

DEPARTMENT OF CORRECTIONAL SERVICES

NO. 960

21 SEPTEMBER 2018

Page 1 of 2

**DELEGATIONS BY THE MINISTER: CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED
DEPARTMENT OF CORRECTIONAL SERVICES**

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(1) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, **ADVOCATE MICHAEL MASUTHA, MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY,

WITH REFERENCE TO THE FOLLOWING LEGISLATION:-

- 1) Correctional Services Act, 1998 (Act no 111 of 1998).

PROVIDED THAT:

- a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
- b) 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;
- c) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and;


Michael Masutha (Advocate) MP
Minister of Justice and Correctional Services

Date: 29/08/2018

**DELEGATIONS BY THE MINISTER: CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED
DEPARTMENT OF CORRECTIONAL SERVICES**

ACT	SECTION IN ACT	SUBJECT OF DELEGATION	Responsible functionary the power or duty delegated to
Act 111 of 1998 as amended	Section 5 (1) (a)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for: (a) the detention and treatment of inmates;	National Commissioner
	Section 5 (1) (b)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for: (b) particular purposes in relation to inmates; or	National Commissioner
	Section 5 (1) (c)	The Minister may, by notice in the Gazette, establish and review the establishment of correctional centres and remand detention facilities for: (c) particular categories of inmates.	National Commissioner
	Section 74 (2) read with section 74 (7) (a)	Approve committee for shortlisting of candidates and approve candidates to be shortlisted for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner
	Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	National Commissioner



Michael Masutha (Advocate) MP
Minister of Justice and Correctional Services

Date: 29/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(2) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998), I, ARTHUR FRASER, NATIONAL COMMISSIONER OF THE DEPARTMENT OF CORRECTIONAL SERVICES HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY WITH EFFECT FROM THE DATE OF PUBLICATION IN THE GOVERNMENT GAZETTE.

WITH REFERENCE TO THE FOLLOWING LEGISLATION AND PRESCRIPTS:-

- 1) Correctional Services Act, 1998 (Act no 111 of 1998), (The Act)
- 2) Correctional Services Regulations, 2004 as amended, (The regulations)
- 3) Collective Agreement DBC Resolution 1/2006, (Res 1 of 2006)

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) Regions all report to the National Head Office and therefore does not have jurisdiction over each other. Any delegated power that cannot be exercised for whatever reason in a region must be referred to National Head Office for a decision;
- d) 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;
- e) Any delegation does not prohibit the National Commissioner from exercising the power concerned or performing the duty concerned himself or herself (*Qui custodit originale potestate delegat*) who also may withdraw any delegation to any post (and therefore the incumbent in that post) at any time;
- f) A person who have been delegated an authority cannot delegate such authority. (*Delegatus delegare non potest*)
- g) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and;
- h) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
- i) The following abbreviations may be applicable:

NC	=	National Commissioner
COC	=	Chief Operations Commissioner (Reference in any other delegated authority to COO implies the COC)
GDC	=	Chief Deputy Commissioner
DC	=	Deputy Commissioner
DIR	=	Director
DD	=	Deputy Director

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

ASD	=	Assistant Director
DCS	=	Department of Correctional Services
DRC	=	Deputy Regional Commissioner
RC	=	Regional Commissioner
DIU:	=	Departmental Investigation Unit
CE	=	Code Enforcement Unit
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer
HCC	=	Head Correctional Centre / Head Remand Detention Centre
ACC	=	Area Coordinator Corrections
ACCS	=	Area Coordinator Corporate Services
AC	=	Area Commissioner
AC DC	=	Area Coordinator Development and CARE
HCC CC	=	Head Community Corrections
SMS	=	Senior Management Service
Official	=	Official of DCS as contemplated in section 1 of the Act.

- j) Any reference made to salary levels 1-12 is applicable to the equivalent salary grade for the Correctional Services OSD for Centre Based and Non Centre Based officials and any other OSD of closed occupational groups within DCS.
- k) Where the term "in consultation" is used it implies consensus and where the term "after consultation" is used it implies the delegated authority takes a decision considering inputs during the consultation but are not bound by it.



A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

A. CORRECTIONAL SERVICES ACT 111 OF 1998 AS AMENDED

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER		PRINCIPAL FUNCTIONARY	DELEGATION CONDITIONS AND LIMITATIONS		
Section	Topic Description	Head Office	Region	Management Area			
1. Section 3 (5) and 3 (5) (c)	Control over operational matters in the Department of Correctional Services	COC over all regions in the Department of Correctional Services as well as core business branches in Head Office.	Regional Commissioner	Area Commissioner	Head of Correctional Centres/Remand reports to the appointed Area Commissioner. Area Commissioners in a specific Region/Province reports to the appointed Regional Commissioner. Regional Commissioners reports to the appointed COC. Branch Heads: Core Business reports to the COC.		
2. Section 3 (5) (c) and (g)	Approval of trips away from place of work and use of accommodation, use of public transport, excluding trips with Air Transport, the use of hired vehicle and shuttles.	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head of Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	The person who provides the authorisation must always be one level higher than the person who needs to travel. Logistical and Financial policies, procedures and directives must be adhered to. This delegation does not include operational trips officials must undertake to escort inmates to court/ outside hospital/medical appointment or other place such inmate is legally required to be, including transfers from one correctional centre to another. The Head of Correctional Centre/ Community Corrections Office approve such trips in line with the stipulations in the B-Order. The use of Conference Facilities must be handled according to the relevant directives and is not included in this delegation.		
3. Section 3 (5) (c) and (g)	Approval of S&T claims.	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head of Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	Person who approves must always be on level higher than the claimant. Compliance to all relevant policies and procedures and rates determined by DPSA. Compliance to DPSA financial manual		
4. Section 3 (5) (c) and (g)	Approval of KM claims.	Director and higher	Director and higher	Director and higher	Person who approves must always be on level higher than the claimant. Compliance to all relevant policies and		

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
5.	Section 3 (5) (c) and (g) Approval of Air Transport, use of hired vehicles and shuttles. (Domestic travelling only)	NC	Relevant Director and higher according to post level.	Relevant Regional Head (Director) and higher according to post level.	Area Commissioner after consultation with the DRC (Area Commissioner approved by DRC or if on level of DC by the RC)	procedures and rates determined by DPSA and Dept of Transport Compliance to MMS and SMS directives, SMS handbook Regional Commissioners and CDC's approved by the National Commissioner. The person who provides the authorisation must always be one level higher than the person who needs to travel. The procedures and directives on domestic travelling must be adhered to, especially with regard to the class of flight and class of hired vehicle as well as use of travelling agencies and logistical and financial procedures. Officials who receive a car allowance may not use shuttles at their local station. The delegated authority must at all times ensure that funds are available before taking a decision
6.	Section 3 (5) (c) and (g) Provide cash equivalent of benefits received by permanent employees to employees on fixed-term contracts.	NC	CDC Human Resources	No Delegation	No Delegation	Read with PSR
7.	Section 3 (5) (c) and (g) Night visits call out	NC	Dir Security Standards	No delegation	Head Correctional Centre/ Head of Remand Detention Centre	DPSA Financial Manual must be adhered to
8.	Section 3 (5) (c) and (g) Approval of state guarantee applications	NC	DD Service Benefits	Not delegated	Not delegated	Compliance to DPSA directives
9.	Section 3 (5) (c) and (g) Approval for an official to utilise private vehicle when it is more cost effective to the state or a Departmental vehicle is not available.	NC	Director and higher	Director and higher	Director and higher	Approval must be in compliance with LAPM directives
10.	Section 3 (5) (c) and (g) Approval of transport for school children, transport between residence and place of work	NC	CDC HR	Regional Commissioner	Not delegated	Compliance to DPSA financial manual
11.	Section 3 (5)(e) Grant approval for the payment of monetary rewards to any person who is or was a correctional official.	NC	CDC Human Resources	No Delegation	No Delegation	


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
12.	Section 3 (5) (e)	Grant approval for payment of death grants	CDC Human Resources	No Delegation	No Delegation	Compliance to policy on death grants
13.	Section 3 (5) (f)	Grant approval for the payment of monetary rewards to private persons.	COC	No Delegation	No Delegation	
14.	Section 3 (5) (g) read with section 96(3)	Appoint correctional officials (including interdepartmental transfers from other departments/institutions to DCS) (read with delegations in terms of the Public Service regulations)	Level 2-10 (Comply with requirements) DC of relevant Chief Directorate Level 11-12 (Comply with requirements) Chief Deputy Commissioner of relevant branch. Any Deviation: COC	Level 2-10 (Comply with requirements) Deputy Regional Commissioner Level 11-12 (Comply with requirements) Regional Commissioner Any Deviation: COC	None	1. All appointments and interdepartmental transfers must comply with DCS and relevant OSD appointment criteria as well as the PSA and PSR, requirements and DPSA directives. 2. Any deviation must be submitted to the COC for approval via the CDC HR. 3. The CDC HR shall decide on the audit (by Head Office HR staff) of all appointments, promotions and transfers, as deemed necessary. 4. Levels 13-15 is not delegated and must be handled as prescribed in section 96(3)(a) of the Act read with the PSA and PSR.
15.	Section 3 (5) (g) read with Section 96 (3) (d) and	Approve all placements and transfers/temporary transfers on state costs.	Levels 2-7 Director HR Administration & Utilization Levels 8-10 DC HR Management Levels 11-12 CDC Human Resources	No delegation	No Delegation	Subject to the Policy on transfers and prescripts on finances and logistics. Note: Transfers and placement of all SMS members: Levels 13-15 not delegated. (Decision maker: National Commissioner)
16.	Section 3 (5) (g) read with Section 96 (3) (d)	Approve transfers/temporary transfers of SMS on own time and cost or on state costs including interdepartmental transfers to and from DCS, of the SMS.	No Delegation	No Delegation	No Delegation	National Commissioner to approve after consultation with the CDC HR.
17.	Section 3 (5) (g) read with Section 96 (3) (d)	Approve transfers/temporary transfers and placements of officials on own time and cost from level 2 (SCO or equivalent) to level 12 (DD or equivalent), including interdepartmental transfer from DCS to other departments/institutions.	Head Office Level 2-7: Relevant director after consultation with Dir HRA & U Level 8-10: Relevant DC after consultation with Dir HRA &	Levels 2 to 7: Within RC Office: Relevant Regional Head Corporate Services after consultation with RH Corporate Services. Across Management Areas: Deputy Regional	Levels 2 to 7 Within Management Area only: Area Commissioner: (including interdepartmental transfer from DCS)	Compliance to transfer policy and procedures. To be processed/managed by HR. In regional offices and Head Office the application for transfer must be submitted to the Personnel office that will process the application to the relevant directorates.

A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
			U. Level 11-12 Relevant CDC after consultation with the HRA & U	Commissioner after consultation with RH Corporate Services. Levels 8-10: Deputy Regional Commissioner (Excluding Heads of centres and community corrections offices) Levels 11-12: Regional Commissioner		
18.	Section 3 (5) (g) read with Section 95(3)(d)	Approval of Intern Accommodation, Resettlement Claims, Removal of Furniture and Storage, Buying of Property and Pre-visits after approval of transfer on state cost was granted	Maximum 3 months interim accommodation. Director: HR Administration and Utilization More than 3 months: DC HRM	Maximum 3 months interim accommodation. RH Human Resources More than 3 months: No delegation	No delegation	Compliance to financial and logistical prescripts, special leave policy and transfer policy. Approval must always be by a person one level higher than the person requesting the approval.
19.	Section 3 (5) (g) read with Section 95(3)(d) and Public Service Regulations 2016, regulation 63	Appoint employees in acting capacity (read with delegations in terms of the Public Service regulations)	Level 2-12 Relevant Director Level 13 Relevant DC Levels 14 Relevant CDC	Level 2-12 Director Level 13 DRC Levels 14 RC	Levels 2 to 12 Area Commissioner: Level 13 RC Levels 14 RC	1. Compliance to relevant policy and Public Service regulation 63 at all times. 2. The appointment in acting capacity of SMS members for longer than 6 months must be submitted to the Minister for approval in terms of DPSA policy via the CDC HR and the National Commissioner. 3. The delegation to approve any level in acting capacity must comply with the prescripts on acting and the National Commissioner may at any time revoke such acting appointment. 4. HR Head Office will provide templates letters to be used for appointment of officials who must act. 5. HR must certify that a post is vacant before any acting appointment. 6. All acting appointments of SMS shall


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
						be done in consultation with the CDC HR. (Appointment memorandum to be directed via the CDC HR) (E.g. appointment of acting DRC is done by the RC after the memorandum is received back from the CDC HR). 7. CDC HR to issue a directive on the administrative conditions for acting appointments.
20.	Section 3 (5) (g) read with Section 96(3)(d) Appoint temporary employees; (Periodical contract employees; Professionals)	NC	No Delegation	No delegation	No delegation	Appointment of officials on contract (except periodical employees; professionals are not delegated and must be submitted to the National Commissioner for approval
21.	Section 4 (2) (c) Restrict, suspend or revise amenities for offenders of different categories.	NC	CDC	No delegation	No delegation	
22.	Section 6 (1) (b) Authorisation to detain a person at any correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts
23.	Section 6 (6) Make a preliminary security classification of an inmate on admission.	NC	No delegation	No delegation	Divisional Head: Case Management Administration	
24.	Section 7 (2) (d) Detain inmates of specific age, health or security risk categories separately.	NC	No delegation	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts
25.	Section 7 (2) (e) Accommodate offenders in single or communal cells depending on the availability of accommodation.	NC	No delegation	No delegation	Head of Correctional Centre	Compliance to all relevant prescripts
26.	Section 7 (2) (f) Detain inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentenced, that they will defeat the ends of justice by	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand	Compliance to all relevant prescripts

A Fraser
National Commissioner, Correctional Services

Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	their association with other inmates.				Detention Centre	
27. Section 7 (2) (f)	Extension of period of detention of inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentenced, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Area Commissioner	Compliance to all relevant prescripts
28. Section 13 (6) (b)	Enable an offender to notify next-of-kin of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Divisional Head: Case Management/ Administration/ Corresponding post in Remand Detention Centre	Compliance to all relevant prescripts
29. Section 13 (6) (c)	In the case of an offender who is a child, notify the parents and state authorities who have statutory responsibility for the education and welfare of children of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
30. Section 16 (2)	If the Department does not provide the services referred to in section 16 (1) inform inmates of services available from other sources and put inmates who request such services in touch with appropriate agencies.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
31. Section 19 (2)	The National Commissioner must provide every inmate who is a child with social work services, religious care, recreational programmes and psychological services	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
32. Section 19 (3)	The National Commissioner must, if practicable, ensure that inmates who are children remain in contact with their families through additional visits	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
33. Section 20 (1)	Permit a mother to have her child with her until such a child is 2 years of age, or until such time that the child can be appropriately placed taking into consideration the best interest of the child.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts



A Fraser
National Commissioner, Correctional Services

Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
34.	Section 21 (3) read with section 21(4). If an inmate is not satisfied with the response to his or her complaint or request, the inmate may indicate this together with the reasons with dissatisfaction to the Head of the Correctional Centre, who must refer the matter to the National Commissioner.	NC	No delegation	No delegation	Detention Centre Area Commissioner (to respond to the complaint/request)	Compliance to all relevant prescripts
35.	Section 21 (4). The response of the National Commissioner must be conveyed to the inmate.	NC	No delegation	No delegation	Head of the Correctional Centre / Head of Remand Detention Centre	
36.	Section 24 (1) (read together with section 1) Appoint authorized official/disciplinary in writing, (read with the definition of disciplinary official and authorized official)	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	Area Commissioner (to respond to the complaint/request)
37.	Section 24 (7) (a) and (b) At the request of the inmate proceedings resulting in any penalty other than the penalty contemplated in subsection 5(d) must be referred for review to the National Commissioner	NC	No delegation	No delegation	Area Coordinator: Corrections on a level higher than the chairperson of the disciplinary hearing.	
38.	Section 26 (3) In order to achieve the objectives outlined in subsection (1) and subject to the limitations outlined in sections 27 to 35, the National Commissioner may classify and allocate accommodation to inmates.	NC	COC CDC Incarceration and Corrections may intervene in cases of overcrowding to transfer inmates across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/ Head of Remand Detention Centre	
39.	Section 30 (1) Segregation for a period of time, which may be for part of or the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in section 7 (2) (e).	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	
40.	Section 30 (5) Extend the period of segregation for a period more than seven days for a period not exceeding 30 days if the Head of the Correctional Centre believes it necessary to do so in terms of subsection (1) (c) to (f) and if the medical officer or the psychologist certifies that such an extension would not be harmful to the health of the offender, he or she may, with the permission of the National Commissioner, extend the period of segregation for	NC	No delegation	No delegation	Area Commissioner	


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
41.	Section 30 (6) a period not exceeding 30 days All instances of segregation and extended segregation must be reported immediately by the Head of the Correctional Centre to the National Commissioner and Inspecting Judge	NC	No delegation	No delegation	Head Correctional Centre report to the Regional Commissioner and the Inspecting Judge via the Area Commissioner.	
42.	Section 31 (3) (c) Extend the minimum period necessary for the restraint of an offender by mechanical restraints for a maximum period not exceeding 30 days after consideration of a report by a medical officer or psychologist	NC	No delegation	No delegation	Area Commissioner	
43.	Section 39 (2) (a) The National Commissioner may determine, unless the court directs otherwise or unless the court directs that such sentences shall run concurrently, how sentences of imprisonment: commencement, computation and termination of sentences must be served.	NC	No delegation	No delegation	Head Correctional Centre	
44.	Section 39 (5) (a) Determine the order in which a sentence of correctional supervision must be served other than the one after the expiration, setting aside or remission of the other unless the Court specifically directs otherwise or unless the Court directs that such sentences shall run concurrently.	NC	No delegation	No delegation	Head of Community Corrections	
45.	Section 39 (6) (a) Issue a warrant for the arrest of an offender, if the offender had been released from a correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	NC	No delegation	No delegation	Area Commissioner	
46.	Section 40 (4) (b) Determine the amount of gratuity that sentenced offenders receive for their labour must be determined by the National Commissioner with the concurrence of the Minister of Finance	NC	Chief Financial Officer in consultation with the COO	No delegation	No delegation	
47.	Section 41 (6) Compel sentenced offenders to participate in programmes and use services offered in terms of sub sections (1), (3) and (4) where of the opinion that their participation is necessary having regard to the nature of their previous criminal conduct and	NC	No delegation	No delegation	Head of Correctional Centre	

A Fraser

National Commissioner, Correctional Services

Date:

28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
48.	the risk they pose to the community. Transfer a sentenced child to a child and youth care centre as contemplated in section 19(2)(i) of the Children's Act 2005 (Act no. 32 of 2005), in consultation with the Director General of the Department of Social Development and from which date the provision of section 76 of the Child Justice Act of 2008 will apply	NC	No delegation	No delegation	Head of the Correctional Centre/Remand Detention Centre	
49.	Permit in writing on such conditions and for such periods, as specified, a sentenced offender to leave correctional centre temporarily for the purpose of: (a) Compassionate leave; (b) Treatment, development or support programmes; (c) Preparation for release; or (d) Any other reason related to the successful integration of the offender into the community.	NC	No delegation	Application for deviation: RC	Head of the Correctional Centre (minimum level DD) after consultation with the Area Commissioner. Heads Correctional Centre on lower levels: Area Coordinator Corrections after consultation with the Area Commissioner	All approvals must be communicated to the RC on the same day as approval (in high profile cases)
50.	Withdrawal of permission for temporary leave	NC	No delegation	No delegation	Head of the Correctional Centre (minimum level DD) Heads Correctional Centre on lower levels: Area Coordinator Corrections	
51.	Provision of a Unit for Pregnant Remand Detainees	NC	No delegation	No delegation	Area Commissioner	
52.	Detain disabled remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
53.	Detain aged remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
54.	Section 49D Detain mentally ill remand detainees in single cell or correctional health facility	NC	No delegation	No delegation	Head of the Remand Detention Centre	
55.	Section 49F(1) Release of remand detainee under the supervision of the SAPS to a maximum period of 7 days	NC	No delegation	From more than 3 days to 7 days Deputy Regional Commissioner Request for the second time by the same detective, for the same case Regional Commissioner	Head of the Correctional Centre / Head of the Remand Detention Centre Less than 1 day (return same day/not overnight) Head of RDF or Head of the Correctional Centre From a full day (overnight) to 3 days	If the RD is not brought back at the agreed upon time, it must be followed up immediately with the SAPS, and immediately inform both DCS and SAPS management that gave approval and inform the clerk/registrant of the court. Ensure total compliance to the protocol signed on 04/09/2014 between DCS and the SAPS.
56.	Section 52 (1) read together with section 42 (2) (e) and section 75 (1) May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (a) to (q) of this section, subject to the limitations in sub-section (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act.	NC	No delegation	No delegation	Area Commissioner Up to 24 months incarceration; Head of Correctional Centre Longer than 24 months incarceration; Correctional Supervision and Parole Board	
57.	Section 54 (2) Determine the duration of placement on day parole except in cases of life imprisonment and dangerous criminals where the court will have to decide.	NC	No delegation	No delegation	Up to 24 months incarceration; Head of Correctional Centre Longer than 24 months incarceration; Correctional	

A Fraser

National Commissioner: Correctional Services

Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
58. Section 58(6) (b) read together with section 52 (1)	Submission of report by supervision committee to National Commissioner	NC	No delegation	No delegation	Supervision and Parole Board Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
59. Section 61(2)	The National Commissioner must assist in the attempt to find employment.	NC	No delegation	No delegation	Before placement Head Correctional Centre After placement Head Community Corrections	
60. Section 62 (a)	Permit a person subject to community corrections who is required in terms of section 52 (1) (d) to take up and remain in employment, to change his or her employment may not change his or her employment without the permission of the National Commissioner	NC	No delegation	No delegation	Head Community Corrections	
61. Section 62 (c)	Permit a person to leave the place of employment during working hours for purposes unrelated to the employment when a person subject to Community Corrections is required in terms of section 52 (1)(d) to take up and remain in employment.	NC	No delegation	No delegation	Head Community Corrections	
62. Section 63 (a)	Demand that a probationer or parolee submit a statement of income and expenditure, as often as may be deemed necessary in order to ascertain the financial ability of a probationer or parolee.	NC	No delegation	No delegation	Head of Community Corrections	
63. Section 63 (b)	Demand proof as specified of payment of compensation as ordered by the court of a person subject to community corrections who is required to	NC	No delegation	No delegation	Head of Community Corrections	

A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	pay compensation.					
64.	Section 64 (4) Grant leave of absence from a session where a person must attend programmes in terms of Section 52 (1) (f).	NC	No delegation	No delegation	Head Community Corrections	
65.	Section 65(1) Provide the National Commissioner with a statement of income and expenditure if required to make a contribution on costs	NC	No delegation	No delegation	Head Community Corrections	
66.	Section 65 (2) The National Commissioner may, within the means of such person, determine the contribution to costs which that person must make and may adjust the period of supervision and day parole	NC	No delegation	No delegation	Probationers and Parolees: Head of Community Corrections Office Day Parolees: Head of Correctional Centre	
67.	Section 65 (1) Authority to be consulted with when the court, Correctional Supervision and Parole Board or other body which has the authority to impose community corrections, requires a person to live at a fixed address in terms of section 52 (1) (i), determine such address.	NC	No delegation	No delegation	Head of Community Corrections	
68.	Section 66 (2) (a) and (b) Declare a fixed address in terms of Section 52 (1) (i) to be unsuitable and refer the matter back to the Court, Correctional Supervision and Parole Board or other body, to stipulate another address.	NC	No delegation	No delegation	Head of Community Corrections	
69.	Section 68(4) Appoint persons in terms of section 96(4) to assist correctional officials in monitoring	NC	No delegation	No delegation	Area Commissioner	
70.	Section 68(2) Where any child is subject to supervision in terms of this Chapter, the National Commissioner must, in addition to any programmes which the child in terms of section 52(1)(f) may be required to take part in, ensure that if the child requires support he or she has access to adequate social work services, religious care, recreational programmes and psychological services.	NC	No delegation	No delegation	Head Community Corrections	
71.	Section 70 (1) (a) and (b) (a) When a person subjected to community corrections has failed to comply with any aspect of the conditions imposed on him or her or any duty	NC	No delegation	No delegation	(a) (i) Less serious: Supervision Official	


A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018


DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	<p>placed on him or her in terms of any section of Chapter 6 (Community Corrections) depending on the nature and seriousness of the non-compliance as stipulated in the Order—</p> <p>(i) Reprimand the person.</p> <p>(ii) Instruct the person to appear before the Correctional Supervision and Parole Board that is situated closest to the place of residence of such person or the Board which has jurisdiction within the area where the non-compliance took place or other body which imposed the Community Corrections;</p> <p>(iii) Issue a warrant for the arrest of such person.</p> <p>(b) Instruct that the community corrections be resumed subject to the same conditions or duties applicable to that person if satisfied that the person has a valid excuse for not complying with any such condition or duty.</p>				<p>under whose supervision offender is.</p> <p>Serious: Supervision Committee under whose supervision offender is.</p> <p>(ii) Head of Community Corrections Office</p> <p>(iii) Heads of Community Corrections Office or Correctional Centre</p> <p>(b) Head of Community Corrections Office</p>	
72.	Section 70 (3)	Instruct a person to appear before the court, Correctional Supervision and Parole Board or other body which imposed the community corrections if a person subject to community corrections has failed to meet the conditions imposed on him or her but that such failure is due to a change in circumstances beyond the control of the person concerned.	No delegation	No delegation	Head of Community Corrections	
73.	Section 70 (4)	Issue a warrant in terms of subsection (1) (c) and act in terms of subsection (2) if a person subject to community corrections fails to obey an instruction issued in terms of subsections (1) (b) or (3).	No delegation	No delegation	Head of Community Corrections	
74.	Section 71 (1) read together with section 276 A (4) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977)	Apply to the court, Correctional Supervision and Parole Board or other body which ordered the imposition of community corrections, to amend the conditions which make up the community corrections in a particular case if it is the opinion that a change of circumstances calls for a change in the conditions.	No delegation	No delegation	Head of Community Corrections	


A. Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
75.	Section 71 (3) Issue a warrant in terms of section 70 (1)(c) for arrest if a person fails to appear when instructed to do so before a court, Correctional Supervision and Parole Board or other body in terms of subsection (2).	NC	No delegation	No delegation	Head of Community Corrections	
76.	Section 72(4) If a person is not satisfied with the response on his or her complaint or request from the Head Community Corrections, he or she may refer the matter to the National Commissioner whose response must be communicated to the person concerned	NC	No delegation	No delegation	Area Commissioner	
77.	Section 73(7)(b) A person sentenced to incarceration for a period not exceeding five years as an alternative to a fine under section 287(4)(a) of the Criminal Procedure Act, may be considered for placement under correctional supervision by the National Commissioner or the Correctional Supervision and Parole Board as soon as possible after admission to a correctional centre subject to the conformation of a suitable support system., unless the court has directed otherwise	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
78.	Section 74 (2) (e) The National Commissioner must nominate one official of the Department to form part of the Correctional Supervision and Parole Board appointed by the Minister.	NC	No delegation	Regional Commissioner only with regard to section 74(2) (e).	No delegation	The vice chairperson and 2 community member are not nominated by the National Commissioner and therefore not delegated
79.	Section 74 (3) The National Commissioner must designate the correctional official to act as secretary to the Parole Board	NC	No delegation	DRC	No delegation	
80.	Section 74 (8) Determine on recommendation of the Department of Public Service and Administration the remuneration and allowances of a member of a Board who is not in the fulltime service of the State may receive.	NC	DC: Human Resource Management	No delegation	No delegation	
81.	Section 75 (1B) (a) Identify offences for purposes of subsection (1A) with the concurrence of the National Commissioner of the South African Police Service, the Director-General of the Department of Justice and the National Director of Public Prosecutions.	NC	CDC: Incarceration and Corrections	No delegation	No delegation	


A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018


DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
82.	Section 75(2)(a) read together with 75(2) (c)	Referral by the National Commissioner of recommendations for cancellation for correctional supervision or day parole in the cases of sentenced inmates serving sentences of 24 months or more except life incarceration.	No delegation	No delegation	Area Commissioner	
83.	Section 75 (7) (a) and (b)	Despite subsections (1) to (6), authorizes: (a) Placement under correctional supervision or day parole or grant parole to an offender serving a sentence of up to 24 months imprisonment and prescribe conditions in terms of sections 52; (b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.	No delegation	No delegation	Head of Correctional Centre	
84.	Section 75 (8)	Refer a decision to the Correctional Supervision and Parole Review Board in so far as it relates to the National Commissioner for reconsideration.	CDC Incarceration and Corrections	No delegation	No delegation	
85.	Section 79 read with regulation 29A(7)	Consideration for placement on medical parole by the National Commissioner the Correctional Supervision and Parole Board or the Minister in so far as it relates to the National Commissioner	No delegation	No delegation	Up to 24 months incarceration: Head of the Correctional Centre after receiving a report from the medical advisory board as referred to in section 79(3)(a)	Other categories provided for in the Act and not delegated
86.	Section 80(1)	Recommend to the Correctional Supervision and Parole Board that an offender be granted special remission of sentence not exceeding two years either unconditionally or subject to such conditions as the Board may determine when such an offender has acted highly meritoriously excluding offenders serving life sentences or declared as dangerous criminals.	No delegation	No delegation	Head of Correctional Centre Head Community Corrections (for offenders under Community Corrections)	
87.	Section 81 (3)	Community Corrections granted in terms of subsection (2) is subject to such conditions as	No delegation	No delegation	Head of Correctional Centre	


A. Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
88.	Section 84(3) The National Commissioner must provide the necessary information and resources to enable the National Council to perform its functions.	NC	COC CDC Incarceration and Corrections	No delegation	No delegation	
89.	Section 90(2) The Inspecting Judge may only receive and deal with the complaints submitted by the National Council and, the Minister, the National Commissioner and, in cases of urgency, an Independent Correctional Centre visitor in as far as it relates to the National Commissioner.	NC	COC CDC Incarceration and Corrections CDC Community Corrections	Regional Commissioner	None	
90.	Section 95 (1) and (2) The National Commissioner must monitor compliance with relevant prescriptions by means of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.	NC	Internal Auditing Chief Audit Executive Inspections: Head Office Component COC Investigations: Departmental Investigation Unit Director Departmental Investigation Unit	Inspections: Regional Inspectorate DRC	No delegation	The approval to carry out the functions must be read with regulation 30(2) and (3). The approval to carry out the function is sufficient and no further approval is required to have access to any departmental premises, and have access to or search and seize any Departmental record or document. The same principle is also applicable to Code Enforcement initiators when initiating in a matter emanating from a DIU investigation.
91.	Section 95 (1) and (3) Approve the institution of investigations other than investigations referred to in section 95A as well as the approval of the recommendations in the investigation report.	NC	Relevant Director and higher according to line functions. The COC may institute any investigation into any matter, apart from section 95A, that relates to the functions under the control of the COC.	Relevant Director and higher according to line functions	1. Director and higher according to line functions. 2. The Head of the Centre/Community Corrections office in relation to investigations in relation to inmates/probationers /probationers excluding escapes that must be	The National Commissioner may institute investigations into any matter. No matter referred to in section 95A can be investigated in regions/head office without the approval in writing by the Director DIU or the National Commissioner. In Regional Offices and Head Office, in relation to employees based at the regional office or head office, all decisions to take disciplinary action as well the outcome of any disciplinary processes must be communicated to the


A Fraser
National Commissioner, Correctional Services
Date: 28/09/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
92.	Section 95 (1) and (3) Approve the appointment of investigator/s other than investigations referred to in section 95A	NC	Relevant Director and higher according to line functions The COC may appoint investigators into any investigation instituted under delegation 91	Relevant Director and higher according to line functions RH: Human Resources	1. Director and higher according to line functions. 2. The Head of the Centre / Community Corrections in relation to inmates / parolees / probationers excluding escapes that must be appointed by the Area Commissioner	personnel office in writing. The National Commissioner may intervene in any matter and appoint investigators.
93.	Section 95A Authorize investigators to investigate matters in terms of Section 95A of the act.	NC	Director Departmental Investigation Unit	No delegation	No delegation	All matters referred to in section 95A must be referred to the Dir. DIU. The Dir. DIU may decide that a region investigate if the DIU lacks capacity or for reason of urgency. Such approval shall be in writing. Officials appointed in the DIU are ex-officio appointed as investigators in terms of section 95A and does not require written appointment for a specific case and will a certificate of appointment in terms of regulation 30(1)(c) be issued.
94.	Section 95B Authorize initiators to initiate in disciplinary proceedings resulting from any investigation in terms of section 95A and which has been submitted to the Director Code Enforcement to conduct a disciplinary hearing.	NC	Levels 2-10 Deputy Director Code Enforcement Levels 11-15 Director Code Enforcement	No delegation	No delegation	1. The Director Code Enforcement may appoint in writing any initiator (not on the establishment of the Directorate Code Enforcement) in terms of section 95B from a regionhead office to initiate if CE lacks capacity or for reason of urgency. 2. Officials appointed in the Directorate Code Enforcement are ex-officio appointed as initiators in terms of section 95B and does not require


A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018


DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED			PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office		Region	Management Area		
95.	Section 95B	Approve formal or informal disciplinary hearing and charges emanating from section 95A investigations	NC	Levels 2-10 Deputy Director Code Enforcement Levels 11-12 Director Code Enforcement Levels 13 DC Legal Services Level 14-15 National Commissioner	No delegation	No delegation	Written appointment to initiate in disciplinary hearings.
96.	Section 95B read together with res 1 of 2006 and chapter 7 of the SMS manual	Approve the appointment of chairperson in disciplinary hearings	NC	Levels 2-12 DC Legal Services Levels 13 DC Legal Services Level 14-15 National Commissioner	No delegation	No delegation	
97.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006	Decisions regarding appeals against dismissals and disciplinary action as alternative to dismissal emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A	NC	Levels 2-12 DC Legal Services	No delegation	No delegation	
98.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006	Decisions regarding appeals on disciplinary action up to final written warning emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A.	NC	Levels 2-12 Director Code Enforcement	No delegation	No delegation	Where the Dir CE has signed the sanction the appeal must be submitted to the DC LS
99.	Section 95(2) (a) read with Chapter VII of the Labour Relations Act, 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Management of Grievances submitted in terms of the departmental grievance procedure	NC	Line management via direct supervisor up to DC Human Resource Management	Line management via direct supervisor up to Deputy Regional Commissioner	Line management via direct supervisor up to Deputy Regional Commissioner	Compliance to time frames as prescribed in the grievance procedure
100.	Section 95(2) (a) read with Chapter VI of the Labour Relations Act 66 of 1995 as amended	Dispute Resolution Approval of Mandate to defend / settle (no financial implication) disputes in conciliation/arbitrations	NC	Disciplinary matters: Director Employee	Regional Head Corporate Services in Regions on matters excluding section	No delegation	Representatives of CE are ex officio and need not be appointed in writing in cases allocated by the Director CE.


A. Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of Mandate to defend / settle disputes in arbitration hearings and to appoint Departmental Representatives (financial implications)	Relations. <u>HR Matters:</u> DC HRM Director Code Enforcement in section 95B matters.	95B matters		
101.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of Mandate to defend / settle disputes in arbitration hearings and to appoint Departmental Representatives (financial implications)	1. To defend in arbitrations concerning interpretation and application of resolutions and policy. <u>DC HRM</u> 2. To settle in arbitrations concerning interpretation and application of resolutions and policy <u>CDC HR</u> 3. Unfair labour practice/dismissal/discrimination disputes. (Excluding section 95B matters) <u>Levels 2-12</u> <u>Director Employee Relations</u> <u>Level 13:</u> <u>DC HRM</u> <u>Level 14:</u> <u>CDC HR</u> (Level 15 not delegated) <u>Code Enforcement</u> <u>Section 95B cases</u> <u>Appoint representative</u> <u>Levels 2-15</u> Representatives of CE are ex officio.	1. To defend in arbitration concerning interpretation and application of resolutions and policy. <u>No delegation</u> 2. To settle in arbitrations concerning interpretation and application of resolutions and policy <u>No delegation</u> 3. Unfair labour practice/dismissal/discrimination disputes. (Excluding section 95B matters) <u>Levels 2-12</u> <u>RH Corporate Services</u> <u>Level 13:</u> <u>DRC</u> <u>Level 14:</u> <u>RC</u> (Level 15 not delegated)	No delegation	All matters concerning interpretation and application of resolutions and policy to be consulted with the Directorate responsible for arbitrations in Head Office.


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
102.	Section 95(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute resolution Approval of Mandate to defend / settle disputes in arbitration hearings (involving substantial financial risk for more than one individual or an implication on national policy application) and to appoint Departmental Representatives	Mandate to settle/defend Level 2-12 Dir CE Level 13 DC Legal Services Levels 14 and 15 not delegated	No delegation	No Delegation	Settlements with substantial financial implications must be consulted with finances
103.	Section 95(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to review all arbitration awards (Section 145 of the LRA) or to withdraw such review.	Dir ER to appoint representative in all cases except section 95B matters. To defend: DC HRM To settle: CDC Human Resources Sections 95B matters: Representatives of CE are ex officio. To defend all levels: Dir CE To settle: Levels 2-12 Dir CE L13: DC Legal Services L14-15: Not delegated	No delegation	No delegation	If the award is not referred for review there is no requirement for a mandate to implement and must be implemented, since there is an award already that is enforceable i.e. section 143 of the LRA. Failure to implement may lead to contempt proceedings in the Labour Court. The Director Employee Relations, Director Code Enforcement (later in section 95B cases only) and the Regional Head Human Resources are responsible to ensure implementation.


A. Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED			PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office		Region	Management Area		
104.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Decision to request rescission or variation of arbitration awards (Section 144 of the LRA)	NC	Director Employee Relations in Head Office Director Code Enforcement for section 95B cases	Regional Head Human Resources in Regions No delegation for section 95B matters	No delegation	
105.	Section 96 (4)	Appoint unpaid voluntary workers who are not employees of the Department, and determine the extent of the powers they may exercise.	NC	Director Human Resource Administration and	Regional Head Human Resources	Area Commissioner	
106.	Section 96 (5) of Act 111 of 1998.	Early retirement of officials from levels 2-12 employed under the Correctional Services Act from the age of 55. (Early retirement between the age of 50 and 55 is not delegated.)	NC	Deputy Commissioner Human Resource Management	No delegation	No delegation	Compliance to all relevant policies and prescripts, No delegation for SMS members, National Commissioner to decide.
107.	Section 99 (5)	Permit any person other than those mentioned in subsections (1) to (4) in terms of this section to visit an inmate, a correctional centre or any specific section of a correctional centre for any special or general purpose.	NC	<ul style="list-style-type: none">- <u>International Committee of the Red Cross:</u> COC- <u>Visitors from other countries:</u> COC- <u>Media:</u> Dir. Communication Services	<u>Media:</u> RC <u>Politicians:</u> Regional Commissioner	<ul style="list-style-type: none">- <u>Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level:</u> Head Correctional Centre (DD Level)Heads of Centre on lower levels: Area Coordinator Corrections- <u>Other functional visits with whom the DCS liaises, representatives of other organizations or state</u>	


A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
108.	Section 101 (2) (a) Authorise a correctional official to search another correctional official or seize his or her property without his or her consent.	NC	DD Physical Security: Directorate Security Standards	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level: Area Coordinator: Corrections	departments: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections Media: Area Commissioner	Compliance at all times to relevant prescripts
109.	Section 101 (4) (a) Sell any property seized in terms of this Act or the property of a deceased or escaped offender which is in the care of the Department, by public auction, if it is not lawfully claimed within six months after being seized or after the death or escape.	NC	No delegation	No Delegation	Area Coordinator Finances	
110.	Section 101 (4) (c) Pay over the balance of the proceeds of a sale in terms of subsection 101 (4) (a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	NC	No delegation	No Delegation	Area Coordinator Finances	


A Fraser
National Commissioner, Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
111. Section 109 (2)	Certify the appointment of custody officials.	NC	DC HRD	No delegation	No delegation	
112. Section 109 (4)	Keep a register containing the particulars of each certified custody official.	NC	DC HRD	No delegation	No delegation	
113. Section 109 (6)	Revoke suspension or certification of custody official, after a custody official has been suspended.	NC	DC HRD	No delegation	No delegation	
114. Section 111 (1) (b)	Authorize an employee of the Contractor or an employee of a sub-contractor to disclose information regarding the functioning of a joint venture correctional centre or any information related thereto.	NC	CFO in consultation with the DC Legal Services and COC	No delegation	No delegation	
115. Section 123 (2) (a) read with section 123(2)(b)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	NC	Dir. Public Education, Stakeholder Relations and Media Services	No delegation	No delegation	
116. Section 132 (1) read with regulation 39(1)	Grant approval of the establishment of canteens for the exclusive use or benefit of correctional officials, the families of such officials and other persons or categories of persons prescribed by regulation.	NC	DC Integrated Employee Health & Wellness	No delegation	No delegation	
117. Section 132 (3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	NC	DC Integrated Employee Health & Wellness	No delegation	No delegation	
118. Section 133 (2)	Authorise specific services necessary or expedient and in the public interest or in the interest of any deserving charity to be rendered gratuitously.	NC	No delegation	No delegation	HCC on DD level Area Coordinator Corrections where HCC is lower than a DD	



A. Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

B. CORRECTIONAL SERVICES REGULATIONS 2012, AS AMENDED

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description			Head Office	Region	Management Area	
1.	Regulation 5 (1) Permit a sentenced offender to wear other clothes than clothing issued to him or her on admission to a correctional centre.	NC		No delegation	No delegation	Head of Correctional Centre	
2.	Regulation 7 (7) (b) Grant approval that an offender may participate in clinical trials on application made by the offender.	NC		No delegation	Regional Commissioner	No delegation	
3.	Regulation 7 (8) (a) Grant approval on request of an offender to donate or receive an organ or tissue by donation, in accordance with the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983).	NC		No delegation	Regional Commissioner	No delegation	
4.	Regulation 7 (8) (b) Grant approval on request from a person to receive any form of artificial fertilization in terms of the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983) from an offender.	NC		No delegation	Regional Commissioner	No delegation	
5.	Regulation 7 (9) (a) Grant approval that an offender may be sterilized at State expense when the procedure is required for medical reasons as certified by the medical officer.	NC		No delegation	Regional Commissioner	No delegation	
6.	Regulation 7 (9) (b) The National Commissioner may approve an abortion at State expense only in the circumstances contemplated in Sections 21(1)(i), (ii) or (iii) and 21(1)(c) of the Termination of Pregnancy Act, 1996 (Act No. 92 of 1996).	NC		No delegation	No delegation	Area Commissioner	
7.	Regulation 9 (1) (b) Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to remove and bury the deceased at their own expense.	NC		No delegation	No delegation	Head of Correctional Centre	
8.	Regulation 9 (1) (c) Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to transport the deceased offender at State expense to another magisterial district, the cost of the burial to be borne by the person requesting the transportation.	NC		No delegation	No delegation	Area Commissioner	
9.	Regulation 10 (2) (e) read with section 3 (5) (g) Appoint a temporary educator with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC		No delegation	Regional Head Corporate Services in consultation with the Regional Head Development and Care	No delegation	



A Fraser

National Commissioner: Correctional Services

Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
10.	Regulation 10 (2) (e) Appoint a voluntary worker with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educator if such a qualified educator or trained correctional official is not available.	NC	No delegation	No delegation	Area Commissioner	
11.	Regulation 12 (1) Permit an offender to consult with his or her legal practitioner in connection with legal matters subject to certain conditions.	NC	No delegation	No delegation	Head of Correctional Centre	
12.	Regulation 14 (1) (b) Appoint a Case Presenter in writing in a disciplinary hearing for offenders.	NC	No delegation	No delegation	Head of Correctional Centre	
13.	Regulation 15 (2) (b) Grant approval that when an inmate temporarily removed from a correctional centre is to appear before Court or for the purposes of a criminal investigation, that such an inmate may be placed in the safe custody of a member of the South African Police Services instead.	NC	No delegation	From more than 3 days to 7 days Deputy Regional Commissioner Request for the second time by the same defective, for the same case Regional Commissioner	Less than 1 day (return same day/not overnight) Head of RDF or Head of the Correctional Centre From a full day (overnight) to 3 days Area Commissioner	The same protocol as referred to in the delegation for section 49F must be adhered to.
14.	Regulation 21 (5) (a) Appointing correctional officials as members of Emergency Support Teams.	NC	No delegation	No delegation	Area Commissioner	
15.	Regulation 22 (2) Classification of sentenced offenders.	NC	No delegation	No delegation	Unit Manager: Case Management Committee	
16.	Regulation 23 (2) (a) Enter into a contract with any institution or person for the utilization of the labour or service of correctional centres upon such terms and conditions as may be agreed between the parties.	NC	No delegation	No delegation	Head of Correctional Centre	
17.	Regulation 23 (2) (b) Sell the products of the labour or service in a correctional centre to any person on such conditions as may be determined.	NC	No delegation	No delegation	Area Commissioner	
18.	Regulation 23 (4) Order that a sentenced offender may be exempted from work on any day during any period in terms of a classification scheme or course of treatment or otherwise.	NC	No delegation	No delegation	Head of Correctional Centre	
19.	Regulation 23 (5) Grant approval that an offender may perform work for another offender, correctional official or a private person	NC	No delegation	No delegation	Head of Correctional Centre	

A Fraser

National Commissioner: Correctional Services

Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
20.	Regulation 24(1)(a) or body. A Case Management Committee consists of at least three correctional officials, one of whom is designated by the National Commissioner as chairperson of that Committee.	NC	No delegation	No delegation	Area Commissioner	
21.	Regulation 24(2) The chairperson must, as often as the National Commissioner may determine, convene a meeting of the Committee.	NC	No delegation	No delegation	Area Commissioner	
22.	Regulation 25A(1) Provide particulars as required in terms of Section 49 of the Criminal Law (Sexual Offences and Related matters) Amendment Act 2007, (Act no. 32 of 2007) to the registrar of the National Register for Sex offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
23.	Regulation 25A(2) To inform sex offenders of the implications of being registered in the National Register for Sex Offenders	NC	No delegation	No delegation	Head of the Correctional Centre	
24.	Regulation 26H In the event of failure to return a remand detainee within such period, the Head of the Remand Detention Facility or the Correctional Centre, as the case may be, must inform the National Commissioner in order to take appropriate steps to ensure the appearance of the remand detainee at court.	NC	No delegation	No delegation	Area Commissioner must be informed and must take appropriate steps to ensure the appearance of the remand detainee at court	The Protocol as referred to in section 49F must be adhered to.
25.	Regulation 30 (1) (a) read together with regulation 30(1)(c) and section 95A Appoint investigators to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections)	NC	Director Departmental Investigation Unit	No delegation	No delegation	The certificate of appointment to be signed by the Director DIU for investigators and for officials appointed to initiate in terms of section 95B by the Director Code Enforcement.
26.	Regulation 30 (1) (a) read together with section 95 (1) Appoint internal auditors to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC Chief Audit Executive	No delegation	No delegation	The certificate of appointment to be signed by the relevant Director in the Chief Directorate Chief Audit Executive for internal auditors.
27.	Regulation 30 (1) (a) read together with regulation 30(1)(c) and section 95 (1) Appoint inspectors to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC ICC	DRC for regional inspectors	No delegation	The certificate of appointment to be signed by the Director Inspectorate for inspectors, including regional inspectors
28.	Regulation 31 Allocate official residential accommodation to a	NC	No delegation	No delegation	Area Coordinator Human	1. Officials who work at Regional

A Fraser
National Commissioner: Correctional Services
Date: 28/05/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	correctional official for occupation for such period and under such conditions as may be determined.				Resources on Director Level/ Area Commissioner on recommendation of the Housing Committee	Offices and National head Office are subjected to this delegation and must apply to the relevant Area Commissioner for housing. 2. Accommodation reserved for a specific post need not be advised on by the Housing Committee if the house is occupied by the person in such post. 3. The allocation of reserved accommodation may only be allocated to other officials after approval with recorded reasons by the Area Commissioner.
29.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clause 4 - Decision to institute disciplinary proceedings (except in cases handled in terms of section 95B)	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
30.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clauses 5.1 to 5.3 Imposing the sanctions of Corrective Counseling, Verbal and Written Warning (except in cases handled in terms of section 95B)	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
31.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Less Serious Misconduct Clause 5.4 Imposing the sanction of Final Written Warning (except in cases handled in terms of section 95B)	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Supervisor/Manager (NCB1-3 / CB1-3) or higher	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.
32.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a)	Serious Misconduct Clause 4 - Decision to institute disciplinary proceedings (except in cases handled in terms of section 95B)	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Supervisor/Manager (ASD or higher)	Discretion to decide on seriousness of misconduct in Section 95B matters is the Director Code Enforcement and must be handled as per delegations in terms of section 95B.


A Fraser
National Commissioner: Correctional Services
Date: 29/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
33.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 7.3.3 Appointment of Chairperson (except in cases handled in terms of section 95B)	NC	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	
34.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 7.3.4 Appointment of Initiator (except in cases handled in terms of section 95B)	NC	Assistant Director or higher	Assistant Director or higher	Assistant Director or higher	
35.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 7.3.5 Employer agree with the employee that the hearing may be chaired by a panelist (Commissioner) from a dispute resolution agency (GPSSBC / PSCBC / CCMA) and approval of prescribed fees to the relevant council.	NC	Director Employee Relations Director Code Enforcement in cases handled in terms of section 95B	RH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Dir CE
36.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clauses 7.4.1.1 to 7.4.1.7 Imposing the sanctions of Corrective Counseling, Verbal Warning, Written Warning, Final Written Warning, Dismissal or the alternative sanctions to dismissal namely demotion or suspensions without remuneration for a period of one (1), two (2) or three (3) months.	NC	ASD or higher	ASD or higher	ASD or higher	Compliance with res 1 of 2006
37.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 8.4 Appeal in non-dismissal cases	NC	A manager on higher level than the supervisor / manager of first instance.	A manager on higher level than the supervisor / manager of first instance.	A manager on higher level than the supervisor / manager of first instance.	Section 95B cases. Appeal for non-dismissal cases. Next level manager refers to the next level manager of the official who gave the sanction.
38.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 8.5 Appeal in dismissal cases and appeals against the alternatives to dismissal. (except in cases handled in terms of section 95B)	NC	DC Employee Relations or CDC Human Resources if the DC ER cannot make a decision	Deputy Regional Commissioner or RC if the DRC cannot make a decision	No Delegation	The appeal submission must be referred to National Head Office for a decision by the DC Employee Relations in cases where the DRC or the RC (who is the line function decision maker above the DRC) cannot make a decision.


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
39.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) levels 2-12	Serious Misconduct Clause 7.2 Precautionary suspension; suspension pending the outcome of appeal and review of suspensions.	NC	Director or higher — Director or higher by the DIU in terms of section 95A: Director DIU. — If case was investigated in terms of Section 95A and handed over to Code Enforcement in terms of Section 95B the Director CE to decide on further suspension for levels 2-12.	Director or higher	The decision must always be taken by official at least one level higher than the official suspended. The review of suspensions shall be handled in terms of the relevant prescripts and no deviation allowed.
40.	Regulation 33 (2) read with Chapter 7 of the SMS manual in relation to SMS members.	Precautionary suspension and review of suspension	NC	Level 13 COC DC Legal Services in section 95A and B cases. Level 14 and 15 Not delegated	No delegation	1. In section 95A and B cases levels 14 and 15 to be decided by NC. 2. In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on further suspension once the disciplinary hearing commenced. 3. All suspension decisions of SMS members shall be done in consultation with the CDC HR.
41.	Regulation 33 (2) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) and read with Chapter 7 of the SMS manual in relation to SMS members.	Disciplinary matters in relation to SMS	NC	Level 13 COC DC Legal Services in section 95B cases. Level 14-15 Not delegated	No Delegation	1. In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on the sanction and therefore no delegation required on sandions. 2. All disciplinary decisions of SMS members shall be done in consultation with the CDC HR.


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
42.	Regulation 35 and 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	NC	Levels 2-10 DD Retention and Terminations Levels 11-12 Director Human Resource & Administration SMS No delegation: National Commissioner to decide.	No delegation	No delegation	3. Disciplinary decisions in relation to section 95A and B must be done after consultation with the CDC HR. Compliance to relevant prescripts
43.	Regulation 37(2) Abscondment of correctional official. Reg 37 (2) (b) Establish whereabouts of the official that is absent. Reg 37 2 (a) Dismissal of the official Reg 37 (2) (c) and (d) Decision on representation by official who was summarily dismissed for being absent for 30 consecutive calendar days to be re-instated or re-employed	NC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for re-instated/re-employed Levels 2-12: DRC 1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for re-instated/re-employed Levels 2-12: DRC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for re-instated/re-employed Levels 2-12: DRC	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for re-instated/re-employed Levels 2-12: DRC	The provisions of reg 37 (2) must be adhered to at all times. All decisions on SMS remains with the NC and are not delegated


A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
44.	Regulation 39 (2) (b) Determine how and when any profits, assets or any proceeds from the liquidation of a departmental canteen may be distributed by the committee for any purposes contemplated in section 132 of the Act, or for the common benefit or welfare of correctional officials, pensioners, civilian employees and their dependents.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
45.	Regulation 39 (2) (c) Authorise any expenditure for accommodation or other necessities provided by the State in consultation with National Treasury relating to a departmental canteens.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	



A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES**ASSIGNMENTS: THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993**

By virtue of the authority vested in me in terms of section 16(2) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended, I **Arthur Fraser, National Commissioner of Correctional Services**, hereby assign the duties imposed on me in terms of the Occupational Health and Safety Act 1993 (Act No. 85 of 1993), as amended to the person serving in the posts as indicated below. The assignment is to the person occupying the relevant post and will include a person serving in that post in an acting capacity:

Please note:

(a) The following abbreviations are used:

DRC = Deputy Regional Commissioner
 DC = Deputy Commissioner
 CDC = Chief Deputy Commissioner
 DIR = Director
 DD = Deputy Director
 CO = Correctional Officer
 SCO = Senior Correctional Officer
 ASD = Assistant Director
 HO = Head Office

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office	Region	Management Area	
46, 8(1)	Provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of employees. A Draft & review policy and ensure implementation thereof. B Functional provision and maintenance of working environment that is safe and without risk.	A. Policy: CDC Resources B. Functional: DD Auxiliary services	B. Functional: Regional Head Human Resources	B. Functional Area Commissioner Head Centre/Remand Detention Centre/Community Correctional Office	Officials appointed in these posts must complete training presented by HRD within one (1) year of assumption of duty in the post. (Applicable to all assignments under the OHS Act.)

A Fraser
 National Commissioner, Correctional Services
 Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER				DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office	Region	Management Area		
47.	Provisioning and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health	DD Auxiliary services	Regional Coordinator Safety and Security	Area Coordinators		
48.	Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
49.	Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
50.	Establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery, which is used in the Department, and as far as is reasonably practicable further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and to provide the necessary means to apply such precautionary measures.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
51.	Providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety of employees at work.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
52.	As far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in items prescribed, have been taken.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
53.	Taking all necessary measures to ensure that the requirements of the Occupational Health and Safety Act are complied with, by every person in the employment of the Department or on premises under departmental control where plant or machinery is used.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
54.	Enforcing such measures as may be necessary in the interest of health and safety.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
55.	Ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the Department are implemented.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
56.	Causing all employees to be informed regarding the scope of their authority as contemplated in section 37(1) (b) of the Occupational Health and Safety Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		
57.	Conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who are directly affected by his activities are not thereby expose to hazards to their health or safety.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner		

A Fraser
National Commissioner, Correctional Services
Date: 28/09/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office	Region	Management Area	
58.	12(1)(a) Identify the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employees, and the steps to be taken to comply with the provisions of the Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
59.	12(1)(b) As far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
60.	12(1)(c) Carry out an Occupational Hygiene Programme and biological monitoring and subject such employees to medical surveillance.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
61.	13 (a) Duty to inform: Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
62.	13 (b) Inform the health and safety representatives concerned beforehand of inspections, investigations or formal enquiries of which he has been notified by an inspector.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
63.	13 (c) Inform a health and safety representatives as soon as reasonably practicable of the occurrence of an incident in the work place or section in the work place for which such representative has been designated.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	



A Fraser
National Commissioner: Correctional Services
Date: 28/08/2018

DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000)

DELEGATED IN TERMS OF SECTION 17 (3) OF THE PROMOTION OF ACCESS TO INFORMATION ACT, 2000 (ACT 2 OF 2000), I **ARTHUR FRASER** NATIONAL COMMISSIONER OF CORRECTIONAL SERVICES, APPOINTED AS INFORMATION OFFICER IN TERMS OF THE ACT HEREBY DELEGATE THE UNDER MENTIONED COMPETENCY TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY, PROVIDED THAT:

- l) The Information Officer (the National Commissioner) has direction and control over every Deputy Information Officer.
- m) Any delegation does not prohibit the Information officer (National Commissioner) from exercising the power concerned or performing the duty concerned himself of herself.
- n) Any delegation may at any time be withdrawn or amended in writing by the Information Officer.
- o) Any right or privilege acquired, or any obligation or liability incurred, as a result of a decision in terms of a delegation of this Act is not affected by any subsequent withdrawal or amendment of that decision.
- p) The delegation indicated hereunder, remains in force should a section of the Promotion of Access Act be renumbered in terms of an amendment, precluding 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;
- q) The exercise of a delegated authority is at all times subject to the provisions of the Correctional Services Act and Regulations, the Departmental Orders and any directives issued in this regard; and;
- r) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
1. Section 17	Appointment as Deputy Information Officers with all authority and competencies provided for in terms of the Promotion of Access to Information Act 2 of 2000	NC	CDC of Branch	RC	No delegation	All decisions must be submitted to the Dir IM quarterly. Appeals against decisions must be forwarded to the Dir IM to present to the appeal board.



A Fraser
National Commissioner/Correctional Services
Date: 28/08/2018

PART A: EXECUTIVE AUTHORITY DELEGATIONS TO THE NATIONAL COMMISSIONER FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by -

- (a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and
- (b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, **Michael Masutha, Minister of Justice and Correctional Services**, delegate the powers and duties vested in me to the National Commissioner (NC): Department of Correctional Services as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

Executive Authority and Head of Department to sign and date all pages.

SIGNED AT Cape Town ON THIS 29th DAY OF August 2018

NAME OF EXECUTIVE AUTHORITY: ADVOCATE MICHAEL MASUTHA: 

NAME OF EXECUTIVE AUTHORITY PORTFOLIO: JUSTICE AND CORRECTIONAL SERVICES: 

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **Arthur Fraser:** 25/08/2018

NAME OF DEPARTMENT: DEPARTMENT OF CORRECTIONAL SERVICES

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
1.	3 (7) An executive authority has all those powers and duties necessary for- (a) the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and (b) the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act.	EA				No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner.
2.		EA				No delegation required. Already provided for in sections 3 and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
3.	3 (8) (a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. ((d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the	EA	NC 1-15	NC 1-15	NC 1-15	EA approves L16

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
4.	period of three years with such period as the Minister considers appropriate. (b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-15	NC 1-15	NC 1-15	EA (NC) NC other performer levels
5.	Appointments in Public Service					
6.	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed.	EA				No delegation required. Already provided for in sections 3(5)(g) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegations in terms of Correctional Services Act.
7.	Appointment on probation					
8.	If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16. All appointments to be made on probation.
9.	After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16 HR to facilitate in consultation with relevant functionaries All appointments to be made on probation.

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
10.	13 (3) If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L15-16. HR to facilitate submission and consult with responsible line manager. Confirmation should be based in compliance with all stipulated conditions, work performance of an employee.
11.	14 Transfers within public service					
12.	14 (1) Subject to subsections (2), (3) and (4), any employee of a department may be transferred— (a) within the department, by its executive authority; (b) to another department by the executive authorities of the two relevant departments.	EA				No delegation required. Already provided for in sections 3(5)(g) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.
13.	15 Transfer and secondment from and to public service					
14.	15 (2) If it is in the public interest and if the prescribed conditions (if any) have been complied with, the executive authority of a department may, with the approval of the employer concerned, approve the secondment of a person in the service of an organ of state, another government or any other body to the department— (a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15 HR and Legal Services to facilitate

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
15.	15 (3) (a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16 Refer to subsection 15(3)(b) and (c) HR to facilitate	
16.	16 Retirement and retention of services						
17.	17(2) (b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	NC L1-14	NC L1-14	NC L1-14	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA	
18.	18 (4) An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	NC L1-14	NC L1-14	NC L1-14	Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.)	

