

DEPARTMENT OF CORRECTIONAL SERVICES

NO. 3786

11 August 2023

**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 2009
(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, **Makgothi Thobakgale**, 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 26th DAY OF JULY 2023



ACCOUNTING OFFICER: MS Thobakgale

NAME OF ACCOUNTING OFFICER'S PORTFOLIO: National Commissioner

NAME OF THE DEPARTMENT: Department of Correctional Services

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2018**

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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 Accounting Officer: 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" means a committee appointed by the Accounting Officer to adjudicate and award bids.

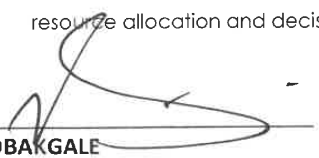
"Public Private Partnerships" means contractual agreement between the public and private sectors which includes a variety of activities.

"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 highlevel 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.


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"Sub-Bid Adjudication Committee" means a committee appointed by the Accounting Officer / Regional Commissioner 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 (National Commissioner).



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				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 in to 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 Subprogramme 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)	Head office Directorate Management Accounting to comply with any budget guidelines and circulars relating to MTEF/AENE/ENE issued by National Treasury Management Accounting directorate to coordinate and consolidate MTEF/ENE inputs from regions rolled up from centre level and head office rolled up from directorate 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 Region

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4.	PFMA s30(2)(g) Treasury Regulation 6.4	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 Director Management Accounting	Not Delegated	Not Delegated	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 rolled over to the next financial year on the following conditions and limitations: Capital Expenditure: Unspent funds on capital expenditure may only be rolled over to finalised projects still in progress or for other capital purposes. Transfer Payment: Savings on transfer payments may not be rolled over for purposes other than 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

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5.	PFMA s38 (1)(a)(i) Treasury Regulation 3.2	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 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 s38(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 s38(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 Subprogramme 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 Programme and subprogramme managers to develop effective and efficient internal controls and processes within relevant areas of

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8.	PFMA s38(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 Subprogramme 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)	responsibility
9.	PFMA s38(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 Subprogramme 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)	
10.	PFMA s38(1)(c)(i) 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

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11.	PFMA s76(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 Amount exceeding R50 000 per case	Accounting Officer	Chief Financial Officer Chief Financial Officer Accounting Officer	Regional Commissioner Not Delegated Not Delegated	Area Commissioner Not Delegated Not Delegated	
12.	PFMA s76(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 s76(1)(e) Treasury Regulation 11.5	Interest charged on debts at the interest rate determined by the Minister of Finance	Accounting Officer	Director Financial Accounting	Regional Heads: Finance and Supply chain Management	Area Coordinator Finance and Supply Chain Management	
14.	PFMA s38(1)(c)(i) Treasury Regulation 9.1	Ensure that effective and appropriate steps are taken to prevent unauthorised, irregular and fruitless and wasteful	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy	Responsibility Managers (Area Commissioner Area Coordinator	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

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		expenditure and losses resulting from criminal conduct			Regional Commissioner Regional Heads	Head of Correctional Centre Centre Coordinator Head of Community Corrections	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 Head Office: 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 Region: Regional Head: Finance and Supply Chain Management must keep and maintain separate unauthorised, Irregular fruitless and wasteful expenditure registers Management Area: Area Coordinator: Finance and Supply Chain must keep and maintain separate registers for unauthorised, Irregular, fruitless and wasteful expenditure
15.	PFMA s38(1)(c)(iii) Treasury Regulation 10.1.1(b)	Manage available working capital efficiently and economically	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional Commissioner Regional	Responsibility Managers (Area Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator	Spend according to the approved spending plans and procurement plans. Expenditure thresholds to be in line with Annexure A DC: Supply Chain Management to develop inventory management policy, norms and standards

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16.	PFMA s38(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 Subprogramme 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 official's area of responsibilities
17.	PFMA s38(1)(e) Treasury Regulations 8.2.1	Comply with any tax, levy, duty, pension and audit commitments as may be required by legislation	Accounting Officer	DC: Financial and Management Accounting Director: Financial Accounting CDC: Human Resources DC: Human Resources Management Director: Human Resources Administration and Utilisation DC: Human Resources Development Director: Training Standards	Not Delegated	Not Delegated	An official may not spend or commit Department funds expert with approval of the delegated official
18.	PFMA s38(1)(f) Treasury Regulations 8.2.3	Settle all contractual obligations and pay all money owing, including intergovernmental claims, within the	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers Responsibility Managers	Responsibility Managers (Regional Commissioner Deputy Regional)	Responsibility Managers (Area Commissioner Area Coordinator Head of	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

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19.	PFMA s38(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	<p>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 to National Treasury according to Treasury Regulation 9.1.2. and as required in terms of section 40 (4) (b) of the PFMA</p> <p>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</p> <p>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, and wasteful expenditure must still be reported to Head office together with the monthly IYM submission</p> <p>Management area The unauthorised, irregular, fruitless and</p>

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20.	PFMA s38(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 wasteful expenditure	Accounting Officer	Programme Managers Subprogramme 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)	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 investigated by Departmental Investigation Unit. All other cases shall be investigated by different Managers
21.	PFMA s38(1)(i) Treasury Regulations	Comply with the provisions of the annual Division of Revenue Act when	Accounting Officer	Chief Financial Officer CDC: Human Resources	Not Delegated	Not Delegated	Not applicable

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22.	8.5.1 PFMA s38(1)(i) Treasury Regulation 8.5.1	funds are transferred Before funds are transferred, obtain written assurance that the entity implemented 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 s38(1)(i)	Consider all relevant financial considerations, including issues of propriety, regularity and value for money, when policy proposals are considered	Accounting Officer	Programme and subprogramme managers	Not Delegated	Not Delegated	All submissions must via the Chief Financial Officer
24.	PFMA s38(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 s38(1)(m)	Promptly consult and seek prior written consent of the National Treasury on	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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26.	PFMA s38(2) Treasury Regulation 8.2.1	any new entity, which the Department intends to establish or in the establishment of which it took the initiative May not commit the Department to any liability for which money has not been appropriated	Accounting Officer	Programme Managers Subprogramme 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
27.	PFMA s39(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 Subprogramme 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 s39(1)(b) Treasury	Take effective and appropriate steps to prevent unauthorised	Accounting Officer	Programme Managers Subprogramme Managers Activity Managers	Responsibility Managers (Regional)	Responsibility Managers (Area)	Do not commit the department when funds are not available Do not authorise over expenditure where there is

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	Regulation 9.1.1	expenditure		Responsibility Managers	Commissioner Deputy Regional Commissioner Regional Heads)	Commissioner Area Coordinator Head of Correctional Centre Centre Coordinator Head of Community Corrections)	no guarantee of funds to be shifted. Implement effective, efficient and transparent processes of financial and risk management
29.	PFMA s39(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 Subprogramme 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 s39(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	

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31.	PFMA s39(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 subprogramme 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 s40(1)(a) Treasury Regulation 17.1.1, 17.1.2 and 17.1.3	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) Corporate Services Head of Correctional Centre Head: Support Staff Head of Community Correction	In line with the instruction note issued annually by National Treasury
33.	PFMA s40(1)(b) Treasury Regulation	Prepare financial statements for each financial year in accordance with	Accounting Officer	Chief Financial Officer	Regional Commissioner Regional Head: Finance	Not Delegated	Head office Chief Deputy Commissioner must prepare and submit to Director Financial Accounting branch specific financial statements inputs

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	18.2	generally recognised accounting practice			and Supply Chain		DC: Financial and Management Accounting reviews consolidated monthly, quarterly and annual financial statements Regions 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 s40(1)(c)	Submit financial statements within two months after the end of the financial year to National Treasury and the Auditor-General for auditing	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 DC: Financial and Management Accounting and the Chief Financial Officer to audit before presentation to Audit Committee
35.	PFMA s40(1)(d)(ii)	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	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

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36.	PFMA s40(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	Director: Financial Accounting to prepare submission of audited financial statements and audit report for the Executive Authority
37.	PFMA s40(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	<p>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, subprogramme and programme as per the approved ENE Activity and Responsibility managers to prepare and sign off their respective spending plans</p> <p>Regions: Regional Head: Finance and Supply Chain Management to consolidate regional spending plans for sign off by Regional Commissioners</p> <p>Management Area: Area Coordinator: Finance and Supply Chain Management to consolidate management area spending plan for sign off by Area Commissioner</p>
38.	PFMA s40(4)(b)	Submit to National Treasury each	Accounting Officer	Chief Financial Officer	Not Delegated	Not Delegated	<p>Head office Monthly signed off IYM report to be submitted to</p>

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				Head Office (5)	Region (6)	Management Area (7)	
40.	PFMA s42(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	Chain Management Financial Officer, a copy to be forwarded to the Accounting Officer for information and noting time lines
41.	PFMA s42(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 s42(2)	Sign the inventory when assets are transferred or received	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
43.	PFMA s42(3)	File a copy of the signed inventory with National Treasury	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	

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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)	
44.	PFMA s 43(1) Treasury Regulation 6.3	and the Auditor-General within 14 days of the transfer when transferring assets Utilise a saving in the amount appropriated under a main division within the vote towards the defrayment of excess expenditure under another main division within the same vote, unless National Treasury directs otherwise	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 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 Executive Authority If it is determined that Programmes, Sub programmes or items are over spending at a national level, funds cannot be shifted at all. The amount of a savings under a main division of a vote that may be utilised may not exceed

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				Head Office (5)	Region (6)	Management Area (7)	
45.	PFMA s43(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	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 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.
46.	PFMA s76(1)(j) Treasury Regulation 22.1	Implement relevant prescripts regarding granting of approval for payments and remissions as an act of grace	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	All submissions to Accounting Officer to be routed via the Chief Financial Officer
47.	PFMA s76(1)(l)	Approve the granting of gifts, donations and sponsorships in cash	Accounting Officer				

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				Head Office (5)	Region (6)	Management Area (7)	
	Treasury Regulation 21.1.1	by the Department					
		granting of gifts, donations and sponsorships in cash amount up to R50 000		Up to R50 000 Chief Financial Officer	Not Delegated	Not Delegated	
		granting of gifts, donations and sponsorships in cash up to and including R100 000	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	
48.	PFMA s76.1(i) 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	In consultation with the Chief Financial Officer
49.	PFMA s76.1(i) Treasury Regulation 21.1.2	Approve the acceptance of any gift, donation or sponsorship to the Department in cash	Accounting Officer				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

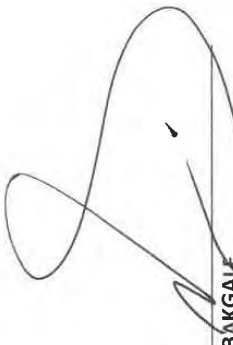
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Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
				Head Office (5)	Region (6)	Management Area (7)	
		up to a maximum amount of R20 000 cash per case		Director Financial Accounting (cash donation)	Regional Head: Finance and Supply Chain Management (cash donation)	Not Delegated	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. 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 gifts, donations, or sponsorships up to R100 000 as stipulated in Treasury Regulations,
		up to a maximum amount of R40 000 cash per case		DC: Financial and Management Accounting (cash donation)	Deputy Regional Commissioner (cash donation)	Not Delegated	
		up to a maximum amount of R60 000 cash per case		Chief Financial Officer	Not Delegated	Not Delegated	
		exceeding the amount of R60 000 per case	Accounting Officer	Not Delegated	Not Delegated	Not Delegated	


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ANNEXURE A

DEPARTMENT OF CORRECTIONAL SERVICES

DELEGATIONS RELATED TO EXPENDITURE CONTROL

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

NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	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)	National Commissioner	Regional Commissioner	Area Commissioner	Limited to the allocated budget National Commissioner to appoint Programme Managers, Subprogramme managers and Regional Commissioners
2	Appoint in writing Responsibility and Activity Managers to execute financial responsibility and management of budgets and control within their units	Programme Managers (CDCs) in Head Office appoint Sub programme managers	Regional Commissioners appoint Deputy Regional Commissioners as the Regional Budget Managers	Area Commissioners appoint Area Coordinators, Heads of Centres and Community Corrections Offices	Limited to the allocated budget. On budgetary and finance matters all Area Commissioners report directly to the Deputy Regional Commissioners
		Subprogramme managers in Head Office appoint Activity managers	Deputy Regional Commissioners appoint Regional Heads, Area Commissioners as responsibility managers	Heads of Centres appoint Centre Coordinators Heads of Community Corrections appoint Re- Integration Case officers,	

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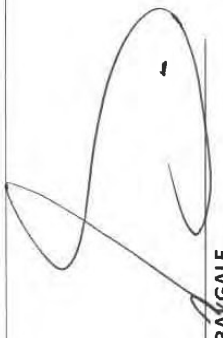
NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
				Social Workers and Court officials	
		Activity managers in Head Office appoint responsibility managers	Activity managers in Regions appoint responsibility managers		
3	Approval of Petty Cash <ul style="list-style-type: none"> Request of petty cash Issuing of petty cash Approval of expenditure 	Director level upwards	Cost Center manager upwards	Cost Center manager upwards	Maximum R2 000
		Cashier	Cashier	Cashier	
		• Director level upwards	• Cost Center and Responsibility Manager	• Cost Center and Responsibility Manager	
4	Approval of non-petty cash expenditure	• Director Upward	• Director upwards	• Area Commissioner	An official may not spend or commit Departmental funds except with approval of the delegated official
10	Approval of payments or sundry payments <ul style="list-style-type: none"> Functional approval, contracts etc to be available Officials to be appointed in writing by delegated authority	Up to R9,999 million			
	Approval of expenditure	• CDC • CFO • DC • Director	• Regional Commissioner • DRC • Regional Head	• Area Commissioner • Head of Centre • Head Community Corrections	

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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
		<ul style="list-style-type: none"> • Senior: Admin Officer Salaries • Senior Admin Officer: Service Termination • Senior Admin Officer: Leave Administration • SSA: Deduction Control • SSA: Compensation Control • ASD: Remuneration Control • SAO: Remuneration Control • Administrator: Facilities Fund 	Resource Management and Support		
	(d) Authorisation of PERSAL payments exceeding ACB limits	<ul style="list-style-type: none"> • National Salary Controller • National PERSAL Controller 	<ul style="list-style-type: none"> • Not delegated 	<ul style="list-style-type: none"> • Not delegated 	After verification that necessary documents are approved and meet criteria for approval


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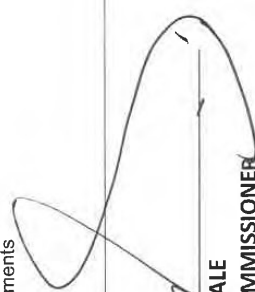
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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
	(e) Approval for the implementation of bulk and programmatic payments	<ul style="list-style-type: none"> Director: PERSAL Management 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	All material COLA payments must be approved by the National Commissioner
	(f) Payments for capital works projects	<ul style="list-style-type: none"> DC: Facilities 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Project should form part of the initial infrastructure approved project plan included in the ENE and APP Up to R9,999 million Subprogramme 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 From R10 million and above Subprogramme manager Facilities to endorse the invoice Director Management Accounting to confirm the availability of budget in consultation with the CFO.
11	Prepayments and advances	<ul style="list-style-type: none"> Chief Financial Officer National Commissioner 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	Motivation for prepayment or advance to be provided by the relevant Branch Head with relevant supporting documents via the CFO office

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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
12	Allowable rates for Domestic Accommodation and Meals <ul style="list-style-type: none"> Ensure cost containment measures are adhered to by Branches and Regions 				
	(a) Approval of catering expenses	<ul style="list-style-type: none"> Branch Heads 	<ul style="list-style-type: none"> Regional Commissioner 	<ul style="list-style-type: none"> Area Commissioner 	Deviation from upper limits for meals is not permitted where catering is done: (a) Cost for meals (all inclusive) R 320.00 per day per person, (b) Cost for breakfast R80.00 per day per person (Breakfast to be provided only to resident learners/officials in colleges or training centres), (c) Cost for lunch R 100.00 per day per person, (d) Cost for dinner R140.00 per person per day.
	(b) Approval of international conferences and study tours funded by the department	<ul style="list-style-type: none"> Executive Authority 	<ul style="list-style-type: none"> Not Delegated 	<ul style="list-style-type: none"> Not Delegated 	On recommendation by the National Commissioner as included in the national, regional or branch events calendar annually by the end of February each year
	(c) Approval of Domestic Air Travel	See delegations under CSA	See delegations under CSA	See delegations under CSA	See delegations under CSA
	Emergency domestic travel logistical arrangements	<ul style="list-style-type: none"> Director Logistics 	<ul style="list-style-type: none"> Regional Head: Finance and Supply Chain 	<ul style="list-style-type: none"> Area Coordinator: Finance and Supply Chain 	<ul style="list-style-type: none"> Functional approval first to be sought from delegated official for the trip Chief users directly contact the relevant TMCs assigned to their


