DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

NO. 671　　　　　　　　　　　　　　　　　　　　14 JULY 2017

DRAFT OF THE PROPOSED DRAFT LANGUAGE POLICY IN TERMS OF SECTION 3 (2)(A) OF THE USE OF OFFICIAL LANGUAGES ACT, 2012 (ACT NO. 12 OF 2012): REGULATIONS

I, Gugile Ernest Nkwinti, Minister for Department of Rural Development and Land Reform, hereby publish a draft of the proposed Language Policy and invite written comments from interested persons and voluntary associations in terms section 3 (2)(A) of the Use of Official Languages Act, 2012 (Act No. 12 Of 2012): Regulations.

The afore-said written comments must be forwarded to the below-mentioned postal address or fax or e-mail address within 30 days from the date of publication of this Notice:

Private Bag X 833
Pretoria
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Fax No　　　　:　　　(012) 312-8066
Email address:　　　language.comment@drdlr.gov.za
Enquiries: D. Samaai or L. Page

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DRAFT LANGUAGE POLICY FOR THE DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM

May 2017

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Abbreviations

CRDP	Comprehensive Rural Development Programme
DJOCs	District Joint Operations Centres
DLRCs	District Land Reform Committees
DRDLR	Department of Rural Development and Land Reform
NDP	National Development Plan
PanSALB	Pan South African Language Board
SASL	South African Sign Language

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SECTION 1:   BACKGROUND AND CONTEXT

1.1   Introduction

1.1.1 This language policy is intended as an enabling framework for promoting South Africa's linguistic diversity and encouraging respect for language rights within the policy framework for building and consolidating a united democratic South African nation.

1.1.2 There is a strong awareness of the need to intensify efforts to develop the previously marginalised indigenous languages and to promote multilingualism.

1.1.3 This policy applies to -
1.1.3.1   Everyone that interacts with the department.

1.1.3.2   All employees of the Department of Rural Development and Land Reform (DRDLR).

1.1.3.3   All entities reporting to the Minister of Rural Development and Land Reform.

1.2   Legislative Provisions

1.2.1 The Constitution of the Republic of South Africa, Act No. 108 of 1996.

1.2.2 The Use of Official Languages, Act No. 12 of 2012.

1.2.3 Regulations in terms of section 13 of the Use of Official Languages, Act No. 12 of 2012.

1.3   Departmental Mandate

1.3.1 Land is the cornerstone of the country's democracy, as such the department, whose mandate is to create vibrant, equitable and sustainable rural communities has prioritized the formulation of land reform policies that bring innovative strategic thinking to fast-track land reform.

1.3.2 The department embarked on programmes, plans and policies aimed at ensuring that rural communities in particular enjoy the fruits of a democratic dispensation and equality as envisioned in the National Development Plan (NDP). Vision 2030 of the NDP calls for an inclusive rural economy wherein

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rural communities should have greater opportunities to participate fully in the economic, social and political life of the country.

1.3.3   The department introduced various programmes with the aim to stimulate agricultural production, enterprise development and to create jobs by providing small holder farmers with market access for their produce and contributing to food security in rural areas; building rural skills, building rural community livelihoods and economies and; transform the rural economy.

1.3.4   The current gap identified is that there is no mention of duty and responsibility placed on the worker-dweller to play their role in ensuring that their right of tenure to the land is earned; and could be systematically defended.

1.3.5   The land redistribution has a direct link to the alleviation of unemployment, poverty and inequality in South Africa, particularly in rural areas. The Policy Framework on Strengthening Relative Rights for People Working the Land (50/50 policy proposal) will not only bring about stability within the agricultural sector but will also improve food production and in turn ensure food security.

1.3.6   District Land Reform Committees (DLRCs) were introduced to further enhance the implementation of land reform through increased participation of stakeholders in developing solutions.

1.3.7   The implementation of the Comprehensive Rural Development Programme (CRDP) requires the effective coordination and collaboration between various stakeholders. To ensure participation of all sectors, the CRDP Management System has been developed as a framework for institutional and social engagement to enhance community participation in the current planning processes. To further ensure that this engagement takes place the framework on establishment of District Joint Operations Centres (DJOCs) has been approved by Cabinet. This management system flows from national level down to the household level.

