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**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) (a)	Approve committee for shortlisting of candidates and approve candidates to be shortlisted for appointment as chairperson, vice-chairperson and community members for Correctional Supervision and Parole Boards.	National Commissioner
	Section 132 (3)	Sign an official document indicating that a carman has been certified as a carman as contemplated in subsection (1).	National Commissioner


Ronald Lamola MP

Minister of Justice and Correctional Services

Date: 26/08/2020

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, 1989 (ACT 111 OF 1989), 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, 1989 (Act no 111 of 1989). (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)
CDC	=	Chief Deputy Commissioner
DD	=	Deputy Commissioner
DIR	=	Director



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

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

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 Fransch
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		DESIGNATION/POST LEVEL DELEGATED TO PER TIER					DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	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 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 places such inmate is legally required to be, including transfers from one correctional centre to another. The Head of Correctional Centres/ 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 SAT claims.	NC	Supervisor (DD and Higher)	Supervisor (DD and Higher)	Head 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 DPSSA. Compliance to DPSSA 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	

A Frazer
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		
5.	Section 3 (5) (a) and (a)	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 rules determined by DPSA 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 expenses 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) (a) and (a)	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) (a) and (a)	Night visits call out	NC	Dr Security Standards	No delegation	Head Correctional Central Head of Remand Detention Centre	DPSA Financial Manual must be adhered to	
8.	Section 3 (5) (a) and (a)	Approval of state guarantee applications	NC	DD Service Benefits	Not delegated	Not delegated	Compliance to DPSA directives	
9.	Section 3 (5) (a) and (a)	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) (a) and (a)	Approval of transport for school children, transport between residences and places of work	NC	CDC HR	Regional Commissioner	Not delegated	Compliance to DPSA financial manual	
11.	Section 3 (5) (a)	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. Fraser

National Commissioner: Correctional Services
Date: 5 October 2020

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

Section	Topic Description	PRINCIPAL FUNCTIONARY	DESIGNATION POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
			Head Office	Region	Management Area		
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 necessary remands to private prisons.	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) to DCS (read with delegations in terms of the Public Service regulations)	NC	Level 2-10 (Consent with relevant parties) DC HRM in consultation with the CDC HR Level 11-12 CDC HR Any Delegation: Levels 2-12 CDC	Level 2-10 (Consent with relevant parties) Deputy Regional Commissioner in consultation with the RC Level 11-12 (Consent with relevant parties) Regional Commissioner Any Delegation: Levels 2-12 CDC	None	1. All appointments and interdepartmental transfers must comply with DCS and relevant OSD appointment criteria as well as the PSA and PSR, requirements and DPSA directives. 2. Any decision 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 94(3) of the Act read with the PSA and PSR.	
15. Section 3 (5) (g) read with Section 96 (3) (e) and	Approve all placements and transfer/inter-departmental transfers on state costs.	NC	Level 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 Incentives 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) (e)	Approve transfer/inter-departmental transfers of SMS on own time and cost or on state costs involving interdepartmental transfer 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) (e)	Approve transfer/inter-departmental 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 DY HR & U Level 8-10: Relevant DC after consultation with Dir HR & U.	Level 2 to 7: Within RC Office: Relevant Regional Head Corporate Services after consultation with RH Corporate Services Access Management ARESS	Level 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 office and Head Office the application for transfer must be submitted to the Personnel office that will process the application to the relevant directorates.	


A. F. Jansen
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
			Level 11-12 Relevant CDC after consultation with the HRA and all	Deputy Regional Commissioner offer consultation with RH Corporate Services. Levels 8-10: Deputy Regional Commissioner (excluding Heads of centres and community corrections officers) Levels 11-12: Regional Commissioner	
18.	Section 3 (5) (g) read with Section 96(3)(c)	Approval of Interim Accommodation, Reassignment, Removal of Furniture and Storage, Buying of Property and Pro-Rata after approval of transfer on state cost was granted	Maximum 3 months interim accommodation. Director: HR Administration and Utilization More than 3 months: DC HRM	Maximum 3 months interim accommodation. RH Human Resources. More than 3 months: No delegation	Compliance to financial and logistical principles, 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)(c) and Public Service Regulations 2016, regulation 163	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 DC in consultation with the RC Levels 14 RC in consultation with the CDC	1. 15 NC in consultation with the Minister. 2. Compliance to relevant policy and Public Service regulation 163 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 Commissioners. 4. The delegation to approve any level in acting capacity must comply with the principles on acting and the National Commissioners may at any time revoke such acting appointment. 5. HR Head Office will provide templates to be used for appointment of officials who must act.

A. F. ...

National Commissioner: Correctional Services
Date: 6 October 2020

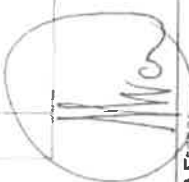
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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	
20.	Section 3 (4) (d) and with Section 56(3)(d)	Appoint temporary employees (Periodical contract employees: Professionals)	NC	No Delegation	No delegation	6. HR must carry that a pool is vacant before any acting appointment where acting employee is involved. 7. All acting appointments of SMS shall be done in consultation with the COC. (Appointment memorandum to be decided via the COC 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) (e)	Resist, suspend or revoke sentences for offenders of different categories.	NC	COC	No delegation	Appointment of officials on contract (except periodical employee: professionals) are not delegated and must be submitted to the National Commissioner for approval
22.	Section 5 (1) (b)	Authorisation to detain a person at any correctional centre.	NC	No delegation	No delegation	
23.	Section 6 (b)	Make a preliminary security classification of an inmate on admission.	NC	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts
24.	Section 7 (2) (d)	Decide inmates of specific age, health or security risk categories separately.	NC	No delegation	Divisional Head: Case Management Administration	Compliance to all relevant prescripts
25.	Section 7 (2) (e)	Accommodate offenders in single or communal cells depending on the availability of accommodation.	NC	No delegation	Head of Correctional Centre / Head of Remand Detention Centre	Compliance to all relevant prescripts


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	NC	Head Office	Region	Management Area				
26. Section 7 (2) (i)	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) (i)	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) (i)	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) (e)	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	



A F 11/20

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			PRINCIPAL FUNCTIONARY	DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Head Office	Region	Management Area		LIMITATIONS	
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.	No delegation	No delegation	Head of Correctional Centres/Head of Remand Detention Centres	NC	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 Centres, who must refer the matter to the National Commissioner.	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	NC	Compliance to all relevant prescripts	
35. Section 21 (4)	The responses of the National Commissioner must be conveyed to the inmate.	No delegation	No delegation	Head of the Correctional Centres / Head of Remand Detention Centres	NC		
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)	No delegation	No delegation	Area Commissioner (to respond to the complaint/request)	NC	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(4) must be referred for review to the National Commissioner	No delegation	No delegation	Area Coordinator: Corrections on a level higher than the chairperson of the disciplinary hearing.	NC		
38. Section 25 (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.	COC COC Inmate and Corrections may intervene in cases of overcrowding to transfer inmates across regions.	Classify Accommodation: Regional Commissioner	Allocate Accommodation: Head of Correctional Centres/Head of Remand Detention Centres	NC		
39. Section 30 (1)	Segregation for a period of time, which may be for part of or the whole day and which may include detention in a single cell, other than normal accommodation in a single cell as contemplated in section 7 (2) (e).	No delegation	No delegation	Head of Correctional Centres/Head of Remand Detention Centres	NC		
40. Section 30 (b)	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 Centres 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	No delegation	No delegation	Area Commissioner	NC		

A FINDER

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	
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	NC	No delegation	No delegation	Head Correctional Centres report to the Regional Commissioner and the Inspecting Judge via the Area Commissioner.	
42. Section 31 (3) (c)	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	Area Commissioner	
43. Section 38 (2) (e)	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	Head Correctional Centres	
44. Section 38 (5) (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, commencement, completion and termination of sentences must be served.	NC	No delegation	No delegation	Head of Community Corrections	
45. Section 38 (6) (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 other unless the Court specifically directs otherwise or unless the Court directs that such sentences shall run concurrently.	NC	No delegation	No delegation	Area Commissioner	
46. Section 40 (4) (b)	Issue a warrant for the arrest of an offender, if the offender has been released from a correctional centre erroneously, to be re-admitted to correctional centre to serve the rest of his or her sentence.	NC	Chief Financial Officer in consultation with the COC	No delegation	No delegation	
47. Section 41 (5)	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	No delegation	No delegation	Head of Correctional Centres	

A Finner
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	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area
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)(d) of the Children's Act 2005 (Act no. 32 of 2005), in consultation with the Director General of the Department of Social Development and from which date the provision of section 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 43 (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) Compensation leave; (b) Treatment, development or support programmes; (c) Preparation for release; or (d) Any other reason related to the successful integration of the offender into the community.	NC	No delegation	Application for deviation: RC	Head of the Correctional Centre (minimum level DD) after consultation with the Area Commissioner. Heads Correctional Centre on lower levels: Area Coordinator Corrections after consultation with the Area Commissioner
50. Section 44 (3) (e) 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

