

**DEPARTMENT OF CORRECTIONAL SERVICES
NOTICE 592 OF 2020**

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

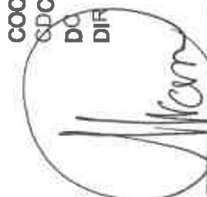
WITH REFERENCE TO THE FOLLOWING LEGISLATION AND PRESCRIPTS:-

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

PROVIDED THAT:

- a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
- b) Any line-functionary with an equal or higher rank is also authorized to exercise the same power.
- c) Regions all report to the National Head Office and therefore does not have jurisdiction over each other. Any delegated power that cannot be exercised for whatever reason in a region must be referred to National Head Office for a decision;
- d) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
- e) Any delegation does not prohibit the National Commissioner from exercising the power concerned or performing the duty concerned himself or herself (*Qui custodit originalem potestatem delegat*) who also may withdraw any delegation to any post (and therefore the incumbent in that post) at any time;
- f) A person who have been delegated an authority cannot delegate such authority. (*Delegatus delegare non potest*)
- g) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard; and;
- h) Levels of delegation indicated with Head Office, refer only to post structures which exist at the Correctional Services, Head Office, Pretoria.
- i) The following abbreviations may be applicable:

NC	=	National Commissioner
COC	=	Chief Operations Commissioner (Reference in any other delegated authority to COO implies the COC)
SDC	=	Chief Deputy Commissioner
DQ	=	Deputy Commissioner
DIF	=	Director



A Fraser
National Commissioner, Correctional Services
Date: 2020/10/05

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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 / Head Remand Detention Centre
ACC	=	Area Coordinator Corrections
ACCS	=	Area Coordinator Corporate Services
AC	=	Area Commissioner
AC DC	=	Area Coordinator Development and CARE
HCC CC	=	Head Community Corrections
SMS	=	Senior Management Service
Official	=	Official of DCS as contemplated in section 1 of the Act.

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



A Fraser
National Commissioner: Correctional Services
Date: 5 October 2020

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

A. CORRECTIONAL SERVICES ACT 111 OF 1998 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.	Section 3 (5) and 3 (5) (C) Control over operational matters in the Department of Correctional Services		NC	COC over all regions in the Department of Correctional Services as well as core business branches in Head Office.	Regional Commissioner	Area Commissioner	Head of Correctional Centres/Remand Detention Centres/Community Corrections reports to the appointed Area Commissioner. Area Commissioners in a specific Region/Province reports to the appointed Regional Commissioner. Regional Commissioners reports to the appointed COC. Branch Heads: Core Business reports to the COC.
2.	Section 3 (5) (c) and (d) 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	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head of Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	The person who provides the authorisation must always be one level higher than the person who needs to travel. Logistical and Financial policies, procedures and directives must be adhered to. This delegation does not include operational trips officials must undertake to escort inmates to court/ outside hospital/medical appointment or other place such inmate is legally required to be, including transfers from one correctional centre to another. The Head of Correctional Centre/ Community Corrections Office approve such trips in line with the stipulations in the B-Order. The use of Conference Facilities must be handled according to the relevant directives and is not included in this delegation.
3.	Section 3 (5) (c) and (d) Approval of S&T claims.		NC	Supervisor (DD and Higher)	Supervisor (DD and higher)	Head of Correctional Centre / Head of Remand Detention Centre (DD and higher) Area Coordinator (DD and higher)	Person who approves must always be on level higher than the claimant. Compliance to all relevant policies and procedures and rates determined by DP&SA. Compliance to DP&SA financial manual
4.	Section 3 (5) (c) and (d) Approval of KM claims.		NC	Director and higher	Director and higher	Director and higher	Person who approves must always be on level higher than the claimant. Compliance to all relevant policies and

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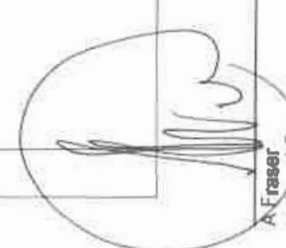
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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


A. F. Rasier
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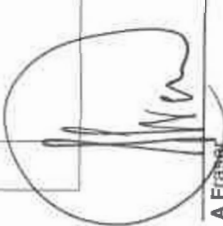
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12. Section 3 (5) (e)	Grant approval for payment of death grants	NC	CDC Human Resources	No Delegation	No Delegation	Compliance to policy on death grants
13. Section 3 (5) (f)	Grant approval for the payment of monetary rewards to private persons.	NC	CDC	No Delegation	No Delegation	
14. Section 3 (5) (g) read with section 96(3)	Appoint correctional officers (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 HRM in consultation with the CDC HR Level 11-12 CDC HR Any deviation: levels 2-12 COC	Level 2-10 (Comply with requirements) Deputy Regional Commissioner in consultation with the RC Level 11-12 (Comply with requirements) Regional Commissioner Any deviation: levels 2-12 COC	Note	1. All appointments and interdepartmental transfers must comply with DCS and relevant OSD appointment criteria as well as the PSA and PSR, requirements and DPSA directives. 2. Any deviation must be submitted to the CDC. 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)(e) of the Act read with the PSA and PSR.
15. Section 3 (5) (g) read with Section 96 (3) (d) and	Approve all placements and transfers/interdepartmental transfers on state costs.	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)	Approve transfers/interdepartmental transfers of SMS on own time and cost or on state costs including interdepartmental transfers to and from DCS, of the SMS.	NC	No Delegation	No Delegation	No Delegation	National Commissioner to approve after consultation with the CDC HR.
17. Section 3 (5) (g) read with Section 96 (3) (d)	Approve transfers/interdepartmental transfers and placements of officials on own time and cost from level 2 (SCO or equivalent) to level 12 (DD or equivalent), including interdepartmental transfer from DCS to other departments/institutions.	NC	Head Office Level 2-7: Relevant director after consultation with Dr HRA & U Level 8-10: Relevant DC after consultation with Dr HRA & U.	Levels 2 to 7: Within RC Office: Relevant Regional Head Corporate Services after consultation with RH Corporate Services Across Management Areas	Levels 2 to 7: Within Management Area only: Area Commissioner: (including interdepartmental transfer from DCS)	Compliance to transfer policy and procedures. To be processed/managed by HR. In regional offices and Head Office the application for transfer must be submitted to the Personnel office that will process the application to the relevant directorates.


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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	Level 11-12 Relevant CDC after consultation with the HRA & U	Deputy Regional Commissioner after consultation with RH Corporate Services. Levels 8-10: Deputy Regional Commissioner (Excluding Heads of centres and community corrections offices) Levels 11-12: Regional Commissioner	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)	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC Levels 14 Relevant CDC in consultation with the NC	Level 2-12 Director Level 13 DRC in consultation with the RC Levels 14 RC in consultation with the COC	Levels 2 to 12 Area Commissioner: Level 13 RC Levels 14 RC in consultation with the COC	<ol style="list-style-type: none"> 1. L 15 NC 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 DPSSA policy via the CDC HR and 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 templates letters to be used for appointment of officials who must act.


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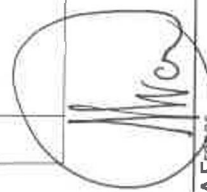
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20.	Section 3 (5) (g) read with Section 96(3)(d)	Appoint temporary employees: (Periodical contract employees: Professionals)	No Delegation	No delegation	No delegation	6. HR must certify that a post is vacant before any acting appointment where acting allowance is involved. 7. All acting appointments of SMS shall be done in consultation with the COC. (Appointment memorandum to be directed via the CDC HR) (E.g. appointment of acting DRC is done by the RC after the memorandum is received back from the COC). 8. CDC HR to issue a directive on the administrative conditions for acting appointments.
21.	Section 4 (2) (c)	Restrict, suspend or revise amenities for offenders of different categories.	COC	No delegation	No delegation	Appointment of officials on contract (except periodical employees: professionals are not delegated and must be submitted to the National Commissioner for approval
22.	Section 6 (1) (b)	Authorisation to detain a person at any correctional centre.	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.	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.	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.	No delegation	No delegation	Head of Correctional Centre	Compliance to all relevant prescripts

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26. Section 7 (2) (f)	Detain inmates apart from other inmates where there is a danger of inmates while awaiting trial or sentenced, that they will defeat the ends of justice by 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 sentenced, that they will defeat the ends of justice by their association with other inmates.	NC	No delegation	No delegation	Area Commissioner	Compliance to all relevant prescripts
28. Section 13 (6) (b)	Enable an offender to notify next-of-kin of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Divisional Head: Case Management Administration/ Corresponding post in Remand Detention Centre	Compliance to all relevant prescripts
29. Section 13 (6) (c)	In the case of an offender who is a child, notify the parents and state authorities who have statutory responsibility for the education and welfare of children of admission or after transfer to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
30. Section 16 (2)	If the Department does not provide the services referred to in section 16 (1) inform inmates of services available from other sources and put inmates who request such services in touch with appropriate agencies.	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
31. Section 19 (2)	The National Commissioner must provide every inmate who is a child with social work services, religious care, recreational programmes and psychological services	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts
32. Section 19 (3)	The National Commissioner must, if practicable, ensure that inmates who are children remain in contact with their families through additional visits	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	Compliance to all relevant prescripts


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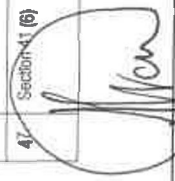
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33.	Section 20 (1) Permit a mother to have her child with her until such a child is 2 years of age, or until such time that the child can be appropriately placed taking into consideration the best interest of the child.	NC	No delegation	No delegation	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 the Correctional Centre / Head of Remand Detention Centre	
36.	Section 24 (1) (read together with section 1) Appoint authorized official/disciplinary in writing. (read with the definition of disciplinary official and authorized official)	NC	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	Area Commissioner (to respond to the complaint/request)
37.	Section 24 (7) (a) and (b) At the request of the inmate proceedings resulting in any penalty other than the penalty contemplated in subsection 5(d) must be referred for review to the National Commissioner	NC	No delegation	No delegation	Area Coordinator: Corrections on a level higher than the chairperson of the disciplinary hearing.	
38.	Section 26 (3) In order to achieve the objectives outlined in subsection (1) and subject to the limitations outlined in sections 27 to 35, the National Commissioner may classify and allocate accommodation to inmates.	NC	COC CDC Incarceration and Corrections may intervene in cases of overcrowding to transfer inmates across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centre/ Head of Remand Detention Centre	
39.	Section 30 (1) Segregation for a period of time, which may be for part of the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in section 7 (2) (e).	NC	No delegation	No delegation	Head of Correctional Centre/ Head of Remand Detention Centre	
40.	Section 30 (5) Extend the period of segregation for a period more than seven days for a period not exceeding 30 days if the Head of the Correctional Centre believes it necessary to do so in terms of subsection (1) (c) to (f) and if the medical officer or the psychologist certifies that such an extension	NC	No delegation	No delegation	Area Commissioner	

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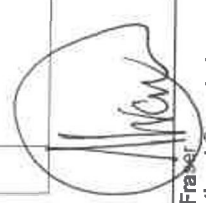
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41.	Section 30 (6) would not be harmful to the health of the offender, he or she may, with the permission of the National Commissioner, extend the period of segregation for a period not exceeding 30 days All instances of segregation and extended segregation must be reported immediately by the Head of the Correctional Centre to the National Commissioner and Inspecting Judge	NC	No delegation	No delegation	Head Correctional Centre report to the Regional Commissioner and the Inspecting Judge via the Area Commissioner.	
42.	Section 31 (3) (c) Extend the minimum period necessary for the restraint of an offender by mechanical restraints for a maximum period not exceeding 30 days after consideration of a report by a medical officer or psychologist.	NC	No delegation	No delegation	Area Commissioner	
43.	Section 38 (2) (e) The National Commissioner may determine, unless the court directs otherwise or unless the court directs that such sentences shall run concurrently, how sentences of imprisonment, commencing, computation and termination of sentences must be served.	NC	No delegation	No delegation	Head Correctional Centre	
44.	Section 39 (5) (e) 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 order unless the Court specifically directs otherwise or unless the Court directs that such sentences shall run concurrently.	NC	No delegation	No delegation	Head of Community Corrections	
45.	Section 39 (6) (e) Issue a warrant for the arrest of an offender, if the offender had been released from a correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	NC	No delegation	No delegation	Area Commissioner	
46.	Section 40 (4) (b) Determine the amount of gratuity that sentenced offenders receive for their labour must be determined by the National Commissioner with the concurrence of the Minister of Finance	NC	Chief Financial Officer in consultation with the COC	No delegation	No delegation	
47.	Section 41 (6) Compel sentenced offenders to participate in programmes and use services offered in terms of sub sections (1), (3) and (4) where of the opinion	NC	No delegation	No delegation	Head of Correctional Centre	