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
19.						Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA	
19.	(a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement.	EA	NC L1-14	NC L1-14	NC L1-14	This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA	
20.	If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be reired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by resolution, exceed in the aggregate two years.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L15-16 The employee concerned must agree to his/her retention in writing. DDG or CFO to be consulted. Extension of service refer to Section 16(7)	
21.	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder—	EA	Not delegated	Not delegated	Not delegated	HR facilitates	

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
22.	16B(6) (a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (8). If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee.	EA	NC L1-14	NC L1-14	NC L1-14	HR facilitates	
23.	17 Termination of employment						
24.	17 (1) (a) Subject to paragraph (b), the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act.	EA	NC L1-14	NC L1-14	NC L1-14	Only applicable to officials appointed under the PSA. Officials appointed under CSA refer to delegations under CSA Compliance with Disciplinary Code and GPSSBC resolution 1 of 2006 and Chapter 7 of SMS Handbook Refer to S17(1)(b) for misconduct	
25.	30 Other remunerative work by employees						
26.	30 (1) No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves NC and DDG HR to Facilitate written motivation from employee and recommendation from Line Manager	
27.	30 (3) (a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	NC L1-14	NC L1-14	NC L1-14	Relevant supervisors to advise HR HR to facilitate CDC (L15) to submit via NC.	
28.	31 Unauthorized remuneration						
29.	31(2) (b) In circumstances regarded by the relevant executive authority as exceptional, the said authority	EA	NC L1-14	NC L1-14	NC L1-14	Relevant supervisors to advise HR HR to facilitate	

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION / POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
30.							
31.	may approve of paying out of revenue an amount equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned.						
32.	Direction to perform other functions or to act in another post						
32 (2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made— (i) in the case of the post of head of department, by the relevant executive authority;	EA	Not delegated	Not delegated	Not delegated	(Acting appointments for levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act)	
33.	Grievances of employees						
35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	NC L1-14	NC L1-14	NC L1-14	Refer to the grievance procedure.	
34.	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances of the case, the Commission considers it appropriate to make such a recommendation.	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA	

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

PART A, APPENDIX A: Delegations Register- EA to NC delegations in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing
35. 37	Remuneration of employees	EA	NC L1-14	NC L1-14	NC L1-14	Grants to be made in accordance with the Departmental Retention Policy NC not to delegate further HR to facilitate in consultation with CDC and CFO In respect of sub-paragraph (c) it must be read with section 3(5)(e) of the CSA and the delegations thereof.
36. 37 (2)	An executive authority may, only if it is allowed by regulation and to the extent prescribed— (a) grant employees or classes of employees of the relevant department on appointment or transfer salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; (b) grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and (c) grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.					
37. 38	Wrongly granted remuneration	EA	NC L1-15	NC L1-15	NC L1-15	Head of HR to inform the relevant employee of the overpayment in consultation with CFO determine possible steps to be taken to ensure recovery in writing.
38. 38 (1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced.					

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

1

PART A, APPENDIX B: Delegations Register – EA to National Commissioner (NC) in terms of the PSR
EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
1	CHAPTER 1	GENERAL PROVISIONS		NC	Indicators for Execution/Reporting/ Consultation/ Informing
2	5.(a) and (b)	Draft legislation affecting Public Service Act and Regulations An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches
3	7.(1) and (2)	Decision-making in cases of conflict of interest (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.
4	8.(2)	Record-keeping of delegations and correction of acts and omissions (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	EA	NC	
5	9.(1)	Reporting, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.	EA	Not delegated	Original power of EA to submit information or data to the Minister
6	10.(3)	Prescribed forms for human resource management and related practices (3) An executive authority may, in consultation with the Minister, add any other areas to any 'Z' form to address departmental specific requirements.	EA	Not delegated	C D C HR coordinate inputs from Branches and Regions

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

2

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
7	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT		NC	Indicators for Execution/Reporting/ Consultation/ Informing
8	18.(2)	Disclosure of designated employees' interests (2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	EA	Not delegated	EA ensures disclosure by NC Members of the SMS shall disclose to the NC in terms of PSR 18.(1)
9	18.(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	EA	Not delegated	EA ensures disclosure by NC NC ensures disclosure by all members of the SMS MMS, SCM Officials and Closed Occupational Classes that earns a salary equivalent to that of MMS Members
10	18.(6)	(6) An executive authority shall submit to the Commission a copy of the form submitted to the executive authority in terms of - (a) subregulation (2) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a head of department, not later than 30 days after it has been so submitted.	EA	Not delegated	

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

Page 2 of 20

3

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
11	21.(1)	<p>Conflict of interest</p> <p>(1) In so far as conflict of interest relates to members of the SMS:</p> <p>(c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest</p> <p>(d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee.</p> <p>(e) An executive authority shall, within 30 days after such referral, report to the Commission by -</p> <p>(i) stating whether any steps were taken; and</p> <p>(ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.</p>	EA	<p>(1)(c) NC L13 to L15</p> <p>(1)(d) NC L13 to L15</p> <p>(1)(e) NC L13 to L15</p>	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>This regulation deals with interests if the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee.</p> <p>(1)(c) EA retains consultation in respect of the NC</p> <p>(1)(d) EA retains disciplinary action in respect of the NC</p> <p>(1)(e) EA retains reporting action in respect of the NC</p>
12	23(1)	<p>Designation of ethics officers</p> <p>(1) An executive authority shall designate such number of ethics officers as may be appropriate, for the department.</p>	EA	NC	
13	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY			
14	25 (1)	<p>Strategic plan</p> <p>(1) An executive authority shall prepare a strategic plan for his or her department</p>	EA	NC	EA approve the strategic plan and monitor the progress made towards achieving those targets and core objectives;

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

4

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
15	25.(2)(a)	<u>Organisational structure</u> (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
16	25.(2)(b) and (c)	Define and create posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the necessary to perform the relevant functions of the department while remaining within - (i) the current budget, (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment. c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d).	EA		No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
17	26.(1)	<u>Human resource plan</u> (1) An executive authority shall prepare and implement a human resource plan for his or her department	EA	NC	NC approve after consultation with the NATMANCO and the EA. This section must be read with section 3 (5) of the CSA. NC monitor the implementation of the plan and inform the EA

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

Page 4 of 20

5

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
18	27.	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19	28.(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	NC	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20	29.	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with the departmental EXCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21	31.(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	NC	NC submits report to the EA after consultation with NATMANCO EA tables report in the legislature
22	34.(3)	Business case and Inter-departmental assessment committee for the establishment of government components and specialise service delivery units (3) The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organisational forms Note the requirements set out in Regulation 34(2) for EAs or Premiers to designate members of the committee, on a case by case basis

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

6

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
23	35.	<u>Organisational functionality assessment</u> An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
24	36.	<u>Operations management framework</u> An executive authority shall establish and maintain an operations management framework which shall include - (a) an approved service delivery model; (b) a list of all core mandated services provided by the department; (c) mapped business processes for all services; (d) standard operating procedures for all services; (e) service standards for all services; (f) a service delivery charter referred to in regulation 37; and (g) a service delivery improvement plan referred to in regulation 38.	EA	NC	NC approve the framework after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
25	37 (1)	<u>Service delivery charter</u> (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.	EA	NC	NC approve charter after consultation with NATMANCO and the EA NC monitor the implementation of the charter and inform the EA
26	38.	<u>Service delivery improvement plan</u> An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department	EA	NC	NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA

Executive Authority: 

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: 

A Fraser

Date: 28/08/2018

7

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
27	CHAPTER 4	EMPLOYMENT MATTERS		NC	Indicators for Execution/Reporting/ Consultation/ Informing
28	39.(1), (2) and (4)	<p>Job descriptions, job titles, systems of occupational classification and remuneration and OSDs</p> <p>39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery -</p> <p>(a) the main objectives, activities and functions of the post or posts in question; and</p> <p>(b) the inherent requirements of the job.</p> <p>(2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate.</p> <p>(4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised</p>	EA	NC	NC may delegate further
29	40.	<p>Creation and filling of posts</p> <p>Before creating a post for any new job, or filling any vacancy, an executive authority shall -</p> <p>(a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees;</p> <p>(b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilised;</p> <p>(c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and</p> <p>(d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.</p>	EA	NC L1-12	EA approves L13 to 15

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

Page 7 of 20

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
30	41.(3)	Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1-12	Indicators for Execution/Reporting/ Consultation/ Informing EA approves L13 to 15
31	43.(2)(a)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1-12	EA approves L13 to 15
32	43.(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44	EA	NC L1 -L14	EA approves for L15 & L16 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)
33	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	NC L1 -L14	EA approves L15 & 16

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
34	43.(4)	(4) If an executive authority intends to evaluate jobs or implement job evaluation results that will affect the grade of an occupation or the salary level within an occupation where such occupation is utilised by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance. <u>Setting of higher salary</u> (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	Not delegated	Indicators for Execution/Reporting/ Consultation/ Informing
35	44.(1)	<u>Undergraded posts</u> (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1-L14	EA approves L15-L16 NC approves L13-L14 in consultation with EA HR to facilitate
36	45.(1)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-L14	NC approves L13-L14 in consultation with EA Continued employment of incumbent is set out in Regulation 45.(2)
37	45.(5)		EA	NC L1-L14	NC approves L13-L14 in consultation with EA

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

10

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
38	46 (1)	<u>Overgraded posts</u> (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded, or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-L14	Indicators for Execution/Reporting/ Consultation/ Informing NC approves L 13-L14 in consultation with EA
39	49 (1)	<u>Overtime</u> (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	NC	
40	49 (2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC	NC approves overtime policy after consultation with NATMANCO

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

Page 10 of 20

11

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
41	50 (b)	<p><u>Suggestions, improvements and innovations</u></p> <p>50. If an employee makes a suggestion, improvement or innovation of exceptional value to the department or the public service as a whole or has exceptional ability, a special qualification or has rendered meritorious service, other than the service recognised in terms of the department's performance incentive scheme, to the department or the public service as a whole -</p> <p>(b) the executive authority may, only as provided for in a directive issued by the Minister, reward the employee through -</p> <p>(i) a non-monetary reward;</p> <p>(ii) a non-pensionable cash award not exceeding 20 per cent of the employee's pensionable annual salary, or</p> <p>(iii) such a non-monetary reward and a cash award.</p>	EA	NC	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>No delegation required, already provided for in section 3(5)(e) of the CSA. Refer to CSA delegations</p>
42	57 (1)	<p><u>General conditions for appointment</u></p> <p>57. (1) An executive authority -</p> <p>(a) shall not appoint any person -</p> <p>(i) under the age of 15 years of age; or</p> <p>(ii) under the minimum school-leaving age in terms of any law.</p> <p>(b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post;</p> <p>(c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister;</p> <p>(d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and</p> <p>(e) shall not, with due regard to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.</p>	EA	NC L1-L14	EA approves L15 and L16. Also refer to section 96(3) if to CSA in terms of SMS appointments.

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018


Page 11 of 20

12

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
43	57.(2)	<p><u>Employ persons additional to the establishment</u></p> <p>(2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where—</p> <p>(a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees;</p> <p>(b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department;</p> <p>(c) an employee's post has been abolished and he or she cannot be transferred into another post; or</p> <p>(d) an employee is part of a development programme as contemplated in regulation 58.</p>	EA	NC L1-L12	EA approves L13-15 CFO to approve funding See general conditions for appointment set out in PSR 57.(1), (2), (3), (4) (5) and (6)	
44	57.(3) and (4)	<p>(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall -</p> <p>(a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and</p> <p>(b) record that verification in writing.</p> <p>(4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.</p>	EA	NC L1-L12	EA approves L13- L15 level	
45	57.(5)	<p><u>All appointments other than employment additional to the establishment</u></p> <p>(5) An appointment shall take effect after approval by the relevant executive authority.</p>	EA	NC L1-L14	<p>Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 9, 12, 12A, 13.</p> <p>EA approves L 15 and L16</p> <p>See general conditions for appointment set out in PSR 57.(1), and (6), an 58., 60., 61.</p> <p>See also PSR 67.(8) and (9) and PSR 68.</p>	
46	59.	<p><u>Utilisation of unpaid voluntary workers</u></p> <p>An executive authority may utilise unpaid voluntary workers under the following</p>	EA	NC		

Executive Authority: 

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

Page 12 of 20

13

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
		<p>conditions:</p> <p>(a) The voluntary worker shall not in any way assist in carrying on or conducting the business of the department;</p> <p>(b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing;</p> <p>(c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months;</p> <p>(d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration;</p> <p>(e) a voluntary worker shall perform work in a department under the supervision of an employee; and</p> <p>(f) such other conditions that the Minister may direct.</p>	NC	Indicators for Execution/Reporting/ Consultation/ Informing	

Executive Authority:

Advocate M Masutha (MP)

Date:

27/08/2018

National Commissioner:

A Fraser


Date: 28/08/2018

14

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

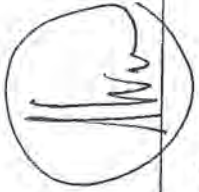
EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
47	60.(1), (2) and (3)	<p><u>Re-appointment of former employees</u></p> <p>(1) An executive authority shall not re-appoint a former employee if that employee left the public service -</p> <p>(a) earlier on the condition that he or she would not accept or seek re-appointment; or</p> <p>(b) due to ill health and cannot provide sufficient evidence of recovery.</p> <p>(2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if -</p> <p>(a) no other suitable candidate could be recruited in terms of these Regulations;</p> <p>(b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and</p> <p>(c) the employee has not been previously appointed in terms of this regulation.</p> <p>(3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if -</p> <p>(a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and</p> <p>(b) the employee may not be appointed more than twice in terms of this regulation.</p>	EA	NC L1-L14	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>EA approves L 15 and L16</p>
48	62.(3)	<p><u>Secondments</u></p> <p>(3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.</p>	EA	NC L1-L14	EA approves L 15 and L16

Executive Authority: 

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: 

A Fraser

Date: 28/08/2018

Page 14 of 20

15

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
49	64.(1) and (2)	<p>Determination of requirements for employment</p> <p>(1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job.</p> <p>(2) An executive authority shall -</p> <p>(a) ensure that the requirements for employment do not unfairly discriminate against any person; and</p> <p>(b) comply with any statutory requirement for the appointment of employees.</p>	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing
50	65.(1)	<p>Advertising</p> <p>(1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.</p>	EA	NC	
51	65.(4)	<p>(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post -</p> <p>(a) in the public service;</p> <p>(b) locally; or</p> <p>(c) nationwide.</p>	EA	NC	

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

16

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
52	66.(1) and (2)	<p>Filling of posts in Office of executive authorities and Deputy Ministers</p> <p>66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of:</p> <p>(a) an appointment in terms of section 9 of the Act for -</p> <p>(i) the term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or</p> <p>(ii) a period not exceeding three years;</p> <p>(b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer.</p> <p>(2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1), (3) and (4).</p>	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC approves after consultation with the EA.
53	67.(1)	<p><u>Selection</u></p> <p>(1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However—</p> <p>(a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and</p> <p>(b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee</p>	EA	NC L1 to L14	EA chair selection committee for NC and DDG See the conditions set out in PSR 67.(2) to (9)

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

Page 16 of 20

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
54	67 (7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	NC L1 to L12	Indicators for Execution/Reporting/ Consultation/ Informing EA approves head-hunting for L13 to L16
55	67 (8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing.	EA	NC L1 to L14	EA for L15 to L16
56	67 (9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy himself or herself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister, and (b) record that verification in writing.	EA	NC L1 to L14	EA for L15 to L16
57	68 (2)	<u>Probation</u> (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	NC L1 to L14	EA for L15 to L16
58	69 (2)	<u>Resignation</u> (2) Subject to section 188(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	NC L1 to L14	EA for L15 to L16
59	69 (3)	<u>Resignation</u> (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	NC	
60	69 (4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation.	EA	NC L1 to L14	EA L15 and L16
61	69 (5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day.	EA	NC L1 to L14	EA L15 and L16

Executive Authority:

Advocate M Masutha (MP)

Date:

29/08/2018

National Commissioner:

A Fraser

Date: 28/08/2018

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
52	69 (6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	NC L1 to L14	EA L15 and L16	
63	71 (1)	<u>Systems for performance management and development</u> (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA	
64	71 (2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA	
65	71 (3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC	NC approve the systems after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA	
66	71 (6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC	NC approve the system after consultation with NATMANCO and the EA NC monitor the implementation of the PMDS and inform the EA	

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

19

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR
EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
67	72.(4)(c)	<p>Performance agreements and assessments</p> <p>(4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner:</p> <p>(c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.</p>	EA	NC L1 to L15	Indicators for Execution/Reporting/ Consultation/ Informing
68	72.(14)	(14) An executive authority shall inform the employees of the outcome of his or her performance assessment.	EA	NC	EA for NC assessment.
69	72.(15)(b) and (c)	<p>(15) Based on the outcome of the performance assessment an executive authority –</p> <p>(b) may, where appropriate, provide training and development for employees;</p> <p>(c) shall manage poor performance.</p>	EA	NC L1 to L15	EA manage poor performance of NC
70	73.(1)	<p>Rewarding performance</p> <p>(1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in subregulation (3).</p>	EA	NC	NC approve the scheme after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA
71	76.	<p>Occupational specific competencies and training</p> <p>An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.</p>	EA	NC	NC approve the training required after consultation with the departmental EXCO and the EA

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

Page 19 of 20

20

PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

EXECUTIVE AUTHORITY DELEGATIONS TO THE HEAD OF DEPARTMENT IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
72	78 (2)	<u>Mandating and management of negotiations</u> (2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority— (a) is responsible for managing collective bargaining on behalf of the State as employer in that forum; (b) has authority to deal with the matter concerned; and (c) meets the fiscal requirements contained in regulation 79.	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC enters into a collective agreement after consultation with NATMANCO and the EA The conditions for matters with financial implications is set out in PSR 79.

Executive Authority: _____

Advocate M Masutha (MP)

Date: 29/08/2018

National Commissioner: _____

A Fraser

Date: 28/08/2018

Page 20 of 20

PART B: HEADS OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS FOR PUBLIC MANAGEMENT AND ADMINISTRATION

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by:-

- (a) the Public Service Act, 1994, as amended by Act 30 of 2007, as set out in Appendix A; and
- (b) the Public Service Regulations, 2016, promulgated in terms of Section 41 of the said Act, as set out in Appendix B;

I, Arthur Fraser, National Commissioner (NC) of the Department of Correctional Services, delegate the powers and duties vested in me to the incumbents of posts as set out in Appendix A and B, read in conjunction with the general conditions set out hereunder.

Head of Department to sign and date all pages.

SIGNED AT PRETORIA ON THIS 28th DAY OF AUGUST, 2018



A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
1. 3 (7)	An executive authority has all those powers and duties necessary for- (a) the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA				No delegation required. Already provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner.	
2.	(b) the recruitment, appointment, performance management, transfer, dismissal and other career incidents of employees of that department, including any other matter which relates to such employees in their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act.	EA				No delegation required. Already provided for in sections 3 (5) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.	
3. 3 (8)	(a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. (d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the period of three years with such period as the Minister considers appropriate.	EA	Not delegated	Not delegated	Not delegated	EA approves L16	


 A Fraser
 National Commissioner
 Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
4.	5(8) (b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-15	NC 1-15	NC 1-15	EA (NC) NC other performer levels	
5.	Appointments in Public Service						
6.	An executive authority may appoint any person in his or her department in accordance with this Act and in such manner and on such conditions as may be prescribed, read with section 3(5)(g) and 96(3) of the Correctional Services Act, 111 of 1998 as amended	EA	DDG L11-12 CD L9-10 D L1-8	CD L9-10 D L1-8	CD L9-10 D L1-8	No delegation required. Already provided for in sections 3 (5) and 96(3) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.	
7.	Appointment on probation						
8.	13 (1) If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA				All appointments to be made on probation. Levels to approve appointment on probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations.	
9.	13 (2) After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her appointment was subject.	EA				Levels to approve confirmation of appointment after completion of probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations. HR to facilitate in consultation with relevant functionaries All appointments to be made on probation.	

A. Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
10.	13 (3)	EA	CDC L11-12 DC L9-10 Dir L1-8	RC: L11-12 DRCL9-10 Dir L1-8	No delegation	EA approves L15-16 with the concurrence from Cabinet L13-14: NC and not delegated HR to facilitate submission and consult with responsible line manager Confirmation should be based in compliance with all stipulated conditions, work performance of an employee. Note: Prescribed procedures for incapacity to be followed.	
11.	14						
12.	14 (1)	EA				No delegation required. Already provided for in sections 3(5)(g) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act.	
13.	15						
14.	15 (2)	EA	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	EA approves L 15 NC approves L1-14 HR and Legal Services to facilitate	


 A Fraser
 National Commissioner
 Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
15.	15 (3) (a) for a particular service or period not exceeding the prescribed period (if any); and (b) on the prescribed conditions (if any) and such other conditions as agreed between the relevant functionary of the body concerned and the executive authority. (a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	Not delegated	Not delegated	Not delegated	EA approves L 15-16 HR and Legal Services to facilitate Refer to 15(3)(b) and (c)
16.	16 Retirement and retention of services					
17.	16(2) (b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	L1-12 DC HR	Not delegated	Not delegated	EA approves L 15 NC approves L13-14 This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 98(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998)


 A Fraser
 National Commissioner
 Date: 25/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
18.	16 (4) An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	L1-12 DC HR	Not delegated	Not delegated	Indicators for Execution/Reporting/ Consultation/ Informing Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA. EA approves L 15-16 NC approves L13-14 HR to facilitate in consultation with DDG. Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation is only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegation (no 105) in terms of the CSA for early retirement for officials appointed under the CSA
19.	16 (6) (a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement.	EA	L1-12 DC HR	Not delegated	Not delegated	EA approves L 15-16 NC approves L13-14 HR to facilitate in consultation with DDG. Employee to be given three (3) calendar months' notice from date of approval. Refer to conditions in Section 16 This delegation only applicable to DCS officials

Page 6 of 13


 A Fraser
 National Commissioner
 Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
20.	16 (7) If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by resolution, exceed in the aggregate two years.	EA	Not delegated	Not delegated	Not delegated	Indicators for Execution/Reporting/ Consultation/ Informing appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA EA approves L 15-16 NC approves L 1-14 HR to facilitate in consultation with CDC HR. Employee to be given three (3) calendar months' notice from date of approval. Refer to condition in Section 16
21.	16A Failure to comply with Act					
22.	16A (2) A head of a department shall— (a) immediately take appropriate disciplinary steps against an employee of the department who does not comply with a provision of this Act or a regulation, determination or directive made thereunder; (b) immediately report to the Director-General, Public Service and Administration the particulars of such non-compliance; and (c) as soon as possible report to that Director-General the particulars of the disciplinary steps taken.	NC				Delegations to be the same as in terms of regulation 33 read together with resolution 1 of 2006 and section 95B of the CSA.

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
23. 16A (4)	The Minister shall at least annually submit to the relevant committees of Parliament dealing with matters relating to the public service and, through the relevant Premier, to any similar committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder— (a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (8).	EA	Not delegated	Not delegated	Not delegated	EA reports for L1-16 HR facilitates	
24. 16B	Discipline						
25. 16B (1)	Subject to subsection (2), when a chairperson of a disciplinary hearing pronounces a sanction in respect of an employee found guilty of misconduct, the following persons shall give effect to the sanction: (b) in the case of any other employee, the relevant head of department.	NC	DD Auxiliary Services	RH: HR	AC: Corporate Services	Procedures for service terminations to be followed as well the relevant prescripts in respect of level 2-12 that service will only be terminated after finalisation of appeal if the official lodged an appeal within the time frame provided for in resolution 1 of 2006. SMS do not have appeal recourse in terms of chapter 7 of the SMS handbook	
26. 16B (4)	If an employee of a department (in this subsection referred to as 'the new department'), is alleged to have committed misconduct in a department by whom he or she was employed previously (in paragraph (b) referred to as 'the former department'), the head of the new department— (b) shall institute or continue such steps if so requested— (iii) by the head of the former department, in the case of any other employee.	NC	CDC L 11-12 DC L 9-10 Dir L1-8	RC L11-12 DRC L9-10 RH L1-8	DC L9-10 Dir L1-8	NC L13-15 Refer to delegation 25 above to effect sanctions	



A Fraser
National Commissioner
Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER				DELEGATION CONDITIONS AND LIMITATIONS	
	Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing		
27.	16B(6)	If notice of a disciplinary hearing was given to an employee, the relevant executive authority shall not agree to a period of notice of resignation which is shorter than the prescribed period of notice of resignation applicable to that employee.	EA	CDC L 11-12 DC L 9-10 Dir L 1-8	CDC L 11-12 DC L 9-10 Dir L 1-8	DC 9-10 Dir L 1-8	HR facilitates EA L 15 NC L 13-14		
28.	17	Termination of employment							
29.	17 (1)	(a) Subject to paragraph (b), the power to dismiss an employee shall vest in the relevant executive authority and shall be exercised in accordance with the Labour Relations Act.	EA	Not delegated	Not delegated	Not delegated		Not applicable to Correctional Services. The dismissal of officials of the Department of Correctional Services is done in terms of the Correctional Services Act read with the Disciplinary Code and GPSSBC resolution 1 of 2006 (regulation 33) and Chapter 7 of SMS Handbook.	
30.	30	Other remunerative work by employees							
31.	30 (1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	CDC HR	RC	Not delegated		EA approves NC and CDC HR to Facilitate written motivation from employee and recommendation from Line Manager	
32.	30 (3)	(a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	CDC HR	RC	Not delegated		EA approves NC and CDC HR to Facilitate written motivation from employee and recommendation from Line Manager	
33.	31	Unauthorized remuneration							
34.	31 (1)	(a)(ii) If the employee fails to so pay into revenue the amount or value, the said head of department shall recover it from him or her by way of legal	NC	Not delegated	Not delegated	Not delegated		Relevant supervisors to advise HR HR to facilitate with CFO and DC LS	

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	<p>proceedings and pay it into revenue.</p> <p>(iv) The accounting officer of the relevant department may approve that the employee concerned retains the whole or a portion of the said remuneration, allowance or reward.</p> <p>(b) if—</p> <p>(i) in the opinion of the head of department mentioned in paragraph (a) an employee has received any remuneration, allowance or other reward contemplated in that paragraph; and</p> <p>(ii) it is still in his or her possession or under his or her control or in the possession or under the control of any other person on his or her behalf, or, if it is money, has been deposited in any bank as defined in section 1(1) of the Banks Act, 1990 (Act 94 of 1990), or a mutual bank as defined in section 1(1) of the Mutual Banks Act, 1993 (Act 124 of 1993), in his or her name or in the name of any other person on his or her behalf; that head of department may in writing require that employee or that other person or that financial institution not to dispose thereof, or, if it is money, not to dispose of a corresponding sum of money, as the case may be, pending the outcome of any legal steps for the recovery of that remuneration, allowance or reward or the value thereof.</p>					Indicators for Execution/Reporting/ Consultation/ Informing
35. 31(2)	(b) In circumstances regarded by the relevant executive authority as exceptional, the said authority may approve of paying out of revenue an amount	EA	NC L1-14	NC L1-14	NC L1-14	EA approves 15 and 16 Relevant supervisors to advise HR HR to facilitate via DC LS


A. Fraser
National Commissioner
Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
36.	32	Direction to perform other functions or to act in another post				Indicators for Execution/Reporting/ Consultation/ Informing
37.	32 (2)	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made— (i) In the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department.	NC			EA to approve NC acting appointment. Acting appointments for levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act
38.	35	Grievances of employees				
39.	35(1)	For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner; and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	Not delegated	Not delegated	EA considers L15 and 16 NC considers L1-14 Refer to the grievance procedures.
40.	35(2)	After the Commission has investigated and considered any such grievance, the Commission may recommend that the relevant executive authority acts in terms of a particular provision or particular provisions of this Act or any other law if, having regard to the circumstances	EA	Not delegated	Not delegated	NC to consider and advise the EA on recommendations for all levels.

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
41.	37	Remuneration of employees					
42.	37 (2)	An executive authority may, only if it is allowed by regulation and to the extent prescribed— (a) grant employees or classes of employees of the relevant department on appointment or transfer salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales; (b) grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and (c) grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.	EA	Not delegated	Not delegated	Only NC to decide HR to facilitate in consultation with relevant RC/CDC and CFO In respect of sub-paragraph (c) it must be read with section 3(5)(e) of the CSA and the delegations thereof.	
43.	38	Wrongly granted remuneration					
44.	38 (1)	(a) If an incorrect salary, salary level, salary scale or reward is awarded to an employee, the relevant executive authority shall correct it with effect from the date on which it commenced.	EA	L13-15 CDC HR L 2-12 DD Auxiliary Support	L 2-12 Regional Coordinator Human Resources L 15 CDC HR in	L 2-12 Area Coordinator Human Resources	EA approves L16 Head of HR to inform the relevant employee of the overpayment in consultation with financial prescripts determine possible steps to be taken to ensure recovery in writing.