A. Frazer

National Commissioner: Correctional Services
Date: 5 October 2020

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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area
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 Reserved for the second time by the same detective for the same case Regional Commissioner	Less than 1 day (within same district/communities) Head of RDC or Head of the Correctional Centre From a full day (evening) to 3 days Area Commissioner Up to 24 months Incumbent: Head of Correctional Centre Less than 24 months Incumbent: Correctional Supervisor and Parole Board Up to 24 months Incumbent: Head of Correctional Centre
56. Section 52 (1) read together with section 42 (2) (e) and section 75 (1)	May stipulate the conditions applicable when Community Corrections are ordered in terms of paragraph (a) to (d) 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	
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	

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Date: 5 October 2020

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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	
58. Section 52(5) (b) read together with section 52 (1)	Submission of report by supervision committee to National Commissioner			NC	No delegation	No delegation	Longer than 24 months Intermittent Correctional Supervision and Parole Board	
59. Section 61(2)	The National Commissioner must assist in the attempt to find employment.			NC	No delegation	No delegation	Up to 24 months Intermittent Head of Correctional Centre Longer than 24 months Intermittent 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			NC	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.			NC	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.			NC	No delegation	No delegation	Head of Community Corrections	

A F 7261
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POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY	DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
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 68 (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 local address in terms of section 52 (1) (b), determines such address.	NC	No delegation	No delegation	Head of Community Corrections	
68. Section 68 (2) (a) and (b)	Declare a local address in terms of Section 52 (1) (b) 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 69 (4)	Appoint persons in terms of section 95 (4) to assist correctional officials in monitoring.	NC	No delegation	No delegation	Area Commissioner	
70. Section 69 (2)	Where any child is subject to supervision in terms of this Chapter, the National Commissioner must, in addition to any programmes which the child in terms of section 52 (1) (f) may be required to take part in, ensure that if the child requires support he or she has access to adequate social work services, religious care, recreational programmes and psychological services.	NC	No delegation	No delegation	Head Community Corrections	


 A. Fr. J. van der Merwe
 National Commissioner: Correctional Services
 Date: 5 October 2020

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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area
71.	Section 70 (1) (e) and (b) (e) 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— (f) Reprimand the person. (g) 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; (h) Issue a warrant for the arrest of such person. (i) 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) Less serious: Supervision Officer under whose supervision offender is. Serious: Supervision Committee under whose supervision offender is. (f) Head of Community Corrections Office (g) Heads of Community Corrections Office or Correctional Centre (h) Head of Community Corrections Office (i) Head of Community Corrections
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) (e) 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

A Fraser
National Commissioner: Correctional Services
Date: 6 October 2020

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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area
	Procedure Act, 1977 (Act No. 51 of 1977).				
75.	Section 71 (3)	NC	No delegation	No delegation	Head of Community Corrections
76.	Section 72(4)	NC	No delegation	No delegation	Area Commissioner
77.	Section 73(7)(b)	NC	No delegation	No delegation	Up to 24 months Incumbent: Head of Correctional Centre Longer than 24 months Incumbent: Correctional Supervision and Parole Board
78.	Section 74 (2) (e)	NC	No delegation	Regional Commissioner only with regard to section 74(2) (e).	No delegation
79.	Section 74 (3)	NC	No delegation	DRC	No delegation
80.	Section 74 (8)	NC	DC: Human Resource Management	No delegation	No delegation
B	Section 75 (1)(a)	NC	CDC Incarceration and Corrections	No delegation	No delegation

A. Visser
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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	
82.	Section 75(2)(a) read together with 75(2) (c)	NC	No delegation	No delegation	Area Commissioner	
83.	Section 75 (7) (a) and (b)	NC	No delegation	No delegation	Head of Correctional Centre	
84.	Section 75 (8)	NC	CDC Incarceration and Corrections	No delegation	No delegation	
85.	Section 78 read with regulation 29A(7)	NC	No delegation	No delegation	Up to 24 months incarceration; Head of the Correctional Centre after receiving a report from the medical advisory board as referred to in section 79(3)(a)	Other categories provided for in the Act and not delegated
86.	Section 80(1)	NC	No delegation	No delegation	Head of Correctional Centre Head Community Corrections (for offenders under Community Corrections)	

A. R. RASET

National Commissioner: Correctional Services

Date: 5 October 2020

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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER				DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area	
	offenders serving life sentences or declared as dangerous criminals.					
87.	Section 81 (3)	NC	No delegation	No delegation	Head of Correctional Centre	
88.	Section 84(2)	NC	COC COC Incarceration and Corrections	No delegation	No delegation	
89.	Section 90(2)	NC	COC COC Incarceration and Corrections COC Community Corrections	Regional Commissioner	None	
90.	Section 95 (1) and (2)	NC	Internal Auditing Chief Audit Executive Investigations: Head Office Corrections COC Investigations: Departmental Investigation Unit Director DIU	Investigations: 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 and seize any Departmental record or document. The same principle is also applicable to Code Enforcement Unit Initiators when Initiating in a matter emanating from a DIU investigation.
91.	Section 95 (1) and (3)	NC	Relevant Director and higher according to line 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 Central Correctional Centre by Corrections offices in relation to investigations in relation to the	The National Commissioner may institute investigations into any matter. No matter referred to in section 95A can be investigated in regional/head office without the approval in writing by the Director DIU or the National Commissioner. In Regional Offices and Head Office, in relation to employees based at the

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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	
92. Section 95 (1) and (3)	Approve the appointment of investigators other than investigations referred to in section 95A	NC	Relevant Director and higher according to the functions The COC may appoint investigators into any investigation initiated under delegation 91	Relevant Director and higher according to the functions RHT: Human Resources	1. Director and higher according to the functions. 2. The Head of the Centre / Community Corrections in relation to inmates / prisoners / probationers excluding escapes that must be appointed by the Area Commissioner	regional office or head office, all decisions to take disciplinary action as well the outcome of any disciplinary processes must be communicated to the personnel office in writing The National Commissioner may intervene in any matter and appoint investigators.
93. Section 95A	Authorize investigations to investigate matters in terms of Section 95A of the act. (Note: The Departmental Investigation Unit (DIU) is established in terms of sections 95A and this Unit is authorized to investigate theft, fraud, corruption, maladministration, or in the course of investigating the aforementioned matters, any other matter that the unit may find. The DIU report to the Director DIU)	NC	Levels 2-16 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 DIU and CELU. The 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.	NC	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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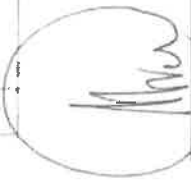
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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 DMU				If the CEU lacks capacity or for reason of urgency. 2. Officials appointed in the Code Enforcement Unit are ex-officio appointed as officials in terms of section 88B and does not require written appointment to initiate in disciplinary hearings.
95. Section 88B	Approve formal or informal disciplinary hearing and charges emanating from section 85A investigations.	NC	Levels 2-10 Deputy Director Code Enforcement Unit Levels 11-12 Director CEU	No delegation	No delegation		Disciplinary action against 88B L 13-15: NC is consistent with the Director
96. Section 88B read together with no 1 of 2006 and chapter 7 of the SACS 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 chairpersons and disciplinary action as alternative to dismissal emanating from disciplinary hearings held in terms of section 88B based on investigations conducted in terms of section 85A.	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 88B based on investigations conducted in terms of section 85A.	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 88(2) (a) read with Chapter VII of the Labour Relations Act, 66 of 1995 as amended read together with PS/28C (CS) 2006: 1/2006	Dispute Resolution Management of Grievances submitted in terms of the departmental preference 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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Date: 5 October 2020

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POWER OR DUTY BEING DELEGATED		PRINCIPAL FUNCTIONARY		DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description			Head Office	Region	Management Area	
100. Section 58(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 (no financial implication) disputes in conciliation/arbitration hearings and to appoint Departmental Representatives	NC		Dispute Resolution 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 ex officio and need not be appointed in writing in cases allocated by the Director CEU.
101. Section 58(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 and to appoint Departmental Representatives (financial implications)	NC		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 practices/discrimination disputes.	1. To defend in arbitrations 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 practices/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 considered with the Directorate responsible for arbitrations in Head Office. All SENS matters not delegated: NC to decide


A. FOSCHER
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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	
			(Excluding section 95B matters) Levels 2-12 Director Employee Relations Level 13-15: NC (Not delegated) Code Enforcement Section 95B matters 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 95(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	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 Section 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 ALL SMS matters not delegated: NC