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48.	Section 43 (4) that their participation is necessary having regard to the nature of their previous criminal conduct and the risk they pose to the community. Transfer a sentenced child to a child and youth care centre as contemplated in section 19(2)(i) of the Children's Act 2005 (Act no. 38 of 2005), in consultation with the Director General of the Department of Social Development and from which date the provision of section 78 of the Child Justice Act of 2008 will apply	NC	No delegation	No delegation	Head of the Correctional Centre/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	All approvals must be communicated to the RC on the same day as approval (in high profile cases)
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	
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	


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Section	Topic Description		Head Office	Region	Management Area	
53. Section 48C	Detain aged remand detainees separately	NC	No delegation	No delegation	Head of the Correctional Centre/ Head of the Remand Detention Centre	
54. Section 48D	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 48F(1)	Release of remand detainees under the supervision of the SAPS to a maximum period of 7 days	NC	No delegation	From more than 3 days to 7 days Deputy Regional Commissioner Request for the second time by the same detainee, for the same case Regional Commissioner	Less than 1 day (return same day/next overnight) Head of RDF 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 the 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 04/09/2014 between DCS and the SAPS.
56. Section 52 (1) read together with section 42 (2) (e) and section 75 (1)	May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (e) to (q) of this section, subject to the limitations in sub-section (2) and the qualifications in terms of Chapter 6 (Community Corrections) of this Act.	NC	No delegation	No delegation	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	

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58.	Section 58(6) (b) read together with section 52 (1)	Submission of report by supervision committee to National Commissioner	No delegation	No delegation	Longer than 24 months Incarceration: Correctional Supervision and Parole Board	
59.	Section 61 (2)	The National Commissioner must assist in the attempt to find employment.	No delegation	No delegation	Up to 24 months Incarceration: Head of Correctional Centre Longer than 24 months Incarceration: Correctional Supervision and Parole Board	
60.	Section 62 (a)	Permit a person subject to community corrections who is required in terms of section 52 (1) (d) to take up and remain in employment, to change his or her employment may not change his or her employment without the permission of the National Commissioner	No delegation	No delegation	Before placement Head Correctional Centre After placement Head Community Corrections	
61.	Section 62 (c)	Permit a person to leave the place of employment during working hours for purposes unrelated to the employment when a person subject to Community Corrections is required in terms of section 52 (1)(d) to take up and remain in employment.	No delegation	No delegation	Head Community Corrections	
62.	Section 63 (e)	Demand that a probationer or parolee submit a statement of income and expenditure, as often as may be deemed necessary in order to ascertain the financial ability of a probationer or parolee.	No delegation	No delegation	Head of Community Corrections	

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Section	Topic Description		Head Office	Region	Management Area	
63.	Section 63 (b) Demand proof as specified of payment of compensation as ordered by the court of a person subject to community corrections who is required to pay compensation.	NC	No delegation	No delegation	Head of Community Corrections	
64.	Section 64 (4) Grant leave of absence from a session where a person must attend programmes in terms of Section 52 (1) (f).	NC	No delegation	No delegation	Head Community Corrections	
65.	Section 65(1) Provide the National Commissioner with a statement of income and expenditure if required to make a contribution on costs	NC	No delegation	No delegation	Head Community Corrections	
66.	Section 65 (2) The National Commissioner may, within the means of such person, determine the contribution to costs which that person must make and may adjust the period of supervision and day parole	NC	No delegation	No delegation	Probationers and Parolees; Head of Community Corrections Office Day Parolees; Head of Correctional Centre	
67.	Section 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) (i), determine such address.	NC	No delegation	No delegation	Head of Community Corrections	
68.	Section 66 (2) (a) and (b) Declare a fixed address in terms of Section 52 (1) (i) to be unsuitable and refer the matter back to the Court, Correctional Supervision and Parole Board or other body, to stipulate another address.	NC	No delegation	No delegation	Head of Community Corrections	
69.	Section 68(4) Appoint persons in terms of section 96(4) to assist correctional officials in monitoring	NC	No delegation	No delegation	Area Commissioner	
70.	Section 68(2) Where any child is subject to supervision in terms of this Chapter, the National Commissioner must, in addition to any programmes which the child in terms of section 52(1)(f) may be required to take part in, ensure that if the child requires support he or she has access to adequate social work services, religious care, recreational programmes and psychological services.	NC	No delegation	No delegation	Head Community Corrections	

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Section	Topic Description		Head Office	Region	Management Area	
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. (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.	NC	No delegation	No delegation	(a) (i) <u>Less serious:</u> Supervision Official under whose supervision offender is. <u>Serious:</u> Supervision Committee under whose supervision offender is. (ii) Head of Community Corrections Office (iii) Heads of Community Corrections Office or Correctional Centre (b) Head of Community Corrections Office	
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 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	NC	No delegation	No delegation	Head of Community Corrections	


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Section	Topic Description		Head Office	Region	Management Area	
	Procedure Act, 1977 (Act No. 51 of 1977).					
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	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	Area Commissioner	
77.	Section 73(7)(b)	A person sentenced to incarceration for a period not exceeding five years as an alternative to a fine under section 287(4)(a) of the Criminal Procedure Act, may be considered for placement under correctional supervision by the National Commissioner or the Correctional Supervision and Parole Board as soon as possible after admission to a correctional centre subject to the conformation of a suitable support system, unless the court has directed otherwise	NC	No delegation	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	Regional Commissioner only with regard to section 74(2) (e).	No delegation	The vice chairperson and 2 community member are not nominated by the National Commissioner and therefore not delegated
79.	Section 74 (3)	The National Commissioner must designate the correctional official to act as secretary to the Parole Board	NC	DRC	No delegation	
80.	Section 74 (8)	Determine on recommendation of the Department of Public Services 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	No delegation	DC: Human Resource Management	
81.	Section 75 (1B) (a)	Identify offences for purposes of subsection (1A) with the concurrence of the National Commissioner	NC	No delegation	CDC Incarceration and Corrections	

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


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Section	Topic Description		Head Office	Region	Management Area	
	offenders serving life sentences or declared as dangerous criminals.					
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 COC 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 COC Incarceration and Corrections COC Community Corrections	Regional Commissioner	None	
90. Section 95 (1) and (2)	The National Commissioner must monitor compliance with relevant prescriptions by means of internal auditing, performance auditing, inspections and investigations. - Approve for the functions to be carried out.	NC	Internal Auditing Chief Audit Executive Inspections: Head Office Component COC Investigations: Departmental Investigation Unit Director DIU	Inspections: Regional Inspectorate DRC	No delegation	The approval to carry out the functions must be read with regulation 30(2) and (3). The approval to carry out the function is sufficient and no further approval is required to have access to any departmental premises, and have access to or search or seize any Departmental record or document. The same principle is also applicable to Code Enforcement Unit initiatives 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 the functions. The COC may institute any investigation into any matter, apart from section 95A, that relates to the functions under the control of the COC.	Relevant Director and higher according to line functions	1. Director and higher according to line functions. 2. The Head of the Centre/Community Corrections office in relation to investigations in relation to inmates/pardonees	The National Commissioner may institute investigations into any matter. No matter referred to in section 95A can be investigated in regions/head offices 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

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Section	Topic Description		Head Office	Region	Management Area	
92.	Section 95 (1) and (3)	Approve the appointment of investigators other than investigations referred to in section 95A	Relevant Director and higher according to the functions The COC may appoint investigators into any investigation instituted under delegation 91	Relevant Director and higher according to the functions RH: Human Resources	1. Director and higher according to line functions. 2. The Head of the Centre / Community Corrections in relation to inmates / parolees / probationers excluding escapes that must be appointed by the Area Commissioner	regional office or head office, all decisions to take disciplinary action as well as the outcome of any disciplinary processes must be communicated to the personnel office in writing.
93.	Section 95A	Authorize investigators to investigate matters in terms of Section 95A of the act. (Note: The Departmental Investigation Unit (DIU) is established in terms of sections 95 A and this Unit is authorized to investigate theft, fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the unit may find. The DIU report to the Director DIU)	Levels 2-10 Manager (DIU) Investigations DIU Levels 11-15 Director DIU	No delegation	No delegation	All matters referred to in section 95A must be referred to the Dir. DIU and CEU. The Dir. DIU may decide that a region investigate if the Departmental Investigation Unit (DIU) lacks capacity or for reason of urgency. Such approval must be in writing. Officials appointed in the DIU are ex-officio appointed as investigators in terms of section 95A and does not require written appointment for a specific case and will a certificate of appointment in terms of regulation 30(1)(c) be issued.
94.	Section 95B	Authorize initiators to initiate 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.	Levels 2-10 Deputy Director Code Enforcement Unit Levels 11-15	No delegation	No delegation	1. The Director DIU may appoint in writing any initiator (not on the establishment of the Code Enforcement Unit) in terms of section 95B from a regional office to initiate

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Section	Topic Description				Head Office	Region	Management Area	
		(Note: The Code Enforcement Unit (CEU) is established in terms of sections 95 B and this Unit is authorized to prosecute in theft, fraud, corruption, maladministration, or in the cause of investigating the aforementioned matters, any other matter that the DIU may find. The CEU reports to the Director DIU and CEU)			Director DIU			<p>If the CEU lacks capacity or for reason of urgency.</p> <p>2. Officials appointed in the Code Enforcement Unit are on-office appointed as initiators in terms of section 95B and does not require written appointment to initiate in disciplinary hearings.</p>
95.	Section 95B	Approve formal or informal disciplinary hearing and charges emanating from section 95A investigations.	NC		Levels 2-10 Deputy Director Code Enforcement Unit Levels 11-12 Director CEU	No delegation	No delegation	Disciplinary action against SMS L13-15: NC in consultation with the Minister
96.	Section 95B read together with res 1 of 2006 and chapter 7 of the SMS manual	Approve the appointment of chairperson in disciplinary hearing.	NC		Levels 2-12 DC LS Level 13-15 National Commissioner	No delegation	No delegation	
97.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006 and CS regulation 33	Decisions regarding appeals against dismissals and disciplinary action as alternative to dismissed emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A.	NC		Levels 2-12 DC Legal Services	No delegation	No delegation	
98.	Section 95 B read with Departmental Bargaining Council Resolution 1/2006 and CS regulation 33	Decisions regarding appeals on disciplinary action up to final written warning emanating from disciplinary hearings held in terms of section 95B based on investigations conducted in terms of section 95A.	NC		Levels 2-12 Director CEU	No delegation	No delegation	Where the Dir CEU has signed the sanction the appeal must be submitted to the DC LS
99.	Section 95(2) (a) read with Chapter VII of the Labour Relations Act, 66 of 1995 as amended read together with PSCBC REGDING 5/2006	Dispute Resolution Management of Grievances submitted in terms of the departmental grievance procedure.	NC		Line management via direct supervisor up to DC Human Resource Management	Line management via direct supervisor up to Deputy Regional Commissioner	Line management via direct supervisor up to Deputy Regional Commissioner	Compliance to time frames as prescribed in the grievance procedure

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Section	Topic Description		Head Office	Region	Management Area	
100.	Section 98(2) (e) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of Mandate to defend / settle (no financial implications) disputes in conciliation/arbitration hearings and to appoint Departmental Representatives	Disciplinary matters: Director Employee Relations. HR Matters: Director Employee relations in consultation with the relevant HR Directorate Director CEU in section 95B matters.	Regional Head Corporate Services in Regions on matters excluding section 95B matters	No delegation	Representatives of CEU are <i>ex officio</i> and need not be appointed in writing in cases allocated by the Director CEU.
101.	Section 98(2) (e) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Dispute Resolution Approval of Mandate to defend / settle disputes in arbitration hearings and to appoint Departmental Representatives (financial implications)	1. To defend in arbitrations concerning interpretation and application of resolutions and policy. Dir ER in consultation with the DC HRM. 2. To settle in arbitrations concerning interpretation and application of resolutions and policy CDC HR 3. Unfair labour practice/dismissal/discrimination disputes.	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 disputes. (Excluding section 95B matters) Levels 2-12 RH Corporate Services Level 13: DRC Level 14: RC (Level 15 not delegated)	No delegation	All matters concerning interpretation and application of resolutions and policy to be consulted with the Directorate responsible for arbitrations in Head Office. All SMS matters not delegated: NC to decide



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Section	Topic Description		Head Office	Region	Management Area		
			(Excluding section 95B matters) Levels 2-12 Director Employee Relations Level 13 -15: NC (Not delegated) Code Enforcement Section 95B cases Appoint representative Levels 2-15 Representatives of CE are ex officio. Mandate to settle/defend Level 2-12 Dir CEU Level 13-15 Not delegated				
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	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	Dir ER to appoint representative in all cases except section 95B matters. To defend: DCER in consultation with the DC HRM To settle: CDC Human Resources Sections 95B matters: Representatives of CE are ex officio. To defend all levels: Dir CEU To settle: Levels 2-12 Dir CEU L13 -15: Not delegated	No delegation	No Delegation	Settlements with substantial financial implications must be consulted with finances. ALL SMS matters not delegated: NC