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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
					branch/region for emergency booking <ul style="list-style-type: none"> The following working day LOG1 and relevant supporting documents to be submitted to Logistics
	(d) Approval for deviation from 1 or 2 star accommodation for junior management or below who travel with officials qualifying for 3 star accommodation for the same objective for accommodation together at the same venue	<ul style="list-style-type: none"> Branch Head 	<ul style="list-style-type: none"> Regional Commissioner 	<ul style="list-style-type: none"> Not delegated 	A motivation must be provided before approval is granted
	(e) Approval of accommodation where distance is less than 300 kilometres return trip	<ul style="list-style-type: none"> Chief Financial Officer 	<ul style="list-style-type: none"> Regional Commissioner 	<ul style="list-style-type: none"> Not delegated 	A motivation must be provided before approval is granted and the relevant delegated authority must ensure that deviation is cost effective
	(f) Deviation from upper limits for official kilometres travelled not exceeding 30%	<ul style="list-style-type: none"> Chief Financial Officer 	<ul style="list-style-type: none"> Regional Commissioners 	<ul style="list-style-type: none"> Not delegated 	<p>Motivation for deviation to be provided to the relevant delegated authority explaining the reasons for additional kilometres required not in excess of 30%</p> <p>All deviations granted must be reported as a separate attachment to the monthly IYM report to Head Office FCO:</p> <p>List of all deviations granted for previous month specifying:</p> <ul style="list-style-type: none"> the name of the official the quantum of additional kilometres granted, as well as the estimated additional financial implications for the year

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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
		<ul style="list-style-type: none"> National Commissioner 	<ul style="list-style-type: none"> Not Delegated 	<ul style="list-style-type: none"> Not Delegated 	Capped kilometres per annum for all officials including SMS and MMS are detailed in Annexure B
13	(g) Deviation from upper limits for official kilometres travelled exceeding 30% Approve fund shift within an economic classification item of a programme	<ul style="list-style-type: none"> Programme manager (CDCs) Subprogramme manager (CDCs and DCs) Activity manager (Director) Responsibility manager (Directors and DD) 	<ul style="list-style-type: none"> Regional Commissioner Deputy Regional Commissioner All Regional Coordinators Regional Coordinator Responsibility manager (RC, DRC, Regional Heads) 	<ul style="list-style-type: none"> Area Commissioner, Area Co coordinator All managers Area Coordinators (Sectional Heads) Head Community Corrections Responsibility manager (Community Corrections offices) 	<ul style="list-style-type: none"> As above with recommendation of the Chief Financial Officer In line with the relevant Financial SOP If above R2 million must be served before Budget Committee (In consultation with the CFO)
14	Approve Virements between Programmes of the vote	<ul style="list-style-type: none"> National Commissioner 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	In line with PFMA sec 43, TR 6.3.1 and DCS SOP
15	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 	Specifically, and exclusively appropriated
16	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 	In line with FAP chapter 3 paragraph 3.4.2 Director Management Accounting in consultation with the CFO and DC FMA to

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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
					seek prior Budget Committee endorsement and National Treasury's approval
17	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 	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 National Treasury's approval
18	(a) 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 	In line with the FAP chapter 3, amended in 2010 paragraph 3.3.3, the Director Management in consultation with the CFO and DC FMA will have to obtain a formal mandate from the Budget Committee for the finalization of the budget shifts/transfer
	(b) Approval of reprioritization of budget to payments of capital assets for the procurement of: <ul style="list-style-type: none"> Machinery and Equipment Biological Assets Software and Intangible Assets 	<ul style="list-style-type: none"> National Commissioner 	<ul style="list-style-type: none"> Not delegated 	<ul style="list-style-type: none"> Not delegated 	
19	Processing and payments of arbitration awards 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 	<ul style="list-style-type: none"> Regional Co-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

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NO	DESCRIPTION	DELEGATION			REMARKS/FINANCIAL LIMITS (PER TRANSACTION)
		HEAD OFFICE	REGIONS	MANAGEMENT AREAS / CORRECTIONAL CENTRES	
20	Processing and payments of court orders and out of court settlement agreements on PERSAL and BAS in Head Office	<ul style="list-style-type: none"> DC: Legal 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 Co-coordinators Legal Services in the regions and Head Office must facilitate and consolidate all court orders (including out of court settlement agreements) and submit under the signature of RC and relevant CDC to DC Legal Services: Head Office for validation and confirmation. 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.
21	Payment from revenue with regard to fines and incorrect deposits	<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 	
22	Payroll certification	<ul style="list-style-type: none"> CFO for the departmental certification CDC for respective office DC for respective office Director for respective directorates 	<ul style="list-style-type: none"> Regional Commissioner for the region DRC for respective offices Regional Head for respective responsibilities 	<ul style="list-style-type: none"> Area Commissioner for management area Area Coordinator for respective components Head of Centre for respective correctional centre 	<ul style="list-style-type: none"> For the 15th payday - Certification from Head office and regions to be submitted to Director: Human Resources Administration and Utilisation by the 20th of each month For the month end payday - Certification from Head office and regions to be submitted to Director: Human Resources

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		HEAD OFFICE	REGIONS MANAGEMENT AREAS / CORRECTIONAL CENTRES	
			<ul style="list-style-type: none"> Head of Community Corrections for respective office 	<ul style="list-style-type: none"> Administration and Utilisation by the 5th of each month For supplementary payments - Certification from Head office and regions to be submitted to Director: Human Resources Administration and Utilisation within a week after supplementary payments were effected A week after the above timelines payroll certification must be submitted by the CDC; Human Resources to the Chief Financial Officer who in turn must certify for the whole department within a week

The above delegations override all other delegations previously issued.

Approved by: _____

National Commissioner

MS Thobakgale

Date: 26/07/2023

MS THOBAKGALE

NATIONAL COMMISSIONER

DATE: 26/07/2023

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

Note: All general abbreviations and conditions applicable to the principal delegations is applicable to this Annexure B

HEAD OFFICE AND REGIONS SPECIFIC KILOMETRES

HEAD OFFICE	Allocated Kilometres per annum (dependent on available funds)
Designation	
Head Office branches other than Assurance Services	6 000
Assurance Service Units: Internal Audit, Inspectorate	13 200
Code Enforcement (CEU) including Chairpersons, Initiators and Witnesses of	18 000
Code Enforcement hearings and Departmental Investigation Unit (DIU)	

ALL REGIONS EXCLUDING GAUTENG	Allocated Kilometres per annum (dependent on available funds)
Designation	
RC, DRC, Regional Head: Facilities, Regional Coordinators: Legal Services and Employee Relations	12 000

REGION: WESTERN CAPE	Allocated Kilometres per annum (dependent on available funds)
Management Areas	
Regional office	10 200
Pollsmoor, Goodwood, Drakenstein and Brandvlei	9 000
West Coast, Vroburg and Overberg	11 400
Southern Cape	14 400

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REGION: EASTERN CAPE	
Management Areas	Allocated Kilometres per annum (dependent on available funds)
Regional office	10 200
St Albans, East London, Kirkwood and Amathole	10 200
Sada and Mthatha	12 000

REGION: FREE STATE and NORTHERN CAPE	
Management Areas	Allocated Kilometres per annum (dependent on available funds)
Regional office	10 200
Grootvlei, Kimberley and Goedemoed	10 200
Colesberg	10 800
Groenpunt, Bizzah Makhate	12 000
Upington	18 000

REGION: LIMPOPO / MPUMULANGA / NORTH WEST	
Management Areas	Allocated Kilometres per annum (dependent on available funds)
Regional office	10 200
Witbank, Rustenburg	10 200
Klerksdorp, Bethal, Polokwane	11 400
Barberton, Rooigrond, Thohoyandou	13 200

REGION: KWAZULU / NATAL	
Management Areas	Allocated Kilometres per annum (dependent on available funds)
Regional office	10 200
Durban, Pietermaritzburg	6 000
Empangeni, Kokstad, Glencoe	9 600
Ncome, Waterval	10 800

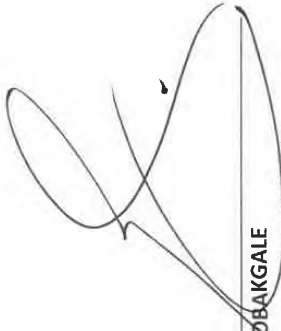
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REGION: GAUTENG	
Management Areas	Allocated Kilometres per annum (dependent on available funds)
RC, DRC, Regional Head: Facilities, Regional Coordinators: Legal Services and Employee Relations	6 000
Regional office	6 000
Johannesburg, Krugersdorp, Leeuwkop	7 200
Boksburg, Modderbee	6 000
Zonderwater, Baviaanspoort	3 600
Kgosi Mampuru	2 400


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Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
4.	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 National Treasury	Accounting Officer	DC: Supply Chain Management Director: Procurement Director: Logistics Director: Contract Management	Regional Head Finance	Not Delegated	Comply with relevant Treasury instructions
5.	Treasury Regulations 16A6.2(c)	Appointment of Bid Adjudication Committee members	Accounting Officer	National Commissioner	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
6.	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	Director: Contract Management	Not Delegated	Not Delegated	Comply with relevant Treasury instructions
7.	Treasury Regulation 16A9.1(a)	Take all reasonable steps to prevent abuse of the supply chain management system	Accounting Officer	CFO	Not delegated	Not delegated	Comply with relevant Treasury instructions
8.	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	CFO	Regional Commissioner	Not delegated	<ul style="list-style-type: none"> • CFO to refer all such cases to the Departmental Investigation Unit in terms of sections 95A of the Correctional Services Act.

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9.	Treasury Regulation 16A11.1	Submission of Supply Chain Management information to National Treasury in the format and intervals as may be required.	Accounting Officer	Director: Procurement	Not Delegated	Not Delegated	<ul style="list-style-type: none"> Including but not limited to <ul style="list-style-type: none"> • Deviations • Variations and expansion of contracts • Irregular, unauthorised fruitless and wasteful expenditure etc • Demand plan covers all the departmental procurement needs above and below R1 million
10.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the annual Demand Management Plan for the Department	Accounting Officer	CFO	Not Delegated	Not Delegated	
11.	National Treasury Circular: Guidelines on the implementation of Demand Management	Approval of the Commodity Sourcing Strategy and consolidation of procurement.	Accounting Officer	DC SCM	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
12.	National Treasury Instruction Note 32 of 2011.	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 department's budget and annual performance plan • Must include all expenditure on goods, works and services in excess of R1M

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	SCM Instruction 2 of 2016/17.						<ul style="list-style-type: none"> Must be submitted to National Treasury by 31 March of each year.
13.	National Treasury Instruction Note 32 of 2011 SCM Instruction 2 of 2016/17	Approval of quarterly reports on the Procurement Plans to National Treasury	Accounting Officer	Chief Officer	Financial	Not delegated	<ul style="list-style-type: none"> 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.
14.	Implementati on of supply chain management para.4(4.1) (a)/(b)	Granting functional approval or business case to proceed with a bid process and to appoint BSC and BEC members.	Accounting Officer	Above R1 000 000 to R10 million CFO	Above R1 000 000 to R10 000 000 Regional Commissioner	Not delegated	<ul style="list-style-type: none"> Requirement must appear on Procurement Plan. Bid Specification and Bid Evaluation Committees must be cross-functional and should be composed of SCM practitioners (including member/s and secretary) and officials from the user department requiring goods and services. Bid Specification and Bid Evaluation Committees must be appointed in writing by the delegated authority. 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.

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15.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Compilation of bid specifications/task directive/Terms Reference	Accounting Officer	Unlimited: Bid Specification Committee	<p>Appointment of SBAC and NBAC resides with the National Commissioner</p> <ul style="list-style-type: none"> Above delegation Regions must sent to HO for approval and or consideration. In the case of bids for consultants, professional services and larger projects, the National Commissioner irrespective of the amount, must approve the appointment of the members to serve on the BSC. Adherence to SCM Manual Compilation of bid specifications/ task directive/ Terms of Reference must involve a cross functional team including end -users and SCM official/s.
16.	National Treasury Circular dated 29 July 2011 Procurement Manual, Paragraph 4.1.1.1.3	Approval of bid specifications/task directive/Terms Reference and Special Conditions of Contract	Accounting Officer	Unlimited National Bid Adjudication committee	<p>Adherence to the stipulations of Chapter 4 of the Procurement Manual</p>
17.	Treasury Regulations 16A6.5	Approval to participate in transversal term contracts facilitated by National Treasury	Accounting Officer	Chief Financial Officer	<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.

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	National Treasury Circular 3 of 2016						<ul style="list-style-type: none"> The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
18.	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 Officer	Financial	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.
19.	National Treasury Practice Note 5 of 2009/2010	Approval to participate in transversal term contracts facilitated by SITA	Accounting Officer	Chief Officer	Financial	Not delegated	<ul style="list-style-type: none"> In consultation with the CDC: GITO Once a contract has been designated as transversal in nature, the department is obliged to participate in such transversal contract. The department may not solicit bids for the same or similar product or service during the tenure of the transversal contract
20.	SITA Act	Appointment of Member and Secundi to serve on the Bid Specification and Bid Evaluation Committees of SITA	Accounting Officer	Chief Officer	Financial	Not delegated	<ul style="list-style-type: none"> In consultation with GITO 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.
21.	Treasury Regulations 16A6.6	Approval to participate in period contracts arranged by other Departments	Accounting Officer	Unlimited: National Adjudication Committee	Bid	Not delegated	<ul style="list-style-type: none"> Such a contract should have been arranged through a competitive bidding process by the other organ of the state, subject to the written approval of such organ of the state and the relevant contractors including the accounting Officers recommendations

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22.	Treasury Regulations 16A6.1	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of goods /services above the transaction value of R2 000-by means of petty cash	Accounting Officer	Director: Procurement	Regional Head Finance and SCM	SPAO	<ul style="list-style-type: none"> Procurement of assets is excluded from this delegation
23.	Treasury Regulations 16A6.1	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of goods/ services.	Accounting Officer	Above R2 000 00 to R100 000.00 Deputy Director: Tender Management & DD Demand Management	Above R2 000 00 to R100 000.00 Regional Head Finance	Above R 2 000.00 to R50 000.00 Area Co-ordinator: Finance and SCM	<ul style="list-style-type: none"> In line with applicable legislation, quotes to be sourced from credible suppliers as far as possible. procurement processes must be adhered to <p>This delegation includes cases where less than three (3) quotations were received.</p>
24.	Treasury Regulations 16A6.1	Approval of price quotations for acquisition of goods, works or services and the hiring or letting of anything until R1 million	Accounting Officer	Above R100 000- 00 to R1 000 000- 00 per case: Departmental Procurement Control Committee (DPCC)	Above R100 000-00 to R1 000 000-00 per case: Departmental Procurement Control Committee (DPCC)	Above R100 000-00 to R1 000 000-00 per case: Departmental Procurement Control Committee (DPCC)	<ul style="list-style-type: none"> In line with all application SCM policies and regulations including legislations This delegation included cases where less than three (3) quotations were received.

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25.	Treasury Regulations 16A6.	Approval of price quotations for sale of goods above the transaction value up to R1M per case.	Accounting Officer	Disposal Committee	Disposal Committee	Disposal Committee	<ul style="list-style-type: none"> A disposal certificate issued by the disposal committee must be provided to SCM/Procurement before the selling of disposed items can commence. 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 price quotations, valid reasons must be recorded and approved by the delegated official. Ensure that the Databases for Restricted Suppliers and Tender Defaulters have been properly checked via CSD prior to awarding any contract. Above R1 million CFO must grant approval.
26.	Treasury Regulations 16A6.3 (a) and (b), and 16A10.1 National Treasury	Approval of bid documentation by way of signing the covering letter, to check its compliance with National Treasury Regulations and other related prescripts.	Accounting Officer	Director: Procurement	Regional Head Finance and SCM	No delegation	<ul style="list-style-type: none"> In line with the applicable process
27.	Treasury Regulations 16A6.3 (c)	Approving the advertisement of the invitation to bid in the Government Tender bulletin, on the e-Tender Publication Portal and on Department's website	Accounting Officer	D: Procurement	Regional Head Finance and SCM	No delegation	<ul style="list-style-type: none"> Prescribed forms must be utilized. Ensure that correct category is selected. Ensure all compliance are adhere to

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		(Internet) for at least 21 days					
28.	Treasury Regulations 16A6.2	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	D: Procurement	Regional Finance and SCM	No delegation	<ul style="list-style-type: none"> All written communication 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
29.	Treasury Regulations 16A6.2 and 16A9.1 (d), (e), 16A9.2 and 16A10.1	<p>Consideration of bids through a Bid Adjudication Committee, including the following:</p> <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 management system or have committed fraud or any other improper conduct in relation to the system or have failed to 	Accounting Officer	Unlimited National Bid Adjudication Committee	Above R1Million to R10 million: Sub-Bid Adjudication Committee	No delegation	<ul style="list-style-type: none"> 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 form. Should the SBAC be of the opinion that the bid should be awarded to a bidder other than the recommended bidder, the recommendations of the relevant SBAC must be sent to CFO for further approval. Should the NBAC 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. All price adjustments (regardless of amount) must be approved in line with this delegation.