1.3.8   In order to achieve the stipulated mandate as set out above, the Department of Rural Development and Land Reform (DRDLR) will implement a Language Policy that will assist citizens to better understand the service provided by the department.

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SECTION 2:   KEY ELEMENTS OF THE POLICY

2.1   Objectives

2.1.1 The language policy of the Department of Rural Development and Land Reform (the department) will, in the execution of its mandate, take cognisance of the constitutional provisions on multilingualism. Its aims are to –

2.1.1.1   promote the equitable use of the eleven official languages;

2.1.1.2   facilitate equitable access to departmental services, knowledge and information;

2.1.1.3   promote good language management for efficient rural development and land reform to meet client needs and expectations;

2.1.1.4   recognise the right of every individual to address the department via the medium of the official language or languages of his or her choice, to the extent that it is fair and feasible for the department to address the individual through the official language or languages concerned;

2.1.1.5   adopt the principle that a language policy may not cause any persons to be denied reasonable access to services of the department.

2.2   Principles

The language policy is based on the following principles:

2.2.1 A commitment to the promotion of language equity and consistent with the constitutional provisions on language, including those relating to language as a human right;

2.2.2 Recognising that languages are resources to maximise knowledge, expertise and full participation in the political and socio-economic domains;

2.2.3 Preventing the use of any language for the purposes of exploitation, domination and discrimination; and

2.2.4 Enhancing people-centeredness in addressing the interest, needs and aspirations of a wide range of language communities through on-going dialogue and debate.

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2.3 Scope

2.3.1 The Department of Rural Development and Land Reform (national and provincial), as well as entities reporting to the Minister are bound by the Language Policy Framework.

2.3.2 In promoting multilingualism provinces will formulate their policies in line with the Policy Framework and the department's Language Policy, taking into account the regional circumstances and the needs and preferences of communities, as stated in the Constitution.

2.3.3 The department at national level will distribute the DRDLR national language policy to provinces to develop a province specific language policy according to the national language policy framework, based on the predominant languages in respective provinces in order to be more efficient and responsive in terms of attending to the needs of the communities.

2.3.4 The official languages will be used in all legislative activities.

2.3.5 To promote multilingualism this policy determines the use of different languages in departmental structures as follows:

2.3.5.1 **Working language/s of record:** By consensus, the department agreed on English as a working language for both intra and interdepartmental communication purposes; where practically possible, no person will be prevented from using the language(s) of his or her preference. When conducting meetings or performing specific tasks, effort must be made to utilise language facilitation facilities such as translation and/or interpreting (both consecutive and simultaneous, as well as whispered interpreting) where practically possible.

2.3.5.2 **Communication with members of the public:** All official departmental communication with the public must take place in the language/s of the target audience (citizen's choice), with the assistance of interpreters and or translators and technical means such as simulcast and subtitling, wherever necessary.

2.3.5.3 In the case of written communication between the department and citizens, the language of the citizens' choice will be used. If the department initiates the communication, the language of the target audience will, as a rule,

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determine the languages to be used.

2.3.5.4　**Government publications:** Comprehensive communication of information must be published in all 11 languages.

2.3.5.4.1　In cases where departmental documents will not be made available in all 11 official languages, the department will publish documents simultaneously in at least six languages. The selection will be made as follows:

- At least one from the Nguni group (isiNdebele, isiXhosa, isiZulu and siSwati);
- At least one from the Sotho group (Sepedi, Sesotho, Setswana);
- Tshivenda;
- Xitsonga;
- English; and
- Afrikaans.

2.3.5.4.2　A principle of rotation must be applied when selecting languages for publishing departmental documents in the Nguni and Sotho groups.

2.3.5.5　**South African sign language:** When conducting meetings or performing specific tasks, effort must be made to utilise language facilitation facilities such as translation and/or interpreting (consecutive and simultaneous, as well as whispered interpreting) where practically possible.

