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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF MINERAL RESOURCES****NOTICE 755 OF 2016****USE OF OFFICIAL LANGUAGES ACT, 2012****(ACT No. 12 OF 2012)****LANGUAGE POLICY**

I, David Msiza, Acting Director-General of the Department of Mineral Resources, in terms of section 4(2) (h) of the Use of Official Languages Act, 2012 (Act No. 12 of 2012), hereby publish for public comment the Language Policy of the Department of Mineral Resources.

Interested persons or organisations may submit their written representations on or before 9 December 2016 to the Acting Director-General of the Department of Mineral Resources, c/o the Chief Director: Communications

- By hand to Trevenna Campus, cnr Meintjes and Francis Baard Street, Sunnyside, Pretoria; or
- By registered post to Private Bag X 59 Arcadia 0007; or
- By e-mail to [Neliswa.Chiloane@dmr.gov.za](mailto:Neliswa.Chiloane@dmr.gov.za).

Comments shall include the name of the person(s) submitting the comments and their full contact details.

**D MSIZA****ACTING DIRECTOR-GENERAL: MINERAL RESOURCES****DATE: 11 NOVEMBER 2016**





**mineral resources**

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

## **Draft Department of Mineral Resources (DMR) Language Policy, 2016**

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## 1. Definitions

Term	Definition
Act	the Use of Official Languages Act, 2012 (Act No. 12 of 2012)
Constitution	the Constitution of the Republic of South Africa, 1996
DMR	the Department of Mineral Resources
DG	the Director-General of the Department of Mineral Resources
Minister	the Minister of Mineral Resources
PanSALB	the Pan South African Language Board, established in terms of the Pan South Africa Language Board Act, 1995 (Act No 59 of 1995)
Policy	the Language Policy of the Department of Mineral Resources
Regulations	the Regulations in terms of the Act

## 2. Legislative Instruments

- 2.1 The Constitution of the Republic of South Africa, 1996
- 2.2 The Use of Official Languages Act, 2012
- 2.3 Regulations in terms of section 13 of the Use of Official Languages Act, 2012

## 3. Purpose and regulatory context of this policy

This policy is required by section 4 of the Act, as follows:

- 3.1 Section 4(1) provides that every national department, national public entity and national public enterprise must adopt a language policy on its use of official languages;
- 3.2 Section 4 (2) provides that a language policy adopted in terms of subsection (1) must:
  - 3.2.1 Identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes.
  - 3.2.2 Stipulate how official languages will be used in effectively communicating with the public, official notices, government publications, and inter and intra government communication.
  - 3.2.3 Describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is not one of its chose official languages, or South African Sign Language.
  - 3.2.4 Describe how members of the public can access the language policy.
  - 3.2.5 Provide a complaint mechanism to enable members of the public to lodge complaints regarding the use official languages by a national department, national public entity or national public enterprise.



#### 4. Principles

The principles underpinning this Policy are:

- 4.1 Commitment to the promotion of all languages in the Republic in order to ensure constitutional language equity and language rights as required by a democratic dispensation.
- 4.2 Recognition of multilingualism as a resource to maximize collaborative partnerships in national building, economic development and social cohesion.
- 4.3 Promotion of good language management by the DMR to ensure efficient public service administration that meets the needs of the public and ensures equitable access to the services and information of the DMR.
- 4.4 Prevention of the use of any language (s) for the purpose of exploitation, domination and discrimination within the DMR.

#### 5. The nature of the DMR

The work of the DMR includes:

- 5.1 The vision of the DMR is to enable a globally competitive, sustainable and meaningfully transformed minerals and mining sector to ensure that all South Africans derive sustainable benefit from the country's mineral wealth. This is achieved within our legislative framework and as the legitimate custodian of the country's mineral wealth.
- 5.2 The Department aims to promote and regulate the minerals and mining sector for transformation, growth, development and to ensure that all South Africans derive sustainable benefit from the country's mineral wealth.

#### 6. The DMR Language Unit

The DMR Language Unit will support this Policy. The functions of the Language Unit will be to:

- 6.1 Advise the DG on the development, adoption and implementation of this Policy;
- 6.2 Monitor and assess the use of official languages by the DMR;
- 6.3 Monitor and assess compliance with this Policy;
- 6.4 Compile and submit a report to the Minister and to the PanSALB in terms of section 9 of Act;
- 6.5 Promote parity of esteem and equitable treatment of the official languages of the Republic;
- 6.6 Facilitate equitable access to services and information of the DMR;
- 6.7 Promote good language management; and
- 6.8 Perform any other functions that the Minister may prescribe.