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		perform on any previous contract. • Ensure tax matters are in order.					
30.	DCS Procurement Manual	Negotiation of prices with successful bidders prior to signing of agreement/contract in line with the conditions.	Accounting Officer	Negotiation Team	Negotiation Team	No Delegation	<ul style="list-style-type: none"> Contracts can only be entered into after negotiations of prices. Bidder need to confirm new prices in writing. Conditions of the contract must not be compromised.
31.	SCM Procurement Manual	Approval of negotiated bid price	Accounting Officer	Up to R50 million: Chief Financial Officer	Up to R10 million DC: SCM	No delegation	<ul style="list-style-type: none"> market related, reasonable and cost-effective prices may be accepted
32.	Treasury Regulation 16A6.10.1	Sigining of contracts and SLA	Accounting Officer	All contracts irrespective of value Director: Contract management	Up to R 3 million: Regional Finance and SCM Head: and	No delegation	<ul style="list-style-type: none"> R 2 million above Director: Contract Management must sign

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				All contracts irrespective of value	All contracts irrespective of value	No delegation	
33.	SCM Procurement Manual	Signing of leases copier machines including vehicle leases	Accounting Officer	Director Contract management	Regional Head: Finance and SCM		<ul style="list-style-type: none"> Subject to proper procurement process are followed
34.	Treasury Regulations 16A6.3(d)	Ensure publication of bids awards in the Government Tender bulletin, on the e- Tender Publication Portal, Department's website (Internet) and any other media in which the bid invitation was advertised.	Accounting Officer	Director: Procurement	Regional Head Finance and SCM		<ul style="list-style-type: none"> Following information must appear in the advertisement: <ul style="list-style-type: none"> - Contract number and description - Contract price(s); etc
35.	Procurement Manual	Cancellation of price quotations.	Accounting Officer	Director: Procurement	Regional Co- ordinator SCM	Area Co-ordinator: Finance and SCM.	<ul style="list-style-type: none"> Price quotations may be cancelled due to multiple reasons, the delegated authority to obtain facts before cancellation.
36.	Procurement manual	Cancellation of bids received.	Accounting Officer	National Commissioner	National Commissioner	No delegation	<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 where there is no longer a need for the goods, works or services that were bided for; - 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

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37.	Treasury Regulations 16A6.3(d) National Treasury Instruction Note dated 31 May 2011	Ensure publication of cancellation of bids in the Government Tender bulletin, on the e-Tender Publication Portal, Department's website (Internet) and any other media in which the bid invitation was advertised.	Accounting Officer	Director: Procurement Regional Finance and SCM	<ul style="list-style-type: none"> unfair, the National Commissioner may cancel the bid process and start afresh. Cancellation need to be advertised in the Government Tender Bulletin, eTender portal Departmental Website and any other media in which the bid invitation was advertised. Following information must appear in the advertisement: <ul style="list-style-type: none"> - Contract number and description
38.	Treasury Regulations 16A6.3 (c)	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
39.	Treasury Regulations 16A6.4 PFMA SCM Instruction No 3 of 21/22	Deviations from Procurement Process (including emergency and urgent cases) In a specific case is impractical to invite competitive bids and goods or service are required DCS may procure by other	Accounting Officer	Quotations Above R2 000-00 to R100 000.00: Director: Procurement Above R200 000-00 to R500 000.00	<ul style="list-style-type: none"> The reasons for the deviation must be in writing, and approved by the delegated authority. Ensure that prices are market related prices and RFQ to be sent to credible suppliers. Sole service providers evidence must be attached. The reasons for deviation must be justifiable for the delegated authority to consider.

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		means reasons for deviating must be recorded and approved by delegate authority		DC: SCM	Not delegated	Not delegated	<ul style="list-style-type: none"> Amongst others during urgent or emergency procurement or other reason deviation may be used. Regions and management areas, where there is no delegation, must submit their cases to HO for consideration. Training including seminars, conferences etc provided justifiable reasons are submitted.
				Above R500 000.00 to R1million CFO	Not delegated	Not delegated	
				<u>Bids</u>	<u>Bids</u>	<u>Bids</u>	
				Above R1million to R5 million CFO	Not delegated	Not delegated	
				Above R5 million: National Commissioner	Not delegated	Not delegated	
40.	Treasury Regulations 16A6.4	Repair and maintenance of technical equipment of which the defect is unknown and it is impractical to obtain 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: Director: Procurement	Above R30 000-00 to R100 000-00: Regional Finance and SCM	Not delegated	<ul style="list-style-type: none"> 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, a suitable service provider must be approached to do the diagnostic report. should it be economical to repair, the same supplier can be approached. Rotation of suppliers should be adhered to. Evidence must be kept for audit purposes. PPFA need to be adhered to for all price quotations above R30 000-00.

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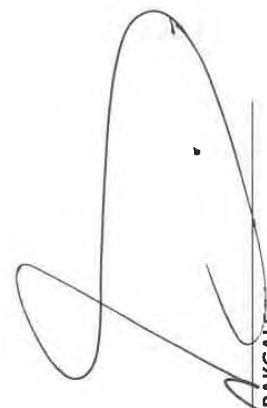
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41.	Treasury Regulations 16A6.4	Purchasing of dogs and livestock up to a financial limit of R200 000-00 per case at Production Auctions	Accounting Officer	Not applicable	Not applicable	<ul style="list-style-type: none"> • The Departmental Agriculturist should make preliminary surveys of the animals available breeding 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 before the auction takes place. A departmental agriculturist (irrespective of rank), should at least be authorised in writing by the Area Commissioner to bid at the auction with the delegated official 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 contained in the GCC. • Service Provider must be tax compliant. • 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 surgeon for acceptability.
42.	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		Up to R100 000.00 Area Commissioner	<ul style="list-style-type: none"> • 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

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					<p>animals, with reference to confidential guidelines regarding the estimated value of livestock.</p> <ul style="list-style-type: none"> • 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. • Service Provider must be tax compliant as per CSD report • PPPFA need to be adhered to for all price quotations above R30 000-00. • Any other deviation must be approved by DC: SCM • All animals procured, must be inspected by a veterinary surgeon for acceptability.
43.	Treasury Regulations 16A6.4	Purchasing of Pharmaceutical Medicines to replenish stock levels where it is not possible to utilise transversal contracts.	Accounting Officer	Director: Procurement	<p>Area co-ordinator: Finance and SCM</p> <p>Regional Head and Finance SCM</p> <p>Any deviation on the procurement model must be adjudicated by the relevant authority</p>



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				Head Office (5)	Region (6)	Management Area (7)	
LOGISTICS							
1.	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 State Institution (existing or new).	Accounting Officer	Chief Financial Officer- Unlimited	No delegated	Not delegated	<ul style="list-style-type: none">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.
2.	Treasury Regulation, paragraph 16A7.2	Approve transfer/ acceptance of state property free of charge to/ from other State Institutions as a disposal process	Accounting Officer	Up to R100 000-00 – Director: Logistics Up to R500 000-00 – DC: SCM Up to R1 000 000-00 – CFO	Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated	<ul style="list-style-type: none">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.

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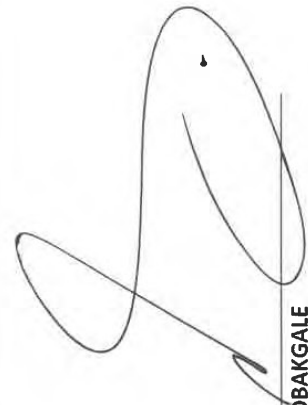
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3.	Treasury Regulations paragraph 16A7	DISPOSALS Disposal authority (all items)	Accounting Officer	From R200 000 to R500 000-00 – Director: Logistics Up to R1 000 000-00 – DC: SCM Exceeding R1 000 000-00 – CFO	Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated	<ul style="list-style-type: none"> Disposal of movable 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.
4.	Treasury Regulations paragraph 16a7.6	Disposal authority (Firearms)	Accounting Officer	– CFO	Not delegated	Not delegated	<ul style="list-style-type: none"> 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.
5.	Treasury Regulations paragraph 21.1	DONATIONS Approve donations involving perishable provisions by the state	Accounting Officer	Up to and including R50 000-00 – DC: SCM Up to and including R100 000-00 – Chief Financial Officer Exceeding R100 000-00 – National Commissioner	Up to and including R20 000-00 – Regional Commissioner Not delegated Not delegated	Not delegated Not delegated Not delegated	<ul style="list-style-type: none"> Comply with relevant Treasury Instruction.

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6.	Treasury Regulations paragraph 21.1 Circular 13 of 2009	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 National Commissioner	Not delegated Not delegated Not delegated Not delegated	Not delegated Not delegated Not delegated Not delegated	<ul style="list-style-type: none"> 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 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.
7.	Treasury Regulations paragraph 21.2	Approval of acceptance of donations	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 – National Commissioner	Up to R50 000-00 – Regional Head: Finance and SCM Up to R100 000-00 – DRC Up to R500 000-00 – Regional Commissioner	Not delegated Not delegated Not delegated	<ul style="list-style-type: none"> 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 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.



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CONTRACT MANAGEMENT					
1.	National Treasury: Contract Management Framework	Identification and classification of contracts Maintain and manage a contract register	Accounting Officer	Director Contract Management Regional 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"> Contract Type Contract value Contract duration 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 On-going Contract Management
2.	National Treasury: Contract Management Framework	Oversight of Contract Management: Oversee Contract Management performance	Accounting Officer	Director Contract Management Regional Finance and SCM Area Coordinator Finance	
3.	National Treasury: Contract Management Framework	Approval of extension of delivery period	Accounting Officer	Director Contract Management No delegation	<ul style="list-style-type: none"> Subject to the approval of Director contract Management
4.	National Treasury: Contract Management Framework	Reviewing and adjustment of contract management policies, procedures and guidelines.	Accounting Officer	Director Contract Management 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

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5.	Treasury: Contract Management Framework	Implementation of Policies, procedures and guidelines	Accounting Officer	Director Contract Management	Director Contract Management	Director Contract Management	<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 award to contract management • The policies and procedures are aligned with organisation wide governance and risk management processes and performance is reported
6.	Treasury: Contract Management Framework	Document and information management Management of contract documentation and associated terms and conditions, milestones and deliverables	Accounting Officer	Director Contract Management End user / contract owner	Regional Finance SCM Head and	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 liability management systems

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					<ul style="list-style-type: none"> 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
7.	Treasury: Contract Management Framework	Relationship management Maintaining relationships with: <ul style="list-style-type: none"> external suppliers and buyers internal service providers and receivers all other relevant stakeholders 	Accounting Officer	DC: Supply Chain management Director Contract Management End user / contract owner	<ul style="list-style-type: none"> 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 Regular 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 of buyer are clearly defined and differentiated in the contract documentation and well understood by all parties 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
8.	Treasury: Contract Management Framework	Performance Management Management of the performance of suppliers.	Accounting Officer	Director Contract Management Head and Finance Regional Finance SCM Area Finance Coordinator	<ul style="list-style-type: none"> 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

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		buyers, other stakeholders and individual contracts		End user / contract owner	<p>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 responsibilities are agreed with the supplier before contract signing and commencement of deliver 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 on self-measurement, with independent checking mechanisms and exception reporting The general market is monitored for market trends and compared to performance of current suppliers and buyers
9.	Treasury: Contract Management Framework	Payment, collection, incentives and penalties	Accounting Officer	Director Contract Management Regional Finance SCM Head and Finance Area Coordinator	<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)

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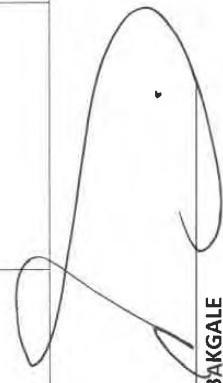
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		Management of payments, collections, incentives and penalties		End user / contract owner		<p>required, documentation submission channels, incentives, penalties)</p> <ul style="list-style-type: none"> • Payments are always (100 % of the time) made 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 • Incentive and penalty mechanisms are clearly linked to desired outcomes and specifically to the strategic objectives of the organisation
10.	National Treasury Instruction note 32 of 2011	Contract Administration 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	Unlimited National Bid Adjudication Committee	Not delegated	<ul style="list-style-type: none"> • 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.
11.	National Treasury Instruction note 32 of 2011 SCM INSTRUCTION 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	Unlimited National Bid Adjudication Committee	Not delegated	<ul style="list-style-type: none"> • SCM policies and legislation to be followed.

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12.	National Treasury circular: Guidelines on the implementation of Demand management	Grant approval to procure outside the contact	Accounting Officer	• CFO	No delegation	No delegation	<ul style="list-style-type: none"> • Subject to failure of delivery from suppliers • Or any other reasons that will justify to procure goods outside the current contractor
13.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	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.
14.	Procurement manual paragraphs 1.3 and 1.4	Transfer of contract payments	Accounting Officer	Unlimited National Bid Adjudication Committee	Not delegated	No delegation	<ul style="list-style-type: none"> • The contractor must make an application in an official 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.


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15.	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	Unlimited Bid Adjudication Committee	Not delegated	No delegation	<ul style="list-style-type: none"> 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
16.	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
17.	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	<ul style="list-style-type: none"> Subject to the approval of the Accounting Officer
18.	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	<ul style="list-style-type: none"> Subject to the approval of the Accounting Officer Refer cancellation/termination to National Treasury for possibly Blacklisting of contractor
19.	GCC Paragraph 23	Restriction of a contractor may be considered if such a contractor claimed preferences fraudulently or such a supplier failed to	Accounting Officer	Accounting Officer	No delegation	No delegation	<ul style="list-style-type: none"> In consultation with NT

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		perform according to contract conditions and specifications					
20.	GCC Paragraph 23	The amendment/upliftment of restrictions imposed	Accounting Officer	National Adjudication Committee	Bid	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 Management The matter must serve before the Bid Adjudication Committee to evaluate the reasons Directorate: Contract Management must keep database for all upliftments.
21.	GCC Paragraph 27	Settlement of disputes	Accounting Officer	Director Contract Management		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.
22.		Steering Committee Nomination of Steering Committee members	Accounting Officer	CFO	RC	No delegation	Dependent on the nature of the contract entered into
23.		Approval of Steering Committee members	Accounting Officer	CFO	RC	No delegation	Dependent on the nature of the contract entered into
24.	Concession Contract, paragraph 3.1	Contract Management : Public Private Partnership Systems Approval of any amendment of the Financing Agreement which increases or may	Accounting Officer	National Commissioner		No delegation	Prior written consent from the department must be obtained

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		increase the Lender Liabilities					
25.	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
26.	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
27.	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
28.	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
29.	Concession Contract, paragraph 7.4	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
30.	Concession Contract, paragraph 8.1	Granting approval in the case of the Contractor Change, or where the Independent Engineer	Accounting Officer	Accounting Officer	No delegation	No delegation	Prior written consent from the department must be obtained

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		reasonably determines that an application by the Contractor for Design Development under Part 3 of Schedule A constitutes a Contractor Change					
31.	Concession Contract, paragraph 9	Granting of and subsequent approval of Contractual changes	Accounting Officer	Accounting Officer	No delegation	No delegation	The Department together with department of public works shall give written notice to the contractor.
32.	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 Bid Adjudication Committee	No delegation	No delegation	The department may accept the estimates in writing to the contractor
33.	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
34.	Concession Contract, paragraph 16.2	Effecting variation in accordance with Clause 62 (Variations).	Accounting Officer	Departmental and Contractor's Named Representatives	No delegation	No delegation	Prior written consent from the department must be obtained
35.	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
36.	Concession Contract,	Notifying the Contractor of the work the Department	Accounting Officer	Named Representative/	No delegation	No delegation	Prior written consent from the department must be obtained and Contractor to bear all costs

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	paragraph 19.2	reasonable believes is required to be done consequent to the survey referred to in Clause 19.1 or Clause 52.1		Director: Contract Management			
37.	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
38.	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
39.	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
40.	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

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41.	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
42.	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
43.	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
44.	Concession Contract, paragraph 33.3	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 consultation with CDC: Human Resource	No delegation	No delegation	Prior approval to be granted by the department

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45.	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 in consultation with CDC: Human Resource	No delegation	No delegation	Prior written consent from the department must be obtained
46.	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
47.	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 in consultation with CDC: Human Resource	No delegation	No delegation	The department to be provided with the information and approve the requisite approval or certification.
48.	Concession Contract, paragraph 41	Approval of the Contractor's strategic development plan to operate the Prison	Accounting Officer	CDC: Strategic 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 opening date at least six months prior to the actual opening date.

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					<p>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 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> <p>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</p>

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					(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.
49.	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	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 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.
50.	Concession Contract, paragraph 45.1	Granting of a Termination Notice.	Accounting Officer	Accounting Officer	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

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					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.
51.	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	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.
52.	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	Accounting Officer	Accounting Officer	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)

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		(Material Governmental Action). Adverse					
53.	Concession Contract, paragraph 49.3 Schedule H	Determination of payment 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)	Accounting Officer	Accounting Officer	No delegation	No delegation	The department shall pay to the contractor the amounts as set out in schedule H (Payments on Department Event of Default/Material Adverse Governmental Action Termination).
54.	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.
55.	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
56.	Concession Contract, paragraph 57.2	Approval of communication with representatives of the press, television, radio or other communication media	Accounting Officer	DC Communication Services with prior consent by	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.