A. Nkomo
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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			PRINCIPAL FUNCTIONARY	DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Head Office	Region	Management Area			
103.	Section 88(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Levels 2-12 DC LS Levels 13-15 Not Delegated	No delegation	No delegation	NC	<p>If the award is not referred for review there is no requirement for a candidate to implement and must be implemented since there is an award already that is enforceable. Uo section 145 of the LRA, failure to implement may lead to contempt proceedings in the Labour Court.</p> <p>The Director Employee Relations, Director CEU (later in section 93B case only) and the Regional Head Human Resources are responsible to ensure implementation and to issue instruction to ensure such implementation.</p>	
104.	Section 88(2) (a) read with Chapter VII of the Labour Relations Act 66 of 1995 as amended read together with PSCBC Resolution 5/2005	Director Employee Relations for Head Office Director CEU for section 93B cases	Regional Head Human Resources in Regions No delegation for section 93B matters	No delegation	NC		
105.	Section 96 (4)	Director Human Resource Administration and Utilization	Regional Head Human Resources	Area Commissioner	NC		
106.	Section 98 (5) of Act 111 of 1998.	Deputy Commissioner Human Resource Management	No delegation	No delegation	NC	<p>Compliance to all relevant policies and prescripts. No delegation for SMS members, National Commissioner to decide.</p>	
107.	Section 98 (5)	<ul style="list-style-type: none"> International Committee of the Red Cross COC Visitors from other countries: COC Media: Dir. Communication Services 	Media: RC Political: Regional Commissioner	<ul style="list-style-type: none"> Orientation by community leaders, academics, senior students and other persons who are of functional importance on local level. Head Correctional 	NC		

A F. 1001

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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
108.	Section 101 (2) (a) Authorizes a correctional official to search another correctional official or seize his or her property without his or her consent.	NC	DD Physical Security: Directorate Security Standards	Correctional Centre level: Head of Correctional Centre Community Corrections Office Head Community Corrections Management Area level: Area Coordinator: Corrections	Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections Other functional units with whom the DCS issues representations or other organizations or state departments: Head Correctional Centre (DD Level) Heads of Centre on lower levels: Area Coordinator Corrections Media: Area Commissioner Compliance at all times to relevant prescripts

A. Prins

National Commissioner: Correctional Services
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POWER OR DUTY BEING DELEGATED		DESIGNATION/POST LEVEL DELEGATED TO PER TER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	PRINCIPAL FUNCTIONARY	Head Office	Region	Management Area
109. Section 101 (4) (b)	Sell any property seized in terms of this Act or the property of a deceased or escaped offender which is in the care of the Department, by public auction, if it is not lawfully claimed within six months after being seized or after the death or escape.	NC	No delegation	No Delegation	Area Coordinator: Corrections
110. Section 101 (4) (c)	Pay over the balance of the proceeds of a sale in terms of subsection 101 (4) (a) after the period of six months and a person proves that he or she is lawfully entitled to the balance of the proceeds.	NC	No delegation	No Delegation	Area Coordinator: Finance
111. Section 108 (2)	Certify the appointment of custody officials.	NC	DC HRD	No delegation	No delegation
112. Section 108 (4)	Keep a register containing the particulars of each certified custody official.	NC	DC HRD	No delegation	No delegation
113. Section 108 (6)	Rescind suspension or certification of custody officials, after a custody official has been suspended.	NC	DC HRD	No delegation	No delegation
114. Section 111 (1) (b)	Authorize an employee of the Contractor or an employee of a sub-contractor to disclose information regarding the functioning of a joint venture correctional centre or any information related thereto.	NC	CFO in consultation with the DC Legal Services and CEC	No delegation	No delegation
115. Section 123 (2) (a) read with section 123 (2) (b)	Permit a person to publish any account of an offence for which an offender or person subject to community corrections is serving a sentence, except if the information that is published forms part of the official court record where permission is not required.	NC	DC: 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 concerns for the exclusive use or benefit of correctional officials the families of such officials and other persons or categories of persons prescribed by regulation.	NC	DC Integrated Employee Health & Welfare	No delegation	No delegation
117. Section 132 (3)	Sign an official document indicating that a concern has been confirmed as a concern as contemplated in subsection (1).	NC	DC Integrated Employee Health & Welfare	No delegation	No delegation



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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	
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. Correctional officers whose HCC is lower than a DD	



A Fraser

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

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	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	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	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	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	No delegation	
6.	Regulation 7(9)(a)	The National Commissioner may approve an abortion at State expense only in the circumstances contemplated in Sections 21(1)(b)(i), (ii) or (iii) and 21(1)(c) of the Termination of Pregnancy Act, 1986 (Act No. 92 of 1986).	NC	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	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	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 educationalist if such a qualified educationalist or trained correctional official is not available.	NC	No delegation	No delegation	
10.	Regulation 10 (2) (e)	Appoint a voluntary worker with educational or technical qualifications and registered with the South African Council of Educators to perform the duties of an educationalist if such a qualified educationalist or trained correctional official is not available.	NC	No delegation	Area Commissioner	

A. Kruger

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	
	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 detectives for this same case Regional Commissioner	Less than 1 day (including same day/overnight) Head of ROF 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 45F must be adhered to.
14. Regulation 21 (a) (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 Head of Correctional Centre	
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	Area Commissioner	
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	

A. N. S. S.

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	
20.	Regulation 24(1)(e)	NC	No delegation	No delegation	Area Commissioner	
21.	Regulation 24(2)	NC	No delegation	No delegation	Area Commissioner	
22.	Regulation 25A(1)	NC	No delegation	No delegation	Head of the Correctional Centre	
23.	Regulation 25A(2)	NC	No delegation	No delegation	Head of the Correctional Centre	
24.	Regulation 26H	NC	No delegation	No delegation	Area Commissioner must be informed and must take appropriate steps to ensure the appearance of the remand detainees at court.	The Protocol as referred to in section 46F must be adhered to.
25.	Regulation 30 (1) (e) read together with regulation 30(1)(c) and section 59A	NC	Director Departmental Investigation Unit	No delegation	No delegation	The certificate of appointment to be signed by the Director DJU for investigators and for officials appointed to initiate in terms of section 55B by the Director Code Enforcement.
26.	Regulation 30 (1) (e) read together with regulation 30(1)(c) and section 59A	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 audits.
27.	Regulation 30 (1) (e) read together with regulation 30(1)(c) and section 59A	NC	DC ICC	DRC for regional inspectors	No delegation	The certificate of appointment to be signed by the Director Inspectors for inspectors, including regional inspectors.


 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	
28.	Regulation 31 Allocates 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 Commissioners 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 allocated 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.	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) (a) and 96 (2)(a) Less Serious Misconduct Clauses 5.1 to 5.3 imposing the sanctions of Corrective Counseling, 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) (b) 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) (c) 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.


Fraser
National Commissioner: Correctional Services
Date: 6 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	
33.	Regulation 33 (f) 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 (f) 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 (f) 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 (Conciliator) from a dispute resolution agency (GRSSBC / FOSBC / COMA) and approval of prescribed fees to the relevant council.	NC	Director Employee Relations Director CSU in cases headed in terms of section 95B	PH Human Resources	Area Commissioner	The availability of funds must be considered with each such consideration. Section 95B cases to be handled by the Director CSU
36.	Regulation 33 (f) 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 suspension 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 (f) 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-dismissal cases. Next level manager refers to the next level manager of the official who gave the sanction.
38.	Regulation 33 (f) 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 alternative 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. Friess
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	
38.	Regulation 33 (1) read together with regulation 1 of 2008 read with section 3(5) (g) and 95 (2)(a) levels 2-12 Serious Misconduct Clause 7.2 Preliminary suspension, suspension pending the outcome of appeal and review of suspensions.	NC	Director or higher The Director DML for levels 2-12 in cases handled by the DML in terms of section 95A The Director if case was investigated in terms of Section 95A and handed over to Code Enforcement Unit in terms of Section 95B.	Director or higher	Director or higher	The review of suspensions shall be handled in terms of the relevant prescripts. Alternative placement must be handled according to the same levels as suspensions noting that in 95A and B cases the Dir DUU 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. Precautionary suspension and review of suspension	NC	No delegation	No delegation	No delegation	1. All SMS suspensions: NC
41.	Regulation 33 (2) read together with section 3(5) (g) and 95 (2)(a) of the SMS manual in relation to SMS members. Disciplinary matters in relation to SMS	NC	No delegation	No delegation	No delegation	1. In terms of Chapter 7 of the SMS handbook Chairperson of the Disciplinary Hearing decides on the sanction and therefore no delegation required or sanctions.
42.	Regulation 35 and 36 An assessing 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 health. To this end, an assessing authority may require an employee to undergo a medical examination by a registered Physician	NC	Levels 2-10 DD Referral and Termination Levels 11-12	No delegation	No delegation	Compliance to relevant prescripts


A. Frash
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	
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	Director Human Resources & Administration SAMS No delegation: National Commissioner to decide.			The provisions of reg 37 (2) must be adhered to at all times. All decisions on SAMS remains with the NC and are not delegated
44.	Regulation 38 (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, pensioners, children employees and their dependants. Regulation 38 (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	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: DMC DC Integrated Employee Health and Welfare	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: DMC No delegation	1. Establish whereabouts of the official that absconded: Relevant Deputy Director 2. Dismissal of the official Levels 2-12 3. Decision on representation by official who was dismissed for abscondment to be re-instated/re-employed Levels 2-12: DMC No delegation	

AT: RASER

National Commissioner: Correctional Services
Date: 6 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.	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 Head Human Resources	B. Functional Area Commissioner Head Correctional Center/Parole Detention Canteen/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.)