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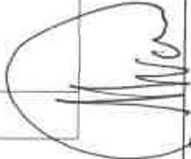
POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
103.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1985 as amended read together with PSCBC Resolution 5/2005	Decision to review all arbitration awards (Section 145 of the LRA) or to withdraw such review.	NC	Levels 2-12 DC LS Levels 13 -15 Not Delegated.	No delegation	No delegation If the award is not referred for review there is no requirement for a mandate to implement and must be implemented. If there is an award already that is enforceable LLO section 143 of the LRA. Failure to implement may lead to contempt proceedings in the Labour Court. The Director Employee Relations, Director CEU (faller in section 95B cases only) and the Regional Head Human Resources are responsible to ensure implementation and to issue instruction to ensure such implementation.
104.	Section 96(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1985 as amended read together with PSCBC Resolution 5/2005	Decision to request rescission or variation of arbitration awards (Section 144 of the LRA)	NC	Director Employee Relations for Head Office Director CEU for section 95B cases	Regional Head Human Resources in Regions No delegation for section 95B matters	No delegation
105.	Section 96 (4)	Appoint unpaid voluntary workers who are not employees of the Department, and determine the extent of the powers they may exercise.	NC	Director Human Resource Administration and Utilization	Regional Head Human Resources	Area Commissioner
106.	Section 98 (5) of Act 111 of 1998.	Early retirement of officials from levels 2-12 employed under the Correctional Services Act from the age of 55. (Early retirement between the age of 50 and 55 is not delegated.)	NC	Deputy Commissioner Human Resource Management	No delegation	No delegation Compliance to all relevant policies and prescripts. No delegation for SMS members, National Commissioner to decide.
107.	Section 99 (5)	Permit any person other than those mentioned in subsections (1) to (4) in terms of this section to visit an inmate, a correctional centre or any specific section of a correctional centre for any special or general purpose.	NC	- International Committee of the Red Cross: COC - Visitors from other countries: COC - Media: Dir. Communication Services	Media: RC Policing: Regional Commissioner	Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level. Head Correctional

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Section	Topic Description		Head Office	Region	Management Area	
					Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections - Other functional visits with whom the DCS liaises, representatives of other organizations or state departments: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections Media: Area Commissioner	
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 Security Directorate Standards	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level: Area Coordinator: Corrections	Correctional Centre level: Head of Correctional Centre Community Corrections Office: Head Community Corrections Management Area level:	Compliance at all times to relevant prescripts


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Section	Topic Description	Head Office		Region	Management Area		
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.	No delegation	No Delegation	Area Coordinator: Corrections Area Coordinator: Finances		
110.	Section 101 (4) (c)	Pay over the balance of the proceeds of a sale in terms of subsection 101 (4) (a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	No delegation	No Delegation	Area Coordinator: Finances		
111.	Section 109 (2)	Certify the appointment of custody officials.	DC HRD	No delegation	No delegation		
112.	Section 109 (4)	Keep a register containing the particulars of each certified custody official.	DC HRD	No delegation	No delegation		
113.	Section 109 (6)	Revoke suspension or certification of custody official, after a custody official has been suspended.	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.	CFO in consultation with the DC Legal Services and COC	No delegation	No delegation		
115.	Section 123 (2) (a) read with section 123(2)(b)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	Dir. Public Education, Stakeholder Relations and Media Services	No delegation	No delegation		
116.	Section 132 (1) read with regulation 39(1)	Grant approval of the establishment of centres for the exclusive use or benefit of correctional officials, the families of such officials and other persons or categories of persons prescribed by regulation.	DC Integrated Employee Health & Wellness	No delegation	No delegation		
117.	Section 132 (3)	Sign an official document indicating that a carben has been certified as a carben as contemplated in subsection (1).	DC Integrated Employee Health & Wellness	No delegation	No delegation		


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Section	Topic Description		Head Office	Region	Management Area	
118. Section 133 (2)	Authorise specific services necessary or expedient and in the public interest or in the interest of any deserving charity to be rendered gratuitously.	NC	No delegation	No delegation	HCC on DD level. Area Coordinator Corrections where HCC is lower than a DD	



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B. CORRECTIONAL SERVICES REGULATIONS 2012, AS AMENDED

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
1.	Regulation 5 (1) Permit a sentenced offender to wear other clothes than clothing issued to him or her on admission to a correctional centre.	NC	No delegation	No delegation	Head of Correctional Centre	
2.	Regulation 7 (7) (b) Grant approval that an offender may participate in clinical trials on application made by the offender.	NC	No delegation	Regional Commissioner	No delegation	
3.	Regulation 7 (8) (e) Grant approval on request of an offender to donate or receive an organ or tissue by donation, in accordance with the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983).	NC	No delegation	Regional Commissioner	No delegation	
4.	Regulation 7 (8) (b) Grant approval on request from a person to receive any form of artificial fertilization in terms of the provisions of the Human Tissue Act, 1983 (Act no. 65 of 1983) from an offender.	NC	No delegation	Regional Commissioner	No delegation	
5.	Regulation 7 (8) (e) Grant approval that an offender may be sterilized at State expense when the procedure is required for medical reasons as certified by the medical officer.	NC	No delegation	Regional Commissioner	No delegation	
6.	Regulation 7(9)(b) The National Commissioner may approve an abortion at State expense only in the circumstances contemplated in Sections 2(1)(b)(i), (i) or (ii) and 2(1)(g) of the Termination of Pregnancy Act, 1996 (Act No. 92 of 1996).	NC	No delegation	No delegation	Area Commissioner	
7.	Regulation 9 (1) (b) Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to remove and bury the deceased at their own expense.	NC	No delegation	No delegation	Head of Correctional Centre	
8.	Regulation 9 (1) (c) Grant approval on written request of the spouse, partner or next-of-kin of a deceased offender to allow them to transport the deceased offender at State expense to another magisterial district, the cost of the burial to be borne by the person requesting the transportation.	NC	No delegation	No delegation	Area Commissioner	
9.	Regulation 10 (2) (e) read with section 3 (5) (g) Appoint a temporary educator with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationist if such a qualified educationist or trained correctional official is not available.	NC	No delegation	Regional Head Corporate Services in consultation with the Regional Head Development and Care	No delegation	
10.	Regulation 10 (2) (e) Appoint a voluntary worker with educational or technical qualifications and registered with the South African	NC	No delegation	No delegation	Area 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	
	Council of Educators to perform the duties of an educationalist if such a qualified educationalist or trained correctional official is not available.					
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/night) Head of RDC 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 48F must be adhered to.
14. Regulation 21 (5) (a)	Appointing correctional officials as members of Emergency Support Teams.	NC	No delegation	No delegation	Area Commissioner	
15. Regulation 22 (2)	Classification of sentenced offenders.	NC	No delegation	No delegation	Unit Manager: Case Management Committee	
16. Regulation 23 (2) (a)	Enter into a contract with any institution or person for the utilization of the labour or services 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	

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Date: 5 October 2020

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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	
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 Registrar for Sex offenders	NC	No delegation	No delegation	Head of the Correctional Centres	
23.	Regulation 25A(2) To inform sex offenders of the implications of being registered in the National Registrar for Sex Offenders	NC	No delegation	No delegation	Head of the Correctional Centres	
24.	Regulation 26H In the event of failure to return a remand detainee within such period, the Head of the Remand Detention Facility or the Correctional Centre, as the case may be, must inform the National Commissioner in order to take appropriate steps to ensure the appearance of the remand detainee at court.	NC	No delegation	No delegation	Area Commissioner must be informed and must take appropriate steps to ensure the appearance of the remand detainee at court	The Protocol as referred to in section 49F must be adhered to.
25.	Regulation 30 (1) (a) read together with regulation 30(1)(c) and section 95A Appoint investigators to conduct an internal service evaluation by means of investigations specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections)	NC	Director Departmental Investigation Unit	No delegation	No delegation	The certificate of appointment to be signed by the Director DIU for investigators and for officials appointed to initiate in terms of section 95B by the Director Code Enforcement.
26.	Regulation 30 (1) (a) read together with section 95 (1) Appoint internal auditors to conduct an internal service evaluation by means of audits specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC Chief Audit Executive	No delegation	No delegation	The certificate of appointment to be signed by the relevant Director in the Chief Directorate Chief Audit Executive for internal auditors.
27.	Regulation 30 (1) (a) read together with regulation 30(1)(c) and section 95 (1) Appoint inspectors to conduct an internal service evaluation by means of inspections specifically or in general (at national and provincial, individual correctional centres including joint venture correctional centres and community corrections).	NC	DC ICC	DRC for regional inspectors	No delegation	The certificate of appointment to be signed by the Director Inspectorate for inspections, including regional inspectors


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Date: 5 October 2020

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

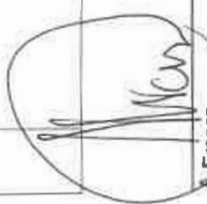
POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
28.	Regulation 31 Allocate official residential accommodation to a correctional official for occupation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

A Fraser

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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	
33.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 7.3.3 Appointment of Chairperson (except in cases handled in terms of section 95B)	NC	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	Deputy Director / Equivalent or higher	Appointment of chairpersons in Section 95B cases, refer to delegations under 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 7.3.4 Appointment of Initiator (except in cases handled in terms of section 95B)	NC	Assistant Director or higher	Assistant Director or higher	Assistant Director or higher	
35.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 7.3.5 Employer agrees 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 in cases handled in terms of section 95B	RH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Director CEU
36.	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 res 1 of 2006
37.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 8.4 Appeal in non-dismissal cases	NC	A manager on higher level than the supervisor / manager of first instance.	A manager on higher level than the supervisor / manager of first instance.	A manager on higher level than the supervisor / manager of first instance.	Section 95B cases refer to delegation under section 95B. Appeal for non-dismissible cases. Next level manager refers to the next level manager of the official who gave the sanction.
38.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) Serious Misconduct Clause 8.5 Appeal in dismissal cases and appeals against the alternatives to dismissal, (except in cases handled in terms of section 95B)	NC	DC Employees Relations or CDC Human Resources if the DC ER cannot make a decision	Deputy Regional Commissioner or RC if the DRC cannot make a decision	No Delegation	The appeal submission must be referred to National Head Office for a decision by the DC Employee Relations in cases where the DRC or the RC (who is the line function decision maker above the DRC) cannot make a decision.


A Fraser
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Date: 5 October 2020

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

POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
39.	Regulation 33 (1) read together with resolution 1 of 2006 read with section 3(5) (g) and 96 (2)(a) levels 2-12 Serious Misconduct Clause 7.2 Precautionary suspension; suspension pending the outcome of appeal and review of suspensions.	NC	Director or higher The Director DUI for levels 2 - 12 in cases handled by the DUI in terms of section 95A The Dir CEU if case was investigated in terms of Section 95A and handed over to Code Enforcement Unit in terms of Section 98B.	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 985A and B cases the Dir DIU and the Dir CEU can only advise and cannot take a decision. Monitoring and non-compliance All suspension must be reported in writing to the Director ER in HO within 2 working days of such suspension. All suspensions must be monitored by the Regional Head 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 Dir ER.
40.	Regulation 33 (2) read with Chapter 7 of the SMS manual in relation to SMS members.	NC	No delegation	No delegation	No delegation	1. All SMS suspensions: NC
41.	Regulation 33 (2) read together with section 3(5) (g) and 96 (2)(a) and read with Chapter 7 of the SMS manual in relation to SMS members.	NC	No delegation	No delegation	No delegation	1. In terms of Chapter 7 of the SMS handbook the Chairperson of the Disciplinary Hearing decides on the sanction and therefore no delegation required on sanctions.
42.	Regulation 35 and 36 An executing authority may on the basis of medical evidence, consider the discharge of an employee in terms of Section 17(2)(a) of the Act on account of ill health. To this end, an executing authority may require an employee to undergo a medical examination by a registered Physician	NC	Levels 2-10 DD Retention and Terminations Levels 11-12	No delegation	No delegation	Compliance to relevant prescripts

