
GOVERNMENT NOTICE

DEPARTMENT OF ARTS AND CULTURE**No. 264****31 March 2015**

an agency of the
Department of Arts and Culture

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The Use of Official Languages Act, 2012 (Act No: 12 of 2012) provides for the regulation and monitoring of use of official languages by national government for government purposes and requires the adoption of a Language Policy by the National Departments, National Public Entities and National Public Enterprises.

In compliance with the dictates of this Act, Freedom Park has adopted its own Language Policy and hereby publishes same in terms of section 4 (2) (h) of the use of Official Languages Act of 2012.

Comments should be directed to Mr N Sipeka:

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Thank You.

Ntsikelelo Sipeka

COMPANY SECRETARY



Language Policy

CHAIRPERSON OF FREEDOM PARK COUNCIL

Approved by Council	27 FEBRUARY 2014
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1. PURPOSE

The policy has been drafted to ensure compliance with:

- 1.1. Sections 6 and 9 of the Constitution of the Republic of South Africa (Act 108 of 1996).
- 1.2. The Use of Official Languages Act, 2012 (Act No.12 of 2012).
- 1.3. The Pan South African language Board Act, 1995 (Act 59 of 1995).
- 1.4. The National Policy Framework 2003.
- 1.5. The Batho Pele Principles.
- 1.6. The Vision, Mission and Mandate of Freedom Park.

2. NATURE OF FREEDOM PARK AND GENERAL STATEMENT

- 2.1. The mandate of Freedom Park is the creation of a memorial and monument that will narrate a story spanning a period of 3.6 billion years through the following seven epochs: Earth, Ancestors, Peopling, Resistance & Colonisation, Industrialisation & Urbanisation, Nationalism & Struggle, National Building & Continent Building; as well as the Garden of Remembrance to acknowledge those that contributed to the freedom of the country.
- 2.2. The vision of Freedom Park is: To be a leading national and international icon of humanity and freedom.
- 2.3. The mission of Freedom Park is: To provide a pioneering and empowering heritage destination in order to mobilise for reconciliation and nation building in our country; to reflect upon our past, improving our present and building our future as a united nation; to contribute continentally and internationally to the formation of better human understanding among nations and peoples.
- 2.4. Freedom Park is situated in Gauteng Province, the City of Tshwane on Salvokop. The Institution's mandate is however on a national level and outreach programs are done throughout South Africa.
- 2.5. In order to impact on reconciliation and nation building in our country, Freedom Park acknowledges that:
 - 2.5.1. There are eleven official languages of South Africa and ensures that, together with South African Sign Language, they enjoy parity of esteem and equality of treatment;
 - 2.5.2. Recognises the Constitutional provision pertaining to the right to receive information in the official language(s) of choice, taking into consideration equity,

practicability, and the need to redress the results of past racial discriminatory laws and practices;

2.5.3. Realises that language is not only about communication, but also about identity and respect.

2.5.4. Undertakes to support the Language Policy and its implementation in terms of service delivery and as a means of communication.

3. OBJECTIVES

This policy outlines the rights and obligations of Freedom Park and its staff. In support of the general statement set out in clause two the Policy requires effective and appropriate management and needs:

- 3.1. To promote parity of esteem and equality treatment of official languages of the Republic of South Africa;
- 3.2. To regulate and monitor the use of at least three Official languages for all Freedom Park's staff, visitors and stakeholders;
- 3.3. To facilitate equitable access to services and information of Freedom Park;
- 3.4. To promote good language management by Freedom Park for efficient public service administration and to meet the needs of the Public;
- 3.5. To promote diversity, equity and reconciliation through the principle of functional multilingualism.

4. DEFINITIONS

For the purposes of this policy, the terms used are defined as follows:

- 4.1. "**Constitution**" means the Constitution of the Republic of South Africa, 1996;
- 4.2. "**Department**" means the national Department of Arts and Culture;
- 4.3. "**Development plan**" means a short-, medium- and long long-term plan regarding the practical implementation of the Use of Official Languages Act (Act 12 of 2012) inter alia signage, braille, frequent use of sign language and language facilitation.
- 4.4. "**language unit**" means a language unit established in terms of section 7 of the Languages Act;
- 4.5. "**Minister**" means the Minister responsible for language matters;
- 4.6. "**National Department**" means a department listed in Schedule 1 to the Public 15 Service Act, 1994 (Proclamation No. 103 of 1994), but excluding the Offices of Premier;

- 4.7. "**National Government**" means national departments, national public entities and national public enterprises;
- 4.8. "**National Language Unit**" means the National Language Unit established in 20 terms of section 5 of the Act ;
- 4.9. "**national public enterprise**" means a national government business enterprise defined in section 1 and listed in Schedule 3 Part B to the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- 4.10. "**national public entity**" means a national public entity defined in section 1 and 25 listed in Schedules 2 and 3 to the Public Finance Management Act, 1999 (Act No.1 of 1999);
- 4.11. "**official language**" means an official language contemplated in section 6(1) of the Constitution;
- 4.12. "**Pan South African Language Board**" means the Board established in terms of 30 section 2 of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
- 4.13. "**prescribe**" means prescribe by regulations; and
- 4.14. "**The Act**" means Use of Official Languages Act (Act 12 of 2012) and includes any regulations made in terms of the Act.

