
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 1689

21 January 2022

CONSULTATION ON THE DRAFT REVIEWED LANGUAGE POLICY FOR THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby publish the Draft Reviewed Language Policy for the Department of Forestry, Fisheries and the Environment in terms of section 4(2)(h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), read with regulation 3(2) of the Use of Official Languages Regulations, published under Government Notice R.150 in Government Gazette 37398 on 28 February 2014, as set out in the Schedule hereto, for public comment

Members of the public are invited to submit to the Minister, within 30 days from the date of the publication of this Notice in the Government Gazette, written inputs or comments on the Draft Reviewed Language Policy to the following addresses:

By post to: The Director-General: Department of Forestry, Fisheries and the Environment
Attention: Mrs Christelle van der Colff
Private Bag X447
PRETORIA
0001

By hand at: 473 Steve Biko Road, Environment House, Arcadia, 0083

Please note that anyone entering the building of the Department will be subjected to Covid-19 procedures. Due to the Covid-19 pandemic, delivering comments by hand at the Department is being discouraged.

By email: languageservices@environment.gov.za.

Any enquiries in connection with the notice can be directed to Mrs Christelle van der Colff, Mr Tshifhiwa Netshiukhwi or Mrs Siphesihle Mnguni-Ngingi on 012 399 9275/9023/9022 or to languageservices@environment.gov.za.

The Draft Reviewed Language Policy can be downloaded by the members of the public at the following website link: [https://www.environment.gov.za/legislation/guideline and policies](https://www.environment.gov.za/legislation/guideline%20and%20policies).

Comments received after the closing date may not be considered.



MS BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

DRAFT REVIEWED LANGUAGE POLICY

FOR THE

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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1. BACKGROUND

- 1.1 As a means to redress the marginalisation of indigenous languages, the national government deemed it fit to promulgate the legislation that obliges national government departments, public entities and public enterprises to strive for the parity of South African official languages. Parliament promulgated a much-needed piece of legislation to regulate the use of official languages by government. The Use of Official Languages Act, 2012 (Act No. 12 of 2012) took effect from 2 May 2013 after it was assented to law by the former President Jacob Zuma. On 4 September 2013, the Use of Official Languages Act, 2012 (Act No. 12 of 2012) was presented by the then Department of Arts and Culture to various stakeholders, including government departments. Among other things, the emphasis was on the promotion of multilingualism in South Africa to ensure equal treatment of all official languages. Therefore, national departments were encouraged to establish language units and develop language policies.
- 1.2 In its Language Policy, the Department of Fisheries, Forestry and the Environment (*DFFE*) seeks to regulate the proper usage of languages, the promotion of marginalised languages, and the functioning of the Language Services Unit as a functional instrument to monitor implementation, evaluate outputs and outcomes, and to ensure compliance through the submission of written reports to the Department of Sport, Arts and Culture, and the Pan South African Language Board, as required by the Use of Official Languages Act, 2012 (Act No. 12 of 2012). Furthermore, the Language Policy will be instrumental in aligning the functions of the Language Services Unit to those prescribed in the Use of Official Languages Act, 2012 (Act No. 12 of 2012).

2. PURPOSE

- 2.1 The purpose of this Language Policy is to establish an acceptable and equitable operational language dispensation for the *DFFE* by –
- 2.1.1 promoting the equitable use of and respect for the *official languages of the Republic* in order to realise social, cultural and linguistic justice in line with section 6 of the *Constitution*;
- 2.1.2 facilitating access to information by various communities of South Africa through the languages of their choice;
- 2.1.3 promoting the languages that were previously marginalised;

- 2.1.4 identifying departmental official languages that will be used as media of communication;
- 2.1.5 fostering compliance with the provision of the departmental language policy and the legislation thereto;
- 2.1.6 encouraging the use of plain language when communicating in the *DFFE*; and
- 2.1.7 giving effect to the concept of cooperative governance in terms of language policy development and implementation by encouraging other government language offices to share capacity and build capacity to perform language functions.