 A Fraser
 National Commissioner
 Date: 28/08/2018

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
45.	38(2) If an employee contemplated in subsection (1) has in respect of his or her salary, including any portion of any allowance or other remuneration or any other benefit calculated on his or her basic salary or salary scale or awarded to him or her by reason of his or her basic salary— (b) been overpaid or received any such other benefit not due to him or her— i. an amount equal to the amount of the overpayment shall be recovered from him or her by way of the deduction from his or her salary of such instalments as the relevant accounting officer may determine if he or she is in the service of the State, or, if he or she is not so in service, by way of deduction from any moneys owing to him or her by the State, or by way of legal proceedings, or partly in the former manner and partly in the latter manner;	NC	L13-15 CDC HR L 2-12 DD Auxiliary Support	HO L 2-12 Regional Coordinator Human Resources 13-14 RC L 15 CDC HR in HO	L 2-12 Area Coordinator Human Resources	Indicators for Execution/Reporting/ Consultation/ Informing EA approves L16 Head of HR to inform the relevant employee of the overpayment in consultation with finances (minimum level of DD) to determine possible steps to be taken to ensure recovery in writing.
46.	38(3) The accounting officer of the relevant department may remit the amount of an overpayment to be recovered in terms of subsection (2)(b) in whole or in part.	NC	CDC HR in consultation with DC LS: L2-12 NC: L13-15	CDC HR in consultation with DC LS: L2-12 NC: L13-15	No delegation	EA L16 CFO to be consulted



A Fraser
National Commissioner
Date: 28/08/2018

PART B, APPENDIX B: DELEGATIONS REGISTER- NATIONAL COMMISSIONER (HEAD OF DEPARTMENT) DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

1

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
	CHAPTER 1	GENERAL PROVISIONS					Indicators for Execution/Reporting/ Consultation/ Informing
1.	6.(1), (3) and (4)	<p><u>Communication with Minister and media</u></p> <p>(1) If a head of department wishes to communicate with the Minister on a matter that falls within the Minister's powers and duties, he or she shall communicate through the Director-General: Public Service and Administration, except in respect of any career incidents of that head of department which fall within the Minister's functions or delegated functions.</p> <p>(3) An employee, in his or her official capacity, may not communicate with the media unless so authorised by the head of department.</p> <p>(4) A head of department shall establish a policy regulating communication by its employees with the media.</p>	NC	(1) NC Not delegated (3) DC: Communications (4) DC: Communications	(1) Not delegated (3) RC (4) Not delegated	(1) Not delegated (3) Not delegated (4) Not delegated	Policy to be approved by EA
2.	8.(1) and (2)	<p><u>Record-keeping of delegations and correction of acts and omissions</u></p> <p>(1) A head of a department shall keep a register of all delegations made in terms of section 42A of the Act in the format directed by the Minister.</p> <p>(2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act</p>	(1) NC (2) EA	(1) DC Legal Services (2) CDC Corporate Services	(1) Not delegated (2) Not delegated	(1) Not delegated (2) Not delegated	Refer to the Directive on Public Administration and Management Delegations, 2014
3.	9.(1), (2) and (4)	<p><u>Reporting, monitoring, evaluation and compliance</u></p> <p>(1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.</p> <p>(2) A head of department shall introduce mechanisms to monitor and evaluate any provision of the Act for reporting to the Minister as contemplated in subregulation (1).</p> <p>(4) A head of department may not require or permit any employee to perform, or not to perform, any act in breach of these Regulations</p>	NC	(1) CDC HR (2) CDC HR	Not delegated	Not delegated	Original power of NC to submit information or data to the DPSA



A Fraser
National Commissioner

Date: 28/08/2018

2

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT					Indicators for Execution/Reporting/ Consultation/ Informing
4.	17.(2)	Register of designated employees' interests (2) A head of department shall keep a register of any other designated employees' interests not contemplated in subregulation (1).	NC	CDC Corporate Services	Not delegated	Not delegated	
5.	18.(1)	Disclosure of designated employees' interests (1) SMS members, except for a head of department shall, not later than 30 April of each year, disclose to the relevant head of department, in a form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	NC	Not delegated	Not delegated	Not delegated	NC ensure disclosure by all members of the SMS HR facilitates
6.	18.(2)	(2) A head of department shall, not later than 30 April of each year, disclose to the relevant executive authority, in the form prescribed for this purpose by the Minister, particulars of all his or her interests in respect of the period 1 April of the previous year to 31 March of the year in question.	NC	Not delegated	Not delegated	Not delegated	
7.	18.(5)	(5) The head of department or executive authority, as the case may be, shall ensure that the disclosure of interests by designated employees is submitted electronically to the Commission or the relevant authority as may be directed by the Minister in terms of subregulation (3), unless otherwise determined by the Minister.	NC	Not delegated	Not delegated	Not delegated	EA ensures disclosure by NC NC ensures disclosure by SMS members and other designated employees
8.	18.(7)	(7) A head of department shall submit to the Commission a copy of the form submitted to the head of department by a member of the SMS in terms of - (a) subregulation (1) not later than 31 May of the year in question; or (b) subregulation (4), in so far as it relates to a member of the SMS, excluding a head of department, not later than 30 days after it has been so submitted.	NC	CDC HR	Not delegated	Not delegated	
9.	21.(1)	Conflict of interest (1) In so far as conflict of interest relates to members of the SMS; (c) Upon the referral, the executive authority shall consult with the employee concerned on appropriate steps to remove the conflict of interest	EA	NC	Not delegated	Not delegated	This regulation deals with interests if the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		(d) If the employee, after the consultation referred to in subregulation (1)(c), fails to take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee. (e) An executive authority shall, within 30 days after such referral, report to the Commission by - (i) stating whether any steps were taken; and (ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.					Indicators for Execution/Reporting/ Consultation/ Informing employee, (1)(c) NC retains consultation in respect of SMS L13 to 15 (1)(d) NC retains disciplinary action in respect of the SMS L13 to 15 (1)(e) NC retains reporting action in respect of the SMS L13 to 15 NC informs EA on delegated decisions in respect of this regulation
10.	21.(2)	(2) In so far as conflict of interest relates to designated employees who are <u>not</u> members of the SMS: (a) The head of department shall verify the interests disclosed. (b) If the head of department is of the opinion that an interest of such designated employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, he or she shall consult the employee concerned and, where possible, take appropriate steps to remove the conflict of interest (c) If the employee, after the consultation referred to in subregulation (2)(b), fails to take the appropriate steps to remove the conflict of interest, the head of department shall take disciplinary action against the employee. (d) A head of department shall no later than 31 August of each year report to the Minister on— (i) the number of cases identified in terms of subregulation (2)(b); (ii) whether any steps were taken; (iii) if steps were taken, a description of those steps; and (iv) if no steps were taken, reasons thereof.	NC	(2)(a),(b) and (c) CDC HR: L-11/12 DC: L1-9/10 (2)(d) CDC HR	DRC: L1-9/10	Not delegated	
11.	22 (a) to (e)	Anti-corruption and ethics functions A head of department shall - (a) analyse ethics and corruption risks as part of the department's system of risk	NC	22 (a) (b) and (c) Dir DIL. 22 C (i) and (ii).	Not delegated	Not delegated	This regulation must be read in conjunction with section 95 A and B of the CSA and CSR 30.

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		<p>management</p> <p>(b) develop and implement an ethics management strategy that prevents and deters unethical conduct and acts of corruption;</p> <p>(c) establish a system that encourages and allows employees and citizens to report allegations of corruption and other unethical conduct, and such system shall provide for—</p> <p>(i) confidentiality of reporting; and</p> <p>(ii) the recording of all allegations of corruption and unethical conduct received through the system or systems;</p> <p>(d) establish an information system that -</p> <p>(i) records all allegations of corruption and unethical conduct;</p> <p>(ii) monitors the management of the allegations of corruption and unethical conduct;</p> <p>(iii) identifies any systemic weaknesses and recurring risks; and</p> <p>(iv) maintains records of the outcomes of the allegations of corruption and unethical conduct; and</p> <p>(e) refer allegations of corruption to the relevant law enforcement agency and investigate whether disciplinary steps must be taken against any employee of the department and if so, institute such disciplinary action.</p>		<p>Dir DIU</p> <p>22 (d) (i), (ii), (iii)</p> <p>Dir DIU</p> <p>22 (d) (iv)</p> <p>Dir DIU on investigations and</p> <p>Dir CE on Disciplinary Action</p> <p>22 (e)</p> <p>Dir DIU on referral to law enforcement and investigation.</p> <p>Dir CE on decision to take disciplinary action</p>			Indicators for Execution/Reporting/ Consultation/ Informing
12.	23.(2)	<p>Designation of ethics officers</p> <p>(2) The head of department shall establish an ethics committee or designate an existing committee, chaired by a Deputy Director-General, to provide oversight on ethics management in the department.</p>	NC	NC	Not delegated	Not delegated	



A. Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
13.	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY					Indicators for Execution/Reporting/ Consultation/ Informing
14.	25.(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	CDC Strategic Management	Not Delegated	Not Delegated	Strategic plan must conform to the aspects set out in Regulation 25.(1)(a) to (f) All managers to be consulted in the development of the strategic plan and aligned to the departmental mandates EA approve the strategic plan on the recommendation NATMANCO NC and EA monitor the progress made towards achieving those targets and core objectives Note the duty of the NC to implement the strategic plan set out in Regulation 25.(3)
15.	25.(2)(a)	Organisational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions - (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and (ii) in the case of a provincial department or provincial government component, after consultation with the relevant Premier, the Minister and the relevant provincial treasury.	EA				No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner
16.	25.(2)(b) and (c)	Define and create the posts (2) Based on the strategic plan of the department, an executive authority shall - (b) define and create the posts necessary to perform the relevant functions of the department while remaining within - (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and	EA	NC L1-L12 Not Delegated	Not Delegated	Not Delegated	No delegation required. Already provided for in section 3 of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner


A Fraser

National Commissioner

Date: 25/08/2018

6

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		(iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment. c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d)					Indicators for Execution/Reporting/ Consultation/ Informing
17.	26.(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	CDC HR	Not Delegated	Not Delegated	HR plan must conform to the aspects set out in Regulation 26(2) All managers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
18.	27.	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	CDC HR	Not Delegated	Not Delegated	All managers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19.	28.(1) and (2)	Human resource development plan (1) An executive authority shall prepare and implement a human resource development plan for his or her department taking into account the human resource plan contemplated in regulation 26. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	CDC HR	Not Delegated	Not Delegated	All managers to be consulted in the development of the plan NC approve after consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20.	29.	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment	EA	CDC SM	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
21.	30.(1) and (2)	<p>Information and communication technology plan</p> <p>30. (1) A head of department shall establish and maintain an information and communication technology plan for the department that -</p> <p>(a) supports the planning process and objectives contemplated in regulations 25 and 38;</p> <p>(b) utilises an appropriate enterprise architecture methodology; and</p> <p>(c) complies with Chapter 6.</p> <p>(2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through -</p> <p>(a) an implementation plan linked to the Medium-Term Expenditure Framework budget and</p> <p>(b) an annual operational plan.</p>	NC	30 (1) CDC GTO 30 (2) CDC Strategic Management	Not Delegated	Not Delegated	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>NC monitor the implementation of improvement plans and inform the EA.</p> <p>All managers to be consulted in the development of the plan</p> <p>NC approve after consultation with NATMANCO NC monitor the implementation of the plan and inform the EA</p>
22.	31.(1)	<p><u>Annual report</u></p> <p>(1) The head of department shall include in the department's annual report, referred to in section 40(1)(d) of the Public Finance Management Act, such information pertaining to the public service as the Minister may direct, and in the format that the Minister may direct.</p>	NC	CDC Strategic Management	Not Delegated	Not Delegated	
23.	31.(2)	<p><u>Annual report</u></p> <p>(2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA tables report in the legislature
24.	35.	<p><u>Organisational functionality assessment</u></p> <p>An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister

A Fraser
National Commissioner
Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016


ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
25.	36.	<p>Operations management framework</p> <p>An executive authority shall establish and maintain an operations management framework which shall include -</p> <p>(a) an approved service delivery model;</p> <p>(b) a list of all core mandated services provided by the department</p> <p>(c) mapped business processes for all services;</p> <p>(d) standard operating procedures for all services;</p> <p>(e) service standards for all services;</p> <p>(f) a service delivery charter referred to in regulation 37; and</p> <p>(g) a service delivery improvement plan referred to in regulation 38.</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>NC monitor the implementation of improvement plans and inform the EA</p> <p>NC approve the framework after consultation with NATMANCO and the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>
26.	37 (1)	<p><u>Service delivery charter</u></p> <p>(1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC approve charter after consultation with NATMANCO and the EA</p> <p>NC monitor the implementation of the charter and inform the EA</p>
27.	38.	<p><u>Service delivery improvement plan</u></p> <p>An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC approve after consultation with NATMANCO and the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>



A Fraser
National Commissioner
Date: 28/08/2018


PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
28.	CHAPTER 4	EMPLOYMENT MATTERS					
29.	39.(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSDs 39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised	EA	Dir HR Planning	Regional Head HR	A/C Corporate Services	HR to facilitate
30.	40.	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall - (a) confirm that he or she requires the post to meet the department's objectives taking into account the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; (b) in the case of a new job, evaluate the job in terms of the job evaluation and job grading system referred to in regulation 41(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 41(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilised; (c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and (d) ensure that sufficient budgeted funds, including funds for the remaining period of	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to L15 NC approves L1 to L12


A. Fraser
National Commissioner
Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016


ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
31.	41.(3)	the medium-term expenditure framework, are available for filling the post. Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
32.	43.(2)(a)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
33.	43.(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves for L15 and 16 NC approves L1-14 HR to facilitate In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)
34.	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	CDC HR L1 to L14	Not Delegated	Not Delegated	EA approves for L15-16
35.	44.(1)	Setting of higher salary (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight -	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L15-16 NC approves L1-14 HR to facilitate


A Fraser
National Commissioner
Date: 28/08/2018

11

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		(a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.					Indicators for Execution/Reporting/ Consultation/ Informing
36.	45.(1)	<u>Undergraded posts</u> (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14 Continued employment of incumbent is set out in Regulation 45.(2)
37.	45.(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14
38.	46.(1)	<u>Overgraded posts</u> (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L14	Not Delegated	Not Delegated	EA approves L15 NC approves L1 to L14
39.	47.(3)	<u>Information on remuneration</u> (3) In the week before an employee's salary pay day, a head of department shall provide him or her with the following information in writing -	NC	CDC HR	Not Delegated	Not Delegated	Information is specified in regulation 47.(3)(a) to (h)


A Fraser
National Commissioner
Date: 28/08/2018

12

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
40.	48	<p><u>Leave</u></p> <p>A head of department shall -</p> <p>(a) encourage an employee to fully utilise his or her annual leave entitlement in the leave cycle;</p> <p>(b) ensure that all leave taken by an employee is recorded accurately and in full; and</p> <p>(c) ensure that an employee does not abuse sick leave.</p>	NC	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 89 Days Relevant Director</p> <p><u>Leave without pay</u></p> <p>1-7 Days Relevant Director</p> <p>8-29 Days Director HR Administration & Utilization</p> <p>30-89 Days DC HR Management</p> <p>90 Days+ (All types of Leave except Incapacity</p>	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 89 Days RH Corporate Services</p> <p><u>Leave without pay</u></p> <p>1-7 Days Relevant Director</p> <p>8-29 Days RH Corporate Services</p> <p>30-89 Days Deputy Regional Commissioner</p> <p>90 Days+ (All types of Leave except Incapacity</p>	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 89 Days Area Commissioner</p> <p><u>Leave without pay</u></p> <p>1-7 Days Head Correctional / Remand Centre / Community Corrections (Minimum level DD) 8-29 Days Area Commissioner</p> <p>30-89 Days Deputy Regional Commissioner or Area Commissioner on DC Level</p> <p>90 Days+ (All</p>	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>DPSA determination on leave must be adhered to.</p> <p>In Management Areas where the AC is on the level of a Director the leave forms of DD's must be recommended by the Area Coordinator Corporate Services to verify correctness and availability of leave.</p> <p>Leave forms for Area Commissioner (including on DC level) in regions must be recommended by the DRC.</p> <p>Leave forms of DRC's must be recommended by the RH HR to verify correctness and availability of leave.</p> <p>Leave forms of CDC's and RC's must be recommended by the CDC HR to verify correctness and availability of leave</p>

A Fraser

National Commissioner

Date: 28/08/2018

13

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016


ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
				<p>Leave) Relevant Branch Head in Head Office</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months</p> <p>DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval)</p> <p>DD: Auxiliary Support Services</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Retirement</p> <p>Dir HRA & U in consultation with the relevant Director</p>	<p>Leave) Regional Commissioner</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months</p> <p>DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval)</p> <p>Regional Coordinator: HR</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Retirement</p> <p>Dir HRA & U in consultation with the RH HR</p> <p>Approval of</p>	<p>types of Leave except Incapacity Leave)</p> <p>Regional Commissioner</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months</p> <p>DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval)</p> <p>Area Coordinator: Corporate Services</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Retirement</p> <p>Dir HRA & U in consultation with the RG HR</p>	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>Policy and Procedure on Incapacity Leave and ILL- Health Retirement (PIIR) and DPSA determination on leave must be adhered to.</p>


A Fraser
National Commissioner
Date: 28/08/2018

14

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
41.	49.(1)	<u>Overtime</u> (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if: (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	Approval of special leave not specified in the Special Leave Policy: No delegation DC HRM	special leave not specified in the Special Leave Policy: No delegation	Approval of special leave not specified in the Special Leave Policy: No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine roles and responsibilities of role players
42.	49.(2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approves overtime policy after consultation with NATMANCO
43.	51.	<u>Working hours</u> Subject to any collective agreements and the Code of Good Practice on Arrangement of Working Time issued in terms of section 87 of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), a head of department shall determine	NC	NC Not Delegated	Not Delegated	Not Delegated	Read with CSR 32


A Fraser
National Commissioner
Date: 28/08/2018

15

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		(a) the work week and daily hours of work for employees; and (b) the opening and closing times of places of work of the department, taking into account - (i) the needs of the public with due regard to the department's service delivery improvement plan; and (ii) the needs and circumstances of employees, including family obligations and transport arrangements.					
44.	52.	<u>Emergency work</u> A head of department may require an employee to perform work outside normal working hours if the work is required to be performed without delay owing to circumstances which are beyond the control of the head of department and for which he or she could not reasonably have been expected to make provision.	NC	Director	Director	Area Commissioner	Read with CSR 34. DC's/DRC's/CDC and RC's have the same delegated prerogative. The BCEA must be adhered to. Emergency work does not include day to day administrative tasks. The overtime policy must be adhered to
45.	53.	<u>Health and safety</u> A head of department shall establish and maintain a safe and healthy work environment for employees of the department and a safe and healthy service delivery environment for members of the public.	NC	CDC HR	RC	AC HCC	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players
46.	54.	<u>Employees health and wellness</u> Every department shall have a policy that promotes the health and well-being of employees	NC	CDC HR	No delegation	No delegation	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players
47.	55.(1)	<u>HIV and AIDS and other diseases</u> (1) A head of department shall, as far as it is reasonable, ensure that the management of HIV and AIDS is mainstreamed for employees and the public to access appropriate services in line with the department's mandate and manage other diseases, injuries, and conditions of employees to ensure efficient, effective and sustainable delivery of services.	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with NATMANCO determine roles and responsibilities of role players

A Fraser
National Commissioner
Date: 2018/08/28


PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
48.	56.	<u>Workplace environment management</u> A head of department shall introduce appropriate measures for the institutionalisation of the Public Service Charter in his or her department.	NC	CDC HR	RC	AC	Indicators for Execution/Reporting/ Consultation/ Informing Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players
49.	57.(1)	<u>General conditions for appointment</u> (1) An executive authority - (a) shall not appoint any person - (i) under the age of 15 years of age; or (ii) under the minimum school-leaving age in terms of any law. (b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post; (c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister; (d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and (e) shall not, with due regard to section 10(a) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.	EA	NC L13 and L14 Not delegated CDC of branch: L1-11/12 DC of CD: L1 1-10	RC L11-12 DRC 1-10	No delegation	EA approves L 15 and L16 NC: approves L13-14 See general conditions for appointment set out in PSR 57.6), and 58, 60, 61. See under the topic selection PSR 57.(8) and (9) See under the topic probation PSR 68.
50.	57.(2)	<u>General conditions for appointment</u> <u>Employ persons additional to the establishment</u> (2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department; (c) an employee's post has been abolished and he or she cannot be transferred into	EA	Not delegated	Not delegated	Not delegated	EA approves 13-15 level NC approves L1-12 CFO to approve funding See general conditions for appointment is set out in PSR 57.(1), (2), (3), (4) (5) and (6)


 A Fraser
 National Commissioner
 Date: 28/09/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
51.	57 (3) and (4)	another post; or (d) an employee is part of a development programme as contemplated in regulation 56. (3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall - (a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and (b) record that verification in writing. (4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12
52.	57(5)	All appointments other than employment additional to the establishment (5) An appointment shall take effect after approval by the relevant executive authority.	EA	NC: L13 and L14 Not delegated DDG: L1-11/12 CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 9, 12, 12A, 13. EA approves L 15 and L16 NC: approves L13-14 See general conditions for appointment set out in PSR 57 (1), and (5), an 58., 60., 61. See under the topic selection PSR 67 (8) and (9) See under the topic probation PSR 68.
53.	59.	Utilisation of unpaid voluntary workers An executive authority may utilise unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the	EA	Dir HR A & U	RH HR	AC	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players


 A Fraser
 National Commissioner
 Date: 28/08/2018

18

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		business of the department; (b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing; (c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months; (d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration; (e) a voluntary worker shall perform work in a department under the supervision of an employee; and (f) such other conditions that the Minister may direct.					
54.	60.(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment; or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of these Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation	EA	CDC of branch: L1-11/12 DC of CD: L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L 15 and L16 NC L13 and L14

A Fraser

National Commissioner

Date: 25/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
55.	62.(3)	Secondments (3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.	EA	CDC of branch: L1-11/12 DC of CD: L1-10	RC: L1-11/12 DRC: L1-10	No delegation	Indicators for Execution/Reporting/ Consultation/ Informing EA approves L 15 and L16 NC L13 and L14
56.	64.(1) and (2)	Determination of requirements for employment (1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job. (2) An executive authority shall - (a) ensure that the requirements for employment do not unfairly discriminate against any person; and (b) comply with any statutory requirement for the appointment of employees.	EA	DC HRM	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches and Regions
57.	65.(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches and Regions Note conditions set out in PSR 65.(2) to (9)
58.	65.(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches, Regions and Districts Note conditions set out in PSR 65.(2) to (9)
59.	66.(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers 66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which	EA	Not delegated	Not delegated	Not delegated	NC approves after consultation with the EA

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years; (b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1); (3) and (4).					Indicators for Execution/Reporting/ Consultation/ Informing
60.	67 (1)	Selection (1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However— (a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and (b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC approved L13-14 EA approved L 15 The employee who approves the appointment of an employee to a post L1 to L14 may not be the chairperson or a member of the selection committee of that post. Department operational policy to specify the composition of the selection committee for L1 to L14. See the conditions set out in PSR 67.(2) to (9)
61.	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	Not delegated	Not delegated	Not delegated	NC approves head-hunting for L1 to L14
62.	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing.	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC approved L13-14 EA approved L 15 Read with section 3(5)(g) and 96(3) of the

A Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
63.	67.(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall - (a) satisfy himself or himself that the candidate qualifies in all respects for the post and that his or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	CSA NC approved L13-14 EA approved L 15 Read with section 3(5)(g) and 86(3) of the CSA
64.	68.(2)	<u>Probation</u> (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC L13-14 EA for L 15 and L16
65.	69.(2)	<u>Resignation</u> (2) Subject to section 168(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	L1-8 Dir L9-10 DC L11-12 CDC	L1-8 Dir L9-10 DRC L11-12 RC	L1-8 Dir L9-10 DC	NC L13-14 EA for L 15 and L16
66.	69.(3)	<u>Resignation</u> (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	CDC HR	Not delegated	Not delegated	Department operational policy to specify the manner in which an employee submits his or her resignation
67.	69.(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	CDC 13-14 DC: L11-12 Dir: L1-10	RC 13-14 DRC: L11-12 Dir: L1-10	DC/DRC: L11-12 Dir: L1-10	HR facilitate all exit interviews and compile a report for NC at the end of each financial year
68.	69.(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	NC for L13-14
69.	69.(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents.	EA	CDC: L11-12	RC: L11-12	DC: L9-10	NC for L13-14

A Fraser


National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO.	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
				DC: L9-10 Dir: L1-8	DRC: L9-10 Dir: L1-8	Dir: L1-8	Indicators for Execution/Reporting/ Consultation/ Informing
70.		<u>Employee records</u> A head of department shall keep a record of each employee and of each post on the establishment in accordance with the information requirements as issued by the Minister.	EA	CDC HR	Not delegated	Not delegated	
71.	71.(1)	Systems for performance management and development (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with the NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
72.	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
73.	71.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
74.	71.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after


A. Fraser
National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW/ NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
75.	71.(7)	(7) Heads of department shall ensure that accurate records of all performance assessments and the outcomes thereof are kept.	NC	CDC HR	Not Delegated	Not Delegated	Indicators for Execution/Reporting/ Consultation/ Informing consultation with NATMANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71.(3) to (8)
76.	72.(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner. (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	NC for L13-15
77.	72.(9)	(9) The head of department shall ensure that the outcomes of the annual performance assessments are implemented by 31 December of the financial year following the year of the assessment.	NC	CDC HR	Not Delegated	Not Delegated	
78.	72.(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	CDC HRL13-14 DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	The Chairperson of Moderation committee must provide the feedback L15 NC
79.	72.(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	CDC - L14 DC L13 Dir 1-12	RC - L14 DRC/DC L13 Dir 1-12	DC L13 Dir 1-12	NC for L15 HR facilitate with the co-operation of supervisors
80.	73.(1)	<u>Rewarding performance</u> (1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the	EA	CDC HR	Not Delegated	Not Delegated	NC approve scheme after consultation with the NATMANCO and the EA NC monitor the implementation of the

A Fraser,
National Commissioner
Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
81.	73.(2)	Minister as contemplated in subregulation (3). (2) A head of department shall establish a written departmental performance incentive scheme - (a) determining the nature, rules and control measures of the scheme; (b) communicating the nature and rules of the performance incentive scheme to all employees; (c) ensuring that employees who implement the quality and quantity control measures of the scheme are not entrusted with the implementation of that scheme in relation to themselves; and (d) including provisions for the introduction of non-financial incentives, if deemed appropriate.	NC	CDC HR	Not Delegated	Not Delegated	Indicators for Execution/Reporting/ Consultation/ Informing System and inform the EA NC approve scheme after consultation with the NATMANCO and the EA NC monitor the implementation of the system and inform the EA
82.	74.(2)	Institutional arrangements regarding education, training and development (2) A head of department shall ensure that sufficient budgeted funds are available for the training and development of employees and shall provide training and development opportunities for employees in his or her department.	NC	CFO in consultation with CDC HR	Not Delegated	Not Delegated	Departmental operational policy to specify the system and roles and responsibilities of providing training and development NC approve system after consultation with NATMANCO The conditions for training assistance are set out in PSR 77.
83.	76.	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC approve the training required after consultation with NATMANCO and the EA NC monitor the implementation of the training and inform EA The conditions for training assistance is set out in PSR 77
84.	77.(1) to (4)	Training assistance 77. (1) For purposes of enhancing the performance of the work of the department, a head of department may grant financial or other assistance for any study, training or research where - (a) an employee undertakes the study, training or research on the initiative of the	NC	CDC HR	RC's Regional Head Corporate Service	AC's Area Coordinator Corporate Services	National Learning Committee endorses the workplace skills plan for a financial year and monitors the implementation thereof.

A. Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		<p>department, or</p> <p>(b) the employee has requested any such assistance and the study, training or research is related to the employer's skills requirements.</p> <p>(2) A head of department may grant financial or other assistance to employees for part-time or full-time activities at either local or international institutions. The head of department may also grant assistance for studies and training through training interventions such as short courses, congresses, symposia, seminars, conferences, workshops, lectures and study tours.</p> <p>(3) A head of department may -</p> <p>(a) grant bursaries for higher education to employees or other persons in terms of a human resources development plan contemplated in regulation 28;</p> <p>(b) allocate bursaries for general education and continuing education and training to employees; and</p> <p>(c) require contractual service in recompense for assistance received in respect of general education or continuing education and training.</p> <p>(4) A head of department may defray any reasonable actual expenses associated with study, research or training.</p> <p>Note:</p> <p>- A head of the department may enroll unemployed youth graduates into the public service internship programme in line with the determination by the Minister of Public Service & Administration as inception from 1 April 2010.</p> <p>- A head of component may approve the placement of students to undergo experiential learning as part of their respective curricular to fulfill the requirements of their qualification.</p>		DC HRD L13-15 DIR Policy and External Training L 1-12	Not delegated	Not delegated	International study – not delegated.
				CDC HR	Not delegated	Not delegated	
				DCHRD	DRC	Not delegated	HoD approves recruitment for programme
				DC's	Regional Head Corporate Services	Area Coordinator Corporate Services	
85.	77.(6)	(6) Subject to the Treasury Regulations, a head of department may waive the whole or any part of any study debts.	NC	Not Delegated	Not Delegated	Not Delegated	After consultation with the CFO
86.	77.(9)	(9) In the case of an employee who studies or undergoes training for short periods, a head of department may, as a precondition for providing assistance, require the employee to enter into a contract with the department in terms of which he or she	NC	DC HRD	Not Delegated	Not Delegated	Operational policy for training assistance to provide specifics

A. Fraser

National Commissioner

Date: 28/08/2018

26

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR

HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
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87.	78.(2)	<p>shall serve the department for a commensurate period.</p> <p><u>Mandating and management of negotiations</u></p> <p>(2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority—</p> <p>(a) is responsible for managing collective bargaining on behalf of the State as employer in that forum;</p> <p>(b) has authority to deal with the matter concerned; and</p> <p>(c) meets the fiscal requirements contained in regulation 79.</p>	EA	NC to provide written mandate Minimum level Dir ER to sign agreement on behalf of employer.	Not delegated	Not delegated	<p>NC gives mandate on matter of mutual interest after consultation with NATMANCO and the EA</p> <p>NC to indicate who must sign the collective agreement on behalf of the employer.</p> <p>The conditions for matters with financial implications are set out in PSR 79.</p>



A. Fraser

National Commissioner

Date: 28/08/2018

PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
88.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
89.	93	Acquisition, management and use of information and communication technology resources The head of department shall ensure that the acquisition, management and use of information and communication technologies by the department - (a) enhances direct or indirect service delivery to the public, including, but not limited to, equal access by the public to services delivered by the department; (b) improves the productivity of the department; (c) promotes an environmentally friendly public service; and (d) ensures cost-efficiency for the department.	NC	CDC GITO in consultation with CDC's of branches	Not delegated	Not delegated	GITO facilitates
90.	95.(1)	Information security vigilance (1) A head of department shall ensure the maintenance of information security vigilance at all times in the department	NC	CDC GITO	Not delegated	Not delegated	
91.	96.	Incident reports A head of department shall regularly, on the basis of the threat posed by an incident, submit to the Director-General: State Security Agency, the Auditor-General and such other authorities as the head considers appropriate - (a) an incident report of every instance of non-compliance with the information security standards referred to in regulation 94(1); and (b) a plan on how incidents of non-compliance will be corrected and how to prevent similar incidents in future.	NC	Not delegated	Not delegated	Not delegated	Director Security Standards to facilitates incident reports and plans and submit to NC
92.	97.(4)	Minimum interoperability standards (4) A head of department shall - (a) include compliance with the MIOS in the project approval procedure; and (b) ensure compliance to the MIOS in the acquisition or use of information and communication technology.	NC	CDC GITO	Not delegated	Not delegated	



A Fraser

National Commissioner
Date: 28/08/2018

CONTINUES ON PAGE 130 - PART 2



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**FINANCIAL DELEGATION OF POWERS, ACTIVITIES AND
DUTIES IN RESPECT OF THE FINANCE MANAGEMENT ACT,
ACT 1 OF 1999
(AS AMENDED BY ACT 29 OF 1999)**

Issued in terms of Section 44 of the Public Finance Management Act, Act 1 of 1999
(PFMA)

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by -

- (a) the Public Finance Management Act, Act 1 of 1999, as amended by Act 29 of 1999 ; and
- (b) the Treasury Regulations, 2005, promulgated in terms of Section 76 of the said Act.

