

GOVERNMENT NOTICE

DEPARTMENT OF CORRECTIONAL SERVICES

No. R. 568

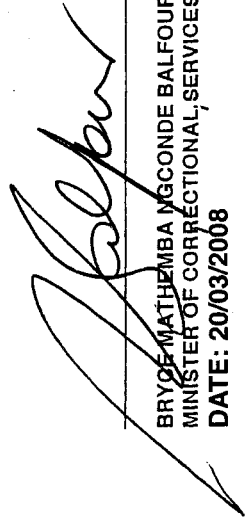
23 May 2008

- 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, PROVIDED THAT:
- 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 VIVIAN PATRICK PETERSEN, 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) "Regional Commissioner" means "Provincial Commissioner" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).
 (h) "Area Commissioner" means "Area Manager" as contemplated in section 1 of the Correctional Services Act, 1998 (Act 111 of 1998).



VIVIAN PATRICK PETERSEN
 COMMISSIONER OF CORRECTIONAL SERVICES
 DATE: 18/03/2008



BRYCE MATHEMBA NGCONDE BALFOUR
 MINISTER OF CORRECTIONAL SERVICES
 DATE: 20/03/2008

CORRECTIONAL SERVICES ACT, ACT NR 111 OF 1998 STATUTORY PROVISION Section 3 (5)(g)	AUTHORITY DELEGATED	LEVEL OF DELEGATION
	Appoint correctional official from:	
-	Level 2 – 10	Management Area Level Deputy Regional Commissioner Head Office Level DC HR Management
-	Level 11 – 12	Management Area Level Regional Commissioner Head Office Level Chief Deputy Commissioner
-	Level 13 – 14	Head Office Level Commissioner Minister
-	Level 15 – 16	Head Office Level Minister
	Appoint correctional official in an acting capacity from:	H/O & R/O (Director Relevant Directorate) Area Commissioner (Director level)
-	Level 2 – 12	
-	Level 13	DC/DRC (Relevant DC'S/ DRC)
-	Level 14	CDC/RCS (Relevant DC'S/ DRC)
-	Level 15	Commissioner
-	Level 16	Minister

Section 3 (5)(g)	Appoint temporary employees: - Level 2 – 7 - Level 8 – 10 - Level 11 – 12 - Level 13 – 14 - Level 15 – 16 - Periodical contract employees (Professionals)	Management Area Level Regional Head: Corporate Services Head Office Level Director, HR Administration and Utilization Management Area Level Deputy Regional Commissioner Head Office Level DC HR Management Management Area Level Regional Commissioner Head Office Level Chief Deputy Commissioner Head Office Level Commissioner Head Office Level Minister Management Area Level Head: Correctional Centre Area Coordinator: Corporate Services
Section 74 (2)(a), (b), (e) and (f)	Appoint Correctional Supervision and Parole Boards: - A Chairperson - A Vice-Chairperson - One official of the Department - Two members of the community Despite the provisions of paragraph (c), the Commissioner may, subject to the conditions prescribed by regulation, approve the appointment, transfer or promotion of persons to promote the basic values and principles referred to in Section 195(1) of the Constitution	Head Office Level Minister Management Area Level Regional Commissioner Regional Commissioner Regional Commissioner Deputy Director and lower: RC/CDC Corporate Services Director and higher: Commissioner
Section 96 (3)(d)	Approval of interim accommodation	Head Office Level Director: HR Administration and Utilization Management Area Level RH Corporate Services

Section 96 (3)(d)	Approval of pre-visits on state cost	<u>Head Office Level</u> Director: HR Administration and Utilization <u>Management Area Level</u> RH Corporate Services
Section 96 (3)(e)	Exempt a correctional officer 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: Level 2 – 10 Level 11 – 12 Level 13 – 14 Level 15 – 16	<u>Head Office Level</u> DC HR Management <u>Management Area Level</u> Deputy Regional Commissioner <u>Head Office Level</u> CDC Corporate Services <u>Management Area Level</u> Regional Commissioner <u>Head Office Level</u> Commissioner <u>Head Office Level</u> Minister