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		on any matter concerning the Contract by the Contractor.		Director : Contract Management			
57.	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.
58.	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.
59.	Concession Contract, paragraph 62.2.2 (Paragraph 62.2 in respect of Kuthama-Sinthumule)	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
60.	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

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61.	Concession Contract, Part 2 Schedule B	Approval of the 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.
62.	Concession Contract, Schedule C Paragraph C.1	Approval of Maintenance Programme	Accounting Officer	Director: Facilities Management	No delegation	No delegation	<p>The contractor will compile a maintenance management manual according to the department guideline "Maintenance Management Strategy Plans" (MMSP) document as well as other relevant date according to Schedule C containing a well prepared "Maintenance Programme".</p> <p>The Maintenance 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, maintenance, repair, refurbishment and replacement services in relation to the prison and the site including the roads, fences, walls, buildings, and all other plant, fixtures, fittings, chattels and other associated</p>

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							equipment including transport and mobile equipment and apparatus.
63.	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	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.
64.	Concession Contract, Schedule D Goal 1.3	Approval of system of monthly review of offenders, to include categorization and further allocation.	Accounting Officer	DC: Personal 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 sentence plan. This system will comply with department policy The categorisation system will include but not limited to: Provisional classification (under no circumstances will Prisoners classification be delayed for a period longer than 72 hours Admissions and induction process Internal allocation assignment and sentence plan. Policy reviewed annually
65.	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

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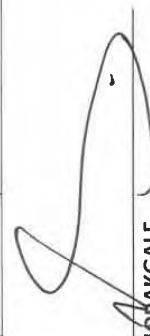
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66.	Concession Contract, Schedule D Goal 1.8.5	Approval of a full movement control policy to be included in the general operational instructions	Accounting Officer	CDC Incarceration and Corrections	No delegation	No delegation	A full movement control policy will be included in the general Operational Instructions submitted to the department for approval three months from effective date. Policy reviewed annually
67.	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.
68.	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
69.	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
70.	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 damage. Policy reviewed annually
71.	Concession Contract, Schedule D Goal 2.5.2	Approval of a procedure, which specifies when and what action is to be taken	Accounting Officer	DC: Chief Security Officer	No delegation	No delegation	Loss or damage to items that might infringe upon security will be investigated immediately and whatever security precaution deemed necessary, will be taken.

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		as a result of any loss or damage.					
72.	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
73.	Concession Contract, Schedule D Goal 2.8.2	Staff training in conflict resolution techniques	Accounting Officer	Director: Core in consultation with CDC: Human Resource Development	No delegation	No delegation	The department to approve the policy. Policy reviewed annually.
74.	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.
75.	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.



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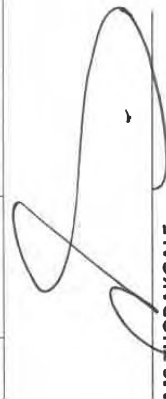
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76.	Concession Contract, Schedule D Goal 2.9.1 (Schedule D Goal 2.10 in respect of Kutama- Sinthumule)	Approval of anti-bullying policy and procedure	Accounting Officer	CDC: Incarceration and Corrections	No delegation	No delegation	The contractor will develop and anti-bullying policy and procedure, to be agreed with the department three months prior to the contractual opening. Policy reviewed annually
77.	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 used. Policy reviewed annually
78.	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: Personal Corrections	No delegation	No delegation	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
79.	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: Personal 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.

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80.	Concession Contract, Schedule D Goal 3.16.2	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
81.	Concession Contract, Schedule D Goal 3.16.7	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
82.	Concession Contract, Schedule D Goal 3.18	Approval of comprehensive programmes for pest control	Accounting Officer	DC: Health Care 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
83.	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



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84.	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.
85.	Concession Contract, Schedule D Goal 4.1	Approval of system for security risk assessment	Accounting Officer	DC: Personal Corrections	No delegation	No delegation	Security risk and needs assessment should be submitted to the department nine (9) months prior to the contractual opening date. Policy reviewed annually.
86.	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.
87.	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.
88.	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.
89.	Concession Contract, Schedule D Goal 6.5.2	Approval of the Contractors policy statement on drug and alcohol free workplace.	Accounting Officer	Director: Human Resource Administration and Utilization in consultation with	No delegation	No delegation	The contractor policy statement on drug and alcohol free workplace for its entire staff will be made available to the department for approval within sixty (60) days from the effective date.

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				CDC: Human Resource		
90.	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	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.
91.	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	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.
92.	Concession Contract, Schedule D Goal 6.8.12	Approval of media statements relating to personnel issues	Accounting Officer	Director : Human Resource Administration and Utilization in consultation with CDC: Human Resource	No delegation	Media statements relating to personnel issues must be submitted to the CSC for approval before it is provided to the media.
93.	Concession Contract, Schedule D Goal 6.9	Approval of all training curricula	Accounting Officer	Director: Core Curriculum in consultation with HR Human Resource	No delegation	The Contractor will submit all training curricula for approval to the DCS not later than 5 months from the Effective Date.
94.	Concession Contract, Schedule D Goal 6.9	Approval of all Control and Restraint trainers	Accounting Officer	Director: Core Curriculum in consultation with HR Human Resource	No delegation	All Control and Restraint trainers will be approved by DCS on an annual basis.

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95.	Concession Contract, Schedule D Goal 7	Approval of all community Involved Activities	Accounting Officer	DC: Reintegration in 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.
96.	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.
97.	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 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.
98.	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 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.

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E. ICC: MANAGEMENT OF LOSSES					
1.	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
2.	TR 12.2	Claims against the state through acts or omissions 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	Legal Administration Officer Legal Administration Officer	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
3.	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	Accounting Officer	DC: Financial and Regional None	Contact with the State Attorney regarding legal matters must be handled through relevant Legal Services. In all instances, written presentation must be made to the Chief Accounting Officer who will provide further recommendations on the matter.

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			Officer	Management Accounting	Commissioner		
4.		b) Amount up to and including R50 000 per settlement case	Accounting Officer	Chief Financial Officer	None	None	
5.		c) Amount exceeding R50 000 per settlement case	Accounting Officer	Accounting Officer	None	None	
6.	TR 12.3.1	Claims by the state against other persons 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	Legal Administrator officer	Legal Administrator officer	None	The loss Controller must register and refer the matter to the relevant legal services as assigned herein.
7.	TR 12.4.1	Claims by officials against the state If an official sustains a loss or 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.					When the claim is settled the assigned official gives approval to write off the 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.
8.		a) Amount up to and including R20 000 per settlement case	Accounting Officer	DC: Financial and Management Accounting	Regional Commissioner	None	

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9.		b) Amount up to and including R40 000 per settlement case	Accounting Officer	Chief Officer	Financial	None	
10.		c) Amount exceeding R50 000 per settlement case	Accounting Officer	Accounting Officer		None	
11.	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 or damage from the person responsible.	Accounting Officer	Relevant Director DC CDC's	Regional Heads DRC RC	Heads of Centre's, Community Corrections office Area Coordinators Area Commissioner	All reporting to the next level must be done in writing and the report must indicate if the matter was reported to the SAPS (with the CAS number) and if not, reasons must be provided.
12.	TR 12.5.2	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.					When the Legal Officer is in doubt he/she must consult with the State Attorney on questions of law and make a final recommendations on the submission of the writing off of the amount. The delegated officials may write off losses and damages that result from <i>vis major</i> and other unavoidable causes
13.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Finance	Head	The Legal Services at Regional Office and Director Legal Services(head Office) must provide written recommendations to the Head Finance
14.		b) Amount up to and including R40 000 per case	Accounting Officer	DC FM (Only Losses from Head Office)	DRC	none	

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15.		c) Amount up to and including R50 000 per case	Accounting officer	Chief Financial Officer	RC	Not delegated	
16.		d) Amount exceeding R50 000	Accounting Officer	Not delegated	Not delegated	Not delegated	
17.	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	
18.	[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 that result from vis major and other unavoidable causes.					All Losses of these nature must be investigated by the Loss Control Officer subsequent to recording on the register.
19.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Finance	Head	None
20.		b) Amount up to and including R40 000 per case	Accounting Officer	DC FM (Only Losses from Head Office)	DRC		none
21.		c) Amount up to and including R50 000 per case	Accounting officer	Chief Financial Officer	RC		None
22.		d) Amount exceeding R50 000	Accounting Officer	Accounting Officer	None	None	None
23.	[Sections 76(1)(b) and	<u>Losses or damages through acts committed or omitted by officials</u>	Accounting Officer	Director Financial Management	Regional Finance	Head	None

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	76(4)(a) of the PFMA] TR 12.7	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.					
24.	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 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.	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Finance	Head	None
25.	TR 12.7.3.	A claim against an official must be waived if the conditions in paragraph 12.2.1(a) to (g) are not applicable.	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Finance	head	None
26.		a) Amount up to and including R20 000 per case	Accounting Officer	Director Financial Management (only Head offices losses)	Regional Finance and SCM	Head	None
27.		b) Amount up to and including R40 000 per case	Accounting Officer	DC FMA (Only Losses from Head Office)	DRC	None	The Regional Commissioner must provide written recommendation to the Accounting Officer. The Accounting Officer must consider written submissions on

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Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2023

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER			Delegations Conditions and limitations (8)
							the basis of comments/inputs received from the CFO
28.		c) Amount up to and including R50 000 per case	Accounting Officer	Chief Financial Officer	RC	None	
29.		d) Amount exceeding R50 000 per case	Accounting Officer	Accounting Officer	None	None	The Chief Financial Officer must provide written recommendation to the Accounting Officer
30.	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	Legal Administration Officer	Legal Administration Officer	None	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.



MS THOBAKALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

Financial delegation of powers, activities and duties in respect of the Treasury regulations: Department of Correctional Services: 2023

Item (1)	Section (2)	Topic Description (3)	PRINCIPAL FUNCTIONARY (4)	DESIGNATION/POST LEVEL DELAGATED TO PER TIER	Delegations Conditions and limitations (8)
RISK MANAGEMENT DELEGATIONS					
31.	Sections 38(1)(a)(i) and 51(1)(a)(i) of the PFMA,	The delegated accounting authorities to ensure that their Institutions have and maintain effective, efficient and transparent systems of risk management.	Accounting Officer	Chief Risk Officer	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.
32.	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	

MS THOBAKGALE
NATIONAL COMMISSIONER
DATE: 26/07/2023

**DELEGATIONS BY THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: 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) AS AMENDED, I, **RONALD OZZY LAMOLA MP**, **MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON INDICATED AGAINST THE APPLICABLE COMPETENCY, WITH REFERENCE TO THE FOLLOWING LEGISLATION:-

1. Correctional Services Act, 1998 (Act no 111 of 1998) as amended.
2. Regulations issued in terms of Section 134 of the Correctional Services Act.

PROVIDED THAT:

- (a) The level of the 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; and
- (c) The exercise of this delegated authority is at all times subject to the provisions of the Act and Regulations.

Act	Section in Act	Subject of delegation	Responsible functionary the power or duty is delegated to	Delegation conditions and limitations
Act 111 of 1998 as amended	3(6)	Approval of policies in relation to the administration of the Department of Correctional Services	National Commissioner: Correctional Services	All policies related to the correctional system and the sentencing process must be submitted to the Minister for approval after advise by the NCCS
	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: Correctional Services	NA
	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; and	National Commissioner: Correctional Services	NA
	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: Correctional Services	NA
	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: Correctional Services	NA


Ronald Lamola MP

Minister of Justice and Correctional Services

Date: 07/07/2023

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

Section 74(2) read with Section 74(7)(a)	Approve appointment of recommended candidates for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner: Correctional Services	
Section 132(3)	Sign an official document indicating that a canteen has been certified as a canteen as contemplated in subsection (1).	National Commissioner: Correctional Services	


Ronald Lamola MP
 Minister of Justice and Correctional Services
 Date: 07/07/2023

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, MAKGOTHI SAMUEL THOBAKGALE, 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.

Note: FROM THE DATE OF PUBLICATION, THESE DELEGATIONS REPLACE ALL DELEGATIONS PREVIOUSLY PUBLISHED 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 and published in GG 35277 of 25 April 2012. (The Regulations)
- 3) Collective Agreement DBC Resolution 1/2006. (Resolution 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) The minimum level to which any power can be delegated to is on Deputy Director level in terms of the Act, where the delegations in terms of the Act are not clearly indicating such, and a post is indicated that is on a level lower than a Deputy Director, the power is limited to a Deputy Director in the line management of that function.
- d) **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;**
- e) 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;
- f) **Any delegation does not prohibit the National Commissioner from exercising the power concerned or performing the duty concerned himself of 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;**
- g) A person who have been delegated an authority cannot delegate such authority (*Delegatus delegare non potest*);
- h) 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
- i) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
- j) The following abbreviations may be applicable:

NC	=	National Commissioner
CDC	=	Chief Deputy Commissioner
CDC INCO	=	Chief Deputy Commissioner Incarceration and Corrections



MS Thobakgale
National Commissioner

Date: 26/07/2023

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

DC	=	Deputy Commissioner
DIR	=	Director
DD	=	Deputy Director
ASD	=	Assistant Director
DCS	=	Department of Correctional Services
DRC	=	Deputy Regional Commissioner
RC	=	Regional Commissioner
DIU	=	Departmental Investigation Unit
CEU	=	Code Enforcement Unit
CDC	=	Chief Deputy Commissioner
CFO	=	Chief Financial Officer
HCC	=	Head Correctional Centre
HRDC	=	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 and 3(4) of the Act

- k) 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
- l) 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.



MS Tirobakgale
National Commissioner
Date: 26/07/2023

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			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Principal Functionary	Head Office	Region	
1. Section 3(5) and (3)(5)(c)	Control over operational matters in the Department of Correctional Services	NC	NC over all regions in the Department of Correctional Services as well as core business branches in Head Office	Regional Commissioner	Head of Correctional Centres/Remand Centres/Community Corrections reports to the appointed Area Commissioner. Area Commissioners in a specific region/province reports to the appointed Regional Commissioner. Regional Commissioners report to the NC. Branch Heads: Core Business reports to the NC
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.	NC	DD and higher	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 appointments 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 approves 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	NC	Supervisor (DD and higher)	Supervisor (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	NC	Director and higher	Director 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 and Department of Transport

MS Thobakgale
National Commissioner
Date: 26/07/2023

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	Principal Functionary	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)	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. 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	Director 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 Human Resources	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		
12.	Section 3(5)(e) Grant approval for payment of death grants.	NC	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.	NC	No Delegation	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)	NC	Level 2-10 (Comply with requirements) DC of the relevant Chief Directorate	Level 2-10 (Comply with requirements) Deputy Regional Commissioner in	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.	

MS Thobakgale
National Commissioner

Date: 26/07/2023


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	
			Level 11-12 (Comply with requirements) Relevant Branch Head (CDC) Any Deviation: Level 2-12 Not delegated, remains with NC	consultation with the RC Level 11-12 except posts as below (Comply with requirements) Regional Commissioner Appointment of Heads of Correctional Centres, Remand Detention Centres, Community Corrections Offices and Area Coordinators (all levels) not delegated, remains with the National Commissioner. Any deviation: Levels 2-12 Not delegated, remains with NC		2. Any deviation must be submitted to the NC via the CDC HR for consideration. 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. 5. Appointment of Heads of Correctional Centres, Remand Detention Centres, Heads Community Corrections Offices and Area Coordinators (all levels) not delegated, remains with the National Commissioner.
15.	Section 3(5)(g) read with Section 96(3)(d)	NC	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)	NC	No Delegation	No Delegation	No Delegation	National Commissioner
17.	Section 3(5)(g) read with Section 96(3)(d)	NC	Level 2-7 Relevant Director after consultation with the Director HR A&J	Within RC Office Levels 2-7: Relevant RH Corporate Services after	Levels 2-7: Within Management Area only, Area Commissioner (including	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 Personnel Office that

MS Thobakgale
National Commissioner
Date: 26/07/2023

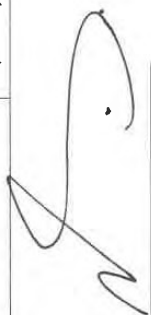
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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	
	equivalent), including interdepartmental transfers from DCS to other departments/ institutions.		Level 8-12 Relevant DC after consultation with Director HR A&U	consultation with the DRC Across Management Areas: Deputy Regional Commissioner after consultation with the RH Corporate Services Levels 8-10: Deputy Commissioner (Excluding Heads of Centres and Community Correction offices) Levels 11-12: Regional Commissioner	interdepartmental transfers from DCS)	will process the application to the relevant Directorate.
18.	Section 3(5)(g) read with Section 96(3)(d) Approval of interim accommodation, resettlement claims, removal of furniture and storage, buying of property and pre-visits after approval of transfer on state cost was granted	NC	Maximum of 3 months interim accommodation Director HR A&U More than 3 months interim accommodation NC	Maximum of 3 months interim accommodation RH Human Resources More than 3 months interim accommodation 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 96(3)(d) and Public Service Regulations 2016, Regulation 63 Appoint employees in acting capacity (read with delegations in terms of the Public Service Regulations)	NC	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC of the Branch. Level 14 Relevant CDC in consultation with the NC.	Level 2-12 Director Level 13 DRC in consultation with the RC Level 14 RC in consultation with the NC.	Level 2-12 Area Commissioner Level 13 RC in consultation with the RC Level 14 RC in consultation with the NC.	1. Level 15 in consultation with the Minister. 2. Compliance to relevant policy and Public Service Regulation 63 at all times. 3. 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 National Commissioner. 4. 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. 5. HR Head Office will provide template letters to be used for appointment of officials who must act. 6. HR must certify that a post is vacant on PERSAL before any acting appointment where acting allowance is involved. 7. CDC HR to issue a directive on the administrative conditions for acting appointments.


