

ECONOMIC DEVELOPMENT DEPARTMENT

NOTICE 169 OF 2017



**economic
development**

Economic Development Department
REPUBLIC OF SOUTH AFRICA

OFFICIAL LANGUAGE POLICY

| | |
|--|---|
| Policy Custodian: Communications Unit | <p>Mr. Thembinkosi Gamlashe Director: Communication Signature: <i>[Signature]</i> Date: 28/10/2016</p> |
| Quality Assured | <p>Mr. Kgaogelo Serodi Acting Director: Legal Services Signature: <i>[Signature]</i> Date: 31/10/2016 Mr Lawrence Maqekoane Chief Director: Corporate Management Signature: <i>[Signature]</i> Date: 28/10/2016</p> |
| Approved | <p>Mr. Malcolm Simpson Acting Director-General: Signature: <i>[Signature]</i> Date: 28/10/2016</p> |
| Next Review Date | |

TABLE OF CONTENTS

| | |
|--|---|
| Definitions | |
| 1. Purpose and context of the policy | 1 |
| 2. Principles | 1 |
| 3. Regulatory framework | 1 |
| 4. Scope of application | 2 |
| 5. Official languages of the EDD | 2 |
| 6. Use of official languages by the EDD | 3 |
| 7. Communication with members of the public whose language of choice is not one of the official languages of the Republic | 5 |
| 8. Communication with members of the public whose language of choice is South African Sign Language | 5 |
| 9. Publication of and access to this policy | 5 |
| 10. Complaints mechanism | 5 |
| 11. The language unit | 6 |
| 12. Review of the policy | 7 |
| 13. Approval and implementation | 7 |

DEFINITIONS

| TERMS | DEFINITION |
|-------------------|--|
| Act | The use of Official Languages Act 2012 (Act No. 12 of 2012) |
| Business language | An official language chosen for communication, keeping record or archiving proceedings and procedures of the Department |
| Constitution | The Constitution of the Republic of South Africa, 1996 – the supreme law of the country |
| EDD | Economic Development Department |
| Multilingualism | The use of three or more languages by an individual or group of people |
| Official language | A language used to communicate with stakeholders in government, business, the media and other institutions |
| Republic | This is a reference to the country, South Africa |
| Stakeholder(s) | An individual or a group of people having an interest in an organization, and is affected or affects the organization's operations/ business |

1. PURPOSE AND CONTEXT OF THE POLICY

1.1 BACKGROUND:

1.2 In terms of the Use of Official Languages Act, 2012 (Act No. 12 of 2012) all government departments must develop and implement a language policy and establish a language unit.

1.3 This policy is required by section 4 of the Act as follows:

- 1.3.1 Section 4(1) provides that every national department, national public entity and national public enterprises must adopt a language policy on its use of official languages; and
- 1.3.2 Section 4(2) provides that a language policy adopted in terms of subsection (1) must:
 - 1.3.3 Identify at least three official languages that the national department, national public entity or national public enterprise will use for government communication purposes
 - 1.3.4 Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter- and intra-government communication.
 - 1.3.5 Describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its chosen official languages, or South African Sign Language
 - 1.3.6 Describe how members of the public can access the language policy, and
 - 1.3.7 Provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise.

1.4 PURPOSE

- 1.4.1 The purpose of this policy is to comply with the legislative and constitutional mandate of the country. It seeks to promote multilingualism to ensure effective and efficient communication between government and the public in accordance with the objectives of the Act and the Constitution.

2. PRINCIPLES

2.1 The principles underpinning this Policy are:

- 2.1.1 Commitment to the promotion of all languages in the Republic in order to ensure constitutional language equity and language rights as required by a democratic dispensation
- 2.1.2 Recognition of multilingualism as a resource to maximise collaborative partnerships in nation-building, economic development and social cohesion
- 2.1.3 Promotion of good language management by the EDD to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services and information of the EDD
- 2.1.4 Prevention of the use of any language(s) for the purposes of exploitation, domination and discrimination within the EDD
- 2.1.5 Enhancement of people-centeredness by addressing the interests, needs and aspirations of language communities through on-going dialogue and debate
- 2.1.6 Recognition of a community-based approach, i.e., a decentralised and participatory approach to language planning and policy implementation in which each government structure is given the power to identify its own working languages, as the most viable manner in which to promote multilingualism given South Africa's highly pluralistic society, and
- 2.1.7 Support for special redress programmes for previously marginalised official indigenous languages.

3. REGULATORY FRAMEWORK

- 3.1 This policy is regulated by the following legislations:
- 3.1.2 The Constitution of the Republic of South Africa, 1996
 - 3.1.3 The Use of Official Languages Act, 2012 (Act No.12 of 2012)
 - 3.1.4 Regulations in terms of section 13 of the Use of Official Languages Act, 2012.

3.1.5 The National Language Policy Framework, 2003

3.1.6 National Communication Strategy Framework – 2014 to 2019.

4. SCOPE OF APPLICATION

4.1 This policy applies to all EDD employees and external stakeholders of the EDD.

4.2 The Chief Directorate: Corporate Management will be the official custodian of this policy.

5. OFFICIAL LANGUAGES OF THE EDD

5.1 The Economic Development Department will adopt all 11 official languages in South Africa to communicate with stakeholders.

5.2 However, in conducting its official business within the institution, and with other departments/institutions, the Department will use English as an official language.