PUBLIC SERVICE REGULATIONS, 1999

STATUTORY PROVISION	AUTHORITY DELEGATED	LEVEL OF DELEGATION
Part V/D	An executing authority may compensate an employee for overtime work if - The employee does not belong to the SMS - There is a written policy on overtime - Prior approval was granted in writing for such performance of overtime - Except in exceptional cases, compensation must not exceed 30% of an employee's monthly income	Management Area Level Head: Correctional Centre (Weekend Overtime) Regional Commissioner Head Office Level CDC Corporate Services
Part V/E	Night Shift allowance	Management Area Level Head: Correctional Centre Head Office Level Head: Community Corrections
Part V/E	Standby Overtime	Management Area Level Regional Head: Corporate Services Head Office Level Director: HR Administration and Utilization
Part V/E	Night visits call out	Management Area Level Head: Correctional Centre
Part V/E	Payment of acting allowance Approval for extensions and acting two levels higher	Management Area Level Regional Head: Corporate Services Head Office Level Director: HR Administration and Utilization Management Area Level Regional Commissioner Head Office Level DC HR Management
Part V/F	A Head of Department shall- - Encourage an employee to fully utilize her or his vacation leave in the year earned; - Record all leave taken by an employee accurately and in full; and - Ensure that an employee does not abuse sick leave.	Application for all types of leave: Supervisor and next level Manager Leave without pay: 1-7 days: Management Area Level Head: Correctional Centre Area Coordinator: Corporate Services Regional Coordinator Head Office Level DD Auxiliary Support Services 8-29 days:

		<u>Management Area Level</u> Area Commissioner Regional Head: Corporate Services Head Office Level Director: HR Administration and Utilization 30 – 183 days: <u>Management Area Level</u> Deputy Regional Commissioner Head Office Level DC HR Management 184 + Only on approval of the DC HR Management <u>Management Area Level</u> Area Commissioner with recommendations from the Housing Committee
Part V/F	Official accommodation	
Part V/F	Subsistence and Travel Allowance	<u>Management Area Level</u> Area Commissioner Regional Coordinator: HR Management and Support Head Office Level Supervisor (DD and higher) <u>Management Area Level</u> Area Coordinator: Corporate Services Regional Coordinator: HR Management and Support Head Office Level DD Auxiliary Support Services Deputy Director and lower: <u>Management Area Level</u> Regional Commissioner Head Office Level CDC Corporate Services Director and higher: Nationally Commissioner
Part V/F	Housing Allowance	
Part VII/C.2.5	The executing authority may fill a vacant post without complying with Regulations VII C.2.3 and C.2.4 if: (a) The Department can fill the post from the ranks of supernumerary staff of equal grading; (b) The Department can absorb into the post an employee who was appointed under an affirmative action programme, if she or he meets the requirements of the post; (c) The Department plans to fill the post as part of a programme of laterally rotating or transferring employees to enhance organizational effectiveness and skills; or (d) The post is filled in terms of Section 3B of the Act.	
Part VII/C.2.6	Utilizing appropriate agency to identify candidates for posts	Head Office Level CDC Corporate Services

Part VIII/D.1	Appointment of Selection Committee: - Level 2 - 12 - Level 13 and higher	<u>Management Area Level</u> <u>Regional Commissioner</u> <u>Head Office Level</u> CDC Corporate Services Commissioner <u>Director and higher:</u> <u>Nationally</u> <u>Commissioner</u> DD and lower: <u>Management Area Level</u> <u>Regional Commissioner</u> <u>Head Office Level</u> CDC Corporate Services DC HR Management
Part VIII/D.7	Recording of reasons for not approving the recommendation of a Selection Committee	<u>Management Area Level</u> Area Coordinator: Corporate Services Regional Coordinator: HR Management and Support <u>Head Office Level</u> DD Auxiliary Support Services
Part VII G.2.2	An executing authority shall record the reasons given by the employee for his or her resignation	<u>Head Office Level</u> DD Retention and Terminations
Part VII G.3.1 Section 134 (2)(ff) Regulation 35 - 36	An executing authority may on the basis of medical evidence, consider the discharge of an employee in terms of Section 17(2)(a) of the Act on account of ill health. To this end, an executing authority may require an employee to undergo a medical examination by a registered Physician	Minister
Part VII G.4.1 Section 134 (1)(ff)	An executing authority may discharge employees for operational reasons if the discharge complies with (a) Section 17(2b) (c) of the Act & Sections 189 & 190 of the Labour Relations' and (b) any applicable collective agreements that determines benefits for employees to be so discharged	<u>Head Office Level</u> DD Benefits
Part VII G.4.1 Section 134 (1)(ff)	Approval of state guarantee applications, letter of consent and re-advance letters and signing of access bond letters	