I, **Arthur Fraser**, National Commissioner and accounting officer of the Department of Correctional Services, delegate the powers and duties vested in me to a holder of a post or specific post in the Department of Correctional Services as set out in the PFMA and Treasury Regulations, read in conjunction with the general conditions set out herein under.

SIGNED AT PRETORIA ON THIS 28th DAY OF August 2018



A Fraser

NAME OF ACCOUNTING OFFICER:

NAME OF ACCOUNTING OFFICER'S PORTFOLIO:

NAME OF THE DEPARTMENT:

National Commissioner

Department of Correctional Services

**Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services:
2018**

Table of contents

1. General definitions, application and date of commencement

1.1 General definitions

1.1.1 In these financial delegations, unless the context indicates otherwise, a word or expression to which a meaning has been given, has the same meaning, and –

"Accounting Officer" means the National Commissioner: Department of Correctional Services.

"Act" means the Public Finance Management Act, Act 1 of 1999 (as amended) which regulate financial management in the national government and provincial governments; to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively; to provide the responsibilities of persons entrusted with financial management in those governments; and provide for matters connected therewith.

"CDC" means Chief Deputy Commissioner

"CFO" means the employee designated as a Chief Financial Officer in terms of Treasury Regulation 2.1.1

"Concession Contract" means public procurement signed agreement where the consideration for the works or services to be carried out consists either solely in the right to exploit the work or services, or this right to exploit together with payment.

"Contract" means a signed agreement entered into between two or more persons within the limits of their contractual capacity.

"Controller" means the person or persons appointed by the Accounting Officer to oversee Public Private Partnerships Correctional Centre.

"DC" means Deputy Commissioner

"Delegated Authority" means the transferring of power vested in a person by virtue of a statute to another person, so that this other person may exercise the power on his/her behalf all forms of delegation are aimed at achieving proper distribution of work.

"Department" means the Department of Correctional Services

"DRC" means Deputy Regional Commissioner.

"National Bid Adjudication Committee" (NBAC) means a committee appointed by the Accounting Officer to adjudicate and award bids.

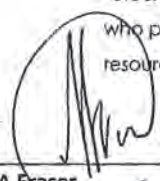
"Public Private Partnerships" means contractual agreement between the public and private sectors which includes a variety of activities.

"RC" means Regional Commissioner.

"Schedule" means a list or plan of intended events, time etc.

"SCM" means Supply Chain Management

"Steering Committee" means an advisory committee usually made up of high level stakeholders and /or experts who provide guidance on key issues such as company policy and objectives, budgetary control, marketing strategy, resource allocation and decisions involving large expenditure.


A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

**Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services:
2018**

"Sub-Bid Adjudication Committee" (SBAC) means a committee appointed by the Accounting Officer to adjudicate and award bids

"Supervisory Committee" means an independent regulatory body which regulate PPP Correctional centres and comprised of one DCS representative, one Department of Public Works or National Treasury representative and one independent expert.

1.2 Application

1.2.1 These financial delegations apply to all employees of the Department, unless indicated otherwise.

1.3 Date of commencement

1.3.1 These financial delegations take effect from the date approved by the Accounting Officer.

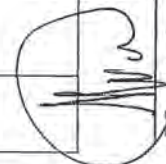


A Fraser
NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
FINANCIAL AND MANAGEMENT ACCOUNTING								
1.	PFMA s7(2) Treasury Regulations 15.2.4, 15.10.1.1, 15.11.2	Open a bank account in terms of the prescribed framework and ensure efficient and effective banking and cash management	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated		
2.	PFMA s13(1) Treasury Regulation 15.5.1	Ensure that all money received by the department is paid over to National Revenue Fund	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting Director Financial Accounting	Not Delegated	Not Delegated	All revenue received must be paid daily into the commercial bank accounts. Where a bank deposit does not exceed the amount of R500-00, depositing must be held over until the amount is R500-00 or more, on condition that the amount may not be kept for more than four working days	
3.	PFMA s27(3) Treasury Regulation 6.1.1	Comply with any budget circulars issued by National Treasury	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional	<u>Head office</u> Directorate Management Accounting to comply with any budget circular and guidelines relating to MTEF/AENE/ENE issued by National Treasury Management Accounting directorate to coordinate and	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
4.	PFMA s30(2)(g) Treasury Regulation	Comply with prescripts regarding the roll-over of unspent funds from the preceding financial year	Accounting Officer	Chief Financial Officer DC: Financial and Management Accounting	Not Delegated	Not Delegated	consolidate MTEF/ENE inputs from regions rolled up from centre level and head office rolled up from director level. Programme and sub programme managers to provide all required supporting information and national spending proposals (bids) Final ENE to be signed off by Programme Managers <u>Region</u> Regions and Head office to comply with any internal budget circular and guidelines relating to MTEF/AENE/ENE issued by head office Management Accounting Regions and Head office to coordinate and consolidate MTEF/ENE inputs from Management areas rolled up from centre level and head office rolled up from directorate level.	Comply with Treasury Regulation 6.4.1 Funds appropriated but not spent in a particular financial year may be roll over to the next financial year on the

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
	6.4			Director Management Accounting			following conditions and limitations: Capital Expenditure: Unspent funds on capital expenditure may only be rolled over to finalize projects still in progress or for other capital purposes. Transfer Payment: Savings on transfer payments may not be rolled over for purposes other than those originally voted for Current Expenditure: Departments may roll over a maximum of 5% of their voted funds in the main estimates of expenditure for that specific year, excluding capital expenditure and transfer payments. Once the Accounting Officer has signed off, Director Management Accounting to submit request for rollover of funds to Treasury on or before the 30 April annually in the prescribed format	
5.	PFMA s 38 (1)(a)(i) Treasury Regulation	Develop, implement and maintain effective, efficient and transparent systems of financial and risk management and internal control.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Financial and Management Accounting, Internal Control and Compliance and Supply Chain Management Chief Directorates shall develop and maintain the required	

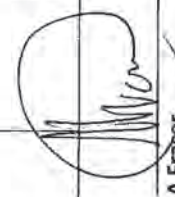
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
	3.2						systems of financial management and internal control within their respective fields: The implementation of such systems is subject to the approval of the Accounting Officer	
6.	PFMA s 38(1)(a)(iv)	Develop and implement a system for properly evaluating all major capital projects prior to a final decision on the project.	Accounting Officer	CDC: Incarceration and Corrections Chief Financial Officer	Not Delegated	Not Delegated	CDC: Incarceration and Corrections in consultation with the Chief Financial Officer	
7.	PFMA s 38(1)(b)	Develop processes to ensure the effective, efficient, economical and transparent use of the resources of the Department.	Accounting Officer	Chief Financial Officer Programme Managers Sub - programme Managers	Not Delegated	Not Delegated	Chief Financial Officer to develop effective and efficient internal controls and processes regarding procurement, asset management and budget utilisation CDC: Human Resource to develop effective and efficient internal controls and processes regarding human resource planning and utilisation CDC: Incarceration and Corrections to develop effective and efficient internal controls and processes regarding capital works infrastructure programme	



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
8.	PFMA s 38(1)(b)	Implement and monitor processes to ensure the effective, efficient, economical and transparent use of the resources of the Department.	Accounting Officer	Programme Managers Sub-programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Programme and sub-programme managers to develop effective and efficient internal controls and processes within relevant areas of responsibility	
9.	PFMA s 38(1)(c)(i) Treasury Regulation 11.2.1	Ensure that effective and appropriate steps are taken to collect all money due to the Department.	Accounting Officer	Programme Managers Sub-programme Managers Activity Managers Responsibility	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner)	Responsibility Managers (Area Commissioner Area Coordinator Head of		




A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
				Managers	Regional Heads)	Correctional Centre Centre Coordinator Head of Community Corrections)		
10.	PFMA s 38(1)(c)(f) Treasury Regulation 11.3.1	Recovery of debts by instalments Within twelve months Exceeding twelve months	Accounting Officer	Director Financial Accounting Chief Financial Officer	Regional Head: Finance and Supply Chain Management Not Delegated	Area Commissioner Not delegated	Applications for Instalments exceeding twelve months must be accompanied by the income and expenditure statement of account together with the necessary valid supporting documents	
11.	PFMA s 76(1)(e) Treasury Regulation 11.4.1	The Accounting Officer must ensure that all debts are written off in accordance with debt write off policy Up to a maximum amount of R10 000 per case Amounts exceeding R10 000 up to R50 000 per case	Accounting Officer	Chief Financial Officer Chief Financial Officer	Regional Commissioner Not Delegated	Area Commissioner Not Delegated		


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
		Amount exceeding R50 000 per case		Accounting Officer	Not Delegated	Not Delegated		
12.	PFMA s 76(1)(e) Treasury Regulation 11.4.3	Disclosure of all debts written off in the annual financial statements	Accounting Officer	DC; Financial Management and Accounting	Not Delegated	Not Delegated		
13.	PFMA s 76(1)(e) Treasury Regulation 11.5	Interest charged on debts at the interest rate determined by the Minister of Finance	Accounting Officer	Director Accounting Financial	Regional Finance and Supply chain Management	Area Coordinator Finance and Supply Chain Management		
14.	38(1)(c)(i) Treasury Regulation 9.1	Ensure that effective and appropriate steps are taken to prevent unauthorised, irregular and fruitless and wasteful expenditure and losses resulting from criminal conduct.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Unit Head Head of Community	In terms of section 45 of the PFMA, all officials must implement appropriate mechanisms to prevent unauthorised expenditure Do not commit the department when funds are not available Manage PERSAL interfaces and monitoring of compensation of employees expenditure against the budget Do not authorise over expenditure where there is no guarantee of funds to be shifted	



A Fraser
NATIONAL COMMISSIONER
DATE:

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
15.	PFMA s 38(1)(c)(iii) Treasury Regulation	Manage available working capital efficiently and economically.	Accounting Officer	Programme Managers Sub - programme Managers	Responsibility Managers (Regional)	Responsibility Managers (Area)	<u>Head Office:</u> Director: Management Accounting must keep and maintain unauthorised Expenditure register Director: Procurement must keep and maintain Irregular Expenditure register Director Logistics must keep and maintain Fruitless and Wasteful expenditure register <u>Region:</u> Regional Head: Finance and Supply Chain Management must keep and maintain separate unauthorised, Irregular, fruitless and wasteful expenditure registers <u>Management Area:</u> Area Coordinator: Finance and Supply Chain must keep and maintain separate registers for unauthorised, Irregular, fruitless and wasteful expenditure	Spend according to the approved spending plans and procurement plans. Expenditure thresholds to be in line


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
	10.1.1(b)			Activity Managers Responsibility Managers	Commissioner Deputy Regional Commissioner Regional Heads)	Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	with Annexure A DC: Supply Chain Management to develop inventory management policy, norms and standards	
16.	PFMA s 38(1)(d) Treasury Regulations 10, 11, 12 ,13 and 14	Management, including the safeguarding and the maintenance of assets, and the management of liabilities of the Department	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	In terms of section 45 of the PFMA, all officials must manage including the safeguarding of assets and the management of the liabilities within the officials area of responsibilities	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
17.	PFMA s 38(1)(e)	Comply with any tax, levy, duty, pension and audit commitments as may be required by legislation.	Accounting Officer	DC: Financial Management and Accounting Director: Financial Accounting CDC: Human Resources DC: Human Recourse Management Director: Human Recourses, Administration and Utilisation	Not Delegated	Not Delegated		
18.	PFMA s 38(1)(f) Treasury Regulations 8.2.3	Settle all contractual obligations and pay all money owing, including intergovernmental claims, within the prescribed or agreed period.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	All payments due to the creditors must be settled within 30 days from the date of receipt of an invoice or as per relevant contracts	

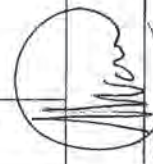
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
19.	PFMA s 38(1)(g) Treasury Regulation 9.1.2	Immediately on discovery report to National Treasury any unauthorised, irregular or fruitless and wasteful expenditure.	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	Head Office: The official must immediately report to the Head Office: Financial Control Office Directors Management Accounting, Procurement and Logistics must report the unauthorised, irregular, fruitless and wasteful expenditure in the monthly IYM submission IYM to National Treasury according to Treasury Regulation 9.1.2. and as required in terms of section 40(4)(b) of the PFMA At year end, the Accounting Officer must appoint an investigator to investigate the alleged unauthorised expenditure to determine whether such meets with the definition of unauthorised expenditure Region: The unauthorised, fruitless and wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless,	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
20.	PFMA s 38(1)(h) Treasury Regulations 4.1.1	Take effective and appropriate steps against any employee in service of the Department who contravenes or fails to comply with a provision of this Act, commits an act which undermines the financial management and internal control system, and makes or permits an unauthorised expenditure, irregular expenditure or fruitless and wasteful expenditure.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of	and wasteful expenditure must still be reported to Head office together with the monthly IYM submission Management area The unauthorised, irregular, fruitless and wasteful expenditure must be reported immediately on discovery to the Regional Commissioner via Regional Head Finance and Supply Chain. The unauthorised, irregular, fruitless and wasteful expenditure must still be reported to Regional office together with the monthly IYM submission	
							According to T.R.4.1.1 The Accounting Officer to ensure that the investigation is conducted if it is alleged that the official committed financial misconduct. If it is determined that the official permitted unauthorised expenditure, the Accounting Officer, must take effective and appropriate disciplinary steps against the official in terms of PFMA sec 38 (1)(h) (iii). Cases related to Correctional Service Act section 95(A) shall be	



A. Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
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21.	PFMA s 38(1)(i) Treasury Regulations 8.5.1	Comply with the provisions of the annual Division of Revenue Act when funds are transferred.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Investigated by Departmental Investigation Unit. All other cases shall be investigated by different Managers	
22.	PFMA s 38(1)(i) Treasury Regulation 8.5.1	Before funds are transferred, obtain written assurance that the entity implement effective, efficient and transparent financial management and internal control systems.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Obtain written assurance from the entity that the entity implements effective, efficient and transparent financial management and a system of internal control	
23.	PFMA s 38(1)(i)	Take into account all relevant financial consideration, including issues of propriety, regularity and value for money, when policy proposals are considered.	Accounting Officer	Programme and sub- programme managers	Not Delegated	Not Delegated	All submissions must via the Chief Financial Officer	



A Fraser

NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
24.	PFMA s 38(1)(k)	Comply with any prescribed conditions if the department gives financial assistance to any entity or person.	Accounting Officer	Chief Financial Officer CDC; Human Resource	Not Delegated	Not Delegated	Comply with the conditions attached to the financial assistance (Bursaries, State guarantees and subsidised vehicles)/Agreed objectives to be attained	
25.	PFMA s 38(1)(m)	Promptly consult and seek prior written consent of the National Treasury on any new entity, which the Department intends to establish or in the establishment of which it took the initiative.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated		
26.	PFMA s 38(2) Treasury Regulation 8.2.1	May not commit the Department to any liability for which money has not been appropriated.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Before any payment is approved/authorised by delegated official, budget availability must be confirmed by attaching BAS report or certification from CFO or Head Finance confirming the availability of funds	

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NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
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27.	PFMA s 39(1)(a) Treasury Regulation 8	Ensure that expenditure is in accordance with the vote and the main divisions within the vote.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)		
28.	PFMA s 39(1)(b) Treasury Regulation 9.1.1	Take effective and appropriate steps to prevent unauthorised expenditure.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator	Do not commit the department when funds are not available Do not authorise over expenditure where there is no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations	Conditions (8)	and
				Head Office (5)	Region (6)	Management Area (7)			
29.	PFMA s 39(2)(a) Treasury Regulation 9.1.1	Take effective and appropriate steps to prevent the overspending of a main division within the vote. Take effective and appropriate steps to prevent the overspending of the vote.	Accounting Officer	Programme Managers Sub - programme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	Do not commit the department when funds are not available Do not authorise over expenditure where there is no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management		
30.	PFMA s 39(2)(b) Treasury Regulation 9.1. 18.1.1	Report to the Executive Authority and National Treasury any impending under collection of revenue, shortfalls in budgeted revenue, and overspending of the vote or a main division within the vote.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated			



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
31.	PFMA s 39(2)(c) Treasury Regulation 9.1	Comply with any remedial measures imposed by National Treasury in terms of the Public Finance Management Act to prevent overspending of the vote or a main division within the vote.	Accounting Officer	Chief Financial Officer Programme managers sub- programme managers	Not Delegated	Not Delegated	Depending on affected main division or economic classification, CFO via the Accounting Officer may determine branch/regional/management area specific interventions	
32.	PFMA s 40(1)(a) Treasury Regulation 17.1.1, 17.1.2	Keep full and proper records of the financial affairs of the Department in accordance with any prescribed norms and standards.	Accounting Officer	Chief Financial Officer CDC; Human Resource	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional Heads)	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)Corpo rate Services Head of Correctional Centre Head: Support	In line with the instruction note issued annually by National Treasury	



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
33.	PFMA s 40(1)(b) Treasury Regulation 18.2	Prepare financial statements for each financial year in accordance with generally recognised accounting practice.	Accounting Officer	Chief Financial Officer	Regional Head: Finance and Supply Chain	Staff Head of Community Correction Not Delegated	<u>Head office</u> Chief Deputy Commissioner must prepare and submit to Director Financial Accounting branch specific financial statements inputs DC: Financial and Management Accounting reviews consolidated monthly, quarterly and annual financial statements <u>Regions</u> Regional Head: Finance and Supply Chain Management must prepare and submit to Director Financial Accounting regional monthly , quarterly and annual financial statements after sign off by Regional Commissioner	
34.	PFMA s 40(1)(c)	Submit financial statements within two months after the end of the financial year to National Treasury and the	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to provide quarterly and annually Chief Audit Executive with unaudited financial statements after reviewal by Chief Financial Officer to audit before	



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
35.	PFMA s 40(1)(d)(ii)	Auditor-General for auditing. Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the financial statements for that financial year after the statements have been audited.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	presentation to Audit Committee	
36.	PFMA s 40(1)(d)(iii)	Submit within five months of the end of a financial year to National Treasury and to the Executive Authority the Auditor-General's report on the financial statements.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	On receipt of Auditor General's sign off of audited annual financial statements DC: Financial and Management Accounting to prepare audited financial statements for sign off by Accounting Officer	
37.	PFMA s 40(4)(a) Treasury Regulation 15.10.2.1	Provide each year before the beginning of a financial year to National Treasury in the prescribed format a breakdown per month of the anticipated revenue and expenditure for the financial year.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Director: Financial Accounting to prepare submission of audited financial statements and audit report for the Executive Authority	
				Not Delegated	Not Delegated	Not Delegated	Head Office: Chief Financial Officer to provide internal request for spending plans from regions rolled up from centre level and head office rolled up from directorate level. Provide template for regions and head office to ensure breakdown of budget allocations to the lowest item level per activity, sub-programme and programme as per the approved ENE	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
38.	PFMA s 40(4)(b)	Submit to National Treasury each month's information in the prescribed format on actual revenue and expenditure for the preceding month and the amounts anticipated for that month in terms of section 40(4)(a) of the Public Finance Management Act.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Activity and Responsibility managers to prepare and sign off their respective spending plans Regions: Regional Head: Finance and Supply Chain Management to consolidate regional spending plans for sign off by Regional Commissioners Management Area: Area Coordinator: Finance and Supply Chain Management to consolidate management area spending plan for sign off by Area Commissioner	
39.	PFMA s 40(4)(c)	Submit within 15 days of the end of each month to National Treasury and the Executive	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	Head Office: Monthly signed off IYM report to be submitted to National Treasury on or before 15 th of every month By the 7 th of each month Activity and	

A. Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (5)
				Head Office (5)	Region (6)	Management Area (7)		
		Authority the information for that month, a projection of expected expenditure and revenue collection for the remainder of the current financial year and when necessary, an explanation of any material variances and a summary of the steps that are taken to ensure that the projected expenditure and revenue remain within budget.					<p>Responsibility Managers must submit their monthly IYM with reasons for variances</p> <p>Director Management Accounting to consolidate IYM for sign off by the Chief Financial Officer</p> <p>Chief Financial Officer, to submit to the Accounting Officer the signed IYM for information</p> <p><u>Region:</u></p> <p>By the 10th of each month regions must submit their regional consolidated monthly IYM with reasons for variances signed off by the Regional Commissioner and Regional Head: Finance and Supply Chain Management</p> <p><u>Management Area:</u></p> <p>By the 7th of each month management area must submit their management area monthly IYM with reasons for variances signed off by the Area Coordinator: Finance and Supply Chain Management, a copy to be forwarded to the Accounting Officer for information</p>	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
40.	PFMA s 42(1)(a)	Draw up an inventory of assets and liabilities when assets or liabilities of the Department are transferred to another department or other institution in terms of legislation or following a reorganisation of functions.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	and noting time lines	
41.	PFMA s 42(1)(b)	Provide the accounting officer of the receiving department or other institution with substantiating records, including personnel records of staff to be transferred.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated		
42.	PFMA s 42(2)	Sign the inventory when assets are transferred or received.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated		
43.	PFMA s 42(3)	File a copy of the signed inventory with National Treasury and the Auditor-General within 14 days of the transfer when transferring assets.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated		
44.	PFMA s 43(1) Treasury Regulation	Utilise a saving in the amount appropriated under a main division within the vote towards the defrayment of excess expenditure under another	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Virements to be implemented in line with sec 43 of the PFMA and TR 6.3.1 Funds earmarked for direct inmates costs from Core programmes cannot	

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
	6.3	main division within the same vote, unless National Treasury directs otherwise					be shifted Funds earmarked for accommodation charges, leases, municipal services, repair and maintenance of correctional centres and capital works infrastructure are specifically and exclusively appropriated and cannot be shifted Compensation of Employees is specifically and exclusively appropriated and cannot be shifted without an act of parliament Virements is allowed within Goods and Services sub items or to payment for capital assets No shifting of funds from/to Transfer and Subsidies is allowed Virements from one programme to another will be implemented only after endorsement by Budget Committee and approval by the Accounting Officer in consultation with the Executive Authority If it is determined that Programmes, Sub programmes or items are over spending at a national level, funds	



A. Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
45.	PFMA s 43(3)	Submit a report within seven days to the Executive Authority and to National Treasury containing the prescribed particulars concerning the application of Virement between main divisions within the vote.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	cannot be shifted at all. The amount of a savings under a main division of a vote that may be utilised may not exceed 8% of the amount appropriated under that main division of the vote Shifting of funds from one region to another will be implemented only after endorsement by the Chief Financial Officer and shall be limited to unavoidable and unforeseeable expenditure Shifting of funds between management areas within the region shall be limited to unavoidable and unforeseeable expenditure	
46.	PFMA s 74(1)(i)	Implement relevant prescripts regarding granting of approval for payments and remissions as	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Once the Accounting Officer has approved the virement, Director Management Accounting to ensure that the report is submitted to National Treasury and Executive Authority within seven (7) days.	All submissions to Accounting Officer to be routed via the Chief Financial Officer

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NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
	Treasury Regulation 22.1	an act of grace						
47.	PFMA s 76(1)(i) Treasury Regulation 21.1.1	Approve the granting of gifts, donations and sponsorships by the Department. granting of gifts, donations and sponsorships amount up to R50 000 granting of gifts, donations and sponsorships amount up to and including R100 000	Accounting Officer	Up to R50 000 Chief Financial Officer Up to R100 000 Accounting Officer	Not Delegated	Not Delegated		
48.	PFMA s 76.1(ii) Treasury Regulation 21.3.1	Obtain approval from National Treasury before the Department offers or accepts any gift of immovable property.	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	CDC: Incarceration and Corrections in consultation with the Chief Financial Officer and the Accounting Officer	
49.	PFMA s 76.1(i) Treasury Regulation 21.1.2	Approve the acceptance of any gift, donation or sponsorship to the Department, whether such gifts, donations or sponsorships are in cash or kind. up to a maximum amount of R20 000 per case	Accounting Officer	Director Financial Accounting (cash donation) Director: Logistics:	Regional Head: Finance and Supply Chain Management/cas	Not Delegated	All applications and proposals for gifts, donations and sponsorships received in cash by the Department and the office of the Minister on behalf of the Department should be referred to the Directorate Management Accounting via the Chief Financial Officer or relevant Regional Commissioner	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
		up to a maximum amount of R40 000 per case		DC: Financial and Management Accounting (cash donation) DC: Supply Chain Management (donations in kind)	in donation and donations in kind Deputy Regional Commissioner (cash donation and donations in kind)		All cash received in terms of gifts, donations and sponsorships to the Department, must be paid into the Revenue Fund of the Department. A copy of the written approval (memorandum/letter) must also be made available to the Directorate Management Accounting together with: (a) a copy of the agreement between the Department and the donor which stipulates the terms of the agreement for the Auditor General to audit the terms and conditions thereof; and (b) The receipt for the gift, donation and sponsorships received.	
		up to a maximum amount of R60 000 per case exceeding the amount of R60 000 per case		Chief Financial Officer Accounting Officer	Not Delegated Not Delegated		Directorate Management Accounting will request these funds during the Adjustment Estimate Budget process each financial year. The budget of the Department will then be adjusted with the amounts that were paid into the Revenue fund The Accounting Officer may approve such up to R100 000 as stipulated in	



A Fraser


NATIONAL COMMISSIONER

DATE:

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
50.						Head of Correctional Centre	Treasury Regulations.	

	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
LOGISTICS							
51.	Treasury Regulations, paragraph 6.5.3	FREE TRANSFERS Approve transfer/ acceptance of assets to/ from another State Institution as a result of government's decision to recognize certain functions by transferring them to another	Accounting Officer	Chief Financial Officer - Unlimited	No delegation	No delegation	• No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
			Head Office (5)	Region (6)	Management Area (7)	
52.	Treasury Regulation; paragraph 16A7.2	Accounting Officer	Up to R100 000-00 – Director: Logistics Up to R500 000-00 – DC: SCM and DC: Finance and Management Accounting Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 – Accounting Officer	Up to R100 000-00 – Regional Commissioner Not delegated	Not delegated	Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury instruction. • No transfer of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to transfer the item(s). Medicine and perishable surplus products internally produced by the department are exempted from this provision. • Comply with relevant Treasury instruction.
53.	DISPOSALS		Up to R100 000-00 –	Up to R100 000-00 –	Not delegated	• Disposal of movable


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

DESIGNATION/POST LEVEL DELGATED TO PER TIER						
Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
			Head Office (5)	Region (6)	Management Area (7)	
Treasury Regulations paragraphs 16A7	Disposal authority (all items)	Accounting Officer	Director : Logistics Up to R500 000-00 – DC : SCM and DC : Finance and Management Accounting Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 - Accounting Officer	Regional Commissioner Not delegated		assets must be at market related value or by way of price quotations, competitive bids or auction, whichever is most advantageous to the state, unless otherwise determined by the relevant treasury. • When assets are disposed of other than in the ordinary course of the business of the trading entity, the relevant treasury must approve the transaction. • Comply with relevant Treasury instruction.
54. Treasury Regulation paragraph 16a7.6	Disposal authority (Firearms)	Accounting Officer	Unlimited – CFO	No delegation	No delegation	• The Accounting Officer or Accounting Authority must, when disposing of firearms, obtain the approval of the National Conventional Arms Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury instruction.
55. Treasury	DONATIONS					


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
			Head Office (5)	Region (6)	Management Area (7)	
Regulation paragraph 21.1	Approve donations involving perishable provisions by the state	Accounting Officer	Up to and including R50 000-00 per case- DC; SCM Up to and including R100 000-00 per case- Chief Financial Officer Exceeding R100 000-00 per case- Accounting Officer	Up to and including R50 000-00 per case- Regional Commissioner	No delegation	• Comply with relevant Treasury Instruction.
56. Treasury Regulation paragraph 21.1	Approve donations involving state property (cash amounts excluded)	Accounting Officer	Up to R50 000-00 – Director : Logistics Up to R500 000-00 – DC; SCM. Up to R1 000 000-00 – CFO Exceeding R1 000 000-00 – CFO	Up to R50 000-00 – Regional Head : Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Up to R50 000-00 – Area Commissioner	• When such donations involve cash of the amount exceeding R100 000-00 per case the approval of parliament must be sought before such donations are made. • No donation of redundant, unserviceable and obsolete state property may take place before the disposal process has been finalized. Documentary proof to this effect should be attached to the request to donate the item(s). Perishable surplus products internally produced by the



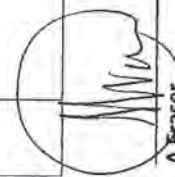
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
			Head Office (5)	Region (6)	Management Area (7)	
57.	Treasury Regulation paragraph 21.2	Approval of acceptance of donations Accounting Officer	Up to R50 000-00 – Director : Logistics (For Logistical losses) Up to R500 000-00 – DC : SCM/ DC : Financial and Management Accounting Up to R1 000 000-00 – CFO	Up to R50 000-00 – Regional Head : Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Up to R50 000-00 – Area Commissioner	department are exempted from this provision. • The assigned official must, when disposing of firearms, obtain the approval of the National Conventional Control Committee for any sale or donation of firearms to any person or institution within or outside the Republic. • Comply with relevant Treasury instruction. • When a donor or sponsor requests to remain anonymous all documentation must be classified as "secret". The donor/sponsor must be informed that he/she must disclose all particulars including the description and estimated value of the donation to the Public Protector and the Auditor-General in accordance with Treasury Regulation 21.4. The Department must submit



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
			Head Office (5)	Region (6)	Management Area (7)	
			Exceeding R1 000 000-00 – Accounting Officer			a certificate from both the Public Protector and the Auditor-General to the National Treasury which states that the identity of the donor or sponsor has been revealed to them that they have noted it and have no objection. • The acceptance of donations may not be to the detriment of the State. • Comply with relevant Treasury instruction.