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

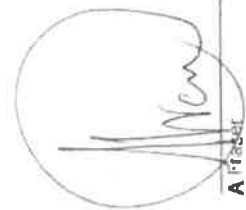
DELEGATIONS: CORRECTIONAL SERVICES ACT AND REGULATIONS: DEPARTMENT OF CORRECTIONAL SERVICES

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. 8(2)(e)	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. 8(2)(b)	Taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
49. 8(2)(c)	Making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
50. 8(2)(d)	Establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery, which is used in the Department, and as far as is reasonably practicable further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and to provide the necessary means to apply such precautionary measures	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
51. 8.2 (e)	Providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety of employees at work	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
52. 8(2) (f)	As far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in items prescribed, have been taken	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
53. 8(2) (g)	Taking all necessary measures to ensure that the requirements of the Occupational Health and Safety Act are complied with, by every person in the employment of the Department or on premises under departmental control where plant or machinery is used	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
54. 8(2) (h)	Endorsing such measures as may be necessary in the interest of health and safety	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
55. 8(2) (i)	Ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the Department are implemented	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
56. 8(2) (j)	Causing all employees to be informed regarding the scope of their authority as contemplated in section 37(1) (b) of the Occupational Health and Safety Act	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
57. 9(1)	Conduct his undertaking in such a manner as to ensure, as far as is reasonably practicable, that persons other than those in his employment who are directly affected by his activities are	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	

A/Asst
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. 12(1)(a)	Identify the hazards and evaluate the risks associated with such work constituting a hazard to the health of such employee, and the steps to be taken to comply with the provisions of the Act.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
59. 12(1)(b)	As far as is reasonably practicable, prevent the exposure of such employee to the hazards concerned or, where prevention is not practicable, and minimize such exposure.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
60. 12(1)(c)	Carry out an Occupational Hygiene Programme and biological monitoring and subject such employees to medical surveillance.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
61. 13 (a)	Duty to Inform: Cause every employee to be made conversant with the hazards to his health and safety attached to any work which he has to perform.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
62. 13 (b)	Inform the health and safety representatives concerned beforehand of inspections, investigations or formal enquiries of which he has been notified by an inspector.	DD Auxiliary services	Regional Head Human Resources	Area Commissioner	
63. 13 (c)	Inform a health and safety representative 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. Fraser

National Commissioner: Correctional Services
Date: 5 October 2020

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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		DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description	Principal Functionary	Head Office	Region	Management Area
1. Section 17	Appointment as Deputy Information Officers with all authority and competences 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

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 Ozzy 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 Function	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 1988 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.	(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	Level 13-15 appointments of SMS members approved in consultation with the Minister as provided for in section 98(3) of the CSA	
3.	3 (8) (a) The relevant executive authority may, subject to paragraphs (b) and (c), perform any act in connection with any matter which relates to or arises from the employment or the conditions of service of a person formerly employed in the public service whilst he or she was so employed in the department concerned. (d) On request of the relevant executive authority and on good cause shown, the Minister may in respect of a particular person extend the period of three	EA	NC 1-12	NC 1-12	NC 1-12	EA approves L13-15	

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 28/10/2020

National Commissioner:

A Fraser

Date:

2020/10/28

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

POWER OR DUTY BEING DELEGATED		Principal Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
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	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 services						
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 1984, 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 L 13-15 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 Function	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
15.	15 (3)	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	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 88(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	

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	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
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	Indicators for Execution/Reporting/ Consultation/ Informing 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 98(5) of Act 111 of 1988, 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 1988) Level 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.) 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	
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

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	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
21.	16A (4) the approval of Parliament granted by resolution, exercised 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 committee of the relevant provincial legislature, every non-compliance with a provision of this Act or a regulation, determination or directive made thereunder-- (a) reported in terms of subsection (1) or (2); or (b) confirmed in an investigation in terms of section 5 (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 rest 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 GPSBSC resolution 1 of 2008 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						

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		DESIGNATION / POST LEVEL DELEGATED TO		DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description	Principal Function	Head Office	Region	Management Area
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
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
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
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
32. 35	Grievances of employees				

Executive Authority:
RO Lamola, MP

Minister of Justice and Correctional Services

Date: 28/08/2020

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	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
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.

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	DESIGNATION / POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
37.	(b) grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and (c) grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.						
38.	Wrongly granted remuneration	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.	

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 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 LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
1	CHAPTER 1	GENERAL PROVISIONS		NC	Indicators for Executions/Reporting/ Consultations/ Informing
2	5.(a) and (b)	Draft legislation affecting Public Service Act and Regulations An executive authority shall consult with the Minister before - (a) introducing in Parliament draft legislation directly or indirectly amending the Act or these Regulations; or (b) making any subordinate legislation directly or indirectly amending these Regulations.	EA	Not delegated	Legal services to coordinate inputs from Branches
3	7.(1) and (2)	Decision-making in cases of conflict of interest (1) If a conflict of interest arises upon the performance of an act by a functionary in terms of these Regulations, that functionary shall refer such conflict to an independent panel for review. (2) An independent panel consists of at least two persons, appointed by the relevant executive authority.	EA	Not delegated	Note the provisions in PSR 7(2) (a), (b) and (c) for the appointment of an independent panel if the functionary is the relevant executive authority.
4	8.(2)	Recall-letters of delegations and correction of acts and omissions (2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act	EA	NC	
5	9.(1)	Researching, monitoring, evaluation and compliance (1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such data as directed by the Minister.	EA	Not delegated	Original power of EA to submit information or data to the Minister
6	10.(3)	Prescribed forms for human resource management and related matters (3) An executive authority may, in consultation with the Minister, add any other areas to any "Z" form to add to its 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:

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	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/ Consultation/ Informing	
7	CHAPTER 2	CONDUCT, FINANCIAL DISCLOSURE, ANTI-CORRUPTION AND ETHICS MANAGEMENT		NC		
8	18.(2)	Disclosures 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 decided 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 Officers 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	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		
11	21.(1)	<p>Conflict of Interest</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>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>Designation of ethics officers</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>Strategic plan</p> <p>(1) An executive authority shall prepare a strategic plan for his or her department</p>	EA	NC
				EA approve 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: 08/08/20

National Commissioner:
A Fraser

Date: 2008/08/08

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	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Execution/Reporting/Consultation/ Informing	
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 (b) 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 which remaining within – (i) the current budget; (ii) the Medium-Term Expenditure Framework of the department; and (iii) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created shall constitute the department's approved establishment; c) grade proposed new jobs according to the job evaluation and job grading systems referred to in regulation 41(1), except where the grade of a job has been determined in terms of an OSD or directed by the Minister in terms of regulation 41(2)(d)	EA	NC 1-12 EA to concur with SMS posts (13-15).	Provided for in section 3 (b) 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 resources 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 (b) 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/REPORT LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
18	27.	Employment equity plan An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.	EA	NC	Indicators for Executive Reporting/ Consulted/ Informing NC approves in consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
19	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 28. (2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)	EA	NC	NC approves in consultation with NATMANCO and the EA NC monitor the implementation of the plan and inform the EA
20	29.	Assessment of efficiency and effectiveness An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment tools as may be directed by the Minister and submit the report to the Minister on such date and format as directed by the Minister.	EA	NC	NC submits report to the EA after consultation with the departmental EXCO EA submits report to the Minister NC monitor the implementation of improvement plans and inform the EA
21	31.(2)	Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public.	EA	NC	NC submits report to the EA after consultation with NATMANCO EA table report in the legislature
22	34.(3)	Business cases and inter departmental assessment committees for the establishment of government corporations and specialised service delivery units (3) The relevant executive authority shall submit the budgeted 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 Priorities 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	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
23	36.	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	38.	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 aligned to the strategic plan contemplated in regulation 25 for its 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: 08/08/2020

National Commissioner

A Fraser

Date: 2020/08/28

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	
27	CHAPTER 4	EMPLOYMENT MATTERS		NC		
28	39.(1), (2) and (4)	Job descriptions, job titles, systems of occupational classification and remuneration and OSDs 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 - (a) the main objectives, activities and functions of the post or posts in question; and (b) the inherent requirements of the job. (2) At least once every 60 calendar months, an executive authority shall review job descriptions and titles and, where necessary, redefine them to ensure that they remain appropriate and accurate. (4) An executive authority shall link all posts in his or her department as contained in a remuneration system as contemplated in subregulation (3)(a) to an occupation listed in the occupational classification system referred to in subregulation 3(6), except in the case of posts determined in terms of an OSD, in which case the classification indicated in the OSD shall be utilized	EA	NC	NC may delegate further NC to brief Minister annually	
29	40.	Creation and filling of posts Before creating a post for any new job, or filling any vacancy, an executive authority shall - (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; (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 4(1), except in the case of jobs determined in terms of an OSD, or jobs graded by the Minister in terms of regulation 4(2)(d), in which case the grade indicated in the OSD or as determined by the Minister shall be utilized;	EA	NC L1-12	EA approves L13 to 15.	

