

DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES**No. R. 829****7 October 2011****AMENDMENT OF PUBLIC SERVICE REGULATIONS, 2001: ESTABLISHMENT OF
ADVISORY BODY**

The Minister for the Public Service and Administration has, under section 41, read with section 3(3), of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), amended the Public Service Regulations, 2001 (published under Government Notice No. R.1 of 2001), as amended, as set out in the Schedule.

SCHEDULE

Chapter 7 is hereby inserted after Chapter 6 of the Public Service Regulations, 2001:

"CHAPTER 7**ADVISORY BODY ON PUBLIC SERVICE AND ADMINISTRATION****A. ESTABLISHMENT OF ADVISORY BODY**

A body to be known as an Advisory Body on Public Service and Administration (herein called "the Advisory Body") is hereby established.

B. FUNCTION OF ADVISORY BODY

- B.1** The Advisory Body shall advise the Minister on any matter mentioned in section 3(1)(a) to (i) of the Act as requested by the Minister from time to time and in such manner as the Minister directs.
- B.2** Any advice to the Minister must include the minority view of any member of the Advisory Body.
- B.3** The Advisory Body is an ad hoc body and its members shall serve in a part-time capacity.

C. COMPOSITION AND APPOINTMENT OF ADVISORY BODY

- C.1 The Advisory Body may consist of up to five persons appointed in writing by the Minister.
- C.2 The members of the Advisory Body shall be persons with knowledge or experience related to one or more matters mentioned in section 3(1)(a) to (i) of the Act.
- C.3 In appointing members to the Advisory Body, the Minister shall endeavour that the Advisory Body represents a broad cross-section of the population of South Africa and comprises of persons who reflect South African society.

D. DISQUALIFICATION OF MEMBERS OF ADVISORY BODY

A person may not be appointed as a member of the Advisory Body if he or she—

- (a) is not a citizen or a permanent resident of the Republic;
- (b) has been convicted of a criminal offence, whether in the Republic or elsewhere, and was sentenced to imprisonment without the option of a fine, unless it has been established that such a person was granted amnesty in respect of an offence of which he or she was convicted and such an offence was politically motivated; or
- (c) has been disqualified under any law from practising his or her profession.

E. TERM OF OFFICE AND VACATING OFFICE OF MEMBERS OF ADVISORY BODY

- E.1 The members of the Advisory Body shall hold office for a period of three years with effect from the date of their appointment.
- E.2 Members of the Advisory Body shall at the expiry of their term of office be eligible for reappointment for not more than one consecutive term.
- E.3 A member of the Advisory Body shall vacate his or her office if that member—
 - (a) has been absent from more than three consecutive meetings of the Advisory Body without the permission of the Chairperson or without a written apology;

- (b) is disqualified under any law from practising his or her profession;
- (c) submits his or her resignation in writing to the Minister; or
- (d) ceases to be a citizen or a permanent resident of the Republic.

E.4 If the Minister vacates office for any reason, a member of the Advisory Body shall vacate his or her office at the end of the first month after the month in which the Minister vacates office unless the new incumbent Minister determines that the member shall continue in office.

E.5 A member of the Advisory Body shall vacate his or her office if the Minister terminates his or her membership for a reason that is justified.

F. ALLOWANCES AND DISBURSEMENT TO MEMBERS OF ADVISORY BODY

A member of the Advisory Body, excluding a member who is in the employ of the State, shall be remunerated according to the scales determined by the National Treasury in terms of regulation 20.2.2 of the Treasury Regulations, effective 15 March 2005.

G. CHAIRPERSON OF ADVISORY BODY

G.1 The Minister shall from among the members appoint a chairperson.

G.2 The chairperson of the Advisory Body may resign as such without terminating his or her membership of the Advisory Body, in which case a new chairperson shall be appointed in terms of regulation G.1.

H. MEETINGS OF ADVISORY BODY

H.1 Following a request of the Minister in terms of regulation B.1, the Advisory Body shall meet as determined by the chairperson.

H.2 When the chairperson is absent or unable to perform his or her functions, the Minister must designate another member to act as chairperson. The member so acting is entitled to the remuneration applicable to the chairperson for the duration of the acting period.

- H.3 The Advisory Body must determine the procedure for calling meetings and the procedures to be followed at meetings.
- H.4 The majority of the members of the Advisory Body constitute a quorum for a meeting of the Advisory Body.

I. RESOURCES FOR ADVISORY BODY

- I.1 The Director-General of the Department of Public Service and Administration shall, in consultation with the Minister, designate employees in that Department to provide administrative services to the Advisory Body.
- I.2 If the Advisory Body requires professional services, the Director-General of the Department of Public Service and Administration may, with the approval of the Minister, designate employees in the Department to provide such services or, if unavailable, procure such services in accordance with applicable supply chain management prescripts.
- I.3 Subject to any law regulating access to information, the Department of Public Service and Administration, Public Administration Leadership and Management Academy and Centre for Public Service Innovation must provide the Advisory Body with such information the Advisory Body may require to perform its functions.
- I.4 The expenses of the Advisory Body shall be paid from the budget of the Department of Public Service and Administration and other funds received from other sources approved by the Minister.