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
PROCUREMENT								
58.	Treasury Regulations	Develop and implement an effective and efficient supply	Accounting	Chief Financial Officer	Not Delegated	Not Delegated	Comply with relevant Treasury	

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
	16A3.1 and 16A3.2	chain management system for acquiring goods and services that is fair, equitable, transparent, competitive and cost-effective.	Officer	DC: Supply Chain Management Director: Procurement Director: Logistics Director Financial			instructions	
59.	Treasury Regulations 16A4.1	Establish a separate supply chain management unit within the Office of the Chief Financial Officer, to implement the Department's supply chain management system.	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	Comply with instructions	relevant Treasury
60.	Treasury Regulations 16A5.1	Ensure that the employees responsible for implementing the supply chain management system are trained and deployed in accordance with the requirements of the Framework for Minimum Training and Deployment issued by National Treasury	Accounting Officer	Director : Procurement Director : Logistics Director : Contract Management	Not Delegated	Not Delegated	Comply with instructions	relevant Treasury
61.	Treasury Regulations 16A6.1	Ensure that the procurement of goods and services, either by way of price quotations or through a bidding process, must be within the threshold values as determined by	Accounting Officer	DC : Supply Chain Management Director : Procurement Director : Logistics Director : Contract	Not Delegated	Not Delegated	Comply with instructions	relevant Treasury



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
		National Treasury		Management				
62.	Treasury Regulations 16A6.2(c)	Appointment of Bid Committee members	Accounting Officer	Not delegated	Not Delegated	Not Delegated	Comply with relevant Treasury instructions	
63.	Treasury Regulations 16A6.2(d)	Grant approval for bidding and supply chain procedures	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	Comply with relevant Treasury instructions	
64.	Treasury Regulation 16A6.5	Ensure that where there is a period contract in place, no bids are solicited for the same or similar product or service during the tenure of the period contract.	Accounting Officer	DC : Supply Chain Management Director : Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions	
65.	Treasury Regulation 16A9.1(a)	Take all reasonable steps to prevent abuse of the supply chain management system	Accounting Officer	DC : Supply Chain Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions	
66.	Treasury Regulation 16A9.1(b)	Investigate, when justified, any allegations against an employee or other role players of corruption, improper conduct, or failure to comply with the supply chain management system.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	• CFO to refer all such cases to the Departmental Investigation Unit in terms of sections 95A of the Correctional Services Act.	
67.	Treasury Regulation 16A11.1	Submission of Supply Chain Management information to National Treasury in the format	Accounting Officer	Director : Procurement	Not Delegated	Not Delegated	• Capturing and verification of information of all procured goods, services and works from R30 000-00 (all applicable taxes)	


A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
68.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the annual Demand Management Plan for the Department and intervals as may be required.	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	<ul style="list-style-type: none"> included on the National Treasury System (Procurement Contract Information System); Proper record-keeping of supportive/ source documents for all captured information. Demand plan covers all the departmental procurement needs above and below R500 000.00
69.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the Commodity Sourcing Strategy	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	<ul style="list-style-type: none"> Department's sourcing strategy reflects an assessment of which procurement options are appropriate for its spend
70.	National Treasury Instruction Note 32 of 2017	Approval of Annual Department Procurement Plan for the Department	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	<ul style="list-style-type: none"> Must be aligned with the department's strategic objectives and priorities. Must be aligned with the


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
71.	2011. SCM Instruction 2 of 2016/17.	Approval of quarterly reports on the Procurement Plans to National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	<ul style="list-style-type: none"> department's budget and annual performance plan Must include all expenditure on goods, works and services in excess of R500 000,00 Must be submitted to National Treasury by 31 March of each year. Quarterly reports must contain: <ul style="list-style-type: none"> (a) All acquisitions concluded over the quarter. (b) All acquisitions concluded through the deviation procurement method. (c) All acquisitions concluded through the extension or variation of a contract. Quarterly reports must be submitted to National Treasury by the 15th of the Month following the end of the quarter.
72.	Procurement Manual, Paragraphs 1.3 and 1.4	Granting functional approval/ approval of business case and appointment of Bid Specification and Bid Evaluation Committees	Accounting Officer	Above R500,000-00 to R10 million: Chief Financial Officer	Above R500,000-00 to R10 million: Regional Commissioner	Not delegated	<ul style="list-style-type: none"> Requirement must be in line with Strategic Plan of Department. Requirement must appear on Procurement Plan. Bid Specification and Bid Evaluation Committees must be cross-functional of which one must be a SCM Official.



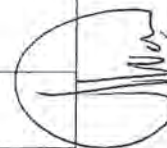
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
				Above R10 million: National Commissioner			<ul style="list-style-type: none"> • Bid Specification and Bid Evaluation Committees must be appointed in writing. • At Regional level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the Regional Head Finance and Supply Chain Management. • At Head Office level, requests for functional approval to invite bids and appointment of both the bid specification and bid evaluation committees must be routed via the office of the relevant Chief Deputy Commissioner and the DC Supply Chain Management. • All requests for approval to invite bids and appointment of both the bid specification and bid evaluation committees for requirements exceeding R10 000 000-00 must be routed via the office the relevant Chief Deputy Commissioner/Regional Commissioner, DC Supply Chain Management and Chief Financial Officer




A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
73.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Compilation of bid specifications/task directive/Terms of Reference	Accounting Officer	Unlimited: Bid Specification Committee	Up to R10 million: Bid Specification Committee	Not delegated	<ul style="list-style-type: none">Adherence to the stipulations of Chapter 4 of the Procurement ManualCompilation of bid specifications/ task directive/ Terms of Reference must involve all role-players of which one must be a supply chain practitioner.
74.	National Treasury Circular dated 29 July 2011. Procurement Manual, Paragraph 4.1.1.1.3	Approval of bid specifications/task directive/Terms of Reference and Special Conditions of Contract	Accounting Officer	Up to R10 million: Sub-Bid Adjudication Committee Above R10 million: National Adjudication Committee Bid	Up to R10 million: Sub-Bid Adjudication Committee	Not delegated	<ul style="list-style-type: none">Adherence to the stipulations of Chapter 4 of the Procurement Manual
75.	Treasury Regulations 16A6.5 National Treasury Circular 3 of 2016	Approval to participate in transversal term contracts facilitated by National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	<ul style="list-style-type: none">Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contracts.The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

DESIGNATION/POST LEVEL DELEGATED TO PER TIER							
Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
76.	Treasury Regulations 16A6.5 National Treasury Circular 3 of 2016	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of National Treasury	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	<ul style="list-style-type: none">Officials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.
77.	National Treasury Practice Note 5 of 2009/2010	Approval to participate in transversal term contracts facilitated by SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	<ul style="list-style-type: none">In consultation with the Chief Deputy Commissioner GITOOnce a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contracts.The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
78.	National Treasury Practice Note 5 of 2009/2010	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of SITA	Accounting Officer	Chief Financial Officer	Not delegated	Not delegated	<ul style="list-style-type: none">In consultation with GITOOfficials with the necessary technical expertise may be appointed as departmental representatives in the Bid Specification and Bid Evaluation Committees of the transversal term contract.



A Fraser

NATIONAL COMMISSIONER

DATE: 28/05/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

DESIGNATION/POST LEVEL DELEGATED TO PER TIER							Delegations Conditions and limitations (8)
Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	Head Office (5)	Region (6)	Management Area (7)	
				79.	Treasury Regulations 16A6.6	Approval to participate in period contracts arranged by other Departments	Accounting Officer
80.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	Approval of acquisition of requirements up to the transaction value of R2 000-00 (All applicable taxes included) by means of petty cash voucher, without inviting competitive bids/ price quotations.	Accounting Officer	Activity Director level. manager	Regional Heads at Director Level.	Area coordinators on Director level.	• Sufficient control measures must be implemented to ensure sound financial management of funds and logistical requirements must be adhered to. • Procurement of assets is excluded from this delegation
81.	Treasury Regulations 16A6.1 National Treasury	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of anything, above the transaction value of R2 000-00 to R30 000-00 per case (All applicable taxes included)	Accounting Officer	Above R2 000-00 to R30 000-00: PAO	Above R2 000-00 to R30 000-00: PAO	Above R2 000-00 to R30 000-00: PAO	• Price quotations must only be invited from companies registered on the National Treasury Central Supplier Database(CSD) • If for a specific commodity, there is not enough pool of prospective suppliers

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	<ul style="list-style-type: none">Grant approval to reject a proposal for the award of a quotation if the recommended bidder has committed a corrupt or fraudulent act in competing for the particular contract.Grant approval to disregard any quotation, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract.					registered on the Central Suppliers Database, market analysis should be conducted to obtain other prospective suppliers and this suppliers must be encourage to register on CSD before they are invited to provide quotations. <ul style="list-style-type: none">At least three price quotations must be obtained. Where it is not possible to obtain three price quotations, valid reasons must be recorded and approved by the delegate.Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract or Purchase order
82.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated	Approval of price quotations for sale of goods above the transaction value of R2 000-00 to R30 000-00 per case (All applicable taxes included) <ul style="list-style-type: none">Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract.	Accounting Officer	Above R2 000-00 to R30 000-00: PAO	Above R2 000-00 to R30 000-00: PAO	Above R2 000-00 to R30 000-00: PAO	<ul style="list-style-type: none">Invitation to sell must be widely advertised e.g. pamphlets, billboards, etc. with minimal cost that will not outweigh the benefit to the state.TAX matters of bidders must be in order.Means of payment must be bank guaranteed cheque or cashEnsure that the Databases for Restricted Suppliers and Tender Defaulters have been properly

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	2007/11/29 Procurement manual chapter 5	<ul style="list-style-type: none">Grant approval to disregard the quotation of any supplier, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract.					checked prior to awarding any contract.
83.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapter 5	<p>Approval of price quotations for acquisition of goods, works or services and the hiring or letting of anything, above the transaction value of R30 000-00 to R500,000-00 per case (All applicable taxes included)</p> <ul style="list-style-type: none">Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract.Grant approval to disregard the quotation of any supplier, if a supplier or any of its directors have abused the	Accounting Officer	<p>Above R30 000-00 to R100 000-00: ASD Procurement</p> <p>Above R100 000-00 to R300,000-00: DD Management Tender</p> <p>Above R300 000-00 to R500,000-00: Director Procurement</p>	<p>Above R30 000-00 to R100 000-00: ASD Procurement</p> <p>Above R100 000-00 to R300,000-00: Regional Coordinator (DD Level)</p> <p>Above R300 000-00 to R500,000-00: Area Coordinator: Finance and SCM (Director Level)</p>	<p>Above R30 000-00 to R100 000-00: Manager: SCM (ASD Level)</p> <p>Above R100 000-00 to R300,000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level)</p> <p>Above R300 000-00 to R500,000-00: Area Coordinator: Finance and SCM (Director Level)</p>	<ul style="list-style-type: none">The PPPFA and its Regulations must be applicable.Functional approval of the requisition must be endorsed by the relevant Head: Commissioner/ relevant Correctional Centre/ Area Director at Regional/ Head Office.BD 28-form must be completed as proof of availability of funds and BAS report must be attachedPrice quotations may as far as practicable be invited from possible suppliers registered on the data base.The person responsible for compiling the invitation may not sign the covering letter of the price quotation document.

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
84.	Treasury Regulations 16A6.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29	Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract. • Grant approval to reject any quotation from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations. Approval of price quotations for sale of goods above the transaction value of R30 000-00 to R500,000-00 per case (All applicable taxes included) • Grant approval to reject a proposal for the award of a quotation if the recommended supplier has committed a corrupt or fraudulent act in competing for the particular contract. • Grant approval to disregard	Accounting Officer	Up to R500 000-00: Director Procurement/ Director Logistics	Up to R500 000-00: Regional Head Finance and SCM.	Up to R500 000-00: Area Commissioner	• At least three price quotations must be obtained. • Where it is not possible to obtain three price quotations, valid reasons must be recorded and approved by the delegate. • Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract. • A disposal certificate issued by the disposal committee must be provided to SCM/Procurement before the selling of disposed items can commenced. • Only bank guaranteed cheque or cash • The person responsible for compiling the invitation may not sign the covering letter of the price quotation document. • At least three price quotations must be obtained. Where it is not possible to obtain three

A Priser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
	Procurement manual chapter 5	<p>the quotation of any supplier, if a supplier or any of its directors have abused the Department's supply chain management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract.</p> <ul style="list-style-type: none">Grant approval to reject any quotation from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations.					<p>price quotations, valid reasons must be recorded and approved by the delegate.</p> <ul style="list-style-type: none">Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked prior to awarding any contract.	
85.	Treasury Regulations 16A6.3 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/1/29	Invitation of bids (Advertising) (Exceeding R500,000-00 per case (All applicable taxes included)	Accounting Officer	Unlimited NBAC	Above R500,000-00 to R10 million Regional SBAC	No delegation	<ul style="list-style-type: none">Invitation of bids is subject to prior functional approvalProof of availability of funds in the form of BD 28-form/ BAS report must be attachedDuration of the contract must be negotiated with the end-user prior invitation.	

A Fraser

NATIONAL COMMISSIONER

DATE:

28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
86.	Procurement manual chapter 6 Treasury Regulations 16A6.3 (a) and (b), and 16A10.1 National Treasury Practise Note 8 of 2007/ 2008 dated 2007/11/29 Procurement manual chapters 3 and 6	Approval of bid documentation by way of signing the covering letter, to check its compliance with National Treasury Regulations and other related prescripts. • Ensure that contracts relating to information technology are prepared in accordance with the State Information Technology Act (SITA) and any other regulations made in terms of that Act. • Ensure that instructions issued by National Treasury in respect of the appointment of consultants are complied with.	Accounting Officer	DD: Procurement DD: Administration Tender	Regional Coordinator: SCM	No delegation.	• Covering letter can only be signed on receipt of a feedback memorandum regarding the decision of the relevant bid adjudication committee from the bid committee secretariat. • Bid document must be checked against Annexure K included in the Procurement Manual for the completeness of the bid documents according to the nature of goods, works or services needed.	
87.	Treasury Regulations 16A6.3 (c)	Approving the advertisement of the invitation to bid in the Government Tender bulletin, on the eTender Publication	Accounting Officer	DD: Administration Tender	Regional Coordinator: SCM		• Prescribed forms must be utilized. • Ensure that correct category is selected.	


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
88.	Procurement manual chapter 6 Treasury Regulations 16A6.2 Procurement manual chapter 7, paragraphs 7.5 and 7.8	Portal and on Department's website (Internet) for at least 21 days Written communication with bidders from the date of advertisements including request for extension of the validity period of the bid. (Up to the date of signing the contract).	Accounting Officer	DD: Administration Tender	RH Finance and SCM	No delegation	<ul style="list-style-type: none">• All written communications between the Department and bidders should be available on the administration file of that particular bid.• Request for extension must be in consultation with the chairperson of the Bid Evaluation Committee
89.	Treasury Regulations 16A6.2 and 16A9.1 (d) and (e), 16A9.2 and 16A10.1 Procurement manual chapters 7 and 8	Consideration of bids through a Bid Adjudication Committee, including the following: <ul style="list-style-type: none">• Final award of bid• Reject a proposal for the award of a contract if the recommended bidder has committed a corrupt or fraudulent act in competing for the particular contract.• Disregard the bid of any bidder, if a bidder or any of its directors have abused the Department's supply chain	Accounting Officer	Above R500,000-00 to R10 million: Sub-Bid Adjudication Committee Above R10 million to unlimited:-National Bid Adjudication Committee	Above R500,000-00 to R10 million: Sub-Bid Adjudication Committee	No delegation	<ul style="list-style-type: none">• All members must be appointed in writing by the Accounting Officer• Members of the relevant BEC must diligently prepare for the Adjudication Committee Meeting by thoroughly study the submissions for compliance before the meeting.• Committee must form a quorum• The meeting must be properly constituted and include the secretariat in all sittings.• Committee must declare interest and confirm by signing the declaration of interest

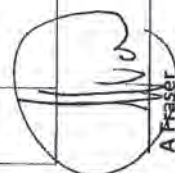
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	National Treasury Circular on code of conduct for Bid Adjudication Committee dated 24 March 2006	management system or have committed fraud or any other improper conduct in relation to the system or have failed to perform on any previous contract. <ul style="list-style-type: none">• Reject any bid from a supplier who fails to provide written proof from the South African Revenue Service that the supplier either has no outstanding tax obligations or has made arrangements to meet outstanding tax obligations.					form. <ul style="list-style-type: none">• Should the relevant sub bid adjudication committee be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations of the relevant sub bid adjudication Committee must be forwarded to the Directorate Procurement for consideration and adjudication by the National Bid Adjudication Committee.• Should the National Bid Adjudication Committee be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations must be forwarded to the National Commissioner for approval.
90.	SCM Circular 16 of 2016/17	Negotiation of bid price with successful bidders prior to signing of agreement/contract in line with the conditions of the bid.	Accounting Officer	Negotiation team;	Negotiation team		<ul style="list-style-type: none">• Contracts can only be entered into after negotiations of prices.• Minutes of negotiations must be kept.• Bidder need to confirm new prices in writing.• Conditions of the contract



A Fraser

NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
91.	SCM Circular 16 of 2016/17	Approval of negotiated bid price	Accounting Officer	Up to R10 million: Chief Financial Officer Above R10 million: National Commissioner	Up to R10 million: Deputy Commissioner responsible for SCM		must not be compromised. • Only market related, reasonable and cost effective prices may be accepted
92.	Treasury Regulation 16A6.10.1 National Treasury Instruction Note dated 31 May 2011 Procurement Manual Chapters 3 and 10	Signing of contracts and SLA's	Accounting Officer	Up to R3 million: DD: Demand Management Above R3 million: Director: Contract Management	Up to R3 million: Regional Head: Finance and SCM Above R3 million: No delegation		• Contracts that include service level agreements must be vetted by legal services prior signing of the contract • Head Office: Officials from Contract Management and End User must witness during the signing of contracts. • Regions: Regional Head Supply Chain and Finance and Coordinator must sign as witnesses • If in excess of R10 million and the product is of imported nature/content, ensure that details of bid are reported to DTI
93.	Treasury Regulations 16A6.3(d) National	Approval of publishing of bids awarded in the Government Tender bulletin, on the eTender Publication Portal, Department's website (Internet) and any other media	Accounting Officer	Director: Procurement/ Tender Administration DD: Administration	Regional Head: Finance and SCM/ Regional Coordinator: SCM		• Following information must appear in the advertisement : - Contract number and description - Names of successful bidder(s) and B-BBEE Status - Contract price(s); and


A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

DESIGNATION/POST LEVEL DELEGATED TO PER TIER							
Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Treasury Instruction Note dated 31 May 2011	in which the bid invitation was advertised.					- if possible brand names and dates for completion of contracts.
94.	National Treasury Circular dated 1 December 2011 Preferential Procurement Regulations, 2017	Cancellation of price quotations above the transaction value of R2000-00 to R500,000-00 per case (All applicable taxes included)	Accounting Officer	Above R2 000-00 to R30 000-00: ASD Procurement Above R30 000-00 to R100 000-00: DD: Tender Management (DD Level) Above R100 000-00 to R500,000-00: Director Procurement	Above R2 000-00 to R30 000-00: ASD Procurement Above R30 000-00 to R100 000-00: Regional Coordinator: SCM (DD Level) Above R100 000-00 to R500,000-00: Regional Head Finance and SCM. (Director Level)	Above R2 000-00 to R30 000-00: Manager: SCM (ASD Level) Above R30 000-00 to R100 000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level) Above R100 000-00 to R500,000-00: Area Coordinator: Finance and SCM. (Director Level)	<ul style="list-style-type: none">• Price quotations may be cancelled due to, amongst others, the following reasons :<ul style="list-style-type: none">- changed circumstances where there is no longer a need for the goods, works or services that were quoted for;- Funds are no longer available to cover the total envisaged expenditure;- No acceptable price quotations have been received;- Errors in the price quotation invitation;- Price is certified as being exorbitant; and- When price quotations have expired.• Bids or items thereof may be cancelled due to amongst the following reasons :<ul style="list-style-type: none">- changed circumstances
95.	Procurement manual chapter 8 par 8.5	Cancellation of bids received.	Accounting Officer	Above R500,000-00: National Commissioner	Above R500,000-00: National Commissioner		<ul style="list-style-type: none">• Bids or items thereof may be cancelled due to amongst the following reasons :<ul style="list-style-type: none">- changed circumstances


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Preferential Procurement Regulations, 2017						<p>where there is no longer a need for the goods, works or services that were bided for;</p> <ul style="list-style-type: none"> - Funds are no longer available to cover the total envisaged expenditure; - No acceptable bids have been received; and - Due to material irregularities in the bid process. If there are material irregularities that are committed during the bid process such that it renders the entire process unfair, the National Commissioner may cancel the bid process and start afresh. <p>• In the instance where the bid is cancelled for the second time, only National Treasury can grant approval for the cancellation of the bid.</p> <ul style="list-style-type: none"> • Cancellation need to be advertised in the Government Tender Bulletin and on the Departmental Website on Internet.
96.	Treasury Regulations 16A6.3(d) National	Approval of publishing of cancellation of bids in the Government Tender bulletin, on the eTender Publication Portal, Department's website	Accounting Officer	DD : Administration	Tender	Regional Coordinator: Supply Chain Management	<ul style="list-style-type: none"> • Following information must appear in the advertisement : <ul style="list-style-type: none"> - Contract number and description - Names of successful bidder(s)



A Fraser

NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

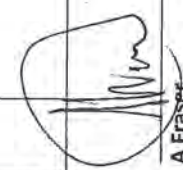
Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations and Conditions limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Treasury Instruction Note dated 31 May 2011	(Internet) and any other media in which the bid invitation was advertised.					and B-BBEE Status - Contract price(s); and - if possible brand names and dates for completion of contracts.
97.	Treasury Regulations 16A6.3 (c) Procurement manual chapter 6 par 6.11.2	Approval for the shortening of the closing date due to the urgent nature of the requirement (Deviation from 21 days)	Accounting Officer	Chief Financial Officer			<ul style="list-style-type: none">• Advertised in the Government Tender Bulletin• Reasons and motivations for the requests of shortened closing period must be available on record for audit purpose
98.	Treasury Regulations 16A6.4 National Treasury Instruction Note 3 of 2016/17	Deviations from Procurement Process (including emergency and urgent cases) Goods, works or services may be procured deviating in cases where its impractical to follow procurement process of obtaining 3 or more quotations.	Accounting Officer	Above R2 000-00 to R100 000.00: Director Logistics Above R100 000.00 to R250 000.00 DC:SCM Above R250 000.00 to R500 000.00 CFO Above R500 000.00 National Treasury in consultation with Accounting Officer	Above R2 000-00 to R100 000.00: Regional Finance Above R100 000.00 to R250 000.00 DRC	Above R2 000-00 to R30 000-00: Area Coordinator: Finance and SCM. (Director Level) Not delegated	<ul style="list-style-type: none">• In these cases it is permissible to deviate from the bid process and to invite price quotations subject to approvals. The relevant parties must confirm their offers in writing as soon as possible.• The reasons for deviation must be in writing, and placed on record for audit purposes.• The reasons for deviation with price quotations/bids should not be due to poor planning.• The BD 25-form must be used for this purpose.• After acceptance attempts should be made to obtain the status level verification



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
99.	Treasury Regulations 16A6.4	Repair and maintenance of technical equipment of which the defect is unknown by obtaining price quotations from the manufacturer) sole supplier, his agent or a qualified supplier on the National Treasury Central Suppliers Database	National Commissioner	Above R30 000-00 to R100 000-00: ASD: Procurement Above R100 000-00 to R300,000-00: DD: Tender Management	Above R30 000-00 to R100 000-00: ASD Procurement Above R100 000-00 to R300,000-00: Regional Coordinator: SCM (DD Level)	Above R30 000-00 to R100 000-00: Manager: (ASD Level) Above R100 000-00 to R300,000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level)	certificate (B-BBEE). • All transactions with a value exceeding R30 000.00 should be captured on the National Treasury website • National Commissioner must provide prior functional approval as per item 72 • All deviation cases above R500 000.00 must be approved by via Accounting Officer and reported to Auditor-General. Management Areas and Regional Offices need to report such cases to Director Procurement for this purpose. • If the machinery is still under guarantee, repair should take place in accordance with the stipulations of the guarantee. • Should the manufacturer or his agent not be available, rotation of qualified suppliers should take place. • Evidence must be kept for audit purposes • The GCC must be applied to cases exceeding R30 000-00 (all applicable taxes included) • It should be determined whether it is economic to



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
100.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock up to a financial limit of R200 000-00 per case at Production Auctions	Accounting Officer			<p>Above R30 000-00 to R100 000-00: Manager: (ASD Level)</p> <p>Above R100 000-00 to R200,000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level)</p>	<p>repair the equipment.</p> <ul style="list-style-type: none">• A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00.• All quotation above R30 000-00 should be captured on National Treasury website.• The Departmental Agriculturist should make preliminary surveys of the available breeding animals that comply with the established requirements with a view to purchase. Recommendation must be made to the Director: Agriculture and Production Workshops, for a final decision. A departmental agriculturist (irrespective of rank), should at least be authorised in writing by the Area Commissioner to bid at the auction on the identified breeding animals, on behalf of the Department.• The transaction must be formalized by means of a price quotation, in which the breeder commits himself/ herself to the conditions as



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
101.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock that are not available at production auctions and are procured directly from breeders up to a financial limit of R200 000-00 per case	Accounting Officer			<p>Above R30 000-00 to R100 000-00: Manager: SCM (ASD Level)</p> <p>Above R100 000-00 to R200 000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level)</p>	<p>contained in the GCC.</p> <ul style="list-style-type: none"> A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. All quotations above R30 000-00 should be captured on National Treasury website. All animals procured, must be inspected by a veterinary for acceptability. Departmental Agriculturists, in cooperation with the state veterinarian, should make preliminary surveys of available breeding animals that comply with the stated requirements with a view to purchase. Recommendations are made to the Director: Agriculture and Production Workshops for a final decision. A departmental agriculturist (irrespective of rank) should at least be authorised in writing by the Area Commissioner to negotiate with the breeders, on behalf of the Department, for the purchase of the identified breeding animals, with reference to confidential


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
102.	Treasury Regulations 16A6.4	Purchasing of Pharmaceutical Medicines to replenish stock levels where it is not possible to utilise transversal contracts.	Accounting Officer				<ul style="list-style-type: none"> guidelines regarding the estimated value of livestock. The transaction must be formalized by means of a price quotation, in which the breeder commits himself/herself to the conditions as contained in the GCC. A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00 for all price quotations. All quotation above R30 000-00 should be captured on National Treasury website. All animals procured, must be inspected by a veterinary for acceptability. All pharmaceutical medicines must be procured from the Transversal Contract. Any deviation on the procurement model must be adjudicated by the relevant bid committee
103.	Treasury Regulations 16A6.4	Purchasing of medicament for Departmental Pharmacies above R30 000-00 to R500, 000- 00 per month (each month)	Accounting Officer		Up to the level of R10 000 000-00: Sub-Bid Adjudication Committee.	Above R30 000-00 to R100 000-00: Manager; SCM	<ul style="list-style-type: none"> Only applicable where no accessible departmental pharmacy is available. Motivation must be prepared


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

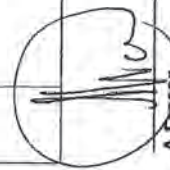
Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
		must be viewed as a case) from wholesalers/distributors registered on the list of prospective suppliers without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.				(ASD Level) Above R100 000-00 to R300,000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level) Above R300 000-00 to R500,000-00: Area Coordinator: Finance and SCM (Director Level)	<ul style="list-style-type: none"> and approved by delegated official Only the quantities required to satisfy the immediate need (and not to maintain warehouse or ward stock levels), must be procured. Such requests must be recommended by the Pharmacist. Purchases must take place on a rotation basis, per month, by rotating all medical wholesalers/distributors registered on the list of prospective suppliers. Motivation must be prepared and approved by delegated official A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. All quotation above R30 000-00 should be captured on National Treasury website.
104.	Treasury Regulations 16A6.1	Purchasing of medicament for Departmental Pharmacies above R30 000-00 to R500, 000-00 per month (each month)	Accounting Officer			Above R30 000-00 to R100 000-00: SCM Manager:	<ul style="list-style-type: none"> Only applicable where no accessible departmental pharmacy is available. Only the quantities required to


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations limitations (8)
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		must be viewed as a case) from wholesalers/distributors registered on the list of prospective suppliers without the invitation of price quotations where prescriptions from doctors are received, other identified urgent cases and where no stock is available.				(ASD Level) Above R100 000-00 to R300 000-00: Area Coordinator: Finance and SCM and Manager SCM (DD Level) Above R300 000-00 to R500 000-00: Area Coordinator: Finance and SCM (Director Level)	<ul style="list-style-type: none"> satisfy the immediate need (and not to maintain warehouse or ward stock levels), must be procured. Such requests must be recommended by the Pharmacist. Motivation must be prepared and approved by delegated official Purchases must take place on a rotation basis, per month, by rotating all medical wholesalers/distributors registered on the list of prospective suppliers. A valid and original Tax Clearance Certificate must be available and PPPFA need to be adhered to for all price quotations above R30 000-00. All quotation above R30 000-00 should be captured on the National Treasury website.
105.	Treasury Regulation 16.4.2	Irregular expenditure incurred as a result of non-compliance with a Treasury Regulation where prior written approval was required from a relevant treasury.	National Treasury	Not delegated			<ul style="list-style-type: none"> The function is not delegated to Departments and motivation must be provided to National Treasury for condoning.