Executive Authority:

RO Lamola, MP

Minister of Justice and Correctional Services

Date: 08/05/2020

National Commissioner:

A Fraser

Date:

08/05/2020

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	
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. Job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of 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)	Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(d) on a date determined by the Minister; (ii) jobs determined in terms of regulation 42; or (iii) if the job was not so evaluated or determined by the Minister, the evaluation of the job by the executive authority in terms of regulation 41(3)	EA	NC L1-12	EA approves L13 to 15	
32	43.(2)(b)	Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is warranted in terms of regulation 44	EA	NC L1-12	EA approves for L13-15 Adhere to the conditions of grading and limits 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:

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			
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

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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			
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 than he or she shall do so in consultation with the Minister and the Minister of Finance. <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	Not delegated	Indicators for Executive Reporting/ Consultation/ Informing
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-L15 NC approves L13-L15 in consultation with EA HR to facilitate
36	45.(1)	<u>Undergranted posts</u> (1) If the job weight demonstrates that a post is undergranted 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 redesigning. (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 upgraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was upgraded.	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 upgraded; or (b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was upgraded.	EA	NC L1-L12	NC approves L13-L15 in consultation with EA

Executive Authority:

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION 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	46.(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 exceeds less than 30 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.	EA	NC	
40	46.(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

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
41	50.(b)	<p><u>Suggestions, improvements and innovations</u></p> <p>50. If an employee makes a suggestion, improvement or innovation of exceptional value to the department or the public service as a whole or has exceptional ability, a special qualification or has rendered meritorious 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-permissible cash award not exceeding 20 per cent of the employee's permissible 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><u>General conditions for appointment</u></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(a) 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 96(3) of CSA in terms of SMS appointments.

Executive Authority:

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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	DELEGATION/POST LEVEL 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 Execution/Reporting/Consultation/ Informing</p> <p>EA approves L13-15</p> <p>CFO to approve funding</p> <p>See general conditions for appointment in 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 employment 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 9, 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, 80, 81.</p>

Executive Authority:

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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, 2018

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	
47	60.(1), (2) and (3)	Re-appointment of former employees (1) An executive authority shall not re-appoint a former employee if that employee left the public service - (a) earlier on the condition that he or she would not accept or seek re-appointment, or (b) due to ill health and cannot provide sufficient evidence of recovery. (2) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee in a post if - (a) no other suitable candidate could be recruited in terms of those Regulations; (b) the appointment is made for a fixed term not exceeding three years; and that term may be extended only once for a further term not exceeding three years; and (c) the employee has not been previously appointed in terms of this regulation. (3) Notwithstanding subregulation (1)(a) and subject to regulation 61, an executive authority may appoint such former employee additional to the establishment if - (a) the appointment is made for a period not exceeding the period contemplated in regulation 57(4); and (b) the employee may not be appointed more than twice in terms of this regulation.	EA	NC L1-L12	EA approves L 13-15	
48	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	NC L1-L12	EA approves L 13-15	

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Date: 08/08/2020

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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			
49	64.(1) and (2)	<p>Determination of requirements for employment</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>Advertising</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:

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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 DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Escalation/Reporting/ Consultation/ Informing	
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 employee is 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 66(1); (3) and (4).</p>	EA	Not delegated	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	

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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				
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	Indications 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 103(8) 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 L 12	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		

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Date: 2020/05/08

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			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 SAS, 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	

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

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

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION/POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description			Indicators for Executive Reporting/ Consultation Informing	
67	72.(4)(c)	Performance assessments 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	NC L1 L4.2	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)	(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	NC L1 to L15	EA manage poor performance of NC	
70	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	NC	NC approve the scheme after consultation with MANCO and the EA NC monitor the implementation of the system and inform the EA	
71	78.	Occupational specific competencies and training An executive authority shall determine the training required for various occupational categories or specific employees in his or her department.	EA	NC	NC approve the training required after consultation with the departmental EXCO and the EA	

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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	DELEGATION POST LEVEL DELEGATED TO	DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description			
72	72.(2)	<p>Mandates and management of <u>resolutions</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 78.</p>	EA	NC	<p>Indicators for Executive/Reporting/Consultational Informing</p> <p>NC enters into a collective agreement after consultation with MATMANCO and the EA</p> <p>The conditions for matters with financial implications is set out in PSR 78.</p>

Executive Authority:
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Minister of Justice and Correctional Services

Date: 08/08/2020

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PART B, APPENDIX B: DELEGATIONS REGISTER- NATIONAL COMMISSIONER (HEAD OF DEPARTMENT) DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

1

ROW NO	POWER OR DUTY BEING DELEGATED	Topic Description	Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation			Head Office	Region	Management Area	Indicators for Exceptional/Reporting/ Consultation/ Informing
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 regarding communication by its employees with the media.</p>	NC	(1) NC Not delegated (3) DC: Communications (4) DC: Communications	(1) Not delegated (3) RC (4) Not delegated	(1) Not delegated (3) Not delegated (4) Not delegated	Policy to be approved by EA
2.	8.(1) and (2)	<p>Record-keeping of delegations and correction of acts and omissions</p> <p>(1) A head of a department shall keep a register of all delegations made in terms of section 42A of the Act in the format directed by the Minister</p> <p>(2) An executive authority shall keep copies of all documents relating to the correction of an act or omission in terms of section 5(7) of the Act</p>	(1) NC (2) EA	(1) DC Legal Services (2) CDC Corporate Services Fraud cases handled in terms of section 95A and B of the CSA: Director DIU and Dr CEU	(1) Not delegated (2) Not delegated	(1) Not delegated (2) Not delegated	(1) Refer to the Directive on Public Administration and Management Delegations, 2014
3.	9.(1), (2) and (4)	<p>Reporting, monitoring, evaluation and compliance</p> <p>(1) For purposes of reporting on and assessing compliance with the Act or reviewing the appropriateness and effectiveness of any regulation, determination or directive made under the Act, the executive authority or head of department shall submit to the Minister or the Director-General: Public Service and Administration, as the case may be, information and data on such matters with respect to the Act, in such format and on such date as directed by the Minister.</p> <p>(2) A head of department shall introduce mechanisms to monitor and evaluate any provision of the Act for reporting to the Minister as contemplated in subregulation (1).</p> <p>(4) A head of department may not require or permit any employee to perform, or not to perform, any act in breach of these Regulations</p>	NC	(1) Not delegated (2) CDC HR	Not delegated	Not delegated	Original power of NC to submit information or data to the DPSA. (On in respect of the power of the NC)


A Fraser
 National Commissioner
 Date: 2020/10/23

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	DELEGATION 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					Indications for Executive Reporting/Consentual 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 "2" 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 facilities
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


A Fraser
 National Commissioner
 Date: 2020/10/25

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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	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	
10.	21.(2)	<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>(2) In so far as conflict of interest relates to designated employees who are not members of the SMS:</p> <p>(a) The head of department shall verify the interests disclosed;</p> <p>(b) If the head of department is of the opinion that an interest of such designated employee disclosed in terms of regulation 18 conflicts or is likely to conflict with the execution of any official duty of that employee, he or she shall consult the employee concerned and, where possible, take appropriate steps to remove the conflict of interest;</p> <p>(c) If the employee, after the consultation referred to in subregulation (2)(b), fails to take the appropriate steps to remove the conflict of interest, the head of department shall take disciplinary action against the employee.</p> <p>(d) A head of department shall no later than 31 August of each year report to the Minister on—</p> <p>(i) the number of cases identified in terms of subregulation (2)(b);</p> <p>(ii) whether any steps were taken;</p> <p>(iii) if steps were taken, a description of those steps; and</p> <p>(iv) if no steps were taken, reasons therefor.</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	<p>Indications for Execution/Reporting/ Consultation/ Informing 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>
11.	22.(a) to (h)	<p>Anti-corruption and ethics functions</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-CCU</p> <p>22 C (b) and (d). Dir-CCU</p>	Not delegated	Not delegated	This regulation must be read in conjunction with sections 15 A and B of the CSA and CSR 2...


