

DEPARTMENT OF CORRECTIONAL SERVICES**NO. 464****28 May 2021**

Following amendments are published for pages 366 and 367 of Government Gazette number 43834 in relation to delegations for the Department of Correctional Services published on 23 October 2020.

1. Pages 19 and 20 of the delegations by the National Commissioner in terms of the Correctional Services Act, 111 of 1998 as amended



A Fraser
National Commissioner

Date: 2021/05/14

AMENDMENT: 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	regional office or head office, all decisions to take disciplinary action as well the outcome of any disciplinary processes must be communicated to the 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. (Note: The Departmental Investigation Unit (DIU) is established in terms of sections 95 A and this Unit is authorized to investigate theft, fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the unit may find. The DIU report to the Director DIU	NC	Levels 2-10 Coordinator Investigations (DD) DIU Levels 11-15 Director DIU	No delegation	No delegation	All matters referred to in section 95A must be referred to the Dir. DIU and CEU. The Dir DIU may decide that a region investigate if the Departmental Investigation Unit (DIU) lacks capacity or for reason of urgency. Such approval must be in writing. Officials appointed in the DIU are <i>ex-officio</i> 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 disciplinary proceedings resulting from any investigation in terms of section 95A and which has been submitted to the Code Enforcement Unit to conduct a disciplinary	NC	Levels 2-10 Deputy Director Code Enforcement Unit Levels 11-15	No delegation	No delegation	1. The Director CEU may appoint in writing any initiator (not on the establishment of the Code Enforcement Unit) in terms of section 95B from a region/head office to initiate

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	hearing. (Note: The Code Enforcement Unit (CEU) is established in terms of sections 95 B and this Unit is authorized to prosecute in theft, fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the DIU may find.) The CEU reports to the Director CEU		Director CEU			if the CEU lacks capacity or for reason of urgency. 2. Officials appointed in the Code Enforcement Unit are <i>ex-officio</i> appointed as initiators in terms of section 95B and does not require written appointment to initiate in disciplinary hearings.
95.	Section 95B	Approve formal or informal disciplinary hearing and charges emanating from section 95A investigations.	Levels 2-10 Deputy Director Code Enforcement Unit Levels 11-12 Director CEU	No delegation	No delegation	Disciplinary action against SMS L13-15: NC
96.	Section 95B read together with res 1 of 2006 and chapter 7 of the SMS manual	Approve the appointment of chairperson in disciplinary hearing.	Levels 2-12 DC LS Level 13-15 National Commissioner	No delegation	No delegation	
97.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006 and CS regulation 33	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.	Levels 2-12 DC Legal Services	No delegation	No delegation	
98.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006 and CS regulation 33	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.	Levels 2-12 Director CEU	No delegation	No delegation	Where the Dir. CEU has signed the sanction the appeal must be submitted to the DC LS
99.	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 Management of Grievances submitted in terms of the departmental grievance procedure.	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

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