

**DEPARTMENT OF TRANSPORT
NOTICE 694 OF 2016**



transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

DRAFT LANGUAGE POLICY OF THE DEPARTMENT OF TRANSPORT

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Approval of Policy

Please note that the implementation of the policy contained in this document is subject to approval and signature of the delegated authority.

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1. INTRODUCTION

- 1.1 South Africa is a multicultural society that is characterised by its rich linguistic diversity. Language is an indispensable tool that can be used to deepen our democracy and also contribute to the social, cultural, intellectual, economic and political life of South African society.
- 1.2 The country's linguistic landscape changed dramatically after the advent of democracy in 1994, when the constitution provided a legal and regulatory framework for the former recognition and promotion of linguistic diversity. The current multilingualism dispensation allows for the former marginalised languages to flourish.
- 1.3 Section 6 of the Constitution guarantees equal status to 11 official languages, namely Afrikaans; English; isiNdebele; isiXhosa; isiZulu; Sepedi; Sesotho; Setswana; Siswati; Tshivenda and Xitsonga.
- 1.4 By fostering equitable access to government services, knowledge and information as part of its constitutional and moral obligation, the Department of Transport actually ensures redress for the previously marginalised languages, which have since been given an official status.
- 1.5 Section 4 (1) of the Use of Official Languages Act 2012, (Act no 12 of 2012) provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages.

2. ACRONYMS

Term	Definition
Department	Department of Transport
DG	Director-General of the Department of Transport
Minister	Minister of Transport
PSP	Professional Service Provider
PRASA	Passenger Rail Agency of South Africa
RSR	Rail Safety Regulation
SANRAL	South African National Roads Agency Limited
RAF	Road Accident Fund
CBRTA	Cross Border Road Transport Agency
RTMC	Road Traffic Management Corporation
RTIA	Road Traffic Infringement Agency
SACAA	South African Civil Aviation Authority
ATNS	Air Traffic and Navigation Systems
ACSA	Airports Company of South Africa
SAMSA	South African Maritime Safety Authority
PORTS	Ports Regulator of South Africa

3. PURPOSE

The purpose of this policy is intended to set out how the Department will use the official languages of South Africa to communicate effectively with the public and other stakeholders.

4. LEGISLATIVE MANDATE

4.1 Constitution of the Republic of South Africa, 1996

4.2 The Use of Official Languages Act, 2012 (Act No. 12 of 2012)

4.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012

4.4 National Language Policy Framework, 2003

5. Regulatory context of the Policy

5.1 This policy has been developed to comply with section 4 (1) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012). The section 4(1) requires every national department, national public entity and national public enterprise to have a language policy on its use of official languages.

5.2 It is important to note that this policy is part of a process of working towards multilingualism. While the Department is in favour of encouraging linguistic diversity, this is not its core business, and financial constraints will mean that it will have to find a balance between the language preferences and needs of its target audiences (internally and externally) and financial considerations. However, it is hoped that the departmental financial conditions will in the future make it possible for the Department to make more funds available and make a bigger contribution to the national effort.

6. Mandate of the Department of Transport

- 6.1 The Department of Transport's vision is to position transport as the heartbeat of economic growth and social development in the country. Its mission is to lead the development of efficient integrated transport systems by creating a framework of sustainable policies, regulations and implementable models to support government strategies for economic, social and international development.
- 6.2 The Department is a national department that has public entities which are a critical pillar in the Department's service delivery agenda.
- 6.3 The Department of Transport's direct communication with the general members of the public is limited. Most of its communication is with the public entities, the provincial government departments responsible for transport functions and municipalities, where English is accepted as the language of common usage. However, the Department is still working towards broader engagement with the general members of the public.
- 6.4 Most of the Department of Transport's work is implemented through the public entities that report to the Minister of Transport, namely, the Passenger Rail Agency of South Africa (PRASA), the Railway Safety Regulator (RSR), the South African National Roads Agency Limited (SANRAL), the Road Accident Fund (RAF), the Cross Border Road Transport Agency (CBRTA), the Road Traffic Management Corporation (RTMC), the Road Traffic Infringement Agency (RTIA), the South African Civil Aviation Authority (SACAA), the Airports Company of South Africa (ACSA), the Air Traffic Navigation Services (ATNS), and the South African Maritime Safety Authority (SAMSA).
- 6.5 As far as multilingualism is concerned, the PRASA, RSR, RTMC, RAF, and RTIA are the public entities that do the most important work in raising public awareness of safety in rail and road transport, and should therefore be

encouraged to increase its communications in all official languages other than English.