3. SCOPE OF APPLICATION

- 3.1 This Language Policy shall apply to –
 - 3.1.1 all employees of the *DFFE*; internal and external clients; and members of the public; and
 - 3.1.2 all services offered by the *DFFE* at national, provincial and regional levels.

4. MANDATE OF THE *DFFE*

- 4.1 The *DFFE* is mandated to give effect to the right of citizens to an environment that is not harmful to their health or well-being, and to have the environment protected for the benefit of present and future generations. To this end, the *DFFE* provides leadership in environmental management, conservation and protection towards sustainability for the benefit of South Africans and the global community.
- 4.2 The core functions of the *DFFE* are to –
 - 4.2.1 provide leadership, strategic, centralised administration, executive support, corporate services and, facilitate effective cooperative governance, international relations and environmental education and awareness;
 - 4.2.2 promote the development and implementation of an enabling legislative regime and licensing/authorisation system to ensure enforcement and compliance with environmental law;
 - 4.2.3 promote, manage and provide strategic leadership on oceans and coastal conservation;
 - 4.2.4 improve air and atmospheric quality, lead and support, inform, monitor and report efficient and effective international, national and significant provincial and local responses to climate change;
 - 4.2.5 ensure the regulation and management of all biodiversity, heritage and conservation matters in a manner that facilitates sustainable economic growth and development;
 - 4.2.6 implement the expanded public works and green economy projects in the environmental sector;

- 4.2.7 promote the development, management, monitoring and sustainable use of marine living resources and the development of South Africa's fisheries sectors - sustainable livelihoods will be achieved through aquaculture growth and fisheries economic development;
- 4.2.8 manage and ensure that chemicals and waste management policies and legislation are implemented and enforced in compliance with chemicals and waste management authorisations, directives and agreements; and
- 4.2.9 provide strategic direction and leadership to the *DFFE* with regard to the promotion of the sustainable management, use and protection of forests and natural resources to achieve social and economic benefits and to promote development.

5. DEFINITIONS

'Act' refers to the Use of Official Languages Act, 2012 (Act No. 12 of 2012).

'Braille' means a written language for the blind in which characters are represented by patterns of raised dots.

'Constitution' means the Constitution of the Republic of South Africa, 1996

'DFFE' means the Department of Forestry, Fisheries and the Environment;

'functional multilingualism' means an approach that takes into account the language preference, use and proficiency of a particular group, in other words, that not all the official languages need to function in every context.

'interpreting' means the act of clarifying the meaning of verbal communication for another person who is not conversant with the language medium of a particular communication, either by giving a word-for-word translation verbally, or by providing the gist of its content in the presence of the client.

'language of record' (also referred to as 'working language') means an official language chosen for record keeping or archiving processes and documentation of the *DFFE*, in other words, plain English in the *DFFE* to aid in understanding.

'liaison interpreting' means the most informal form of interpreting (usually by colleagues/internal staff members) to facilitate understanding between two or many parties. This may include *South African Sign Language* interpreting.

'official languages of the Republic' refers to the 11 official languages of the Republic of South Africa, namely Sepedi, Xitsonga, Tshivenda, Sesotho, Setswana, isiZulu, isiNdebele, isiXhosa, Swati, Afrikaans and English in terms of section 6(1) of the *Constitution*.

'otherwise' means other types of interpreting, such as simultaneous, consecutive, telephone or whispered interpreting.

'PanSALB' means the Pan South African Language Board

'property' means the property of the *DFFE*, namely buildings (inside and outside), vehicles and any other form of resource of which the *DFFE* has ownership.

'South African Sign Language' means a system of communication used among and with deaf people, consisting of facial and manual gestures and signs in South Africa.

'translation' means the transposing of a text from one language to another, with the translated text having the same message as the original text;

'Republic' refers to the Republic of South Africa.

6. LEGISLATIVE FRAMEWORK

- 6.1 The Constitution of the Republic of South Africa, 1996
- 6.2 The Use of Official Languages Act, 2012 (Act No. 12 of 2012) (UOLA)
- 6.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012
- 6.4 Pan South African Language Board Act, 1995 (Act No. 59 of 1995)
- 6.5 Public Finance Management Act, 1999 (Act No. 1 of 1999)
- 6.6 Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- 6.7 The White Paper on Transforming Public Service Delivery, 1997
- 6.8 Statistics Act, 1999 (Act No. 6 of 1999)
- 6.9 Regulations on Fair Administrative Procedures of the Promotion of Administrative Justice Act, 2000 (PAJA).