MS Thobakgale
 National Commissioner
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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	Principal Functionary	Head Office	Region	Management Area	
20.	Section 3(5)(g) read with Section 96(3)(d) Appoint temporary employees: (periodical contract employees: professionals)	NC	Director	Director	Area Commissioner	Appointment can only be done funds if are available and a certificate to that effect must be included with the appointment memo. Appointment of officials on other contracts (excluding periodical appointment: 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 INCO	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/Head of Remand Detention 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 sentence, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts
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 sentence, 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/Head of 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	NC	No delegation	No delegation	Head of Correctional Centre/Head of Remand Detention Centre	Compliance to all relevant prescripts


MS Thobakgale
 National Commissioner
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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	
30.	Section 16(2) children of admission or after transfer to a correctional centre. 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
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	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 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)	
37.	Section 24(7)(a) and (b) At the request of the inmate proceedings resulting in any penalty other than the penalty contemplating 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	NC	CDC Incarceration and Corrections to coordinate across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/	CDC INCO to report to the NC on a quarterly basis

MS Thobakgale
National Commissioner
Date: 26/07/2023

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	Principal Functionary	Head Office	Region	Management Area
	Commissioner may classify and allocate accommodation to inmates.				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 7 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 a period not exceeding 30 days	NC	No delegation	No delegation	Area Commissioner
41.	Section 30(6) 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 RC 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 sentence 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 sentence 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	NC	No delegation	No delegation	Area Commissioner

MS Thobakgale
National Commissioner
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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	Principal Functionary	Head Office	Region	Management Area
	correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.				
46. Section 40(4)(b) read with 40(4)(a)	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 CDC INCO	No delegation	No delegation
47. Section 41(6)	Compel sentenced offenders to participate in programmes and use services offered in terms of subsections (1), (3) and (4) where of the opinion that their participation is necessary having regard to the nature of their previous criminal conduct and the risk they pose to the community.	NC	No delegation	No delegation	Head of Correctional Centre
48. Section 43(4)	Transfer a sentenced child to a child and youth care centre as contemplated in Section 19(1)(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/ Head of Remand Detention Centre
49. Section 44(1)	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
50. Section 44(3)(a) and (b)	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

MS Thobakgale
National Commissioner
Date: 26/07/2023


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	
51. Section 49A	Provision of a unit for pregnant remand detainees	NC	No delegation	No delegation	Area Commissioner	
52. Section 49B	Detain disabled remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
53. Section 49C	Detain aged remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/Head of the Remand Detention Centre	
54. Section 49D	Detain mentally ill remand detainees in single cell or correctional health facility	NC	No delegation	No delegation	Head of the Correctional Centre/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 2 nd time by the same detective for the same case Regional Commissioner	Less than 1 day (return same day/not overnight) Head of Remand Detention Centre or Head of the Correctional Centre From a full day (overnight) to 3 days Area Commissioner	If the RD is not brought back at the agreed upon time, it must be followed up immediately with SAPS, and immediately inform both DCS and SAPS management that gave approval and inform the clerk/registrars of the court. Ensure total compliance to the protocol signed on 4 September 2014 between DCS and the SAPS The RC retains the authority to revoke/amend the decision by a HCC or HRDC / Area Commissioner or DRC at any time.
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 subsection (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act.	NC	No delegation	No delegation	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 Supervision and Parole Board	


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Section	Topic Description		Head Office	Region	Management Area	
58.	Section 58(6)(b) read together with Section 52(1)	NC	No delegation	No delegation	Up to 24 months incarceration: Head of Correctional Centre Longer than 24 months incarceration: Correctional Supervision and Parole Board	
59.	Section 61(2)	NC	No delegation	No delegation	Before placement: Head of Correctional Centre After placement: Head of Community Corrections	
60.	Section 62(a)	NC	No delegation	No delegation	Head of Community Corrections	
61.	Section 62(c)	NC	No delegation	No delegation	Head of Community Corrections	
62.	Section 63(a)	NC	No delegation	No delegation	Head of Community Corrections	
63.	Section 63(b)	NC	No delegation	No delegation	Head of Community Corrections	
64.	Section 64(4)	NC	No delegation	No delegation	Head of Community Corrections	
65.	Section 65(1)	NC	No delegation	No delegation	Head of Community Corrections	
66.	Section 65(2)	NC	No delegation	No delegation	Head of Community Corrections Probationers and Parolees: Head of Community Corrections	


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Section	Topic Description		Head Office	Region	Management Area	
	to costs which that person must make and may adjust the period of supervision and day parole				Day Parolees: Head of Correctional Centre	
67	Section 66(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)(j), 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)(j) 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 69(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 subject to community corrections has failed to comply with any aspect of the conditions imposed on him or her or any duty 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- (i) Reprimand the person. (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;	NC	No delegation	No delegation	(a)(i): Less serious: Supervision under whose supervision offender is Serious: Supervision Committee under whose supervision offender is. (ii): Head of Community Corrections (iii): Heads of Community Corrections or Correctional Centre (b): Head of Community Corrections	

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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Principal Functionary	Head Office	Region	Management Area
	(iii) Issue a warrant for the arrest of such person. (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.				
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.	NC	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).	NC	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.	NC	No delegation	No delegation	Head of Community Corrections
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

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Section	Topic Description	Principal Functionary	Head Office	Region	
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)	The vice chairperson and 2 community members 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: HR 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
82. Section 75(2)(a) read together with Section 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	NC	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 Section 52;	NC	No delegation	No delegation	Head of Correctional Centre

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Section	Topic Description	Principal Functionary	Head Office	Region	Management Area
	(b) Cancellation of correctional supervision or day parole or parole and alter the conditions for community corrections applicable to such person.				
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.	NC	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	NC	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)
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.	NC	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 may be imposed by the Correctional Supervision and Parole Board under whose jurisdiction the sentenced offenders may fall or the National Commissioner in terms of Section 75(7)	NC	No delegation	No delegation	Head of Correctional Centre
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	No delegation
90. Section 95(1) and (2)	The National Commissioner must monitor compliance with relevant prescriptions by means	NC	Internal Auditing: Chief Audit Executive	Inspections: Regional Inspectorate	No delegation

The approval to carry out the functions must be read with Regulation 30(2) and (3). The approval to carry

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Section	Topic Description		Head Office	Region	Management Area	
	of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.		Inspections: Head Office component NC Investigations: Departmental Investigation Unit: Director Departmental Investigation Unit	DRC		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 Unit 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.	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/parolees/probationers excluding escapes that must be appointed by the Area Commissioner	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 as the outcome of any disciplinary processes must be communicated to personnel office in writing.
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 NC 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 Centre/Community Corrections office in relation to inmates/parolees/probationers excluding escapes that must be appointed by the Area Commissioner	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 establishment in terms of Section 95A and this Unit is authorized to investigate theft,	NC	Levels 2-10: DD: Coordinator Investigations DIU for DIU investigators only. Levels 11-15: Director DIU	No delegation	No delegation	All matters referred to in Section 95A must be referred to the Director DIU and CEU. The Director DIU may decide that a region investigate if the Departmental Investigation Unit (DIU) lacks capacity

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Section	Topic Description		Head Office	Region	Management Area	
	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					or for reason of urgency. Such approval shall 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. A certificate of appointment in terms of Regulation 30 is issued to these officials. Relevant circulars issued by the NC must be adhered to.
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 Code Enforcement Unit to conduct a disciplinary hearing. (Note: The Code Enforcement Unit (CEU) is established in terms of Section 95B 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	NC	Levels 2-10: DD Code Enforcement Unit Levels 11-15: Director CEU	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/another department to initiate if the CEU lacks capacity or for reason of urgency or other acceptable reason. 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 hearings and charges emanating from Section 95A investigations.	NC	Levels 2-10: DD Code Enforcement Unit Levels 11-12: Director CEU	No delegation	No delegation	Disciplinary action against SMS L13-15 not delegated: National Commissioner
96.	Section 95B read together with Resolution 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 DC Executive Management in the absence of the DC Legal Services Levels 13-15: National Commissioner	No delegation	No delegation	
97.	Section 95B 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	NC	Levels 2-12: DC Legal Services DC Executive Management in the absence of the DC Legal Services	No delegation	No delegation	

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98.	Section 95B read with Departmental Bargaining Council Resolution 1/2006 and CS Regulation 33	NC	Levels 2-12; Director CEU	No delegation	No delegation	Where the Director CEU has signed the sanction, the appeal must be submitted to the DC Legal Services.
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	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 timeframes as prescribed in the grievance procedure
100.	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	NC	Disciplinary matters except S95B: Director Employee Relations HR matters: Director Employee Relations in consultation with the relevant HR Directorate Director CEU in Section 95B matters	Regional Corporate Services in matters excluding Section 95B matters	No delegation	Representatives of CEU are <i>ex officio</i> and need not to be appointed in writing in cases handled by the CEU
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	NC	1. To defend in arbitrations concerning interpretation and application of resolutions and policy: Director ER after consultation with relevant HR Directorate 2. To settle in arbitrations concerning interpretation and application of resolutions and policy: CDC HR 3. Unfair labour practice/dismissal/discrimination disputes (Excluding Section 95B matters) Levels 2-12; Director ER	1. To defend in arbitration concerning interpretation and application of resolutions and policy. No delegation 2. To settle in arbitrations concerning interpretation and application of resolutions and policy No delegation 3. Unfair labour practice/dismissal/discrimination	No delegation	All matters concerning interpretation and application of resolutions and policy to be consulted with the Directorate responsible for arbitrations in Head Office. Representatives of CEU are <i>ex officio</i> and need not be appointed in writing in cases handled by the Director CEU All SMS matters not delegated: NC to decide

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Section	Topic Description		Head Office	Region	Management Area	
102.	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		Level 13-15: NC (Not delegated) Section 95B cases – Appoint representative Levels 2-15: Representatives of CEU are <i>ex officio</i> (appointed by Dir CEU) – Mandate to settle/defend Level 2-12: Director CEU – Level 13-15: 5. Not delegated	disputes. (Excluding Section 95B matters) Levels 2-12: RH Corporate Services Level 13: DRC Level 14: RC Level 15: Not delegated		
	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	NC	Director ER to appoint representative in all cases except Section 95B matters. To defend: Director ER To settle: CDC Human Resources Sections 95B matters: Representatives of CEU are <i>ex officio</i> . To defend: Director CEU To settle: Levels 2-12: Director CEU Levels 13-15: Not delegated	No delegation	No Delegation	Settlements must be consulted with finances. All SMS matters not delegated: NC
103.	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	NC	Director Employee Relations for Head Office to decide if matter must be implemented or not. If not to be implemented it must be referred to the DC Legal	Regional Head Human Resources No delegation for Section 95B matters	No delegation	NB: If the award is not referred for a decision to review there is no requirement for a mandate to implement and must be implemented, since there is already an award that is enforceable in terms of Section 143 of the LRA. Failure to

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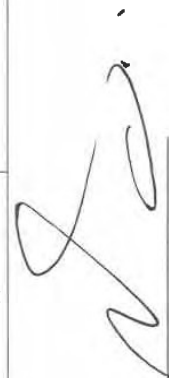
POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
			Services for a decision to review. Director CEU for Section 95B cases to decide if award must be implemented or not. If not to be implemented, it must be referred to the DC Legal Services for a decision to review. Decision to review in all cases is with the DC Legal Services in consultation with the NC			Implement may lead to contempt proceedings in the Labour Court. The Director Employee Relations, Director CEU (latter in Section 95B cases only) and the Regional Head Human Resources are responsible to ensure implementation and to issue instruction to ensure such implementation. If the DC legal Services post is vacant an no person appointed acting the DC Executive Management to take the decision.
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	NC	Director Employee Relations in Head Office Director CEU for Section 95B cases	Regional Head Human Resources in Regions No delegation for Section 95B matters	No delegation	S95B matters are handled by Dir CEU.
105.	Section 96(4)	NC	Director Human Resource Administration and Utilization	Regional Head Human Resources	Area Commissioner	
106.	Section 96(5) of Act 111 of 1998 (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)	NC	- International Committee of the Red Cross; CDC INCO - Visitors from other countries; No delegation: NC to take decision - Media; - Director Communication Services	Media: RC Politicians: Regional Commissioner	- Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area	

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Section	Topic Description		Head Office	Region	Management Area	
108.	Section 101(2)(a) Authorize a correctional official to search another correctional official or seize his or her property without his or her consent.	NC	DD Physical Directorate Standards	Security: Security	DD tasked in the regional office with the management of security in the Regional Office	<p>Coordinator Corrections</p> <p>- Other functional visits with whom the DCS liaises, representatives of other organizations or state departments: Head Correctional Centre (DD Level)</p> <p>Heads of Centre on lower levels: Area Coordinator Corrections</p> <p>- Media: Area Commissioner</p> <p>Correctional Centre level: Head of Correctional Centre</p> <p>Community Corrections Office: Head Community Corrections</p> <p>Management Area level: Area Coordinator: Corrections</p> <p>Area Finances</p> <p>Area Finances</p> <p>Coordinator Finances</p> <p>Area Finances</p> <p>No delegation</p> <p>Compliance at all times to relevant prescripts.</p>
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	No delegation	
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	No delegation	
111.	Section 109(2) Certify the appointment of custody officials.	NC	DC HRD	No delegation	No delegation	



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Section	Topic Description	Principal Functionary	Head Office	Region	Management Area	
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	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	Director 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 and 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 and Wellness	No delegation	No delegation	
118. Section 133(2)	Authorize 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	



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

UNDER THE POWERS VESTED IN ME IN TERMS OF REGULATION 41 OF THE CORRECTIONAL SERVICES REGULATIONS, 2004 AS AMENDED AND PUBLISHED IN GG 35277 OF 25 APRIL 2012, I, MAKGOTHI SAMUEL THOBAKGALE, 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.


Note: FROM THE DATE OF PUBLICATION, THESE DELEGATIONS REPLACE ALL DELEGATIONS PREVIOUSLY PUBLISHED IN THE GOVERNMENT GAZETTE

B. CORRECTIONAL 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 inmate 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 inmate 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 inmate 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 inmate 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 2(1)(b)(i),(ii) and 2(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	NC	No delegation	No delegation	Head of Correctional Centre	

MS Thobakgale
National Commissioner
Date: 26/07/2023

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		
8.	Regulation 9(1)(c) allow them to remove and bury the deceased at their own expense. 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		
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 educationist if such a qualified educationist 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 detective, 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. The RC retains the authority to revoke/amend the decision by a HCC or HRDC / Area Commissioner or DRC at any time.	
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) 	NC	No delegation	No delegation	Unit Manager: Case Management Committee		

MS Thobakgale
National Commissioner
Date: 26/07/2023

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	
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 or body.	NC	No delegation	No delegation	Head of Correctional Centre	
20. Regulation 24(1)(a)	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

MS Thobakgale
National Commissioner

Date: 26/07/2023


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	
25.	Regulation 30(1)(a) read together with Regulation 30(1)(c) and Section 95A	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 Unit
26.	Regulation 30(1)(a) read together with Section 95(1)	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)	NC	Director Inspectorateg	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	NC	No delegation	No delegation	Area Coordinator Human Resources on Director level/Area Commissioner on recommendation of the Housing Committee	1. Officials who work at Regional Offices and National Head Office are subjected to this delegation and must apply to the relevant Area Commissioner for housing. 2. Accommodation reserved for specific posts need not be advised on by the Housing Committee if the house is occupied by the person in such post. 3. The allocation if reserved accommodation may only be used for other officials on approval with recorded reasons by the Area Commissioner
29.	Regulation 32	NC	Not delegated	Not delegated	Not delegated	Only the NC shall make any such determination
30.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 3(5)(g) and 96(2)(a)	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU 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 Sections 3(5)(g) and 96(2)(a)	NC	Supervisor/Manager	Supervisor/Manager	Supervisor/Manager	Discretion to decide on seriousness of misconduct in Section 95B matters is the DD or Director CEU and must be handled as per delegations in terms of Section 95B

MS Thobakgale
National Commissioner
Date: 26/07/2023

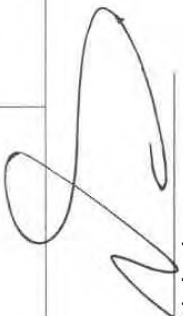
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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	
32.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 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)	NC	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 DD or Director CEU and must be handled as per delegations in terms of Section 95B
33.	Regulation 33(1) read together with Resolution 1 of 2006 read with Sections 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)	NC	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 DD or Director CEU and must be handled as per delegations in terms of Section 95B
34.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 7.3.3 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	Appointment of chairpersons in Section 95B cases, refer to delegations under Section 95B
35.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 7.3.4 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	
36.	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 CEU for Section 95B matters	RH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Director CEU
37.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct (formal disciplinary hearings) 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 Resolution 1 of 2006
38.	Regulation 33(1) read together with Resolution 1 of 2006 read with Section 3(5)(g) and 96(2)(a)	Serious misconduct Clause 8.4 Appeal in non-dismissal cases	NC	A manager on higher level that the supervisor/manager of first instance	A manager on higher level that the supervisor/manager of first instance	A manager on higher level that the supervisor/manager of first instance	Section 95B cases refer to delegation under Section 95B: Appeal for non-dismissible cases. "Next level manager" means the next level manager of the official who gave the sanction.
39.	Regulation 33(1) read together with Resolution 1 of	Serious misconduct	NC	DC Employee Relations/CDC Human	Deputy Regional Commissioner/RC if the	No Delegation	The appeal submission must be referred to National Head Office for a decision by the DC Employee