7. Official Languages of the Department of Transport

7.1 Owing to the mandate of the Department, and the public entities reporting to the Minister of Transport, the official language of the Department is English, and is to be used in all official correspondence.

7.2 The five other languages selected for official use are Afrikaans, isiZulu, Sepedi, Tshivenda and Xitsonga. According to the 2011 census the isiZulu and Sepedi are the widely spoken languages in the two biggest language groups (Nguni and Sotho) and Afrikaans is the language of the majority in provinces such as the Northern Cape and Western Cape whilst Tshivenda and Xitsonga are severely marginalised languages as they do not fall within language groupings.

8. Use of the Official Languages Selected by the Department of Transport

8.1 Owing to financial constraints, the Department's language policy will focus on functional multilingualism, i.e. finding a balance between financial considerations and the need to ensure effective communication of particular messages to particular target audiences.

8.2 For inter and intra-governmental communication, the Department of Transport will use English as the official language of business.

8.3 If a member of the public communicates in writing with the Department, in a specific language, then they will be answered in that language. However, the human and financial resources will be taken into consideration.

8.4 Official publications intended for public distribution (notices, advertisements, forms and other documents) will be translated into other official languages (Afrikaans, isiZulu, Sepedi, Tshivenda and Xitsonga) of the Department.

However this will also depend on availability of human and financial resources.

- 8.5 Calls for nominations for the boards of the Department's public entities will be published in English, as the operations of the boards will be conducted in English, and the members (e.g. engineers, etc.) serving on the boards will be familiar with English.
- 8.6 Reports and/or publications such as the annual report will be published in English, owing to the cost of translations, additional layout and printing. Executive summaries will be made available in other official languages such as Afrikaans, isiZulu, Sepedi, Tshivenda and Xitsonga.
- 8.7 The Promotion of Access to Information Manual will be translated into the selected official languages of the Department and Braille.
- 8.8 Members of the public whose language of choice is South African Sign Language will be accommodated by hiring a professional service provider (PSP) that renders interpreting services, as most of the Department's communications with the public are written. However, this will depend on the availability of the budget to do so.
- 8.9 Signage and branding will be produced in English only.

9. Complaints Mechanism

- 9.1 Anyone who is aggrieved or dissatisfied with an aspect of the language policy may lodge a complaint, which will be dealt with in terms of Regulation 2(2) and 2(3) of the Use of Official Languages Regulations.
- 9.2 The complaint must be lodged in writing, within three months of the complaint arising, and provide the name, address and contact information of the person who lodged the complaint.

- 9.3 The complaint may be delivered to the Director-General of the Department of Transport in any of the following ways-
- 9.3.1 hand delivery to 159 Struben Street, Forum Building, Department of Transport, Pretoria;
 - 9.3.2 via registered post to Private Bag X193, Pretoria, 0001; and
 - 9.3.3 via email to:
- 9.4 The Director-General or his/her delegate may request additional information from the complainant or a meeting to discuss the complaint.
- 9.5 The Director-General will consider the complaint, make a decision and inform the complainant of the decision in writing no later than three months after receipt of the complaint.
- 9.6 Should the complainant not be satisfied with this decision, he/she may lodge an appeal with the Minister. This must be done within one month of the decision referred to in par. 8.5, and the Minister will make a decision no later than three months after receipt of the complaint, and inform the complainant of the decision in writing.

10. Access to the Department of Transport Language Policy

The language policy will be published in the *Government Gazette* in English, and translations will be made available on the Department's website in Afrikaans, isiZulu, Sepedi, Tshivenda and Xitsonga.

11. Review of Policy

This policy will be reviewed whenever the need to do so arises. However, it will be appropriate to review it at least every five years of the new administration.

12. Deviation from the policy

There is no official who has been nominated to approve deviations from this policy hence there will be no deviations allowed.

13. Record Keeping

All official documents of the department shall be placed on record in English and where applicable filed with its translated and/or adapted version.