A. Fraser

National Commissioner: Correctional Services
Date: 5 October 2020

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	
			Director Human Resource & Administration SAMS No delegation: National Commissioner to decide.			
43.	Regulation 37(2) Abscondment of correctional official. Reg 37 (2) (b) Establish whereabouts of the official that is absent. Reg 37 2 (a) Dismissal of the official Reg 37 (2) (c) and (d) Decision on representation by official who was summarily dismissed for being absent for 30 consecutive calendar days to be re-instated or re-employed	NC	1. Establish whereabouts of the official that absconded. Relevant Deputy Director 2. Dismissal of the official Levels 2-12 Director and higher. 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: DRG	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 re-instated/re-employed Levels 2-12: DRG	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 re-instated/re-employed Levels 2-12: DRG	The provisions of reg 37 (2) must be adhered to at all times. All decisions on SMS remains with the NC and are not delegated
44.	Regulation 39 (2) (b) Determine how and when any profits, assets or any proceeds from the liquidation of a departmental concern 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, prisoners, civilian employees and their dependants.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	
45.	Regulation 39 (2) (c) Authorise any expenditure for accommodation or other necessities provided by the State in consultation with National Treasury relating to a departmental concern.	NC	DC Integrated Employee Health and Wellness	No delegation	No delegation	


 A. Fraser
 National Commissioner: Correctional Services
 Date: 5 October 2020

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

ASSIGNMENTS: THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

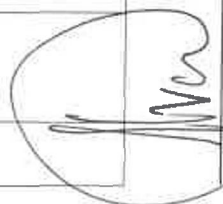
By virtue of the authority vested in me in terms of section 16(2) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), as amended, I **Arthur Fraser, National Commissioner of Correctional Services**, hereby assign the duties imposed on me in terms of the Occupational Health and Safety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

Please note:

(a) The following abbreviations are used:

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

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


 X Fraser
 National Commissioner: Correctional Services
 Date: 5 October 2020

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

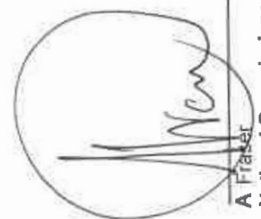
POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Head Office	Region	Management Area	
47.	Provisioning and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe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

A Fraser

National Commissioner: Correctional Services
Date: 5 October 2020

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	
	not thereby expose to hazards to their health or safety.				
58.	Identify the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employees, and the steps to be taken to comply with the provisions of the Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
59.	As far as is reasonably practicable, prevent the exposure of such employees to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
60.	Carry out an Occupational Hygiene Programme and biological monitoring and subject such employees to medical surveillance.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
61.	Duty to Inform: Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
62.	Inform the health and safety representatives concerned beforehand of inspections, investigations or formal enquiries of which he has been notified by an inspector.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
63.	Inform a health and safety representatives as soon as reasonably practicable of the occurrence of an incident in the work place or section in the work place for which such representative has been designated.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	



A. Friebel
National Commissioner: Correctional Services
Date: 5 October 2020

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

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

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

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

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



A Fraser
National Commissioner: Correctional Services
Date: 5 October 2020

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

UNDER THE POWERS VESTED IN ME IN TERMS OF SECTION 97(1) OF THE CORRECTIONAL SERVICES ACT, 1998 (ACT 111 OF 1998) AS AMENDED, I, **RONALD OZZY LAMOLA MP, MINISTER OF JUSTICE AND CORRECTIONAL SERVICES** HEREBY DELEGATE THE UNDER MENTIONED COMPETENCIES TO THE PERSON IN THE POST INDICATED AGAINST THE APPLICABLE COMPETENCY,

WITH REFERENCE TO THE FOLLOWING LEGISLATION:-

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

PROVIDED THAT:

- a) The level of delegation indicated hereunder against each competency, is the lowest level on which the competency may be exercised;
- b) The delegation indicated hereunder, remains in force should a section of the Act, including any Amendments to the competency itself, and the number of the new section is considered to be the number of the relevant provision of the Act;
- c) The exercise of a delegated authority is at all times subject to the provisions of the Act and Regulations, Departmental Policies, the Departmental Orders and any directives issued in this regard.


RONALD LAMOLA MP
Minister of Justice and Correctional Services
Date: 26/08/2020

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

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


Ronald Lamola MP
Minister of Justice and Correctional Services
 Date: 26/08/2020

1

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 authorised by the head of department.</p> <p>(4) A head of department shall establish a policy regulating communication by its employees with the media.</p>	NC	<p>(1) NC Not delegated</p> <p>(3) DC: Communications</p> <p>(4) DC: Communications</p>	<p>(1) Not delegated</p> <p>(3) RC</p> <p>(4) Not delegated</p>	<p>(1) Not delegated</p> <p>(3) Not delegated</p> <p>(4) Not delegated</p>	<p>Policy to be approved by EA</p>
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>	<p>(1) NC</p> <p>(2) EA</p>	<p>(1) DC Legal Services</p> <p>(2) CDC Corporate Services</p> <p>Fraud cases handled in terms of section 95A and B of the CSA: Director DIU and Dir CEU</p>	<p>(1) Not delegated</p> <p>(2) Not delegated</p>	<p>(1) Not delegated</p> <p>(2) Not delegated</p>	<p>(1) Refer to the Directive on Public Administration and Management Delegations, 2014</p>
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	<p>(1) Not delegated</p> <p>(2) CDC HR</p>	Not delegated	Not delegated	<p>Original power of NC to submit information or data to the DPSA. (On In respect of the power of the NC)</p>

A Fraser

National Commissioner

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT					Indicators for Execution/Reporting/ Consultation/ Informing
4.	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 Corporate Services	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 ensure 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	EA	NC	Not delegated	Not delegated	This regulation deals with interests. If the Commission is of the opinion that an interest of a SMS employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that

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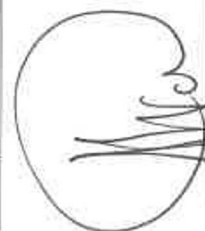
PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		<p>take the appropriate steps to remove the conflict of interest, the executive authority shall instruct the relevant authority to take disciplinary action against the employee.</p> <p>(e) An executive authority shall, within 30 days after such referral, report to the Commission by -</p> <p>(i) stating whether any steps were taken; and</p> <p>(ii) if steps were taken, giving a description of those steps or providing reasons if no steps were taken.</p>					<p>Indications for Execution/Reporting/ Consultation/ Informing</p> <p>employee,</p> <p>(1)(c) NC retains consultation in respect of SMS L13 to 15</p> <p>(1)(d) NC retains disciplinary action in respect of the SMS L13 to 15</p> <p>(1)(e) NC retains reporting action in respect of the SMS L13 to 15</p>
10.	21(2)	<p>(2) In so far as conflict of interest relates to designated employees who are <u>not</u> 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: L1-9/10</p> <p>(2)(d) CDC HR</p>	DRC: L1-9/10	Not delegated	
11.	22(a) to (e)	<p><u>Anti-corruption and ethics functions</u></p> <p>A head of department shall -</p> <p>(a) analyse 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</p>	NC	<p>22 (a) (b) and (c) Dir DLU 22 C (i) and (ii). Dir DLU</p>	Not delegated	Not delegated	This regulation must be read in conjunction with section 95 A and B of the CSA and CSR 30.

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PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		<p>deals unethical conduct and acts of corruption;</p> <p>(c) establish a system that encourages and allows employees and citizens to report allegations of corruption and other unethical conduct, and such system shall provide for—</p> <p>(i) confidentiality of reporting; and</p> <p>(ii) the recording of all allegations of corruption and unethical conduct received through the system or systems;</p> <p>(d) establish an information system that -</p> <p>(i) records all allegations of corruption and unethical conduct;</p> <p>(ii) monitors the management of the allegations of corruption and unethical conduct;</p> <p>(iii) identifies any systemic weaknesses and recurring risks; and</p> <p>(iv) maintains records of the outcomes of the allegations of corruption and unethical conduct; and</p> <p>(e) refer allegations of corruption to the relevant law enforcement agency and investigate whether disciplinary steps must be taken against any employee of the department and if so, institute such disciplinary action.</p>		<p>Z2 (d) (i), (ii), (iii)</p> <p>Dir DUU</p> <p>Z2 (d) (iv)</p> <p>Dir DUU on Investigations and</p> <p>Dir CE on Disciplinary Action</p> <p>Z2 (e)</p> <p>Dir DUU on referral to law enforcement and investigation.</p> <p>Dir CE on decision to take disciplinary action</p>			Indicators for Execution/Reporting/ Consultation/ Informing
12	23 (1)	<p><u>Designation of ethics officers</u></p> <p>(1) An executive authority shall designate such number of ethics officers as may be appropriate for the department</p>	EA	NC			Not delegated
13. 1 4	23 (2)	<p><u>Designation of ethics officers</u></p> <p>(2) The head of department shall establish an ethics committee or designate an existing committee, chaired by a Deputy Director-General, to provide oversight on ethics management in the department.</p>	NC	NC Not delegated	Not delegated	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	
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 assigned 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 these 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)	Organisational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions – (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and (ii) in the case of a provincial department or provincial government component, after consultation with the relevant Premier, the Minister and the relevant provincial treasury;	EA	No delegation	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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National Commissioner

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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	
		(B) 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.		Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment	EA	CDC SM	Not Delegated	Not Delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister

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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	
22.	30.(1) and (2)	<p>Information and communication technology plan</p> <p>30. (1) A head of department shall establish and maintain an information and communication technology plan for the department that -</p> <p>(a) supports the planning process and objectives contemplated in regulations 25 and 36;</p> <p>(b) utilises an appropriate enterprise architecture methodology; and</p> <p>(c) complies with Chapter 6.</p> <p>(2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through -</p> <p>(a) an implementation plan linked to the Medium-Term Expenditure Framework budget; and</p> <p>(b) an annual operational plan.</p>	NC	30 (1) CDC GTO (establish and maintain)	Not Delegated	Not Delegated	<p>Indications for Execution/Reporting/ Consultation/ Informing</p> <p>NC monitor the implementation of improvement plans and inform the EA</p> <p>All managers to be consulted in the development of the plan</p> <p>NC approve after consultation with MANCO</p> <p>NC monitor the implementation of the plan and inform the EA</p>
23.	31.(1)	<p>Annual report</p> <p>(1) The head of department shall include in the department's annual report, referred to in section 40(1)(d) of the Public Finance Management Act, such information pertaining to the public service as the Minister may direct, and in the format that the Minister may direct.</p>	NC	CDC Strategic Management	Not Delegated	Not Delegated	
24.	31.(2)	<p>Annual report</p> <p>(2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC submits report to the EA after consultation with MANCO</p> <p>EA tables report in the legislature</p>
25.	35.	<p>Organisational functionality assessment</p> <p>An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes, and submit the report to the Minister on such date and</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC submits report to the EA after consultation with MANCO</p> <p>EA submits report to the Minister</p>

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National Commissioner
 Date: 20/10/20

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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	
26.	36.	<p><u>formal as directed by the Minister.</u></p> <p><u>Operations management framework</u> An executive authority shall establish and maintain an operations management framework which shall include -</p> <ul style="list-style-type: none"> (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	CDC Strategic Management	Not Delegated	Not Delegated	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>NC monitor the implementation of improvement plans and inform the EA</p> <p>NC approve the framework after consultation with MANCO and the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>
27.	37 (1)	<p><u>Service delivery charter</u> (1) An executive authority shall publish on its website annually a service delivery charter which sets out the department's service standards that members of the public can expect and which will serve to explain how the department will meet each of the standards.</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC approve charter after consultation with MANCO and the EA</p> <p>NC monitor the implementation of the charter and inform the EA</p>
28.	38.	<p><u>Service delivery improvement plan</u> An executive authority shall establish and maintain a service delivery improvement plan aligned to the strategic plan contemplated in regulation 25 for his or her department</p>	EA	CDC Strategic Management	Not Delegated	Not Delegated	<p>NC approve after consultation with the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>



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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
29.	CHAPTER 4	EMPLOYMENT MATTERS					
30.	39(1), (2) and (4)	<p><u>Job descriptions, job titles, systems of occupational classification and remuneration and OSDs</u></p> <p>39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery -</p> <p>(a) the main objectives, activities and functions of the post or posts in question; and</p> <p>(b) the inherent requirements of the job.</p> <p>(2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate.</p> <p>(4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilized</p>	EA	Dir HR Planning	Regional Head HR	A/C Corporate Services	HR to facilitate CDC HR to provide a report to NC annually to enable the NC to brief the Minister
31.	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> <p>(d) ensure that sufficient budgeted funds, including funds for the remaining period of</p>	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to L15 NC approves L1 to L12


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	Regulation	Topic Description		Head Office	Region	Management Area	
		the medium-term expenditure framework, are available for filling the post.					Indications for Execution/Reporting/ Consultation/ Informing
32.	41.(3)	<u>Job evaluation and job grading systems</u> (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
33.	43.(2)(a)	<u>Grading of posts</u> (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to 15 NC approves L1 to L12
34.	43.(2)(b)	<u>Setting of salary</u> (2) An executive authority shall - (a) 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 for 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)	<u>Setting of higher salary</u> (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an	EA	NC L1 to L12	Not Delegated	Not Delegated	NC approves L13-15 in consultation with the EA