#### 7. Training and capacity building

In order to achieve the professional and efficient implementation of this Policy, the DMR Language Unit will advise on training and capacity building.

## 8. Official languages of the DMR

Section 4(2) of the Act provides that a language policy adopted in terms of subsection (1) must identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes:

- 8.1 The DMR will adopt all 11 languages of the Republic as its official languages for the purpose of this policy.
- 8.2 The following factors will be taken into account in arriving at the choice of official language(s) the DMR will use:
- 8.2.1 Practicality.
  - 8.2.2 Financial expenses.
  - 8.2.3 Regional circumstances.
  - 8.2.4 The balance of the needs and preferences of the public it serves.

## 9. Use of official languages by the DMR

Below is a table that indicates how the DMR will use the official languages:

DMR purpose	Language (s)
Inter and intra-government communication	English
Communicating with members of the public (Official written correspondence)	English
Communication with members of the public (Oral communication)	The official languages of the Republic with due regard to the criteria outlined in clause 8.2 of this Policy.
Official publications intended for public distribution (notices on DMR website, Annual reports, Annual Performance Plans, advertisements, forms and signage on buildings)	English
Public hearings	The official languages of the Republic with due regard to the criteria outlined in clause 8.2 of this Policy.
Other official/business proceedings	English
Communication with the hearing or sight impaired	The DMR Language Unit will facilitate Sign Language interpreting and conversion of text into Braille or alternatively audio on request with due regards to the criteria outlined in clause 8.2 of this Policy.
International communication	English and/or the preferred language of the country concerned with the assistance from the Department of International Relations.



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

10.1 A member of the public who wishes to communicate with the DMR in a language that is not one of the official languages of the Republic must notify the DMR in writing.

10.2 The DMR will arrange for appropriate translation or interpreting, with due regard to the criteria outlined in clause 8.2 of this Policy, within 20 working days of the date of the request having been received by the DMR.

## 11. Communication with members of the public whose language is the South African Sign Language

11.1 A member of the public who wishes to communicate with the DMR in the South African Sign Language must notify the DMR in writing.

11.2 The DMR will arrange for appropriate translation or interpreting, with due regard to the criteria outlined in clause 8.2 of this Policy, within 20 working days of the date of the request having been received by the DMR.

## 12. Publication of and access to this Policy

12.1 This Policy will be published in all the official languages of the Republic.

12.2 This policy will be available on the DMR's website ([www.dmr.gov.za](http://www.dmr.gov.za)).

12.3 This policy will be available in hard copy at the department's head office and regional offices on request.

## 13. Complaints mechanism

Public dissatisfaction regarding use of official languages may lodge a complaint to the DG.

13.1 The complaint must be delivered to:

13.1.1 70 Meintjies Street, Trevenna Campus, Sunnyside;

13.1.2 by registered post to the Director-General of the Department of Mineral Resources at Private Bag X59, Pretoria, 0007; or

13.1.3 by e-mail to the Director-General of the Department of Mineral Resources at [Enquiries@dmr.gov.za](mailto:Enquiries@dmr.gov.za)

13.2 The complaint must:

13.2.1 be in writing;

13.2.2 be lodged within 3 months of the complaint arising;

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

13.2.4 provide a full and detailed description of the complaint.

13.3 The DG may request a complainant to:

- 13.3.1 Supply additional information necessary to consider the complaint; and
- 13.3.2 Designate an official on his behalf to attend a meeting for the purposes of making oral enquiry into the complaint.
- 13.4 The Director-General of the DMR must:
  - 13.4.1 Consider the complaint and make a decision, no later than 3 months after the complaint was lodged; and
  - 13.4.2 Inform the complainant of the decision in writing.
- 13.5 A complainant not satisfied with a decision contemplated in paragraph (e)(ii) may lodge an appeal with the Minister of the DMR. The appeal must:
  - 13.5.1 Be in writing;
  - 13.5.2 Be lodged within 1 month of a decision contemplated in paragraph 2(e)(ii);
  - 13.5.3 State the name, address and contact information of the person lodging the appeal; and
  - 13.5.4 Provide a full and detailed description of the complaint.
- 13.6 The Minister of the national department concerned or the accounting authority of the national public entity or national public enterprise must:
  - 13.6.1 Consider the appeal and make a decision, no later than 3 months after the appeal was lodged; and
  - 13.6.2 Inform the appellant in writing of the decision.

#### **14. Review of the Policy**

This Policy will be reviewed whenever necessary but at least within 10 years as required by the Department of Arts and Culture.

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