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 National Commissioner
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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	
2006 read with Section 3(5)(g) and 96(2)(a)	Clause 8.5 Appeal in dismissal cases and appeals against the alternatives to dismissal (except in cases handled in terms of Section 95B)		Resources if the DC ER cannot make a decision	DRC cannot make a decision		Relations in cases where the DRC or the PC (who is the line function decision maker above the DRC) cannot make a decision Sections 95B matters refer to delegations under S95B
40. 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 DIU for levels 2-12 in cases handled by the DIU in terms of Section 95A Director CEU if case was investigated in terms of Section 95A and handed over to Code Enforcement Unit in terms of Section 95B	Director or higher	Director or higher	The review of suspensions shall be handled in terms of the relevant prescripts. Alternative placement must be handled according to the same levels as suspensions noting that in Section 95A and B cases the Director DIU and the Director CEU can only advise and cannot take a decision. Monitoring and non-compliance All suspensions must be reported in writing to the Director ER in Head Office within 2 working days of such suspension All suspensions must be monitored by the RH Corporate Services and the Director ER in Head Office Any non-compliance to prescripts must be submitted to the DC ER, CDC HR and NC in writing monthly by the Director ER All SMS suspensions - NC
41. Regulation 33(2) read with Chapter 7 of the SMS manual in relation to SMS members	Precautionary suspension and review of suspension	NC	No delegation	No delegation	No delegation	
42. Regulation 33(2) read together 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	No delegation	No delegation	No delegation	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 sanctions
43. 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	No delegation	No delegation	Compliance to relevant prescripts


MS Thobakgale
 National Commissioner
 Date: 26/07/2023

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	Principal functionary	Head Office	Region	Management Area
			SMS No delegation: National Commissioner to decide		
44.	Regulation 37(2) Abscondment of correctional official 1. Regulation 37(2)(b) Establish whereabouts of the official that is absent 2. Regulation 37(2)(a) Dismissal of the official 3. Regulation 37(2)(c) and (d) Decision on representation by official who was summarily dismissed for being absent for 30 consecutive calendar days to be reinstated 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 abscondment to be reinstated/re-employed: Levels 2-12: Relevant DC	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 abscondment to be reinstated/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 abscondment to be reinstated/re-employed: No delegation
45.	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
46.	Regulation 39(2)(c) Authorize any expenditure for accommodation or other necessities provided from Public funds in consultation with National Treasury relating to departmental canteens.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation

MS Thobakgale
National Commissioner
Date: 26/07/2023

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 MAKGOTHI SAMUEL THOBAGALE, 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	
47.	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 and review policy and ensure implementation thereof. B Functional provision and maintenance of working environment that is safe and without risk.	A Policy: CDC Human Resources B Functional: DD Auxiliary Services	B Functional: Regional Head Human Resources	B Functional: Area Commissioner, Head Correctional Centre/ Remand Detention Centre/ Community Correctional Office	Officials appointed in these posts must complete training presented by HRD within one year of assumption of duty in the post (applicable to all assignments under the OHS Act)
48.	8(2)(a)	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	

MS Thobakgale

National Commissioner

Date: 26/07/2023

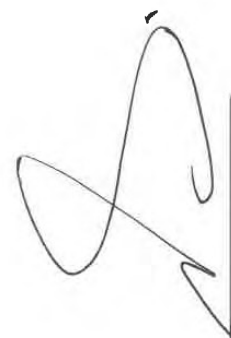
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office	Region	Management Area	
49.	8(2)(b) 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	
50.	8(2)(c) 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	
51.	8(2)(d) 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	
52.	8(2)(e) 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	
53.	8(2)(f) 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	
54.	8(2)(g) 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	
55.	8(2)(h) Enforcing such measures as may be necessary in the interest of health and safety.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
56.	8(2)(i) 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	
57.	8(2)(j) 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	
58.	9(1) 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 is directly affected by his activities are not thereby exposed to hazards to their health or safety.	DD Auxiliary Services	Regional Head Human Resources	Area Commissioner	
59.	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	
60.	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	

MS Thobakgale
National Commissioner
 Date: 26/07/2023

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	
61.	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	
62.	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	
63.	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	
64.	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	



MS Thobakgale
National Commissioner

Date: 26/07/2023

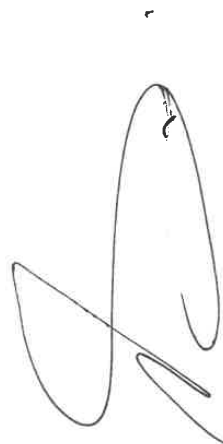
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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 MAKGOTHI SAMUEL THOBAKGALE, 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:

- m) The Information Officer (the National Commissioner) has direction and control over every Deputy Information Officer.
- n) Any delegation does not prohibit the Information Officer (National Commissioner) from exercising the power concerned or performing the duty concerned himself of herself.
- o) Any delegation may at any time be withdrawn or amended in writing by the Information Officer.
- p) 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.
- q) 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;
- r) 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;
- s) 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	
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	All decisions must be submitted to the Director IM quarterly. Appeals against decisions must be forwarded to the Director IM to present to the Appeal Board.



MS Thobakgale
National Commissioner
Date: 26/07/2023

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, **Ronald Ozyzy Lamola MP, 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 Pretoria ON THIS 07 DAY OF July 2023

NAME OF EXECUTIVE AUTHORITY: **RONALD OZZY LAMOLA MP**

NAME OF EXECUTIVE AUTHORITY PORTFOLIO: **JUSTICE AND CORRECTIONAL SERVICES**

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **MAKGOTHI SAMUEL THOBAKGALE**


NAME OF DEPARTMENT: **DEPARTMENT OF CORRECTIONAL SERVICES**

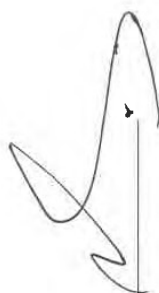


26/07/2023

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

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Principal Function	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	NC 1-12	None	None	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. DPSA Directives to be complied with and Minister to approve Levels 13-15
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 and their individual capacities, and such powers and duties shall be exercised or performed by the executive authority in accordance with this Act	EA	NC 1-12 Subject to the provisions and delegations in the CSA	None	None	Levels 13-15 appointments of SMS members approved by the NC in consultation with the Minister as provided for in Section 96(3) of the CSA
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	EA	NC 1-12	NC 1-12	NC 1-12	EA approves L13-15

Executive Authority:

RO Lamola, MP
 Minister of Justice and Correctional Services
 Date: 07/07/2023

National Commissioner:

MS Thobakale
 Date: 26/07/2023

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

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Principal Functionary	Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/Informing
4.	<p>years with such period as the Minister considers appropriate</p> <p>(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</p>	EA	NC 1-13	NC 1-13	NC 1-13	EA L14-15
5.	9 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	NC 1-12	None	None	Levels 13-15 appointments of SMS members approved by the NC in consultation with the Minister as provided for in Section 96(3) of the CSA
7.	13 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 1-14	NC 1-14	NC 1-14	EA approves L15-16. All appointments to be made on probation
9.	<p>After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has-</p> <p>(a) performed at least satisfactorily during the period; and</p> <p>(b) complied with all the conditions to which his or her appointment was subject</p>	EA	NC 1-14	NC 1-14	NC 1-14	EA approves L15. HR to facilitate in consultation with relevant functionaries All appointments to be made on probation

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date:

National Commissioner:

MS Thobakgale

Date:

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	
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 1-14	NC 1-14	NC 1-14	EA approves L15. 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	NC 1-12	NC 1-12	NC 1-12	Provided for in Section 3(5)(g) of the Correctional Services Act, 111 of 1998 read with Section 2(2) of the PSA 1994. Refer to delegations 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 1-12	NC 1-12	NC 1-12	EA approves L13-15. HR and Legal Services to facilitate	

Executive Authority: R.O
RO Lamola, MP
 Minister of Justice and Correctional Services
 Date: 07/07/2023

National Commissioner: [Signature]
MS Thobakgale
 Date: 26/07/2023

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	
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.	NC 1-13	NC 1-13	NC 1-13	EA approves L14-15. Refer to subsection 15(3)(b) and (c). HR to facilitate	
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	NC 1-12	NC 1-12	NC 1-12	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). L13-15 in consultation with the Minister	
18.	16(4)	An officer, other than a member of the services or an educator or a member of the State Security Agency who	NC 1-12	NC 1-12	NC 1-12	Employee to be given three calendar months' notice from date of approval.	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 07/07/2023

National Commissioner:

MS Thobakgale

Date: 26/7/2023

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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	
	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					Refer to conditions in Section 16. This delegation only applicable to DCS officials appointed in terms of the PSA. 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). L13-15 in consultation with the Minister	
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 1-12	NC 1-12	NC 1-12	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. L13-15 in consultation with the Minister	
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 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	EA	NC 1-12	NC 1-12	NC 1-12	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) For anyone to be retained for more than three months, the concurrence of the Minister is required	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 07/07/2023

National Commissioner:

MS Thobakgale

Date: 26/7/2023

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PART A, APPENDIX A: Delegations Register- EA to NC delegations 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	
21.	16A(4) of Parliament granted by resolution, exceed in the aggregate two years 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	HR facilitates	
22.	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	NC 1-12	NC 1-12	NC 1-12	HR facilitates. L13-15 in consultation with the Minister	
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 1-12	NC 1-12	NC 1-12	Only applicable to officials appointed under the PSA. All SMS officials in DCS appointed under CSA. 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 Section 17(1)(b) for dismissal for misconduct. L13-15 in consultation with the Minister	
25.	30 Other remunerative work by employees						

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date:

07/07/2023

National Commissioner:

MS Thobakgale

Date: 26/7/2023

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

POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Principal Functionary	Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/Informing
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 1-13	NC 1-13	NC 1-13	EA approves L14-15 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 1-12	NC 1-12	NC 1-12	Relevant supervisors to advise HR HR to facilitate L13-15 in consultation with the Minister
28. 31	Unauthorized remuneration					
29. 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 equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned	EA	NC 1-12	NC 1-12	NC 1-12	Relevant supervisors to advise HR HR to facilitate L13-15 in consultation with the Minister
30. 32	Direction to perform other functions or to act in another post					
31. 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	NA	NA	Level 15 in consultation with the Minister Acting appointments for all other levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 09/07/2023

National Commissioner:

MS Thobakgale

Date: 26/7/2023

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	
32.	(ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department.		NC as per s 32(2)(b)(ii) of PSA	NC as per s 32(2)(b)(ii) of PSA	NC as per s 32(2)(b)(ii) of PSA		
33.	Grievances of employees 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 1-14	NC 1-14	NC 1-14	Refer to the grievance procedure for L2-12. Grievances of SMS to be handled in terms of the SMS Handbook.	
34.	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 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	
35.	Remuneration of employees						
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	EA	NC 1-12	NC 1-12	NC 1-12	Grants to be made in accordance with the Departmental Retention Policy L13-15 in consultation with the Minister NC not to delegate further	

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 07/07/2023

National Commissioner:
MS Thobakgale

Date: 26/07/2023

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	
	<p>salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales;</p> <p>(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</p> <p>(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</p>					HR to facilitate in consultation with CDC and CFO Sub-paragraph (c) must be read with Section 3(5)(e) of the CSA and the delegations thereof.	
37. 38	Wrongly granted remuneration						
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	EA	NC 1-15	NC 1-15	NC 1-15	Head of HR to inform the relevant employee of the overpayment in consultation with the CFO to determine possible steps to be taken to ensure recovery in writing. Relevant prescriptions must be complied with.	

Executive Authority:
RO Lamola, MP
 Minister of Justice and Correctional Services
 Date: 07/07/2023

National Commissioner:
MS Thobakgale
 Date: 26/07/2023

PART A, APPENDIX B: Delegations register - EA to National Commissioner (NC) in terms of Public Service Regulations

EXECUTIVE AUTHORITY (EA) 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	
	CHAPTER 1	GENERAL PROVISIONS		NC		
1.	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	
2.	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	
3.	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		
4.	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	
5.	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	NC to coordinate inputs from Branches and Regions	

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 07/07/2023

National Commissioner:

MS Thobakgale

Date:

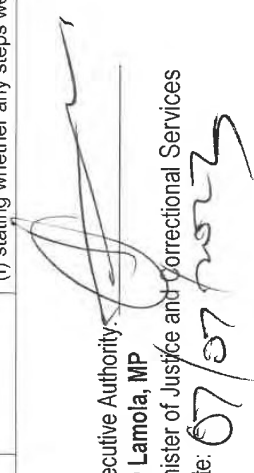
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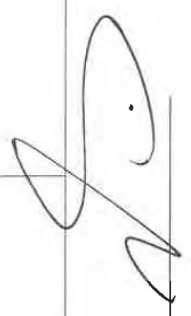
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PART A, APPENDIX B: Delegations Register – EA to NC in terms of the PSR

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	
	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT		NC		
6.	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)	
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 sub Regulation (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	
8.	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) sub Regulation (2) not later than 31 May of the year in question; or (b) sub Regulation (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		
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 (d) If the employee, after the consultation referred to in sub Regulation (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	EA	(1)(c) NC L13-15 (1)(d) NC L13-15 (1)(e) NC L13-15	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. (1)(c) EA retains consultation in respect of the NC (1)(d) EA retains disciplinary action in respect of the NC (1)(e) EA retains reporting action in respect of the NC	

Executive Authority: 
RO Lamola, MP
 Minister of Justice and Correctional Services
 Date: 07/07/2023

National Commissioner: 
MS Thobakgale
 Date: 26/07/2023.

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			
		(ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.		NC	Indicators for Execution/Reporting/ Consultation/ Informing
10.	23(1)	Designation of ethics officers (1) An executive authority shall designate such number of ethics officers as may be appropriate, for the department.	EA	NC	
	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY			
11.	25(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	NC	EA approve the strategic plan and monitor the progress made towards achieving those targets and core objectives.
12.	25(2)(a)	Organizational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organizational 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	EA	NC EA to concur	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 Compliance to DPSA directives
13.	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	EA	NC L1-12 EA to concur with SMS posts (L13-15)	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 Compliance to the DPSA directives

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 07/07 2023

National Commissioner:
MS Thobakgale

Date: 26/07/2023

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	
14.	26(1)	Human resource plan (1) An executive authority shall prepare and implement a human resource plan for his or her department.	EA	NC	NC approves after consultation with 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	
15.	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	NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA	
16.	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 sub Regulation (1)	EA	NC	NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA	
17.	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	
18.	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 MANCO EA tables report in the legislature	
19.	34(3)	Business case and inter-departmental assessment committee for the establishment of government components and specialize service delivery units	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organizational forms	

Executive Authority:
RO Lamola, MP
 Minister of Justice and Correctional Services

Date: 07/07/2023

National Commissioner:
MS Thobakgale

Date: 26/07/2023

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			
		(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.		NC	Indicators for Execution/Reporting/ Consultation/ Informing Note the requirements set out in Regulation 34(2) for EA's or Premiers to designate members of the committee, on a case by case basis
20.	35	Organizational functionality assessment An executive authority shall conduct an organizational 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	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21.	36	Operations management framework 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 MANCO and the EA NC monitor the implementation of the plan and inform the EA
22.	37(1)	Service delivery charter (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 MANCO and EA NC monitor the implementation of the charter and inform the EA
23.	38	Service delivery improvement plan 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 the EA NC monitor the implementation of the plan and inform the EA
	CHAPTER 4	EMPLOYMENT MATTERS			
24.	39(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSD's	EA	NC	NC may delegate further NC to brief Minister annually

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

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		<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 sub Regulation (3)(a) to an occupation listed in the occupational classification system referred to in sub Regulation 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 utilized</p>	NC	Indicators for Execution/Reporting/ Consultation/ Informing	
25.	40	<p><u>Creation and filling of posts</u></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 utilized;</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>	EA	NC L1-12	EA approves L13-15

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	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
		(d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post.		NC		
26.	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 sub Regulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1-12	EA approves L13-15	
27.	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 L13-15	
28.	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 L1-12	EA approves for L15-16 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of under graded jobs the commencing salary is determined as set out in Regulation 45(4)	
29.	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 L1-12	EA approves L13-15	
30.	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 utilized by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance.	EA	Not delegated		