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	Regulation	Topic Description		Head Office	Region	Management Area	
		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.					Indicators for Execution/Reporting/ Consultation/ Informing NC approves L1-12 HR to facilitate
37.	45.(1)	<u>Undergraded posts</u> (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1 to L12	Not Delegated	Not Delegated	NC approves L13 to L15 in consultation with the EA Continued employment of Incumbent is set out in Regulation 46.(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
39.	46.(1)	<u>Overgraded posts</u> (1) If the job weight demonstrates that a filled post is overgraded an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) reduce the grade of the post in line with the job weight and transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1 to L12	Not Delegated	Not Delegated	NC approves L1 to L14 in consultation with the EA
40.	47.(3)	<u>Information on remuneration</u> (3) In the week before an employee's salary pay day, a head of department shall provide him or her with the following information in writing -	NC	CDC HR	Not Delegated	Not Delegated	Information is specified in regulation 47.(3)(a) to (h)

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National Commissioner

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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	
41.	48	<p>Leave</p> <p>A head of department shall -</p> <p>(a) encourage an employee to fully utilise his or her annual leave entitlement in the leave cycle;</p> <p>(b) ensure that all leave taken by an employee is recorded accurately and in full; and</p> <p>(c) ensure that an employee does not abuse sick leave.</p>	NC	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 80 Days Relevant Director</p> <p>Leave without pay</p> <p>1-7 Days Relevant Director</p> <p>8-29 Days Director HR Administration & Utilization</p> <p>30-80 Days DC HR Management</p> <p>90 Days+ (All types of Leave</p>	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 80 Days RH Corporate Services</p> <p>Leave without pay</p> <p>1-7 Days Relevant Director</p> <p>8-29 Days RH Corporate Services</p> <p>30-80 Days Deputy Regional Commissioner</p> <p>90 Days+ (All types of Leave</p>	<p>Application for all types of leave 1-30 days</p> <p>(except leave without pay and incapacity leave): Supervisor (minimum level 7) and next level manager,</p> <p>31- 60 Days Minimum level DD</p> <p>61 - 80 Days Area Commissioner</p> <p>Leave without pay</p> <p>1-7 Days Head Correctional / Remand Centre / Community Corrections (Minimum level DD) 8-29 Days Area Commissioner</p> <p>30-80 Days Deputy Regional Commissioner or Area Commissioner on DC Level</p>	<p>DPSA determination on leave must be adhered to.</p> <p>In Management Areas where the AC is on the level of a Director the leave forms of DD's must be recommended by the Area Coordinator Corporate Services to verify correctness and availability of leave.</p> <p>Leave forms for Area Commissioner (including on DC level) in regions must be recommended by the DRC.</p> <p>Leave forms of DRC's must be recommended by the RH HR to verify correctness and availability of leave.</p> <p>Leave forms of CDC's and RC's must be recommended by the CDC HR to verify correctness and availability of leave</p>

A Fraser

National Commissioner
 Date: 2020/10/05

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
				<p>except Incapacity Leave) Relevant Branch Head in Head Office</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval) DD: Auxiliary Support Services</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Refinement Dr HRA & U in consultation with the relevant</p>	<p>except Incapacity Leave) Regional Commissioner</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval) Regional Coordinator: HR</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Refinement Dr HRA & U in consultation with the RHI HR</p>	<p>90 Days: (All types of Leave except Incapacity Leave) Regional Commissioner</p> <p>More than 184 calendar days of unpaid leave in a period of 18 months DC HR Management</p> <p>Incapacity Leave (including 'conditional' approval) Area Coordinator: Corporate Services</p> <p>Permanent Incapacity Leave DD Retention & Termination</p> <p>Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Refinement Dr HRA & U in consultation with</p>	<p>Indications for Execution/Reporting/Consultation/ Informing</p> <p>Policy and Procedure on Incapacity Leave and ILL - Health Refinement (PIIR) and DPSA determination on leave must be adhered to.</p>

A Fraser

National Commissioner

Date: 2020/10/15

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
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 authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	Director Approval of special leave not specified in the Special Leave Policy: No delegation DC HRM	Approval of special leave not specified in the Special Leave Policy: No delegation	the RG HR Approval of special leave not specified in the Special Leave Policy: No delegation	Indicators for Execution/Reporting/Consultation/ Informing
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 authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC Not Delegated Dir HR Admin & Utilization	Not Delegated Regional Head Human Resources	No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine rates and responsibilities of role players
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	NC	NC Not Delegated	Not Delegated	Not Delegated	NC approves overtime policy after consultation with MANCO Read with CSR 32

A Fraser

National Commissioner

Date: 2020/10/05

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

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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	
		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 services delivery improvement plan; and (ii) the needs and circumstances of employees, including family obligations and transport arrangements.					Indications for Execution/Reporting/ Consultation/ Informing
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 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 other diseases, injuries, and conditions of employees to ensure efficient, effective and sustainable delivery of services.	NC	CDC HR	RC	AC	Departmental policy approved by NC after consultation with MANCO determine roles and responsibilities of role players

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
49.	56.	<u>Workplace environment management</u> A head of department shall introduce appropriate measures for the institutionalisation of the Public Service Charter in his or her department.	NC	CDC HR	RC	AC	Indicators for Execution/Reporting/ Consultation/ Informing Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players
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 1-10 CDC of branch: L1-12	RC L1-12 DRC 1-10	No delegation	EA approves L 15-16 (Refer to S 58(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 authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where— (a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees; (b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department;	EA	Not delegated	Not delegated	Not delegated	EA approves 13-15 level NC approves L1-12 CFO to approve funding See general conditions for appointment is set out in PSR 57.(1), (2), (3), (4) (5) and (6)

A Fraser

National Commissioner

Date: 2020/10/05

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

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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	
		(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.					Indications for Execution/Reporting/ Consultation/ Informing
52.	57 (3) and (4)	(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 and L14 Not delegated DDG: L1-11/12 CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	CD: L1-9/10 D: L1-8	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 9, 12, 12A, 13. EA approves L 15 and L16 NC: approves L13-14 See general conditions for appointment set out in PSR 57 (1), and (6), an 58, 60, 61. See under the topic selection PSR 67.(8) and (9) See under the topic probation PSR 68.
54.	58	<u>Utilisation of unpaid voluntary workers</u> An executive authority may utilise unpaid voluntary workers under the following conditions: (a) The voluntary worker shall not in any way assist in carrying on or conducting the	EA	Dir HR A & U	RH HR	AC	Departmental policy approved by Departmental EXCO delineate roles and responsibilities of role players CDC HR to provide quarterly report to the NC on the number and cost of volunteers

A Fraser

National Commissioner

Date: 2020/10/05

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		<p>business of the department;</p> <p>(b) the terms and conditions as agreed between the volunteer and the department shall be recorded in writing;</p> <p>(c) the period of volunteerism per voluntary worker shall not exceed twelve consecutive calendar months;</p> <p>(d) a department may compensate a voluntary worker for actual expenses incurred in performing the volunteer work in accordance with departmental policies and such compensation shall not be construed as remuneration;</p> <p>(e) a voluntary worker shall perform work in a department under the supervision of an employee; and</p> <p>(f) such other conditions that the Minister may direct.</p>					Indicators for Execution/Reporting/ Consultation/ Informing In DCS
55.	60.(1), (2) and (3)	<p>Re-appointment of former employees</p> <p>(1) An executive authority shall not re-appoint a former employee if that employee left the public service -</p> <p>(a) earlier on the condition that he or she would not accept or seek re-appointment; or</p> <p>(b) due to ill health and cannot provide sufficient evidence of recovery.</p> <p>(2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if -</p> <p>(a) no other suitable candidates could be recruited in terms of these Regulations;</p> <p>(b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and</p> <p>(c) the employee has not been previously appointed in terms of this regulation.</p> <p>(3) Notwithstanding subregulation (1)(e) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if -</p> <p>(a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and</p> <p>(b) the employee may not be appointed more than twice in terms of this regulation</p>	EA	CDC of branch L1-12 DC of CD L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L 13-15



A Fraser
National Commissioner
Date: 2020/10/05

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

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

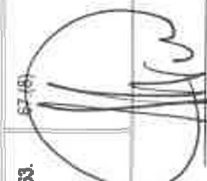
ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PERFORMER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
56.	62.(3)	Secondments (3) If an employee is seconded upon his or her request in terms of 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	Indications for Execution/Reporting/ Consultation/ Informing EA approves L 13-15
57.	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 13-15 In consultation with the Minister
58.	65.(1)	Advertising (1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches and Regions Note conditions set out in PSR 65.(2) to (9)
59.	65.(4)	(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post - (a) in the public service; (b) locally; or (c) nationwide.	EA	L 2-12 DC HRM L 13-15 CDC HR	Not delegated	Not delegated	HR facilitate with the assistance of Heads of Branches, Regions and Districts Note conditions set out in PSR 65.(2) to (9)
60.	66.(1) and (2)	Filling of posts in Office of executive authorities and Deputy Ministers 66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of: (a) an appointment in terms of section 9 of the Act for - (i) the term of office of the incumbent executive authority or Deputy Minister which	EA	Not delegated	Not delegated	Not delegated	No delegation


A Fraser
National Commissioner
Date: 2020/10/25

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

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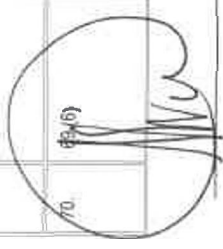
ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
		will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or (ii) a period not exceeding three years; (b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer. (2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1), (3) and (4).					Indications for Execution/Reporting/Consultation/ Informing
61.	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 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	EA approves L 13-15 The employee who must approve the appointment of an employee to a post L1 to L12 may not be the chairperson or a member of the selection committee of that post. Department operational policy to specify the composition of the selection committee for L1 to L12 See the conditions set out in PSR 67 (2) to (9)
62.	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	Not delegated	Not delegated	Not delegated	NC approves L1-12 EA approves head-hunting for L13 to L15
63.	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing.	EA	L2-10 DC of CD 11-12: CDC of Branch	L2-10 DRC 11-12 RC	No delegation	EA for L 13-15


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

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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	
64.	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 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	Indicators for Execution/Reporting/ Consultation/ Informing EA for L 13-15
65.	68(2)	<u>Probation</u> (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	L2-10 DC of CD 11-12 CDC of Branch	L2-10 DRC 11-12 RC	No delegation	NC for L 13-14 EA for L 15
66.	68(2)	<u>Resignation</u> (2) Subject to section 169(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	L1-8 Dir L9-10 DC L11-12 CDC	L1-8 Dir L9-10 DRC L11-12 RC	L1-8 Dir L9-10 DC	EA for L 13-15
67.	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
68.	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
69.	69(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	EA for L13-15
70.	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	EA	CDC: L11-12 DC: L9-10	RC: L11-12 DRC: L9-10	DC: L9-10 Dir: L1-8	NC L13-14 EA L 15


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National Commissioner
Date: 2009/10/05

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

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	Regulation	Topic Description		Head Office	Region	Management Area	
				Dir: L1-8	Dir: L1-8		Indicators for Execution/Reporting/ Consultation/ Informing
71.	70.	<u>Employee records</u> A head of department shall keep a record of each employee and of each post on the establishment in accordance with the information requirements as issued by the Minister.	EA	CDC HR	Not delegated	Not delegated	
72.	71.(1)	<u>Systems for performance management and development</u> (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with the 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)
73.	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with 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.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with 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.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approve system for the performance management and development after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA


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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
76.	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)
77.	72.(4)(c)	Performance agreements and assessments (4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner: (c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.	EA	CDC: L11-12 DC: L9-10 Dir: L1-8	RC: L11-12 DRC: L9-10 Dir: L1-8	DC: L9-10 Dir: L1-8	NC for L13-15 in consultation with the Minister.
78.	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	
79.	72.(14)	(14) An executive authority shall inform the employee of the outcome of his or her performance assessment.	EA	CDC HRL13-14 DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	DC L 11-12 Dir 9-10 DD 1-8	The Chairperson of Moderation committee must provide the feedback L15 NC
80.	72.(15)(b) and (c)	(15) Based on the outcome of the performance assessment an executive authority – (b) may, where appropriate, provide training and development for employees; (c) shall manage poor performance.	EA	CDC - L14 DC L13 Dir 1-12	RC - L14 DRC/DC L13 Dir 1-12	DC L13 Dir 1-12	NC for L15 HR facilitate with the co-operation of supervisors
81.	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.