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Limitations (8)	Conditions and
				Head Office (5)	Region (6)	Management Area (7)		
106.	Treasury Regulation 16A6.1	Irregular expenditure incurred as a result of non-compliance with a Treasury Regulation which required cognisance to be taken of a National Treasury determination	National Treasury	Not delegated				* The function is not delegated to Departments and motivation must be provided to National Treasury for condoning.
107.	Treasury Regulation 16A6.4	Irregular expenditure incurred as a result of institutions procuring goods or services by means other than through competitive bids and where reasons for deviating from inviting competitive bids have not been recorded and approved by the functionary to whom the power has been delegated by the accounting officer or accounting authority	Accounting Officer	No delegated				
108.		Irregular expenditure incurred as a result of non-compliance with a requirement of the institution's delegations of authority issued in terms of the PFMA.	Accounting Officer	Not delegated				
109.		Irregular expenditure incurred as a result of non-compliance with a provision contained in any applicable legislation, i.e. transgressing of the Public	Department responsible for the legislation concerned.	Not delegated				


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations limitations (8)	Conditions and (8)
				Head Office (5)	Region (6)	Management Area (7)		
		Service Regulations, transgressing of the SITA Act.						


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
INTERNAL CONTROL AND COMPLIANCE: MANAGEMENT OF LOSSES							
110.	TR 12.1.2.	Notwithstanding paragraph 12.1.1, the accounting officer of an institution may (if deemed economical and based on a risk assessment) insure motor vehicles, including hired vehicles, or such other movable assets determined by the relevant treasury, but the insurance premium cost may not exceed R250 000 a year on that vote, unless otherwise approved by the relevant treasury.	Accounting Officer	Chief Financial Officer	None	None	
111.	TR 12.2	<u>Claims against the state through acts or omissions</u> If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law on the implementation of paragraph 12.2.1.	Accounting Officer	DC Legal Services	Legal Administrator	None	Refer all cases to the applicable Loss Control Officer. The Loss Control Officer to register the matter and refer to relevant legal Service official at Head Office or regional office The loss Control to register and refer to relevant legal service official at Head Office or Regional Office.


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
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112.	TR 12.2.4	The State Attorney may only obligate the funds of an institution with the prior written approval of the accounting officer: a) Amount up to and including R20 000 per case b) Amount up to and including R50 000 per settlement case c) Amount exceeding R50 000 per settlement case	Accounting Officer	DC: Financial Management Accounting Chief Financial Officer. No delegation	Regional Commissioner No delegation No delegation	No delegation	Contact with the State Attorney regarding legal matters must be handled through relevant Legal Services. In all instances, a written presentation must be made to the Chief Financial Officer who will provide further recommendations on the matter.
113.	TR 12.3.1	<u>Claims by the state against other persons</u> If the state suffers a loss or damage and the other person denies liability, the accounting officer must, if deemed economical, refer the matter to the State Attorney for legal action, including the recovery of the value of the loss or damage.	Accounting Officer	DC Legal Services	Legal Administrator	None	The loss Controller must register and refer the matter to the relevant legal services as assigned herein.
114.	TR 12.4.1	<u>Claims by officials against the state</u> If an official sustains a loss or	Accounting Officer				When the claim is settled the assigned official gives approval to write off the

A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
		damage in the execution of official duties and is not compensated, the accounting officer may make good the loss or damage provided that the official can prove such loss or damage. a) Amount up to and including R20 000 per settlement case. b) Amount up to and including R40 000 per settlement case. c) Amount exceeding R50 000 per settlement case		Chief Financial Officer. Not delegated	No delegation	No delegation	amount in accordance with the State Attorney's recommendation. Written presentation must be made to the Accounting Officer who will make a decision as advised by the Chief Financial Officer.
11.5.	TR 12.5.1	When it appears that the state has suffered losses or damages through criminal acts or Possible criminal acts or omissions, the matter must be reported, in writing, to the accounting officer and the South African Police Service. If liability can be determined, the accounting officer must recover the value of the loss	Accounting Officer	Accounting Officer	None	None	



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
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116.	TR 12.5.2	or damage from the person responsible. The accounting officer may write off losses or damages arising from criminal acts or omissions if, after a thorough investigation, it is found that the loss or damage is irrecoverable. a) Amount up to and including R20 000 per case b) Amount up to and including R40 000 per case c) Amount up to and including R50 000 per case d) Amount exceeding R50 000	Accounting Officer	DC FMA (only Head offices Chief Financial Officer (Only Losses from Head Office) Chief Financial Officer Not delegated	Regional head Finance Regional Commissioner No delegation No delegation	None	When the Legal Officer is in doubt he/she must consult with the State Attorney on questions of law and make final recommendations on the submission of the writing off of the amount. The delegated officials may write off losses and damages that result from vis major and other unavoidable causes The Legal Services at Regional Office and Director Legal Services (head Office) must provide written recommendations to the Head Finance.
117.	TR 12.5.3	When movable assets are written off, this must be noted in the asset register.	Accounting Officer	Loss Control Officer (Head Office)	Loss Control Officer	Loss Control Officer	As per prescripts.
118.	(Section 76(1)(e) of the PFMA) TR 12.6.1	<u>Losses and damages through vis major and other unavoidable causes</u> The accounting officer may write off losses and damages	Accounting Officer				All Losses of these nature must be investigated by the Loss Control Officer subsequent to recording on the register.

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
119.		that result from <i>vis major</i> and other unavoidable causes.		DC FMA (only offices losses)	Regional head Finance	No delegation	
		a) Amount up to and including R20 000 per case.		Chief Financial Officer (Only Losses from Head Office)	Regional Commissioner		
		b) Amount up to and including R40 000 per case.		Chief Financial Officer.	Not delegated.		
		c) Amount up to and including R50 000 per case					
120.	TR 12.7	d) Amount exceeding R50 000	Accounting Officer	Not delegated.	Not delegated.		
		<u>Losses or damages through acts committed or omitted by officials</u> 12.7.1 Losses or damages suffered by an institution because of an act committed or omitted by an official, must be recovered from such an official if that official is liable in law.		DC FMA (only offices losses)	Regional Head Finance	No delegation	
120.	TR 12.7.2	The accounting officer must determine the amount of the loss or damage and, in writing, request that official to pay the amount within 30	Accounting Officer	DC FMA (only offices losses)	Regional head Finance	No delegation	

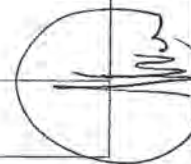
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
121.	TR 12.7.3.	<p>days or in reasonable instalments. If the official fails to comply with the request, the matter must be handed to the State Attorney for the recovery of the loss or damage.</p> <p>A claim against an official must be waived if the conditions in paragraph 12.2.1(a) to (g) are not applicable.</p> <p>a) Amount up to and including R20 000 per case</p> <p>b) Amount up to and including R40 000 per case</p> <p>c) Amount up to and including R50 000 per case.</p> <p>d) Amount exceeding R50 000 per case.</p>	Accounting Officer	<p>DC FMA (only offices losses)</p> <p>Head</p> <p>Chief Financial Officer</p> <p>Chief Financial Officer (Only Losses from Head Office)</p> <p>Not delegated</p>	<p>Regional head Finance and SCM</p> <p>Regional Commissioner</p> <p>Not delegated</p>	No delegation	<p>The incumbent from the same post who initially instructed recovery must do this.</p> <p>If the official is still not satisfied with the second decision he/she may request submission to the CFO as a final departmental option to solve the dispute.</p> <p>The Regional Commissioner must provide written recommendation to the Accounting Officer. The Accounting Officer must consider written submissions on the basis of comments/inputs received from the CFO. The Chief Financial Officer must provide written recommendation to the</p>



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
122.	TR 12.7.4	If in doubt, the accounting officer of the institution must consult the State Attorney on questions of law in the implementation of paragraphs 12.7.1 and 12.7.3.	Accounting Officer	Director in CD Legal Services	Regional Services Head Legal	No delegation.	Accounting Officer All cases to be referred to applicable Loss Control Officer. The Loss Control Officer at Regions or head Office to refer the matter to the relevant DC Legal Services(Head Office) or Legal Administrator at regional office. The assigned Legal Service will negotiate with the State Attorney and report on the matter.



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
RISK MANAGEMENT DELEGATIONS							
123.	Sections 38(1)(a)(i) and 51(1)(a)(i) of the PFMA.	The Accounting Officers/Authorities to ensure that their institutions have and maintain effective, efficient and transparent systems of risk management.	Accounting Officer	Chief Risk Officer	Regional Risk Champions /DRC	Area Coordinator Finance/Risk Champions	The CRO must develop a system of risk management for the department and communicate such to the Risk Management Committee prior for approval by Accounting Officer.
124.	TR 3.2.1	The accounting officer must ensure that a risk assessment is conducted regularly to identify emerging risks of the institution. A risk management strategy, which must include a fraud prevention plan, must be used to direct internal audit effort and priority, and to determine the skills required of managers and staff to improve controls and to manage these risks. The strategy must be clearly communicated to all officials to ensure that the risk management strategy is incorporated into the language and culture of the Institution.	Accounting Officer	Chief Risk Officer	Regional Risk Champions /DRC	Area Coordinator Finance/Risk Champions	

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
E. CONTRACT MANAGEMENT							
125.	National Treasury: Contract Management Framework	Identification and classification of contracts Maintain and manage a contract inventory register	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none">• The register should be maintained on a daily basis and should enclosed the following information:<ul style="list-style-type: none">o Contract Typeo Contract valueo Contract durationo Contract complexity• All contract information should be reported to Directorate Contract Management on a monthly basis• All contract registers on Head Office, Regions and Management Area levels should correspond
126.	National Treasury: Contract Management Framework	Oversight of Contract Management Oversee Contract Management performance	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none">• Ongoing Contract Management
127.	National Treasury:	Provide Contract Management	Accounting Officer	Director Contract Management	Regional Head Finance	Area Coordinator Finance	<ul style="list-style-type: none">• Ongoing Contract Management training is


A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Contract Management Framework	Training		Management	and SCM	Finance	provided during induction as well as regular refresher training
128.	National Treasury: Contract Management Framework	Reviewing and adjustment of contract management policies, procedures and guidelines.	Accounting Officer	Director Contract Management	No delegation	No delegation	<ul style="list-style-type: none"> • Policies, procedures and guidelines needs to be reviewed and amended, if required, annually to improve contract management performance
129.	National Treasury: Contract Management Framework	Assessment and evaluation of contract Management activities	Accounting Officer	Chief Financial Officer	Regional Commissioner	Area Commissioner	<ul style="list-style-type: none"> • Ongoing assessment and evaluation of the effectiveness and efficiency of contract Management activities
130.	Treasury: Contract Management Framework	Implementation of Policies, procedures and guidelines	Accounting Officer	Director Contract Management	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none"> • Roles of contract owners, contract managers are clearly defined • Appropriate delegations are in place to allow role players to carry out their responsibilities • Clear procedure for handover from contract management • The policies and procedures are aligned with organisation wide governance and risk


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
131.	Treasury: Contract Management Framework	Resourcing management activities Identification of appropriate resources for the contracts to be management in line with their classification	Accounting Officer	DC: Supply Management DC: Human Resource Management Directorate Contract Management	Regional Commissioner	Area Commissioner	management processes and performance is reported • Appropriate systems (manual of computerised) in place for management control and monitoring • Contract owners and managers have skills and qualifications to carry out contract management activities • Skills and qualifications are accurately detailed in job descriptions • Salaries are commensurate with duties • Contract managers are involved during the tendering/ contract award process • Staff managing the bid and award process understand contract management requirements and the implications that awarding the contract will have on managing the contract during its life



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
132.	Treasury: Contract Management Framework	Document and information management Management of contract documentation and associated terms and conditions, milestones and deliverables	Accounting Officer	Director Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none"> Record management systems (physical and/or electronic) in place to ensure secure storage of, and easy access to contract documentation Written procedures set out strict processes for: <ul style="list-style-type: none"> Records management Reporting Changes to contracts Contract closure Contract management system (computerised or manual) used to record and report on key information and trigger points Regular and ad-hoc reporting highlights satisfactory contract progress, issues by exception, and the need for contract updating due to changed circumstances Reporting feeds information useful for demand management back into the planning and budgeting process (assessment of quality, quantity, timing, price and supplier) Reporting feeds information into the inventory, asset, and


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
133.	Treasury: Contract Management Framework	Relationship management Maintaining relationships with: - external suppliers and buyers - internal service providers and receivers - all other relevant stakeholders	Accounting Officer	DC: Supply management Director Contract Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none"> liability management systems All role players have a clear understanding of the procedures for: <ul style="list-style-type: none"> Extensions Varying of conditions Price escalation Any other potential contract changes Contract closure Stakeholder relationships classified according to a framework to determine the level of inter action between the institution and stakeholder Consideration given to continuity of supplier and buyer staff for appropriate categories of contracts Regula contract management reviews consider existing and potential strategic relationship with a view to deliver benefits for all relevant parties Roles and responsibilities of the contract manager, contract owner and supplier



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
134.	Treasury: Contract Management Framework	Performance Management of the performance of suppliers, buyers, other stakeholders and individual contracts	Accounting Officer	Director Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	<p>of buyer are clearly defined and differentiated in the contract documentation and well understood by all parties</p> <ul style="list-style-type: none"> • Policies, procedures, contract clauses and practices promote and demonstrate actual formal and informal communication channels where appropriate • Policies, procedures, contract clauses and practices promote and demonstrate clear problem and conflict resolution mechanisms including well defined and known escalation routes <p>• Policies and procedures to assess the performance of the supplier, buyer or other stakeholders in meeting the requirements of the contract are clear, well documented and communicated to all parties before signing of the contract, and prior to commencement of delivery under the contract</p> <ul style="list-style-type: none"> • Baseline, measurements metrics, methods, data sources, and collection


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
							<p>responsibilities are agreed with the supplier before contract signing and</p> <ul style="list-style-type: none"> • Performance measurement metrics are linked to service delivery agreements which are consistent with the strategic objective of the institution • Ad-hoc performance reviews are conducted where non-performance is identified outside of the regular review process • Non-performance is addressed with at least a formal letter advising specific non-performing areas and stating remedial action/s required within specific time frames • Good performance is recognised and communicated through established channels • All parties participate in joint performance reviews where appropriate, and seek continuous improvement opportunities • Reporting is streamlined, focusing as much as possible



A. Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
135.	Treasury: Contract Management Framework	Payment, collection, incentives and penalties Management of payments, collections, incentives and penalties	Accounting Officer	Director Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	<p>on self-measurement, with independent checking mechanisms and exception reporting</p> <ul style="list-style-type: none"> The general market is monitored for market trends and compared to performance of current suppliers and buyers <ul style="list-style-type: none"> Payment and collection procedures, conditions and time frames are clearly documented and communicated to suppliers and buyers (milestones, documentation required, documentation submission channels, incentives, penalties) Payments are always 100 % of the time) made in accordance with the contract and commercial terms Receipt of monies due is actively monitored and where monies are not received within terms, immediate action is initiated to recover outstanding amounts

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
136.	Treasury: Contract Management Framework	Risk Management Manage contracts risks	Accounting Officer	Director Management End user / contract owner	Regional Head Finance and SCM	Area Coordinator Finance	<ul style="list-style-type: none"> Incentive and penalty mechanisms are clearly linked to desired outcomes and specifically to the strategic objectives of the organisation All contracts set out risk identification, monitoring and escalation procedures and mechanisms which are in line with the institutions enterprise risk management plan All contracts identify contingency plans for supplier or buyer failure For key suppliers and buyers, the contract manager monitors the financial health, tax compliance and overall performance of the supplier or buyer Contract terms and potential ramifications around key issues including, termination, warranty, indemnity, security, confidentiality and dispute resolution are understood by the contract manager
137.	National Treasury circular: Guidelines on the	Contract Administration Increase/decrease quantities/scope of contracts in	Accounting Officer	Chief Financial Officer Up to 5% - Director ;	Up to R3 000 000-00 - Sub-Bid Adjudication Committee	No delegation	<ul style="list-style-type: none"> The contract must be valid The commodity/service must be available on the contract In the case of an increase in quantities, the contractor

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
		implementation of Demand Management Circular: Postponing implementation of sub-paragraph 3.9.4 in instruction note number 32 dated 31 May 2011		Contract Management Up to 15% - DC : SCM			must be approached to reduce or maintain the initial contract price. • The increase/decrease must be reasonable and in the best interest of the Department
138.	National Treasury Instruction note 32 of 2011	Approval of Price adjustment requests – Contractual, the price adjustment must not exceed the 15% of the original contractual price for all goods and service and 20% for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	• Subject to the conditions of a contract, contractual price adjustments may, with the exception of transversal contracts or contracts not arranged at the relevant office, be approved in accordance with the contract conditions. • Any exceeding of 15% and or 20 % of the original contract value must be approve by NT



A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
139.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTIO N 2 OF 2016/17	Approval of Price adjustment requests –non contractual price adjustment must not exceed the 15% of the original contractual price for all goods and service and 20% for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	<ul style="list-style-type: none"> Non contractual – consideration of requests for price adjustments which are not according to contract conditions. Any exceeding of 15% and or 20 % of the original contract value must be approve by NT
140.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTIO N 2 OF 2016/17	Approval of Extension of contracts; The value/price of extension must not exceed the 15% of the original contractual price for all goods and service and 20% for construction related goods	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Up to R 500 000-00 unlimited	No delegation	<ul style="list-style-type: none"> Subject to the approval of the relevant Bid Adjudication Committee The price must remain unchanged Any exceeding of 15% and or 20 % of the original contract value must be approve by NT
141.	National Treasury circular: Guidelines on the implementation of Demand	Approval of Extension of delivery period	Accounting Officer	<ul style="list-style-type: none"> Period not exceeding thirty(30) days – below R3 000 000-00 - Director Contract management Exceeding 30 days - Up to R3 000 000-00 – Sub-Bid Adjudication 	Regional Head Finance and SCM	No delegation	<ul style="list-style-type: none"> Subject to the approval of the Director Contract Management Subject to the approval of the National Bid Adjudication Committee Subject to the approval of the sub-bid Adjudication Committee


A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	management			Committee • Exceeding R10 000 000-00 – National Bid Adjudication Committee			
142.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	<ul style="list-style-type: none"> The application for transfer must be signed by both the transferor and transferee. The contract has been arranged by the relevant Bid Adjudication Committee The transfer is not to the detriment of the state If a contract was approved as a result of the application of the point preference system for B-BBEE, the transferee should also similarly qualify under the same principle to obtain such a contract. (This is to prevent fronting) The transferee must be capable of executing the contract and has complied with all initial conditions of the contract, including the provisioning of an original and valid Tax Clearance Certificate.
143.	Procurement manual	Transfer of contract payments	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication	Up to R3 000 000-00 – Sub-Bid Adjudication	No delegation	<ul style="list-style-type: none"> The contractor must make an application in an official


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	paragraphs 1.3 and 1.4			Committee Exceeding R10 000 000- 00 – National Bid Adjudication Committee Legal services to advise	Committee Legal services to advise		letter signed by the Managing Director, or any other authorised person • The contractor must be advised that any receipt issued by the transferee will serve as proof of payment of the amount concerned to the contractor.
144.	National treasury circular dated 29 July 2011 Procurement manual, paragraph 4.1.1.1.3	Cancellation of contracts	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000- 00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	<ul style="list-style-type: none"> • Transversal contracts arranged by National Treasury and contracts arranged by other institutions are specifically excluded from these Delegated Powers • Prior to the submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services' / Regional Head: Legal Services' must be consulted. • In the event of the Department requesting the cancellation, the contractor or supplier must certify in writing his willingness to cancel the contract without any cost to the state. • In the event of the contractor or supplier requesting the cancellation:



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
							<ul style="list-style-type: none"> - Be without any cost to the State; - Be accepted in writing by the contractor or supplier that responsibility is accepted to reimburse the department for any additional cost, in the event that re-bidding to satisfy the requirement should bring about additional cost; and - Not be a case of repeated requests of such nature by the said contractor or supplier. • The reasons for cancellation and the losses or consequences that will follow if the contract is not cancelled must be certified and placed on record for audit purposes • In all cases, the cancellation must not be to the detriment of the State • The case refers to the total value of the contract and not only the part of the contract to be cancelled • All cancellations should be reported to the Director, Contract Management for verification purposes and in



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
145.	GCC Paragraph 18	Amendment of specification where a contract has been concluded, an amendment of the specification, whether initiated by the contractor or the Department, can be made but only after negotiation between the contractor and the Department and at no additional cost.	Accounting Officer	Up to R10 000 000-00 – Sub-Bid Adjudication Committee Exceeding R10 000 000-00 – National Bid Adjudication Committee Legal services to advise	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Legal services to advise	No delegation	order to identify possible cases where bidders should be restricted. • Such an amendment may not be to the detriment of the state. • Subject to the approval of • Up to R3 000 000-00 – Sub-Bid Adjudication Committee • Up to R10 000 000-00 – National Bid Adjudication Committee
146.	GCC Paragraph 23.5	Initiate restriction of suppliers and the upliftment of such restrictions	Accounting Officer	Accounting Officer	No delegation	No delegation	Subject to the approval of the Accounting Officer
147.	GCC Paragraph 21	Impose penalty/penalties of contract when the supplier fails to perform any other obligation under the contract	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer
148.	GCC Paragraph 23 GCC Paragraph 26	Cancellation/termination of contract when the supplier fails to delivery as agreed	Accounting Officer	Accounting Officer	No delegation	No delegation	• Subject to the approval of the Accounting Officer • Refer cancellation/termination to National Treasury for possibly Blacklisting of contractor

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
149.	GCC Paragraph 23	Restriction of a contractor may be considered if such a contractor claimed preferences fraudulently or such a supplier failed to perform according to contract conditions and specifications	Accounting Officer	Up to R10 000 000-00 – National Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	<ul style="list-style-type: none"> • Prior to submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services/ Regional Head: Legal Services must be consulted. • A supplier may be restricted from doing business with any organ of the state for a period not exceeding ten (10) years. • National Treasury must be informed within five (5) working days of such imposition of the name of the restricted supplier and/or any person, the reason for restriction, the period of restriction and the date of commencement of restriction. • Contract Management must record all restriction in the Register.
150.	GCC Paragraph 23	The amendment/upliftment of restrictions imposed	Accounting Officer	National Adjudication Committee	No delegation	No delegation	<ul style="list-style-type: none"> • National Treasury must be informed within five (5) working days of such amendments/upliftments of the restrictions. • All recommendations for upliftment must be forwarded to the Director : Contract

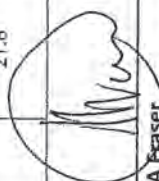
A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
151.	GCC Paragraph 21	Delays in Supplier's performance	Accounting Officer	DC: Supply Chain Management Director Management End user/contract owner	Regional Head Finance & SCM	Area Coordinator Finance	Management • The matter must serve before the Bid Adjudication Committee to evaluate the reasons • Directorate: Contract Management must keep database for all upliftments. Subject to the approval of Contract Management/ DC: Supply Chain Management
152.		Considering of products in line with specifications (minor deviations)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee
153.	Treasury Regulation 16A6.3 GCC Paragraph 21.6	Approval to procure outside contract (small quantities emergency)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee
154.	GCC Paragraph 21.6	Approval to procure outside the contract (buy out transaction)	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Subject to the approval Up to R3 000 000-00 – Sub-Bid Adjudication Committee


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/09/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
155.	GCC Paragraph 22.1	Approval to impose penalties	Accounting Officer	Accounting Officer	Director Management	No delegation	Subject to the approval of Accounting Officer
156.	GCC Paragraph 23	Termination for default	Accounting Officer	Up to R3 000 000-00 – Sub-Bid Adjudication Committee Exceeding R3 000 000- 00 – National Bid Adjudication Committee	Up to R3 000 000-00 – Sub-Bid Adjudication Committee	No delegation	Prior to submitting the recommendation to the relevant Bid Adjudication Committee, the Directorate: Legal Services/ Regional Head: Legal Services must be consulted.
157.	GCC Paragraph 27	Settlement of disputes	Accounting Officer	DC: Supply Chain Management Director Contract Management DC Legal services End user / contract owner	No delegation	No delegation	30 days after the parties failed to resolve their dispute or differences by mutual consultation then either of the parties shall notify the other party of his/her intention to commence with mediation.
158.		Steering Committee Nomination of Steering Committee members	Accounting Officer	Accounting Officer	RC	No delegation	Dependent on the nature of the contract entered into
159.		Approval of Steering Committee members	Accounting Officer	Accounting Officer	RC	No delegation	Dependent on the nature of the contract entered into



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
160.	Concession Contract, paragraph 3.1	Contract Management : Public Private Partnership Systems Approval of any amendment of the Financing Agreement which increases or may increase the Lender Liabilities	Accounting Officer	CFO	No delegation	No delegation	Prior written consent from the department must be obtained
161.	Concession Contract, paragraph 4.10(c)	Approval for settlement of any claim by a third party not exceeding R50 000-00 to which the Department is not likely to become a party.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
162.	Concession Contract, paragraph 5.2	Approval in terms of Insurances taken by the Contractor with Insurers.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
163.	Concession Contract, paragraph 5.7	Approval of any insurance claim above R50 000-00 or any insurance claim whatsoever relating to the infringement of an offender's rights.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
164.	Concession Contract, paragraph 7.1	Granting approval for any of the Contractor's obligations under the Contract to be performed or undertaken by any other person.	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained
165.	Concession Contract, paragraph	Granting approval for the appointment of a replacement Construction Sub-contractor or Operating Sub-contractor	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained

A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	7.4						
166.	Concession Contract, paragraph 8.1	Granting approval in the case of the Contractor Change, or where the Independent Engineer reasonably determines that an application by the Contractor for Design Development under Part 3 of Schedule A constitutes a Contractor Change	Accounting Officer	CFO	No delegation	No delegation	Prior written consent from the department must be obtained
167.	Concession Contract, paragraph 9	Granting of- and subsequent approval of Contractual changes	Accounting Officer	CFO CDC: Management DC: Supply Chain Management	No delegation	No delegation	The Department together with department of public works shall give written notice to the contractor.
168.	Concession Contract, paragraph 9.9	Acceptance / approval of estimates of the increase or decrease in the Contract fee which occurs as a result of the changes set out in the Notice to Change	Accounting Officer	National Adjudication Committee	No delegation	No delegation	The department may accept the estimates in writing to the contractor
169.	Concession Contract, paragraph 12	Assisting the Contractor in connection with the obtaining of all requisite planning permissions.	Accounting Officer	DC : Facilities	No delegation	No delegation	Prior written consent from the department must be obtained
170.	Concession Contract, paragraph 16.2	Effecting variation in accordance with Clause 62 (Variations).	Accounting Officer	Departmental Contractor's Representatives and Named	No delegation	No delegation	Prior written consent from the department must be obtained


A Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
171.	Concession Contract, paragraph 19.1	A dilapidation survey for the purpose of determining the physical condition and state of maintenance of the Correctional Centre Assets and the road.	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	DC Facilities shall conduct the dilapidation survey after every two years and the costs incurred shall be borne by the department
172.	Concession Contract, paragraph 19.2	Notifying the Contractor of the work the Department reasonable believes is required to be done consequent to the survey referred to in Clause 19.1 or Clause 52.1	Accounting Officer	Named Representative/ Director : Contract Management	No delegation	No delegation	Prior written consent from the department must be obtained and Contractor to bear all costs
173.	Concession Contract, paragraph 19.3	Carrying out such unremedied repairs and/or maintenance itself, or to procure same, at the Contractor's reasonable cost, where the latter has failed to effect any and all repairs and/or maintenance required pursuant to Clause 19.2	Accounting Officer	DC : Facilities Director: Contract Management	No delegation	No delegation	In case the department incur costs in terms of maintenance and repairs the amount will be set off from the contractor's invoice
174.	Concession Contract, paragraph 20.2	Approval of such part of the Operation Proposals as do not comply with the Contract	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department
175.	Concession Contract, paragraphs 20.3 and 20.6	Approval of the operation proposals	Accounting Officer	Relevant Director	No delegation	No delegation	Prior written consent from the department must be obtained from the department


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
176.	Concession Contract, paragraph 20.5	Approval of the Operation Proposals subject to satisfactory completion of the tests in accordance with Clause 20.6	Accounting Officer	Relevant Director	No delegation	No delegation	A certificate to be provide by the department
177.	Concession Contract, paragraph 22.1(b)	Electing, at his discretion to utilize available offender places made available by the Contractor.	Accounting Officer	CDC Incarceration and Corrections	No delegation	No delegation	The discretion lies with the department
178.	Correctional Services Act, Act 111 of 1998, Section 107 Concession Contract, paragraph 31.3	Approval of any change to the person occupying the position of a Director NB: Appointment of a Director is regulated by Section 107 of the Correctional Services Act, Act No 111 of 1998	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
179.	Correctional Services Act, Act 111 of 1998, Section 105	Approval of any change to the person occupying the position of the Controller NB: Appointment of a Controller is regulated by Correctional Services Act, Act 111 of 1998, Section 105	Accounting Officer	Accounting Officer	No delegation	No delegation	Approval to be granted by the Department
180.	Concession Contract, paragraph	Approval of uniforms or standard of dress to be used by the Contractor or the Operating Sub-contractor	Accounting Officer	Director : Human Resource Administration and Utilisation in	No delegation	No delegation	Prior approval to be granted by the department


A-Eraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	33.3			consultation with CDC: Human Resource			
181.	Correctional Services Act, Act 111 of 1998, Section 109 Concession Contract, paragraph 33.4	Approval of the appointment of staff that are not required to be certified as custody officials.	Accounting Officer	Director : Human Resource Administration and Utilisation consultation with CDC: Human Resource	No delegation	No delegation	Prior written consent from the department must be obtained
182.	Concession Contract, paragraph 33.6(b) and (c)	Consent to the varying of the numbers of staff as referred to in the table headed "Staffing Summary" in Schedule D (the "Staffing Summary Table") and the table headed "Minimum Staffing Levels" in Schedule D.	Accounting Officer	Accounting Officer DC: SCM Director: Contract Management	No delegation	No delegation	Prior written consent from the department must be obtained
183.	Concession Contract, paragraph 33.8	Granting approval to the Contractor to engage a new member of staff who has not been subject to prior approval or certification in accordance with Clauses 31 and 32	Accounting Officer	Director: Human Resource Administration and Utilisation consultation with CDC: Human Resource	No delegation	No delegation	The department to be provided with the information and approve the requisite approval or certification.
184.	Concession Contract, paragraph 33.8	Approval of the Contractor's strategic development plan to operate the Prison	Accounting Officer	CDC: Management	No delegation	No delegation	The contractor shall provide a strategic development plan to operate the prison for the first five years from the actual


A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	41						opening date at least six months prior to the actual opening date. At least six (6) months prior to the end of the first 5 year plan, and every five years thereafter, the contractor shall consult with the department and submit such further strategic development plans to the department for its approval as the department may reasonably require. The plans will be in accordance with the policies and vision statements adopted from time to time by the department, provided (and without prejudice to the provisions of clause 9 (Departmental Changes) that the contractor shall only be obliged to implement such plans to the extent they would not increase the cost and risk to the contractor of providing the custodial services, provided that such changes will not, in the reasonable opinion of the contractor jeopardise the


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
							<p>security and/or operation of the prison.</p> <p>The contractor shall operate systems to ensure the continuing quality of the services at the same levels as those indicated in Part V of the concession contract.</p> <p>The contractor shall have no recourse to clause 39 (variation of price) as a result of any obligation imposed by this clause.</p> <p>Without prejudice to the department's rights under clause 44 9 default) and 45 (termination for contractor default), the amount payable by the department for the services of the contractor under the concession contract shall be reduced by any penalties which may be imposed in accordance with schedule M (compliance monitoring) and which shall be payable in accordance with clause 43 (recovery of sums due and right set off)</p>



A. Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
185.	Concession Contract, paragraph 45.1	Granting of Rectification Notice	Accounting Officer	0-30 days - DC : Facilities 31-90 days - CDC: Incarceration and Corrections 90 days and more - Accounting Officer	No delegation	No delegation	The contractor shall under a duty inform the department promptly of any failure to meet any of the standards set out in schedule C (Maintenance requirements) or schedule D (Operational requirements) as soon as practicable and, in any event, within 24 hours of its occurrence. The contractor shall notify the department of any escaped prisoner (as detailed in schedule M) or death at the prison immediately upon the contractor becoming aware of the same. The department shall give notice to the contractor in writing to rectify the breach. If the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed

A. Fraser

NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
186.	Concession Contract, paragraph 45.1	Granting of a Termination Notice.	Accounting Officer	Accounting Officer	No delegation	No delegation	to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 46 (step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice. The department shall give notice to the contractor in writing to rectify the breach, if the contractor fails to remedy the breach within the time period set out in the rectification notice, or if the


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
							breach shall in the opinion of the department, be incapable of remedy, or if the event of default shall have occurred otherwise than exclusively under clause 44.1 (Default), the department, may proceed to terminate the contract by giving notice in writing (a termination notice) to the contractor or any person in whom the contract may be vested specifying the date which is 90 days after the date of the termination notice. Such termination notice shall result in the termination of the contractor in accordance with clause 45.2, subject to clause 49 (payment for termination) Subject to clause 48(step in), unless all contractor events of default which are the subject of the termination notice have been remedied to the reasonable satisfaction of the department, the contract shall automatically terminate 90 days after the date of the termination notice.