A Fraser
 National Commissioner
 Date: 2020/10/25

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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	Topic Description	Principal Functionary	DELEGATION POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
				Head Office	Region	Management Area	
12	23 (1)	<p>Under 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 employees of the department and if so, institute such disciplinary action.</p>	EA	NC			Not delegated
13	23 (2)	<p>Designation of ethics officers</p> <p>(1) An executive authority shall designate such number of ethics officers as may be appropriate for the department.</p> <p>Designation of ethics officers</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	



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	DELEGATION/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					Indications for Execution/Reporting/Consultation/ Informing
15.	25.(1)	Strategic plan (1) An executive authority shall prepare a strategic plan for his or her department	EA	CDC Strategic Management	Not Delegated	Not Delegated	Strategic plan must conform to the aspects set out in Regulation 25.(1)(a) to (f) All managers to be consulted in the development of the strategic plan and aligned to the departmental mandate CDC SMA to submit the plan to the NC for submission to the EA to approve the strategic plan. EA monitor the progress made towards achieving those targets and core objectives Note: The duty of the NC to implement the strategic plan set out in Regulation 25.(3)
16.	25.(2)(c)	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 1988 read with section 2(2) of the PSA 1994, the authority is therefore with the National Commissioner. EO 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 1988 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)

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, 2018

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
18.	28.(1)	<p>(a) the norms and standards determined by the Minister for post provisioning for occupations or categories of employees; and the posts so defined and created that constitute the department's approved establishment;</p> <p>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)(c)</p> <p>Human resource plan</p> <p>(1) An executive authority shall prepare and implement a human resource plan for his or her department.</p>	EA	CDC HR (Prepare and implement)	Not Delegated	Not Delegated	<p>HR plan must conform to the aspects set out in Regulation 28.(2)</p> <p>All managers to be consulted in the development of the plan</p> <p>NC approve the plan after consultation with the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>
19.	27.	<p>Employment equity plan</p> <p>An executive authority shall develop and implement an employment equity plan as contemplated in section 20 of the Employment Equity Act.</p>	EA	CDC HR (develop and implement)	Not Delegated	Not Delegated	<p>All managers to be consulted in the development of the plan</p> <p>NC approve after consultation with MANCO and the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>
20.	28.(1) and (2)	<p>Human resource development plan</p> <p>(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.</p> <p>(2) An executive authority shall monitor and evaluate the implementation of the plan contemplated in subregulation (1)</p>	EA	CDC HR (Prepare and implement)	Not Delegated	Not Delegated	<p>All managers to be consulted in the development of the plan</p> <p>NC approve after consultation with MANCO and the EA</p> <p>NC monitor the implementation of the plan and inform the EA</p>
21		<p>Assessment of efficiency and effectiveness</p> <p>An executive authority must assess the efficiency and effectiveness of a department in supporting that department's service delivery objectives using the assessment</p>	EA	CDC SM	Not Delegated	Not Delegated	<p>NC submit report to the EA after consultation with MANCO</p> <p>EA submit report to the Minister</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 Function	DELEGATION POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
			Head Office	Region	Management Area	
22.	30.(1) and (2) Regulation Topic Description 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. Information and communication technology plan 30. (1) A head of department shall establish and maintain an information and communication technology plan for the department that - (a) supports the planning process and objectives contemplated in regulations 25 and 38; (b) utilises an appropriate enterprise architecture methodology; and (c) complies with Chapter 6. (2) A head of department shall monitor and evaluate the implementation of the plan contemplated in subregulation (1) through - (a) an implementation plan linked to the Medium-Term Expenditure Framework budget; and (b) an annual operational plan.	NC	30 (1) CDC GITO (establish and maintain) 30 (2) CDC Strategic Management and CFO (Monitor and evaluate against MTEF and APP/ACF)	Not Delegated	Not Delegated	Indications for Escalation/Reporting/ Consultation/ Informing NC monitor the implementation of improvement plans and inform the EA All managers to be consulted in the development of the plan NC approve after consultation with MANCO NC monitor the implementation of the plan and inform the EA
23.	31.(1) Annual report (1) The head of department shall include in the department's annual report, referred to in section 40(1)(c) of the Public Finance Management Act, such information pertaining to the public service as the Minister may direct, and in the format that the Minister may direct.	NC	CDC Strategic Management	Not Delegated	Not Delegated	
24.	31.(2) Annual report (2) An executive authority shall immediately after he or she has tabled the annual report in the relevant legislature in terms of section 65(1) of the Public Finance Management Act, submit it to the relevant treasury and the Minister, make it available on its website and, on request, make it available free of charge to any member of the media or the public. 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	EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with MANCO EA tables report in the legislature
		EA	CDC Strategic Management	Not Delegated	Not Delegated	NC submits report to the EA after consultation with MANCO EA submits report to the Minister

A Fraser

National Commissioner
Date: 20/10/20

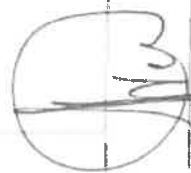
PART B, APPENDIX B: Delegations Register- NC delegations to performer levels in terms of the PSR
HEAD OF DEPARTMENT DELEGATIONS TO PERFORMER LEVELS IN TERMS OF THE PUBLIC SERVICE REGULATIONS, 2016

ROW NO	POWER OR DUTY BEING DELEGATED		Principal Function	DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
26.	36.	<p>Operations management framework</p> <p>An executive authority shall establish and maintain an operations management framework which shall include -</p> <p>(a) an approved service delivery model;</p> <p>(b) a list of all core mandated services provided by the department;</p> <p>(c) mapped business processes for all services;</p> <p>(d) standard operating procedures for all services;</p> <p>(e) service standards for all services;</p> <p>(f) a service delivery charter referred to in regulation 37; and</p> <p>(g) a service delivery improvement plan referred to in regulation 38.</p>	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>Service delivery charter</p> <p>(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>Service delivery improvement plan</p> <p>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>


 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 Functions any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
			Head Office	Region	Management Area	
23.	CHAPTER 4					
30.	39(1), (2) and (4)	EA	OK HR Planning	Regional Head HR	AIC Corporate Services	HR to facilitate CDC HR to provide a report to NC annually to enable the NC to brief the Minister
31.	40.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves L13 to L15 NC approves L1 to L12



A Fraser

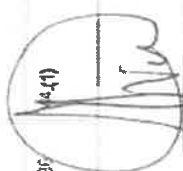
National Commissioner
Date: 2020/10/05

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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	Regulation	Topic Description	Principal Functionary	DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
					Head Office	Region	Management Area	
			the medium-term expenditure framework, are available for filling the post.					Indicators for Executive Reporting/Consolidated Informing
32	41(3)		job evaluation and job grading systems (3) An executive authority may evaluate or re-evaluate any job in his or her department, except - (a) jobs evaluated and graded by the Minister in terms of subregulation (2)(b); 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)		Grading of posts (2) An executive authority shall - (a) determine the grade of a post to correspond with - (i) the evaluation of the job by the Minister in terms of regulation 41(2)(b) 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)		Setting of salary (2) An executive authority shall - (b) set the commencing salary of an employee on the minimum notch of the salary level attached to the relevant grade, unless a higher salary is awarded in terms of regulation 44.	EA	NC L1 to L12	Not Delegated	Not Delegated	EA approves 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)		Setting of higher salary (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



A Fraser
National Commissioner
Date: 2020/10/25

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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	Regulation	Topic Description	Principal Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
					Head Office	Region	Management Area	
37.	45.(1)		<p><u>Undergraded posts</u></p> <p>(1) If the job weight demonstrates that a post is undergraded and the department's budget and the medium-term expenditure framework -</p> <p>(a) provides for sufficient funds, an executive authority shall increase the grade of the post to a higher salary level; or</p> <p>(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.</p>	EA	NC L1 to L12	Not Delegated	Not Delegated	<p>Indicators for Execution/Reporting/Consultation/Informing</p> <p>NC approves L1-12 HR to facilitate</p>
38.	45.(5)		<p>(5) If an incumbent employee is not confirmed to be employed in the upgraded post as provided for in subregulation (2), an executive authority shall -</p> <p>(a) redesign the job to equate with the grade of the post before it was regraded; or</p> <p>(b) transfer the incumbent to another suitable post of an equivalent grade to the post that he or she occupied before it was regraded.</p>	EA	NC L1 to L12	Not Delegated	Not Delegated	<p>NC approves L13 to L15 in consultation with the EA</p> <p>Continued employment of incumbent is set out in Regulation 45.(2)</p>
39.	46.(1)		<p><u>Overgraded posts</u></p> <p>(1) If the job weight demonstrates that a filled post is overgraded an executive authority shall -</p> <p>(a) redesign the job to equate with the grade of the post before it was regraded; or</p> <p>(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.</p>	EA	NC L1 to L12	Not Delegated	Not Delegated	<p>NC approves L1 to L14 in consultation with the EA</p>
40.	47.(3)		<p><u>Information on remuneration</u></p> <p>(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 -</p>	NC	CDC HR	Not Delegated	Not Delegated	<p>Information is specified in regulation 47.(3)(a) to (h)</p>