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31.	44(1)	<u>Setting of higher salary</u> (1) Subject to sub Regulation (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	NC NC L1-12	EA approves L13-15 NC approves L13-15 in consultation with EA HR to facilitate	
32.	45(1)	<u>Undergraded posts</u> (1) If the job weight demonstrates that a post is under graded 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 L1-12	NC approves L13-15 in consultation with EA Continued employment of incumbent is set out in Regulation 45(2)	
33.	45(5)	(5) If an incumbent employee is not continued to be employed in the upgraded post as provided for in sub Regulation (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 L1-12	NC approves L13-15 in consultation with EA	
34.	46(1)	<u>Over graded posts</u> (1) If the job weight demonstrates that a filled post is over graded 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- 14	NC approves L13-14 in consultation with EA	

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35.	49(1)	<p><u>Overtime</u></p> <p>(1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if -</p> <p>(a) the department has an approved written policy on overtime;</p> <p>(b) the executive authority has provided written authorization in advance for the work; and</p> <p>(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.</p>	EA	NC		
36.	49(2)	<p>(2) An overtime policy contemplated in sub Regulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine -</p> <p>(a) categories of employees that may not receive compensation for overtime due to the nature of their duties;</p> <p>(b) the circumstances under which overtime work for an individual employee may be authorized;</p> <p>(c) how much overtime an employee may work in a given period;</p> <p>(d) how authorization for overtime is recorded; and</p> <p>(e) other control measures, if necessary.</p>	EA	NC	NC approves overtime policy after consultation with MANCO	
37.	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>	EA	NC	Also provided for in Section 3(5)(e) of the CSA. Refer to CSA delegations Level 13-15 in consultation with the Minister	

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38.	57(1)	(iii) such a non-monetary reward and a cash award. General conditions for appointment 57. (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 L1-14	EA approves L15-16. Also refer to Section 96(3) of the CSA in terms of SMS appointments	
39.	57(2)	<u>Employ persons additional to the establishment</u> (2) An executive authority may, unless otherwise authorized 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 another post; or (d) an employee is part of a development programme as contemplated in Regulation 58.	EA	NC L1-12	EA approves L13-15 CFO to approve funding. No appointment can be made before funding approved. See general conditions for appointment is set out in PSR 57(1), (2), (3), (4) (5) and (6) NC to report to the Minister on a 6 monthly basis of the number of approved additional to the establishment	
40.	57(3) and (4)	(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall -	EA	NC L1-12	EA approves L13-15 level	

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41.	57(5)	<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 sub Regulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.</p> <p>All appointments other than employment additional to the establishment</p> <p>(5) An appointment shall take effect after approval by the relevant executive authority.</p>	EA	NC L1-12	<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 L15-16</p> <p>See general conditions for appointment set out in PSR 57(1), and (6), and 58, 60, 61</p> <p>See also PSR 67(8) and (9) and PSR 68</p>	
42.	58	<p>Developmental programmes</p> <p>An executive authority may appoint persons who are part of a developmental programme, including but not limited to, internships, learnerships and apprenticeships, on such terms and conditions that shall be determined by the Minister.</p>	EA	NC	Compliance to DPSA Directives	
43.	59	<p>Utilization of unpaid voluntary workers</p> <p>An executive authority may utilize unpaid voluntary workers under the following 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</p>	EA	NC	NC to brief the Minister on a quarterly basis on the number and cost of volunteers in the department	

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		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.	NC		Indicators for Execution/Reporting/ Consultation/ Informing
44.	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 sub Regulation (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 sub Regulation (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	NC L1-12	EA approves L13-15
45.	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	EA	NC L1-L12	EA approves L13-15

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	Regulation	Topic Description		NC		
		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.				Indicators for Execution/Reporting/ Consultation/ Informing
46.	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	NC		Level 13-15 in consultation with the Minister
47.	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	NC		
48.	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	NC		
49.	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 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;	EA	Not delegated		Compliance to Ministerial Handbook

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50.	67(1)	<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 sub Regulation (1) without complying with Regulations 65(1); (3) and (4).</p> <p>Selection</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 L1-12 NC L13	EA chair selection committee for NC and DDG (L15) See the conditions set out in PSR 67(2) to (9) Level 13 NC approves Level 14-15 EA approves	
51.	67(7)	<p>(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of sub Regulation (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.</p>	EA	NC L1-12	EA approves head hunting for L13-15	
52.	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 L1-12	EA for L13-15	
53.	67(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall -	EA	NC L1-12	EA for L13-15	

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		(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.		NC		
54.	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 sub Regulation (1).	EA	NC L1-14	EA for L15	
55.	69(2)	<u>Resignation</u> (2) Subject to Section 16B(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 sub Regulation (1).	EA	NC L1-12	EA for L13-15	
56.	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		
57.	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 L1-14	EA L15	
58.	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 L1-12	EA L13-15	
59.	69(6)	(6) If notice of resignation is given in terms of sub Regulation (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 L1-14	EA L15	
60.	71(1)	Systems for performance management and development	EA	NC	NC approve the system after consultation with MANCO and the EA	

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		(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.		NC	Indicators for Execution/Reporting/ Consultation/ Informing NC monitor the implementation of the plan and inform the EA
61.	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 MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
62.	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 MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
63.	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 MANCO and the EA NC monitor the implementation of the PMDS and inform the EA
64.	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 sub Regulation (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	NC L1-12	Level 13-15 in consultation with the Minister
65.	72(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	NC	EA for NC assessment
66.	72(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority –	EA	NC L1-15	EA manage poor performance of NC

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

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	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
		(b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.		NC		
67.	73(1)	Rewarding performance (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 sub Regulation (3).	EA	NC	NC approve the scheme after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA	
68.	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	NC	NC approve the training required after consultation with the departmental EXCO and the EA	
69.	78(2)	Mandating and management of negotiations (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	NC enters into a collective agreement after consultation with MANCO and the EA The conditions for matters with financial implications is set out in PSR 79.	

Executive Authority:
RO Lamola, MP
Minister of Justice and Correctional Services
Date: 07/07/2023

National Commissioner:
MS Thobakgale
Date: 26/07/2023

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

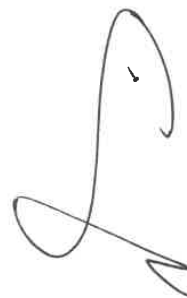
DEPARTMENT OF CORRECTIONAL SERVICES

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, **Makgothi Samuel Thobakgale**, 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.

SIGNED AT PRETORIA ON THIS 26th DAY OF JULY 2023



MS Thobakgale
National Commissioner
Date: 26/7/2023

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
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	NC 1-12	None		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. DPSA directives to be complied with, EA approve L13-15	
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	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Levels 1-12 Same levels as the delegations in the CSA and Regulations	Provided for in Sections 3(5) and 96(3) of the Correctional Services Act (CSA), 111 of 1998 read with Section 2(2) of the PSA 1994 and Regulation 33 of the Correctional Services Regulations, the authority is therefore with the National Commissioner. Refer to delegation in terms of Correctional Services Act and Regulations: Levels 13-15 not delegated	
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 L13-15 NC approved L1-12	
4.	5(8) (b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as	EA	NC 1-13	NC 1-13	NC 1-13	EA L14-15 NC L1-13	

MS Thobakgale

National Commissioner

Date: 26/07/2023

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
	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.						
5. 9	Appointments in Public Service						
6. 9	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	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	Read with Sections 3(5) and 96(3) of the Correctional Services Act, 111 of 1998, Section 2(2) of the PSA 1994 and the delegations in terms of the Correctional Services Act. Level 13-15 not delegated	
7. 13	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	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	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. L13-14 NC approves L15 EA approves	
9. 13(2)	After the completion of a probationary period contemplated in sub section (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	CDC L11-12 CD L1-10	RC L11-12 DRC L1-10	None	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. L13-14 NC approves L15 EA approves	
10. 13(3)	If the probationary appointment is not confirmed in terms of sub section (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	CDC L11-12 DC L9-10 Director L1-8	RC L11/12 DRC L9-10 Director L1-8	No delegation	L13-14 NC approves L15 EA approves HR to facilitate submission and consult with responsible line manager	

MS Thobakgale
National Commissioner
Date: 26/07/2023

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
11.	Transfers within public service						
12.	14(1) Subject to sub sections (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	Levels 2-7 Director HR A&U Levels 8-10 DC HR Management Levels 11-12 CDC HR	none	none	The same delegations 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 delegations in terms of the Correctional Services Act. SMS not delegated.	Confirmation should be based in compliance with all stipulated conditions, work performance of an employee.
13.	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	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not Delegated	EA approves L13-15 NC approves L1-12 HR and Legal Services to facilitate	
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-	EA	Not delegated	Not delegated	Not delegated	EA approves L14-15 NC approves L1-13 HR to facilitate Refer to Section 15(3)(b) and (c) of the PSA	

MS Thobakgale
National Commissioner
Date: 26/07/2023

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
	<p>i. for a particular service or period not exceeding the prescribed period (if any); and</p> <p>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.</p>						
16.	Retirement and retention of services						
17.	<p>(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-</p> <p>(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.</p>	EA	L1-12 DC HRM	Not delegated	Not delegated	<p>NC approves L13-15 in consultation with the Minister.</p> <p>This delegation only applicable to DCS officials appointed in terms of the Public Service Act.</p> <p>(All SMS officials in DCS appointed in terms of Correctional Services Act.)</p> <p>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, as amended)</p> <p>Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA.</p>	
18.	<p>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.</p>	EA	L1-12 DC HRM	Not delegated	Not delegated	<p>NC Approves L13-15 in consultation with the Minister</p> <p>Employee to be given three calendar months' notice from date of approval.</p> <p>Refer to conditions in Section 16</p> <p>This delegation is only applicable to DCS officials appointed in terms of the Public Service Act.</p>	

MS Thobakgale

National Commissioner

Date: 26/07/2023

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
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	(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	
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 sub section (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	NC approves L13-15 in consultation with the Minister 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.) Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA EA approves L13-15 NC approves retention of L1-12 up to 3 months. Retention longer than 3 months the Minister's concurrence must be obtained for all levels. The employee must agree to his retention in writing. CDC HR and CFO must be consulted Refer to conditions in Section 16(7)	

MS Thobakgale
National Commissioner
Date: 26/07/2023

PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
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	Same levels as the delegations in terms of Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Same levels as the delegations in terms of Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Same levels as the delegations in terms of Regulation 33 read together with Resolution 1 of 2006 and Section 95B of the CSA	Delegations is the same as in terms of Regulation 33 read together with Resolution 1 of 2006 and where applicable Section 95A and B of the CSA.	
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 sub section (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 sub section (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	

MS Thobakgale

National Commissioner

Date: 26/07/2023

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PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels 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	
26. 16B(4)	If an employee of a department (in this sub section 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 L11-12 DC L9-10 Director L1-8 CSA Section 95B matters. L1-12 Director CE Levels 13-15 Not delegated	RC L11-12 DRC L9-10 RH L1-8	DC L9-10 Director L1-8	NC L13-15 Refer to delegation in terms regulation 16B(1) above (no 25) to effect sanctions	
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 L11-12 DC L9-10 Director L1-8	CDC L11-12 DC L9-10 Director L1-8	DC 9-10 Director L1-8	HR facilitates NC L13-15 in consultation with the Minister.	
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	Only applicable to officials appointed under the PSA. Officials appointed under the CSA refer to the delegations under CSA. Refer to Section 17(1)(b) for dismissal for misconduct Compliance with the Disciplinary Code, GPSSBC Resolution 1 of 2006 (Regulation 33) and Chapter 7 of SMS Handbook Levels 13-15 in consultation with the Minister	
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,	EA	CDC HR L1-12	RC L1-12	Not delegated	EA approves L14-15 NC approves L13	

MS Thobakgale

National Commissioner

Date: 26/01/2023

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
32. 30(3)	except with the written permission of the executive authority of the department. (a) The executive authority shall decide whether or not to grant permission, contemplated in sub section (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 L1-12	RC L1-12	Not delegated	HR to facilitate written motivation from employee and recommendation from Line Manager NC approves L13-15 in consultation with the Minister 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 proceedings and pay it into revenue. (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. (b) if- (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 (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	NC	Not delegated	Not delegated	Not delegated	Relevant supervisors to advise HR HR to facilitate with CFO and DC LS	

MS Thobakgale
National Commissioner
Date: 26/07/2023

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
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	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.						
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 equal to that salary, allowance, fee, bonus or honorarium, or a portion thereof, to the employee concerned.	EA	NC L1-14	NC L1-14	NC L1-14	NC approves L13-15 in consultation with the Minister Relevant supervisors to advise HR HR to facilitate via DC LS	
36. 32	Direction to perform other functions or to act in another post						
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- (ii) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department	NC	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC Level 14 Relevant CDC in consultation with the NC	Level 2-12 Director Level 13 DRC in consultation with the RC Level 14 RC in consultation with the COC	Levels 2 to 12 Area Commissioner Level 13 RC Level 14 RC in consultation with the COC	L15 NC in consultation with the Minister Acting appointments for levels other than the National Commissioner same as per delegations in terms of the Correctional Services Act	
38. 35	Grievances of employees						

MS Thobakgale

National Commissioner

Date: 26/07/2023

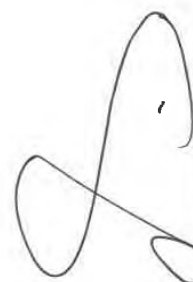
PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

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	
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	Not delegated	Refer to the grievance procedure for levels 2-12. Grievances of SMS to be handled in terms of the SMS Handbook.	
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 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 on recommendations for all levels	
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	EA	Not delegated	Not delegated	Not delegated	Grants to be made according to the DCS Retention policy Levels 13-15 NC approves in consultation with the Minister HR to facilitate in consultation with the 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.	

MS Thobakgale
National Commissioner
Date: 26/07/2023

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
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43.	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.						
38	Wrongly granted remuneration						
44.	(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 L13-14 RC L15 CDC HR in HO	L 2-12 Area Coordinator Human Resources	Head of HR to inform the relevant employee of the overpayment in consultation with finances to determine possible steps to be taken to ensure recovery in writing	



MS Thobakgale
National Commissioner
Date: **26/07/2023**

**PART B, APPENDIX B: DELEGATIONS REGISTER - NATIONAL COMMISSIONER
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	
	CHAPTER 1	GENERAL PROVISIONS					
1.	6(1), (3) and (4)	<p>Communication with Minister and media</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 authorized 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) Not delegated (4) Not delegated	(1) Not delegated (3) Not delegated (4) Not delegated	Policy to be approved by EA
2.	8(1) and (2)	<p>Record-keeping of delegations and correction of acts and omissions</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 Fraud cases handled in terms of Sections 95A and B of the CSA; Director DIU and Director CEU	(1) Not delegated (2) Not delegated	(1) Not delegated (2) Not delegated	(1) Refer to the Directive on Public Administration and Management Delegations, 2014
3.	9(1), (2) and (4)	<p>Reporting, monitoring, evaluation and compliance</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) Not delegated (2) CDC HR	Not delegated	Not delegated	Original power of NC to submit information or data to the DPSA (on in respect of the power of the NC)

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	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.	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	No delegation	No delegation	No delegation	CDC HR coordinates inputs from branches and regions
5.	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 HR	Not delegated	Not delegated	
6.	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 ensures disclosure by all members of the SMS HR facilitates
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 SMS members shall disclose to the NC in terms of PSR 18(1)
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	CDC HR shall certify to the NC submission of all SMS members on 31 May of every year subregulation (1) and within 30 days in terms of subregulation (4)
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 (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.	EA	NC	Not delegated	Not delegated	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, (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

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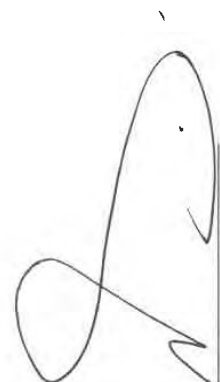
ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
10.	21(2)	<p>(e) An executive authority shall, within 30 days after such referral, report 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> <p>(2) In so far as conflict of interest relates to designated employees who are not members of the SMS:</p> <p>(a) The head of department shall verify the interests disclosed.</p> <p>(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</p> <p>(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.</p> <p>(d) A head of department shall no later than 31 August of each year report to the Minister on—</p> <p>(i) the number of cases identified in terms of subregulation (2)(b);</p> <p>(ii) whether any steps were taken;</p> <p>(iii) if steps were taken, a description of those steps; and</p> <p>(iv) if no steps were taken, reasons thereof.</p>	NC	<p>(2)(a), (b) and (c) CDC HR: L-11/12 DC HRW: L1-9/10</p> <p>(2)(d) CDC HR</p>	DRC: L1-9/10	Not delegated	(1)(e) NC retains reporting action in respect of the SMS L13 to 15
11.	22(a) to (e)	<p><u>Anti-corruption and ethics functions</u></p> <p>A head of department shall -</p> <p>(a) analyze ethics and corruption risks as part of the department's system of risk 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>	NC	<p>(a), (b) and (c) Director DIU (c)(i) and (ii) Director DIU (d)(i), (ii), (iii) Director DIU (d)(iv)</p>	Not delegated	Not delegated	This regulation must be read in conjunction with Section 95A and B of the CSA and CSR 30

