

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1401

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The Department of Trade and Industry (the dti)**1. Use of Official Languages Act, 2012: Publication of the dti's Language Policy**

- 1.1 The Constitution of the Republic of South Africa Act 108 of 1996 provides for 11 official languages; recognises the historically diminished use and status of indigenous languages; and requires the State to take practical and positive measures to elevate the status and advance the use of these languages. The Constitution requires that all official languages enjoy parity of esteem and be treated equitably; and provides that national Government must regulate and monitor its use of official languages by legislative and other measures.
- 1.2 The Use of Official Languages Act, 2012 (Act No. 12 of 2012), was promulgated to regulate the use of languages by national Government. The Act provides for the regulation and monitoring of the use of official languages for government purposes; requires the adoption of a language policy by a national department, national public entity and national public enterprise; promotes parity of esteem and equitable treatment of official languages of the Republic; facilitates equitable access to services and information of national Government; and promotes good language management by national Government for efficient public service administration and to meet the needs of the public.
- 1.3 **the dti** has developed this Language Policy in compliance with the Act.

2. Purpose of the Policy

- 2.1 The purpose of the policy is to outline how **the dti** will comply with the provisions of the Use of the Official Languages Act, 2012.
- 2.1.1 Section 4(1) of the Act provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages; and
- 2.1.2 Section 4(2) provides that a language policy adopted in terms of subsection (1) must:
- 2.1.2.1 Identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes;
- 2.1.2.2 Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter- and intra-government communication;

- 2.1.2.3 Describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its official chosen languages or South African Sign Language;
- 2.1.2.4 Describe how members of the public can access the language policy; and
- 2.1.2.5 Provide a complaint mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national enterprise.

3. Regulatory Framework

3.1 This policy is governed by the following legislation:

- 3.1.1 The Constitution of the Republic of South Africa, 1996
- 3.1.2 The Use of Official Languages Act, 2012
- 3.1.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012

4. The mandate of the dti

4.1 **the dti** aims to:

- 4.1.1 Promote structural transformation, towards a dynamic industrial and globally competitive economy;
- 4.1.2 Provide a predictable, competitive, equitable and socially responsible environment, conducive to investment, trade and enterprise development;
- 4.1.3 Broaden participation in the economy to strengthen economic development; and

Continually improve the skills and capabilities of **the dti** to effectively deliver on its mandate and respond to the needs of South Africa's economic citizens.

5. Scope of the Policy

5.1 The policy is applicable to all divisions of **the dti**, including anyone executing functions on behalf of the department.

6. Ownership of the Policy

6.1 **the dti** Marketing Communication and Stakeholder Engagement Unit is the sole owner and administrator of this policy. The functions of the unit will be to:

- 6.1.1 Advise the Director-General on the development, adoption and implementation of the policy;
- 6.1.2 Monitor and assess the use of official languages by **the dti**;
- 6.1.3 Monitor and assess compliance with this policy;
- 6.1.4 Compile and submit a report on an annual basis to the Minister and the Pan South African Language Board in terms of section 9 of the Act;
- 6.1.5 Promote parity of esteem and equitable treatment of the official languages of the Republic;
- 6.1.6 Facilitate equitable access to the services and information of **the dti**;
- 6.1.7 Promote good language management; and
- 6.1.8 Handle complaints regarding the use of official languages by **the dti**.

7. Official languages of **the dti**

- 7.1 **the dti** has adopted all 11 official languages of the Republic of South Africa for the purposes of this policy.
- 7.2 **the dti** will make use of English in all communication and is committed to making use of all official languages where feasible and as and when requested by members of the public.

8. Use of official languages by **the dti**

- 8.1 The following factors will be taken into account when arriving at the choice of which official language(s) **the dti** will use in each context/situation:
 - Usage
 - Practicality
 - Expense
 - Regional circumstances
 - The balance of the needs and preferences of the public it serves

8.2 The table below shows how **the dti** will use the official languages.

PURPOSE	LANGUAGE(S)
Inter- and intra-government communication	English
Communicating with members of the public (official written correspondence)	The official languages of the Republic with due regard to the criteria outlined in clause 7.2 above
Communicating with members of the public (oral communication)	The official languages of the Republic with due regard to the criteria outlined in clause 7.2 above
Official publications intended for public distribution	English; depending on the audience, two alternate major official languages of preference where feasible, as and when requested
Outreach engagements	English; depending on the geographical area, two alternate major official languages of preference will be used concurrently where feasible, as and when requested
Public hearings and other official proceedings	English, but requests can be made to provide interpretation services in any other official language
Communication with the sight or hearing impaired	the dti will facilitate South African Sign Language interpreting and conversion of text into Braille or audio on request
International communication	English
Website	English

8.3 Stakeholders may request in writing that written or published information be provided in a particular official language where that communication or information is not being provided in such language. Such request must be made in writing and received by **the dti** at least 60 days prior to the communication or information being required. Members of the public who make such applications will be notified in writing of the outcome of the decision.

9. Communication with members of the public whose language of choice is not one of the official languages of the Republic

9.1 A member of the public who wishes to communicate with **the dti** in a language that is not one of the official languages of the Republic must notify **the dti** in writing via e-mail to contactus@thedti.gov.za

9.2 Due consideration will be applied to every request.

- 9.3 Members of the public who make such applications will be notified in writing of the outcome of the decision.

10. Communication with members of the public whose language of choice is South African Sign Language

- 10.1 A member of the public who wishes to communicate with **the dti** in South African Sign Language must notify **the dti** in writing via e-mail to contactus@thedti.gov.za
- 10.2 **the dti** will complete arrangements for appropriate interpreting within 20 working days of the date of the request having been received by **the dti**.

11. Publication of and access to this policy

- 11.1 This policy will be published in English and made available to stakeholders in any other official language upon request.
- 11.2 The policy will be available on **the dti**'s website.
- 11.3 It will be available in Braille or audio upon request.

12. Complaint mechanism

- 12.1 Any person who is dissatisfied with the use of official languages by **the dti** may lodge a complaint in writing to the Director-General of **the dti** in terms of section 4(f) of the Use of Official Languages Act, 2012.
- 12.2 A complaint must be lodged as follows:
- 12.2.1 In writing within three months of the complaint arising.
- 12.2.2 Any complaint lodged must state the name and surname, physical and postal address, and contact information of the person lodging the complaint.
- 12.2.3 The complainant must provide a detailed description of the complaint.
- 12.2.4 The Director-General may request the complainant to supply any additional information deemed necessary to consider the complaint and/or to attend a meeting for the purpose of making an oral enquiry into the complaint.

- 12.2.5 The Director-General will consider the complaint and respond in writing, not later than three months after the complaint was lodged, informing the complainant of the outcome.
- 12.2.6 If the complainant is dissatisfied with the decision of the Director-General, he or she may lodge an appeal in writing to the Minister.

13. Review of policy

- 13.1 **the dti** Marketing Communication and Stakeholder Engagement Unit acknowledges that changes and refinements to this policy may be necessary from time to time, as deemed appropriate by the Division or otherwise requested by **the dti** Leadership.
- 13.2 This policy will be revised, reviewed and refined on an annual basis.
- 13.3 Any amendments to this policy shall be the sole responsibility of the Chief Director: Marketing Communication and Stakeholder Engagement.