7. PRINCIPLES

7.1 The Language Policy of the *DFFE* is based on the following principles:

- 7.1.1 *Functional multilingualism* – language preference(s), use and proficiency of the target audience; a broad acceptance of linguistic diversity; and recognition of linguistic human rights (language rights);
- 7.1.2 Social justice; and
- 7.1.3 Batho Pele principles.

8. OFFICIAL LANGUAGES OF THE DFFE

- 8.1 Plain English is the main *working language* of the DFFE and it should be used in all official documents. In promoting the use of the indigenous languages and all the *official languages of the Republic*, including Sign Language, the DFFE will, on request, take the following use of the official languages into consideration, subject to paragraph 8.2 below:

Head Office (Gauteng)	All the <i>official languages of the Republic</i>
Eastern Cape	IsiXhosa, English and Afrikaans
Free State	Sesotho, isiXhosa, English and Afrikaans
KwaZulu-Natal	IsiZulu, isiXhosa, Sesotho, English and Afrikaans
Limpopo	Tshivenda, Sepedi, Xitsonga, isiNdebele, English and Afrikaans
Mpumalanga	Siswati, isiNdebele, isiZulu, Xitsonga, English, Afrikaans and Sepedi
Northern Cape	English, Afrikaans, isiXhosa and Setswana
North West	Setswana, English and Afrikaans
Western Cape	English, Afrikaans and isiXhosa

- 8.2 The following factors will be taken into account in arriving at the choice of official language(s) the DFFE will use in each context/situation, while honouring the spirit of the *Constitution*:
- 8.2.1 Geographical usage;
 - 8.2.2 Practicality;
 - 8.2.3 Cost and budget availability;
 - 8.2.4 Regional circumstances;
 - 8.2.5 Availability of capacity;
 - 8.2.6 Technicality of documents;
 - 8.2.7 Length of documents; and/or
 - 8.2.8 The balance of the needs and preferences of the public it serves.

9. INTERNAL VERBAL COMMUNICATION

- 9.1 English is the business language or language of record to conduct internal disciplinary hearings, job interviews and performance assessments in the *DFFE*.
- 9.2 All official verbal intradepartmental and interdepartmental communication of the *DFFE* will be conducted in plain English as the *working language* of the *DFFE*. An *interpreting service (liaison or otherwise)* into one or more of the languages in the table in paragraph 8.1 will be made available on request and subject to paragraph 8.2. If all employees in the verbal communication (for example, an internal meeting) speak the same common language, the meeting may be held in that language if every person in the meeting is in agreement, but the record of that interaction should be in plain English as the *language of record*.

10. EXTERNAL VERBAL COMMUNICATION

- 10.1 English is the business language or language of record to conduct external meetings in the *DFFE*. Speeches will be drafted in English and interpreters (*liaison or otherwise*) will be provided when necessary depending on the target audience and subject to the languages in the table in paragraph 8.1 and subject to paragraph 8.2.
- 10.2 If an official is not available at the call centre or receptions of the *DFFE* and during one-on-one meetings to assist clients of the *DFFE* in their preferred language, interpreters (*liaison or otherwise*) will be used to supplement written communication and assist clients in gaining access to departmental services and information, subject to the languages in the table in paragraph 8.1 and subject to paragraph 8.2.
- 10.3 The *DFFE* may provide an interpreting service (*liaison or otherwise*) if important or strategic information is to be conveyed verbally to groups of multilingual residents at public events organised by the *DFFE* (for example, *izimbizo*), subject to the languages in the table in paragraph 8.1 and subject to paragraph 8.2.