6 USE OF OFFICIAL LANGUAGES BY THE EDD

6.1 The following factors will be taken into account when arriving at the choice of official language(s) the EDD will use in each context/situation:

6.1.1 Usage

6.1.2 Practicality

6.1.3 Expense

6.1.4 Regional circumstances

6.1.5 The balance of needs and preferences of the public it serves.

6.2 The table below shows how the EDD will use the official languages.

| FORUM | APPLICABLE LANGUAGE(S) |
|--|--|
| Inter- and intra-government communication | English |
| Communicating with members of the public (official written correspondence) | The official languages of the Republic with due regard to the criteria outlined in clause 6.1 above |
| Communicating with members of the public (oral communication) | The official languages of the Republic with due regard to the criteria outlined in clause 6.1 above |
| Official publications intended for public distribution | All official languages |
| Outreach engagements | English, depending on the geographical area, two alternate major official languages of preference will be used concurrently where feasible, as and when requested |
| Public hearings and other official proceedings | English, and requests can be made to provide interpretation services in any other official language |
| Communication with the sight or hearing impaired | The EDD will facilitate South African Sign Language interpreting and conversion of text into Braille and audio. |
| Employee communication | Staff members may engage in oral, written or electronic communication among themselves in the language(s) of their choice, provided that all involved in the communication understand the language(s) being used |
| International communication | English |
| Website | English |

6.3 Stakeholders may request, in writing, that written or published information be provided in a particular official language where that communication or information is

not being provided in such language. Such request must be in writing at least 60 days prior to the communication or information being required.

7 COMMUNICATION WITH MEMBERS OF THE PUBLIC WHOSE LANGUAGE OF CHOICE IS NOT ONE OF THE OFFICIAL LANGUAGES OF THE REPUBLIC

7.1 A member of the public who wishes to communicate with the EDD in a language that is not one of the official languages of the Republic must notify the EDD in writing.

7.2 Due consideration will be applied to every request.

8 COMMUNICATION WITH MEMBERS OF THE PUBLIC WHOSE LANGUAGE OF CHOICE IS SOUTH AFRICAN SIGN LANGUAGE

8.1 A member of the public who wishes to communicate with the EDD in South African Sign Language must notify the Department in writing.

8.2 The EDD will arrange for appropriate interpreting within a reasonable time from the date of the request having been received by the EDD.

9 PUBLICATION OF AND ACCESS TO THIS POLICY

9.1 This policy will be published in all official languages

9.2 The policy will be available on the EDD website.

9.3 It will be available in Braille and audio.

9.4 A copy of the Language Policy will be published in English in the Government Gazette for public comment.

10 COMPLAINTS MECHANISM

10.1 DISPUTE RESOLUTION

10.1.1 Any person who is dissatisfied with the use of official languages by the EDD may lodge a complaint in writing to the Director-General of the EDD in terms of section 4(f) of the Use of Official Languages Act, 2012.

10.2 A complaint must be lodged as follows:

10.2.1 In writing within three months of the complaint arising.

10.2.2 Any complaint lodged must state the name and surname, physical and postal address, and contact information of the person lodging the complaint.

10.2.3 The complainant must provide a detailed description of the complaint.

10.2.4 The Director-General may request the complainant to supply any additional information deemed necessary to consider the complaint and/or to attend a meeting for the purpose of making an oral enquiry into the complaint.

10.2.5 The Director-General will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the outcome.

10.2.6 If the complainant is dissatisfied with the decision of the Director-General, he or she may lodge an appeal in writing to the Minister.

10.2.7 The complaints may be delivered in one of the following ways to the Department

10.2.7.1 Physical delivery to: 77 Meintjies Street, **the dti** Campus, Block A, Sunnyside, Pretoria, 0002

10.2.7.2 By mail: Private Bag X 149, Pretoria, 0001

10.2.7.3 Emailed to: ministry@economic.gov.za

11 THE LANGUAGE UNIT

11.1 As mentioned above, all government departments must develop and implement a language policy and establish a language unit, in terms of the Use of Official Languages Act, 2012 (Act No. 12 of 2012).

11.2 The Language Unit will:

11.2.1 Advise the Director-General on the development, adoption and implementation of this policy

11.2.2 Monitor and assess the use of the official languages by the EDD

11.2.3 Monitor and assess compliance with this policy

11.2.4 Compile and submit a report to the Minister and to the South African Pan Language Board, in terms of section 9 of the Act

11.2.5 Promote parity of esteem and equitable treatment of the official languages of the Republic

11.2.6 Facilitate equitable access to the services and information of the EDD

11.2.7 Promote good language management, and

11.2.8 Perform any other functions that the Minister may prescribe

11.3 It is important to note that the EDD currently does not have a language unit, and these functions will be performed by the Communications Unit until the Department is in a position to establish such a unit.

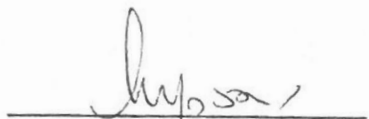
12 REVIEW OF THE POLICY

12.1 This policy will be revised, reviewed and refined as and when deemed appropriate, or at least annually.

12.2 Any amendments to this policy shall be the sole responsibility of the Director: Communications.

13 APPROVAL AND IMPLEMENTATION

13.1 This policy is approved and accepted for implementation in the Economic Development Department.


MR. MALCOLM SIMPSON

ACTING DIRECTOR-GENERAL:

DATE: 28/10/2016