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		(i) confidentiality of reporting; and (ii) the recording of all allegations of corruption and unethical conduct received through the system or systems; (d) establish an information system that - (i) records all allegations of corruption and unethical conduct; (ii) monitors the management of the allegations of corruption and unethical conduct; (iii) identifies any systemic weaknesses and recurring risks; and (iv) maintains records of the outcomes of the allegations of corruption and unethical conduct; and (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.		Director DIU on investigations and Director CEU on disciplinary action (e) Director DIU on referral to law enforcement and investigation Director CEU on decision to take disciplinary action			Indicators for Execution/Reporting/ Consultation/ Informing
12.	23(1)	Designation of ethics officers (1) An executive authority shall designate such number of ethics officers as may be appropriate for the department	EA	NC			Not delegated
13.	23(2)	Designation of ethics officers (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.	NC	NC Not delegated	Not delegated	Not delegated	



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	Regulation	Topic Description		Head Office	Region	Management Area	
14.	CHAPTER 3	PLANNING, ORGANISATIONAL ARRANGEMENTS AND SERVICE DELIVERY					Indicators for Execution/Reporting/ Consultation/ Informing
15.	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 CDC SM to submit the plan to the NC for submission to the EA to approve the strategic plan 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)
16.	25(2)(a)	Organizational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organizational 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	No delegation	No delegation	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 EQ to concur with SMS posts (L13-15)
17.	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	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. Compliance to DPSA directives. EA to concur with SMS posts (L13-15)

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		(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
18.	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 (Prepare and implement)	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 the plan after consultation with the EA NC monitor the implementation of the plan and inform the EA
19.	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 (develop and implement)	Not delegated	Not delegated	All managers to be consulted in the development of the plan NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
20.	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 (Prepare and implement)	Not delegated	Not delegated	All managers to be consulted in the development of the plan NC approve after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA
21.	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	CDC SM	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA

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	Regulation	Topic Description		Head Office	Region	Management Area	
22.	30(1) and (2)	Information and communication technology plan (1) A head of department shall establish and maintain an information and communication technology plan for the department that— (a) supports the planning process and objectives contemplated in Regulations 25 and 38; (b) utilizes an appropriate enterprise architecture methodology; and (c) complies with Chapter 6. (2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through— (a) an implementation plan linked to the Medium-Term Expenditure Framework budget; and (b) an annual operational plan.	NC	(1) CDC GITO (establish and maintain) (2) CDC Strategic Management and CFO (monitor and evaluate against MTEF and APP/AOP)	Not delegated	Not delegated	All managers to be consulted in the development of the plan NC approve after consultation with MANCO NC monitor the implementation of the plan and inform the EA
23.	31(1)	Annual report (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.	NC	CDC Strategic Management	Not delegated	Not delegated	
24.	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	CDC Strategic Management	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA tables report in the legislature
25.	35	Organizational functionality assessment An executive authority shall conduct an organizational 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	CDC Strategic Management	Not delegated	Not delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
26.	36	Operations management framework An executive authority shall establish and maintain an operations management framework which shall include -	EA	CDC Strategic Management	Not delegated	Not delegated	NC approve the framework after consultation with MANCO and the EA

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	Regulation	Topic Description		Head Office	Region	Management Area	
		(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.					Indicators for Execution/Reporting/ Consultation/ Informing NC monitor the implementation of the plan and inform the EA
27.	37(1)	Service delivery charter (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	CDC Strategic Management	Not delegated	Not delegated	NC approve charter after consultation with MANCO and the EA NC monitor the implementation of the charter and inform the EA
28.	38	Service delivery improvement plan 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	CDC Strategic Management	Not delegated	Not delegated	NC approve after consultation with the EA NC monitor the implementation of the plan and inform the EA
29.	CHAPTER 4	EMPLOYMENT MATTERS					
30.	39(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSD's (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),	EA	Director HR Planning	Regional Head HR	Area Coordinator Corporate Services	HR to facilitate CDC HR to provide a report to NC annually to enable the NC to brief the Minister

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31.	40	<p>except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilized</p> <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 utilized;</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 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12
32.	41(3)	<p>Job evaluation and job grading systems</p> <p>(3) An executive authority may evaluate or re-evaluate any job in his or her department, except--</p> <p>(a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or</p> <p>(b) jobs determined in terms of an OSD.</p>	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12
33.	43(2)(a)	<p>Grading of posts</p> <p>(2) An executive authority shall--</p> <p>(a) determine the grade of a post to correspond with -</p> <p>(i) the evaluation of the job by the Minister in terms of Regulation 41(2)(d) on a date determined by the Minister;</p> <p>(ii) jobs determined in terms of Regulation 42, or</p> <p>(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)</p>	EA	NC L1 to L12	Not delegated	Not delegated	EA approves L13 to 15 NC approves L1 to L12

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34.	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 L12	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12 HR to facilitate In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45(4)
35.	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 to L12	Not delegated	Not delegated	EA approves for L13-15
36.	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 - (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	NC L1 to L12	Not delegated	Not delegated	NC approves L13-15 in consultation with the EA NC approves L1-12 HR to facilitate
37.	45(1)	Undergraded posts (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	NC approves L13 to L15 in consultation with the EA Continued employment of incumbent is set out in Regulation 45(2)
38.	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 L12	Not delegated	Not delegated	NC approves L13 to L15 in consultation with the EA

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39.	46(1)	Overgraded posts (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 L12	Not delegated	Not delegated	Indicators for Execution/Reporting/ Consultation/ Informing NC approves L1 to L14 in consultation with the EA
40.	47(3)	Information on remuneration (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— (a) the department's name and address; (b) the employee's name; (c) the employee's job title and occupational category in terms of the systems of occupational classification and remuneration or OSD; (d) the employee's salary notch; (e) any other form of compensation that the department pays directly to the employee on a monthly basis; (f) the period for which payment is made; (g) the amount and purpose of any deductions; and (h) the actual amount paid to the employee.	NC	CDC HR	Not delegated	Not delegated	Information is specified in Regulation 47(3)(a) to (h)
41.	48	Leave A head of department shall— (a) encourage an employee to fully utilize his or her annual leave entitlement in the leave cycle; (b) ensure that all leave taken by an employee is recorded accurately and in full; and (c) ensure that an employee does not abuse sick leave.	NC	Approval of application for all types of leave 1-30 days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager. 31- 60 Days Minimum level DD 61 – 89 Days Relevant Director	Approval of application for all types of leave 1-30 days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager 31- 60 Days Minimum level DD 61 – 89 Days	Approval of application for all types of leave 1-30 days (except leave without pay and Incapacity leave): Supervisor (minimum level 7) and next level manager 31- 60 Days Minimum level DD 61 – 89 Days	DP&SA determination on leave must be adhered to. 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. Leave forms for Area Commissioner (including on DC level) in regions must be recommended by the DRC. Leave forms of DRC's must be recommended by the Regional Head.

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	Regulation	Topic Description		Head Office	Region	Management Area	
				<u>Leave without pay</u> 1-7 Days Relevant Director 8-29 Days Director HR Administration & Utilization 30-89 Days DC HR Management 90 days+ (all types of leave except incapacity leave) Relevant Branch Head in Head Office More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Director HRM & A Permanent incapacity leave DD Retention & Termination Deviation from the recommendation of the Health Risk Manager on temporary incapacity leave and ILL health retirement	RH Corporate Services <u>Leave without pay</u> 1-7 Days Relevant Director 8-29 Days RH Corporate Services 30-89 Days Deputy Regional Commissioner all types of leave except incapacity leave Regional Commissioner More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Regional Coordinator: HR Permanent incapacity leave DD Retention & Termination Deviation from the recommendation of the Health Risk Manager on temporary incapacity	Area Commissioner <u>Leave without pay</u> 1-7 Days Head Correctional/Remand Centre/Community Corrections (minimum level DD) 8-29 Days Area Commissioner 30-89 Days DRC or Area Commissioner on DC level 90 days+ (all types of leave except incapacity leave) Regional Commissioner More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management Incapacity leave (including 'conditional' approval) Area Coordinator: Corporate Services Permanent incapacity leave DD Retention & Termination	Indicators for Execution/Reporting/ Consultation/ Informing Human Resources to verify correctness and availability of leave. Leave forms of CDC's and RC's must be recommended by the CDC HR to verify correctness and availability of leave Policy and procedure on incapacity leave and ILL - Health Retirement (PILIR) and DPSA determination on leave must be adhered to

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	Regulation	Topic Description		Head Office	Region	Management Area	
				Director HR A&U in consultation with the relevant Director Approval of special leave not specified in the special leave policy DC HRM	leave and ILL health retirement Director HR A&U in consultation with the RH HR Approval of special leave not specified in the special leave policy No delegation	Deviation from the recommendation of the Health Risk Manager on temporary incapacity leave and ILL health retirement Director HR A&U in consultation with the RG HR Approval of special leave not specified in the special leave policy No delegation	Indicators for Execution/Reporting/ Consultation/ Informing
42.	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 authorization 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	Director HR Admin & Utilization	Regional Head Human Resources	No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine roles and responsibilities of role players
43.	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 authorized; (c) how much overtime an employee may work in a given period;	EA	NC Not delegated	Not delegated	Not delegated	NC approves overtime policy after consultation with MANCO

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	Regulation	Topic Description		Head Office	Region	Management Area	
		(d) how authorization for overtime is recorded; and (e) other control measures, if necessary.					Indicators for Execution/Reporting/ Consultation/ Informing
44.	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-- (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.	NC	NC Not delegated	Not delegated	Not delegated	Read with Correctional Services Regulation 32 The CDC HR provides the submission to the NC with the working hours in compliance with the BCEA and other relevant prescripts.
45.	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 normal day to day administrative tasks. The overtime policy must be adhered to.
46.	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 MANCO determine roles and responsibilities of role players
47.	54	<u>Employee 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 MANCO determine roles and responsibilities of role players
48.	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	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players

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49.	56	Workplace environment management A head of department shall introduce appropriate measures for the institutionalization of the Public Service Charter in his or her department.	NC	CDC HR	RC	AC	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players
50.	57(1)	General conditions for appointment (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 DC of CD: L1-10 CDC of branch: L1-12	RC L11-12 DRC L1-10	No delegation	EA approves L15-16 (Refer to Section 96(3) of the CSA in terms of SMS appointments) 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 67(8) and (9) See under the topic probation PSR 68
51.	57(2)	General conditions for appointment Employ persons additional to the establishment (2) An executive authority may, unless otherwise authorized 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;	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 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)

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	Regulation	Topic Description		Head Office	Region	Management Area	
52.	57(3) and (4)	(c) an employee's post has been abolished and he or she cannot be transferred into another post; or (d) an employee is part of a development programme as contemplated in Regulation 58. (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
53.	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 L13-14 Not delegated DDG (CDC); L1-11/12 CD: L1-9/10 Director: L1-8	CD: L1-9/10 Director: L1-8	CD: L1-9/10 Director: 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 L15 and L16 NC approves L13-14 See general conditions for appointment set out in PSR 57(1), and (6), and 58, 60, 61 See under the topic selection PSR 67(8) and (9) See under the topic probation PSR 68
54.	58	Developmental programmes An executive authority may appoint persons who are part of a developmental programme, including but not limited to, internships, learnerships and apprenticeships, on such terms and conditions that shall be determined by the Minister.	EA	CDC HR Approval of advertisement after approval of the recruitment and funding by the National Commissioner for	Regional Head: Corporate Services Approval of student internship placement for the Regional Office	Area Coordinator: Corporate Services Approval of student Internship Management Area	National Commissioner approves the recruitment and funding for the graduate internship, learnership and the apprenticeship programmes. National Commissioner approves the processes of:

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55.	59	Utilization of unpaid voluntary workers An executive authority may utilize unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the 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.	EA	Head Office and Regions. Relevant DC Approval of: - Student internship placement for chief directorate Director HR A&U	RH HR	AC	Indicators for Execution/Reporting/ Consultation/ Informing 1. Shortlisting 2. Enrolment of learners 3. Appointment of graduate interns Student internship placement must be on the recommendation of Human Resource Development. Departmental policy approved by the NC determine roles and responsibilities of role players CDC HR to provide quarterly report to the NC on the number and cost of volunteers in DCS
56.	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;	EA	CDC of branch L1-12 DC HRM L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L13-15

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	Regulation	Topic Description		Head Office	Region	Management Area	
		(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					Indicators for Execution/Reporting/ Consultation/ Informing
57	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	EA approves L13-15
58	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: L1-12	Not delegated	Not delegated	HR facilitate with the assistance of heads of branches and regions NC Approves L13-15 in consultation with the Minister
59	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	L2-12: DC HRM L13-15: 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)
60	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;	EA	L2-12: DC HRM L13-15: 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)

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	Regulation	Topic Description		Head Office	Region	Management Area	
61.	66(1) and (2)	(b) locally; or (c) nationwide. Filling of posts in office of executive authorities and Deputy Ministers (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 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).	EA	Not delegated	Not delegated	Not delegated	No delegation
62.	67(1)	<u>Selection</u> (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 L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA approves L13-15 The employee who must approve the appointment of an employee to a post L1-12 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 L1-12 See the conditions set out in PSR 67(2) to (9)
63.	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-	EA	Not delegated	Not delegated	Not delegated	NC approves L1-12 EA approves head-hunting for L13 to L15

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		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.					Indicators for Execution/Reporting/ Consultation/ Informing
64.	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 L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA for L13-15
65.	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	L2-10: DC of CD L11-12: CDC of branch	L2-10: DRC L11-12: RC	No delegation	EA for L13-15
66.	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 L11-12: RC	No delegation	NC for L13-14 EA for L15
67.	69(2)	<u>Resignation</u> (2) Subject to Section 16B(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: Director L9-10: DC L11-12: CDC	L1-8: Director L9-10: DRC L11-12: RC	L1-8: Director L9-10: DC	EA for L13-15
68.	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
69.	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	EA for L 15 HR facilitate all exit interviews and compile a report for NC at the end of each financial year
70.	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 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	EA for L13-15

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71.	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	CDC: L11-12 DC: L9-10 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	Indicators for Execution/Reporting/ Consultation/ Informing NC L13-14 EA L15
72.	70	Employee records 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	
73.	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 approves system for performance management and development after consultation with MANCO 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(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 approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71(3) to (8)
75.	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 approves system for performance management and development after consultation with MANCO 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.	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 approves system for performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA See conditions set out in PSR 71(3) to (8)

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77.	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 See conditions set out in PSR 71(3) to (8)
78.	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 Director: L1-8	RC: L11-12 DRC: L9-10 Director: L1-8	DC: L9-10 Director: L1-8	NC for L13-15 in consultation with the Minister
79.	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	
80.	72(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	CDC HR: L13-14 DC: L11-12 Director: L9-10 DD: L1-8	DC: L11-12 Director: L9-10 DD: L1-8	DC: L11-12 Director: L9-10 DD: L1-8	The chairperson of moderation committee must provide the feedback L15 NC
81.	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 Director: L1-12	RC: L14 DRC/DC: L13 Director: L1-12	DC: L13 Director: L1-12	NC for L15 HR facilitate with the co-operation of supervisors
82.	73(1)	Rewarding performance (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).	EA	CDC HR	Not delegated	Not delegated	NC approve scheme after consultation with the MANCO and the EA NC monitor the implementation of the system and inform the EA DPSA directives to be complied with
83.	73(2)	(2) A head of department shall establish a written departmental performance incentive scheme - (a) determining the nature, rules and control measures of the scheme;	NC	CDC HR	Not delegated	Not delegated	NC approve scheme after consultation with the MANCO and the EA

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	Regulation	Topic Description		Head Office	Region	Management Area	
		(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.					Indicators for Execution/Reporting/ Consultation/ Informing NC monitor the implementation of the system and inform the EA
84.	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 MANCO The conditions for training assistance are set out in PSR 77.
85.	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 MANCO and the EA NC monitor the implementation of the training and inform EA The conditions for training assistance is set out in PSR 77
86.	77(1) to (4)	Training assistance (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 department, or (b) the employee has requested any such assistance and the study, training or research is related to the employer's skills requirements. (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,	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. International study – Not delegated

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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	
		conferences, workshops, lectures and study tours. (3) A head of department may - (a) grant bursaries for higher education to employees or other persons in terms of a human resources development plan contemplated in Regulation 28; (b) allocate bursaries for general education and continuing education and training to employees; and (c) require contractual service in recompense for assistance received in respect of general education or continuing education and training. (4) A head of department may defray any reasonable actual expenses associated with study, research or training. Note: - 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 accepted from 1 April 2010. - 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.		12 CDC HR DCHRD DC's	Not delegated DRC Regional Head Corporate Services	Not delegated Area Coordinator Corporate Services	Indicators for Execution/Reporting/ Consultation/ Informing NC approves recruitment for programme
87.	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
88.	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 shall serve the department for a commensurate period.	NC	DC HRD	Not delegated	Not delegated	Operational policy for training assistance to provide specifics
89.	78(2)	Mandating and management of negotiations (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 to provide written mandate Minimum level Director ER to sign agreement on behalf of employer	Not delegated	Not delegated	NC gives mandate on matter of mutual interest after consultation with MANCO and the EA NC to indicate who must sign the collective agreement on behalf of the employer The conditions for matters with financial implications are set out in PSR 79.

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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	
90.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
91.	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
92.	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	
93.	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 facilitate incident reports and plans and submit to NC
94.	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 with the MIOS in the acquisition or use of information and communication technology.	NC	CDC GITO	Not delegated	Not delegated	

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