2.3.5.6　**International communication:** International communication on the part of department will normally be in English or in the preferred language of the relevant country.

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SECTION 3:   BUILDING HUMAN CAPACITY

3.1   The implementation of the language policy increases the demand for translation and editing work and interpreting services, especially in the indigenous languages.

3.2   The department will establish and fill vacancies in the language unit that will deal with specific language issues of the department and arising from this language policy, and to liaise with other departments on language matters.

3.3   The area of terminology will also be affected. The increase in translation work will require accelerated development of terminology in the official languages and of a Departmental Termbank that is accessible to both the department and freelance language practitioners.

3.4   Human Language Technology (HLT) applications (e.g. machine-assisted translations, translation memories, spellcheckers) for indigenous languages will be made available by the department to support language facilitation activities.

3.5   The structure for the Language Unit at National Office allows for one Deputy Director and two Assistant Directors, reporting to the Director: Communication Services.

3.6   Skills training will be prioritised when vacancies are filled.

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SECTION 4: IMPLEMENTATION STRATEGIES

4.1 The progressive phasing in of the implementation of the policy in the short, medium and long term is the preferred strategy.

4.2 Implementation in regard of departmental publications will be phased in flexibly and pragmatically over three years. The advantage of the gradual phasing in methodology is that the department will be able to develop capacity incrementally and manage the implementation process more effectively.

4.3 Monitoring mechanisms will be developed to assure the quality of translations and editing services.

4.4 When requested, reports will be submitted to PanSALB and the Department of Arts and Culture from time to time.

4.5 The infrastructure to operationalize this policy will be put in place. This will include the establishment of language units in all provinces to manage –
   • intra and interdepartmental oral communication in all spheres of government;
   • intra and interdepartmental written communication in all spheres of government;
   • oral communication with the public;
   • written communication with the public;
   • South African sign language where applicable; and
   • international communication where applicable.

4.6 Other implementation mechanisms that will be operationalized in the department are a Telephone Interpreting Service for South Africa (TISSA), a strategy for the development of the previously marginalised languages and an HLT Strategy.

4.7 Additional departmental responsibilities are as follows:
   • Supporting the development of human resources through the official use of all South African languages in terms of the constitutional obligation to promote multilingualism;
   • Supporting special redress efforts and/or programmes for the marginalised indigenous languages, i.e. African languages and the Khoi, San and Nama languages, as well as SA Sign Language(s); and
   • Supporting the learning and teaching of all South African languages.

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4.8 The language policy will be published in English. The policy will be available in all official languages in hard copy format at all departmental offices and in electronic format on the website. The policy will be available in Braille at all PSSC offices and National Office.

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SECTION 5: COMPLAINTS MECHANISM

5.1 In the case of public dissatisfaction regarding the use of official languages a complaint may be lodged to the Director-General of the department.

5.2 The complaint must be delivered to:
(i) 184 Jeff Masemola Street, Pretoria, 0001;
(ii) by registered post to the Director-General of the Department of Rural Development and Land Reform at Private Bag X833, Pretoria, 0001; or
(iii) by fax or e-mail to the Director-General of the Department of Rural Development and Land Reform at 012 312 8066 or dgoffice@drdlr.gov.za

5.3 The complaint must:
(i) be in writing;
(ii) be lodged within three months of the complaint arising;
(iii) state the name, address and contact information of the person lodging the complaint; and
(iv) provide a full and detailed description of the complaint.

5.4 The Director-General of the department may request a complainant to:
(i) Supply additional information necessary to consider the complaint; and,
(ii) Attend a meeting for the purposes of making oral enquiry into the complaint.

5.5 The Director-General of the department must:
(i) Consider the complaint and make a decision, no later than 3 months after the complaint was lodged; and,
(ii) Inform the complainant of the decision in writing.

5.6 A complainant not satisfied with a decision contemplated in paragraph 5.5 (ii) may lodge an appeal with:

(a) The Minister of the department; or
(b) The accounting authority of a national public entity or national public enterprise.
(c) The appeal must:
(i) Be in writing;
(ii) Be lodged within one month of a decision contemplated in paragraph 5.5 (ii);
(iii) State the name, address and contact information of the person lodging the appeal; and

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(iv) Provide a full and detailed description of the complaint.