A Fraser
National Commissioner
Date: 2020/10/05

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
82.	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; (b) communicating the nature and rules of the performance incentive scheme to all employees; (c) ensuring that employees who implement the quality and quantity control measures of the scheme are not entrusted with the implementation of that scheme in relation to themselves; and (d) including provisions for the introduction of non-financial incentives, if deemed appropriate.	NC	CDC HR	Not Delegated	Not Delegated	Indicators for Execution/Reporting/ Consultation/ Informing NC approve scheme after consultation with the MANCO and the EA NC monitor the implementation of the system and inform the EA
83.	74.(2)	<u>Institutional arrangements regarding education, training and development</u> (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.
84.	76.	<u>Occupational specific competencies and training</u> 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
85.	77.(1) to (4)	<u>Training assistance</u> 77. (1) For purposes of enhancing the performance of the work of the department, a head of department may grant financial or other assistance for any study, training or research where – (a) an employee undertakes the study, training or research on the initiative of the department, or	NC	CDC HR	RC's Regional Head Corporate Service	AC's Area Coordinator Corporate Services	National Learning Committee endorses the workplace skills plan for a financial year and monitors the implementation thereof.

A Fraser
National Commissioner
Date: 2020/10/05

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
—		<p>(b) the employee has requested any such assistance and the study, training or research is related to the employer's skills requirements.</p> <p>(2) A head of department may grant financial or other assistance to employees for part-time or full-time activities at either local or international institutions. The head of department may also grant assistance for studies and training through training interventions such as short courses, congresses, symposia, seminars, conferences, workshops, lectures and study tours.</p> <p>(3) A head of department may -</p> <p>(a) grant bursaries for higher education to employees or other persons in terms of a human resources development plan contemplated in regulation 28;</p> <p>(b) allocate bursaries for general education and continuing education and training to employees; and</p> <p>(c) require contractual service in recompense for assistance received in respect of general education or continuing education and training.</p> <p>(4) A head of department may defray any reasonable actual expenses associated with study, research or training.</p> <p>Note:</p> <p>- A head of the department may enrol 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.</p> <p>- A head of component may approve the placement of students to undergo experiential learning as part of their respective curricular to fulfill the requirements of their qualification.</p>		DC HRD L13-15 DIR Policy and External Training L 1-12	Not delegated	Not delegated	Indicators for Execution/Reporting/ Consultation/ Informing
—				CDC HR	Not delegated	Not delegated	International study – not delegated.
—				DC-HRD	DRC	Not delegated	
—				DC's	Regional Head Corporate Services	Area Coordinator Corporate Services	NC approves recruitment for programme
86.	77.(5)	(5) 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
87.	77.(9)	(9) In the cases 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

A Fraser

National Commissioner

Date: 2020/10/05

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
88.	78.(2)	<p><u>Mandating and management of negotiations</u></p> <p>(2) An executive authority may enter into a collective agreement on a matter of mutual interest only if that authority—</p> <p>(a) is responsible for managing collective bargaining on behalf of the State as employer in that forum;</p> <p>(b) has authority to deal with the matter concerned; and</p> <p>(c) meets the fiscal requirements contained in regulation 79.</p>	EA	NC to provide written mandate Minimum level Dir ER to sign agreement on behalf of employer.	Not delegated	Not delegated	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>NC gives mandate on matter of mutual interest after consultation with MANCO and the EA</p> <p>NC to indicate who must sign the collective agreement on behalf of the employer.</p> <p>The conditions for matters with financial implications are set out in PSR 79.</p>



A Fraser
National Commissioner
Date: 2020/10/25

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
89.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
90.	93	<u>Acquisition, management and use of information and communication technology resources</u> 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
91.	95.(1)	<u>Information security vigilance</u> (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	
92.	96.	<u>Incident reports</u> 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
93.	97.(4)	<u>Minimum interoperability standards</u> (4) A head of department shall - (a) include compliance with the MIOS in the project approval procedure; and (b) ensure compliance to the MIOS in the acquisition or use of information and communication technology.	NC	CDC GITO	Not delegated	Not delegated	


A Fraser
National Commissioner
Date: 2020/10/25

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

DEPARTMENT OF CORRECTIONAL SERVICES

In accordance with the powers vested in me by:-

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

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

Head of Department to sign and date all pages.

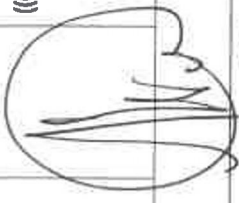
SIGNED AT Pretoria ON THIS 5th DAY OF October, 2020



A Fraser
National Commissioner
Date: 2020/10/25

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
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 level 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 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	


 A Fraser
 National Commissioner
 Date: 2020/10/15

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
4.	5(8) (b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-13	NC 1-13	NC 1-13	Indicators for Execution/Reporting/ Consultation/ Informing EA L 14-15 NC L 1-13
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 98(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 98(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. Level 13-14 NC approves Level 15 EA Approves
9.	13 (2) After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and (b) complied with all the conditions to which his or her appointment was subject.	EA	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.


 A Fraser
 National Commissioner
 Date: 2020/10/25

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			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
10.	13 (3) If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	CDC L11-12 DC L9-10 Dir L1-8	RC: L11-12 DRC L9-10 Dir L1-8	No delegation	Indicators for Execution/Reporting/ Consultation/ Informing L13-14 NC approves Level 15 EA approves L15 EA approves L13-14: NC approves. 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	EA				
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	Levels 2-7 Director HR Administration & Utilization Levels 8-10 DC HR Management Levels 11-12 CDC Human Resources	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 delegation in terms of Correctional Services Act. SMS not delegated.
13.	15 Transfer and secondment from and to public service	EA				
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	EA	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	(a) Not delegated (b) Not delegated	EA approves L 13-15 NC approves L1-12 HR and Legal Services to facilitate

A Fraser
National Commissioner
Date: 2020/10/28

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
15.	15 (3) 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. (a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	Not delegated	Not delegated	Not delegated	EA approves L 14-15 NC approves L 1-13 HR to facilitate Refer to section 15(3)(b) and (c)	
16.	16 Retirement and retention of services						
17.	16(2) (b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the	EA	L1-12 DC HR	Not delegated	Not delegated	NC approves L 13-15 in consultation with the Minister. This delegation only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 98(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998)	


 A Fraser
 National Commissioner
 Date: 2020/10/05

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
	notification is received.					Indicators for Execution/Reporting/ Consultation/ Informing
18.	16 (4) An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	L1-12 DC HR	Not delegated	Not delegated	Refer to delegations in terms of the CSA for early retirement for officials appointed under the CSA. NC Approves L 13-15 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 is only applicable to DCS officials appointed in terms of the Public Service Act. (All SMS officials in DCS appointed in terms of Correctional Services Act.) Normal retirement age of Correctional Officials appointed under the Correctional Services Act is 60 years of age in terms of section 96(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Refer to delegation (no 105) in terms of the CSA for early retirement for officials appointed under the CSA
19.	16 (6) (a) An executive authority may, at the request of an employee, allow him or her to retire from the public service before reaching the age of 60 years, notwithstanding the absence of any reason for dismissal in terms of section 17(2), if sufficient reason exists for the retirement.	EA	L1-12 DC HR	Not delegated	Not delegated	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


 A Fraser
 National Commissioner
 Date: 2020/10/05

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER				DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
20. 16 (7)	If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with the approval of Parliament granted by resolution, exceed in the aggregate two years.	EA	Not delegated	Not delegated	Not delegated	EA approves L 13-15 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).	
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 regulation 33 read together with resolution 1 of 2006 and section 95B of the CSA.	Same levels as the delegations in terms regulation 33 read together with resolution 1 of 2006 and section 95B of the CSA.	Same levels as the delegations in terms 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	EA	Not delegated	Not delegated	Not delegated	EA reports for L1-16 HR facilitates	


 A Fraser
 National Commissioner
 Date: 2020/10/25

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
24. 16B	Discipline						
25. 16B (1)	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).						
25. 16B (1)	Subject to subsection (2), when a chairperson of a disciplinary hearing pronounces a sanction in respect of an employee found guilty of misconduct, the following persons shall give effect to the sanction: (b) in the case of any other employee, the relevant head of department.	NC	DD Auxiliary Services	RH: HR	AC: Corporate Services	Procedures for service terminations to be followed as well the relevant prescripts in respect of level 2-12 that service will only be terminated after finalisation of appeal if the official lodged an appeal within the time frame provided for in resolution 1 of 2006. SMS do not have appeal recourse in terms of chapter 7 of the SMS handbook	
26. 16B (4)	If an employee of a department (in this subsection referred to as 'the new department'), is alleged to have committed misconduct in a department by whom he or she was employed previously (in paragraph (b) referred to as 'the former department'), the head of the new department— (b) shall institute or continue such steps if so requested— (iii) by the head of the former department, in the case of any other employee.	NC	CDC L 11-12 DC L 9-10 Dir L 1-8 CSA Section S95B matters. Level 1-12 Dir CE Levels 13-15 Not delegated	RC L 11-12 DRC L 9-10 RH L 1-8	DC L 9-10 Dir L 1-8	NC L 13-15 Refer to delegation 25 above 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	EA	CDC L 11-12 DC L 9-10 Dir L 1-8	CDCL 11-12 DC L 9-10 Dir L 1-8	DC 9-10 Dir L 1-8	HR facilitates NC L 13-15 in consultation with the Minister.	

A Fraser
National Commissioner
Date: 2020/10/05

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	
28.	resignation applicable to that employee.						
17	Termination of employment						
29.	(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 S 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.	
30.	Other remunerative work by employees						
31.	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	CDC HR L1-12	RC L1-12	Not delegated	EA approves L14-15 NC approves L13 HR to facilitate written motivation from employee and recommendation from Line Manager	
32.	(a) The executive authority shall decide whether or not to grant permission, contemplated in subsection (1) within 30 days after the receipt of the request from the employee in question (b) If the executive authority fails to make a decision within the 30 day period, it would be deemed that such permission was given.	EA	CDC HR L1-12	RC L1-12	Not delegated	NC approves L13-15 in consultation with the Minister. HR to facilitate written motivation from employee and recommendation from Line Manager	
33.	Unauthorized remuneration						
34.	(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.	NC	Not delegated	Not delegated	Not delegated	Relevant supervisors to advise HR HR to facilitate with CFO and DC LS	


 A Fraser
 National Commissioner
 Date: 2020/10/25

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>(iv) The accounting officer of the relevant department may approve that the employee concerned retains the whole or a portion of the said remuneration, allowance or reward.</p> <p>(b) if—</p> <p>(i) In the opinion of the head of department mentioned in paragraph (a) an employee has received any remuneration, allowance or other reward contemplated in that paragraph; and</p> <p>(ii) it is still in his or her possession or under his or her control or in the possession or under the control of any other person on his or her behalf, or, if it is money, has been deposited in any bank as defined in section 1(1) of the Banks Act, 1990 (Act 94 of 1990), or a mutual bank as defined in section 1(1) of the Mutual Banks Act, 1983 (Act 124 of 1983), in his or her name or in the name of any other person on his or her behalf, that head of department may in writing require that employee or that other person or that financial institution not to dispose thereof, or, if it is money, not to dispose of a corresponding sum of money, as the case may be, pending the outcome of any legal steps for the recovery of that remuneration, allowance or reward or the value thereof.</p>						
35. 31/2	<p>(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</p>	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	

A Fraser

National Commissioner

Date: 2020/10/25

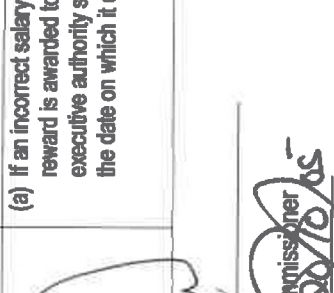
PART B, APPENDIX A: Delegations Register- NC delegations to other Performer Levels in terms of the PSA

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	
36.	concerned.						
37.	Direction to perform other functions or to act in another post						
32	(a) An employee may be directed in writing to act in a post subject to such conditions as may be prescribed. (b) Such acting appointment shall be made— (i) in the case of any other post, by the employee occupying the post, unless otherwise determined by the head of department	NC	Level 2-12 Relevant Director Level 13 Relevant DC in consultation with the CDC Levels 14 Relevant CDC in consultation with the NC	Level 2-12 Director Level 13 DRC In consultation with the RC Levels 14 RC in consultation with the COC	Levels 2 to 12 Area Commissioner: Level 13 RC Levels 14 RC in consultation with the COC	L 15 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.	Grievances of employees						
39.	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.	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	EA	Not delegated	Not delegated	Not delegated	NC to consider and advise the EA on recommendations for all levels.	


 A Fraser
 National Commissioner
 Date: 2020/10/05

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	
41.	37						
42.	37 (2)	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.	
43.	38						
44.	38 (1)	EA	L13-15 CDC HR L 2-12 DD Auxiliary Support	L 2-12 Regional Coordinator Human Resources	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.	


