obtained before any meeting is held.
- (2) The chairperson shall call meetings and shall determine the time and place for every meeting except for the first meeting after the establishment of the National Language Body, which shall be at the time and place determined by the Chief Executive Officer.
- (3) A National Language Body shall hold a special meeting if the Chief Executive Officer has approved of such a meeting.
- (4) The chairperson of a National Language Body shall, upon a request signed by no less than a third of the members of the National Language Body, call a special meeting to be held within 30 days after the date of receipt of such request in consultation with the Chief Executive Officer.
- (5) The Board may designate one of its members or its staff members to attend and participate in a meeting of a National Language Body, but such an attendant will not have the right to vote.
- (6) A quorum for a meeting of a National Language Body shall be a simple majority of its members.
- (7) Any decision of a National Language Body shall be taken by resolution of the majority of its members present at a meeting and, in the event of an equality of votes on any matter, the person presiding at the meeting in question shall have a casting vote in addition to his or her deliberative vote as a member.
- (8) A National Language Body shall determine the procedure in respect of its meetings.
- (9) Each meeting of a National Language Body shall be preceded by meetings of the various technical committees called by the respective convenors.

ADMINISTRATIVE AND OTHER SERVICES

14. (1) The Board shall designate a person to render administrative support to the meetings of the National Language Body, which support includes, but is not limited to -
- (i) inviting members to an approved meeting;
 - (ii) keeping minutes of every meeting that takes place;
 - (iii) keeping copies of reports and records of expenditure; and
 - (iv) making available to members of the National Language Body and the Board minutes, reports and records.
- (2) Every Technical Committee shall appoint a scribe amongst themselves to assist the Committee with its administrative functions.

REPORTS

15. (1) The chairperson of the National Language Body is responsible for submitting reports on behalf of a National Language Body to the Board whenever required to do so.
- (2) The chairperson may delegate his or her responsibility to compile reports but not the responsibility to submit reports.
- (3) The advice given by a National Language Body shall meet the requirements set by the Board from time to time.

COMMUNICATION AND RECORDS

16. (1) A National Language Body shall supply the Board -
- (i) with the minutes and reports of meetings held within the timeframe agreed upon between that National Language Body and the Chief Executive Officer; and
 - (ii) with records and reports of activities as the Board may require.
- (2) The Board shall keep -
- (i) a record of recommendations and advice emanating from every National Language Body; and
 - (ii) separate records of the advice received from each National Language Body.
- (3) The Board shall publish the rules on language development prepared by any Technical Committee and endorsed by the National Language Body concerned.

CONFLICT OF INTEREST

17. (1) If any member, next-of-kin, life partner or business associate of any member has any direct or indirect financial or other interest in any project of which the Board has provided funds, that member shall, immediately after that interest has come to his or her attention, disclose that interest and the extent in a written statement addressed to the chairperson concerned, who shall -
- (a) table that statement in the next consecutive meeting; and
 - (b) communicate such disclosure to the Board.
- (2) Any member of any National Language **Body** or the public, who has valid evidence that a decision taken by a National Language Body may lead to the personal or financial advancement of another member of that National Language Body or any other National Language Body concerned, shall disclose the interest and the extent thereof in a written statement addressed to the chairperson, who shall -
- (a) table that statement in the next consecutive meeting; and
 - (b) communicate such disclosure to the Board.
- (3) The Board may decide on steps that shall be taken in a case that has come under its attention in accordance with this Rule.

REMUNERATION AND ALLOWANCES

18. (1) A member of a National Language Body is entitled to a sitting allowance as determined by the Board for each meeting attended where the business of the National Language Body or the Board was carried out.
- (2) In addition to the sitting allowance referred to in Rule 15(1) above, a member of a National Language Body is entitled to claim travel, accommodation and incidental expenses incurred in the course of executing his or her duties as a member of the National Language Body.
- (3) Expenses of a personal nature will be for the account of the individual member of the National Language Body concerned and in case of uncertainty the decision of the Chief Executive Officer shall be final.

FUNDS AND FUNDRAISING

19. (1) The Board shall bear the reasonable costs incurred by a National Language Body or Technical Committee for the purposes of

arranging and holding a meeting, in booking a venue, catering, and the reasonable costs incurred by members for travelling, accommodation and subsistence: provided that the Chief Executive Officer has approved the expenses prior to their being incurred.

- (2) No reimbursement for approved expenses shall be arranged before the Board has received claim forms, minutes and reports of a meeting within the timeframes agreed upon in terms of rule 13(1)(i).
- (3) Subject to the approval of the Chief Executive Officer, a National Language Body shall be at liberty to engage in fundraising activities to augment the funds allocated by the Board for the activities of the National Language Body.
- (4) In the event of a National Language Body managing to raise funds as contemplated in sub-rule (3), such funds shall be utilised in accordance with the conditions, if any, imposed by the donor or contributor concerned and a report be submitted to the Board.
- (5) The National Language Body shall, subject to the approval of the Chief Executive Officer, have the powers to open a bank account with any recognised financial institution, and such account shall be conducted be in compliance with the Public Finance Management Act.

CO-OPERATION AND RELATIONSHIP WITH OTHER STRUCTURES

20. (1) A National Language Body shall strive to promote close co-operation between itself and any organ of state, person, body of persons or institution involved in the development and promotion of language.
- (2) A National Language Body may consult and work closely with any person or body of persons who has special knowledge of and experience in the language problems of South Africa, or who is in any way involved in the development and promotion of language.
- (3) A National Language Body shall ensure that it establishes and maintains working relations with, amongst others, -
 - (i) the Provincial Geographical Names Committee;
 - (ii) the National Geographical Names Council;
 - (iii) the Provincial and National Departments of Education;
 - (iv) the Provincial and National Departments of Arts and Culture;
 - (v) the Department of Justice and Constitutional Development;
 - (vi) the local government;

- (vii) the electronic and print media; and
- (vi) the National and Provincial Houses of Traditional Leaders.

RECOGNITION AND WITHDRAWAL OF RECOGNITION

21. (1) If a National Language Body fails in material respects to perform its functions as set out in these rules, the Board may withdraw its recognition of that National Language Body.
- (2) The Board shall not withdraw recognition of a National Language Body unless -
- (a) the Board has notified each member of the National Language Body concerned of the nature of the failure;
 - (b) the Chief Executive Officer has tabled a copy of the notification at a consecutive Board meeting; and
 - (c) the Chief Executive Officer has afforded the National Language Body a reasonable opportunity to make submissions to the Board in respect of that notification.
- (3) Upon dissolution of a National Language Body, the Board shall withdraw recognition thereof through publication of a notice to that effect in the Government Gazette
- (4) Should there be a body of proven ability and record already existing and performing any of the functions contemplated in Rules 11 and 12 to the satisfaction of the Board, the Board may recognise that body as the National Language Body for the language concerned.

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