A Fraser

National Commissioner

Date: 02/10/20

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	
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><u>Application for all types of leave 1-30 days</u></p> <p>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 - 89 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>30-89 Days DC HR Management</p> <p>90 Days (All types of Leave</p>	<p><u>Application for all types of leave 1-30 days</u></p> <p>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 - 89 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>30-89 Days Deputy Regional Commissioner</p> <p>90 Days (All types of Leave</p>	<p><u>Application for all types of leave 1-30 days</u></p> <p>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 - 89 Days Area Commissioner</p> <p>Leave without pay</p> <p>1-7 Days Head Correctional / Remand Centre / Community Corrections (Minimum level DD)</p> <p>8-29 Days Area Commissioner</p> <p>30-89 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: 2020/10/25

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	
				second incapacity leave) Relevant Branch Head in Head Office	second incapacity leave) Regional Commissioner	90 Days - (All types of Leave except Incapacity Leave) Regional Commissioner	Indicators for Execution/Reporting/ Consultation/ Informing
				More than 184 calendar days of unpaid leave in a period of 18 months	More than 184 calendar days of unpaid leave in a period of 18 months	More than 184 calendar days of unpaid leave in a period of 18 months	
				DC HR Management	DC HR Management	DC HR Management	
				Incapacity Leave (including "conditional" leave) Regional Support Services	Incapacity Leave (including "conditional" leave) Regional Coordinator: HR	Incapacity Leave (including "conditional" leave) Area Coordinator: Corporate Services	
				Permanent Incapacity Leave DD Retention & Termination	Permanent Incapacity Leave DD Retention & Termination	Permanent Incapacity Leave DD Retention & Termination	Policy and Procedure on Incapacity Leave and ILL- Health Refinement (PHIR) and DPSA determination on leave must be adhered to.
				Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Refinement	Deviation from the Recommendation of the Health Risk Manager on Temporary Incapacity Leave and ILL Health Refinement	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	Dr HRA & U in consultation with the relevant	Dr HRA & U in consultation with the relevant	


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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
42.	48.(1)	<p><u>Overtime</u></p> <p>(1) An executive authority shall compensate an employee, other than a member of the SMS, for overtime work if -</p> <p>(a) the department has an approved written policy on overtime;</p> <p>(b) the executive authority has provided written authorisation in advance for the work; and</p> <p>(c) the monthly compensation for overtime constitutes less than 20 percent of the employee's monthly salary or the limitation determined by the Minister, whichever is the lesser.</p>	EA	Director Approval of special leave not specified in the Special Leave Policy: No DC HRM	Approval of special leave not specified in the Special Leave Policy: No delegation	the R3 HR Approval of special leave not specified in the Special Leave Policy: No delegation	HR to facilitate compensation in terms of Departmental overtime policy including determine rules and responsibilities of role players
43.	48.(2)	<p>(2) An overtime policy contemplated in subregulation (1) shall be established by the executive authority in accordance with applicable collective agreements, which shall determine -</p> <p>(a) categories of employees that may not receive compensation for overtime due to the nature of their duties;</p> <p>(b) the circumstances under which overtime work for an individual employee may be authorised;</p> <p>(c) how much overtime an employee may work in a given period;</p> <p>(d) how authorisation for overtime is recorded; and</p> <p>(e) other control measures, if necessary.</p>	EA	NC Not Delegated	Not Delegated	Not Delegated	NC approves overtime policy after consultation with MANCO
44.	49.1	<p><u>Working hours</u></p> <p>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</p>	NC	NC Not Delegated	Not Delegated	Not Delegated	Read with CSR 32

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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					Indications for Escalation/Reporting/Consultations/Informing
		(a) the work week and daily hours of work for employees; and (b) the opening and closing times of pieces of work of the department, taking into account - (i) the needs of the public with due regard to the department's service delivery improvement plan; and (ii) the needs and circumstances of employees, including family obligations and transport arrangements.					
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/DC'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 well-being</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 any	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
	Regulation	Topic Description		Head Office	Region	Management Area	Indications for Execution/Reporting/ Consultation/ Informing	
48.	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	Departmental policy approved by Departmental EXCO determine roles and responsibilities of role players	
50.	57 (1)	<u>General conditions for appointment</u> (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(e) 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 L11-12 DRC 1-10	No delegation	EA approves L 15-16 (Refer to S 98(3) of the CSA in terms of SMS appointments NC approves L13-14 See general conditions for appointment set out in PSR 57 (a), and 58, 60, 61. See under the topic selection PSR 67 (b) and (g) See under the topic probation PSR 68.	
51.	57 (2)	<u>General conditions for appointment</u> <u>Employ persons additional to the establishment</u> (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 he 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 CFD to approve funding See general conditions for appointment is set out in PSR 57 (1), (2), (3), (4) (5) and (6)	

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ROW NO	POWER OR DUTY BEING DELEGATED		Principal Functionary	DELEGATION/REPORT 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.					Indicators for Extension/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 decided by the Member.	EA	Not delegated	Not delegated	Not delegated	EA approves L13-15 NC approves L1-12
53.	57 (5)	All appointments other than appointments 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: L1-8/10 D: L1-8	CD: L1-8/10 D: L1-8	CD: L1-8/10 D: L1-8	Note: The PSA provides the empowering provisions to appoint employees, hence submissions should reference the applicable provisions in the PSA see sections 9, 12, 12A, 13. EA approves L15 and L18 NC: approves L13-14 See general conditions for appointment set out in PSR 57 (1), and (5), 60, 61. See under the topic selection PSR 57 (8) and (9) See under the topic provision PSR 68.
54.	59	<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 determine rules and responsibilities of role players CDC HR to provide quarterly report to the NC on the number and cost of volunteers

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ROW NO	POWER OR DUTY BEING DELEGATED	Topic Description	Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
				Head Office	Region	Management Area	
55.	602(1), (2) and (3)	<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> <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 fixed 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	CDC of branch L1-12 DC of CD L1-10	RC: L1-11/12 DRC: L1-10	No delegation	EA approves L 13-15


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ROW NO	POWER OR DUTY BEING DELEGATED	Regulation	Topic Description	Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
					Head Office	Region	Management Area	
56.	62.(3)		Secondments (3) If an employee is seconded upon his or her request in terms of section 45(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)		Advertisement (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 (6)
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 (6)
60.	66.(1) and (2)		Filling of posts in Office of executive authority 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

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				Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing
61.	67.(1)	<p>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>(1) 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 employee is 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> <p>Selection</p> <p>(1) An executive authority shall appoint a selection committee to make a recommendation on the appointment to a post. The selection committee shall consist of at least three members who are employees of a grade equal to or higher than the grade of the post to be filled or suitable persons from outside the public service. However—</p> <p>(a) the chairperson of the selection committee, who shall be an employee, shall be of a grade higher than the post to be filled; and</p> <p>(b) in the event that the head of the component within which the vacant post is located, is graded lower than the vacant post, such a head may be a member of the selection committee</p>	EA	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 (8)
62.	67.(7)	<p>(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, guarantee the head-hunting of one or more persons with the requisite competencies and subject such person or persons to the same selection process as those who applied.</p>	EA	Not delegated	Not delegated	Not delegated	NC approves L1-12 EA approves head-hunting for L13 to L15
63.		<p>(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.</p>	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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	Regulation	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/Informing		
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	EA for L 13-15		
65.	68.(2)	<u>Prohibition</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 L15		
66.	68.(2)	<u>Resignation</u> (2) Subject to section 168(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.	70.(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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	Regulation	Topic Description		Head Office	Region	Management Area	
		debtors for the remaining notice period.		Dir: L1-8	Dir: L1-3		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)	Systems for performance management and development (1) An executive authority shall approve and implement a system for the performance management of employees, other than employees who are members of the SMS, in his or her department.	EA	CDC HR	Not Delegated	Not Delegated	NC 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 (6)
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 (6)
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 (6)
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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				Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/ Informing	
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	See conditions set out in PSR 71.(3) to (6)	
77.	72.(9)(c)	Performance assessments 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: (5) 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. (6) 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.	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 L13-16 in consultation with the Minister.	
78.	72.(6)	(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 HR L13-14 DC L11-12 Dir: L9-10 DD L1-8	DC L11-12 Dir: L9-10 DD L1-8	DC L11-12 Dir: L9-10 DD L1-8	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: L1-12	RC: L14 DRC/DCC L13 Dir: L1-12	DC L13 Dir: L1-12	NC for L15 HR facilitate with the co-operation of supervisors	
81.	73.(1)	Regulating 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.	