A Fraser
NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
187.	Concession Contract, paragraph 49.1 and Schedule F	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 45 (Termination for Contractor Default).	Accounting Officer	Accounting Officer	No delegation	No delegation	Without prejudice to the right of either party to payment and/or set off of amounts owing under this contract prior to termination, where the contract prior to termination, where the contract terminates by virtue of clause 45 (Termination for contractor default). The department shall pay to the contractor the amounts set out in Schedule F, less; and the contractor will remain liable to the department for any losses which should have been incurred by the contractor pursuant to this contract whenever arising, but no other losses.
188.	Concession Contract, paragraph 49.2	Determination of payment and/or set-off amounts owing under the Contract prior to termination, where the Contract terminates by virtue of Clause 47 (Termination of Department Default) of Clause 44.2 (Material Adverse Governmental Action).	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as set out in schedule G (Payments of department event of default/Material Governmental Action Termination)
189.	Concession Contract,	Determination of payment	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as

A Fraser
NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	paragraph 49.3 Schedule H	and/or set-off amounts owing under the Contract prior to termination in the event of a termination under Clause 48 (Force Majeure) or Clause 5.13 (A) and (b) (insurance)					set out in schedule H (Payments on Department Event of Default/Material Adverse Governmental Action Termination).
190.	Concession Contract, paragraph 49.5	Granting consent to an agreement, acceptance or settlement of any claim or issue or dispute relating to any liability for Taxation.	Accounting Officer	Accounting Officer	No delegation	No delegation	All sums payable by the department under clause 49 (payment for termination) shall be increased in the event that the contractor shall incur any liability for taxation in respect of any termination payment, so as to ensure that the net amount received by the contractor (after account is taken of the taxation consequences of the increased payment) is equal to the full amount which would have been received by it had no such liability to taxation been incurred.
191.	Concession Contract, paragraph 50	Change in the beneficial ownership of the Contractor. Approval of such change of control or exercising the right to terminate the Contract at its election, if such approval is not obtained.	Accounting Officer	Accounting Officer	No delegation	No delegation	The contractor shall inform the department immediately of any change in the beneficial ownership of the contractor. The contractor shall at all times obtain the approval of the department


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018


Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
192.	Concession Contract, paragraph 57.2	Approval of communication with representatives of the press, television, radio or other communication media on any matter concerning the Contract by the Contractor.	Accounting Officer	DC : Communication Services with prior consent by Director : Contract Management	No delegation	No delegation	The contractor shall not by itself communicate with any media on any matter concerning the contract without the prior approval of the department.
193.	Concession Contract, paragraph 57.3	Approval for photographing or taking film of the Correctional Centre	Accounting Officer	DC : Communications	No delegation	No delegation	No facilities to photograph or film in or upon the land or the prison or any part of the road shall be given or permitted by the contractor unless the department has given prior written approval.
194.	Concession Contract, paragraph 62	Any appointment/ replacement of the named Representative of the Department.	Accounting Officer	Accounting Officer	No delegation	No delegation	A written notice of the change shall be given by the department to the contractor. A change in the Named representative shall not constitute a variation of the contract.
195.	Concession Contract, paragraph 62.2.2 (Paragraph 62.2.1a in respect of Kuthama-	Approval of any amendment to the Contract which is to the financial detriment of the State. (This will also require Treasury approval under Section 76(1)(g) of the Public Finance Management Act (Act 1 of 1999) read with Treasury Regulation 8.7.1 and 16.10	Accounting Officer	Accounting Officer	No delegation	No delegation	Any amendment to the contract which is to the financial detriment of the State will require Treasury Authority under section 31(1)(f) of the Exchequer Act No. 66 of 1975 as amended, and Treasury instruction K.2.2.14

A Fraser
NATIONAL COMMISSIONER

DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Sinithumule)						
196.	Concession Contract, paragraph 64.3	Review whether the Contractor has complied with the provisions of Schedule N, and, where appropriate impose penalties on the Contractor as set out in Part II of Schedule M.	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Committee shall review whether the contractor has complied with the provisions of schedule N and where appropriate, may, subject to paragraph 2.8 of schedule M, impose penalties on the contractor as set out in Part II of schedule M.
197.	Concession Contract, Part 2 Schedule B	Approval of the Data Collection and Reporting Plan	Accounting Officer	Relevant CDC	No delegation	No delegation	All the information details of the all the prisoners will be required by the department as part of the Correctional Services Data Model for Prisoner records.
198.	Concession Contract, Schedule C Paragraph C.1	Approval of Maintenance Programme	Accounting Officer	Director: Management	No delegation	No delegation	The contractor will compile a maintenance management manual according to the department guideline " Maintenance Management Strategy Plans" (MMSP) document as well as other relevant data according to Schedule C containing a well prepared "Maintenance Programme". The Maintenance


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 25/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
							<p>Management Manual will be the hub document for all maintenance related policies, procedures, schedules, inspections and tests etc.</p> <p>Copies of the Maintenance Manual must be handed over to the Independent Engineer for distribution as follows: 1x hard copy and 1X electronic copy of maintenance manual to: DC: Facilities and Department of Public Works</p> <p>Updates and changes should be formally done to the authorities involved according to the distribution list showing on the revision list the update/change, page/s affected revision numbers and dates etc.</p> <p>The contractor shall be responsible for all routine inspection, testing, repair, maintenance, refurbishment and replacement services in relation to the prison and the site including the roads, fences,</p>


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
199.	Concession Contract, Schedule D Goal 1	Approval of the security manual and contingency planning manual	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	walls, buildings, and all other plant, fixtures, fittings, chattels and other associated equipment including transport and mobile equipment and apparatus.
200.	Concession Contract, Schedule D Goal 1.3	Approval of system of monthly review of offenders, to include categorization and further allocation.	Accounting Officer	DC: Corrections	No delegation	No delegation	The Director of the Prison will bear the overall responsibility for security. This will receive his close personal attention in respect of but not limited to: Standard security arrangements Incident and emergency orders Contingency plans Liaison with local emergency services and command arrangements. Policy reviewed annually.
				DC: Corrections	No delegation	No delegation	The contractor will establish a system of monthly review of prisoners, which has been approved by the department, to include categorisation and further allocation, meet the Prisoner's needs and fit with his


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 25/08/2018

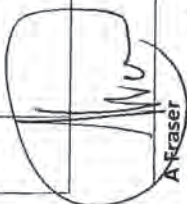
Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
201.	Concession Contract, Schedule D Goal 1.4.1	Approval of Emergency Services	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	The contractor will provide emergency services approved by the department. Policy reviewed annually
202.	Concession Contract, Schedule D Goal 1.8.5	Approval of a full movement control policy to be included in the general operational instructions	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	A full movement control policy will be included in the general Operational instructions submitted to the department for approval three months from effective date. Policy reviewed annually


 A Kraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations; Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
203.	Concession Contract, Schedule D Goal 1.14.1	Approval of a detailed policy or arrangement of patrols	Accounting Officer	CDC : Incarceration and Corrections	No delegation	No delegation	The Contractor will supply a detailed policy for approval by the department on arrangements for patrols.
204.	Concession Contract, Schedule D Goal 1.15	Approval of proceedings for emergencies situations as part of contingency planning	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The Contractor will introduce a comprehensive policy on perimeter security. Policy reviewed annually
205.	Concession Contract, Schedule D Goal 2.1	Approval of a system of incentives and earned privileges based on the minimum standards of the DCS programme	Accounting Officer	DC : Personal Corrections	No delegation	No delegation	The contractor will provide a system of incentives and earned privileges based on the minimum standards of the department programme. The system will be published for the information of staff and prisoners and will be agreed with the department six (6) months prior to contractual opening date. Policy reviewed annually
206.	Concession Contract, Schedule D Goal 2.5.1	Approval of remedy of deficiencies.	Accounting Officer	11-60 days – DD : Contract Compliance 61 and more days – Director: Contract Management		0-10 days Controller	All equipment deficiencies will be rectified within 24 hours of being reported. The contractor will introduce procedure to the department for approval, which specifies when and what action is to be taken as a result of any loss or


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
207.	Concession Contract, Schedule D Goal 2.5.2	Approval of a procedure, which specifies when and what action is to be taken as a result of any loss or damage.	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	damage. Policy reviewed annually
208.	Concession Contract, Schedule D Goal 2.8.2	Approval of a policy which covers the following aspects:	Accounting Officer		No delegation	No delegation	The contractor will have a department approved policy to cover: Staff training in conflict resolution techniques. The role of correctional services Controller concerning disciplinary action policies, and procedures as they relate to prisoners. Under what circumstances a prisoner can be housed in the segregation unit. Policy reviewed annually
209.	Concession Contract, Schedule D Goal 2.8.2	Staff training in conflict resolution techniques	Accounting Officer	Director: Curriculum consultation with CDC: Human Resource Development	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018


Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
210.	Concession Contract, Schedule D Goal 2.8.2	The role of Correctional Services Controller ("CSC") concerning disciplinary action policies, and procedures as they relate to offenders	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
211.	Concession Contract, Schedule D Goal 2.8.2	Under what circumstances an offender can be housed in the segregation unit.	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
212.	Concession Contract, Schedule D Goal 2.9.1 (Schedule D Goal 2.10 In respect of Kutama-Sinthumule)	Approval of anti-bullying policy and procedure	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The contractor will develop and anti-bullying policy and procedure, to be agreed with the department three months prior to the contractual opening. Policy reviewed annually
213.	Concession Contract, Schedule D Goal 2.10.1 (Schedule D Goal 2.11 In respect of Kutama-Sinthumule)	Approval of the control and restraint techniques.	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Physical force may be used only when it is essential to prevent injury, damage to property, to prevent escape or to re-establish control. The minimum force necessary for such purposes should be used. Only those control and restraint ("C & R") techniques approved by the department will be


 A. Fraser
 NATIONAL COMMISSIONER
 DATE: 28/08/2018

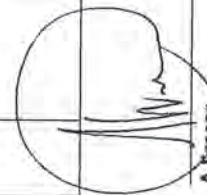
Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
214.	Concession Contract, Schedule D Goal 3.1.4	Approval of a system of screening those at risk of self- harm or suicide.	Accounting Officer	DC: Corrections	No delegation	No delegation	used. Policy reviewed annually The contractor will have in place at reception a system of screening those at risk of self- harm or suicide which will be agreed with the department 30 days from the effective date. Policy reviewed annually
215.	Concession Contract, Schedule D Goal 3.1.7	Approval of a means of communication for offenders to contact a relative or friend on admission.	Accounting Officer	DC: Corrections	No delegation	No delegation	Prisoners will be given opportunity to contact a relative or friend on admission, telephonically or by other means as approved by the department. This means of communication must be provided to the department three (3) months from the effective date. Policy reviewed annually.
216.	Concession Contract, Schedule D Goal 3.1.6.2	Approval of the induction programme.	Accounting Officer	Director, Correctional Programmes	No delegation	No delegation	The induction process will occur during the first two weeks after arrival at the Prison. Special exceptions to this timeframe must be approved by the Controller. Policy reviewed annually


 A Fraser
 NATIONAL COMMISSIONER
 DATE: 28/09/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
217.	Concession Contract, Schedule D Goal 3.1.6.7	Approval of provision (for maintaining ties with family, etc.) for those offenders who cannot read or write.	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Provision will be made for those Prisoners who cannot read or write. These provisions will be submitted to the department for approval nine (9) months from the effective date. Policy reviewed annually
218.	Concession Contract, Schedule D Goal 3.1.8	Approval of comprehensive programmes for pest control	Accounting Officer	DC: Health Services	No delegation	No delegation	the contractor shall develop a cost effective plan for beautifying the prison site, and conserving all natural resources in flora and fauna but not limited to the following: Maintenance of these areas removal and disposal of garden refuse. Control of obnoxious weeds and bush/alien encroachment. The contractor will design and implement comprehensive programme for pest control. A copy of this program will be submitted to the department for approval twelve (12) months prior to the Contractual opening date. Policy reviewed annually



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
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219.	Concession Contract, Schedule D Goal 3.30.11 (Schedule D Goal 3.30.13 in respect of Kutama- Sinthumule)	Approval of a comprehensive programme for management of acute mental disorders	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will provide qualified physician to attend the prison daily to examine prisoners within 24 hours after reception and those due for release. The physician will attend to prisoners who have requested consultation or who have been referred, prisoners under punishment or segregation, examine prisoners prior to adjudication, prescribe medications and medical treatment and deal with complaints about health or medical treatment. Policy reviewed annually
220.	Concession Contract, Schedule D Goal 3.30.29 (Schedule D Goal 3.30.31 in respect of Kutama- Sinthumule)	Approval of the deaths (natural and unnatural) policies and procedures.	Accounting Officer	DC: Health Services	No delegation	No delegation	Deaths (natural and unnatural) will be managed according to approved policies and procedures. These policies and procedures will be Policy reviewed annually submitted to the department thirty (30) days from the effective date.
221.	Concession Contract,	Approval of system for security risk assessment	Accounting Officer	DC: Personal	No delegation	No delegation	Security risk and needs assessment should be

A Fraser
NATIONAL COMMISSIONER

DATE: 28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Schedule D Goal 4.1			Corrections			submitted to the department nine (9) months prior to the contractual opening date. Policy reviewed annually.
222.	Concession Contract, Schedule D Goal 4.8	Approval of the policy for Religious Care Services	Accounting Officer	DC: Personal Wellbeing	No delegation	No delegation	The contractor will appoint a chaplain in accordance with the department appointment procedures for chaplains. Policy reviewed annually. The contractor will enter into a contract with the church or faith.
223.	Concession Contract, Schedule D Goal 4.15	Approval of a full schedule of fostered attendance at the library as part of the development programme.	Accounting Officer	DC: Personal Development	No delegation	No delegation	There will be a library, stocked with a number of books which is sufficient for the prisoner population which will comply with the minimum guidelines from the National, Provincial and Municipal Library Services.
224.	Concession Contract, Schedule D Goal 6.4.3	Approval of the Equal Opportunities Policy and Affirmative Action Policy	Accounting Officer	DC: Employee Relations	No delegation	No delegation	The contractor will submit its equal opportunities policy and affirmative action policy to the department for approval within sixty (60) days from the effective date.
225.	Concession Contract, Schedule D	Approval of the Contractors policy statement on drug and alcohol free workplace.	Accounting Officer	Director: Resource Administration and	No delegation	No delegation	The contractor policy statement on drug and alcohol free workplace for its entire

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NATIONAL COMMISSIONER

DATE:

28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Goal 6.5.2			Utilization consultation with CDC: Human Resource			staff will be made available to the department for approval within sixty (60) days from the effective date.
226.	Concession Contract, Schedule D Goal 6.7.1	Approval of the policy on uniform and dress code for custodial and non-custodial staff	Accounting Officer	Director : Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	The contractor will submit his policy on uniform and dress code for custodial and non- custodial staff to the department for approval within six (60) days from the effective date.
227.	Concession Contract, Schedule D Goal 6.7.2	Approval of samples of all uniforms to be worn by the staff of the Correctional Centre	Accounting Officer	Director: Human Resource Support in consultation with CDC: Human Resource	No delegation	No delegation	As a minimum the uniform will include: company logo/badge, employee's name and job title, photographic ID issued by Contractor. Sample of ID worn by Sub-contractor's employees to be identifiable.
228.	Concession Contract, Schedule D Goal 6.8.12	Approval of media statements relating to personnel issues	Accounting Officer	Director : Human Resource Administration Utilization in consultation with CDC: Human Resource	No delegation	No delegation	Media statements relating to personnel issues must be submitted to the CSC for approval before it is provided to the media.
229.	Concession Contract, Schedule D	Approval of all training curricula	Accounting Officer	Director: Core Curriculum consultation with HR	No delegation	No delegation	The Contractor will submit all training curricula for approval to the DCS not later than 5 months from the Effective

A Fraser

NATIONAL COMMISSIONER

DATE:

28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
	Goal 6.9			Human Resource			Date.
230.	Concession Contract, Schedule D Goal 6.9	Approval of all Restraint trainers Control and	Accounting Officer	Director: Curriculum consultation with Human Resource	No delegation	No delegation	All Control and Restraint trainers will be approved by DCS on an annual basis.
231.	Concession Contract, Schedule D Goal 7	Approval of all Involved Activities community	Accounting Officer	DC: Reintegration consultation with Director: Community Liaison	No delegation	No delegation	All community involvement activities must be submitted to the DCS Controller prior to any community involvement at the facility to ensure that they meet the agreement of the Contractor and that it is not in conflict with any DCS's policies and procedures.
232.	Concession Contract, Schedule M Goal 1.1	Ruling on whether, and to what extent, penalties should be imposed for breaches of the Contract by the Contractor.	Accounting Officer	Supervisory Committee	No delegation	No delegation	A Supervisory Committee ("Committee") is hereby established to: (a) rule on whether, and to what extent, Penalties should be imposed for breaches of Contract by the Contractor, and (b) undertake the Annual Review.
233.	Concession Contract, Schedule M Clause 2.8	Supervisory Committee (fixed penalties)	Accounting Officer	Supervisory Committee	No delegation	No delegation	The Supervisory Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties, which the Parties agree reflects the prejudice to

A. Fraser

NATIONAL COMMISSIONER

DATE:

28/08/2018

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2018

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
234.	Concession Contract, Schedule M Clause 2.8	Decision to sue the Contractor for breach of contract	Accounting Officer	Director Contract Management (Supervisory Committee)	No delegation	No delegation	the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss. The Committee: (a) shall have the discretion to waive Fixed Penalties in their entirety, but not to reduce the quantum of any Fixed Penalties; which the Parties agree reflects the prejudice to the Department of the relevant breach of Contract; and (b) reserves the right, on behalf of the Department, subject to the terms of the Contract and in the alternative to imposing a Penalty, to recommend that the Department sue the Contractor for breach of Contract to recover its actual loss.



A Fraser
NATIONAL COMMISSIONER
DATE: 28/08/2018

Annexure A

**DEPARTMENT OF CORRECTIONAL SERVICES
DELEGATIONS RELATED TO EXPENDITURE CONTROL**

Note: All general abbreviations and conditions applicable to the principle delegations is applicable to this Annexure A


NO	DESCRIPTION	DELEGATION PER POST LEVEL/ TIER			Delegations Conditions and limitations
		HEAD OFFICE	REGION	MANAGEMENT AREAS/ CORRECTIONAL CENTRES	
1	Appoint in writing Programme Managers, Sub programme managers and Regional Commissioners (managing the vote at Regional level) to execute financial responsibility and management of the budget and control according to PFMA section 44 (1) (a)	<ul style="list-style-type: none"> No delegation National Commissioner appoint Programme managers, Sub programme managers and Regional Commissioners 			<ul style="list-style-type: none"> Limited to the allocated budget
2	Appoint in writing Responsibility and Activity Managers to execute financial responsibility and management of budgets within their units	<ul style="list-style-type: none"> Programme Managers (CDCs) in Head Office appoint Sub programme managers 	<ul style="list-style-type: none"> Regional Commissioners appoint Regional Commissioners 	<ul style="list-style-type: none"> Area Commissioners appoint Area Coordinators, Heads of Centres and Community Corrections Offices 	<ul style="list-style-type: none"> Limited to the allocated budget. On budgetary and finance matters all Area Commissioners report directly to the Deputy Regional Commissioners

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Annexure A

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		<ul style="list-style-type: none"> Sub programme managers in Head Office appoint Activity managers 	<ul style="list-style-type: none"> Deputy Regional Commissioners appoint Regional Heads, Area Commissioners 	<ul style="list-style-type: none"> Heads of Centres appoint Centre Coordinators Heads of Community Corrections appoint Re-Integration Case officers, Social Workers and Court officials 	
		<ul style="list-style-type: none"> Activity managers in Head Office appoint responsibility managers 	<ul style="list-style-type: none"> Activity managers in Regions appoint responsibility managers 		

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Annexure A

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3	Approval of Petty Cash	Maximum R2000	Maximum R2000	Maximum R2000	All action in relation to petty cash, approval, request and issuing as well as receiving of proof of purchase must comply with the FAP on petty cash and any relevant directives
	• Request of petty cash	• Director or higher	• Cost Center manager	• Cost Center manager	
	• Issuing of petty cash	• Cashier	• Cashier	• Cashier	
4	• Approval of Expenditure incurred in line with request for petty cash approved	• Director or higher	• Cost Center & Responsibility Manager	• Cost Center & Responsibility Manager	• Compliance to FAP and LAP and all relevant prescripts
	Authorization to proceed with the price quotation process.	R2 000 to R30 000 Director upwards	R2 000 to R30 000 Director upwards	R2 000 to R30 000 Director upwards (Large MA's) Area Commissioner	
5	Authorization to proceed with the invitation of formal price quotation process	R30 000 to R199 999 • Director	R30 000 to R199 999 • Director	R30 000 to R199 999 • Director upwards	• Compliance to FAP and LAP and all relevant prescripts
		R200 000 to R499 999 • DC upwards	R200 000 to R499 999 • DC upwards	R200 000 to R499 999 • DC upwards	• Compliance to FAP and LAP and all relevant prescripts

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Annexure A

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8	Approval and signing of purchase order	• Order Clerk	• Order Clerk	• Order Clerk	• Unlimited Compliance to relevant prescripts and with all relevant approval documentation to be correct and available.
9	Approval of payments or sundry payments <ul style="list-style-type: none"> • Functional approval, contracts to be available • Officials to be appointed in writing by delegated authority. 				
	(a) Authorizing payments on BAS	R7 million and above • DD: FCO R4 million up to R6,9 million • ASD:FCO	R7 million and above • RHF & SCM R3 million to R6,9 million • Manager SCM & Finance	No delegation R3 million to R6,9 million • Area Coordinator Finance	
		R2 million up to R3,9 million	Up to R2,9 million SSA/SPOA	Up to R2,9 million • SSA/SPOA	

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		<ul style="list-style-type: none"> Up to R1,9 million SSA 			
	(b) Authorizing Payments on Logis	Unlimited <ul style="list-style-type: none"> Provision Admin Officer 	Unlimited <ul style="list-style-type: none"> Provision Admin Officer 	Unlimited <ul style="list-style-type: none"> Provision Admin Officer 	<ul style="list-style-type: none"> After verification that the necessary approval documents are signed by the Responsibility Manager and ensuring that correct approval delegations were followed.
	(c) Approval of payments made on Peral (payment of allowances & promotions)	Unlimited & allocated to a persal function <ul style="list-style-type: none"> SCO and higher 	Unlimited & allocated to a persal function <ul style="list-style-type: none"> SCO and higher 	Unlimited & allocated to a persal function <ul style="list-style-type: none"> SCO and higher 	<ul style="list-style-type: none"> All material once-off payments such as performance bonus and projects should first be recommended by Compensation Committee under chairmanship of the CDC HR before final approval by the National Commissioner.
	(d) Payments for capital works and Infrastructure projects	DC: Facilities	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> DC Facilities can approve up to R10 million and any amount above R10 million to be routed via CDC Incarceration and Corrections and

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10	Approve shifting of funds within an item of a programme	<ul style="list-style-type: none"> Programme manager (CDCs) 	<ul style="list-style-type: none"> Regional Commissioner Deputy Regional Commissioner 	<ul style="list-style-type: none"> Area Commissioner, Area Co coordinator 	<p>CFO</p> <ul style="list-style-type: none"> Project should form part of the initial infrastructure approved project plan included in the ENE and APP Sub programme manager Facilities to endorse the invoice Director Management Accounting to confirm the availability of budget and issue budget confirmatory note to Director Financial Accounting in consultation with the CFO and DC FMA <p>(a) In line with the DCS FAP chapter 3. (b) If above R2 million must be served before Budget Committee (In consultation with the CFO)</p>

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		<ul style="list-style-type: none"> Sub programme manager (CDCs & DCs) Activity manager (Director) Responsibility manager (Directors) 	<ul style="list-style-type: none"> All Regional Coordinators Activity manager (Regional Co coordinator) Responsibility manager (RC, DRC, Regional Heads) 	<ul style="list-style-type: none"> All managers Activity manager (sectional Heads) Responsibility manager (Community Corrections offices) 	
11	Approve Virements between Programmes of the vote	<ul style="list-style-type: none"> Not delegated and authority remains with National Commissioner 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> In line with PFMA sec 43, TR 6.3.1 and DCS FAP chapter National Commissioner to approve in consultation with the Executive Authority.
12	Approve shifting of funds from Compensation of Employees	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Specifically and exclusively appropriated

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13	Approve shifting of funds to/from Transfer Payments	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> In line with FAP chapter 3 paragraph 3.4.2 Director Management Accounting in consultation with the CFO and DC FMA to seek prior Budget Committee endorsement and via the National Commissioner National Treasury's approval.
14	Shifting of funds from Capital budget	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> In line with FAP chapter 3 paragraph 3.4.3 Director Management Accounting in consultation with the CFO and DC; FMA to seek prior Budget Committee endorsement and via the National Commissioner National Treasury's approval.
15	Virement, shifting of funds from one region to another	<ul style="list-style-type: none"> CFO 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> In line with the FAP chapter 3, the Director Management in consultation with the CFO and DC FMA will have to obtain a formal mandate from the

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16	Approval of arbitration awards for further processing and payments on PERSAL and BAS in Head Office	<ul style="list-style-type: none"> • DC: ER • DC: HRM • DC: FMA 	<ul style="list-style-type: none"> • Not delegated 	<ul style="list-style-type: none"> • Not delegated 	<p>Budget Committee for the finalisation of the budget shifts/transfer</p> <ul style="list-style-type: none"> • Regional Coordinators Employee Relations in the regions and Head Office must facilitate and consolidate all arbitration awards and submit under the signature of RC and relevant CDC to Head Office: DC Employee Relations for validation and confirmation. • DC Employee Relations must register and validate all the awards and certify in writing to DC HRM and DC FMA for calculations and processing of the payments.
17	Approval of court orders and out of court settlement agreements for processing and payments on Persal and BAS in Head Office	<ul style="list-style-type: none"> • DC: Legal Services • DC: HRM • DC: FMA 	<ul style="list-style-type: none"> • Not delegated 	<ul style="list-style-type: none"> • Not delegated 	<ul style="list-style-type: none"> • Regional Coordinators Legal Services in the regions and Head Office must facilitate and consolidate all court orders (including out of court settlement

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18	Payment from revenue with regard to fines and incorrect deposits				<p>agreements) and submit under the signature of RC and relevant CDC to DC Legal Services: Head Office for validation and confirmation.</p> <ul style="list-style-type: none"> DC Legal Services must register and validate all the court orders and certify in writing to DC HRM and DC FMA for calculations and implementation thereof.
19	Payroll certification	<ul style="list-style-type: none"> DC: FMA 	<ul style="list-style-type: none"> Regional Commissioners in consultation with Regional Heads Finance and SCM 	<ul style="list-style-type: none"> Not delegated 	<p>Payroll: Relevant pay point manager to certify to personnel office on the date of payment that all persons listed on the payroll report are entitled to payment.</p> <p>Payroll: CDC Human Resources must return the entire payroll to CFO within 10 days after certification.</p>

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