11. INTERNAL WRITTEN COMMUNICATION

- 11.1 To promote operational efficiency, all official written intradepartmental and interdepartmental communication of the *DFFE* will be conducted in plain English as the *working language* of the *DFFE* with a *translation* into one or more, or all of the languages in the table in paragraph 8.1 and subject to paragraph 8.2, being made available, on request, within 15 days of the written

request, taking reasonable measures to serve its clients in the language(s) of their choice. All internal departmental documents that need to be archived will, for practical administrative reasons, be available in English as the *language of record*. Internal written communication includes annual reports, annual performance plans, strategic plans, booklets and brochures, posters and wall charts, and internal magazine articles. However, appointment letters and standard operating procedures will be written in English.

- 11.2 Conditions of service, strategic circulars, important human resource information, health and safety information, and other strategic documents of the *DFFE* will be made available in the official languages of the Republic, on request, subject to the table in paragraph 8.1 and subject to paragraph 8.2. Strategies, frameworks, policies, government notices, green papers, draft white papers, Bills and regulations and guidelines will be published for public comment in two languages subject to the table in paragraph 8.1 and subject to paragraph 8.2.

12. EXTERNAL WRITTEN COMMUNICATION

- 12.1 All official external written public-facing communication will be conducted in plain English or the preferred language of the recipient. All external correspondence of the *DFFE* may be translated into the language in which the original communication was received, within 15 days subject to paragraphs 8.2.6 and 8.2.7, provided that a plain English *translation* of the document accompanies the response and is archived for record purposes and possible legal proceedings in order to facilitate understanding and improving communication. External written communication includes letters to the public; newspaper and magazine supplements; booklets and brochures; posters and wall charts; newspaper advertisements and forms for the following branches: Biodiversity and Conservation, Forestry Management, Environmental Programmes, Corporate Management Services, Regulatory Compliance and Sector Monitoring, Fisheries Management, Oceans and Coasts, and Financial Management Services to be published for public consumption on the website of the *DFFE*. These forms may be translated, on request, for understandability purposes, but completed forms will be translated back into English for record-keeping purposes. Media releases will be drafted in English.
- 12.2 The *DFFE*, on request, may provide multilingual liaison interpreters to supplement written communication and assist clients in gaining access to departmental services and information subject to paragraph 8.2. Liaison interpreters will be used for liaison interpreting at customer call centres, receptions and during one-on-one meetings subject to paragraph 8.2.

- 12.3 All external departmental documents that need to be archived will, for practical administrative reasons, be available in English as the language of record.

13. INTERNATIONAL COMMUNICATION

- 13.1 International communication shall be in English or the preferred language of the country in question. Whenever a written submission or any other document is in a foreign language, *translation* services should be used to reply in the relevant language subject to paragraph 8.2.

14. COMMUNICATION WITH THE HEARING/SIGHT IMPAIRED

- 14.1 The Language Services Unit of the *DFFE* may facilitate *South African Sign Language interpreting* provided that the *DFFE* is notified 20 days before the actual date of service and conversion of text into *Braille* or alternatively audio on request within three to seven days from the day on which a written request is obtained, subject to paragraph 8.2. This applies to internal and external communication.

15. SIGNAGE

- 15.1 Official signs (fixed and not permanently fixed) on, inside and outside the property of the *DFFE* may be displayed in the languages indicated in the table in paragraph 8.1 and subject to paragraph 8.2. This should be done progressively (phased approach) during the course of the five-year implementation plan subject to paragraph 8.2.
- 15.2 Requests must be submitted to the Chief Directorate: Facilities Management in the Branch: Corporate Management Services for approval.

16. THE LANGUAGE SERVICES UNIT OF THE *DFFE*

- 16.1 The Language Services Unit of the *DFFE* will oversee the implementation of the Language Policy by –
- 16.1.1 developing a Language Policy implementation strategy to drive and monitor the implementation process across the *DFFE*, and to ensure compliance;
- 16.1.2 facilitating and coordinating the implementation of the policy by providing *translation*, editing, *interpreting*, language training and terminology development services;

- 16.1.3 conducting regular language surveys and audits to assess the appropriateness of the existing policy and practices of the *DFFE*, and making recommendations for improvement;
- 16.1.4 raising awareness of the Language Policy to ensure compliance;
- 16.1.5 reporting to the relevant language control bodies (in other words, *PanSALB*) on progress with the implementation of the policy quarterly; and
- 16.1.6 working closely with the Department of Sport, Arts and Culture, and *PanSALB* established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995), as well as other language bodies, national structures, forums and other avenues to promote the equitable treatment of all *official languages of the Republic*;
- 16.1.7 raising awareness among the officials of the *DFFE* and the public in general about their language rights; and
- 16.1.8 executing its functions by elevating the previously marginalised languages.