 A Fraser
 National Commissioner
 Date: 2020/10/05

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	
				L13-14 RC L15 CDC HR in HO			



A Fraser
National Commissioner
Date: 2020/10/05

PART A, APPENDIX B: Delegations Register – EA to National Commissioner (NC) In terms of the PSR

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
1	CHAPTER 1	GENERAL PROVISIONS		NC		
2	5.(a) and (b)	<u>Draft legislation affecting Public Service Act and Regulations</u> An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches	
3	7.(1) and (2)	<u>Decision-making in cases of conflict of interest</u> (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.	
4	8.(2)	<u>Record-keeping of delegations and correction of acts and omissions</u> (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	EA	NC		
5	9.(1)	<u>Reporting, monitoring, evaluation and compliance</u> (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 data as directed by the Minister.	EA	Not delegated	Original power of EA to submit information or data to the Minister	
6	10.(3)	<u>Prescribed forms for human resource management and related practices</u> (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	CDC HR coordinate inputs from Branches and Regions	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date: 20/08/2020

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

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

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

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date:

08/08/2020

National Commissioner:

A Fraser

Date:

2020/08/08

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
15	25.(2)(a)	Organisational structure (2) Based on the strategic plan of the department, an executive authority shall— (a) determine the department's organisational structure in terms of its core mandated and support functions – (i) in the case of a national department or national government component, after consultation with the Minister and National Treasury; and	EA	NC EA to concur	Indicators for Execution/Reporting/ Consultation/ Informing 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
16	25.(2)(b) and (c)	Define and create posts (2) Based on the strategic plan of the department, an executive authority shall – (b) define and create the necessary to perform the relevant functions of the department while remaining within – (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 4(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 4(2)(d)	EA	NC 1-12 EA to concur with SMS posts (13-15).	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
17	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 approve 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

Executive Authority:

RO Lamola, MP

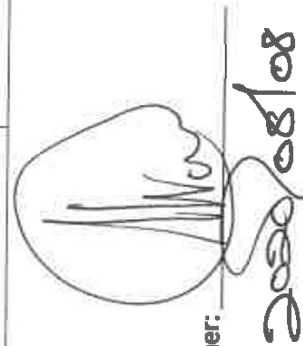
Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:



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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
18	27.	<u>Employment equity plan</u> An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC approve in consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19	28.(1) and (2)	<u>Human resource development plan</u> (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 28. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	NC	NC approve in consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20	29.	<u>Assessment of efficiency and effectiveness</u> An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with the departmental EXCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21	31.(2)	<u>Annual report</u> (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 85(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	NC	NC submits report to the EA after consultation with NATMANCO EA tables report in the legislature
22	34.(3)	<u>Business case and inter-departmental assessment committee for the establishment of government components and specialised service delivery units</u> (3) The relevant executive authority shall submit the institutional option assessment and the business case to the Minister who shall refer it to the committee.	EA	Not delegated	The committee convenes on a case by case basis to assess the feasibility of establishing these organisational forms Note the requirements set out in Regulation 34(2) for EAs or Premiers to designate members of the committee, on a case by case basis

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
23	35.	Organisational functionality assessment An executive authority shall conduct an organisational functionality assessment, as directed by the Minister, to assess the effectiveness of a department's internal systems and processes and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing NC submits report to the EA after consultation with NATMANCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
24	36.	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 in consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
25	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 in consultation with NATMANCO and the EA NC monitor the implementation of the charter and inform the EA
26	38.	Service delivery improvement plan An executive authority shall establish and maintain a service delivery improvement plan signed 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

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/20

National Commissioner:

A Fraser

Date: 20/08/20

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
27	CHAPTER 4	EMPLOYMENT MATTERS		NC	Indicators for Execution/Reporting/ Consultation/ Informing
28	39.(1), (2) and (4)	<p>Job descriptions, job titles, systems of occupational classification and remuneration and OSDs</p> <p>39. (1) For each post or group of posts, an executive authority shall establish a job description and job title that indicate, with appropriate emphasis on service delivery -</p> <p>(a) the main objectives, activities and functions of the post or posts in question; and</p> <p>(b) the inherent requirements of the job.</p> <p>(2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate.</p> <p>(4) An executive authority shall limit all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(b), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilised</p>	EA	NC	NC may delegate further NC to brief Minister annually
29	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 utilised;</p>	EA	NC L1-12	EA approves L13 to 15.

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

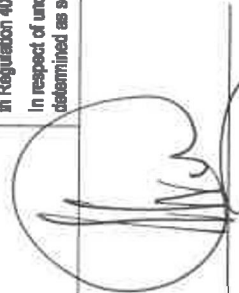
Date:

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	
30	41.(3)	(c) in the case of a vacant post not determined in terms of an OSD or graded by the Minister in terms of regulation 41(2)(d), evaluate the job unless the specific job has been evaluated in the last 60 calendar months; and (d) ensure that sufficient budgeted funds, including funds for the remaining period of the medium-term expenditure framework, are available for filling the post. <u>Job evaluation and job grading systems</u> (3) An executive authority may evaluate or re-evaluate any job in its or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(d); or (b) jobs determined in terms of an OSD.	EA	NC L1-12	EA approves L13 to 15	
31	43.(2)(a)	<u>Grading of posts</u> (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister, (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1-12	EA approves L13 to 15	
32	43.(2)(b)	<u>Setting of salary</u> (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-L12	EA approves for L13-15 Adhere to the conditions of creating and filling of posts as set out in Regulation 40. In respect of undergraded jobs the commencing salary is determined as set out in Regulation 45.(4)	

Executive Authority: 
RO Lamola, MP
 Minister of Justice and Correctional Services
 Date: 08/08/2020

National Commissioner: 
A Fraser
 Date: 2020/08/08

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			
33	43.(3)	(3) An executive authority shall set the salary of a permanent or temporary employee employed in a part-time capacity proportional to the salary of an equally graded full-time employee.	EA	NC L1-L12	Indicators for Execution/Reporting/ Consultation/ Informing EA approves L13-15

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date:

08/08/2020

National Commissioner:

A Fraser

Date:

08/08/2020

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	
34	43.(4)	(4) If an executive authority intends to evaluate jobs or implement job evaluation results that will affect the grade of an occupation or the salary level within an occupation where such occupation is utilised by more than one department then he or she shall do so in consultation with the Minister and the Minister of Finance.	EA	NC Not delegated		
35	44.(1)	<u>Setting of higher salary</u> (1) Subject to subregulation (2) to (4) an executive authority may set the salary of an employee above the minimum notch of the salary level indicated by the job weight - (a) if he or she has evaluated the job; (b) if he or she requires to retain or recruit an employee with the necessary competencies; and (c) he or she shall record the reason why the higher salary was awarded.	EA	NC L1-L12	EA approves L13-15 NC approves L13-L15 in consultation with EA HR to facilitate	
36	45.(1)	<u>Undegraded posts</u> (1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework - (a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or (b) does not provide for sufficient funds, an executive authority shall redesign the job to equate with the grade of the post prior to regrading.	EA	NC L1-L12	NC approves L13-L15 in consultation with EA Continued employment of incumbent is set out in Regulation 45.(2)	
37	45.(5)	(5) If an Incumbent employee is not continued to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall - (a) redesign the job to equate with the grade of the post before it was regraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.	EA	NC L1-L12	NC approves L13-L15 in consultation with EA	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
38	46.(1)	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 NC L1-L14	Indicators for Execution/Reporting/ Consultation/ Informing NC approves L13 - L14 in consultation with EA
39	49.(1)	Overtime (1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if - (a) the department has an approved written policy on overtime; (b) the executive authority has provided written authorisation in advance for the work; and (c) the monthly compensation for overtime constitutes less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	NC	
40	48.(2)	(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine - (a) categories of employees that may not receive compensation for overtime due to the nature of their duties; (b) the circumstances under which overtime work for an individual employee may be authorised; (c) how much overtime an employee may work in a given period; (d) how authorisation for overtime is recorded; and (e) other control measures, if necessary.	EA	NC	NC approves overtime policy after consultation with MANCO

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 28/08/2020

National Commissioner:

A Fraser

Date:

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
41	50.(b)	<p>Suggestions, Improvements and innovations</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 services, 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-personalizable cash award not exceeding 20 per cent of the employee's pensionable annual salary; or</p> <p>(iii) such a non-monetary reward and a cash award.</p>	EA	NC	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>Also provided for in section 3(5)(e) of the CSA. Refer to CSA delegations.</p> <p>Level 13-15 in consultation with the Minister</p>
42	57.(1)	<p>General conditions for appointment</p> <p>57. (1) An executive authority -</p> <p>(a) shall not appoint any person -</p> <p>(i) under the age of 15 years of age; or</p> <p>(ii) under the minimum school-leaving age in terms of any law.</p> <p>(b) shall determine the health requirements for incumbency of a post in any case where it is part of the inherent requirements of the post;</p> <p>(c) shall subject an employee or a candidate for employment to personnel suitability checks as directed by the Minister;</p> <p>(d) shall ensure that each person upon appointment, is provided with written particulars of employment, including the terms and conditions of his or her service; and</p> <p>(e) shall not, with due regard to section 10(e) of the Act, appoint a temporary employee permanently or vice versa without complying with regulations 65 and 67.</p>	EA	NC L1 - L12	EA approves L15 and L16. Also refer to section 98(3) if to CSA in terms of SMS appointments.

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
43	57.(2)	<p>Employ persons additional to the establishment</p> <p>(2) An executive authority may, unless otherwise authorised by the Act, within the available budget and at a salary level linked to a grade determined through job evaluation or as determined in an OSD, employ persons additional to the establishment, where—</p> <p>(a) the incumbent of a post is expected to be absent for such a period that his or her duties cannot be performed by other employees;</p> <p>(b) a temporary increase in work occurs or it is necessary for any other reason to temporarily increase the staff of the department;</p> <p>(c) an employee's post has been abolished and he or she cannot be transferred into another post; or</p> <p>(d) an employee is part of a development programme as contemplated in regulation 58.</p>	EA	NC L1-L12	<p>Indicators for Executions/Reporting/ Consultations/ Informing</p> <p>EA approves L13-L15</p> <p>CFO to approve funding</p> <p>See general conditions for appointment. Is set out in PSR 57.(1), (2), (3), (4) (5) and (6)</p> <p>NC to report to the Minister on 6 monthly basis of the number of approved additional to the establishment</p>
44	57.(3) and (4)	<p>(3) Before making a decision on an appointment of a person additional to the establishment, an executive authority shall -</p> <p>(a) satisfy himself or herself that the person qualifies in all respects for the position and that his or her claims in his or her application for the position have been verified; and</p> <p>(b) record that verification in writing.</p> <p>(4) The employment of a person additional to the establishment in terms of subregulation (2)(a) or (b) shall not exceed 12 consecutive calendar months unless otherwise directed by the Minister.</p>	EA	NC L1-L12	EA approves L13- L15 level
45	57.(5)	<p>All appointments other than appointment additional to the establishment</p> <p>(5) An appointment shall take effect after approval by the relevant executive authority.</p>	EA	NC L1-L12	<p>Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the appointment provisions in the PSA see sections 8, 12, 12A, 13.</p> <p>EA approves L 15 and L16</p> <p>See general conditions for appointment set out in PSR 57.(1), and (5), an 58., 60., 61.</p>

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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			
46	59.	<p><u>Utilisation of unpaid voluntary workers</u></p> <p>An executive authority may utilise 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 departmental policies and such compensation shall not be construed as remuneration;</p> <p>(e) a voluntary worker shall perform work in a department under the supervision of an employee; and</p> <p>(f) such other conditions that the Minister may direct.</p>	EA	NC	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>See also PSR 57 (6) and (7) and PSR 68.</p> <p>NC to brief Minister on a quarterly basis on the number and cost of volunteers in the Department</p>

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date: 22/08/20

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
47	60.(1), (2) and (3)	<p>Re-appointment of former employees</p> <p>(1) An executive authority shall not re-appoint a former employee if that employee left the public service -</p> <p>(a) earlier on the condition that he or she would not accept or seek re-appointment, or</p> <p>(b) due to ill health and cannot provide sufficient evidence of recovery.</p> <p>(2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if -</p> <p>(a) no other suitable candidate could be recruited in terms of these Regulations;</p> <p>(b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and</p> <p>(c) the employee has not been previously appointed in terms of this regulation.</p> <p>(3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if -</p> <p>(a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and</p> <p>(b) the employee may not be appointed more than twice in terms of this regulation.</p>	EA	NC L1-L12	<p>Indicators for Execution/Reporting/ Consultation/ Informing</p> <p>EA approves L 13-15</p>
48	62.(3)	<p>Secondments</p> <p>(3) If an employee is seconded upon his or her request in terms of section 15(3)(b)(i) of the Act, the relevant executive authority may bind him or her to continued employment in the relevant department or another department immediately after the secondment for a period not exceeding the period of the secondment.</p>	EA	NC L1-L12	EA approves L 13-15