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	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 enticed 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	Indications for Exception/Reporting/Consultation/ Informing NC approves 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 approves 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 approves 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	DELEGATION/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 enroll unemployed youth graduates into the public service internship programme in line with the determination by the Minister of Public Service & Administration as included 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 curricula to fulfill the requirements of their qualification.</p>		DC HRD L13-15 DIR Policy and External Training L 1-12	Not delegated	Not delegated	Indications for Execution/Reporting/Consultation/Informing
				CDC HR	Not delegated	Not delegated	International study – not delegated.
				DCHRD	DRC	Not delegated	NC approves recruitment for programme
				DC's	Regional Head Corporate Services	Area Coordinator Corporate Services	
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 (5)	(5) In the case of an employee who studies or undergoes training for short periods, a head of department may, as a precondition for providing assistance, require the employee to enter into a contract with the department in terms of which he or she shall serve the department for a commensurate period.	NC	DC HRD	Not Delegated	Not Delegated	Operational policy for training assistance to provide specifics

A Fraser

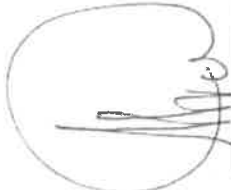
National Commissioner

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	DELEGATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
88.	78.(2)	<p><u>Mandation 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 78.</p>	EA	NC to provide written mandate Minimum level Dir ER to sign agreement on behalf of employer.	Not delegated	Not delegated	<p>Indications 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 78.</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 Function	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS
	Regulation	Topic Description		Head Office	Region	Management Area	
88.	CHAPTER 6	INFORMATION MANAGEMENT AND ELECTRONIC GOVERNMENT					
89.	93	Acquisition, management and use of information and communication technology resources The head of department shall ensure that the acquisition, management and use of information and communication technologies by the department - (a) enhances direct or indirect service delivery to the public, including, but not limited to, equal access by the public to services delivered by the department; (b) improves the productivity of the department; (c) promotes an environmentally friendly public service; and (d) ensures cost-efficiency for the department.	NC	CDC GITO in consultation with CDC's of branches	Not delegated	Not delegated	GITO facilitates
91.	95 (1)	Information security vigilance (1) A head of department shall ensure the maintenance of information security vigilance at all times in the department.	NC	CDC GITO	Not delegated	Not delegated	
92.	96.	Incident reports A head of department shall regularly, on the basis of the threat posed by an incident, submit to the Director-General: State Security Agency, the Auditor-General and such other authorities as the head considers appropriate - (a) an incident report of every instance of non-compliance with the information security standards referred to in regulation 94(1); and (b) a plan on how incidents of non-compliance will be corrected and how to prevent similar incidents in future.	NC	Not delegated	Not delegated	Not delegated	Director Security Standards to facilitates Incident reports and plans and submit to NC
93.	97 (4)	Minimum interoperability standards (4) A head of department shall - (a) include compliance with the MIOS in the project approval procedure; and (b) ensure compliance in 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: 23/10/20

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

POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO PER TIER			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/Consultation/Informing	
1. 3 (7)	An executive authority has all those powers and duties necessary for- (a) the internal organisation of the department concerned, including its organisational structure and establishment, the transfer of functions within that department, human resources planning, the creation and abolition of posts and provision for the employment of persons additional to the fixed establishment; and	EA	NC 1-12	None		Provided for in section 3 (5) of the Correctional Services Act, 111 of 1998 read with section 2(2) of the PSA 1994, the Authority is therefore with the National Commissioner. DPSA directives to be complied with, EA approve 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	Indicators for Execution/Reporting/ Consultation/ Informing	
4.	5(B) (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 L 14-16 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 96(3) of the Correctional Services Act, 111 of 1998 as amended	EA	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	Read with sections 3 (5) and 96(3) of the Correctional Services Act, 111 of 1998, section 2(2) of the PSA 1994 and the delegations in terms of the Correctional Services Act. Level 13-15 not delegated.	
7.	13 Appointment on probation						
8.	13 (1) If so required by regulation, an executive authority shall appoint an employee on probation for such period as may be prescribed for the relevant category of employees.	EA	CDC L11-12 DC L1-10	RC L11-12 DRC L1-10	None	All appointments to be made on probation. Levels to approve appointment on probation to be the same as levels for appointments in terms of the Correctional Services Act Delegations. 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: 2020/10/05

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			DELEGATION CONDITIONS AND LIMITATIONS	
Section	Topic Description		Head Office	Region	Management Area	Indicators for Execution/Reporting/ Consultation/ Informing	
10.	13 (3)	EA	CDC L11-12 DC L9-10 Dir L1-8	RC: L11-12 DRC L9-10 Dir L1-8	No delegation	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	EA					
12.	14 (1)	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 1988 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						
14.	15 (2)	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: 2020/10/15

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	
	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.					Indicators for Execution/Reporting/ Consultation/ Informing
15. 15 (3)	(a) The executive authority of a department may second an employee of the department to another department, any other organ of state, another government or any other body— i. for a particular service or period not exceeding the prescribed period (if any); and ii. on the prescribed conditions (if any) and such other conditions as agreed upon between the executive authority and the relevant functionary of the body concerned.	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 re-employment 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— (i) 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 L13-15 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 1988, 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 1988)

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			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
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	Indicators for Execution/Reporting/ Consultation/ Informing 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

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	
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	Indicators for Execution/Reporting/ Consultation/ Informing EA approves L 13-16 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: 2020/10/15

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	Indicators for Execution/Reporting/ Consultation/ Informing	
24. 18B	Discipline						
25. 18B (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).	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 2008. SMS do not have appeal recourse in terms of chapter 7 of the SMS handbook	
26. 18B (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 C8A Section S85B 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. 11B (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	CDC L 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 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	
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. Levels 13-15 in consultation with the Minister.	
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 L 1-12	Not delegated	EA approves L 14-15 NC approves L 13 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 L 1-12	Not delegated	NC approves L 13-15 in consultation with the Minister. HR to facilitate written motivation from employee and recommendation from Line Manager	
33.	Unauthorized remuneration						
34.	(a)(i) 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, 1980 (Act 94 of 1980), 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: 22/10/20

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	
36.	concerned.					
37.	Direction to perform other functions or to act in another post (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 DPC 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.	35(1) For the purposes of asserting the right to have a grievance concerning an official act or omission investigated and considered by the Commission— (a) an employee may lodge that grievance with the relevant executive authority under the prescribed circumstances, on the prescribed conditions and in the prescribed manner, and (b) if that grievance is not resolved to the satisfaction of the employee, that executive authority shall submit the grievance to the Commission in the prescribed manner and within the prescribed period.	EA	Not delegated	Not delegated	Not delegated	Refer to the grievance procedure for levels 2-12. Grievances of SMS to be handled in terms of the SMS handbook.
40.	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 Function	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
41. 37	Remuneration of employees					
42. 37 (2)	<p>or any other law if, having regard to the circumstances of the case, the Commission considers it appropriate to make such a recommendation.</p> <p>An executive authority may, only if it is allowed by regulation and to the extent prescribed—</p> <p>(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;</p> <p>(b) grant employees or classes of employees of the relevant department special advancement in salaries within the salary level of the salary scale applicable to them; and</p> <p>(c) grant an employee of the relevant department special advancement in salary within the salary level of the salary scale applicable to him or her or grant him or her a salary in accordance with a higher salary level or any other reward, if he or she has exceptional ability or special qualifications or has rendered meritorious service and it is in the public interest.</p>	EA	Not delegated	Not delegated	Not delegated	<p>Grants to be made according to the DCS Retention policy</p> <p>Levels 13-15 NC approves in consultation with the Minister</p> <p>HR to facilitate in consultation with the CDC and CFO in respect of sub-paragraph (c) it must be read with section 3(5)(a) of the CSA and the delegations thereof.</p>
43. 38	Wrongly granted remuneration					
44. 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	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: 2020/10/25

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POWER OR DUTY BEING DELEGATED		Principal Functionary	DESIGNATION/POST LEVEL DELEGATED TO			DELEGATION CONDITIONS AND LIMITATIONS
Section	Topic Description		Head Office	Region	Management Area	
				L13-14 RC L 15		Indicators for Execution/Reporting/ Consultation/ Informing
				CDC HR in HO		



A Fraser
National Commissioner
Date: 22/10/20