(d) The Minister of the department or the accounting authority of the national public entity or national public enterprise must:

(i) Consider the appeal and make a decision, no later than three months after the appeal was lodged; and

(ii) Inform the appellant in writing of the decision.

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SECTION 6:   REVIEW OF POLICY

6.1   This policy will be continuously monitored for recommendations for amendments and reviewed every five years where necessary in order for the budget to be adjusted accordingly.

SECTION 7:   CONCLUSION

7.1   This policy is intended to augment the law only and is always subject to the prescriptions of the law, as applicable from time to time. The latter will always prevail over this policy should any contractions between the two occur.

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GLOSSARY OF TERMS

Bilingualism	The practice of using two languages (not necessarily with equal competence in both).
Development of a language	The promotion of a language by graphisation, standardisation and elaboration of functions so that the language can be used in the media, education, legal and administrative systems, etc.; and by generally providing scope for the publication of literary works in that language.
Editing	The act of effecting corrections to language and/or style in written texts.
Equity	The quality of fairness, impartiality; even-handed dealing; what is fair and right.
Functional multilingualism	Refers to the choice of a particular language(s) in a particular situation, determined by the context in which the language is used, i.e. the *function*, the *audience* and the *message* for which it is employed.
Heritage languages	Languages not indigenous to a country but brought by immigrants.
Historically disadvantaged languages	In the South African context, these are the languages that were assigned low status by former powerful groups and which were, as a result, not used or developed for use in the media, education (after early primary school), or in public or economically significant domains. Little support was given to the development of verbal art forms in these languages. They include indigenous languages, Heritage languages and SASL.
Human Language Technologies	The application of knowledge of language to the development of computer systems that can recognise, understand, interpret and generate human language in all forms, i.e. the development of applications that make it possible for human beings to interact with computers.
Indigenous language	A language native to a country.
Interpreting	The act of transposing an utterance from a source language into a target language in spoken form.
Language awareness	Sensitivity to how language is used in society, whether the users are accorded their language

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	rights, and how language is used to empower or disempower.
Language equality	In terms of the Constitution, all languages are to receive equal respect. The equal treatment of two or more languages, especially with regard to official domains if society such as legislation, justice, public administration and instruction.
Language equity	The fairness of language provision and/or treatment of two or more languages. Matters such as the number of speakers and the status of a language may influence policy to determine the domains of use of a particular language. This use may not necessarily be equal.
Language planning	Language planning focuses on solutions to language problems by formulating alternative goals, means and outcomes. It involves processes of regulating and improving languages through language development.
Language policy	An official decision/decree on the status of various languages spoken in heterogeneous/multilingual communities, for example which language will be the national or official language, which languages will be used as regional and what their status will be.
Language rights	Laws determining the situations in which citizens can make language choices.
Language units	Government agencies in departments and provinces to deal with specific language issues of that department and/or province arising from the National Language Policy and to liaise with other departments on language matters.
Lexicography	The activity or profession of compiling dictionaries.
Machine translation systems	Computer systems that translate electronic texts from one language to another.
Marginalized language	Any official language that is excluded from official use or of which use is discouraged in formal setting (e.g. education, health care). "Marginalized" usually implies the low status of the language and possibly the speakers, e.g. Xitsonga, Tshivenda, isiNdebele and siSwati are regarded as marginalized languages in South Africa.

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Medium of instruction (language of learning)	The language of classroom instruction as indicated by curriculum and language policy. "Language of learning" implies a slight shift to include the concept that more than one language may be in use and learners may be accessing one rather than the official medium.
Multilingualism	The use of three or more languages by an individual or by a group of speakers such as inhabitants of a particular religion or a nation.
Official language	A language used in government, courts of law, education, business and the media.
Terminology	Standardised technical terms established for a specific subject field.
Translation	The act of transposing text from a source language to another (target) language in written form.

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