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
49	64.(1) and (2)	<p><u>Determination of requirements for employment</u></p> <p>(1) An executive authority shall determine and record composite requirements for employment in any post on the basis of the main objectives, core functions and the inherent requirements of the job.</p> <p>(2) An executive authority shall -</p> <p>(a) ensure that the requirements for employment do not unfairly discriminate against any person; and</p> <p>(b) comply with any statutory requirement for the appointment of employees.</p>	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing Level 13-15 in consultation with the Minister
50	65.(1)	<p><u>Advertising</u></p> <p>(1) An executive authority shall ensure that vacant posts in the department are advertised, as efficiently and effectively as possible, to reach the entire pool of potential applicants, including designated groups.</p>	EA	NC	
51	65.(4)	<p>(4) An executive authority shall advertise any other vacant post, as a minimum, within the department, but may also advertise such post -</p> <p>(a) in the public service;</p> <p>(b) locally; or</p> <p>(c) nationwide.</p>	EA	NC	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:



 08/08/2020

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
52	66.(1) and (2)	<p><u>Filling of posts in Office of executive authorities and Deputy Ministers</u></p> <p>66. (1) An executive authority may only fill vacancies in the Office of an executive authority or a Deputy Minister by means of:</p> <p>(a) an appointment in terms of section 9 of the Act for –</p> <p>(i) the term of office of the incumbent executive authority or Deputy Minister which will terminate at the end of the first month after the month in which the term of that executive authority or Deputy Minister terminates for any reason; or</p> <p>(ii) a period not exceeding three years;</p> <p>(b) a transfer in terms of section 14 of the Act, provided that the employment status of the transferred employees as permanent or temporary, as the case may be, shall remain unaffected by the transfer.</p> <p>(2) Subject to the appointment criteria in regulation 67(5)(b) to (d), an executive authority may fill a post in the Office of the executive authority or a Deputy Minister in that executive authority's portfolio, in terms of subregulation (1) without complying with regulations 65(1); (3) and (4).</p>	EA	NC	Indicators for Execution/Reporting/ Consultation/ Informing Not delegated
53	67.(1)	<p><u>Selection</u></p> <p>(1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However—</p> <p>(a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and</p> <p>(b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee</p>	EA	NC L1 -12	EA chair selection committee for NC and DDG See the conditions set out in PSR 67.(2) to (9) Level 13-15 EA approves

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date:

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
54	67.(7)	(7) If the selection committee is unable to recommend a suitable person for appointment from those who applied in terms of subregulation (5), the executive authority may, after that selection process has been completed, approve the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.	EA	NC L1 to L12	Indicators for Execution/Reporting/ Consultation/ Informing EA approves head-hunting for L13 to L15
55	67.(8)	(8) If an executive authority does not approve a recommendation of a selection committee, he or she shall record the reasons for his or her decision in writing	EA	NC L1 to L12	EA for L13-15
56	67.(9)	(9) Before making a decision on an appointment or the filling of a post, an executive authority shall – (a) satisfy himself or himself that the candidate qualifies in all respects for the post and that he or her claims in his or her application for the post have been verified as directed by the Minister; and (b) record that verification in writing.	EA	NC L1 to L12	EA for L13-15
57	68.(2)	Probation (2) An executive authority may require an employee appointed to another equally graded post to not serve the probation contemplated in subregulation (1).	EA	NC L1 to L14	EA for L15
58	69.(2)	Resignation (2) Subject to section 189(6) of the Act, the executive authority and the employee may agree to a period of notice shorter or longer than the applicable period referred to in subregulation (1).	EA	NC L1 to L12	EA for L13-15
59	69.(3)	Resignation (3) An executive authority shall stipulate the manner in which an employee shall submit his or her resignation.	EA	NC	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date: 20/08/20

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
60	69.(4)	(4) An executive authority shall conduct and record an exit interview with an employee who has resigned and record the reasons given by the employee for his or her resignation	EA	NC L1 to L14	EA L15	
61	69.(5)	(5) An employee who has submitted his or her resignation to the executive authority may only withdraw his or her resignation with the written approval of the executive authority, which approval shall be made no later than the last working day	EA	NC L1 to L12	EA L13-15	
62	69.(6)	(6) If notice of resignation is given in terms of subregulation (1), the executive authority may require the employee to return all official equipment and documents, vacate his or her office and leave the department's premises before the expiry of the notice period on a day stipulated by the executive authority and not to perform any duties for the remaining notice period.	EA	NC L1 to L14	EA L15	
63	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	NC	NC approve the system after consultation with MANCO and the EA NC monitor the implementation of the plan and inform the EA	
64	71.(2)	(2) An executive authority shall approve the department's performance management system in the financial year prior to the cycle in which the system is to be implemented, and any deviation from the provisions of the system during the cycle may be approved by the executive authority only if such deviation is not to the detriment of any employee.	EA	NC	NC approve the system after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA	
65	71.(3)	(3) An executive authority may establish separate performance management systems for different occupational categories or levels of work.	EA	NC	NC approve the systems after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA	
66	71.(6)	(6) An executive authority may use a single assessment instrument to assist in deciding on an employee's probation and performance.	EA	NC	NC approve the system after consultation with MANCO and the EA NC monitor the implementation of the PMDS and inform the EA	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date: 2020/08/08

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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
67	72.(4)(c)	<p>Performance agreements and assessments</p> <p>(4) If both the employee and his or her supervisor do not sign the performance agreement or an agreement of similar nature due to a dispute relating to the content of the agreement, a person shall be appointed within one month after the expiry of the period stipulated in subregulation (1), to consider the dispute. Such person shall be appointed in the following manner:</p> <p>(c) in the case of other employees, the appointment shall be made by the relevant executive authority, provided that the person so appointed, shall be an employee.</p>	EA	NC L1 L2	Level 13-15 in consultation with the Minister	
68	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	
69	72.(15)(b) and (c)	<p>(15) Based on the outcome of the performance assessment an executive authority –</p> <p>(b) may, where appropriate, provide training and development for employees;</p> <p>(c) shall manage poor performance.</p>	EA	NC L1 to L15	EA manage poor performance of NC	
70	73.(1)	<p>Rewarding performance</p> <p>(1) Each executive authority shall establish a performance incentive scheme to reward employees or any category of employees within the limits determined by the Minister as contemplated in subregulation (3).</p>	EA	NC	NC approve the scheme after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA	
71	76.	<p>Occupational specific competencies and training</p> <p>An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.</p>	EA	NC	NC approve the training required after consultation with the departmental EXCO and the EA	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

Date: 08/08/2020

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

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

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

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

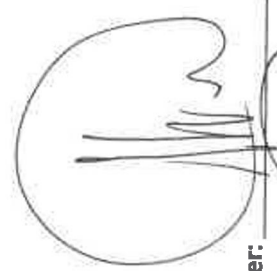
Date: 08/08/2020



National Commissioner:

A Fraser

Date:



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 Ozy 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 03 DAY OF October 2020

NAME OF EXECUTIVE AUTHORITY: **Ronald Lamola MP:**

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

NAME OF HEAD OF DEPARTMENT (NATIONAL COMMISSIONER): **Arthur Fraser:**

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

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION / POST LEVEL DELEGATED TO			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 (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	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 level 13-15	
2.	(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	Level 13-15 appointments of SMS members approved in consultation with the Minister as provided for in section 96(3) of the CSA	
3.	3 (8)	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: 2020/08/20

National Commissioner:

A Fraser

Date: 2020/08/08

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
4.	5(8) years with such period as the Minister considers appropriate. (b) If the Commission issues a direction contemplated in paragraph (a), the relevant executive authority or head of department, as the case may be, shall implement the direction as soon as possible after receipt of the written communication conveying the direction but, in any event, within 60 days after the date of such receipt.	EA	NC 1-13	NC 1-13	NC 1-13	EA Level 14-15	
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.	EA	NC 1-12	None	None	Level 13-15 appointments of SMS members approved in consultation with the Minister as provided for in section 96(3) of the CSA	
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	NC L1-14	NC L1-14	NC L1-14	EA approves L 15-16. All appointments to be made on probation.	
9.	13 (2) After the completion of a probationary period contemplated in subsection (1) an executive authority shall confirm the probationary appointment if the employee concerned has— (a) performed at least satisfactorily during the period; and	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L 15 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: 08/08/2020

National Commissioner:

A Fraser

Date:

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			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
10.	13 (3) (b) complied with all the conditions to which his or her appointment was subject. If the probationary appointment is not confirmed in terms of subsection (2), the executive authority may extend the period of probation or dismiss the employee in accordance with the Labour Relations Act.	EA	NC L1-14	NC L1-14	NC L1-14	EA approves L15 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 L1-12	NC L1-12	NC L1-12	Provided for in sections 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	EA	NC L1-12	NC L1-12	NC L1-12	EA approves L13-15 HR and Legal Services to facilitate	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/08/2020

National Commissioner:

A Fraser

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			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
15.	15 (3) functionary of the body concerned and the executive authority. (a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	EA	NC L1-13	NC L1-13	NC L1-13	EA approves L 14-15 Refer to subsection 15(3)(b) and (c) HR to facilitate
16.	16 Retirement and retention of services	EA	NC L1-12	NC L1-12	NC L1-12	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 98(5) of Act 111 of 1998, as amended read with section 12(2) of Act 8 of 1959 (This act was repealed in its whole but the provisions of section 12(2) retained in Act 111 of 1998) Level 13-15 in consultation with the Minister
17.	17(2) (b) An officer who has the right to an earlier retirement age in terms of paragraph (a), and who wishes to be so retired, shall give written notification to his or her head of department of his or her wish to be so retired, and he or she shall— (ii) if that notification is not given at least three calendar months prior to the date on which he or she attains the said age, be so retired on the first day of such month as the executive authority may approve, which day may not be before the date on which he or she attains the said age and not be later than the first day of the fourth month after the month in which the notification is received.	EA	NC L1-12	NC L1-12	NC L1-12	

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Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
18.	16 (4) An officer, other than a member of the services or an educator or a member of the State Security Agency who has reached the age of 60 years may, subject in every case to the approval of the relevant executive authority, be retired from the public service.	EA	NC L1-12	NC L1-12	NC L1-12	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.) 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) Level 13-15 in consultation with the Minister	
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	NC L1-12	NC L1-12	NC L1-12	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.) Level 13-15 in consultation with the Minister	
20.	16 (7) If it is in the public interest to retain an officer, other than a member of the services or an educator or a member of the State Security Agency, in his or her post beyond the age at which he or she is required to be retired in terms of subsection (1), he or she may, with his or her consent and with the approval of the relevant executive authority, be so retained from time to time for further periods which shall not, except with	EA	NC L1-12	NC L1-12	NC L1-12	EA approves L13-15 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) Anyone retain for more than 3 months Ministers concurrence is required	

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21.	16A (4) the approval 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 services and, through the relevant Premier, to any similar committees 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 (b).	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 L1-12	NC L1-12	NC L1-12	HR facilitates Level 13-15 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 L1-12	NC L1-12	NC L1-12	Only applicable to officials appointed under the PSA Officials appointed under CSA refer to delegations under CSA Compliance with Disciplinary Code and GPSSBC resolution 1 of 2006 and Chapter 7 of SMS Handbook Refer to S17(1)(b) for dismissal for misconduct For all officials level 13-15 in consultation with the Minister	
25.	30 Other remunerative work by employees						

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26. 30 (1)	No employee shall perform or engage himself or herself to perform remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department.	EA	NC L1-13	NC L1-13	NC L1-13	EA approves Level 14-15 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 L1-12	NC L1-12	NC L1-12	Relevant supervisors to advise HR HR to facilitate Level 13-15 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 L1-12	NC L1-12	NC L1-12	Relevant supervisors to advise HR HR to facilitate Level 13-15 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	NC L1-14	NC L1-14	NC L1-14	Level 15 in consultation with the Minister Acting appointments for levels other than the National Commissioner must be done as per delegations in terms of the Correctional Services Act
32. 35	Grievances of employees					

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Section	Topic Description		Head Office	Region	Management Area	
33.	35(1) For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner, and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	NC L1-14	NC L1-14	NC L1-14	Indicators for Execution/Reporting/ Consultation/ Informing Refer to the grievance procedure for levels 2-12. 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.	37 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 salaries higher than the minimum amounts of the appropriate salary levels of the applicable salary scales.	EA	NC L1-12	NC L1-12	NC L1-12	Grants to be made in accordance with the Departmental Retention Policy Level 13-15 in consultation with the Minister NC not to delegate further. HR to facilitate in consultation with CDC and CFO In respect of sub-paragraph (c) it must be read with section 3(5)(e) of the CSA and the delegations thereof.

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	<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>						
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 L1-15	NC L1-15	NC L1-15	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.	

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