5. ESTABLISHMENT OF A LANGUAGE UNIT

Freedom Park must:

- 5.1. Establish a language unit; and
- 5.2. Ensure that the language unit is provided with human resources, administrative resources and other resources necessary for its effective functioning.
- 5.3. Freedom Park will apply for exemption of the establishment of a language unit in terms of Section 12 of the Act and if successful assign a senior employee (which will still be called the language unit) to perform the functions of a language unit.

6. FUNCTIONS OF THE LANGUAGE UNIT

The Language Unit must:

- 6.1. Advise the Chief Executive Officer on the development, adoption and implementation of the Language Policy.

- 6.2. Develop a Development Plan which must be in line of the need of language issues, signage and South African Sign Language at Freedom Park from time to time which must be approved by the Freedom Park Council.
- 6.3. Monitor and assess the use of official languages by Freedom Park.
- 6.4. Monitor and assess compliance with the language policy of Freedom Park
- 6.5. Compile and submit a report to the Minister and to the Pan South African Language Board in terms of section 9 of the Act within 3 months after the financial year end.
- 6.6. Promote parity of esteem and equitable treatment of official languages of the Republic of South Africa and facilitate equitable access to services and information of Freedom Park
- 6.7. Promote good language management by Freedom Park
- 6.8. Perform any other functions that the Minister may prescribe.

7. PROCESS TO DETERMINE THREE OFFICIAL LANGUAGES

In order to determine its official languages as contemplate in section 4.2 of the Act, Freedom Park has taken the following in consideration:

- 7.1. The factors stipulated in section 6 of the Constitution, including:
 - 7.1.1. Language usage of members of the public that access Freedom Park or use its service having regard to:
 - a) Language needs of members of the public accessing the services;
 - b) Language statistics in the population census published by the Statistician-General in terms of section 7 of the Statistics Act no. 6 of 1999.
 - c) Research that the national department, national public entity or national public enterprise may conduct;
 - 7.1.2. expenses associated with adopting official languages for government purposes;
 - 7.1.3. consider practical and positive measures that it will take to elevate the status and advance the use of indigenous languages of historically diminished use and status, in accordance with section 6 (2) of the Constitution.

8. USE OF THREE OFFICIAL LANGUAGES

This Policy underlines a tolerant, flexible approach to matters concerning language. The emphasis is on practicality:

8.1. Three Official Languages

Freedom Park will make use of three of the official languages which are English, Isizulu and Sesotho. Freedom Park will however on specific request endeavour all possible and practically possible means to communicate in any other of the 11 official languages, including South African Sign Language.

8.2. External Communication

8.2.1. Oral communication :

At all important service points (general information desks, services desks, the Park, //hapo and the library) Freedom Park will communicate in all of the three chosen official languages.

8.2.2. Written communication

- a) In its languages of public communication Freedom Park will communicate in all of the three chosen official languages,
- b) Addressees answer correspondence in the language in which it is addressed to Freedom Park, where feasible.
- c) Official forms, brochures, reports, etc. in one of the three chosen official languages. Freedom Park will however make maximum use of accessible, reader-friendly language and effective design to accommodate the target audience and the language community for which a given document is intended.
- d) Freedom Park publications, notices, such as press releases, news and articles in one of the three chosen official languages. Freedom Park will however make maximum use of accessible, reader-friendly language and effective design to accommodate the target audience and the language community for which a given publication is intended.
- e) Signage in the museum and the Park will initially be in English subject to a development plan.
- f) Government reports, documents, records, transcripts and other official documents intended for Governmental or Provincial Departments will be done in English.

8.3. Internal Communication

8.3.1. Oral communication

- a) Oral communication must take place in languages understood by the parties concerned.
- b) All official meetings are conducted in English which ensure optimum effective participation by all participants. Chairpersons of such meetings however have the responsibility to ensure that all participants are able to follow the proceedings. This may necessitate translation and interpreting.

8.3.2. Written communication

All written communication within Freedom Park, whether electronic or in print, must be in English. Freedom Park must make available translation resources for those to whom English is not understandable. Written communication that might be translated:

- a) Documents of general interest to Staff that change infrequently, for example Policies, Conditions of Service, Templates, Rules and Forms.
- b) Documentation relating to meetings.
- c) Notices and circulars on the intranet.