17. OTHER LANGUAGE STAKEHOLDERS

- 17.1 Language Services will work in collaboration with other language structures, such as the National Language Service within the Department of Sport, Arts and Culture, other language units in government, *PanSALB*, institutions of higher learning, and the National Foreign Languages Forum to monitor the implementation of the Language Policy and the use of the *official languages of the Republic* in the *DFFE* regarding multilingualism, language research, training and development.

18. PUBLICATION OF AND ACCESS TO THE LANGUAGE POLICY OF THE DFFE

- 18.1 The Language Policy will be gazetted in English as the *working language* of the *DFFE*. See the first sentence in paragraph 8.1.
- 18.2 The Language Policy shall be available in all the *official languages of the Republic* on the website of the *DFFE* for easy access by the general public. The hard copy of the Language Policy shall also be made available by the Language Services Unit in all the *official languages of the Republic* on request.
- 18.3 Electronic copies can also be requested by email at languageservices@environment.gov.za or telephonically from the Call Centre on +27 86 111 2468.

- 18.4 The Language Policy shall also be available in *Braille* on request by email to languageservices@environment.gov.za or telephonically from the Call Centre on +27 86 111 2468.

19. IMPLEMENTATION OF THE LANGUAGE POLICY

- 19.1 The *DFFE* will implement the Language Policy progressively over the next five years.

20. COMPLAINTS MECHANISM

- 20.1 Any person who is adversely affected by the use of the Language Policy may lodge a complaint to the Office of the Director-General of the *DFFE* at the following address:

By post to: The Director-General: Department of Forestry, Fisheries and the Environment
Private Bag X447, Pretoria, 0001

By hand at: Environment House, 473 Steve Biko Road, Environment House, Arcadia, 0083

- 20.2 The complaint must –

20.2.1 be in writing;

20.2.2 be lodged within three months of the complaint arising;

20.2.3 state the name, address and contact information of the person lodging the complaint; and

20.2.4 provide a full and detailed description of the complaint.

- 20.3 The Director-General may request a complainant to supply any additional information necessary to consider the complaint; and attend the meeting for the purpose of making a verbal enquiry into the complaint.

- 20.4 The Director-General shall consider the complaint and respond in writing no later than three months after the complaint was lodged, informing the complainant of the decision.

- 20.5 The complainant may lodge an appeal with the Minister of Forestry, Fisheries and the Environment if not satisfied with a decision of the Director-General in writing within one month of a decision contemplated in paragraph 20.4, stating the name, address and contact information of the person lodging the appeal and providing a detailed description of the complaint.

21. POLICY REVIEW

21.1 The Language Policy shall be reviewed every five years or when a need arises.

22. AMENDMENT OF THE LANGUAGE POLICY

22.1 The *DFFE* may amend the Language Policy on the basis of the following factors:

22.1.1 Implementation challenges emanating from the principles of the policy;

22.1.2 Recurring audit queries that point to inefficiency and ineffectiveness of some of the provisions of the policy;

22.1.3 An amendment of national legislation;

22.1.4 A mandate from the Executive Authority who is responsible for the regulation of languages in the national government; or

22.1.5 When it is necessary, in order to give effect to the *Act*.

23. AUTHORISATION AND EFFECTIVE DATE

This is done and signed in _____ on the _____ day of _____ 2021

DEPARTMENT	NAME OF REPRESENTATIVE	SIGNATURE
FORESTRY, FISHERIES AND THE ENVIRONMENT	DIRECTOR-GENERAL:	

Effective Date: _____ / _____ 2021