8.4. Labour relations, hearings and other official proceedings.

8.4.1. Interviews will be done in English. Should any other official language be preferred Freedom Park's Human Resources Department must be notified 7 days prior to the interview where after Freedom Park's Language Unit will arrange for an interpreter if necessary.

8.4.2. All participants at disciplinary hearings and or other hearings have the right to use any of the official South African languages and South African Sign Language. The Chairperson of the said hearing must conduct a survey among participants before a hearing on their language use and preference. Freedom Park's Language Unit must be notified 7 days prior to the hearing. Freedom Park's Language Unit will then put in place mechanisms, such as translation and interpreting services, in order for all parties concerned to participate in and understand the proceedings.

9. COMMUNICATION WITH MEMBERS OF THE PUBLIC

- 9.1. Freedom Park will communicate in writing with members of the public who wants to engage with Freedom Park and whose language of choice is :
- 9.1.1. not an official language as contemplated in paragraph 8.1 ; or
 - 9.1.2. South African sign language.
- 9.2. Such communication shall be in the in the language in which it was addressed to Freedom Park.
- 9.3. Such communication must be done in writing to the Language Unit at least 7 days prior to the event/assistance needed by the Member of the Public (applicant) stating :
- 9.3.1. Full names and contact details of the applicant.
 - 9.3.2. Date and particulars and reason of the assistance /event needed.
 - 9.3.3. Which language of choice is requested and or sign language.
- 9.4. Freedom Park will endeavour all possible and practically possible means to facilitate the need of the Member of Public in any other official languages, including South African Sign Language depending on the complexity of the event/assistance and or request.

10. ACCESSIBILITY OF THE LANGUAGE POLICY

- 10.1. The Language Policy in all three selected official languages will be displayed:
- 10.1.1. On the official website www.freedompark.co.za of Freedom Park assessable to the Public.
 - 10.1.2. Display a summary of the Language Policy at the Ticket Office of Freedom Park in such a manner that it can be read by the Public.
- 10.2. The Language Policy in all three selected official languages will be displayed on the official Intranet of Freedom Park assessable to the staff.
- 10.3. Any Member of the Public can request a copy of the Language Policy in writing/ email addressed to :
- The Chief Executive Officer
Freedom Park
PO Box 2710
Pretoria
0001

E mail: ceo@freedompark.co.za

- 10.4. Hard copies may also be requested at the Ticket Office of Freedom Park C/o Koch and 7th Street Salvokop Pretoria.
- 10.5. Hard copies will be submitted on payment of postage fee (if applicable), plus R8 per page. Copies may be given for free should the Applicant motivate successfully for a free copy.
- 10.6. Braille copies will be available in the three selected official languages within 90 days after adoption of the Policy. Copies can be obtained as specified in paragraph 9.3 and 9.4 above. The cost of such copies will be determined.

11. COMPLAINTS MECHANISM REGARDING THE USE OF OFFICIAL LANGUAGES

- 11.1. Any Member of the Public who is dissatisfied with a decision regarding Freedom Park's use of official languages may lodge a complaint in writing addressed to:

The Chief Executive Officer

Freedom Park

PO Box 2710

Pretoria

0001

- 11.2. A complaint must be delivered:

- 11.2.1. To the street address of Freedom Park namely C/o Koch Street and 7th Street Salvokop Pretoria or

- 11.2.2. By registered post remitted as specified in paragraph 11.1 above.

- 11.3. The complaint must :

- 11.3.1. Be in writing

- 11.3.2. Be lodged within 3 months of the complaint arising;

- 11.3.3. State the name, address and contact information of the person lodging the complaint; and

- 11.3.4. Provide a full detail description of the complaint.

- 11.4. The Chief Executive Officer may request a complainant to :

- 11.4.1. Supply additional information necessary to consider the complaint; and

11.4.2. Attend a meeting (at their own costs) for the purpose of making oral enquiry into the complaint.

11.5. The Chief Executive Officer must:

11.5.1. Consider the complaint and make a decision, no later than 3 months after the complaint was lodged.

11.5.2. Inform the complainant in writing of the decision.

12. MATTERS PRESCRIBED BY THE MINISTER

Freedom Park shall provide for any matter in the Language Policy as prescribed by the Minister responsible for language matters from time to time.

13. PUBLICATION

Before adopting its language policy Freedom Park must:

- 13.1. Publish the proposed language policy in the Government Gazette for public comment;
- 13.2. Grant a period of at least 30 days for written representations to Freedom Park on the proposed language policy; and
- 13.3. Consider any such written representations received.
- 13.4. Freedom Park must then publish its language policy in the Government Gazette as soon as reasonably practicable, but within 90 days of its adoption.